



24 August 2023

[REDACTED]
Kia ora [REDACTED]

Your Official Information Act request, reference: GOV-026717

Thank you for your email of 28 July 2023, asking for the following information under the Official Information Act 1982 (the Act):

Can you please provide me with the ACC policies and procedures for ACC workers interaction with their ACC Risky Registered Client's extended whanau, and evidence that these ACC policies and procedures to manage ACC vulnerable adults align with the Treaty of Waitangi kaupapa.

Our response

We do not have any policies that are specific to interacting with the extended whanau of clients who have a care indicator. As such, we are refusing your request, as the information does not exist. This decision has been made under section 18(e) of the Act.

The following documents may be of interest to you, and are attached as Appendix 1

- Advocate Communications Policy
- Respond to Clients in Vulnerable Situations
- Activate, Review and Deactivate Care Indicators
- Safe Kiwis: Managing Aggressive and Threatening Behaviours

As staff names were not requested, they have been deemed out of the scope of your request and removed.

Te Tiriti o Waitangi

Please see pages 3 and 9 of 'Safe Kiwis: Managing Aggressive and Threatening Behaviours' guide attached. These pages refer to respecting the culture, values, and beliefs of Māori, which is in line with Right 3 of the Code of Claimant's Rights. A copy of the Code can be found online here: <https://www.acc.co.nz/assets/im-injured/730eea8693/claimant-rights.pdf>

You can also read about our current 10 year strategy, Huakina Te Ra, that encompasses ACC's commitment to Māori and meeting our obligations under Te Tiriti o Waitangi on our website here:

<https://www.acc.co.nz/about-us/corporate-documents/our-strategy-huakina-te-ra/>

Information about our previous strategy, Whāia Te Tika, can be found online here:

<https://www.acc.co.nz/assets/oia-responses/referral-to-the-treaty-in-the-legislation-oia-response-GOV-019600.pdf>

As this information may be of interest to other members of the public

ACC may decide to publish a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available www.acc.co.nz/resources/#/category/12.

If you have any questions about this response, please get in touch

You can email me at GovernmentServices@acc.co.nz. If you are not happy with this response, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Sara Freitag
Acting Manager Official Information Act Services
Government Engagement

Summary

Objective

An advocate is someone who acts on behalf of a client. They may get involved when a client wishes to be supported while working with ACC.

Clients can request that another person, eg an advocate, relative or friend, act on their behalf when dealing with a claim by completing an ACC5937 Authority to act form, which is added to their party record in Eos.

Owner

[Out of Scope]

Expert

Policy

1.0 Legislation

- a** The following legislation and codes govern our communications with client advocates:

-  Code of ACC Claimants' Rights.pdf
-  Health Information Privacy Code 2020
<https://www.privacy.org.nz/privacy-act-2020/codes-of-practice/hipc2020/>
-  Privacy Act 2020
<https://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html>

2.0 Community advocacy

- a** ACC has a contract with two suppliers to provide a community Navigation Service to ACC clients. These providers are:
- Way Finders
 - Workplace Injury Advocacy Service (WIAS)

The Navigation Service is a free and independent service that our clients can use at any time, from pre-claim lodgement through to the point of a review hearing. It is available throughout the country, using the following 0800 phone numbers:

- WayFinders: 0800 273 030
- Workplace Injury Advocacy Service: 0800 486 466

3.0 Advocacy groups and ACC


- a** ACC works in partnership with advocates and advocacy services through the Voice of the Customer (VoC) programme, to ensure that the voice of the customer is heard and recognised by ACC. You can email the programme manager directly at voc@acc.co.nz.

They:

- work with advocacy organisations to improve the quality and availability of advocacy services for ACC clients
- coordinate the ACC Consumers' Outlook Group (a group of people who talk to ACC as representatives of the wider community)
- coordinate the Older People Advisory Group (OPAG), which is particularly concerned with injury issues for older people in the community.

4.0 Written communication

If the client gives us...	then we must address any letter, email or fax to the...
signed authority	client, with a copy to the advocate
both: <ul style="list-style-type: none"> ▪ signed authority ▪ written advice to send all communication via their advocate 	advocate, with a copy to the client
written advice to send all communication to their advocate only	advocate

 Written communication.PNG

5.0 Telephone communication

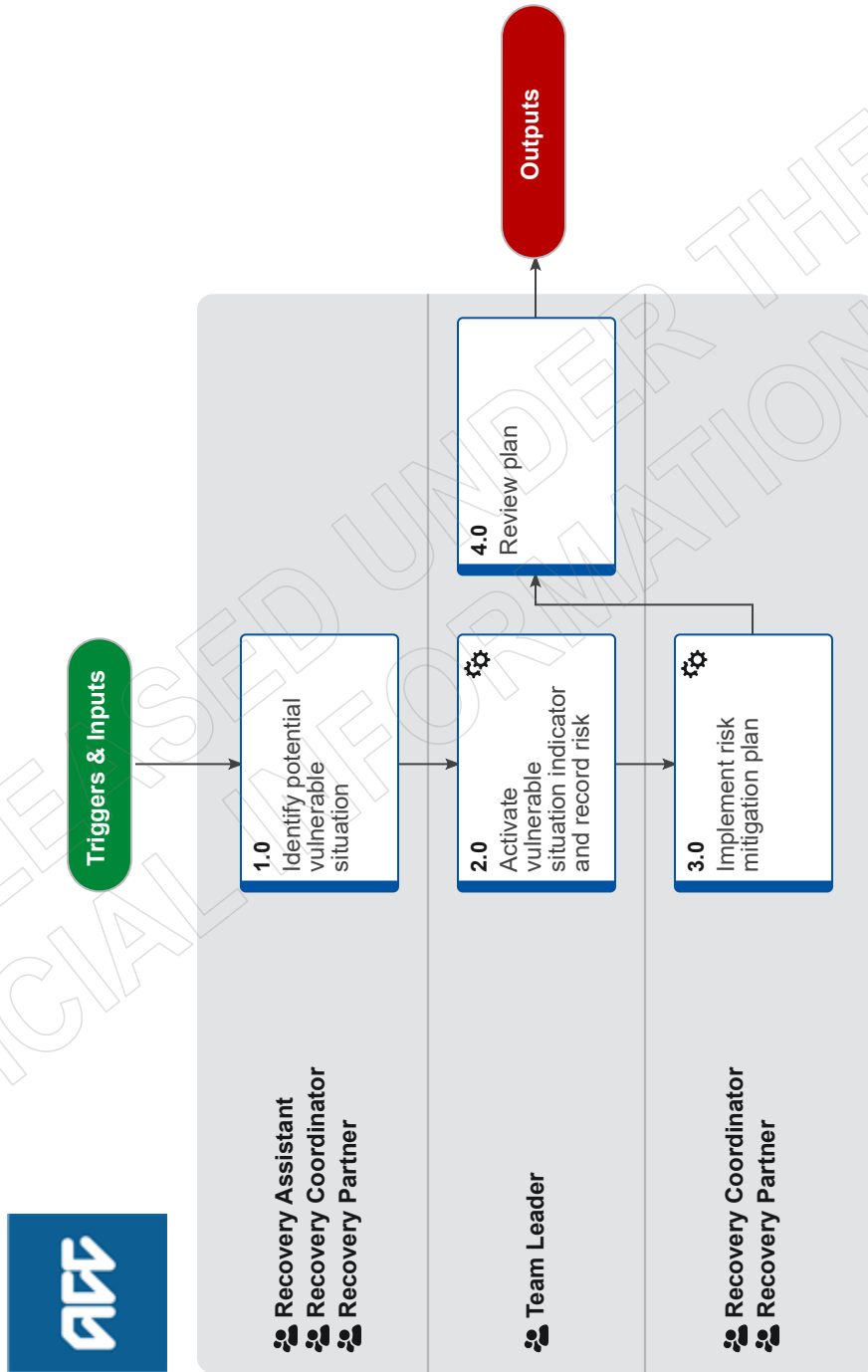
- a** You must make telephone contact with the advocate acting for the client, not with the client.

6.0 Exception

- a** Court order provisions take precedence over these rules, eg Protection of Personal Property and Rights Orders.

When there is a Court order in place, we must comply with its provisions.

RELEASED UNDER THE OFFICIAL INFORMATION ACT



Summary

Objective

The purpose of this process is to ensure we effectively identify a vulnerable situation for a client, when there is a potential threat to their safety, health, or wellbeing. If you're working on someone's claim and recognise the signs that they may be in a potentially vulnerable situation, you must immediately report your concerns to your Manager so decisions can be made about reducing the chances they will come to harm.

It allows us to be proactive in a client's recovery.

Background

While providing support to our clients, we may identify that they are at risk. It is important to understand how to respond to vulnerable situations. Vulnerable situations for clients come in many forms. Sometimes the potential for harm comes from the addictions, mental health conditions, or aggressive or anti-social behaviours the person exhibits. Sometimes it is the person's poor health or medical conditions in combination with the conditions they're living in. Sometimes the potential harm comes from others the person is living with.

Identifying the triggers that will help us to proactively respond to a client's needs and take the required action or interventions including formulating a risk mitigation plan.

Owner [Out of Scope]


Expert

Procedure

1.0 Identify potential vulnerable situation

Recovery Assistant, Recovery Coordinator, Recovery Partner

- a** Collect details of the client's potential vulnerable situation. Refer to the 'Situation and Potential for Harm' table in the 'Recognising clients in vulnerable situations Policy'.

 Recognising clients in vulnerable situations Policy

NOTE What are the signs of vulnerable situations?



