

27 September 2019

Bridget Morison

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Dear Bridget

**Your Official Information Act request, reference: GOV-001479**

Thank you for your email of 04 September 2019, asking for the following information under the Official Information Act 1982 (the Act):

*Please provide information about:*

1. *the purpose of Customer Resolutions team and who they are responsible to,*
2. *how ratings are given for complaints/concerns made to Customer Resolutions and what they mean,*
3. *guidelines and policy used in handling complaints/concerns,*
4. *if not clearly included in the information above, the recommended or required timeframes in acknowledging or effectively dealing with those complaints. When I use the word 'effectively' I am doing so from the confirmed perspective of a complainant,*
5. *how it is determined that a complaint has been effectively resolved from the perspective of the complainant,*
6. *who deals with complaints about ACC staff and how is this achieved (if not covered above),*
7. *Staff Code of Conduct policy, guidelines and agreements,*
8. *what options are available to a complainant when Customer Resolutions is not effective, objective or impartial per your response to a request on 14 June 2017 (Request title: Office of the Complaints Investigator (OCI) (Funding)).*

**ACC's Customer Resolution team**

*The purpose of Customer Resolutions team and who they are responsible to*

The Customer Resolution team (CRT) is responsible for resolving customer complaints. They aim to resolve complaints effectively and efficiently by listening to ACC's customers and engaging proactively with them. The team strives to act in a fair and impartial manner which considers the input of both our customer and ACC.

The team reports to ACC's Chief Operating Officer and is responsible for managing complaints:

- made by customers directly
- escalated by our frontline due to complexity
- escalated by the Executive Office and other executive leaders
- escalated from business customers and providers
- referred from the ACC Minister and Associate ACC Minister's offices.

The team works with both customers and ACC to resolve complaints and investigates potential breaches of the Code of ACC Claimants' Rights (the Code).

*How ratings are given for complaints/concerns made to Customer Resolutions and what they mean*

The ratings used by CRT are purely an administrative measure to reflect and balance staff workloads. They generally indicate whether a complaint will take longer to resolve than others.

The ratings are based on a number of factors: the number of complaints made at any one time, the volume of correspondence on file, whether the response is likely to be an informal or formal response and whether there are multiple parties involved.

### **Guidelines, policy and code of conduct**

*Guidelines and policy used in handling complaints/concerns*

*If not clearly included in the information above, the recommended or required timeframes in acknowledging or effectively dealing with those complaints. When I use the word 'effectively' I am doing so from the confirmed perspective of a complainant*

There are three pieces of policy or guidance that apply when handling customer complaints. These are:

- Code of ACC Claimants' Rights summarised <https://www.oag.govt.nz/2014/acc-complaints/appendix.htm>
- AC Act <http://www.legislation.govt.nz/act/public/2001/0049/latest/DLM99494.html>
- Customer Resolution: Best Practice Guide (please find this attached).

Page five of the best practice guide outlines the best practice approach to acknowledging and handling customer complaints that reach CRT. This includes time frames for acknowledging complaints and a guide for assessing what is needed to effectively resolve the complaint.

*Staff Code of Conduct policy, guidelines and agreements*

Please find attached ACC's Code of conduct. Please let us know if there are any other documents you would like in addition to the information already provided.

### **Dealing with and resolving complaints**

*How it is determined that a complaint has been effectively resolved from the perspective of the complainant*

When investigating complaints, the Customer Resolution Team seek to issue fair and balanced decisions and recommend appropriate remedies to address service failures. While it would be great to achieve a 'resolution from the perspective of the complainant', this is not always possible given the nature of the complaint, or legislative constraints. We do however, ensure that the complaint has been investigated thoroughly, and the resolution process has been followed.

*Who deals with complaints about ACC staff and how is this achieved (if not covered above)*

Complaints about staff are dealt with by the staff member's manager or CRT (or both). Complaints about staff are investigated by looking at the complaint (written) or taking notes from a phone call; speaking with the staff member and/or management; speaking with the client involved and finally looking at the file.

Further information about this process can be found in the attached Customer Resolution: Best Practice Guide.

