

13 February 2023

[REDACTED]

Kia ora [REDACTED]

**Your Official Information Act request, reference: GOV-022981**

Thank you for your email of 18 January 2023, asking for the following information under the Official Information Act 1982 (the Act):

*Please forward me by return a copy of the Accident Compensation Corporation's current policy and complaints procedure with respect to bullying and harassment in the workplace and bullying of claimants by the ACC's staff.*

**Policies and procedures on bullying and harassment**

Please find the attachment titled *GOV-022981 Appendix* which has the following policies and procedures requested:

- Respectful and Inclusive Workplace Policy
- Code of Conduct (2022)
- How to Raise a Concern at Work

As staff names haven't been requested, we have considered them to be out of scope of your request and have removed them.

The ACC Code of Claimants' Rights (the Code) imposes obligations on how ACC works with clients. The code is available at [www.legislation.govt.nz/regulation/public/2002/0390/latest/DLM173115.html](http://www.legislation.govt.nz/regulation/public/2002/0390/latest/DLM173115.html).

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

ACC may decide to proactively release 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](http://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](mailto:GovernmentServices@acc.co.nz).

If you are not happy with this response, you can also contact the Ombudsman via [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phoning 0800 802 602. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Ngā mihi



Sara Freitag  
**Acting Manager Official Information Act Services**  
Government Engagement

# Respectful and Inclusive Workplace Policy

POLICY NUMBER	0.5
TOPIC	Respectful and Inclusive Workplace Policy
OWNER	[Out of Scope] Acting Head of Health, Safety and Wellbeing People and Culture
DATE APPROVED	17/03/2021
APPROVER	Deputy Chief Executive, People and Culture
DATE OF REVIEW	March 2024

## 1 Policy Statement

All ACC people are entitled to work in a respectful and inclusive workplace, where people interact with one another positively and work together to deliver for all New Zealanders. ACC does not tolerate bullying or harassment in any form.

## 2 Objective

This policy sets out ACC's principles and standards on how we:

- provide for all people to be respected and included in our workplace
- respond to concerns that are raised
- continue to improve our people's experience of respect and inclusion in our workplace.

## 3 Scope

This policy applies directly to all ACC people in ACC workplaces and in other locations where ACC people are working. The principles of the policy are expected to be experienced by all people who interact with ACC, including customers, clients, providers, and suppliers.

## 4 Policy principles and standards

4.1 We will demonstrate strong leadership to create a workplace that is respectful and inclusive of all people. This will be achieved by leaders:

- providing regular and clear statements about their commitment to creating and maintaining a respectful and inclusive workplace and their expectations of people's behaviour in the workplace
- being a role model for respectful and inclusive behaviours at work
- facilitating open discussions about workplace behaviour, wellbeing and inclusion, where people are encouraged to raise any issue whether it is a concern or a suggestion for improvement
- accessing professional development opportunities that support leaders to develop the skills and capabilities associated with respectful and inclusive workplace behaviours
- ensuring that recruitment and promotion processes reward the demonstration of respectful and inclusive behaviours and recognise the benefits of a diverse workforce.

4.2 We will promote a shared expectation and understanding around what is and what is not appropriate behaviour at work. We will do this by:

- recognising and celebrating the benefits of a diverse workplace where all people are respected and included
- providing ongoing development opportunities to enable all ACC people to become aware of their roles and responsibilities in relation to appropriate behaviour at work
- including the demonstration of appropriate behaviour in performance expectations and recognising this behaviour in performance-related conversations
- communicating (through this policy and other avenues as appropriate) the definitions of inappropriate behaviour including discrimination, bullying and harassment
- being clear that our people are not expected to tolerate any inappropriate behaviour in relation to their work with ACC, including behaviour directed at them by ACC employees, providers, customers, clients, or members of the public.

4.3 We will encourage and support our people to provide timely and respectful feedback to others when they experience behaviour that makes them feel uncomfortable. We will do this by:

- encouraging our people to actively self-manage situations and to provide feedback to each other to support the ongoing development of a respectful and inclusive work environment
- expect people to respond to feedback they receive about their own behaviour in line with our ACC behaviours
- enabling leaders, health and safety representatives, and employee network groups to encourage and support individuals to provide respectful feedback and seek advice through the right channels.
- making EAP, professional supervision and other employee supports available to coach employees to support others or to manage these situations for themselves
- celebrate occasions of shared learning and successful issue resolution where appropriate.