- mental health or behaviour problems
- aggressive or anti-social behaviours
- addiction problems
- isolation
- decision-making capacity is impaired
- violence or abuse from others
- no family support or backup
- taken advantage of by others
- money problems
- poor health problems
- medical conditions
- unreliable care arrangements
- housing problems
- conditions they're living in
- harm from others the person is living with.

All these situations present risk, but the most dangerous situations are where a person is unable to reduce or remove themselves from these risks.

NOTE What if a child is affected?

If no, continue.

If yes, go to Referring children in potentially vulnerable situations process, and file report.
See also Interagency protocol for at-risk or vulnerable children Policy.

-  Referring children in potentially vulnerable situations
-  Interagency protocol for at-risk or vulnerable children Policy

- b** Obtain details of the potentially vulnerable situation.

NOTE Who could you obtain details from?

The treating provider, a family member, a carer, school or contracted agencies.

- c** Identify and contact all parties involved, eg:
 - Police
 - Oranga Tamariki - Ministry of Children
 - Ministry of Health
 - Housing New Zealand
 - Work and Income New Zealand (WINZ)
 - client's doctor or General Practitioner
 - contracted service suppliers.

NOTE What if you are referring your client to a provider?

Contact and discuss with the provider prior to them accepting and contacting the client.

If creating a task, clearly outline that the client is in a vulnerable situation.

- d** Discuss with your Team Leader.

NOTE What if my Team Leader advises the client is considered vulnerable but doesn't meet the Vulnerable Indication criteria?

Update the Cultural needs life area of the Recovery Plan with the following information:

- Provider Safety Plan
- Concerns that have been identified

Update or add safe or alternative contacts if required. Continue with previous process.

- e** Consider if the client needs to be transitioned to a different team.

NOTE What do you need to consider?

As a result of the change in Vulnerable Situation Indicator consider transitioning the client to a different team. If your client is in Assisted Recovery transition the client to Supported or Partnered Recovery. For more information refer to the guidelines and process below.

 **PROCESS** Transition Claim

 GUIDELINES Choosing the right Recovery Team

2.0 Activate vulnerable situation indicator and record risk mitigation plan

Team Leader

- a** Contact the Recovery Team member to discuss the actions.
- b** Request CSL to activate the Vulnerable Care Situation Indicator in EOS through the claim party record:

1. Navigate to the Indicator tab
2. Click Add
3. From drop-down menu select Vulnerable Situation Indicator
4. Click Yes
5. From drop-down menu select Vulnerable Status
6. Select Active
7. Complete the section Why the client is believed to be in a vulnerable situation
8. From drop-down menu select Risk Mitigation Plan Update Type
9. Select Initial
10. Complete the section Parties affected by situation
11. Complete the section Risk mitigation actions undertaken by ACC
12. If there are other parties involved, complete Other parties involved in managing the situation
13. Click OK


- c** Advise the Recovery Team member that the indicator is active and tasks in the risk mitigation plan can now be carried out.

3.0 Implement risk mitigation plan

Recovery Coordinator, Recovery Partner

- a** In Eos, open the clients party record and navigate to the Indicator tab.
- b** Review the plan.
- c** Meet with Team Leader to review and agree on each task and the dates.
- d** Implement the risk mitigation plan.
- e** Update the Recovery Plan with the action taken.

NOTE Go to the Create or Update Recovery Plan process.

 **PROCESS** Create or Update Recovery Plan

 Recovery Plan - Create Reminder Actions - System Steps

- f** Create a reminder to review the risk mitigation plan in 6 months.
- g** Set up an action to contact the client again to monitor the situation.

4.0 Review plan

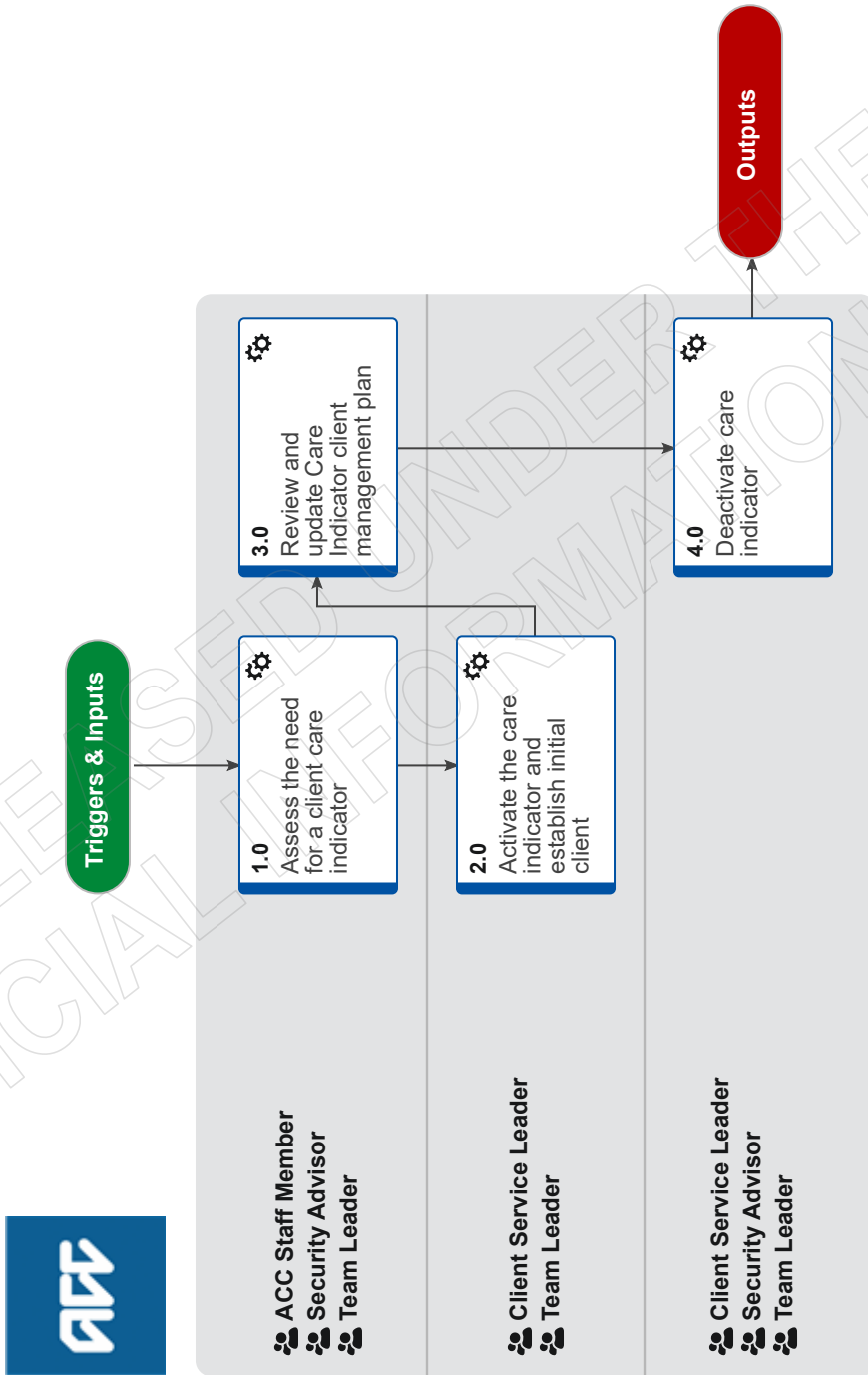
Team Leader

- a Review the risk mitigation plan after 6 months:

NOTE What if you have identified the client is no longer in a vulnerable situation? - Deactivate the vulnerable indicator.

What if you have identified the client remains in a vulnerable situation? - Update the risk mitigation plan.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



Summary

Objective

To activate, review and update a Care Indicator for a client so that we manage a Care Indicator client safely.

Background

You would need to activate a Care Indicator and develop a client management plan whenever any client poses a risk to anyone's safety.

For Supported and Partnered clients, the client management plan is updated every six months after consideration of the risk related behaviours.

For Assisted clients, the client management plan is reviewed before any client contact including referral to other ACC employees or third parties, and updated as required.

If the client no longer poses a risk, the active Care Indicator can be removed.

Owner [Out of Scope]

Expert

Procedure

1.0 Assess the need for a client care indicator

ACC Staff Member, Security Advisor, Team Leader

- a Check the client meets criteria for activating a care indicator.

NOTE What are the criteria for activating a care indicator?

Go to the Safe Kiwis managing aggressive and threatening situations care indicator information on page 23.

 Safe Kiwis: Managing Aggressive and Threatening Behaviours

NOTE What if you are unsure if the client meets the criteria?

Discuss with your Team Leader or the Security Advisor. [Out of Scope] is the ACC Security Advisor, she can be contacted on [Out of Scope]

NOTE What if the client does not meet the criteria?

Document the relevant information into the claimant care notes in EOS. This process ends.

2.0 Activate the care indicator and establish initial client management plan

Client Service Leader, Team Leader

- a Activate the care indicator in Eos.

NOTE How do you activate the Care Indicator in EOS?

- 1) In EOS, navigate to the [Indicator] tab on the [View Party Record] screen.
- 2) Click [Add].
- 3) Select the 'Care Indicator' from the dropdown list and click [Yes].
- 4) Enter the details of the incident resulting in the client being placed on the register.
- 5) Select the [Care Category] = Other (Category 3) from the drop-down list.
- 6) Click the [Management Plan] button.
- 7) Select [Initial] from the drop-down list to update the Management Plan.
- 8) Fill out all fields with the relevant information.
- 7) Click [OK].

NOTE What information is required in the care indicator management plan?

Identified risk the client presents

Approved methods of communication with the client

- b Go to Activity 3.0 to Review and update Care Indicator client management plan.