*What options are available to a complainant when Customer Resolutions is not effective, objective or impartial per your response to a request on 14 June 2017 (Request title: Office of the Complaints Investigator (OCI) (Funding))*

There are different options available to a complainant, depending on the nature of the investigation and finding

- Where a Code ACC of Claimants' Rights finding is provided, this carries the right of review

- Where a complaint is handled at local level, this can be escalated at any time to the Customer Resolution team
- Where the Code does not apply, an approach could be made to the Ombudsman, Health and Disability Commissioner or Privacy Commissioner, amongst others and as appropriate.

If you have any questions, you can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz).

Yours sincerely



Emma Coats  
**Manager Official Information Act Services**  
Government Engagement & Support



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# Customer Resolution: Best Practice Guide

2018



RELEASED UNDER THE  
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## 1 Customer Resolution vision and ACC values

The Customer Resolution team is responsible for resolving customer complaints effectively and efficiently by listening to our customers and engaging proactively with them. We will act in a fair and impartial manner which considers the input of both our customer and ACC.

Our vision is to deliver greater value to both internal (ACC staff) and external customers (from all our segments including claims, business and provider) to resolve escalated issues. The unit is centred on three fundamental principles aimed at placing the Customer Resolution team at the centre of excellence:

- Partnership
- End to end accountability
- Focus on delivering customer outcomes

### 1.1 ISO and AS/NZS benchmark

This best practice guide has been internally benchmarked against both the ISO and AS/NZS 10002:2014 standards. We believe ACC's process aligns closely with the noted guidelines which adds to our validity and approach to addressing and resolving complaints.

### 1.2 What is a complaint

We align with AS/NZS 10002:2014 and define a complaint as “an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required”.

### 1.3 The Code and service recovery

All ACC staff interactions with customers are subject to the *Code of ACC Claimants' Rights 2002 (Code)*. The Code sets out a framework which confers rights on claimants and imposes obligations on ACC in relation to how ACC should deal with claimants. The Code is specific to claimants and therefore does not apply to business or provider customers. For the purposes of complaints however, the Customer Resolution team treats all complaints as if they are subject to the Code. Reviewable decisions are not able to be made for business and provider but our approach to investigations and outcomes remains the same.

Under the Code a claimant can either –

- Raise a problem or concern at the local level, which will be addressed and resolved at the local level without a decision being made; or
- Lodge a complaint with the complaints service at any time, regardless of whether a problem or concern has been raised at the local level.

Customer Resolution supports early resolution with the business unit which has been managing the claim. Our expectation of frontline service recovery should be the first option. All customer feedback is important for ACC to hear so that we can continuously grow and learn.

In addition to receiving and addressing complaints we also provide resolution advice and tools to support frontline staff to manage difficult situations and place them in a stronger position to take ownership of, and resolve issues themselves.

## 1.4 Complaints we resolve

Customer Resolution caters for all complaints within ACC. Notwithstanding complaints which are managed at local level, we assist with and manage complaints including Chief Executive, Ministerial, business customer and provider complaints.

## 2 What is Best Practice?

An effective complaint resolution process promotes good relations with customers and reassures them the organisation is committed to resolving problems and invested in improving customer satisfaction. For ACC this should also comply with the Code. Our best practice has considered ISO and AS/NZS standards (10002:2014).

### 2.1 Overview of an effective complaints process

- A complaint should be acknowledged promptly
- The complaint should be assessed, clarified with the customer and assigned priority, with a decision made as to who will deal with the complaint and when it should be completed
- If the matter cannot be resolved immediately and an investigation is necessary, consideration should be given to what action is required and who needs to be consulted
- The response to the complainant should be clear and informative, explaining the outcome of the complaint and providing reasons for any decision made or remedies offered
- The response should include information about further options, in the event the complainant is not satisfied
- Any systemic issues arising as a result of the complaint should be considered and acted on
- Action should be taken to record the complaint and its outcome, and to report to management as appropriate.

