

30 October 2013

Mr James Lohead
fyi-request-1174-544686b5@requests.fyi.org.nz

Dear Mr Lohead

Official Information Act request

Thank you for your request of 30 September 2013, asking for the following information under the Official Information Act 1982 (the Act):

1. ACC's policy on dealing with Privacy Act Requests when a staff member leaves within the 20 day time limit,
2. does this policy include monitoring and/or forwarding their emails to another staff member, and
3. when would ACC communicate to the claimant there case manager has changed?

Policy on responding to Privacy Act requests

ACC does not have a specific policy for responding to Privacy Act requests when a staff member leaves or is away. The Corporation is legally bound by the provisions in the Privacy Act 1993. Under this legislation, ACC must provide a response to a request for personal information within 20 working days of receiving the request, or to notify the requestor that a time extension is required. This statutory timeframe applies regardless of any staff changes that may take place in ACC, during the completion of the request.

ACC acknowledges it did not provide a response to your request within the 20 working days. I understand the Corporation is in the process of sending you a formal apology for this.

Under the Privacy Act, a person has the right to complain when they feel an organisation has breached its obligations.

Monitoring and forwarding communications

It is standard practice that, for security reasons, when a staff member leaves ACC their access to systems is immediately closed following their final day of employment.

Prior to leaving ACC a staff member should clear all their emails, this may include referring emails onto an alternate staff member for action, and documenting any outstanding issues in a client's electronic file, for the new case owner's action. Once an employee has left ACC, their email profile no longer exists. ACC Team Managers are responsible for ensuring the exiting staff member's work is transferred and that there is appropriate follow-up.

Communicating the change to clients

ACC is unable to provide you with a formal policy on this because it does not exist. This is in accordance with section 18(e) of the Act. However, it is common practice to re-allocate the case load of a case manager when they leave. This would generally occur in the last day or two of a case manager's tenure.

When a case manager provides notice prior to leaving, it is standard for them to communicate the impending change as they contact their clients in the normal course of case management. In the first few days once a case has been assigned to a new case manager, they should issue a letter advising clients of the change, introducing themselves, and providing their contact information.

Please contact me at Stephanie.Lewis@acc.co.nz if you have any questions about this letter.

If you're unhappy with ACC's response, you may make a complaint to the Office of the Ombudsman. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or write to:

The Office of the Ombudsman
PO Box 10152
WELLINGTON 6143

Yours sincerely



Stephanie Lewis
Advisor, Government Services