4.4 We will encourage our people to raise concerns about inappropriate behaviour at work. We will do this by:

- having a range of informal and formal ways for ACC people to raise concerns about inappropriate behaviour at work, including self-help, peer support, and internal and external reporting
- regularly communicating about the range of options to raise concerns, how they can be accessed, and what the response to these concerns is likely to involve
- encouraging peers to identify inappropriate behaviour directed at others and raise this concern themselves, or where more appropriate, support the person affected by the behaviour to raise the concerns themselves.

4.5 We will respond to concerns of inappropriate behaviour promptly and in a way that is most likely to lead to resolution and restoration of our respectful and inclusive workplace. We will do this by:

- ensuring the principles of natural justice are applied in all instances
- making support available for both those raising concerns and for those who are the subjects of complaints
- providing access to mediation and restorative processes where appropriate and available
- seeking external specialist support to assist with the response where appropriate, e.g. from sexual abuse support organisations
- ensuring proportionate disciplinary consequences are applied when inappropriate behaviour at work is confirmed

- reporting unlawful or inappropriate behaviour to the police or other regulatory body as the circumstances require.

4.6 We will regularly evaluate our performance toward achieving a respectful and inclusive workplace. We will do this by:

- reviewing feedback gathered through employee surveys and other tools to illustrate the range of experiences of our people in relation to respect and inclusion
- reviewing all concerns raised and sharing findings and insights that illustrate where we have met, and where we have failed to meet, our expectations of a respectful and inclusive workplace
- seeking feedback from our people, including our employee network groups, to ensure our policy, processes and tools remain current, and are complete, accessible and understood by our people.

## 5 Accountabilities

The Deputy Chief Executive, People and Culture is responsible for ensuring organisational controls are in place in support of this policy.

## 6 Responsibilities

Role	Responsibilities
Our people	<p>Demonstrate respectful and inclusive behaviour at work</p> <p>Support workplace activities that recognise and celebrate diversity and inclusion as opportunities arise</p> <p>Participate in development opportunities to become aware of appropriate behaviour at work</p> <p>Not tolerate inappropriate behaviour directed at themselves at work</p> <p>Where inappropriate behaviour is directed at others, raise this concern directly, or support the person affected by the behaviour to raise the concern themselves</p> <p>Respond to any feedback they receive about their own behaviour in line with our ACC behaviours</p>
Other people	<p>Other people who are doing work on behalf of ACC have the same responsibilities as our people</p> <p>Customers, clients, or members of the public are expected to behave in a respectful and inclusive way. Where these expectations are not met, they will be reminded of our expectations. If this behaviour persists, our people should not tolerate this and actions to end the interaction will be supported.</p>

<p>Leaders</p>	<p>Provide clear statements of commitment to a respectful and inclusive workplace</p> <p>Role model respectful and inclusive behaviours at work</p> <p>Facilitate open discussions about workplace behaviour, wellbeing and inclusion.</p> <p>Develop the skills and capabilities associated with respectful and inclusive workplace behaviours</p> <p>Support their people in any situation where they are exposed to inappropriate behaviour in relation to their work with ACC, including behaviour directed at them by ACC employees, providers, clients, customers or members of the public.</p> <p>Seek advice from the People and Culture team to manage incidences of inappropriate behaviour, workplace bullying and harassment.</p>
<p>People and Culture Team</p>	<p>Maintain and develop recruitment and promotion processes that reward the demonstration of respectful and inclusive behaviours, recognising the benefits of a diverse workforce</p> <p>Provide ongoing development opportunities to enable all ACC people to become aware of their roles and responsibilities in relation to appropriate behaviour at work</p> <p>Provide for the demonstration of appropriate behaviour in performance expectations and recognising this behaviour in performance-related conversations</p> <p>Communicate the definitions of inappropriate behaviour including discrimination, bullying and harassment</p> <p>Promote the use of EAP, professional supervision and other employee supports to coach employees to support others or to manage inappropriate behaviour for themselves</p> <p>Maintain and develop a range of informal and formal ways for ACC people to raise concerns about inappropriate behaviour at work, including self-help, peer support, and internal and external reporting.</p>
<p>Head of HS&amp;W</p>	<p>Review feedback gathered through employee surveys and other tools to illustrate the range of experiences of our people in relation to respect and inclusion at work</p> <p>Review concerns raised and share findings and insight that illustrate where we have met, and where we have failed to meet, our expectations of a respectful and inclusive workplace</p> <p>Seek feedback from our people, including our employee network groups, to ensure our policy, processes and tools remain current, and are complete, accessible and understood by our people.</p>
<p>Employment Relations Manager</p>	<p>Provide advice to leaders managing incidents of inappropriate behaviour, workplace bullying and harassment, so that they:</p> <ul style="list-style-type: none"> <li>• Apply the principles of natural justice in all situations where concerns are raised</li> <li>• Provide support for both those raising concerns and for those who are the subjects of complaints</li> </ul>