## 3 Customer Resolution Principles:

### 3.2 Partnership

Our customer resolution service is all about being a good partner to both our internal and external customers. We will listen and engage with all parties to seek understanding, so we can recommend a resolution outcome and encourage learning.

Customers will be kept informed throughout the resolution process to ensure they feel heard and understood. Where possible customers should understand the value their feedback provides and that ACC seeks to learn from customer feedback .

ACC staff will know they have a specialist who is an expert in addressing and resolving customer dissatisfaction and who works with them to resolve customer issues. In addition Customer Resolution will provide opportunities for business units to learn and improve their overall customer experience.

### 3.3 End to end accountability

The Customer Resolution service aims to provide one point of contact for all parties (e.g. customer, business unit and advocate) from the time a complaint or concern is received to the final resolution. Our customers will be informed about possible resolution pathways to achieve the best/appropriate outcome.

### 3.4 Focus on delivering customer outcomes

Our Customer Resolution service will add value for our customers by delivering a best practice complaints management service. Customers will be included in flexible resolution approach, experience a timely response and have increased trust and confidence in ACC. ACC staff will have expert advice available to help them resolve customer dissatisfaction. Staff will recognise the opportunities to make improvements to the service provided to their customer.

## 4 The Approach

From the moment we receive a customer's escalated issue, we will assess (and continue to reassess) what our level of involvement is, and who needs to be involved. This will be done on an individual case by case basis. After receipt, each complaint will be initially assessed in terms of criteria such as severity, safety implication, complexity, impact what actions need to be taken, by whom and when. Our approach will be tailored to the customer's needs with the aim of a timely and appropriate resolution with impartiality in mind at all times.

### 4.2 Listen, Gather information and clarify

Our investigation should ensure we fully understand the nature of the issue. We do this by:

- Listening to all parties involved: This may involve phoning and emailing internal and external customers to understand the issues and what outcome the customer is seeking
- Gathering necessary information from the customer and their file. Seek internal staff perspective to understand their actions.
- Clarifying information. This may involve phone or email communication with the customer to clarify information or ask further questions. From time to time a client may make complaint generalisations about ACC and want these investigated. If a client has not provided enough detail in the complaint, particularly if they write, email or use the [ACC709 Complaint form](#), use the [COM02 More information for a complaint](#) letter to ask for more information. If they client is unable to provide details to indicate what their complaint is about we simply ask for more information and explain why we need this before a complaint investigation can commence.
- If the complaint is going to take longer than 2 days to resolve, send written acknowledgment and include timeframes for responses.

It is important to ensure complaint information is clearly captured and regularly updated for reporting purposes, learnings and continuous improvement initiatives.



### 4.3 Assess and Plan

It is essential to gain agreement/understanding early in the investigation on:

- Who needs to be involved: Consider involving the case owner, Team Manager, Branch Manager, and seek internal advice (i.e. specialist or technical) as required.
- What timeframes are being worked to and what should be prioritised.

Complete the complaint summary as appropriate to capture key events and the timeline. This may be shared with customers.

### 4.4 Communicate

When communicating with our customers, consider:

- How often you will communicate with key parties and the best way to do this.
- Pick up the phone and discuss things where appropriate. Communicate often so customers are kept up to date.

### 4.5 Investigate and issue outcomes

Customer Resolution investigates complaints and may issue a decision under the Code if the client requests the complaint be investigated or a service failure has been identified and a Code finding is appropriate given the situation. The investigation will:

- Discuss resolution options and timeframes
- Address all customer questions/complaints, providing explanation or information
- Provide information on other agencies which may be able to help or be more appropriate
- Keep all parties up to date.
- Determine whether ACC has breached the Code (where a Code decision is being issued)
- Consider and provide an appropriate remedy (i.e. based on those available under legislation or regulation)
- Where a Code decision is issued, provide information on review rights

## 5 Recommendations/Outcome

The recommendations will be discussed with both the customer and the business unit. We need to communicate to ensure they are aware of the course of actions you have recommended. Following contact with the Business unit, you can discuss resolution options with the customer. Follow through with your outcome in writing as appropriate.

