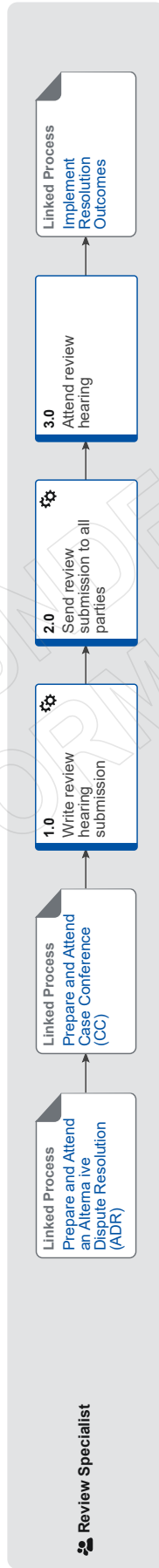




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Summary

Objective

To attend a review hearing, on ACC's behalf, to provide submissions pertaining to the matter at review and the reasons for ACC's decision.

Background

A review hearing will provide ACC and the customer/representative with an outcome that is binding between the customer and ACC.

Owner

[Out of Scope]

Expert

[Out of Scope]

Procedure

PROCESS Prepare and Attend an Alternative Dispute Resolution (ADR) Review Specialist

PROCESS Prepare and Attend Case Conference (CC) Review Specialist

1.0 Write review hearing submission

Review Specialist

- a** Complete the review submissions.

NOTE What information should be included?


- Background of the issue
- Relevant legislation
- Relevant case law
- ACC's position

- b** If the review is about a decision on a claim, in Eos, upload the submissions and change the document code to 'REV - ACC2199 - ACC Submissions - Review Appeal' and the document description to the unique review identifier.

- c** If the review is about a levy, complete the submissions and save them to the customer folder.

- d** Use judgement to consider having the written submissions peer reviewed by a colleague, senior resolution specialist or a technical specialist.

- e** Read the review hearings rules policy to help understand more about review hearings.

 Review Hearing Rules Policy

2.0 Send review submission to all parties

Review Specialist

- a** Check Eos and ensure that the client care indicator has not been activated since the ACC6239 was sent to the review provider.

NOTE What if the client care indicator was already active but it hasn't been updated in the last six months?

Contact the decision maker (DM) and their Team Manager (TM) using the Client Care Indicator Template to update the Care Indicator.

- b** If the review is about a decision on a claim, in Eos, use the email tool set to send the submissions document to all parties.

NOTE What is the required timeframe for sending submissions?

ACC has a contractual agreement that the submissions will be sent 14 days prior to the hearing taking place.

NOTE What if you are expecting new information within 14 days of the hearing (therefore potentially changing your submissions)?

ACC's expectation is that the submission will be sent 14 days prior to the hearing date. If new information is received after the submissions are sent the Review Specialist must provide either an amendment (if your position has changed) or an addendum (if the new information adds to ACC previously stated position).

Always ensure all new information (including revised submissions) are sent prior to the hearing for the client/representative to consider to minimise the likelihood of an adjournment.

NOTE Who are all parties?

This includes:

- the review provider
- the customer/representative
- interested parties

NOTE Who are interested parties?

- Employers are interested parties where the client (employee) has put in a review to challenge the decline of cover for a work related PICBA and WRGPDI.
- Clients are interested parties where the employer has lodged a work injury dispute review.

NOTE What if the customer/representative does not have an email address?

Print the documents and send them to the necessary parties.

If you are working from home and this is not possible, please communicate with a colleague residing in the office or your Resolutions Manager to ensure this task can be completed within the required timeframe.

- c** If the review is about a levy, email the submissions to all parties, and save email as an interaction in Juno_CRM.

NOTE What if the customer/representative does not have an email address?

Post the submissions to the customer/representative and save a scanned copy in a Juno_CRM interaction.

- d** Ensure any new information (since the last bulk print) relevant to the review has been sent to all parties prior to the hearing (eg CAP comment, newly obtained medical notes).

3.0 Attend review hearing


Review Specialist

- a** Consider who from ACC should attend the hearing.


NOTE Who from ACC should you consider?

Consider:

- decision maker
- TAS
- any other ACC expert (eg technical specialist, medical advisor, etc).

 Reference Guide for Review Specialists when deciding whether to refer a task to Technical Accounting Specialist (TAS)

b Dial into the tele/video conference or attend in person.

 Arrange Face to Face Client Meeting - Health and Safety Requirements

NOTE Where can face to face hearings be held?

- Whangarei
- Auckland
- Hawkes Bay (Hastings/Napier)
- Hamilton
- New Plymouth
- Wellington
- Blenheim/Nelson
- Christchurch
- Dunedin.

 Zoom Meeting Guide

c Answer any questions asked by the review provider.**NOTE What happens at the hearing?**

- The customer/representative will outline their case.
- The reviewer will ask clarifying questions of the customer/representative.
- ACC will present their case and submissions.
- The reviewer will ask clarifying questions of ACC.
- ACC will be offered the opportunity to cross examine the customer/representative.
- The customer/representative will summarise their case and provide submissions.

NOTE What if you want to view the same file that was sent to the client/advocate and provider?

A copy of the file that was sent to all parties is available for you to view in the CIR Shared Portal

 Client Info Requests - Shared Portal

NOTE What happens if the reviewer adjourns the hearing?

The customer/representative and Resolution Services will agree on actions to be taken.

If the review is about a decision on a claim, update the Hearing Request task to provide the reasons for the adjournment. The review will remain allocated to the Review Specialist until the hearing is closed.

 Adjournments Policy

d Approve costs within the Review Specialist delegation when called upon by the Reviewer, using the delegation levels in 7.10 Mediation, review and appeal on Te Whāriki.

 7.10 Mediation, review and appeal (Te Whāriki)

NOTE What if the reviewer requests costs outside of the regulated amount?

This is outside of the Review Specialist delegation and must refer to a Senior Review Specialist or Resolution Manager for consideration.

