



27 October 2022

Kia ora [REDACTED]

Your Official Information Act request, reference: GOV-021215

Thank you for your request of 11 October 2022, to [REDACTED] asking for the following information:

a Policy Document around Code of conduct – such as inappropriate staff access to claims and Conflict of Interest policy

Due to the nature of your request, it was referred to my team to respond to under the Official Information Act 1982 (the Act).

ACC's Code of Conduct and Conflict of Interest policies are attached

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

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

ACC has decided 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.

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



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"> • Read, understand and follow this Code of Conduct. • Undertake training or confirm your understanding of the Code of Conduct when requested by ACC • Remain up to date with the current Code of Conduct expectations. • Discuss any concerns about what may be considered unacceptable behaviour with your manager. • Discuss with your manager before you take any course of action that you are not entirely sure falls within the bounds of acceptable behaviour. • 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 Making a protected disclosure.
Contractors	<ul style="list-style-type: none"> • Maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.
Managers	<p>Managers are representatives of ACC both when dealing with external customers or stakeholders, and when dealing with internal employees and contractors. 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"> • establish and promote ACC's expected standards of behaviour and integrity • consider your behaviour, actions and decisions in terms of the expectation to be fair, impartial, trustworthy and responsible at all times • 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) • lead, model and promote the expected standards of behaviour and integrity within the Code of Conduct and other internal policies and processes • provide employees with education and coaching on expected standards of behaviour and integrity where needed

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

7 Monitoring and Oversight

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

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



Conflict of Interest Policy

POLICY NUMBER	1.2.0
TOPIC	Conflict of Interest Policy
OWNER	[Out of Scope] Deputy Chief Executive, People and Culture
DATE APPROVED	20 February 2020
APPROVER	Deputy Chief Executive, People and Culture
DATE OF REVIEW	February 2023

1 Objective

The Conflict of Interest Policy aims to ensure that any conflicts of interest that arise are identified, disclosed and resolved or managed in a timely and effective manner.

2 Scope

This policy applies to all ACC employees and contractors.

3 Policy Statement

As part of the State Sector, ACC is expected to work with a spirit of service to the community. This relies on the public having trust and confidence in ACC. To maintain this relationship with the public, all employees and contractors are expected to maintain high standards of integrity, discretion, and ethical conduct. This includes impartiality and political neutrality. Conflicts of interest may create risk to ACC's finances or reputation. In order to respond to these expectations and risks, conflicts of interest must be transparently declared and effectively managed.

The conflict of interest policy provides a set of principles and processes for resolving and/or managing actual, potential or perceived conflicts of interest.

- 3.1 It is expected that an employee's role at ACC takes precedence over any secondary interests, commitments, or associations an employee may personally hold.**

3.2 Employees must ensure that their outside interests or associations do not adversely affect their work commitment to ACC or conflict with ACC's interests.

3.3 Employees must not state or imply that their personal view on a matter is representative of ACC's position or view.

Where employees share their opinions within the public domain, they should consider whether a conflict of interest could be perceived to arise between their position as an ACC employee and the opinion that they have expressed.

3.4 Any existing employment activity, interest or association that could in any way conflict with ACC business must be declared prior to employment with ACC. In addition, any employment activity, interest or association that arises in the course of employment, and could in any way conflict with ACC business must be approved prior to it commencing.

This includes, but is not limited to, anything that may:

- Conflict with an employee's ACC duties (e.g. working in a medical centre that provides services to ACC clients)
- Compromise an employee's ACC duties (e.g. working as an advisor to a claimant advocacy group or taking a role as an advocate for a client)
- Impact an employee's financial position
- Impair performance (e.g. working at a second job or as a volunteer that may result in being too tired to undertake the normal duties of their ACC role)
- Compromise an employee's integrity (e.g. being in a management position over a partner/spouse or relative)
- Compromise an employee's political neutrality (e.g. standing for election, or an association with a Member of Parliament).

3.5 Employees involved with the procurement of goods and services must be familiar with the Office of the Auditor General guidelines for managing conflicts of interest (external link) and the Procurement policy.