3.0 Review and update Care Indicator client management plan

ACC Staff Member, Security Advisor, Team Leader

NOTE When is a care indicator client management plan reviewed?

- Before any planned interaction with a client (from ACC staff or third party provider)
- At the time of any unplanned interaction with a client
- After any incident involving the client, or notification of any incident involving the client
- When requested by the Security Advisor
- For assisted claims when a claim task is created
- For Supported and Partnered, care indicator management plans are to be reviewed at six months after the last update

a Review the Care Indicator client management plan by reading the existing management plan, check any contact with the client since the plan was last reviewed and review any other risk related behaviour information that has been identified since the last review

b Discuss results of review with the Team Leader and if necessary the Security Advisor

c The Team Leader updates the Care Indicator Client Management Plan

NOTE How do you update client management plan?

- Open the client's EOS record.
- Update the management plan with changes or if no changes are required add note "no information received that indicates a need to change this client management plan"

NOTE What if the care indicator is no longer required?

Go to 4.0 Deactivate care indicator.

4.0 Deactivate care indicator

Client Service Leader, Security Advisor, Team Leader

NOTE What are the criteria to review before removing a care indicator?

- Has this client continued to demonstrate the unacceptable behaviours that led to the activation of the Care Indicator?
- What changes and/or improvements have there been to the client's behaviour?
- Given there has been a six-month period since the last date of evaluation, what other strategies can be implemented by ACC that may improve/enhance this relationship? For example, if the Care Indicator is a result of a higher than expected level of contact from the client, a communication strategy may improve the relationship. This could include limiting contact to emails and phone calls only, diarised contact from ACC to the client and vice versa, request that the client attend all meetings with a nominated support person, etc.
- Is ACC's continued use of the Care Indicator fair and reasonable now? When evaluating what is "fair and reasonable" employees should look at the client's current circumstances in an objective manner.

NOTE Who can deactivate a Care Indicator

Team Leader in consultation with Client Service Leader, and Security Advisor where appropriate

a In EOS navigate to the [Indicator] tab on the client's party record and click [Edit].

b Click the [Care Status] drop-down menu and select [Inactive].

c Click [Management Plan].

d Click the [Management Plan Update Type] drop-down menu and select [Discharge].

e Type the reason why the Care Indicator is being removed into the relevant field.

f Click [OK] to grey out the Care Indicator icon.

NOTE Why does the Care Indicator in EOS change colour to grey?

- This notifies staff that the client has had an active Care Indicator but does not currently present a risk.
- All previous information of the client being a risk remains in 'Indicators' in the Eos record.



Safe Kiwis: Managing Aggressive and Threatening Behaviours



Safe Kiwis

Managing Aggressive and Threatening Behaviours

Updated 25th January 2023



RELEASED UNDER THE OFFICIAL INFORMATION ACT

Contents

Introduction	3
Accountabilities	4
Leaders.....	4
Employees.....	5
Third Party Suppliers.....	5
Training available.....	5
Distinguishing Types of Behaviour	6
Threatening or Offensive Phone Calls	8
ACC Client Meeting Precautions	9
Face to Face meeting requirements.....	9
Office Duress Response Procedure.....	11
Offsite Safety Meeting Precautions	13
Team Specific Arrangements	17
Integrity Services.....	17
Other Aggressive and Threatening Situations	20
People under the Influence of Alcohol or Drugs.....	20
Destruction of Property.....	20
Contact Out of Work Hours.....	20
Offensive Mail.....	21
Bomb Threats.....	21
Care Indicators	22
Criteria for activating the Care Indicator.....	22
Managing Care Indicators/Care Indicated Clients.....	24
Criteria for making a Care Indicator 'inactive'.....	25
Disclosure of care indicator to third parties.....	26
Privacy and Documentation.....	28
Trespass Notices	30
The Remote Claims Unit	31
Criteria for transferring a client to the RCU.....	31
Management in the RCU.....	31
Process for referring a client to the RCU.....	32
Review of placement in RCU.....	33
Te Ara Tika (Wellington Central Branch)	35
Review Hearings	36
Employee Support	38

Introduction

ACC places the highest priority on employee safety. Aggressive or threatening behaviour is a hazard and presents a risk to the safety of our people, our clients, our visitors, and others.

The Safe Kiwis Managing Aggressive and Threatening Situations procedures are designed to help keep all people safe when responding to aggressive or threatening behaviour and are for all ACC people. The procedures also include additional material specific to the Integrity Services and Business Customer Service Delivery teams.

In the event of an incident involving aggressive or threatening behaviour ACC will respond appropriately to the incident and support the people involved.

ACC is committed to a culture of excellence in customer service and the Code of ACC Claimants' Rights has been implemented to ensure that this culture is upheld. The code promotes eight essential behaviours:

- Put people first, injuries second
- Tell the truth and keep your promises
- Help clients to receive their entitlements
- Ensure your behaviour is professional in every respect
- Set up working relationships with clients and employees that enhance their self-esteem
- Be sensitive to culture, values, and beliefs
- Make decisions based on facts – not assumption, bias, or prejudice
- Communicate in a clear, simple, and helpful manner, to minimise the potential for misunderstanding.

The behaviours set out in The Code assist in minimising the likelihood that someone will behave in an aggressive and threatening way; however, we do know that this behaviour will occur in some situations.

When these behaviours do occur the procedures in this document must be followed. Claimants' whose management is affected by these procedures continue to have rights under The Code however, the way ACC interacts with them can be different to other claimants to minimise the risk to ACC employees.

Accountabilities

Leaders

Leaders are accountable for

- Discussing, publicising, and implementing the Safe Kiwis Managing Aggressive and Threatening Situations procedures
- Ensuring all employees understand their responsibility for protecting their own safety at all times
- Ensuring all employees have completed the applicable training programmes and on-going refresher training
- Ensuring every aggressive or threatening incident is reported and the Security Advisor notified
- Ensuring the Head of Health, Safety and Wellbeing is informed when a major incident is reported
- Ensuring incidents with a risk to safety are reported under the Eos Client Contacts as a Claimant Care note with the Care Indicator Tab activated (or Juno system for levy payers) so employees have a quick summary record of all activity relating to the safety risk for our customers.

Leaders are also accountable for

- Ensuring every client whose behaviour may be a risk to safety and meets the required criteria has their Care Indicator activated
- Review and update the Claimant Care Indicator register for active clients on receipt of care indicated claim file
- Developing, communicating, and regularly practising an Office Response Procedure.

Employees

All employees are accountable for

- Reading the appropriate Safe Kiwis Managing Aggressive and Threatening Situations procedures for their role. Employees who meet with clients must understand these procedures before they meet with clients on their own.
- By applying the Safe Kiwis Managing Aggressive and Threatening Situations procedures to the situations they encounter whilst doing their job
- Actively participating in training and/or refresher programmes relating to Managing Aggressive and Threatening Situations
- Reporting any concerns immediately to their leader
- Ensuring every incident is reported to their Leader and recorded in the HR Self Service
- Reporting client incidents they are involved in under the Eos Client Contacts as a Claimant Care note with the Care Indicator Tab activated (or Juno system for levy payers) so other employees have a quick summary record of all activity relating to safety risks.

Third Party Suppliers

All employees of third party suppliers are accountable for

- Reporting any concerns immediately to their employer
- Ensuring every incident involving aggressive or threatening behaviour from ACC clients is reported to ACC.

Training available

- **Health and Safety for Everyone** [Course: Health & Safety for Everyone](#)
- **Health and Safety on the Phone** [Course: Health and Safety on the Phone](#)

This package includes three modules: Identify Difficult Calls; Managing Difficult Calls; and The Power of Language. This module also links to:

[Using Care Indicators - Interactive PDF](#)

[Managing Threat of Self Harm Calls PDF](#)

- **Health and Safety: Client Meetings** [Course: Health and Safety: Client Meetings](#)
- **Offsite Safety Alarm Training and Declarations** [Course: Offsite Safety Alarm Training](#)
- **Customer Host Training** [Customer Host Training](#)
- **Reception Training** [Reception Training](#)

Distinguishing Types of Behaviour

It is important to distinguish between a person demanding their proper rights, and a person who threatens your safety. People have a right to express their feelings and you must respect that right, however they do not have the right to express their views in a way that threatens your safety, the safety of your colleagues, clients, other persons or property.

Demanding or Dissatisfied People

People may be demanding or feel dissatisfied with the service they have received because:

- The way the service was delivered did not meet their expectations
- The service does not meet their desired need or expressed need
- They disagree with the provisions or limits set out in the Legislation

If you are responding to a demanding or dissatisfied person, the following steps may avoid them becoming aggressive or threatening:

- Listen
 - Keep Calm
 - Let them talk – keep interruptions to a minimum
Try minimal responses, e.g. "mm" or "yes" to show you are listening.
- Acknowledge their feelings
 - Be respectful
 - Accept they have a problem and acknowledge the issue
 - Tell them how you expect them to behave
 - Use their name and speak confidently and with authority
 - Acknowledge the feelings before the problem, e.g. "Mr H, I can see you are upset about..."
- Clarify the problem
 - Focus on the issue of concern
 - Find out exactly what concerns them
 - Make sure you fully understand the problem by repeating it back. For example, "Let me understand what went wrong ..."
- Identify solutions
 - Find out what they want to happen, e.g. "How can I help you now?"