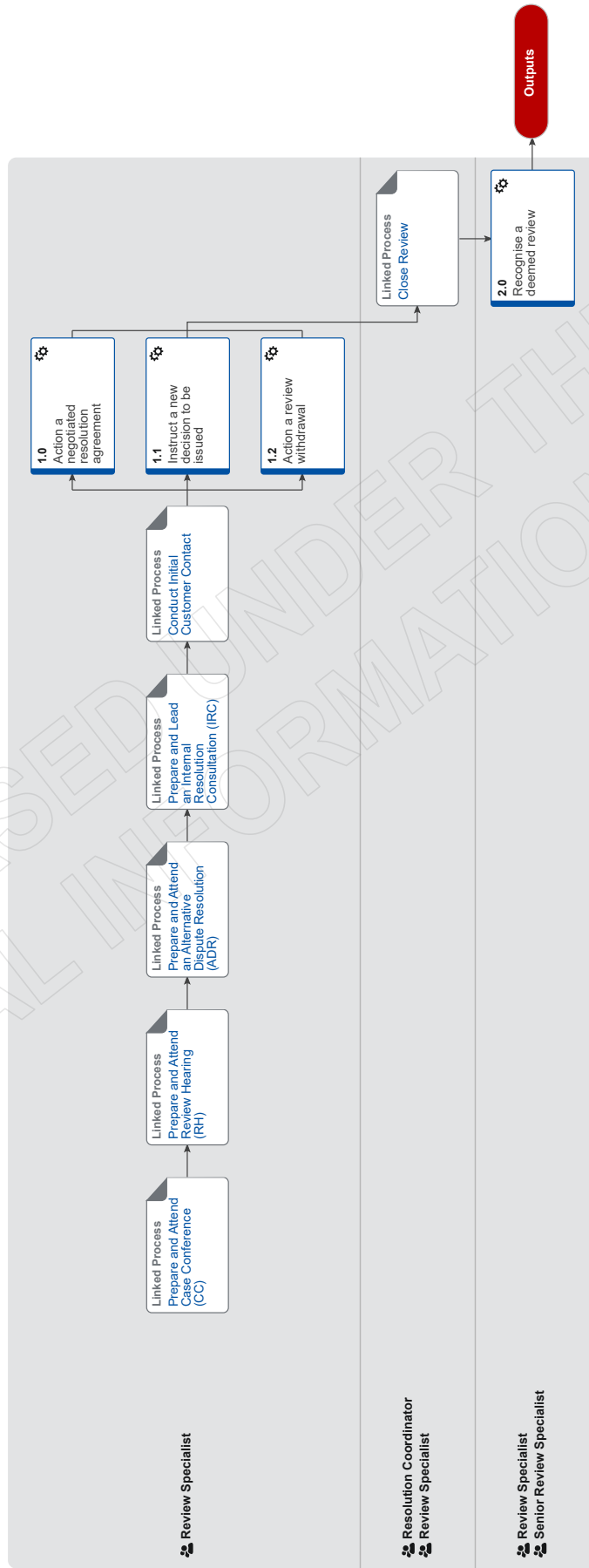
This would most likely be in cases whereby travel costs to the hearing are outside of the regulated amounts.

e Complete the [PRC REV Hearing Requested] e-form after the hearing is concluded, and close this task.**f** Update the task information in the subsequent [PRC REV Record Review Outcome] to say "Awaiting Outcome" and note the date of the hearing. Update the target date to 28 days after the hearing date and transfer the task to the 'Hamilton SC - Quality Assurance' queue.

 **PROCESS** **Implement Resolution Outcomes**
Review Specialist



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Summary

Objective

The objective of this process is to carry out the agreed resolution outcome so that the review can be closed.

Owner

[Out of Scope]

Expert

[Out of Scope]

Procedure

PROCESS **Prepare and Attend Case Conference (CC)**
Review Specialist

PROCESS **Prepare and Attend Review Hearing (RH)**
Review Specialist

PROCESS **Prepare and Attend an Alternative Dispute Resolution (ADR)**
Review Specialist

PROCESS **Prepare and Lead an Internal Resolution Consultation (IRC)**
Review Specialist

PROCESS **Conduct Initial Customer Contact**
Review Specialist

1.0 Action a negotiated resolution agreement Review Specialist

a Contact the decision maker and have a conversation about your recommendation to offer a resolution agreement. Document the conversation between parties to show that all practicable efforts have been made to achieve an agreed decision.

NOTE **What if the decision maker does not agree with your rational for offering a resolution agreement?**

The final decision rests with the Review Specialist/Senior Review Specialist and there should be clear documentation of that persons rational.

Resolution Services Delegation

b Send the REV043 settlement letter if the customer/ representative has agreed to a resolution agreement.

REV043 Resolution Agreement

NOTE **When undertaking a risk analysis what factor should be considered?**

Consider the following:

- what the customer wants (and whether a contribution towards their request is reasonable as opposed to full amount).
- what is the value of the amount the customer may be entitled to if ACC had accepted their entitlement request
- the ACC regulations
- the possible outcome at review, versus the customer experience
- whether the customer has shown a pattern of seeking monetary resolution without a reasonable basis
- whether the issue has been previously disputed
- whether the customer has a tendency to resort to legal proceedings to resolve disputes where no reasonable basis exists
- that the potential resolution agreement is not detrimental to a customer's entitlements
- any ongoing impact for levy years not part of the original decision
- whether the client has a legal representative/ advocate that ACC would be hesitant to create an expectation that ACC 'will settle anything under \$2k'
- whether a resolution offer is appropriate for a client who is emotionally aggrieved.

Once completed consult with a Senior Resolution Specialist to ensure the rational for offering a resolution agreement is robust.

NOTE **What pre-work is required prior to offering a resolution agreement?**

All resolution agreements should met the below criteria:

- Should be quantifiable
- Be fair and reasonable
- Have gone through a risk analysis to ensure that the rational is robust
- Have evaluated the possible outcome versus the customer experience.