4 Accountabilities

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

5 Responsibilities

Role:	Responsibility:
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<p>Employees</p>	<ul style="list-style-type: none"> • Employees are responsible for identifying, declaring and addressing any actual, perceived or potential conflict of interest they may have. ACC4818 Declaration of interests and associations (61KB) <p>Employees should ensure they:</p> <ul style="list-style-type: none"> ○ inform their manager of any actual, perceived or potential conflicts of interest ○ formally declare them ○ inform their manager and the People and Culture team if a declared conflict is no longer relevant ○ ensure they advise their new manager of any existing declared interests (and new interests) when they transfer to a new role or team in ACC. <ul style="list-style-type: none"> • If an employee is in any doubt they should seek advice from their manager or People and Culture.
<p>Managers</p>	<ul style="list-style-type: none"> • Discuss potential conflicts with employees and if a conflict exists, agree on ways in which the conflict may be resolved and/or managed. This includes a discussion when a new employee joins the team. • Conflicts of interest may be resolved or managed in one of the following ways: <ul style="list-style-type: none"> ○ Declining permission for an employee to undertake a secondary interest. ○ Reaching an agreement with any secondary employer, that the employee has no involvement with ACC clients in their secondary role. ○ Implementing controls to manage a potential conflict of interest eg alternative reporting arrangements. ○ A period of leave or absence is agreed to allow the employee to participate in any activity that is a perceived conflict of interest until the activity is concluded. ○ If it is not possible to resolve/manage the conflict of interest and it renders the employee unable to carry out their role, the employee may be redeployed to a role where the conflict of interest does not exist. ○ If the conflict cannot be resolved and/or managed in any of the above ways, the employee may be dismissed, as a last resort. <p>Report conflicts of interest you are made aware of to People and Culture on a monthly basis.</p> <p>Advise the relevant Deputy Chief Executive of any high risk conflicts as soon as practicable.</p> <ul style="list-style-type: none"> • If an employee informs you that an existing conflict is no longer relevant, ensure the People and Culture team is formally informed of this.

People and Culture	<ul style="list-style-type: none"> • Maintain a register of conflicts of interest and send it to Procurement (including conflicts declared during recruitment and throughout employment) • Monitor employment associated conflicts of interest and refer other conflicts of interest to the relevant business unit.
Procurement	<ul style="list-style-type: none"> • Monitor conflicts of interest relating to Procurement activities on a regular basis.

6 Monitoring and oversight

Role:	Responsibility:
Employees and Managers (1 st line)	<ul style="list-style-type: none"> • Employees are expected to comply with this policy. • Managers will ensure employees are aware of and comply with this policy.
People and Culture and Procurement (2 nd line)	<ul style="list-style-type: none"> • The People and Culture Group will monitor overall compliance with this policy and obtain feedback on its effectiveness. • The Procurement team will monitor compliance with this policy within procurement activities.
Assurance (3 rd line)	<ul style="list-style-type: none"> • The Assurance team will audit policies and procedures and arrange for independent auditors when required
Executive (4 th line)	<ul style="list-style-type: none"> • The Chief Executive and Deputy Chief Executives have overall responsibility for ensuring compliance with conflict of interest policies and processes.
Board (5 th line)	<ul style="list-style-type: none"> • The Board have oversight for ensuring conflict of interest risk is managed well.

7 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. Refer to the Code of Conduct for further information.

8 Contacts

Contact HR Help for information or assistance regarding this policy.

9 Definitions

A conflict of interest occurs when an employee has a personal interest or duty that may affect their responsibilities at ACC. For example, that personal interest or duty could be:

- A position they hold outside of ACC
- An activity they undertake outside of ACC
- Associations, such as family relationships or other close relationships

An employee's responsibilities at ACC may be affected if, because of that interest: they cannot effectively perform their role; they are perceived as being unable to effectively perform their role; or there is the potential that they may be unable to effectively perform their role.

10 References

Sensitive Expenditure
Procurement
Code of Conduct
[Crown Entities Act](#) 2004

Version Control

Version	Date	Change reason	Who
0.1	06/07/17	Existing policy updated into new policy template	[Out of Scope]
0.2	28/11/17	Minor phrasing changes based on feedback	[Out of Scope]
0.3	30/11/17	Updated monitoring controls following discussion with RCO	[Out of Scope]
0.4	07/12/17	Tracked changes following workshop.	[Out of Scope]
0.5	07/12/17	Untracked version	[Out of Scope]
0.6	19/12/17	Changes following feedback from Sharon	[Out of Scope]
0.7	20/12/17	Change following feedback from Sharon.	[Out of Scope]
0.8	11/01/17	Change to responsibilities following feedback from RCO.	[Out of Scope]
0.9	15/8/18	Additions in response to assurance review	[Out of Scope]
1.0	14/1/20	Policy review with addition of five lines of assurance. Policy reviewed by Employee Relations to confirm no further changes required based on issues since last review.	[Out of Scope]
1.1	20/2/20	Minor changes to wording based on feedback from Policy Working Group	[Out of Scope]