

15 March 2023

Amanda Murtagh

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Kia ora Amanda

**Your Official Information Act request, reference: GOV-023399**

Thank you for your request of 16 February 2023 via the FYI website, asking for the following information under the Official Information Act 1982 (the Act):

*I refer to Radio NZ article dated 7th July 2021. <https://www.rnz.co.nz/news/national/446379/acc-defends-closure-of-specialised-unit-handling-claims-from-sexual-abuse-victims>*

- 1. Please provide a copy of the statement supplied to RNZ or if the statement was verbal, the time and date the statement was made and by whom.*
- 2. Please provide a copy of all documents, including but not limited to, correspondence, webinars and newsletters relating to the consultation process from 2019 to September 2020 regarding the change of Sensitive Claims Handling to the Sexual violence customer advisory panel and mental health sector liaison group.*
- 3. What date did ACC inform Sensitive Claim customers of the changes?*
- 4. Why did ACC delay making information about changes to sensitive claims public and not inform the public about the change of claims handling in September 2020?*
- 5. Why did ACC contradict the changes made to sensitive claims detailed in the RNZ article on its website the following day after the article was published?*

**Transformation at ACC and the Next Generation Case Management (NGCM)**

ACC has undertaken a transformation programme known as Shaping Our Future. Launched in 2014, Shaping our Future involved initiatives such as NGCM, with four Recovery Teams operating across the country managing clients according to their level of need.

**Service provided to sensitive claims survivors under NGCM**

Under NGCM, sensitive claims survivors continue to receive the same one-to-one support from specially-trained ACC staff that was previously the case. We have, however, made a number of changes to the delivery of the service. The key change is that instead of a centralised unit, we now have dedicated teams of Recovery Partners managing sensitive claims across eight locations: Whangarei, Newmarket, Hamilton, Tauranga, Hawke's Bay, Wellington, Christchurch, and Dunedin. At the same time, the number of people working one-to-one with survivors has increased from 85 to 140.

It is important to note that ACC has been working under NGCM for several years now, and that the transition of sensitive claims survivors into NGCM began in September 2019 and was completed in September 2020. Further information about how we are supporting survivors of sexual abuse and assault can be found at: [www.acc.co.nz/newsroom/stories/supporting-survivors-of-sexual-assault-and-abuse/](http://www.acc.co.nz/newsroom/stories/supporting-survivors-of-sexual-assault-and-abuse/).

**ACC did not provide a 'statement' to RNZ regarding the article referenced in your request (Question one)**

As ACC did not provide a statement, we are refusing this part of your request in accordance with section 18(e) of the Act, as the information requested does not exist. However, on 7 July 2021, ACC asked RNZ to correct the article because it contained inaccuracies. Please refer to Appendix 1 for a copy of the email sent to RNZ, noting that information deemed out of the scope of your request has been removed.

**ACC did not consult the Sexual Violence Customer Advisory Panel or the Mental Health Sector Liaison Group regarding the handling of sensitive claims (Question two)**

The transformation programme undertaken by ACC involved an operational change to the management of all ACC claims. Accordingly, ACC did not consult these groups as consultation is not typically undertaken on operational changes. Given consultation was not undertaken, we are also refusing this part of your request in accordance with section 18(e) of the Act, as the information requested does not exist.

ACC did, however, engage with these groups on the overall changes to NGCM. The engagement was focused on the roll-out of NGCM and not the decentralisation of the Sensitive Claims Unit. Information about the engagement ACC undertook with stakeholders is publicly available on the Parliamentary website at <https://www.parliament.nz/en/pb/order-paper-questions/written-questions/> within Minister Carmel Sepuloni's responses to WPQ 25235(2021), WPQ 25236(2021) and 25238(2021).

**Conversations with survivors (Question three)**

The decision to transition a survivor's claim from Partnered Recovery to Assisted Recovery was done collaboratively and discussed with the survivors, or their provider, during the period between September 2019 and September 2020, when it would impact them.

If a survivor was not ready to transition, they would remain with the Recovery Team Member until ACC received additional information indicating their recovery progressed, their situation changed, or until new information became available indicating their needs could be better met by another team.

**Questions four and five ask us to provide an explanation or justification**

Under the Act a distinction exists between a request for information already known and held by an agency (official information), versus a request for an agency to form an opinion or provide an explanation or comment, and thus create new information to answer a request (not official information). Questions four and five ask ACC to provide an explanation or justification and are therefore not considered to be requesting official information under the Act.

However, as advised on page 1 of this letter, the RNZ article contained inaccuracies, hence changes to the article were requested and made following initial publication.

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

You can email me at [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz). If you are not happy with this response, you can also 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



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