NOTE **What if a potential settlement is over \$2000 in value?**

Email a Senior Review Specialist or Resolution Manager to seek prior approval. Confirmation that a Senior Resolution Specialist or Resolution Manager has approved the settlement offer must be noted in EOS in the 'Review Outcome Comments' e-form with the Resolution Rationale.

Please note that seeking Manager approval does not negate the need to consult with your Senior Resolution Specialist on whether to offer the Resolution Agreement.

NOTE **Should the payment always be made directly to the client?**

Payment of an agreed monetary resolution shall be made only to the client or, where suitable authority exists, to their representative.

- c** • If the agreed resolution is about a decision on a claim, in Eos upload the letter to the claim including the team manager authorisation for amounts exceeding delegations.
 - If the agreed resolution is about a levy decision, in Juno_CRM, upload the letter to the account, and if applicable include the team manager authorisation of amounts exceeding delegations.

- d** Notify the decision maker of the resolution agreement.
 - If the review is about a decision on a claim, notify the decision maker.
 - If the review is about a levy decision, send the notification to levyclassification@acc.co.nz.


NOTE What information do you need to include in the email notification to the levy classification team?

The email subject should read "Resolution Services Instruction". The email is to include:

- Review number
- Customer/representative name (if applicable)
- ACC number
- Instruction or action required

The responsible Levy staff member will reply by email to the Review Specialist advising the instruction has been actioned.

- e** Add an interaction bullet pointing the review outcome, if the review is about a levy decision, in Juno_CRM.
- f** Contact the customer/representative requesting they withdraw their review application in writing (e.g. email/text/ letter/ACC34).

 Accepting withdrawals

 ACC034 Request to withdraw a review application

NOTE What if CIT are part way through checking the relevant documents/full file?

Email the DSCCIT inbox to advise them the review application has been withdrawn and that they can cease reading the relevant documents/full file.

- g** Proceed to 'Close Review' to record the rational for offering a 'resolution agreement' and close the review cog.

NOTE What date should you use when closing down a review?

The date for review closure when a review:

- has been withdrawn/overturned/settled is the date the customer withdrew the review.

It is not the date that ICRA/FW confirmed the review closure or the date we sent a new decision letter overturning the original decision.

- has been to hearing and has a decision from reviewer is the date at the bottom of the review outcome decision.

- a conciliated agreement where withdrawal has been agreed to is the date the customer signs the conciliated agreement. It is not the date that TMR signs the agreement, nor the date it is sent to ACC.

- has been verbally withdrawn is the date the client confirm verbally. It is not the date the RS writes to the client confirming the withdrawal.

- has been established as deemed is the date three months after the review application was received.

1.1 Instruct a new decision to be issued
Review Specialist

- a** In consultation with the decision maker discuss your recommendation to revoke the existing decision in dispute and replace it with a new decision using the Rev45 - Revoke Decision letter.

 REV45 - Revoke Decision Letter


NOTE Who holds the delegation to decide a decision will be revoked and replaced?

"In consultation with" means there must be documented consultation between the final decision making authority (Review Specialist) and the other described party (Decision Maker). All practicable efforts should be made to achieve an agreed decision. In the event agreement cannot be reached, the final decision rests with the decision-making authority and there should be clear documentation of that person's rationale.

For more detail on the delegate please read the 'Delegations Framework'.

NOTE What if the claim has been handed back from an Accredited Employer?

You must contact a Risk Sharing Specialist to discuss your rationale for wanting to overturn the decision. The Risk Sharing Specialist will consult with the Accredited Employer before issuing a new decision, as required in the Accredited Employer agreements.

 Case and Claims Management Features Delegations

NOTE What if the original decision was issued by the Elective Services Centre (surgery team)?

1. Create a Complete Internal Referral task
2. Write overturn rationale in that task using heading 'POTENTIAL REVISION OF DECISION'. if further space is needed, can be entered in the 'Add info' section of task which populates into E-form).
3. Transfer the COMPLETE INTERNAL REFERRAL TASK to the ESC management queue
4. Update your working task with current action and next steps for follow up of overturn request.

NOTE Should Technical Services be consulted if they held the original delegation to make the decision?

You must return to the Technical Specialist who was involved to discuss your rational for wanting to revoke and replace the decision. Ensure this conversation is documented on Eos.

NOTE What if the claim resides in the Assisted Recovery Team?

If in Assisted Recovery, contact the Assisted Recovery team extn. 50140 to discuss your instruction. Follow-up by creating a 'NGCM - General' task assigned to the Recovery Assistant that you spoke with detailing your specific instructions.

The NGCM – GENERAL task should read:

- Review Specialist – Action needed.
- (Write specific and clear detail of your request for the Recovery Team Member to action)
- This new decision is made with the Review Specialist delegation, and does not require additional clinical or technical advice; if you have any question, please feel free to contact me.

If the overturned decision is as a result of a hearing attached a copy of the reviewers decision to the task.

NOTE What if the claim is assigned to an individual within the Supported or Partnered Recovery Team?

Contact the Recovery Coordinator or Recovery Partner by phone directly to discuss your concerns and rationale on why you are looking to overturn the decision. Ensure that your rationale is captured in your Contact note in EOS.

NOTE: the delegation to overturn sits with the Review Specialist after consultation with a Delegation holder. This is an important part of working together. You do not need to agree but it is important that this conversation occurs, so everyone understands the reasons for the decision.

Please also advise the person you are speaking with, that we do not need them to seek additional clinical or technical comment, as that is considered as part of our investigation process for the Review.

If the outcome is as a result of a hearing, in Outlook, email a copy of the review hearing decision to the decision maker and their Team Manager.

NOTE What if the claim is no longer assigned to an individual?

This instruction includes any claims closed after sitting with Assisted, Partnered, Supported, Cover and Treatment Injury.

Although unassigned, you must always attempt to contact the person who made the decision via their DDI. If unavailable for any reason, ring the hunt number and speak with another person in the appropriate team who can pick up the task on their behalf.

 Team Numbers (Hunt Line)

- b** Document the detail of your 'Consultation' conversation in an Eos contact and label the contact 'Overturn Rationale/ Consultation'.