- Be decisive and focused; identify the actions needed
- Agree on solutions, especially the first step
- Make sure they understand what will happen next
- Be responsible for the solution
 - Get on to solving the problem right away
 - Take responsibility for starting to solve the problem even if you can't do it all. If you can't do it all make sure someone else in ACC takes responsibility to conclude the issue.
- Follow-up in writing if appropriate

Remember:

- If you suspect the person may become demanding or dissatisfied in a face-to-face meeting - take another employee with you to the meeting
- If you feel threatened or there is potential for harm to either yourself or other people withdraw from the meeting and activate the duress alarm.
- If the person becomes abusive, aggressive, or threatening over the phone - terminate the phone call

Aggressive or Threatening Behaviour

People can be abusive to you either in person or on the phone. ACC considers the following behaviour to be unacceptable:

- Unwelcome or offensive gestures
- Abusive or obscene language
- Racist or sexist comments
- Verbal or physical intimidation
- Any verbal or written threat
- Sexual harassment
- Being under the influence of drugs, alcohol, or solvents
- Physical violence
- Defacing or destroying property
- Any other behaviour considered aggressive or threatening.

[Activate, Review and Deactivate Care Indicator](#)

Threatening or Offensive Phone Calls

Tolerance of abuse over the phone can send a message to the caller that ACC employees will accept this behaviour in future calls or when we meet them face to face.

Respond to a threatening or offensive phone call as follows:

- **Remain professional**
 - Keep your language unemotional
 - Avoid sarcasm and cynicism
 - Do not use patronising and aggressive language
- **Warn** (if it is possible to do so without escalating the situation)
 - Keep calm
 - Warn them that their behaviour is unacceptable
 - Advise you will terminate the call if the behaviour continues

Report threatening or offensive phone calls to your leader:

If you receive an offensive or threatening phone call, advise your leader, and record the incident in the claimant care notes under contacts in Eos, or Juno (for levy payers).

Your leader will ensure that you are given the necessary support and assistance, including recording the incident in the HR Self Service, as follows:

- Record the date, time, and length of the call
- Note the name of the caller (if known) and the nature of the call. This may include specific phrases, obscene language, and threats
- If the call included a threat to your life or threatened physical harm or violence, request your leader to contact the Security Advisor
- If the call included a bomb threat, follow the [Bomb Threat](#) procedures.

The Leader will ensure all relevant employees are briefed on the call including:

- Caller's details, e.g. name (if known), distinguishing characteristics such as accent and phone number from caller ID (if available)
- Guidance on how to manage further contact from this caller
- Ensuring the HR Self Service incident is completed with client details included
- Ensuring the claimant care notes under contacts in Eos and the care indicator notes are updated
- Ensuring that the Security Advisor is briefed as soon as possible regarding any threat
- Conducting a debrief with the call taker in a safe and confidential environment
- Decide whether appropriate to follow up with warning to client about their behaviour

ACC Client Meeting Precautions

When planning any client meeting, actively avoid placing yourself in a position where there is any potential for harm – if in doubt, seek advice from your leader or the Security Advisor.

Face to Face meeting requirements

- Comply with the Safe Kiwis Managing Aggressive and Threatening Situations procedures
- Carry a Duress Alarm to every client meeting in an ACC office
- Ensure reception employees are aware of who you are seeing that day and the appointment times
- Ensure visitors are greeted appropriately to set the scene for these meetings, creating a positive experience and eliminating risk to Māori and other communities which could potentially compromise personal, emotional, or cultural safety and security. *Note: A hongi or handshake is appropriate prior to accompanying clients into meeting rooms.*
- If the person you are meeting with has a bag, ask them to remove anything they may need for the meeting and place the bag against the wall near their exit door
- Consider having an advocate or support person present. The Code of ACC Claimants' Rights details the right for a client to have an advocate or support person present. This may involve more than one person. It is at ACC's discretion whether an advocate or support person is suitable to attend the meeting. Provided the safety of all involved can be assured, encourage the person being met to have a suitable advocate or support person present. Employees have previously reported that clients are less likely to be aggressive or threatening if a support person is present.
- Use the skills learnt in interview room safety training so you can:
 - Be confident in how to position yourself safely in a room
 - Meet a care indicated client with confidence
 - Understand the safest evacuation plans for the interview room areas
 - Use techniques, such as furniture as a barrier, to assist escape and impede chase.
- Always sit between the person being met and the door.
 - Never turn your back on the client while in the interview room
 - Keep the blinds open
 - Sit by the door, do not let the person at the meeting block your exit
 - Set up the room with suitable furniture at working height and arm's length
 - Determine whether the door to the office is closed or ajar and unlocked

- Keep a professional distance from the person at the meeting
- Immediately exit from any situation you consider to be unsafe and consider activating your duress alarm
- When meeting with a client with an active care indicator, these additional precautions apply:
 - Meetings must be by appointment only
 - Meetings must take place in an ACC meeting room with CCTV camera
 - Another ACC employee, service provider or security guard must be present
 - Ensure the site is aware a care indicated client is being interviewed

Security guards are to be arranged with the leader, if possible, at least 24 hours prior to the planned meeting with the client.

A summary of the HS&W (Health, Safety and Wellbeing) training requirements, including those specific for client meetings, is available [here](#).

Note: *In exceptional circumstances an off-site face to face meeting with a care indicated client could be considered, but only after discussion and approval of the team leader and security advisor who will ensure the appropriate precautions have been taken and recorded in the offsite risk assessment.*

Confirmation of the meeting approval reasons must be recorded in the risk assessment by the approving leader.

Office Duress Response Procedure

Visitor Register

The Visitor management process ensures the visitors are properly authorised and aware of the evacuation and other safety arrangements that apply to the location they are visiting.

Visitors must be greeted appropriately and where possible the employee arranging site meetings should record visitor details prior to any meeting using the visitor [form](#). *Note: this includes all Service Providers, and ACC employees who are visiting ACC offices other than their home office.*

Pre-registration of visitors allows for the necessary identification tag and health and safety briefing to be given by meeting organisers without the visitor being delayed in reception areas.

Clients do not sign in when visiting as they are not to pass beyond the reception area or an interview room.

The Site Leader is accountable for developing an Office Response Procedure. The aim of the Office Response Procedure is to ensure the activation of a duress alarm or other request for assistance is responded to immediately and safely. The response must be appropriate and focused on assisting employees to escape from any situation where there is potential for harm to occur without escalating the situation.

The procedures developed in each office will reflect the location of the reception area, the meeting rooms and the nearest work area, and the type of duress alarm/s used in the office.

Client meeting rooms are specifically designed to allow staff a safe egress route in emergency and are only to be used for this purpose by an ACC employee who has received the specified training for use of these rooms.

Client meeting rooms are **not** for use for any other purpose than client meetings.

Immediate response

The Office Response Procedure must provide for immediate response as follows:

- Focus on assisting the employee to escape without escalating the potential of harm to the employee or to other employees.
- Cater for the fact that it may not be immediately apparent who has requested assistance or which of the meeting rooms they are located in.
- Incorporate the need to consider the safety of all persons on the premises at the time of any incident.
- Provide for one person (usually a member of the response team) to contact emergency services, if required. Note: The phone line to the police should be kept open to maintain contact.

Follow up procedure

The Office Response Procedure must provide for follow up as follows:

- All employees in the office are briefed on the situation and advised of the person's details, description, car make and colour, etc. and the steps taken to maximize the safety of employees.

- Employees are specifically advised to carry the personal alarm when entering reception.
- Switch the entrance doors to exit only which allows the person to leave but does not allow other people to enter.
- The Security Advisor and the Leader of any nearby ACC offices are contacted and briefed on the situation.
- If appropriate the Security Adviser will send a Whispir message site employees and visitors.
- The HR Self Service incident report is completed.
- If the person is a client, they must have the care indicator activated in their Eos record. If they already have an active care indicator, update the indicator.

Documented and maintained

The Office Response Procedure must be documented and maintained as follows:

- In writing and well communicated through wall charts, team meetings, practice drills and walk throughs
- Kept current and loaded on 'Te Pataka' under your site's location
- Practised quarterly, with a variety of different scenario-based situations
- Discussed with, and understood by, every new employee including temporary, seconded or contract employees
- Reviewed every time it is implemented, including after any practice drills or walk throughs, e.g. de-briefing employees and using their comments to improve procedures or to consider refresher training.

Below is the link to the Office Response page on Te Pataka and the template to use

[Duress Response Procedure](#)

Controller

Will attend response area and distribute control cards to other response members for completion

Factors to consider include:

- Determining any evidence of a weapon.
- Checking for evidence of the person being under the influence of controlled substances.

Response members

Will complete assignments and report to controller when completed

Offsite Safety Meeting Precautions

These procedures address the risk of harm to ACC employees when carrying out ACC client meetings offsite (outside ACC premises); this includes travel to and from the meeting.

ACC employees meeting clients away from the office lose the relative security of the office environment where others are close on hand. Leaders' approval is required before attending a client meeting out of the office including when the client is not attending the meeting. Discussions with your leader must include the requirement to reduce and remove barriers for Māori to engage with ACC and ensure the right support is given to whanau in the right way. Consider all other alternatives, e.g. telephone or providing transportation for the client to get to the site, before committing to a face-to-face meeting away from the office.

