

15 December 2022

Carole Young

fyi-request-21149-441b791b@requests.fyi.org.nz

Kia ora Carole

Your Official Information Act request, reference: GOV-022061

Thank you for your email of 18 November 2022, asking for the following information under the Official Information Act 1982 (the Act):

- *How many complaints has ACC received of electronic files missing from their internal system since 2018? (Contacts, Claim File, Party File, etc)*
- *How many complaints were identified to be confirmed missing files on the system since 2018?*
- *When multiple files are proven to be missing from a clients file, are there any internal "next steps" other than an apology to the client?*
- *Are there any internal procedures and processes taken to investigate the absence of information, how it happened, and to provide surety that it won't happen again?*
- *When investigating missing information on the computer, is there a way of determining if it is system error, or user error (ie, a case manager never entered it into the system)?*

We are refusing your request for complaints received related to missing electronic claim files

To identify the relevant complaints received about missing information from ACC's current claims management system (Eos), we would have to extract all the 549 privacy complaints made since 2018 that have been entered into Eos, and manually review these complaints. As such, we are refusing this part of your request under section 18(f) of the Act as substantial collation and research would be required to respond. The same applies to your question on how many of these complaints resulted in claim information being confirmed as missing.

In making this decision, we considered extending the time limit for responding or applying a charge (as allowed under the Act). However, neither of these were offered as responding using either option would still have unreasonably interfered with ACC's operations.

Missing information

Once we confirm that there is information missing from a claim file, we will attempt to obtain that information from its original source, for example, clinical records from a treating provider. This may not always be possible, particularly if the missing information is from some time ago.

Where a physical file has been stored at our off-site storage facility and the entire file or a volume of the file cannot be located upon request, an ACC169 Lost file certification form is completed and uploaded to the Eos claim record. This form provides a prompt for staff to attempt to obtain relevant information from its original source.

Investigating absence of information

Information that cannot be retrieved and is deemed lost, is a breach of *Information privacy principle 5 - Storage and security of personal information* (Privacy Act 2020) and will be loaded on ACC's privacy reporting tool for further consideration by ACC's Privacy Team.

It is important to note that each instance will be different from another, which may lead to different outcomes, for example a system error may require a fix, while human error may drive a need for additional and/or targeted training. Because there is no general internal procedures and processes, this part of your request is refused under section 18(e) as the information does not exist.

To determine whether it is a system or user error, Eos has some audit functions that, for example, will show who edited a contact or whether they 'deleted' info from it.

As this information may be of interest to other members of the public

ACC has decided to proactively release a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available www.acc.co.nz/resources/#/category/12.

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



Sara Freitag
Acting Manager Official Information Act Services
Government Engagement