- c** If the review is about a levy decision: Send an email to levyclassification@acc.co.nz. The subject line should read "Resolution Services Instruction". Attach a copy of the decision document (ie hearing decision document, case conference minutes, or ADR agreement). The email should include:

- Review number
- Customer/representative name (if applicable)
- ACC number
- The instruction or action required on the account

The responsible Levy staff member will reply by email to the Review Specialist advising the instruction has been actioned.

- d** Contact the customer/representative and tell them that a new decision will be issued, and unless we are issuing a new decision as a result of a hearing outcome request they withdraw their review application in writing (e.g. email/text/letter/ACC34).


 Accepting withdrawals

NOTE What if CIT are part way through checking the relevant documents/full file?

Email the DSCCIT inbox to advise them the review application has been withdrawn and that they can cease reading the relevant documents/full file.

1.2 Action a review withdrawal Review Specialist

- a** Read the withdrawal review application request and open the claim, or account as appropriate.

 Accepting withdrawals

- b** If the review withdrawal application is about a decision on a claim, in Eos upload the withdrawal request and update the document type to 'ACC034 Withdraw review' and document description with the unique review number.

- c** If the review withdrawal application is about a levy decision add an interaction in Juno_CRM and upload the ACC034 to the interaction. Send an email of the outcome to levyclassification@acc.co.nz. The subject should read 'Resolution Services Review Outcome'. The email should include:

- Review number
- customer/representative name (if applicable)
- ACC number
- Advice the review has been withdrawn

- d** If the a review hearing date or case conference has been set down, send confirmation of the withdrawal, to the review provider and say that the customer/representative wants to withdraw their application.

NOTE What if CIR are part way through checking the relevant documents/full file?

Email the DSCCIT inbox to advise them the review application has been withdrawn and that they can cease reading the relevant documents/full file.

PROCESS Close Review Resolution Coordinator, Review Specialist

2.0 Recognise a deemed review Review Specialist, Senior Review Specialist

- a** Advise the Senior Review Specialist of the suspected deemed review.

NOTE What actions should the Senior Resolution Specialist take?

If the review is confirmed as deemed, the Senior Resolution Specialist should refer the case to Review Monitoring Panel to consider if ACC should appeal the deemed review.

- b** Refer to Legal Services to confirm that the review is considered to be deemed, and to request clarification on the impact and effect of the deemed review.
- c** Generate, in Eos, the 'Rev44 - Deemed Review Letter' if the review has been confirmed as deemed by Legal Services.

 Deemed Review Letter

- d** Contact the client and explain the following:
 - What a deemed review means?
 - How this will impact the review at hand?
 - What impact this will have on cover and entitlements?

NOTE Would we then ask the client to withdraw the review?

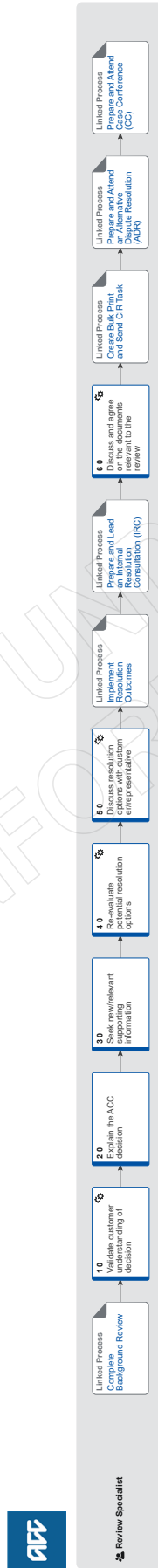
The client is not required to withdraw the review as the outcome of the review is decided by the application of Section 146 of the AC Act 2001. If the customer disagrees, they would need to appeal the decision as opposed to review the decision.

- e** Contact the review provider, if the file has already been transferred, to inform them of the deemed review. The review provider will then provide confirmation of the outcome in a formalised letter.
- f** Advise the Resolution Manager of the deemed review.

NOTE What actions should the Resolution Manager take?

The Resolution Manager should advise the Manager, Resolution Services of the deemed review and what actions have been taken.

- g** Close the review in EOS using the code 'quashed' and complete the 'View Review Outcome' e-form, explaining how the review became deemed and the effect of the deemed review.



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Summary

Objective

The objective of this process is to discuss the review application with the customer, or their representative, check their understanding of the review matter, and of ACC's decision so that we can begin to resolve the matter or continue towards a review hearing.

Background

After completing the background review the customer/representative must be contacted by phone to discuss the review application, any new information and the process moving forward.

Owner [Out of Scope]

Expert [Out of Scope]

Procedure

PROCESS Complete Background Review Review Specialist

1.0 Validate customer understanding of decision Review Specialist

- a** If intending to call a representative, check if there is a current Authority to Act (ATA).

NOTE What if there is no current ATA on file?

By phone, contact the representative and request the form is returned.

NOTE What if the ATA is never returned?

No details can be discussed with the representative. Proceed to Prepare and Attend Case Conference.

- PROCESS** Prepare and Attend Case Conference (CC)

- b** By phone, contact the customer/representative within 7 days of the receipt of the review application. Use the appropriate authorisation process to confirm you are speaking to the right person.

NOTE Best practice is to contact the customer by phone within 48 hours of the review allocation.

NOTE What if a translator is required to speak with the client?

Use ACC's policy to obtain guidance on engaging with an interpreter.

When to use an Interpreter Policy

Advocate Communications Policy

NOTE What is the authorisation policy for decisions on claims?

Read the Advocates and Holders of Authority Policy to Act policy.

- PROCESS** Advocates and holders of authority to act Policy

NOTE What is the authorisation process for levy decisions?

Follow the Perform Authorisation Check - Business Customer process

- PROCESS** Perform Authorisation Check - Business Customer

NOTE What if you need to update an authorised business customer?

Follow Add or Update Business Customer Authorised Party.

- PROCESS** Add or Update Business Customer Authorised Party

- c** Confirm ACC has the correct customer/representatives contact details. Include both the telephone number and email address.

NOTE What if the email address has not been verified?