Offsite Safety Risk Assessment

Where an offsite meeting is necessary, the following requirements apply:

- Every employee who conducts an offsite client meeting must have completed the Offsite Safety Alarm Training and obtained their Leader's sign off to this training in Grow@ACC.
- Every site has a dedicated Personal Alarm Coordinator who will deliver the alarm and risk assessment training at site. The coordinator is also responsible for ensuring site alarms are tested and operational for use.
- See the [Personal Safety Alarm](#) share point site for more information
- Approval for the offsite meetings must be obtained by your leader using the online Risk Assessment Tool (RAT). This assessment requires mandatory details including:
 - The phone number of the ACC cell phone taken by the employee to the offsite client meeting and/or the phone number of the personal cell phone taken by the ACC employee to the offsite client meeting
 - The name of the client including whether the client is care indicated
 - The start and end time of the offsite client meeting
 - The expected departure time to the offsite client meeting
 - The expected return time from the offsite client meeting
 - The exact location of the offsite client meeting:
 - Street address
 - Building name
 - Floor number
 - Meeting room number or name

- The communication device taken to the offsite client meeting
- ID of the communication device taken to the offsite client meeting
- **Ensure approved** meetings have been populated in your outlook calendar.
- If you are not confident selecting and operating the Buddi (cellular) and Loner (satellite) personal safety devices, seek advice from your Personal Alarm Co-ordinator.
- If your expected return time changes, contact your leader to ensure the Offsite Safety Calendar is updated
- The leader will be advised by an automated email if the employee has not returned to the office within 15 minutes of their expected return time
- The leader will record any action taken in when returning the employee in the offsite safety calendar
- A cell phone must be taken to all offsite client meetings, kept on (not on silent) and available for use

Note: The first meeting with every client must be in a safe environment. **Safe environments** are an ACC office or site, Hospital, GP office, Medical Centre, Marae or School. If there is no alternative to holding the first meeting at the client's home, an employee must be accompanied by another employee, a service provider or a security guard, and the Offsite Client Meeting precautions apply. Leaders must confirm the appropriateness of an off-site first-time or care indicated client meeting in the risk assessment approval field.

Offsite Safety Alarms

Select the appropriate Personal Alarm by referencing the table below:

If	and...	then...
The offsite meeting location is within cell coverage	the journey to the meeting site is always within cell coverage	Take the Buddi alarm
	a significant part of the journey is without cell coverage	Take BOTH the Buddi and Loner alarms
	If a significant part of the journey only has minor coverage (black spots only)	Take the Buddi alarm. Use your discretion as to whether to also take the Loner alarm
There is no cell phone coverage at the location of the offsite client meeting		Take the Loner alarm

Offsite Safety Checklist

Before leaving for an offsite appointment:

- Obtain clear travel directions and check with the person being visited, who else will be present during the meeting and if they have a dog which will be required to be restrained
- Consider if a colleague should be present at any meetings with someone of the opposite sex, especially if the visit is in their own home
- Ensure all details of the approved appointment are correctly recorded in the Offsite Safety Calendar
- Ensure your cell phone is fully charged
- Check if there will be cell phone coverage to ensure you take the appropriate personal safety device
- To check for cell phone coverage, refer to the Vodafone website:
<http://www.vodafone.co.nz/network/coverage/>
- Ensure the alarm is operational and turned on
- Check your next of kin has your leader's contact details in case of emergency
- Ensure your vehicle has a first aid kit and take any appropriate PPE (Personal Protective Equipment) gear if visiting a work site
- If you are not planning to return to the office following a site visit, arrange the return from your meeting to be recorded in the offsite calendar and ensure all ACC equipment is kept secure

On arrival at your destination:

- Park your vehicle on the roadside, not in the driveway or directly outside the client's address
- Use your judgement to determine if it is safe to enter the premises – if not and you feel it is unsafe to enter, leave the address and go to a safe location. Then contact your leader and the client to make another appointment
- Check for animals that may pose a threat – if in doubt, stay in your vehicle
- Use the front door, if possible, it is usually the most visible entrance
- Ensure you respect the client's cultural requirements
- While at the meeting check all possible exits from the residence
- Position yourself and any colleague between the client and the door to ensure your safe exit from the premises in an emergency

Aggressive Dogs

In many cases dog attacks are caused by someone entering premises unannounced. The dog then becomes territorial and protects its property. This can be avoided by pre-planning a visit and asking the owner to lock up or restrain the dog.

There are some dogs that will, however, attack without warning and can inflict severe injuries. If you identify a dangerous dog:

- Don't get out of the car
- Don't enter the premises
- If you are on the property, stand still, turn side on to the dog, don't run and don't stare at the dog– this is an aggressive act from the dog's point of view

If you feel unsafe in any situation:

- Leave immediately activating personal safety alarm
- Get to a safe location
- St John will monitor your alarm until they have enough information to make a decision and act accordingly
- St John will initiate the emergency response and advise ACC of the incident and response initiated
- Employees must advise their leader of the incident and any concerns about the response
- Advise St John and your leader immediately the situation is resolved

On Return to the Office:

- Ensure you have updated the Offsite Safety Calendar as returned to avoid an automatic notification to your leader
- Report any incidents through the HR Self Service incident reporting system
- Update client Care Indicator if applicable
- Debrief with your leader

Loner Personal Alarm

Your Loner device and Loner Bridge will enable you to text individual messages to St John.

- Send help
- Send Med Help (send medical help)
- Send Brkdwn Help (send breakdown help)
- Alert Resolved
- False alert
- Yes
- No
- Don't Know
- Understood
- Not understood

[Personal Safety Alarms](#)

Team Specific Arrangements

Integrity Services

These additional procedures are specific to employees in Integrity Services.

Pre-Contact Procedure

Prior to contacting clients or providers, follow the procedures below:

- Check the client's (EOS) or provider's (Juno) record to see if they have an active Care Indicator
- Contact the relevant employee to discuss their previous behavioural history
- If the Referral Form (ACC157) is completed, highlight any potential risks
- Update the Activity Report with:
 - Confirmation of whether the Care Indicator has been activated and if so the reason for this; and
 - Details of any potential safety risks identified following the employee contact and ACC Claim/EOS, Juno, Med Fees review, etc.

Offsite Meeting Procedure

Two advisors are required if the client has a Care Indicator and is being interviewed offsite. Any offsite meeting needs to take place in a controlled environment. Controlled environments include the following:

- An ACC office or branch
- Medical centre
- GP rooms
- Police stations
- Hospitals
- Enforcement Agency offices
- Hotels or Motels (in some circumstances)

Where a controlled environment is not available and/or there are other factors requiring a meeting the Integrity Services Team Manager Performance & Delivery may approve the meeting or inquiry to take place, if in their professional judgement the need to approach the person is assessed as necessary. The ACC Security Advisor is to be consulted prior to the meeting/inquiry taking place.

When conducting offsite surveillance of any client, provider or other customer providing services to ACC the activity must be approved through a surveillance risk assessment which when approved will automatically populate the offsite safety calendar.

Business Customer Solutions

BCS Team are in various locations across New Zealand, dispersed between some of the ACC sites/regional hubs and Justice Centre. Some ACC sites have small teams of BCS members, whilst some sites have only one BCS member.

To ensure we support ACC's vision of 'minimising the incidence and impact of injury' and to align with our 'one BCS team' culture we have applied a consistent approach to H&S practices and procedures across our team.

Pre-Contact Procedure

Prior to meeting customers employees will conduct a **Risk Assessment** including:

- Checking ACC systems, CRM, and EOS, prior to contacting the customer for evidence of previous interactions or flags
- Using this information determine appropriate location for the meeting
- Walk in customers or those with a previous history or risk of aggressive or abusive behaviour must be met at an ACC site
- Customers who have relationship issues with ACC should be met in a business premises and your leader advised of the meeting
- Customers who do not pose a risk to ACC can be met at any safe location

Meetings

Employees will before any **Internal Meeting** at an ACC site:

- Check Care indicators
- Complete any site training prior to any meeting.
- Follow site processes for:
 - Use of alarms, evacuations, and blue light activations.
 - Site Meeting room protocols
- Ensure your leader and the site are advised of any meeting with a care indicated client.

Note: *Meetings with a person with an established relationship, after a pre-meeting check or over the counter do **not** require a care indicator check*

Employees will before any **Offsite Meeting**:

- Risk assessment has been completed, if any risk is identified this should be discussed with your leader
- Meeting has been recorded in your calendar and/or attendance boards
- You have an agreed safe arrival and return process

Note: *Panic Alarms can be carried by trained employees to offsite meetings on approval of an Offsite Safety register risk assessment.*

At the meeting ensure:

- Mobile phone is carried, and turned on
- Position yourself to ensure you can make a safe exit from the premises in an emergency
- Continually assess your safety and those that we are meeting with

Note: *In any situation where there is a potential risk of harm to yourself or others you must leave the meeting and go to a safe location where you can get assistance.*

Remember to advise your leader and record any incident.

Return

Discussions of customer meetings should be recorded in the appropriate information system.

Ensure you have:

- Returned yourself from the meeting if recorded in the offsite safety register
- Reported any incident through the HR Self Service system
- Considered whether it is appropriate for a Flag to be placed on the Business record in CRM
- In the event of a client threat ensured the information is recorded in EOS

For further information the full Business Customer Solutions Playbook can be accessed here:

(Link to be added) [H & S Playbook](#)

Other Aggressive and Threatening Situations

People under the Influence of Alcohol or Drugs

If people come to the office under the influence of alcohol, drugs, or other substances, do not attempt to conduct a meeting with them. Advise the person that you cannot assist them because of their condition and ask them to leave as politely as possible (suggest they rearrange the meeting for another time).

If they refuse to leave and/or become aggressive or threatening, leave reception, activate the duress alarm, and contact the Police for assistance.

Destruction of Property

If a client or member of the public begins to destroy property do not attempt to restrain them.

- At the first act of destruction activate the duress alarm and leave the reception area or meeting room immediately. Remember, property can be replaced.
- If you are unable to leave, activate the duress alarm.
- If there is any threat to the safety of other people, those people should be instructed to leave the area or premises immediately.

Advise the Site Leader and notify the Police immediately. Also, advise neighbouring sites and the Security Advisor.

Document the incident in Eos (Care Indicator) or Juno (for levy payers), and HR Self Service Incident report.

