

## Summary

### Objective

When using or disclosing information, we must ensure that it is covered under the Privacy Act 2020 which sets out how we can use or disclosed personal information we have collected. We must also take care to protect the privacy of individuals at all times

Owner

[Name withheld]

Expert


## Policy

### 1.0 Limits on using and disclosing information

- a** We may only use or disclose information for the purposes that we collected it for. Once we've obtained personal information for one purpose we cannot use or disclose it for another purpose.
- b** Personal information should not be used or disclosed outside of the normal purpose (i.e. claims management), unless it meets an exception under the privacy act. These situations include:
  - to assist legal proceedings and investigations
  - to avoid a serious and imminent threat to public health or safety, or the life or health of the individual concerned.
  - use of disclosure has been authorised by the individual concerned

 Privacy Regulations

- c** There are limits to what information we can disclose about a client to their employer. In general, we may only disclose limited information about work-related injuries to employers. Encourage the client to provide any relevant information to the employer themselves.

 What information can we give an employer?

#### **NOTE** Can we disclose information to a parent?

We are able to disclose client health information to parents or guardians of clients under the age of 16 where a duty of care exists. Once a client is over the age of 16 we must not disclose information to their parents or guardians unless an Authority to Act is obtained.

#### **NOTE** Can we use or disclose information using the snipping tool

Screen captures of Eos information or from other internal systems, taken with the Snipping Tool, are useful for purposes such as training material or raising queries to Helpdesk; however you must take care to remove/black out any personal information (eg names, DOB, contact details, accident description, employment). Use the Snipping Tool to grab only the information you need to copy, then paste it into a new document or email. If possible use Sandpit or a training environment rather than the live environment. For further advice, particularly if you wish to send information externally, please consult with the Privacy team.

### 2.0 Privacy check before disclosing information

- a** When providing personal information to a client, client advocate, client lawyer, provider, supplier or employer, you must take care to protect individual privacy at all times.
- b** You must check documentation to ensure the information relates to the customer and does not contain inappropriate or non-injury related information. You must complete a content and privacy check before disclosing any personal information even if we initiated the disclosure.

A content check ensures we only give the information that was requested and is relevant, a privacy check ensures we only give information about the client who is requesting it.
- c** Any information about people other than the client should be removed. Any information that may negatively affect the client's physical or mental health should be discussed with their medical practitioner (eg GP or Psychiatrist) prior to release. If the medical practitioner agrees it may be harmful, we can withhold that information. We must only provide the information required and requested, particularly in respect to non-injury conditions.

#### **NOTE** Minor vs Substantial

A minor enclosure is routine correspondence or one or two short documents.


A substantial enclosure generally contains varied and potentially sensitive health information or multiple documents.

#### **NOTE** What if this is a full file request or a substantial disclosure?

The Client information Request team (CIR) are responsible for checking and sending this information please refer to the process below

 **PROCESS** Complete Client Information Requests

**NOTE** What information can you withhold?

 **PROCESS** When to withhold personal information Policy

**NOTE** What if a provider or vendor is no longer involved in the claim?

Once a vendor or provider is no longer actively involved in the claim, remove them from the participants list. This reduces the chance of incorrectly selecting them and appropriately disclosing information later on

**NOTE** What if this is an RCU claim?

CIR and RCU case owners have been given pseudonyms that can be used on RCU claims. Any staff names that are not Pseudonyms on RCU claims are to be redacted before release.

**NOTE** Can you withhold staff names?

Generally, no. We do however look to redact staff names for RCU claims or there is a serious threat of harm. Please see the page of the privacy hub linked below for more information

 Releasing or withholding staff names

---

### 3.0 Delivery options

- a We have multiple options for receiving information, our main disclosure method is email however we are able to send information post, courier or print documents to be picked up at a local ACC branch, these options and more information are laid out below
- b Delivery options for suppliers, providers, GPs and employers: Our first option is email, you may send documents by courier if requested however you must request a signature on delivery.

Only include information about one client in a package or email. If you need to send information about multiple clients, use a separate email or courier bag for each client.

---

### 4.0 Printing documents

- a If you need to print documents before sending, only print documents for one client at a time, unless you're batch printing and processing a bulk mailing of a standard letter. Make sure the number of letters matches the number of envelopes. When printing multiple pages fasten with staples rather than paperclips.

Ensure a cover page is used with any disclosure of information.

---

### 5.0 Disclosing information using email

- a Always email out of EOS or relevant business system(s) ensuring that there is a record of any emails being sent. If you need to email from outlook please ensure you have disabled auto population of email addresses in Outlook.
- b Any attachments can be password protected depending on content, if you are unsure whether this information needs to be password protected please contact the admin team for assistance.
- c If you're using email to send or receive client information ensure you:
  - check that the email is verified
  - remember the "one email, one client" rule. Each email you send, with or without attachments, must only refer to a single client or recipient
  - send your email and attachments to a verified email address
  - complete a privacy check
  - check any attachments are for the correct recipient
  - check all email threads and delete any information that is not relevant to the client
  - ask another staff member to double check attachments if you have any doubts about sending the information
  - never use a Multi-Functional Device (MFD) to send documents outside of ACC
  - use the security pop ups to ensure the email is classified correctly, labeled correctly, and is being sent to the correct party

 Send an Email from Eos

 Verify an email address in Eos (Eos Online Help)

 Communication Using Email Policy

**NOTE** Can you disclose a screenshot of Eos or another ACC system externally?

Disclosing a screenshot of Eos, MFP or another ACC system is not best practice, as there is a risk of including information that is not appropriate for that party to see. In most cases you should be able to summarise the information. In some cases (e.g. purchase order or payment details) you could take a snip of the relevant section of the screen and share that, making sure that it doesn't include personal information that is not relevant to that recipient.