	<ul style="list-style-type: none"> <li>• Are guided to external specialist support to assist with the response to concerns where appropriate</li> <li>• Apply proportionate disciplinary consequences when inappropriate behaviour at work is confirmed</li> <li>• Report unlawful or inappropriate behaviour to the police or other regulatory body as the circumstances require.</li> </ul>
Executive and Enterprise Leaders	Visibly demonstrate their commitment to our workplace being respectful and inclusive, including regularly engaging with their people about appropriate behaviours and other related matters that are important to them.
Board	Recognise that some behaviours in the workplace can be a source of harm, and exercise due diligence in this respect as part of the effective governance and leadership of health, safety and wellbeing for ACC.

## 7 Assurance

Lines of Assurance:	Role	Monitoring & Oversight
1st Line	Employees and People Managers	<p>All employees are able to report inappropriate behaviour on their own or others' behalf</p> <p>People receiving reports of concerns respond to these in an appropriate way and seek further support where needed</p> <p>Any exceptions that are being considered to this Policy are brought to the attention of the Deputy Chief Executive, People and Culture for review.</p>
	Head of Health, Safety and Wellbeing	<p>Supports employees to identify behaviour in relation to the definitions provided in this policy</p> <p>Escalates concerns (incidents or trends) about the breaches to the Deputy Chief Executive, People and Culture when appropriate</p> <p>Updates risk registers as required.</p>
	Policy Owner	The Policy Owner ensures that the Group (and other parts of ACC if applicable) responds appropriately to Policy breaches and requests for exceptions.
2nd Line	Enterprise Risk Team	<p>Performs periodic oversight activities intended to assess and/or provide insights into (among other things) compliance with the Policy and the adequacy and effectiveness of the Group's practices to monitor compliance and deal with breaches</p> <p>Reports to the Executive and the Board on the outcomes of such activities.</p>

Lines of Assurance:	Role	Monitoring & Oversight
	HS&W team	Provides monitoring and oversight in relation to the Policy.
3rd Line	Internal Audit (and external providers)	<p>Performs periodic audit activities intended to assess and/or provide insights into (among other things) compliance with the Policy and the adequacy and effectiveness of the Group's practices to monitor compliance and deal with breaches</p> <p>Reports to the Executive and the Board on the outcomes of such activities.</p>
4th Line	Executive	<p>Ensures each Group has sufficient emphasis on risk management and meeting compliance obligations</p> <p>Ensures effective processes and monitoring are in place to meet compliance obligations for the Policy</p> <p>Acts in an appropriate and timely manner in response to reports received that alert the Executive to opportunities to improve Policy compliance activities.</p>
5th Line	Board	<p>Responsible for approving any material changes to the level 1 Policies, including text related to monitoring and oversight of compliance with the Policy</p> <p>Acts in an appropriate and timely manner in response to reports received that alert the Board to opportunities to improve Policy compliance activities.</p>

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## 8 Breaches of Policy

Complying with all policies and procedures is an expectation outlined in the [Code of Conduct](#). Behaviour or actions that are investigated and found to be in breach of the Code of Conduct may result in disciplinary action. Behaviour that is considered unlawful or inappropriate will be reported to the police or other regulatory body as the circumstances require.

