



08 July 2024

Sue

fyi-request-27038-a2622eb9@requests.fyi.org.nz

fyi-request-27050-7147ef2c@requests.fyi.org.nz

Kia ora

Your Official Information Act request, reference: GOV-032679

Thank you for your emails of 28 and 29 May, and 3 and 9 June, asking for the following information under the Official Information Act 1982 (the Act):

28 May email:

I respectfully request the complete list of ACC's Guides, Guidelines, Tutorials and References. Please provide the information in excel spreadsheet or a searchable pdf format.

29 May email:

I am writing to request the current list of all of ACC's notices and forms, with descriptors. Please also provide the list of historical ACC's notices and forms, with descriptors, for 2021, 2022, and 2023, if they are different from the current notices and forms. Please provide the information in an excel spreadsheet format.

3 June email:

I would like to add an additional request. When you provide the list of (a) forms, (b) notices of decisions with review rights, and (c) notices of decisions without review rights, I request you also provide the directory extension for each document (in Promapp or other repository) and last date of change.

9 June emails:

I request a list of ALL of ACC's Guides, Guidelines, Tutorials and References. This should be a list of titles of these Guides, Guidelines, Tutorials and References, which help ACC employees make decisions and do their jobs. I have not asked for any specific Guides, Guidelines, Tutorials or References. I need the list of ACC's Guides, Guidelines, Tutorials and References in order to make requests for specific ACC Guides, Guidelines, Tutorials and References. On your website, you have documents which use the term "reference". A "reference" is a document that people are to refer to for instructions, like a dictionary is a type of "reference".

Examples on your website include:

- Read code reference list (ACC6343)*
- Hearing loss management and regulations - Reference*
- Treatment injury reference information*
- Terms of Reference Customer Advisory Programme*

It appears you inadvertently sent two messages to me related to a different request. This request was for three lists:

- (1) List of ACC notices of reviewable decisions, with descriptors,*
- (2) List of ACC notices of non-reviewable decisions, with descriptors, and*
- (3) List of ACC forms*

I refer to ACC's letter to you of 5 July 2024 explaining in detail why ACC asked you on 21 June 2024 for information about yourself and the reasons for this official information request.

You had declined to provide the further information ACC requested because you did not consider ACC was entitled to ask for it. Since 5 July you have still not provided the information sought.

Today is the last of the 20 working days in which ACC may respond to your official information request without a time extension. For the reasons set out below, ACC is declining your request.

ACC's reasons now to decline your request are that:

- ACC has recently received a large number of apparently closely related official information requests that also appear to be made by or on behalf of the same person. There have been at least 40 requests over the past two months.
- These include a significant number of requests apparently made by you under the same name and others that are either anonymous or made under other names.
- All of these information requests require considerable expense and effort for ACC to respond to. ACC estimates that it is currently allocating more than the equivalent of one full time employee to respond to each of these requests separately, despite the fact that they seem closely related. It would likely require even more expense and effort to produce all of the information sought in each of these requests.
- In one of the requests apparently made under your name, the requestor does acknowledge having made more than one request, but neither they nor you have provided any details of any other requests so to enable ACC to consider them together.
- ACC has decided that this request is probably one of these many related requests whether made under your name or not.
- That way that you, or people acting for you, appear to have asked for a wide range of information in many separate requests rather than include all questions in one request interferes with ACC's ability to determine whether and how it might be able to apply various provisions of the Official Information Act to deal with your request. Those provisions relate to whether the requests taken as a whole require substantial collation or research so as to:
 - allow ACC to decline some or all of the requests under s18(f) of the Act;
 - consider combining your request with any other requests made by you under s18A(2) of the Act;
 - fully to consider fixing a charge for providing the documents concerned under s15 and s18A(1) of the Act.
- Because your request appears to be part of a wider course of conduct making numerous official information requests in a way that prevents ACC from applying the parts of the Official Information Act that protect agencies from being put to unreasonable effort and expense in responding to official information requests, ACC considers that your request is frivolous or vexatious in terms of s18(h) of the Act. Your request is therefore declined.

If ACC is wrong and your request is not one among many related requests then please let me know urgently, or if you prefer, take the issue to the Ombudsman in the way set out at the end of this message.

Finally, ACC did consider whether to extend the time for ACC to respond to your request, so as to allow you even more time to provide the information that ACC had sought from you.

ACC sought the same information from each of the requestors in as many of the related requests as it has been able to identify, and has not received that information from any of them. ACC did not consider that a time extension would likely result in your answering ACC's questions so as to enable ACC to provide some or all of the information sought in this request.

However, if you do change your mind about providing ACC the information asked for, please do resubmit your request to ACC within 14 days of this message.

ACC will not object to a resubmitted request made within that time only because it repeats this particular request, provided that the resubmitted request answers ACC's questions about: who you are, whether this official information request is one amongst many, and why you are making this request.

The option for you to provide information to ACC confidentially will still be available to you on the resubmitted request. Information that you would prefer to keep confidential can be provided to ACC at the following address: Manager, OIA Services, PO Box 242, Wellington 6140. Any information/documentation provided establishing your identity will be used solely for that purpose and destroyed after. Please clearly reference your resubmitted request if it is made separately from information that wish to keep confidential. If there is some other way that you would prefer to give ACC the necessary information about you and the reasons for your requests, then please let us know.

If you have any questions about this response, please get in touch

You can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Christopher Johnston
Manager Official Information Act Services
Government Engagement