If the email address has been added to Eos but not yet verified - ask the applicant to check their emails and return the verification as soon as possible.

If the email address has NOT been added to Eos, follow the steps outlined in the 'Update Client's Party Record' policy.

- PROCESS** Update Client Party Records

- d** Tell the customer/representative:
- the reason for the call
 - what will be discussed during the phone call
 - the review process, including the focus for ACC on seeking resolution
 - the role of the Review Specialist.
- e** Ask the customer/representative, in their own words, to explain:
- their understanding of the disputed decision
 - why they believe ACC decision is incorrect
 - what they are hoping to achieve through the review process.

NOTE What is the expected outcome of the conversation?

The outcome of this conversation is to understand the customer's point of contention or grievance, and help the Review Specialist determine whether conciliation or a resolution offer may be appropriate.

2.0 Explain the ACC decision Review Specialist

- a** Explain why ACC made its decision. This may include an explanation of the legislation and/or medical reports that were instrumental to the decision.

3.0 Seek new/relevant supporting information Review Specialist

- a** Discuss any information that was received after the decision date and included with the written application for review.
- b** Ask the customer/representative if they have any new information that was not included in the written application to support the review application.

NOTE What if the customer/representative has new information?

- Then ask the customer/representative to explain what the new information is and how they believe it is relevant.
- If possible, ask them to send the information via email directly to the Review Specialist and advise they will be contacted again once the information has been considered.

NOTE What if the matter at review relates to an Individual Rehabilitation Plan (IRP)?

First and foremost consider an Internal Resolution Consultation (IRC) with the decision maker. If the relationship is strained it might be more useful to attend Conciliation (under the Alternative Dispute Resolution process) with the decision maker as an alternative to an IRC. Please note there must be a sound reason for proceeding straight to review as these can often be resolved.

4.0 Re-evaluate potential resolution options

Review Specialist



- a** If new information has been provided by the client/representative, check if further advice is needed to identify or re-evaluate potential resolution options to discuss with the customer/representative.

NOTE What type of advice would be useful?

- Comments from Medical or Psychology Advisors
- Advice from the Clinical Advice Panel
- Additional information from the customer/representative
- Additional information from the treating specialist
- A Medical Case Review
- Comments from a radiologist
- Comments from Technical Services
- Comments from Technical Accounting Services
- Advice from Levy Classification

NOTE What if advice or guidance is needed from Clinical Services?

To obtain instruction on how to seek the required clinical advice/guidance Refer to Clinical Referral Instructions

-  Clinical Referral Instructions
-  Reference Guide for Review Specialists when deciding whether to refer a task to Technical Accounting Specialist (TAS)

NOTE Should permission be sought from the client prior to seeking further external clinical comments or notes?

Yes - you must have a conversation with the client/ATA on what you are wanting to do and why (e.g. releasing and seeking medical information with a view of reconsidering ACC position on the matter at review). This is to ensure there is no objection. Once you have obtained a verbal permission make a note in your Eos contact reflecting the conversation.

NOTE Who's role is it to conduct further investigation when required?

When a client has an active review, a Review Specialist can request medical notes and clinical specialist reports including/not limited to Medical Case Reviews. Review Specialists can request these directly from the Clinic, DHB or Specialist unless a collaborative approach or specific input is required from a Recovery team member or Specialist Cover assessor.

- b** Check that the potential resolution options identified in the background review are still relevant.

NOTE What if the potential resolution option has changed from the background review?

In Eos, update the PRC REV: Complete Admin Review 'Additional information' box.

5.0 Discuss resolution options with customer/representative

Review Specialist

- a** Discuss with the customer the possible pathway and proceed as appropriate:
- on a resolution option, or
 - a withdrawal and review closure (based on your explanation of the decision), or
 - whether to proceed to an internal resolution consultation.
- b** Add a contact in Eos, or interaction in Juno_CRM, as appropriate, to record the main points from the conversation.
- c** Proceed to Step 6.0, if the above pathways (listed under 'a') are agreed to be unsuitable.

 **PROCESS**

Implement Resolution Outcomes
Review Specialist

 **PROCESS**

Prepare and Lead an Internal Resolution Consultation (IRC)
Review Specialist

6.0 Discuss and agree on the documents relevant to the review

Review Specialist

- a** Identify and agree the relevant documents with the customer/representative.

NOTE What if the client wants the full file?

Explain to the client that ACC has made a move to providing relevant document as a preference to the full file. This ensures the reviewer doesn't receive large amounts of information that has no relevance to the disputed decision. If the client has any doubts about the correct information being provided then the Case Conference serves as an opportunity for this to be discussed and corrected if necessary.

If the client still wants the full file - then relevant documents must be correctly selected. Note in the initial customer contact on Eos the clients request for the full file.

-  Relevant Document Guidelines

NOTE What if an employer is an interested party?

- Firstly, we should check if the employer is interested in attending the review or requires a copy of relevant documents. If they aren't interested in being involved in the review, then you do not need to send the employer any documents.
- If the employer does want a copy of the documents as an interested party, the most straightforward way to tackle any issues with files is to contact the customer, explain that the employer is entitled to information about ACC's decision. Discuss the relevant documents with the customer and ask if the customer is happy for us to send a full copy of these documents to the employer.
- If the customer is not happy for the full file to go, we should discuss with the employer what information they require. If they are happy with the ACC45 and ACC33 Review Application, these can be easily sent by email with some information about the customer redacted. If there is other information that the employer believes that they require, redactions must be made in line with the redaction process.
- If we can't contact the customer to discuss the review documents or the customer is not wanting any information to be provided to the employer, follow the instructions as if the employer is the applicant.

NOTE What if the employer is the applicant?

