

24 July 2019



Dan

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Tēnā koe Dan

**Your Official Information Act request, reference: GOV-000395**

Thank you for your email of 28 June 2019, asking for the following information under the Official Information Act 1982 (the OIA):

*I wish to receive information on cases where Work Related activities of Firefighters have been determined as the cause of cancer. More specifically:*

- 1. Types of cancer accepted by ACC as being work related to Firefighters*
- 2. Any information regarding the process for considering if the cancer is work related for Firefighters. This can include but not enough limited to any documentation regarding this process, or any notes of consideration in cases where they were accepted and NOT but obviously keeping the privacy's act in consideration.*

**Background: providing cover for work-related disease**

ACC provides cover for personal injury under the Accident Compensation Act 2001 (the AC Act). Under this legislation, diseases (including cancer) may be covered as a personal injury if they are caused by a 'work-related gradual process, infection or disease'. The criteria for this type of injury is provided under section 30 of the AC Act, and includes the following:

- The personal injury was caused from working in a particular environment or doing a particular task.
- The particular property or characteristic is not found to any material degree in the non-employment activities of the person.
- The risk of suffering the personal injury is significantly greater for persons who perform the particular employment tasks or are employed in the particular type of environment.

**Accepted claims for cancer for firefighters (question 1)**

We have identified five work-related claims by firefighters, (this does not include volunteer firefighters) for which ACC has provided cover for cancer. The types of cancer covered in these cases have the following descriptions: multiple myeloma, adenocarcinoma, mesothelioma, and malignant neoplasm of trachea, bronchus and lung.

Please note, ACC has withheld the names of staff members from the attached documents to protect their privacy. This decision is made under section 9(2)(a) of the Act. In making this decision we have determined that withholding this information is not outweighed by the public interest in making it available.

**Process for considering work-related gradual process claims (question 2)**

Please find attached ACC's process for making decisions on work-related gradual process, infection or disease claims. This was downloaded on 22 July 2019.

ACC considers and assesses each claim on the evidence available. ACC will typically refer claims for a work-related cancer diagnosis to a Toxicology Panel, which consists of five independent specialists. They review the medical evidence and the relevant medical literature, and determine the probability of the cancer being work-related, based on its type and the individual circumstances (e.g. the degree of fire smoke exposure for the client).

**Queries regarding this response**

If you have any questions, you can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz).

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

Nāku iti noa, nā



Emma Coats

**Manager Official Information Act Services**

Government Engagement & Support