## 9 Contacts

Contact HR Help for any information or assistance regarding this policy.

## 10 Definitions

### Respectful

A respectful workplace is one that encourages trust, responsibility, accountability, mutual respect, open communication and embraces the dignity and diversity of individuals.

Conversely, acting in a disrespectful manner is treating others with a minimum level of courtesy and dignity during interactions; or inappropriate conduct, comment or display that either insults, denigrates, disparages or humiliates someone or depreciates their value.

### Inclusive

Fostering a culture that respects the dignity, worth, equality, diversity and privacy of all people employed by or associated with ACC. This means behaving ethically and without regard to gender, race, religion, creed, colour, citizenship, national origin, age, marital status, family responsibilities and choices, pregnancy, sexual orientation or disability.

### Discrimination

Conduct resulting in less favourable treatment, or a less favourable environment, for any person or group by reason of age, race or colour, ethnicity or national origins, sex (including pregnancy or childbirth), sexual orientation, disability, religious or ethical belief, marital or family status, employment status, political opinion, being affected by domestic violence or any involvement in union activities as described in the Employment Relations Act 2000 and the Human Rights Act 1993.

### Inappropriate behaviour

ACC considers the following behaviours to be inappropriate:

- 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 alcohol or other drugs
- physical violence
- defacing or destroying property

- any other behaviour considered discriminatory, aggressive or threatening.

### **Workplace bullying**

Repeated and unreasonable behaviour directed towards a worker or a group of workers that can lead to physical or psychological harm.

Repeated behaviour is persistent and may involve a range of actions over time.

Examples of potentially unreasonable behaviours are:

- belittling remarks
- ignoring, excluding or isolating
- ridiculing, insulting, or teasing
- threats of violence
- persistent and/or public criticism
- intimidation
- reducing opportunities for expression
- hints or threats about job security
- sabotage.

Examples of behaviour that **does not** constitute bullying/unreasonable behaviour include:

- one-off or occasional instances of forgetfulness, rudeness or tactlessness
- setting high performance standards because of quality, safety or customer service
- constructive feedback and legitimate advice or peer review
- a manager requiring reasonable verbal or written work instructions to be carried out
- legitimate management of leave, performance, misconduct or other workplace concerns under ACC's respective policies and procedures
- a single incident of unreasonable behaviour (but it could escalate and should not be ignored. It would be sensible to address this when it occurs).

### **Harassment**

An act that breaches the [Harassment Act 1997](#) including any unwanted or unjustified behaviour which another person finds offensive or humiliating, and because it is serious or repeated, has a negative effect on the person's employment, job performance, or job satisfaction. This may include:

- comments or behaviour that express hostility, contempt or ridicule, repeated put downs for people of a particular age, body shape, gender identity etc
- a general work atmosphere of repeated jokes, teasing, or 'fun' at someone else's expense because of a particular characteristic they have.

Harassment also includes [Racial harassment](#) or [Sexual harassment](#) as defined in the Employment Relations Act 2000.

### **Natural justice**

The right to have your views heard on matters that are likely to have a material impact on you.

## 11 References – internal

[Code of Conduct](#)

[Diversity & Inclusion Networks](#)

[Equal Employment Opportunity Policy](#)

[Raise bullying or harassment concerns](#)

## 12 References – external

[Crimes Act 1961](#)

[Employment Relations Act 2000](#)

[Harassment Act 1997](#)

[Harmful Digital Communications Act 2015](#)

[Human Rights Act 1993](#)

[New Zealand Bill of Rights Act 1990](#)

[Positive and Safe Workplaces | Te Kawa Mataaho Public Service Commission](#)

[Privacy Act 2020](#)

[Workplace bullying and harassment | WorkSafeNZ](#)

# Code of Conduct



POLICY NUMBER	1.0.0
TOPIC	Code of Conduct
OWNER	Deputy Chief Executive - People and Culture
DATE APPROVED	8 September 2022
APPROVER	Board
DATE OF NEXT REVIEW	8 September 2025

## 1 Code Statement

ACC is charged with the implementation of the Accident Compensation Act 2001. In fulfilling this duty, ACC's vision is to create a unique partnership with every New Zealander, improving their quality of life by minimising the incidence and impact of injury.