Contact Out of Work Hours

Do not disclose your own or any other person's private address, phone number or whereabouts under any circumstances.

Report any contact out of work hours to your leader. If the call is of a threatening nature, contact the Police immediately and then report to your leader.

Note the date, time, and duration of any unwanted calls or other contact. Your telephone company will investigate if there are three unwanted calls within seven days.

Record threatening calls in HR Self Service and inform the Security Advisor. If the person is a client activate the Care Indicator in their Eos record. If the person is a levy payer, record the matter in Juno.

Offensive Mail

Abusive, threatening, or offensive material may be received through the mail. If such material is received take the following actions:

- Avoid unnecessarily handling of the item. Place it and any envelope in separate plastic sleeves and record the names of employees that have physically touched the material. Place the document in a secure location and limit access to it.
- Report it to a leader immediately, who must immediately inform the Security Advisor, who depending on the seriousness of the matter may recommend reporting the matter to the Police.
- If the contents of the mail are dangerous or constitute an immediate threat to the safety of employees, implement the Bomb Threat procedures.
- If the sender is known and is a client, activate the Care Indicator in their Eos record and report the incident in the HR Self Service.
- If the sender is a levy payer record the threat in Juno and report the incident in the HR Self Service.

Bomb Threats

The Bomb Threat procedures and checklist are available on share point

- * [Bomb Threat and suspicious packages quick guide](#)
- * [Bomb Threat Checklist](#)

Refer to your [Emergency Management](#) Procedures for further information.

Care Indicators

The purpose of the Care Indicators is to ensure employees are notified through the Eos system that a client they are about to interview or meet with has been identified as exhibiting behaviours or actions ACC considers pose a potential threat to the safety of ACC employees and/or service providers.

The care indicator has been designed to be used as a notice for employees, to ensure they fully assess the situation before engaging with the client. For example, if a client has an active care indicator they can only be met by appointment, in a branch meeting room with CCTV and you must have a colleague, service provider or security guard present.

[Activate, Review and Deactivate Care indicators](#)

Criteria for activating the Care Indicator

The Care Indicator is only used in situations where there is sufficient and current evidence that a real and imminent risk to employee or provider safety.

Clients who meet any **one** of the following **criteria** are considered a hazard and must have their Care Indicator activated:

- Has been or are physically violent (this unacceptable behaviour may not have occurred directly towards ACC employees)
- Has a history of violence or aggressive behavior, or have known convictions for violence
- Has previously made threats against ACC, ACC employees or others acting on ACC's behalf
- Intimidated an employee to the extent they felt unsafe through written abuse or verbal abuse (face-to-face, by telephone by text or any other internet messaging)
- Exhibited homicidal ideation

Clients who meet **two or more** of the following criteria are considered to pose a risk to employee safety and must have their Care Indicator activated:

- Constantly demonstrate intimidating and/or offensive behaviour (e.g. body language and verbal dialogue that has made employees feel unsafe), and continue despite warnings that their behaviour was unacceptable
- Has been abusive, verbally or in writing
- Has made racist or sexist comments
- The current actions being undertaken on their claim by ACC are known to have caused or are expected to cause a significantly negative response from the client. For example, Prosecution, Investigation, cessation of Weekly Compensation or unfavourable decision such as for Lump Sum or Independence Allowance).

Note: Care indicators must be reasonable and fair. If appropriate, clients are to be advised their behaviour/s to have activated the Care Indicator and explained how ACC will now communicate/meet with them.

Making the decision to activate the Care Indicator

Activating a client's Care Indicator and complying with these procedures are steps that must be taken by ACC employees to minimise the potential for this hazard to cause harm.

Any ACC employee can identify any client as meeting the criteria for activating the Care Indicator in their Eos or Juno Record. However, that employee must then take the following actions:

1. Discuss the specific client, and the incident(s) that caused the concern with their Leader. The employee must have a clear rationale for why they consider the client meets the criteria for having the Care Indicator activated.
2. Provide the Leader with all supporting evidence. If the decision is to activate the Care Indicator, this information will be entered in the claim as a contact, click select as the reason from the contact drop down list as 'Claimant Care Notes'.
3. Team Leaders has the delegated authority to make a preliminary decision to activate the Care Indicator. The decision must then be confirmed by the Client Service Leader or Site Lead.

Leader's Role

Make a preliminary decision about whether it's appropriate to activate the Care Indicator.

If the preliminary decision is yes:

- Ensure there is evidence within the client's claim to support the decision (i.e. the information must be current, and the rationale must be reasonable and fair).
- Ensure the Care Indicator box is activated in the client's Eos record.
- Within 24 hours recommend to the Client Service Leader or Site Leader that the decision be confirmed.

If the preliminary decision is no:

- Within 24 hours recommend to the Client Service Leader or Site Lead that the decision is that the client's Care Indicator is **not** activated.

Client Service Leader / Site Leader Role

- Ensure there is current evidence within the client's claim to support the decision

- Within 24 hours, the Client Service Leader or Site Lead must confirm the Team Leader's preliminary decision.

Managing Care Indicators/Care Indicated Clients

Care Indicator Management Plan

All clients with an active care indicator will have a Care Indicator Management Plan in EOS. These plans need to be followed as they provide information about:

- the identified risk/s
- the approved methods of communication.

Note: The Care Indicator Management Plan needs to be updated every time the care indicated client does something that has the potential to cause harm to ACC employees and/or service providers.

Reviewing the Care Indicator Report

Client **care indicators** must be reviewed on receipt of any care indicated client file. Supported and Partnered recovery partners must review their care indicated clients every six months, to see whether their Care Indicator flag is still justified.

The Client Service Leader is accountable for this activity.

Clients must have their Care Indicator de-activated when it is believed the client no longer poses a risk to employee or service provider safety and the Client Service Leader gives their approval for the client to have the care indicator de-activated.

Care indicator reports can be obtained through the online portal.

The review must fully assess the need for the Care Indicator for each client. This evaluation must include discussions with the current recovery partner, Team Leader, and a full review of the client's current circumstances.

Questions that must be asked and answered reasonably include:

- Has this client continued to demonstrate the unacceptable behaviours that led to the activation of the Care Indicator?
- What changes and/or improvements have there been to the client's behaviour?
- Given there has been a six-month period since the last date of evaluation, what other strategies can be implemented by ACC that may improve/enhance this relationship? For example, if the Care Indicator is a result of a higher-than-expected level of contact from the client, a communication strategy may improve the relationship. This could include limiting contact to emails and phone calls only, diarised contact from ACC to the client and vice versa, or the client could be asked to attend all meetings with a nominated support person, etc.

- Is ACC's continued use of the Care Indicator fair and reasonable now? When evaluating what is "fair and reasonable" employees should look at the client's current circumstances in an objective manner.

The site visit programme undertaken the Health, Safety and Wellbeing team is used to review the effectiveness of this process.

Client Services Leader Role

- Ensure reviews of Care Indicated clients are conducted on receipt of a claim or at least six months for supported and partnered clients
- Approve the de-activation of a client's Care Indicator if appropriate.

Transferring a Care Indicated Client

When it's necessary to transfer the file of a Care Indicated client to another site or team, the site or team receiving the care indicated client's file must review the management plan before engagement with the client.

Criteria for making a Care Indicator 'inactive'

The delegation for inactivating a client's care indicator rests with the Client Service Leader in consultation with the Team Leader and if necessary, the Security Advisor.

A client's Care Indicator should be inactivated when it is no longer justified. In making this decision the Client Service Leader must consider the following factors:

- Is the client still receiving support from ACC?
- How many times has the client visited the office since their Care Indicator was activated?

Note: If the client has not visited the office, it is not possible to state they are no longer a threat (or a potential threat) to the safety of ACC employees, unless there are some other mitigating factors.

- How have they behaved when they visited the office?
- How do employees feel about meeting the client?
- Has the action that was being undertaken on their claim (that may have caused a negative response) been completed? i.e. Fraud Investigation, Prosecution, Cessation of Weekly Compensation, unfavourable decision such as for Lump Sum or Independence Allowance)
- Is there any factor why this client should (or should not) have an active Care Indicator?

When a client has had their Care Indicator inactivated, the **General** screen of the **Party Record** will now display the Care Indicator icon as being 'greyed out'. This will notify employees that the client has had an active Care Indicator in the past but does not currently present as a risk.

All previous information about the client's behavior being a risk remains in Indicators in the Eos record.

Disclosure of care indicator to third parties

Reasons for disclosure

The Health and Safety at Work Act 2015 recognises that an organisation can influence the health and safety of people working for another agency, such as contracted providers. Therefore, you must consider whether information contained in a care indicator should be disclosed to third parties.

You can disclose active care indicator information to assist third parties, such as suppliers, service providers, Review and Resolution Services, and other government agencies to allow them to:

- perform their role as part of managing the claim e.g. undertake an assessment, and/or
- enable them to mitigate any health and safety risk to their employees or contractors.

Principle 11 of the Privacy Act allows for disclosure when there are reasonable grounds to believe that disclosure is necessary to prevent or lessen a serious threat to public safety or the life or health of another individual.

When to disclose

You must consider disclosing care indicator information when you:

- refer a care indicated client to a provider
- become aware that a client has self-referred to a provider e.g. they visit a new GP or physiotherapist
- receive new information about client risk and there are third parties already providing services to a client.

Considering what information to disclose

You can disclose information when it is necessary for health and safety purposes, and in proportion to the situation. This means in some situations, limited disclosure of the risks will be adequate, in other circumstances the risk identified may warrant detailed disclosure.