**NOTE** This is not recommended for large files that need more than a few emails

emails can only hold attachments that are 10MB or less.

**NOTE** What if a provider or vendor needs their address updated?

email the new details to the Provider/Vendor Registrations (PVR) team at Registrations@acc.co.nz and put 'Change contact details' in the subject line. Or, the provider or vendor may email the PVR team with a copy to you.

---

## 5.1 Collecting information from an ACC Office

- a A requestor may collect their information or file from an ACC office. You must check the person's authorisation and identification before handing over the information. Complete the ACC6179 form and upload to the claim).

If the information is prepared at a different office, you must courier it to the appropriate ACC branch or unit to be collected. Double envelope the information before you place it in the courier bag.

### **NOTE** If the request is sent to the branch, how long is this kept before being destroyed?

The client should be notified when the information arrives at the branch.

- If contacting by email or post, a copy of the decision letter should be attached.
- This should be followed up 3 times over a 2 month period.
- The final follow up should be written (verified email or post) if appropriate. This communication should mention that the information will be disposed of if contact is not made, and the timeframe for disposal to be at the end of the third month ensuring this leave adequate time for the client to reply.
- If the client makes contact after the information has been disposed of, contact the CIR team. The information can be reprinted and resent to the branch by the CIR team.

---

## 5.2 Disclosing information by post

- a You can use post to send client information to a verified address if it is a minor enclosure, or on a password protected CD or USB. You must check the 'Verification' and 'Valid Address' statuses of the client or authorised representative's physical address, and either verify or reverify by telephone or in person as needed.

You must carefully check the items that you place in the envelope to make sure:

- they relate to the right client, the right claim(s) and the right request
- multi-page items are stapled and there are no missing pages or extra pages attached.
- If you are printing more than one letter please ensure you are sending one letter per envelope.

Ensure the envelope is securely sealed before sending.

### **NOTE** Temporary or alternative client address

If the client has a temporary physical address, the client must specifically confirm that the temporary address is appropriate for ACC to send documents to. If they do, in Eos add the temporary address as the home address. Task to remember to update Eos once the client returns to their normal mailing address. If the client does not request for mail to be sent to their temporary address, then do not change their home address to the temporary address. The client must collect the information from an ACC office. You may send blank forms to a temporary address. They must not contain any client details.

An alternative address should only be used as a mailing address IF the current home address does not receive mail. For example, - where the client uses a PO box instead of receiving mail to their home address - where the client is deceased, we should keep the address as their last physical address and load the details of their representative as the alternative address.

### **NOTE** What if it is a substantial enclosure?

You can send substantial enclosures by password protected CD or USB.

or

You can send substantial enclosures by post instead of Track & Trace Courier ONLY IF:

- Obtain the client's agreement for it to be posted, ESPECIALLY if it contains sensitive personal information. Ensure you have explained the nature of the material in the enclosure
- Ensure your conversation, and the client's agreement to send by post, is clearly recorded in EOS (e.g. Contact note)
- Check with the client before sending each enclosure.

If the client has any concerns about the material being posted then you must use an alternative delivery method, such as a courier.

**PROCESS** Prepare and Send Client Information by Courier

### **NOTE** Envelope peer checks

If you're sending more than one page, the Privacy Team highly recommend getting a colleague to check your letter before the envelope is sealed. This involves taking the documents out of the envelope and checking that they relate to the right client and are supposed to be included. Many privacy breaches have been prevented by a peer check!

**NOTE Overseas clients**

You may send personal information to a client if they live overseas via CD or USB. You may only send client information to their advocate, insurer, representative or employer if you have the client's consent and the requestor has authority to act on behalf of the client. The staff member preparing the password protected CD, is responsible for sending the information overseas via international courier.

If the client wants printed documents please consult the privacy team before proceeding

**NOTE Clients in prison**

If a client is in prison and they don't have an advocate, we can only provide them with a printed copy of their file. Clients in prison generally don't have access to computers. You must send them an INP01 Personal info request - provide info letter, include a ACC6181 information sheet and response template for them to return.

Note that in most cases we'll need to write to a client in prison as we'll be unable to contact them by telephone. However, if you're able to phone a client who's in prison, you can record their preferred delivery method as a Contact in Eos.

Do not release the information until you receive the client's instructions. If the client has not nominated a lawyer or advocate for us to send the information to, you must contact the client when their information is ready to advise that we will prepare a paper copy to be couriered to the prison. The client will need to be made aware that prison staff check all incoming packages, which may include their package.

---



**5.3 Disclosing information by courier**

- a** You can only use a courier to provide information to a client, client advocate or client lawyer if you have the client's consent to do so. This consent must come after you've made them aware of all the risks involved with sending their information by courier (see the ACC6181 Receiving personal information by courier information sheet).

Before providing any information by courier, you must:

- check the recipient's address is "Verified" and "Valid"
- confirm the recipient's authority to receive the information
- place the information in a clearly addressed envelope or package before you put it in the courier bag.

If you want to send sensitive or confidential information by courier you must use the 'pre-alert' method.

-  ACC6181 Receiving personal information by courier
-  How to Send a Courier / Post a Letter

---

**5.4 Disclosing information by fax**

- a** Faxing information is to be used as a LAST resort for disclosing information. The other options above should be looked into first.

-  CLI07 Fax cover sheet

---

**6.0 Returned information**

- a** When someone returns client information to us, eg personal information that has been included with a referral to a provider or a copy file returned from a Review Hearing or Appeal, you must create a 'Contact' in Eos to record what's been received before you place the documents in the document destruction bin.

Create the 'Contact' at Claim level or If multiple claims are involved, create it at Party level. Make sure you include as much detail as possible about what was received, how it was received, what you did with the documents and any other relevant information.