As a Crown entity, ACC is part of the Public Sector and contributes to building the trust and confidence of citizens in the institutions of government.

All Public Sector organisations are expected to work with a spirit of service to the community, to make our services accessible and effective to those who need them, and to strive to make a positive difference to the wellbeing of New Zealanders.

Everyone who works for ACC has an important role to play in making sure we achieve our vision, and in ensuring we maintain our reputation and standing in the perception of the public. Our actions and behaviours must be consistent with these expectations at all times.

## 2 Objective

This Code governs the behaviours of all employees of ACC, to enable us to meet the expectations placed upon us as a Crown Entity. These standards are based on the standards that apply to all Public Servants, detailed in the [Te Kawa Mataaho Standards of Integrity and Conduct](#).

The Code of Conduct:

- can be used to provide coaching on appropriate conduct
- enables recognition of those who model the desired standard of conduct
- reflects and reinforces the ACC values and behaviour required
- outlines inappropriate behaviour and its consequences.

### 3 Scope

All ACC employees and contractors are expected to maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.

All employees of ACC must read, understand, and follow our Code of Conduct.

### 4 Code standards

You are expected to exercise good judgement to determine what action to take in a given situation.

Your actions need to be able to withstand scrutiny from internal and external parties. Our behaviour and actions must be seen to be fair, impartial, responsible and trustworthy at all times.

In order to achieve the high standards of behaviour expected of us, as an employee or contractor you must:

#### **Be honest and act with integrity.**

In all aspects of your employment (e.g. in your work with clients and levy payers, with regard to work attendance, requests for financial reimbursement, use of sick leave etc).

#### **Respect the rights of others.**

- Treat others fairly, courteously, equally, and without discrimination or harassment
- Uphold the rights of clients, as specified in the [Code of ACC Claimants' Rights](#).
- Respect and respond to all cultures, values and beliefs, particularly Māori and minority groups
- Promote the principles of [Equal employment opportunity](#).

#### **Perform your duties to the best of your ability.**

- Prioritise your primary role as an ACC employee over any secondary interests, commitments, values or beliefs you hold personally, and declare any potential [Conflict of interest](#) immediately.
- Show commitment to a high quality of work.
- Adhere to the ACC [Health, Safety and Wellbeing policy](#) in all areas of work.
- Comply with all ACC policies, processes and standards
- Model and demonstrate [ACC values](#) and behaviours, which underpin decisions about what we do, and how we operate and behave
- Comply with the code of any professional body that you are registered or affiliated with, where this impacts upon your work with ACC
- Show initiative and creativity when resolving problems, seek to maximise productivity, and identify opportunities for improvement
- Make decisions appropriate to your role and be responsible for those decisions and the actions that result from them
- Be supportive of changes made by ACC, as change is necessary for the organisation's success
- Be supportive of your colleagues and accept your responsibilities as a team member

- Manage your personal and workplace relationships appropriately so they do not adversely affect your work.

### **Uphold the reputation and standing of ACC.**

- Act with integrity in any personal dealings you may have with ACC as a client
- Obtain your manager's approval before commencing any activity, business interest or employment that has the potential to conflict with ACC business (e.g. acting as an advocate for a client, undertaking secondary employment)
- Ensure your behaviour in relation to [gifts and gratuities](#), managing contracts and [purchasing](#), and other sensitive expenditure does not compromise (or appear to compromise) your personal integrity or ACC's.
- Maintain appropriate professional behaviour when travelling on ACC business
- Maintain appropriate professional behaviour in any situation where you may be perceived as representing ACC.
- Have an appropriate standard of dress
- Engage with the Media team about any media enquiries you receive.
- Ensure that your behaviour will not bring ACC into disrepute.
- Advise your manager of any convictions or charges laid against you whilst employed by ACC.
- Maintain appropriate boundaries and relationships with clients and any other people you may work with.