## 6 Apology as a remedy

An apology provides our customers acknowledgement ACC could have provided better service. Apologies are more meaningful to customers when they include the change value. Customers want assurance what they have experienced won't happen to someone else and we learn and make improvements. The apology can either come via the business unit or Customer Resolution appropriate.

## 7 Follow up

The final stage in the resolution process is to follow up with the business unit to ensure agreed recommendations have been actioned:

- The complaint can be closed off once you have seen evidence agreed actions have been completed
- Contact with the client prior to closing the complaint may be appropriate
- Customers may receive the option of a survey on their experience dealing with the Customer Resolution service

## 8 Unreasonable customer conduct (UCC)

When it comes to a person's health or in dealing with a big organisation, there are times when it can be frustrating. Where communication with us raises issues which impact on the health, safety, equity or resourcing of our staff however, this is where it becomes unreasonable conduct. The Office of the Ombudsman has produced a manual for frontline staff, supervisors and senior managers on 'managing unreasonable complainant conduct'.

Some of the core objectives and underlying principles include:

- Ensure that all complaints are dealt with equitably and fairly and resources are distributed based on the complaints merits rather than a complainants demands or conduct
- Ensure staff have sufficient time to deal with unreasonable clients
- Comply with all health and safety including care indicators posed by the UCC
- Manage the clients expectations and ensure they are reasonable and realistic
- Insist that complainants show respect for and cooperate with staff

## 9 Requirements of select internal Areas

### 9.2 Ministerial correspondence

Correspondence sent to the ACC minister (or associate) may be transferred to ACC due to their operational nature. Where this occurs a ministerial reference number may be assigned.

On other occasions the minister may ask ACC for information before responding. Where this occurs Customer Resolution may be asked to work with the ministerial team in providing information so they can compile a response.

### 9.3 Remote Claims Unit (RCU)

The Remote Claims Unit (RCU) is responsible for managing all aspects of claims and entitlements relating to customers identified as a high safety risk. Customer Resolution uses pseudonyms to address and respond to RCU customer complaints and concerns. RCU customers are required to communicate with Customer Resolution in writing (i.e email, letter, fax).

### 9.4 Chief Executive

Complaints can be received directly to the Office of the Chief Executive (CE) / Executive Office (EO) where they may log the complaint in their document management system, Action Remedy (AR), and

assign a file number. Customer Resolutions also receive CE complaints directly and may forward these by email to the EO where an AR number may be assigned.

## 10 Alternative Dispute Resolution (ADR)

ADR may be considered as an options towards resolution and can be recommend to either the business unit or customer. There are three options:

**Mediation:** is effectively a formal meeting in which a neutral mediator helps the two sides discuss the problem, identify the issues, and try to come up with an agreed settlement. The mediator merely facilitates the process, and doesn't make a decision about what will happen. This is for the parties to decide together, unless they decide to ask the mediator to make a decision that binds them both.

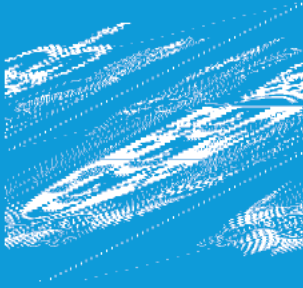
**Facilitation:** is a process for trying to work out a way forward in a situation where the nature of a dispute is unclear and the parties are having difficulty understanding each other.

**Conciliation:** is a meeting process where a neutral conciliator helps to assist parties in dispute come to an agreement. Conciliator's consider and appraise the facts of the dispute, and have an excellent knowledge of accident compensation law and other relevant legislation. A conciliator does not impose a decision on the parties but they may express opinions about the probable outcome of the application if it were to be determined by a reviewer. A conciliator can suggest settlement options. It's known more for a 'harder approach'. The conciliator adopts a directive approach and sets expectations and provides indicative outcomes about ACC legislation and entitlements.

