

17 June 2020

A Adams

fyi-request-12989-0f492cf3@requests.fyi.org.nz

Tēnā koe A Adams

Your Official Information Act request, reference: GOV-005113

Thank you for your request of 30 May 2020, asking for the following information under the Official Information Act 1982 (the Act):

- 1. Please advise the specific address for service for a Serious Service Failure Request. Your reply should contain the name, title, department and email address of the individual such a document should be directed to who would subsequently administer such claim.*
- 2. Please supply specific details of what ACC requires to be provided for inclusion in such a process. Your reply should include each and all information requirements and documentation of such a claim.*
- 3. Please supply the expected time frame a Serious Service Failure Request takes to be assessed and completed when all required documentation has been provided. Your reply should contain the maximum time ACC considers acceptable to complete this process.*

Background information on Payments Outside Scope of Statutory Entitlements

We have interpreted your request to be regarding ACC's policy for Payments Outside Scope of Statutory Entitlements (POSSE). In short, POSSE payments are made to clients when it is determined that there has been a serious service failure and the client has experienced a measurable financial loss because of ACC's actions.

If a client's request relates to what they see as a service failure, ACC will consider if it has the ability to resolve the matter through statutory entitlements.

A serious service failure must relate to ACC failing to do something that was a legislative requirement or an error in the way something was done. It does not include poor service or normal rectifiable human error. A serious service failure requires more than a simple omission or delay. It requires ACC to have fallen well below reasonable service standards. The client must be able to demonstrate that due to ACC's service failure they experienced a measurable financial loss. This could include:

- loss of income due to ACC's inaction;
- a financial commitment made by the client based on incorrect advice from ACC;
- ACC committing to financially assisting a client with no entitlement;
- additional costs incurred by a client while endeavouring to secure entitlement.

I have attached as an appendix to this letter a copy of the POSSE policy document which contains more information about how ACC considers POSSE payments.

Address for service (Question 1)

If a client has experienced a situation where they consider they have incurred financial loss, due to a serious service failure by ACC, in the first instance this should be raised with the client's case manager. As with complaints that are received by clients, service failures by ACC are investigated on a case by case basis. There is no specific address to send complaints regarding instances of serious service failure.

What information is required (Question 2)

To help facilitate ACC's investigation into a report of serious service failure, full details about what has happened on the claim, and what the alleged service failure is, should be provided so that ACC has sufficient information to investigate the issue. In addition, details of the financial loss that is claimed, including relevant supporting evidence of the loss, should be provided.

Timeframe (Question 3)

There is no set time frame for investigations of serious service failures, though as with all complaints received by ACC, these are expected to be resolved in a reasonable and timely manner, and ideally within 20 working days.

How you can reach us

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

Nāku iti noa, nā

A handwritten signature in black ink, appearing to read 'Sasha Wood', written in a cursive style.

Sasha Wood

Manager Official Information Act Services

Government Engagement & Support