

10 October 2023

AS Van Wey

[fyi-request-24184-28890985@requests.fyi.org.nz](mailto:fyi-request-24184-28890985@requests.fyi.org.nz)

Kia ora Amy

**Decision on your Official Information Act request, reference: GOV-027851**

Thank you for your request of 19 September 2023, asking for the below information under the Official Information Act 1982 (the Act):

*All ACC policies, processes, procedures, manuals, rules, guidelines and other documents regarding Part 4 of the Act. Specifically:*

- (1) Entitlements (ss 67-71 of the Act);*
- (2) Treatment (ss 73-74 of the Act);*
- (3) Individual, social and vocational rehabilitation (ss 75-96 of the Act);*
- (4) Weekly compensation (ss 100-101);*
- (5) Incapacity for employment (ss 102-106 of the Act);*
- (6) Vocational independence (ss 107-113 of the Act);*
- (7) Interest on late payments and indexation of weekly compensation and other entitlements (ss 114-116 of the Act);*
- (8) Powers to the corporation (s 117 of the Act);*

*All ACC policies, processes, procedures, manuals, rules, guidelines and other documents regarding Part 5 of the Act. Specifically review decision and the effect of the decision (ss 145-147 of the Act).*

*All ACC policies, processes, procedures, manuals, rules, guidelines and other documents regarding Part 7 of the Act. Specifically:*

- (1) the duty of the corporation, functions of the corporation and prevention of personal injury (ss 262, 263 of the Act); and*
- (2) the purpose for which ACC may collect or disclose information (ss 279 and 282 of the Act).*

*All ACC policies, processes, procedures, manuals, rules, guidelines and other documents regarding Part 9 of the Act. Specifically:*

- (1) the provision of enlistments entitlements where subsequent injury occurs and when there is a failure to reach an agreement (ss 295-296 of the Act); and*
- (2) offences under sections 306 and 312 of the Act.*

*All ACC policies, processes, procedures, manuals, rules, guidelines and other documents regarding the complaints process (Part 2, right 8 of the Code), which should include:*

- (1) how to raise a concern directly with an individual or the line manager (Part 3.1 of the Code); investigation of complaints by a claimant (detailing the steps to be taken and by whom, where the "whom" is not a specific person but a designated role);*
- (2) Procedure for addressing and resolving problems and concerns (Part 3.2 of the Code);*
- (3) Procedure for lodging a complaint and the decision framework (Part 3.3 of the Code);*
- (4) Procedure for dealing with a complaint (Part 3.4 of the Code);*
- (5) Making a decision (Part 3.5 of the Code);*
- (6) Remedies available under this Code (Part 4 of the Code);*
- (7) Addressing situations (Part 5 of the Code);*
- (8) Claimant's right of review with any decision made by ACC under this Code (Part 6 of the Code);*

*Pursuant to section 16 of the OIA, I request that the documents I've requested be made readily available through the ACC website in a manner which is readily accessible (such as an Policy & Process webpage, or Documents webpage).*

*I ask that the answers to my questions (pursuant to the Code) be provided through FYI.org.nz, as well as the links to the documents I've specifically requested. In so doing, ACC will reduced the number of repeat requests for the same information. For instance, I noticed that ACC responded to three people with many of the same documents, within 2 days of each other. This redundancy (and waste of tax payers money) would not occur if ACC made all its policies, processes, guidelines, templates and other documents readily available though the ACC website (in the spirit of transparency) rather than restricting access to ACC employees. Just a practical solution to ponder.*

### **Our decision to charge**

We have decided to grant your request in part. We are refusing to provide any information from within any of the documents requested that is legal advice or opinion, or otherwise personal information. This decision is made under sections 9(2)(h) and 9(2)(a) of the Act.

However, given the amount of resource required to provide the information, our decision is subject to a charge for making the information available. We estimate the maximum charge will be \$304. For details of how this charge has been calculated, please refer to the Estimate of Costs in the appendix. Please note that this has been calculated as a contribution to the overall costs, rather than for full-cost recovery. If the time taken is less than we estimate, the costs will be reduced accordingly, and refunded if required.

Before we proceed with this response, please confirm agreement to the charge. Once agreement is received, we will provide instructions on how to pay the full amount. You will need to pay a 50% deposit, equating to \$152, prior to ACC beginning work, with the balance to be paid on release of the information.

The decision to apply a charge for this request is consistent with:

- Section 15 of the Act
- ACC's OIA Policy
- Ombudsman Charging Guidance: [www.ombudsman.parliament.nz/resources/charging-guide-charging-official-information-under-oia-and-lgoima](http://www.ombudsman.parliament.nz/resources/charging-guide-charging-official-information-under-oia-and-lgoima)
- The Ministry of Justice Charging Guidelines: [www.justice.govt.nz/about/official-information-act-requests/directory-of-official-information/charging-guidelines-for-oia-requests/](http://www.justice.govt.nz/about/official-information-act-requests/directory-of-official-information/charging-guidelines-for-oia-requests/).

### **If you are not happy with this decision**

You can contact the Ombudsman via [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phoning 0800 802 602. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Ngā mihi



Sara Freitag  
**Acting Manager Official Information Act Services**  
Government Engagement

### Estimate of costs

<b>Locations searched</b>	<ul style="list-style-type: none"> <li>Te Pātaka, Process Master, SharePoint</li> </ul>
<b>Search terms used</b>	<ul style="list-style-type: none"> <li>Key words mentioned in each part of the AC Act as well as the request.</li> </ul>
<b>Date range</b>	No date range: All current ACC policies, processes, procedures, manuals, rules, guidelines and other documents related to parts of the AC Act.
<b>Estimated no. of documents at issue/to be searched through</b>	150+
<b>Chargeable activities required</b>	<input type="checkbox"/> Search and retrieval <input type="checkbox"/> Collation <input type="checkbox"/> Research (reading and reviewing to identify the information) <input type="checkbox"/> Editing (excising or redacting information to be withheld) <input type="checkbox"/> Scanning / copying <input type="checkbox"/> Reasonably required peer review to ensure that these tasks have been carried out correctly
<b>Estimated minutes per document to complete chargeable activities</b>	2-3 minutes (conservative time estimate)
<b>Estimated total time to complete chargeable activities</b>	6-8 hours
<b>Estimated no. of pages to be photocopied</b>	N/A

	<b>Quantity</b>	<b>Price</b>	<b>Totals</b>
<b>Labour</b>	6 hours (lower estimate)	\$38/half hour, with the first hour free	$5 - 1 \times \$76 = \$304$
<b>Photocopying (if applicable)</b>	N/A		
<b>Other (specify)</b>		\$	\$
<b>Discount applied due to public interest / hardship (if applicable)</b>			
<b>Total cost</b>			<b>\$304</b>