### **Act in a politically neutral manner.**

- Ensure that your behaviour maintains Ministerial and public confidence in the impartiality of advice given and actions taken
- Ensure that your comments do not bring ACC or the Minister into disrepute, or compromise the perception of ACC as politically neutral (e.g. stating or implying your personal view on an issue as ACC's view)
- Ensure that your personal participation in political matters does not conflict with (or appear to conflict with) your duty to act in a politically neutral manner.

### **Use ACC information and property appropriately.**

- Be responsible for the security and confidentiality of all information that you deal with during your employment with ACC
- Use financial and non-financial information gathered by ACC and your knowledge of ACC's systems and processes only to perform ACC's business
- Treat all ACC assets and property with care and respect
- Respect the privacy of ACC's clients, staff, and stakeholders and keep their personal information confidential
- Take all reasonable steps to protect the privacy of our clients, customers, employees and other stakeholders
- Only access client, colleague, and stakeholder personal information for ACC purposes related to your role (in particular, do not access information for non-work purposes)

- Report any actual or potential privacy breaches to your manager immediately.

### Act within the law.

- In particular, the Accident Compensation Act 2001, Official Information Act 1982, Privacy Act 2020, Health Information Privacy Code 2020, Human Rights Act 1993, Employment Relations Act 2000 and any other relevant legislation.

## 5 Accountabilities

The Deputy Chief Executive - People and Culture is responsible for ensuring organisational controls are in place in support of this policy.

## 6 Roles and Responsibilities

Role:	Responsibility
Employees	<ul style="list-style-type: none"> <li>• Read, understand and follow this Code of Conduct.</li> <li>• Undertake training or confirm your understanding of the Code of Conduct when requested by ACC</li> <li>• Remain up to date with the current Code of Conduct expectations.</li> <li>• Discuss any concerns about what may be considered unacceptable behaviour with your manager.</li> <li>• Discuss with your manager before you take any course of action that you are not entirely sure falls within the bounds of acceptable behaviour.</li> <li>• If you believe someone in ACC is acting unethically, or has been involved in serious wrongdoing, you should report this confidentially through OK2Say and receive protection under the Protected Disclosure Act. For more information, visit <a href="#">Making a protected disclosure</a>.</li> </ul>
Contractors	<ul style="list-style-type: none"> <li>• Maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.</li> </ul>
Managers	<p>Managers are representatives of ACC both when dealing with external customers or stakeholders, and when dealing with internal employees and contractors.</p> <p>Managers have a lead role in establishing and promoting our expected standards of behaviour and integrity. Managers are expected to conduct their behaviour, actions and decisions consistently with their duty to be fair, impartial, trustworthy and responsible at all times.</p> <p>As a manager you are expected to:</p> <ul style="list-style-type: none"> <li>• establish and promote ACC's expected standards of behaviour and integrity</li> <li>• consider your behaviour, actions and decisions in terms of the expectation to be fair, impartial, trustworthy and responsible at all times</li> <li>• manage employees in accordance with the Code of Conduct, and any other ACC policies, processes, standards and systems in place to support you as a manager (e.g. development programme, performance management processes)</li> <li>• lead, model and promote the expected standards of behaviour and integrity within the Code of Conduct and other internal policies and processes</li> <li>• provide employees with education and coaching on expected standards of behaviour and integrity where needed</li> </ul>

	<ul style="list-style-type: none"> <li>represent ACC positively when interacting with staff, and deliver our policies, changes, initiatives or decisions in a manner consistent with ACC's intentions</li> <li>take ultimate responsibility for work quality, actions and decisions of employees in your team by addressing concerns</li> <li>manage within your capabilities and take ownership of your own development, and that of your team</li> <li>manage within the delegated authorities framework as specified in the Delegations Manual</li> </ul>
Deputy Chief Executive - People and Culture	<ul style="list-style-type: none"> <li>Monitor the effectiveness of the Code of Conduct</li> <li>Ensure organisational controls are in place in support of this policy</li> </ul>
Executive	<ul style="list-style-type: none"> <li>Model the highest standard of behaviours according to this Code of Conduct</li> <li>Ensure Code of Conduct behaviours are integrated into all aspects of ACC business</li> </ul>
Board	<ul style="list-style-type: none"> <li>Approve the Code of Conduct and ensure it is consistent with ACC's strategic direction.</li> </ul>