To assess this, consider the following:

- Whether the care indicator information is relevant for the third party, e.g. if the information concerns a known reaction to a clinical intervention, this information may only be relevant for a provider who will undertake that clinical intervention.
- Whether alternative options will mitigate risk without disclosure, e.g. if a client has a history of repeated sexist language and behavior, a referral to a provider of a gender may mitigate this risk without the need for disclosure.
- The nature of the care indicator information such as the client's behavior's and when they occurred, e.g. previous violent behaviour would likely present a greater health and safety risk than abusive language. Note that recent behaviour may be more relevant than behaviour that occurred over a year ago,

The type of third party affected, including the type of service they provide and their relationship with ACC, eg:

- A client's behaviour may present a lower health and safety risk than their abusive language
- A provider conducting an assessment that could affect ongoing entitlements may have a higher health and safety risk than a provider the client has referred themselves to for treatment.

Deciding on disclosure

For disclosure to service providers, an employee can determine that disclosure is necessary for health and safety purposes and proportionate to the situation. Where an employee has concerns around a decision, these should be escalated to their Team Leader.

For disclosure to non-claim related third parties, the Site Leader can determine whether to disclose information.

For urgent disclosures, i.e. when ACC is informed that a client is about to visit a third party's office, the leader should disclose to the third party, then inform ACC's Health, Safety and Wellbeing team and the Privacy team.

When disclosure does not need to occur immediately, the leader should first consult with these teams.

How to send Care Indicator information to third parties

The employee dealing with a Care Indicated client must advise Service Providers in writing, either:

- prior to the provider's initial contact with the client, or
- as soon as possible when ACC receives new information about client risk and the third party is already providing services to the client.

Note: A record of this advice is to be retained in the client's claim.

If the Service Provider decides to employ a security guard because of concern about their own personal safety, or that of their employees, ACC can order a security guard through Eos.

[Ordering an urgent security guard](#)

Activate, Reviewing, and Deactivating Care Indicators

Information on how to Activate, Update, Review, Transfer and Remove the Care Indicator is found under the following link:

[Activate, Review and Deactivate Care indicators](#)

Privacy and Documentation

Privacy Act

The behaviour of clients who have the potential to threaten the safety of ACC employees and/or service providers are considered to be a risk in terms of the Health and Safety at Work Act 2015.

The ability to activate a client's Care Indicator is subject to the provisions of the Privacy Act 2020. It is personal information about a client collected for the lawful purpose of minimising the potential for an identified hazard to cause harm.

The application of the Privacy Act to Care Indicators is discussed below:

The provisions of Principle 3 of the Privacy Act mean:

- If it is possible to do so without escalating the situation or without endangering the safety of any ACC employee, the client is to be advised that their behavior is unacceptable and that the incident will be recorded on their claim file.
- This advice can be in writing or by telephone and must clearly outline the reasons why ACC is taking the action.
- It is important to inform the client about any consequences that may occur, should the inappropriate behavior continue (e.g. the Police will be called, a trespass order may be issued and so forth), and that ACC will evaluate the situation in six months' time to consider if the situation has improved.

The provisions of Principle 5 of the Privacy Act mean:

ACC employees should take demonstrably reasonable steps to safeguard information against loss and access, use, modification, or disclosure except as specifically authorised by ACC.

You must not disclose the names of clients with active Care Indicators to any person or organisation external to the ACC Group of Companies without the prior approval of the Head of Health, Safety and Wellbeing.

The only exception being that Service Providers are to be advised prior to their initial contact with a client of:

- any threatening or aggressive behavior that ACC has observed that client exhibits; and/or
- any diagnosed mental condition the client has which is likely to make them aggressive or violent

The provisions of Principle 6 of the Privacy Act mean:

All readily retrievable personal information that ACC holds on a client is to be disclosed to that client, upon request.

You must disclose information on the client's file if they request it, including information concerning any threatening or aggressive incident. However, there may be a basis not to disclose to a client that the Care Indicator has been activated if ACC considers that releasing this information may result in someone being harmed.

Guidance should be sought from the ACC Privacy Group if it is intended to withhold this information.

The provisions of Principle 7 of the Privacy Act mean:

The client can request to have the information concerning the incident corrected, this must be done in accordance and consistent with ACC's correction process.

ACC can consider whether this is appropriate.

Where ACC decides that a correction is not warranted (i.e. the incident record is deemed to be a correct representation) the client may instead provide a “statement of correction”.

This is an opportunity for them to outline their view of the incident. The statement of correction must be attached to the document that the client has raised a concern about so that it can be read in conjunction with ACC's view.

The provisions of Principle 8 of the Privacy Act mean:

ACC must ensure that the retention of the client's name on the Care Indicator Report is justifiable by the latest information on that client. i.e. the information must be accurate, up to date, complete, relevant, and not misleading.

Client names can only be added to the list if the client meets the criteria and there is current evidence within their claim to support and /or justify their addition to the list.

The Care Indicator Report must be reviewed for supported and partnered clients at least every six months by the Client Service Leader or Site Health, Safety and Wellbeing lead who must re-evaluate the client's circumstances, and record that they have done so. Assisted clients will have their care indicator reviewed during each claim task.

The provisions of Principle 9 of the Privacy Act mean:

ACC must not keep information about the “potential risk” of a client on the Care Indicator Report for longer than required for purposes of making the necessary decisions to protect employees.

The Care Indicator Report for supported and partnered clients must be reviewed at least every six months by the Client Service Leader who must record that they have done so.

The provisions of Principle 10 & 11 of the Privacy Act mean:

Disclosure of Care Indicator information must be for purposes of maximising the safety of ACC employees and/or third party suppliers dealing directly with the client.

Disclosure within the ACC group of suppliers must be limited to those people who may interact with the client or need to know within the context of their job.

Note: The Police may request client information if an offence has been committed against ACC employees or property. All liaisons with the police will be through the Head of Health, Safety and Wellbeing. Evidence of the incident that led to the Care Indicator being activated must be on the client file.

Trespass Notices

ACC offices are private property. This means that any member of the public, whether they are a client, can be required to leave the property if they threaten the safety of ACC employees, clients or if they are acting in a manner which is unacceptable, threatening or has the potential for harm to occur. In these circumstances, whether the person is a client, they should be asked to leave the property. If they fail to leave the property contact the Police and follow their directions. Consider activation of the panic system. Consideration should be given to the issuing of a trespass notice *Under Section 4(1)(2) & (4) of the Trespass Act 1980*.

The lawful occupier of a premise or delegated person, has the authority to issue a trespass notice on any person who they no longer want to be on or return to their premises. The lawful occupier is any person in lawful occupation of that place or land; and includes any employee or other person acting under the authority of any person in lawful occupation of that place or land. This would normally be the Site Leader.

A trespass notice (ACC2398) can require that the person stay off the premises for up to two years and, if they return to the property in that time, they may be arrested and face criminal charges.

Issuing a Trespass Notice

The process for issuing an [Issue a trespass notice](#) as follows:

1. The Site Leader, as the lawful occupier, in consultation with the Security Advisor will make the decision to issue a trespass notice. They complete the trespass notice by adding in the person's name, the address of the ACC property, the date and their signature as the lawful occupier issuing the notice.
2. If the decision is made to trespass a client from multiple sites, then this must be signed by the Chief Executive.
3. The trespass notice can then be delivered by hand. By ACC employees. You should not hand deliver the trespass notice unless there is no risk to the employee or other persons at the site. Arrangements can be made for a contracted security guard company, local contracted private investigator, or the Police to uplift the notice from your site and serve it personally on the client.
4. The original signed copy of the trespass notice that has been endorsed by the person who served the notice **must** be kept in the site reception with evidence of service including a photo or video of the service. This is required so that the Police can sight this information and can 'rely' on the trespass notice if their involvement becomes necessary.

Note: As an alternative, a trespass notice can be served to a person by registered mail, but this must go to a physical address not a PO Box.

Whether or not the person is a client, the incident must be recorded in the HR Self Service including that a trespass notice has been issued and a confirming email sent to the Security Advisor for notification and centralised recording.

If the person is a client, activate or update the Care Indicator in their Eos record. If the trespass notice is breached, call one of the main Police Communications Centres, at the earliest opportunity, **if it is an emergency dial 111**.

The Remote Claims Unit

Overview

The Remote Claims Unit (RCU) was established in 2000 as an initiative to provide for the health and safety of employees while still maintaining service delivery to clients who present a serious health and safety risk.

Transfer of the claim to the RCU will only occur when ACC believes that the conduct of the client, or the information it has received about the client, shows that the client poses a risk of harm.

A claim will not be transferred to the RCU simply on the basis that a client exhibits challenging or offensive behaviours. Conduct of that type can be managed through use of care indicators, communication plans, or transfer to Te Ara Tika (Wellington Central Branch), if appropriate.

All other options to manage the claim (such as transferring to a different site) must first be considered before a claim is transferred to the RCU.

Management of the claim in the RCU does not affect a client's rights to cover or entitlements under the Accident Compensation Act 2001.

RCU clients have the same rights to challenge ACC's decisions through review and appeal, and to complain about ACC's actions on their claims.

Management in the RCU affects how ACC will interact with a client in the management of their claims.

Criteria for transferring a client to the RCU

To determine whether a client poses a risk of harm all relevant information should be considered including one or more of the following:

- An incident has occurred causing immediate concern in relation to the safety of staff
- The client has demonstrated violent, aggressive, or threatening behavior (in person, by mail or by phone) that indicates there is a risk to employee and/or provider safety
- A trespass order is in place in relation to ACC premises
- Information has been received from a reliable source (e.g. Police; Assessors; Mental Health Services; Doctor) to the effect that genuine concerns are held regarding the potential threat the client may pose to ACC employees

All other options to manage the claim (such as transferring to a different site) must first be considered before a claim is transferred to the RCU.

