



4 September 2023

Kia ora

Your Official Information Act request, reference: GOV-026814

Thank you for your email of 2 August 2023, asking for the following information under the Official Information Act 1982 (the Act):

1. *The number of claimants whose claims were accepted as treatment injuries.*
2. *What was the number of claimants who were informed that if they were not in permanent employment at the time they made a claim for a Treatment Injury, that if they gained permanent employment and needed to be away from their employment to receive further treatment for that Treatment Injury (such as surgery), that they would not be entitled to weekly compensation during their recovery.*
3. *What was the time between making the claim and having the claim accepted by ACC?*
4. *The number of claimants who were eligible for weekly compensation.*
5. *The number of claimants who were declined weekly compensation.*
6. *The reasons the claimants were declined weekly compensation.*
7. *Were any of the claimants who were declined weekly compensation because they were not earners at the time they sought treatment for their injuries, in employment when they received further treatment for their injury and needed to take time away from their employment for that treatment?*
8. *For the above claimants who were declined weekly compensation (because they were non earners at the time of injury) and subsequently received treatment for their treatment injury while they were permanently employed, what was the length of time the claimant was to have away from work as specified in the ACC18 medical certificate provided?*
9. *In relation to those claimants who were permanently employed when they received further treatment for their treatment injury, but not earners when they first sought treatment and subsequently needed to take time away from their employment to have their treatment injury treated, and were not entitled to weekly compensation: were they offered any information pertaining to entitlement for lost income/weekly benefit from any other agency?*
10. *What are the breakdowns of gender, ethnicity and age groups for the above situation?*

We are unable to provide the information requested in questions 2,5,6,7,8 and 9

This information is recorded on individual claim files and weekly compensation information cannot be identified without manual review of those claims, of which there are a significant number. Therefore, we are refusing to provide the information for these questions as doing so would require substantial collation and research. This decision has been made under section 18(f) of the Act.

In making this decision we considered extending the time limit for responding or applying a charge (as allowed under the Act). However, neither of these were offered as responding using either option would still have unreasonably interfered with ACC's operations.

A treatment injury (TI) is a personal injury caused as a result of seeking or receiving medical treatment from, or at the direction of, a registered health professional

To fulfil the criteria for cover, the person must have suffered a personal injury and there must be a clear causal link between the treatment and the injury, and the injury must not be a necessary part or ordinary consequence of the treatment.

The number of claims lodged with ACC cannot be taken as an accurate indication of the occurrence of injury during treatment or the quality of care. This is because, among other reasons, not all occurrences of injury during treatment are lodged with ACC.

Claim counts fewer than four

Some figures only indicate that a claim count is fewer than four, to protect our clients' privacy. This decision has been made under section 9(2)(a) of the Act. In doing so, we considered the public interest in making the figure available and determined that it did not outweigh the need to protect our clients' privacy.

The ethnicity data provided is based on ACC's 'prioritised ethnicity' data field.

This method reduces the six ethnic responses to a single response by a system of "prioritisation" where: Māori regardless of other ethnicities listed is classified as Māori; Pacific peoples with any other response other than Māori is classified as Pacific; Asian peoples with any other response other than Māori and Pacific are classified as Asian; Other ethnicity regardless of any other response other than Māori, Asian or Pacific is classified as Other. Those that listed European and did not list Māori, Pacific, Asian or Other are classified as European.

The treatment injury data provided below was extracted on 17 August 2023 and includes claims accepted between 1 July 2016 and 31 July 2023.

During this period 79,001 treatment injury claims have been accepted. These claims were made by 73,608 claimants. For the 79,001 treatment injury claims accepted during this period, the median number of days between claim lodgement and decision is 35 days, with a lower quantile of 16 days and an upper quantile of 62 days.

The tables below provide a breakdown of accepted claims by ethnicity, age group and gender. As some claimants have more than one treatment injury claim, some claimants have been counted more than once in the data.

Table 1: Treatment injury claims accepted between 1 July 2016 and 31 July 2023, by prioritised ethnicity

Prioritised ethnicity	Accepted claims	Prioritised ethnicity	Accepted claims
Māori	8,056	European	58,268
Pacific Peoples	2,919	Other and unknown	5,682
Asian	4,076	Total	79,001

Table 2: Treatment injury claims accepted between 1 July 2016 and 31 July 2023, by age group

Age group	Accepted claims	Age group	Accepted claims
0-4	2,099	45-49	5,271
5-9	575	50-54	5,856
10-14	840	55-59	6,693
15-19	1,663	60-64	7,031
20-24	2,798	65-69	7,424
25-29	3,992	70-74	6,894
30-34	4,748	75-79	5,720
35-39	4,357	80-84	4,208
40-44	4,276	85 plus	4,529

Age group	Accepted claims
Unknown	27

Age group	Accepted claims
Total	79,001

Table 3: Treatment injury claims accepted between 1 July 2016 and 31 July 2023, by gender

Gender	Accepted claims
Female	44,799
Male	34,195

Gender	Accepted claims
Gender diverse	7
Total	79,001

Treatment Injury claims where weekly compensation payments have been made

7,880 claims accepted between 1 July 2016 and 31 July 2023 received weekly compensation payments. These claims were made by 7,690 individual claimants. The tables below provide breakdowns of these claims by ethnicity, age group and gender.

Table 4: Weekly compensation entitled treatment injury claims accepted between 1 July 2016 and 31 July 2023, by prioritised ethnicity

Prioritised ethnicity	Accepted claims
Māori	814
Pacific Peoples	291
Asian	381

Prioritised ethnicity	Accepted claims
European	5,875
Other and unknown	519
Total	7,880

Table 5: Weekly compensation entitled treatment injury claims accepted between 1 July 2016 and 31 July 2023, by age group

Age group	Accepted claims
0-4	11
5-9	<4
10-14	7
15-19	72
20-24	278
25-29	384
30-34	579
35-39	595
40-44	681
45-49	975

Age group	Accepted claims
50-54	1,032
55-59	1,229
60-64	1,163
65-69	592
70-74	215
75-79	50
80-84	12
85 plus	<4
Unknown	<4
Total	7,880

Table 6: Weekly compensation entitled treatment injury claims accepted between 1 July 2016 and 31 July 2023, by gender

Gender	Accepted claims
Female	4,091

Gender	Accepted claims
Male or gender diverse	3,789
Total	7,880

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



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