## 7 Monitoring and Oversight

Lines of Assurance:	Role	Monitoring & Oversight
1st Line	Employees and Managers	<ul style="list-style-type: none"> <li>Employees are expected to comply with the Code of Conduct.</li> <li>Managers make employees aware of the Code of Conduct and monitor compliance.</li> </ul>
2nd Line	People & Culture Group	<ul style="list-style-type: none"> <li>The People and Culture Group oversees overall compliance with this policy and obtains feedback on its effectiveness.</li> <li>The Employment Relations Team provides oversight of employment relations issues, including those relating to breaches of the Code of Conduct to ensure that proper procedures are followed.</li> </ul>
3rd Line	Assurance	<ul style="list-style-type: none"> <li>Third line functions provide independent information on the overall effectiveness of the Code of Conduct.</li> <li>This includes Assurance Services' schedule of continuous assurance activities for People and Culture processes and assessment of our compliance with obligations.</li> </ul>
4th Line	Executive	<ul style="list-style-type: none"> <li>The Chief Executive and Deputy Chief Executives have overall responsibility for ensuring compliance with Code of Conduct policies and processes.</li> </ul>
5th Line	Board	<ul style="list-style-type: none"> <li>The Board approves the Code of Conduct and ensure it is consistent with ACC's strategic direction.</li> </ul>

## 8 Breaches of Policy

Our Code of Conduct requires our people to comply with all our policies. Breaches of this policy may result in disciplinary action.

Behaviour or actions that are investigated and found to be in breach of the Code of Conduct may result in disciplinary action. Where breaches are found, ACC's [Disciplinary procedure](#) will be followed and the employee will have an opportunity to provide an explanation for their actions or behaviours and have the right to representation.

The action taken will depend on the severity of the breach:

- Breaches of the Code of Conduct that are deemed 'misconduct' may lead to disciplinary action up to and including a final warning.
- Breaches of the Code of Conduct that are deemed 'serious misconduct' may lead to disciplinary action up to and including summary dismissal. Summary dismissal is termination of employment without notice or prior warnings.

If any breaches normally considered to be misconduct are very serious or repeated, these may be deemed serious misconduct.

### Misconduct

Misconduct occurs when an employee does something wrong (namely, breaches this Code of Conduct or other ACC policy) either by: doing something, omitting to do something, or through their behaviour.

The lists below of actions considered to be misconduct or serious misconduct are intended as a guide for employees, and are examples only. They do not constitute an exhaustive list of breaches of the Code of Conduct.

Examples of misconduct include:

- Any act of negligence harming ACC
- Disobeying a lawful and reasonable instruction from a manager
- Failure to meet the standards of performance and behaviour expected of ACC employees
- Inappropriate behaviour or relationships
- Any action which may in any way damage the relationship of trust and confidence between ACC and government, other agencies or the community
- Allowing unauthorised access to, or disclosure of, any matter or information in relation to ACC business
- Misuse of ACC internet and/or email systems
- Inappropriate use of purchasing card or expenses
- Absence from duty or place of work without proper reason or authorisation
- Repeated lateness for work, or repeated absenteeism without just cause
- Failure to comply with any ACC policy or procedure
- Any behaviour of a similar type.

## Serious misconduct

Serious misconduct occurs when the misconduct could have the effect of destroying or undermining the relationship of trust and confidence between an employee and employer.

Examples of serious misconduct include:

- Dishonesty
- Theft
- Fraud
- Handling a claim relating to oneself, a relative, acquaintance or friend without the express approval of the manager, or taking a role as an advocate for a client without approval
- Corruption – accepting a bribe, inducement, reward or gift, or complying with a request or threat to use your position to provide a benefit to any person or third party, which has the effect of allowing inappropriate activity or compromising the impartial performance of your duties
- Failure to declare any activity, business interest or employment that has the potential to conflict with ACC business
- Accessing ACC information relating to family, friends, acquaintances or clients without legitimate cause
- Criminal conviction leading to imprisonment or adversely affecting your ability to carry out your work.
- Misuse or unauthorised possession or sharing of ACC property and/or information (e.g. misuse of financial information or client information)
- Harassment of anyone you work with (e.g. client, employee, contractor)
- Abusive or discriminatory statements or practices
- Assaulting or abusing another person
- Allowing work performance to be affected by drug, alcohol or substance abuse (including abuse during work hours)
- Dangerous or unsafe work practices, including non-compliance with ACC Health and safety policies, and Health and Safety legislation
- Any act that has the potential to bring ACC into disrepute
- Significant failure to comply with any ACC policy or procedural requirements
- Any behaviour of a similar type.

## 9 Contacts

Contact [HR Help](#) regarding this policy.

## 10 References

Te Kawa Mataaho [Standards of integrity and conduct](#)

### Policies:

[Respectful and Inclusive Workplace](#)

[Conflict of interest](#)

[Protected disclosure](#)  
[Equal employment opportunity](#)  
[Sensitive expenditure](#)  
[Health, Safety and Wellbeing](#)  
[Information security](#)  
[Use of the Internet](#)  
[Email and instant messaging](#)  
Media  
Social media  
[Privacy](#)  
[Procurement](#)  
[Corporate Delegations](#)

## **11 Policy review dates**

Last review: 8 September 2022

Next review: [ ]

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

# How to raise a concern at work

ACC does not tolerate bullying or harassment in any form.

If you have concerns about the behaviours of someone in the workplace, it is important that you report it so they can be addressed appropriately.

You are also encouraged to seek support, to look after your own wellbeing.

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Seek support

Talk to a manager

Contact HR Help

Use Ok2Say

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## Seek support

Your wellbeing is important. There is a range of support you can access:

- [Employee Assistance Programme](#) (EAP)
- [PSA](#) or other appropriate union
- Talk to a manager or colleague

## Talk to a manager

Talk to a manager about your concerns. Together, you can discuss how your concerns can be addressed.

Some options you may talk about:

- A team meeting to discuss appropriate behaviours in the workplace

- A facilitated meeting with you and the other person
- A discussion between the manager and the other person
- [An investigation into the behaviours](#)
- Other ways you can raise your concerns, for example via Ok2say

## Contact HR Help

You can call or send an email to [HR Help](#). They'll be in touch to discuss how your concerns could be addressed and to seek your input on next steps.

## Ok2Say

You can use [OK2Say](#), an independent, confidential service provided to ACC.

If you provide your name to OK2Say, then someone from either ACC's Integrity Team or Talent Team will be in touch.

If you don't provide your name to OK2Say, then you can still receive a response through the online portal where you will need to log in. ACC will never have access to your name but will be able to communicate with you via this online channel.

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## Other information that may be useful

[Respectful and Inclusive Workplace Policy](#).

[WorkSafeNZ](#)

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# The investigation process

An investigation will look into the concerns and determine whether they are substantiated or not.

While the process may vary depending on the circumstances you can generally expect the following to occur.

## 1. The concerns will be captured in writing.

Either the person raising a complaint will provide a written document setting these out or they will tell their experience to another person (like someone in HR) and it will be written down.

Sometimes, further clarification will be needed to fully understand the concerns or further information may be requested to supported the concerns.

## 2. Consent will be requested

The person raising the concerns will be asked to consent to the concerns going to the person they are about.

If there is no consent, then the concerns cannot be provided to the other person and it can be very difficult to address the issues.

## 3. Opportunity to respond

The person the concerns are about will be given an opportunity to respond and share their experience.

## 4. Further inquiries

Further inquiries may occur. This could include:

- Speaking with other people
- Hearing again from both parties

## 5. Preliminary findings

Preliminary findings will be drafted. This will indicate whether it is likely the findings will be substantiated or not.

The preliminary findings will be provided to the both the person who has raised the concerns and the person the concerns are about, some parts may be removed from the report for privacy. Both get to provide feedback on the preliminary findings

## 6. Finalise findings

The findings will then be confirmed.

Possible outcomes are:

- No further action
- Additional training
- Specific expectations
- Disciplinary process which could result in a warning or dismissal

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