Management in the RCU

- A client who is managed in the RCU will not have face-to-face contact with ACC employees.
- The location of the RCU, and the people who work there, is strictly confidential.

- On transfer to the RCU a client's Care Indicator will be updated, or a new indicator will be activated, and the policy in relation to Care Indicators (including regular review of indicators and disclosure of information about indicators) continues to apply.
- Communication with the client will be by email, post, and controlled telephone contact.

Given the assessment of risk to ACC employees by clients managed in the RCU the employees who work with these claims use individualised pseudonyms. The employees who use pseudonyms in relation to RCU clients includes:

- RCU employees
- Technical services
- Clinical services
- Resolutions services
- Specialised units (e.g. payments, IA/Lump sum units)

The use of pseudonyms by an individual employee must be approved by the Recovery Leader Partnered Recovery. The client will be informed at the time of transfer to the RCU that individualised pseudonyms will be used.

Statutory Reviews

Any review filed by an RCU client will be instructed to external counsel for representation. The reviewers will be informed of security issues as provided for in the Care Indicator procedures. Pseudonyms will not be used by external counsel or reviewers.

Process for referring a client to the RCU

All employees should raise with the appropriate Site Leader or Client Service Leader any concerns they have that a client may pose a health and safety risk to ACC employees.

The Site Leader or Client Service Leader must review the issues raised to determine how to manage the claim to keep ACC people and others involved with the claim safe. Other management options may include:

- Limiting communication by phone, email, or mail
- Considering whether a change in recovery staff member is appropriate
- Considering whether a change in site would be appropriate

If the Site Leader or Client Service Leader considers that the risk needs to be managed by transfer to the RCU, a referral for consideration of transfer (ACC2222) is sent to the ACC Security Advisor.

The Security Advisor and the RCU Leader will then provide a recommendation and rationale to the Partnered Recovery Leader on whether there are reasonable grounds to find that the transfer criteria are met.

The Partnered Recovery Leader makes the decision as to whether the claim will be transferred to the RCU.

If it is not considered that transfer is appropriate, the Security Advisor will liaise with the relevant Site Leader or Client Service Leader and provide advice about ways to address their concerns about health and safety.

Upon transfer of the claim to the Remote Claims Unit a letter will be sent to the client advising that:

- The current recovery team member will no longer be dealing with their claim
- The claim will be dealt with by a national unit named the Remote Claims Unit (RCU)
- The claim will continue to be handled in accordance with the legislative requirements of the AC Act 2001
- Individualised pseudonyms are used by all employees working on their claim including RCU employees, Resolutions Services, Clinical Services and Technical Services
- All contact with the RCU will be by way of email, post or by controlled telephone contact

Review of placement in RCU

The RCU Leader will review whether a client continues to meet the criteria to be managed in the RCU as necessary, and at least every 6 months, when the review of the Care Indicator occurs.

If the RCU leader considers on review that the criteria are no longer met, the RCU Leader will liaise with the Security Advisor to discuss. The RCU Leader and Security Advisor will then make a recommendation to the Partnered Recovery Leader, in relation to transfer from the RCU.

The decision on transfer is made by the Partnered Recovery Leader.

If the claim is to be transferred the Security Advisor will:

- Contact the Site Leader or Client Service Leader of the client's home site and outline the reasons why the client no longer meets the criteria for management within the RCU
- Update the client's care indicator and transfer the claim back to the site

ACC's Security Advisor will contact the Site Leader or Client Service Leader to provide advice, as required, on safety issues.

New claims – where there is no active RCU claim

If ACC receives a new claim for a client who had previously been managed in the RCU then the claim for cover will be referred to the RCU for determination of cover and consideration about whether the client currently posed a risk of harm such that the claim needed to be managed in the RCU.

If the RCU Leader considers that the criteria for management in the RCU were met, the claim will be referred to a RCU recovery partner.

If the RCU Leader determines that the client no longer poses a risk of harm to the process for transfer of the claim outlined above should be followed

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Te Ara Tika (Wellington Central Branch)

The purpose of the Te Ara Tika (Wellington Central Branch) is to offer a flexible yet consistent client service delivery option to clients who present with intricate needs or behaviour.

Any Recovery Partner can recommend transferring a claim to the Te Ara Tika (Wellington Central Branch). Entry considerations include:

- The client may have had a difficult journey with ACC and require a fresh approach to the relationship
- The client may present with unreasonable behavior or place unreasonable demands on employee time, to the extent that the resource required for the management of the claim is not practicable at the local site
- This may include, without limitation, repeated frivolous requests, complaints, or phone calls/correspondence of a confrontational nature.

It is not a requirement for the client to have an active care indicator or a trespass order for them to be transferred to the Te Ara Tika.

Criteria for transferring a client to Te Ara Tika

The transferring of a client to Te Ara Tika will only be considered after all other management options have been exhausted. This includes:

- Consideration has been given to changing the client's recovery partner
- Site or Team Leaders are aware of the client's behavior
- Consideration has been given to transferring the client to another site or team
- Evidence that attempts have been made to implement a communication and/or management plan with the client
- All documentation from the client has been responded to in a timely manner.

If the Recovery Leader agrees that the client should be considered for management at Te Ara Tika, the recovery team member will complete a referral form (ACC6267) and the Recovery Leader will seek endorsement from their Client Service Leader.

The Te Ara Tika Leader will then make the decision to either accept or decline the referral. If the referral is declined, Te Ara Tika will offer support and guidance to the local site.

Review Hearings

Use of personal safety devices

When a client attends a review hearing, employees must take a personal safety device. Attendance at the review hearing must be approved through the risk assessment tool process which will automatically populate the offsite safety calendar.

If at any time while attending a review, you feel your personal safety could be threatened or there is potential for harm to occur to you or any other person attending the hearing, **leave the venue immediately, activating your alarm.**

- St John will monitor your alarm until they have enough information to make a decision and act
- St John will initiate the emergency response and advise ACC of the incident and response initiated
- Employees must advise their leader of the incident and any concerns about the response
- Advise St John and your leader immediately the situation is resolved

Prior to attending the review

- Check if the client has an active care indicator in Eos. If there is an active care indicator discuss with the Security Advisor as to whether it is appropriate that you attend in person or consider other options e.g. teleconference
- If you have not been managing the client, contact the client's recovery partner to discuss any issues of concern for the client and if they are aware of any support people who may be attending the hearing and the matter in dispute. If the claim is not case managed, check recent contacts in Eos
- If possible, visit the venue at an earlier date so you are familiar with the hearing room set up
- Employees do not attend reviews for Remote Claims Unit clients. This is outsourced to external legal firms
- Details of the review will be sent to your leader when submitting the risk assessment.

Attending the Review

- Arrive at the venue in enough time prior to the hearing so you can familiarise yourself with the venue and its layout. (If possible, visit the venue at an earlier date so you are familiar with the hearing room set up)
- Prior to the Hearing commencing, do not sit in the same waiting area as the client if this is possible
- Check with the reviewer that the security guard has arrived and been fully briefed
- If a security guard is required to attend the hearing and fails to do so, **do not proceed with the hearing.** If it is safe to do so, advise the reviewer, return to the office and either participate in the review by teleconference or re-schedule for another time

- Discuss and arrange the venue set up – seating, etc
- Discuss an emergency action plan with the reviewer and the security guard – identify exits, ensure that the reviewer has a personal safety alarm available, agree on location of guard
- The reviewer must request the client to leave bags either in the corner of the room or with the security guard

During the Review

- Sit nearest an exit door
- Ensure the client is sitting opposite you, not alongside you
- If at any time during the review you feel your personal safety is threatened or there is potential for harm to occur to you or any other person attending the hearing, exit the hearing room immediately; remain in a safe environment until it is safe for you to leave. If this is not possible return to your site or another safe environment

After the Review

- Allow the client to leave first. If necessary, wait a sufficient period to allow the client to have left the venue. If there is a security guard present request the guard escort, you to your vehicle
- Do not travel in the lift or down the stairs with the client
- Report any incidents to your leader as soon as possible
- Contact your leader and advise them of the time you expect to return to the office

Review hearing – Care Indicator client file transfer arrangements

An independent company is responsible for conducting reviews of decisions made by ACC recovery team members concerning the entitlements or otherwise of clients.

To conduct reviews in the majority of situations the client file (or a copy) is forwarded to the Review Office prior to the Hearing.

If the Care Indicator is activated on the client's Eos record, the following process applies:

At the time the request is sent to the reviewing company to set the matter down for a hearing, an **email message** must be sent to the appropriate Review Support Officer stating: "This claim is being sent to you with a request to set down for a hearing. Please note that this client currently has an active Care Indicator which means he has been identified by ACC as a potential risk to the safety of its employees and /or providers".

The level of information to be disclosed is explained in this document under disclosure of information to third parties. The process can also be located here:

[Disclosure of care indicator information to third parties](#)

Employee Support

Following a threatening or dangerous situation the leader will promptly attend to the needs of the people involved. People react differently to traumatic situations; some people may be affected even though they appear outwardly clam. Each situation needs to be assessed and responded to as appropriate to the people involved.

The leader will provide a debrief with the people involved as soon as possible after the event and keep in contact with the people involved as they may be required to give a statement to the Police.

[Critical Incident debrief guide](#)

After an incident, the people involved will need some time to recover, this may include a break away from their work, referral to the employee assistance programme or and in the more serious cases, they may require immediate support counselling.

Leaders can arrange counselling for ACC people through the Employee Assistance Programme (EAP), ACC people can also self-refer to [Get Individual Support](#)