## 11 Customer Resolution relevant documents

Below is a list of the documents you will use during the course of managing a feedback case or complaint:

| Document name:  | Used for:   |
|---|---|
| <a href="#">COM01 Findings</a>                                | writing your Code/non-Code decision   |
| <a href="#">COM02 More information for a complaint</a>        | advising the client you require more information to investigate their complaint |
| <a href="#">COM03 We have received your complaint</a>         | acknowledging a written complaint received at ACC                               |
| <a href="#">ACC709 Complaint form</a>                         | sending a complaint to us to log and investigate                                |
| <a href="#">ACC7407 Complaint investigation issue history</a> | documenting the history for complaint issues                                    |



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# ACC Code of conduct

*The Code of Conduct applies to all  
ACC employees and contractors*



# 1. Code Statement

ACC is charged with the implementation of the Accident Compensation Act 2001. In fulfilling this duty, ACC's vision is to create a unique partnership with every New Zealander, improving their quality of life by minimising the incidence and impact of injury.

As a Crown entity, ACC is part of the State Sector and contributes to building the trust and confidence of citizens in the institutions of government.

All State Sector organisations are expected to work with a spirit of service to the community, to make our services accessible and effective to those who need them, and to strive to make a positive difference to the wellbeing of New Zealanders.

Everyone who works for ACC has an important role to play in making sure we achieve our vision, and in ensuring we maintain our reputation and standing in the perception of the public. Our actions and behaviours must be consistent with these expectations at all times.

## 2. Objective

This Code governs the behaviours of all employees of ACC, to enable us to meet the expectations placed upon us as a Crown Entity. These standards are based on the standards that apply to all State Servants, detailed in the State Services Standard of Integrity and Conduct.

The Code of Conduct:

- can be used to provide coaching on appropriate conduct
- enables recognition of those who model the desired standard of conduct
- reflects and reinforces the ACC values and behaviour required
- outlines inappropriate behaviour and its consequences.

## 3. Scope

All ACC employees and contractors are expected to maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.

All employees of ACC must read, understand and follow our Code of Conduct.

## 4. Code standards

You are expected to exercise good judgement to determine what action to take in a given situation.

Your actions need to be able to withstand scrutiny from internal and external parties. Our behaviour and actions must be seen to be fair, impartial, responsible and trustworthy at all times.

In order to achieve the high standards of behaviour expected of us, as an employee or contractor you must:

### 4.1 Be honest and act with integrity

- In all aspects of your employment (e.g. in your work with clients and levy payers, with regard to work attendance, requests for financial reimbursement, use of sick leave etc).

### 4.2 Respect the rights of others

- Treat others fairly, courteously, equally, and without discrimination or harassment
- Uphold the rights of clients, as specified in the Code of ACC Claimant's rights
- Respect and respond to all cultures, values and beliefs, particularly Māori and minority groups
- Promote the principles of Equal employment opportunity.

## 4.3 Perform your duties to the best of your ability

- Prioritise your primary role as an ACC employee over any secondary interests, commitments, values or beliefs you hold personally, and declare any potential Conflict of interest immediately
- Show commitment to a high quality of work
- Adhere to the ACC Health and safety policies in all areas of work
- Comply with all ACC policies, processes and standards
- Model and demonstrate ACC values and behaviours, which underpin decisions about what we do, and how we operate and behave
- Comply with the code of any professional body that you are registered or affiliated with, where this impacts upon your work with ACC
- Show initiative and creativity when resolving problems, seek to maximise productivity, and identify opportunities for improvement
- Make decisions appropriate to your role and be responsible for those decisions and the actions that result from them
- Be supportive of changes made by ACC, as change is necessary for the organisation's success
- Be supportive of your colleagues and accept your responsibilities as a team member
- Manage your personal and workplace relationships appropriately so they do not adversely affect your work.

