

18 September 2014

Ms Jane Cohan
fyi-request-1888-96539f43@requests.fyi.org.nz

Dear Ms Cohan

Official Information Act Request

Thank you for your email of 12 August 2014, in which you requested official information about ACC's Care Indicator. On 9 September 2014, the Corporation sought additional time in order to make a decision on your request. Please find ACC's responses to your questions below:

1. *All ACC policies and SOPs [standard operating procedures] in respect of the ACC Care Indicator and that which defines ACC's approach on risky claimants.*

Please find information for this question attached. This includes the following documents:

- A. *Identifying and recording risky clients*
 - B. *Completing risky client profile*
 - C. *Reviewing risky clients*
 - D. *Criteria for activating the Care Indicator*
 - E. *Criteria for removing the Care Indicator*
 - F. *Review a client's Care Indicator*
 - G. *Roles when deciding to activate the Care Indicator*
 - H. *Manage clients with Care Indicators*
 - I. *WorkSafe – Managing Aggressive and Threatening Situations (excerpt regarding Care Indicators)*
2. *All ACC policies and SOPs as to how these claimants are deemed to be risky, by whom and thereby placed on the ACC register and how a claimant is managed as a person deemed to be 'risky.'*
 3. *Information as to how ACC verifies, validates and confirms that a claimant is deemed as risky and thereby placed on the ACC Care Indicator. That is, what checks and balances are in place and how is this appropriately monitored both for the Corporation and the claimant?*
 4. *Information from ACC as to who and whom is advised/informed that a claimant is on the Care Indicator and what information is therefore supplied to another person/agency on these issues and, is the claimant informed of this, or that this has occurred, and if not, why not?*

Please refer to documents A, D and G listed above.

5. *Confirmation from ACC as to whether a claimant is advised that he/she or otherwise is on the care indicator register. If not, why not and on what basis is a claimant not advised or advised.*

It is not part of ACC's policy to inform clients that a Care Indicator has been applied to their claim files. The use of the Care Indicator is to ensure that staff are aware of clients that have been identified as exhibiting behaviours or actions that could pose a potential threat to them or others. I refer you the attached *WorkSafe* document, which discusses this further under 'Privacy and Documentation'.

6. *Information for ACC as to the number of claimants currently on the ACC Care Indicator, along with the reasons that a claimant is on the Care Indicator.*
7. *Specifically also, please advise how many sensitive claimants are on this care indicator currently. Please provide this information from the period 2000 to 2014.*

As of 3 September 2014, the number of clients with a Care Indicator applied to their file is 849. The number of those with a sensitive claim is 133. The reasons for being on a Care Indicator are set out in document A.

ACC does not maintain a record of all clients that have previously had a Care Indicator activated on their file. ACC therefore declines to provide the historic information requested in question 7 as it is not held. This decision is made pursuant to section 18(g) of the Official Information Act 1982.

8. *Information from ACC, including policies and SOPs as to how claimants on the Care Indicator are reviewed in respect of their Care Indicator status?*
9. *How regularly are claimants reviewed, how and who undertakes this task, along with supplying all documents/policies/SOPs etc relating to ongoing reviews of a claimants status on a care indicator.*

Please refer to document C listed above.

10. *What safe guards are in place for claimants from such negative case managers and so on? This information should include all ACC policies and SOPs etc.*

ACC can only activate the Care Indicator if certain criteria are met (see document D). The decision to do this involves a number of people, including the Team Manager, Branch Manager and ACC's Security Advisor (See document G). ACC considers that it has a robust process for making decisions on using the Care Indicator.

However, if a client believes they have been treated unfairly they are able to make a complaint to the Office of the Complaints Investigator. Information on this can be found on ACC's website www.acc.co.nz under 'what if I have problems with a claim?'

11. *Are the safeguards any different for sensitive claimants or at variance to ACC's national policy and what safeguards exist particularly for sensitive claimants?*

The policy and process for activating a Care Indicator apply to all clients. In making a decision, the branch considers the individual circumstances.

12. *How many claimants are currently formally trespassed from contacting ACC either at a Branch network level or any other section of ACC.*
13. *Specifically also, please separate out the number of sensitive claimants who are trespassed in the same manner.*

There are currently a total of 26 people trespassed from ACC offices, four of which have a sensitive claim.

Please contact me at terence.routledge@acc.co.nz if you would like discuss the information provided.

If you are still not happy, you may make a complaint to the Office of the Ombudsman. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsman
P O Box 10 152
WELLINGTON 6143

Yours sincerely



Terence Routledge
Senior Advisor, Government Services