- The easiest way to tackle any issues with files is to contact the customer, explain that the employer is entitled to information about ACC's decision. Discuss the relevant documents with the customer and ask if the customer is happy for us to send a full copy of these documents to the employer and reviewer. It is important that there is discussion with the customer about the information contained in their file and if possible, a copy of the file should be sent to customer to check before releasing to the employer. If the customer provides permission for ACC to do this, then information will not need to be redacted.
- If the customer is not happy for us to send the full unredacted documents, then we will need to follow the process for collating information for an employer file and organise information that is not relevant to the review be redacted. Ideally, we will send the file to the customer to check they are happy with it before releasing it to the employer.
- The customer may advise ACC that they do not want any of their information to go to the employer or Reviewer. In these situations, we would advise the customer that the employer and Reviewer are entitled to receive certain information about the claim (such as information relating to the accident itself and causal link between the accident and the personal injury) because it has been lodged as a work-related personal injury. We can reassure the customer that personal information not relating to whether the injury occurred at work will be removed from the file and still give them the opportunity to review the information before proceeding.
- If we are unable to contact the customer to discuss the provision of documents, we must still provide relevant documents to the employer and Reviewer with careful redaction. We must give the customer adequate opportunity to communicate with ACC by making multiple attempts to contact them including sending them a letter if possible.

- b** Discuss with the customer/representative the methods of delivery for the relevant documents. Then go to 'Create Bulk Print and Send CIR task' to arrange the preparation and release of these documents.

NOTE What are the delivery options?


- Electronic documents:
 - By email (ACC's preferred method)
 - By USB
 - By CD
- Paper documents:
 - By courier to home address - read client the ACC6181
 - By courier to rural delivery address (requires pre alert) - read client the ACC6181
 - By courier to local ACC branch

 ACC6181 Receiving personal information by courier

- c** Proceed to one of the following processes:
- Prepare for Alternative Dispute Resolution (ADR)
 - Prepare and Attend Case Conference as agreed with the customer/representative.

 **PROCESS** **Create Bulk Print and Send CIR Task**
Review Specialist

 **PROCESS** **Prepare and Attend an Alternative Dispute Resolution (ADR)**
Review Specialist

 **PROCESS** **Prepare and Attend Case Conference (CC)**
Review Specialist

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ACC8026

Alternative Dispute Resolution (ADR) coversheet

For Providers:

We have agreed with the customer to engage in Alternative Dispute Resolution. We've booked a time and date through your website. Please find relevant documents attached.

1. Alternative Dispute Resolution booking details			
Date:		Time:	
Issue, or dispute, to be discussed:			
Primary contact: Customer <input type="checkbox"/> Representative/Advocate <input type="checkbox"/> Employer <input type="checkbox"/>			
Customer will be attending: by phone <input type="checkbox"/> video conference <input type="checkbox"/> in person <input type="checkbox"/>			
ACC will be attending: by phone <input type="checkbox"/> video conference <input type="checkbox"/> in person <input type="checkbox"/>			
For in person attendance: Location:		Onsite contact person:	
2. Review details (complete if review application has been lodged)			
Review number	Review category	Lodgement date	Decision date
[insert review number]	[insert review category]	[dd month yy]	[dd month yy]
[insert review number]	[insert review category]	[dd month yy]	[dd month yy]
3. Customer details			
Claim/ACC number:		Preferred contact method:	
Customer name:		Telephone number:	
Email address:		Postal address:	
Care indicator: <input type="checkbox"/> Yes		<input type="checkbox"/> No	
Care indicator information:			
4. Advocate/Representative details			
Name:		Preferred contact method:	
Organisation:		Telephone number:	
Email address:		Postal address:	
Authority to Act included with documents: <input type="checkbox"/> Yes			
5. Employer details			
Name:		Preferred contact method:	
Organisation name:		Telephone number:	
Email address:			
Postal address:			

ACC8026 Alternative Dispute Resolution (ADR) coversheet

6. ACC staff details

ACC staff member:

Contact email address:

Contact phone:

When we collect, use and store information, we comply with the Privacy Act 1993 and the Health Information Privacy Code 1994. For further details see ACC's privacy policy, available at www.acc.co.nz. We use the information collected on this form to fulfil the requirements of the Accident Compensation Act 2001.

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Agreement to Conciliate

This agreement is between

[Claimant Name]

AND

ACC

AND

Talk – Meet – Resolve’s Conciliator

(The Conciliator)

ACC and [Claimant Name] (referred to below as “we” and “us”) agree to enter into conciliation.

1. Appointment of Conciliator

We agree that the Talk – Meet – Resolve Conciliator has been appointed to conciliate our dispute. This agreement sets out the process and conduct of the conciliation.

2. Good faith and cooperation

We agree to conciliate in good faith. We agree to cooperate with the Conciliator and to be honest with each other and the Conciliator. We agree that the following can be placed on ACC’s file:

- (a) This signed “Agreement to Conciliate”.
- (b) Any signed “Resolution Agreement”.
- (c) Any information referred to in the Resolution Agreement
- (d) Any information provided to the Conciliator that we agree can be placed on ACC’s file
- (e) Any other information that we agree can be recorded on ACC’s file.

We agree that subject to relevant privacy and confidentiality rules, Talk – Meet – Resolve can collect, hold and use information about dispute resolution processes and outcomes to support transparency, accountability and system improvement.

ACC8026 Alternative Dispute Resolution (ADR) coversheet

3. Confidentiality of the process

We agree that the remainder of the conciliation will be entirely confidential. Any information or documentation disclosed during the conciliation, including during the preliminary steps, individual or joint meetings, by any party or the conciliator, will remain confidential except in the circumstances noted in (a), (b) and (c) below. In summary, this means the people who are part of conciliation will not tell others outside of conciliation about what was said during the process.

The exceptions to confidentiality are:

- (a) If the Conciliator has reason to believe that any person is in danger of physical harm.
- (b) For the purpose of obtaining privileged legal advice.
- (c) If disclosure is required by order of a court or by law.

We agree that each of us will not take, and will not permit any other person to take, photographs or make any audio-visual recording of the conciliation process or its participants (whether in person or online). We understand that the venues where we meet in person may have CCTV cameras in operation for safety and security purposes only.

4. Role of conciliator

We accept that the Conciliator will be neutral and impartial. She or he will listen to each of us and will assist us to explore options to resolve the issues between us. The Conciliator will help us to:

- Explain to each other what is important to us.
- Work out where we agree on things and/or where we see things differently (the things in dispute).
- Help us to think about different options to resolve the things in dispute.
- Reach an agreed resolution on how to resolve the things in dispute.