## 4.4 Uphold the reputation and standing of ACC

- Act with integrity in any personal dealings you may have with ACC as a client
- Obtain your manager's approval before commencing any activity, business interest or employment that has the potential to conflict with ACC business (e.g. acting as an advocate for a client, undertaking secondary employment)
- Ensure your behaviour in relation to gifts and gratuities, managing contracts and purchasing, and other sensitive expenditure does not compromise (or appear to compromise) your personal integrity or ACC's
- Maintain appropriate professional behaviour when travelling on ACC business
- Maintain appropriate professional behaviour in any situation where you may be perceived as representing ACC
  - Have a professional standard of dress
  - Engage with the Media team about any media enquiries you receive
  - Ensure that your behaviour will not bring ACC into disrepute
  - Advise your manager of any convictions or charges laid against you whilst employed by ACC
- Maintain appropriate boundaries and relationships with clients and any other people you may work with.



## **4.5 Act in a politically neutral manner**

- Ensure that your behaviour maintains Ministerial and public confidence in the impartiality of advice given and actions taken
- Ensure that your comments do not bring ACC or the Minister into disrepute, or compromise the perception of ACC as politically neutral (e.g. stating or implying your personal view on an issue as ACC's view)
- Ensure that your personal participation in political matters does not conflict with (or appear to conflict with) your duty to act in a politically neutral manner.

## **4.6 Use ACC information and property appropriately**

- Be responsible for the security and confidentiality of all information that you deal with during your employment with ACC
- Use financial and non-financial information gathered by ACC and your knowledge of ACC's systems and processes only to perform ACC's business
- Treat all ACC assets and property with care and respect
- Take all reasonable steps to protect the privacy of our clients, customers, employees and other stakeholders
- Report any actual or potential privacy breaches to your manager immediately.

## **4.7 Act within the law**

- In particular, the Accident Compensation Act 2001, Official Information Act 1982, Privacy Act 1993, Health Information Privacy Code 1994, Human Rights Act 1993, Employment Relations Act 2000 and any other relevant legislation.

# 5. Accountabilities

The Chief Talent Officer is responsible for ensuring organisational controls are in place in support of this policy.

# 6. Responsibilities

(including monitoring and oversight)

| Role:       | Responsibility:   |
|-------------|---|
| Employees   | <ul style="list-style-type: none"><li>• Read, understand and follow this Code of Conduct</li><li>• Undertake training or confirm your understanding of the Code of Conduct when requested by ACC</li><li>• Remain up to date with the current Code of Conduct expectations</li><li>• Discuss any concerns about what may be considered unacceptable behaviour with your manager</li><li>• Discuss with your manager before you take any course of action that you are not entirely sure falls within the bounds of acceptable behaviour</li><li>• If you believe someone in ACC is acting unethically, or has been involved in serious wrongdoing, you should report this confidentially through OKtoSay and receive protection under the Protected Disclosure Act.</li></ul> |
| Contractors | <ul style="list-style-type: none"><li>• Maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.</li></ul>  |

Continued ...

**Role:****Responsibility:**

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Managers

- Managers are representatives of ACC both when dealing with external customers or stakeholders, and when dealing with internal employees and contractors
- Managers have a lead role in establishing and promoting our expected standards of behaviour and integrity
- Managers are expected to conduct their behaviour, actions and decisions consistently with their duty to be fair, impartial, trustworthy and responsible at all times
- As a manager you are expected to:
  - Establish and promote ACC’s expected standards of behaviour and integrity
  - Consider your behaviour, actions and decisions in terms of the expectation to be fair, impartial, trustworthy and responsible at all times
  - Manage employees in accordance with the Code of Conduct, and any other ACC policies, processes, standards and systems in place to support you as a manager (e.g. development programme, performance management processes)
  - Lead, model and promote the expected standards of behaviour and integrity within the Code of Conduct and other internal policies and processes
  - Provide employees with education and coaching on expected standards of behaviour and integrity where needed
  - Represent ACC positively when interacting with staff, and deliver our policies, changes, initiatives or decisions in a manner consistent with ACC’s intentions
  - Take ultimate responsibility for work quality, actions and decisions of employees in your team
  - Manage within your capabilities and take ownership of your own development, and that of your team
  - Manage within the delegated authorities framework as specified in the Delegations Manual.

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Chief Talent Officer

- Monitor the effectiveness of the Code of Conduct
- Ensure organisational controls are in place in support of this policy.

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Executive

- Model the highest standard of behaviours according to this Code of Conduct
- Ensure Code of Conduct behaviours are integrated into all aspects of ACC business.

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Board

- Approve the Code of Conduct and ensure it is consistent with ACC’s strategic direction.
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# 7. Breaches of Policy

Behaviour or actions that are investigated and found to be in breach of the Code of Conduct may result in disciplinary action. Where breaches are found, ACC's Discipline and dismissal procedures will be followed and the employee will have an opportunity to provide an explanation for their actions or behaviours and have the right to representation.

The action taken will depend on the severity of the breach:

- Breaches of the Code of Conduct that are deemed 'misconduct' may lead to disciplinary action up to and including a final warning
- Breaches of the Code of Conduct that are deemed 'serious misconduct' may lead to disciplinary action up to and including summary dismissal. Summary dismissal is termination of employment without notice or prior warnings.

If any breaches normally considered to be misconduct are very serious or repeated, these may be deemed serious misconduct.

## Misconduct

Misconduct occurs when an employee does something wrong (namely, breaches this Code of Conduct or other ACC policy) either by doing something, omitting to do something, or through their behaviour.

The lists below of actions considered to be misconduct or serious misconduct are intended as a guide for employees, and are examples only. They do not constitute an exhaustive list of breaches of the Code of Conduct.

Examples of misconduct include:

- Any act of negligence harming ACC
- Disobeying a lawful and reasonable instruction from a manager
- Failure to meet the standards of performance and behaviour expected of ACC employees
- Inappropriate behaviour or relationships

- Any action which may in any way damage the relationship of trust and confidence between ACC and government, other agencies or the community
- Allowing unauthorised access to, or disclosure of, any matter or information in relation to ACC business
- Misuse of ACC internet and/or email systems
- Inappropriate use of purchasing card or expenses
- Absence from duty or place of work without proper reason or authorisation
- Repeated lateness for work, or repeated absenteeism without just cause
- Failure to comply with any ACC policy or procedure
- Any behaviour of a similar type.

## **Serious misconduct**

Serious misconduct occurs when the misconduct could have the effect of destroying or undermining the relationship of trust and confidence between an employee and employer.

Examples of serious misconduct include:

- Dishonesty
- Theft
- Fraud
- Handling a claim relating to oneself, a relative, acquaintance or friend without the express approval of the manager, or taking a role as an advocate for a client without approval
- Corruption – accepting a bribe, inducement, reward or gift, or complying with a request or threat to use your position to provide a benefit to any person or third party, which has the effect of allowing inappropriate activity or compromising the impartial performance of your duties

- Failure to declare any activity, business interest or employment that has the potential to conflict with ACC business
- Accessing ACC information relating to family, friends, acquaintances or clients without legitimate cause
- Criminal conviction leading to imprisonment or adversely affecting your ability to carry out your work. Offences generally considered unacceptable are outlined in the Screening for Criminal Convictions policy but will be determined according to the nature of the employee's role
- Misuse or unauthorised possession or sharing of ACC property and/or information (e.g. misuse of financial information or client information)
- Harassment of anyone you work with (e.g. client, employee, contractor)
- Abusive or discriminatory statements or practices
- Assaulting or abusing another person
- Allowing work performance to be affected by drug, alcohol or substance abuse (including abuse during work hours)
- Dangerous or unsafe work practices, including non-compliance with ACC Health and safety policies, and Health and Safety legislation
  - Any act that has the potential to bring ACC into disrepute
  - Significant failure to comply with any ACC policy or procedural requirements
  - Any behaviour of a similar type.

## 8. Contacts

Contact HR Help regarding this policy.

## 9. References

State Services Standards of integrity and conduct

### Policies:

- Bullying and harassment
- Conflict of interest
- Protected disclosure
- Dress code
- Equal employment opportunity
- Sensitive expenditure
- Health and safety
- Information security
- Internet and email
- Media
- Privacy
- Procurement
- Social media
- Taking leave policy
- Delegations Manual

## 10. Policy review dates

Last review: February 2018

Next review: February 2020

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