We agree that the Conciliator is an independent expert and can:

- use her or his expertise to help us identify the issues in dispute.
- if we agree, make suggestions on how to resolve the things in dispute.

We agree that we can each decide if we make use of the Conciliator's independent expertise or suggestions and that these are not binding on us.

We understand that the Conciliator can not:

- provide legal advice, or
- make a decision for us, or
- impose a solution on us.

We agree that each of us can talk privately or meet separately with the Conciliator and that any such discussions will remain confidential unless we give authorisation to disclose any information. Either of us can request a private meeting at any time. The Conciliator can also suggest this at any time.

ACC8026 Alternative Dispute Resolution (ADR) coversheet

5. Authority to settle and representation at conciliation

We agree that we have the legal authority to reach agreement on the meeting day or if not, to arrange for someone that has such authority to be available on the meeting day.

We agree that we can bring someone (including a lawyer) to support, assist and/or advise us during the Conciliation. We agree that such people will first need to agree to and sign clause 10 of the Agreement to Conciliate before they can participate in the process. If we want someone to attend in person, by videoconference or teleconference we will tell the Conciliator who that person is prior to the meeting and the Conciliator will then discuss this with us.

6. Withdrawing from the Conciliation

Conciliation is voluntary. We agree we will attend the conciliation meeting with the intention of trying to resolve our dispute.

Either of us can withdraw from the conciliation process at any time. Before we do, we agree we will first talk to the Conciliator.

The Conciliator can also end the conciliation process if, after consultation with us, the Conciliator considers she or he is unable to achieve a resolution of the dispute.

7. Writing and signing a Resolution Agreement

If we reach an agreement the Conciliator will help us record that agreement in writing (the "Resolution Agreement"). Once the Resolution Agreement is signed by each of us we will be bound by that agreement. This means we will think carefully about it before we sign any Resolution Agreement. If we do not sign the Resolution Agreement then the terms of the draft Resolution Agreement will remain confidential and non-binding until it is signed by each of us.

8. We will not take action against the Conciliator or each other arising from the conciliation process

We will not take any legal action against the Conciliator in relation to anything to do with the Conciliation process. We agree that, subject to any written agreement to the contrary, if one of us does take legal action against the Conciliator in relation to anything to do with the conciliation process, that person will pay the Conciliator's legal costs.

We agree that neither of us will claim defamation against each other about anything said or referred to during the conciliation process.

The Conciliator will not act as a decision maker (e.g. a Reviewer) in any dispute which has been to conciliation but was not resolved through that conciliation process.

ACC8026 Alternative Dispute Resolution (ADR) coversheet

9. Transparency Accountability and System Improvement

We agree that subject to relevant privacy and confidentiality rules, Talk – Meet – Resolve can collect, hold and use information about dispute resolution processes and outcomes to support transparency, accountability and system improvement.

10. Without prejudice

We agree that this process is “without prejudice” to each other’s rights. This means that by entering in to this Conciliation process we are not agreeing to give up our rights, including the right to request a review hearing.

We have read, understood and agree to the conditions of this agreement:

/ Claimant (signature)

(date)

/ACC (signature)

(date)

/ Conciliator (signature)

(date)

ACC8026 Alternative Dispute Resolution (ADR) coversheet

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ACC8026 Alternative Dispute Resolution (ADR) coversheet

11. Support people/Advocates and other conciliation participants

We agree that unless authorised by the claimant/customer or the information is otherwise able to be disclosed in accordance with clause 2 or 3, we will keep confidential any information or documentation disclosed during the conciliation, including during the preliminary steps, individual or joint meetings, by any party or the conciliator. In summary, this means as people who are part of conciliation we will not tell others outside of conciliation about what was said during this process.

/ Claimant Representative (signature)

(date)

/ Support person (signature)

(date)

/ ACC staff member (signature)

(date)



ACC6239

Instruction for Review Provider

For Review Providers:

We have received a review application from the following customer. We have arranged a case conference to discuss the review application and have attached relevant documents. Please allocate a reviewer.

1. Initial case conference details

Provider Name:

Date:

Time:

Date and time agreed by Customer? Yes No

Complex Review? Yes No

Primary contact: Customer Representative/Advocate Employer

If proceeding to hearing, the customers' preferred attendance is:

Phone Video conference In person

Additional information:

[e.g. ADR request; cultural/language requirements; female/male reviewer requested; unsuccessful ADR; linked reviews; disability support]

2. Review details

Review number	Review category	Lodgement date	Decision date
[insert review number]	[insert review category]	[dd month yy]	[dd month yy]
[insert review number]	[insert review category]	[dd month yy]	[dd month yy]

Late Review Application? Accepted Declined No decision yet Not Applicable

3. Customer details

Claim/ACC number:

Preferred contact method:

Customer Name:

Telephone number:

Relationship to Review: Interested Party Applicant

Email address:

Postal address:

Care indicator: Yes No

Care indicator information:

4. Advocate/Representative details

Name:

Preferred contact method:

Organisation:

Telephone number:

Email address:

Postal address:

Authority to Act included with documents: Yes

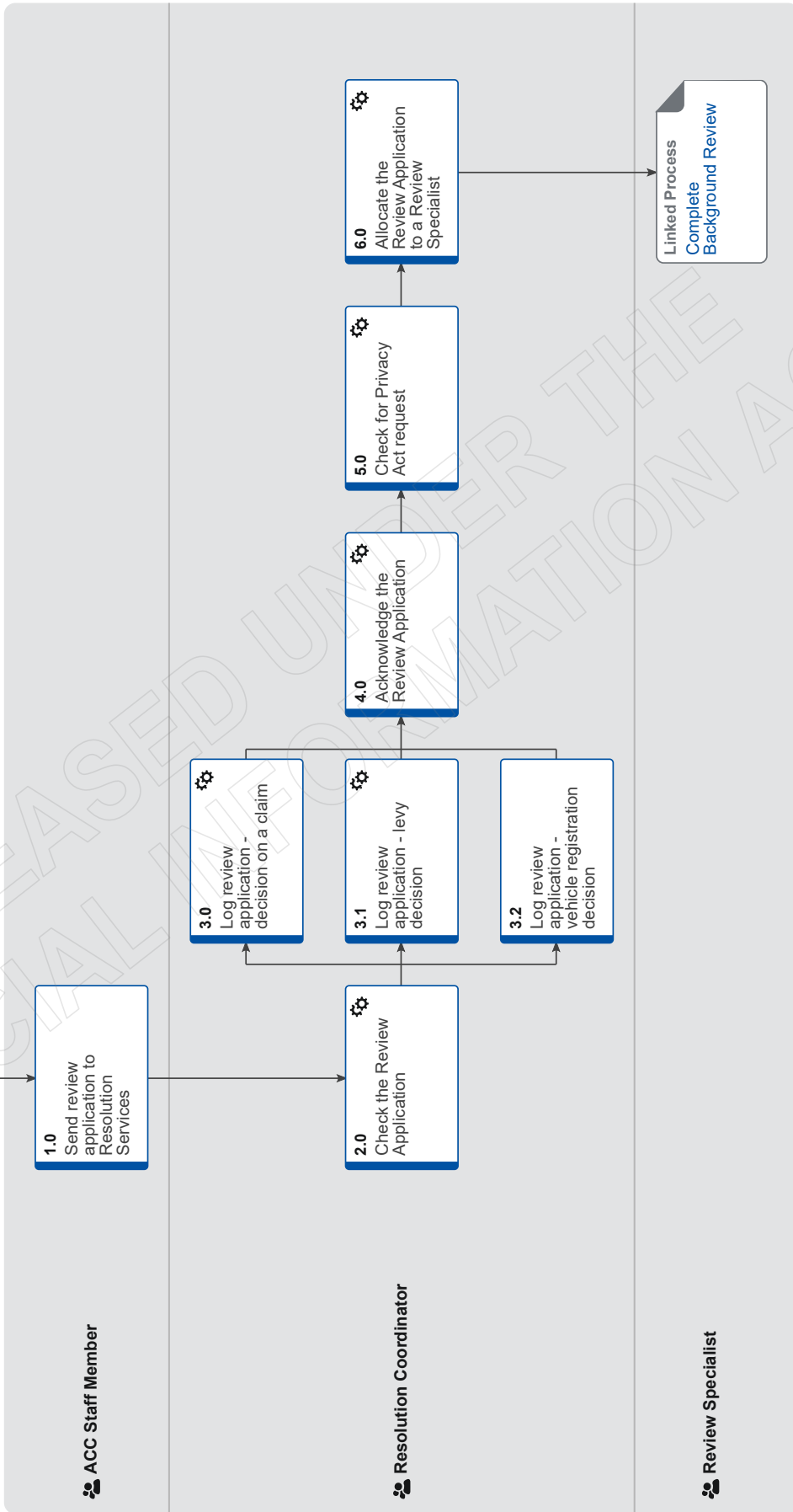
Care indicator: Yes No

Care indicator information:

ACC6239 Instruction for Review Provider

5. Employer details	
Name:	Preferred contact method:
Organisation name:	Telephone number:
Relationship to Review: <input type="checkbox"/> Interested Party <input type="checkbox"/> Applicant	Email address:
Postal address:	
6. ACC Review Specialist details	
ACC Staff member:	
Email address: resolutionservices@acc.co.nz	
Contact telephone number:	

When we collect, use and store information, we comply with the Privacy Act 2020 and the Health Information Privacy Code 2020. For further details see ACC's privacy policy, available at www.acc.co.nz. We use the information collected on this form to fulfil the requirements of the Accident Compensation Act 2001.



Summary

Objective

To record and acknowledge the receipt of the review application to the applicant, acknowledge the receipt of the review application and to allocate it to a Review Specialist so that the ACC decision can be reviewed.

Background

Customers or their representatives can seek an independent review of a decision ACC has made. The review application must be in writing and received within 3 months of the decision.

Owner

[Out of Scope]

Expert

[Out of Scope]

Procedure

1.0 Send review application to Resolution Services ACC Staff Member

- a** Forward the application for review to accreviewapplication@acc.co.nz within 24 hours of receipt.

NOTE What constitutes a review application?

A application for review must be:
1) in writing (e.g. via letter, email, e-text or ACC33)
2) identify the decision or decisions in respect of which it is made (e.g. by stating the date or subject)

If there is uncertainty as to what the client is reviewing (or whether it is in fact a valid review application) it is important to clarify with the client/advocate in the first instance (and confirm the decision they are challenging) - and then forward it to accreviewapplication@acc.co.nz inbox . This will mitigate the risk of the review becoming deemed.

2.0 Check the Review Application Resolution Coordinator

- a** Open the accreviewapplication.co.nz inbox and review each unread email to determine if a new review application has been received.

NOTE What if the email is not an application review for review?

- If the email has information about an existing review, forward the email to the allocated Resolution Specialist.
- If the email relates to a decision about claim, file it in Eos, and send to the Decision Maker for action and copy in the Decision Maker's Team Manager to ensure the correspondence is addressed.
- If the email relates to a decision about a levy, in Juno_CRM, create an interaction on the customer's account and attach the email to the interaction.

• If the email is from an Accredited Employer (AEP) or Third Party Administrator (TPA) acknowledging the receipt of a review application then file the email into the AEP/TPA folder in Outlook, and file away in Eos.

• If the email is about a complaint, then forward the email to customerfeedback@acc.co.nz.

NOTE What if it is review that needs to be reopened as a result of a settled appeal or court decision?

The original review will be closed so a new review cog needs to be generated in Eos. There will be no new 'review application' per se, so the original review application will be need to be used as the ACC33 to 're-log' it. There should be the 'settlement' letter from Legal Services to the client, and the client's acceptance of the settlement, and preferably the District Court confirmation that the appeal has been withdrawn.

NOTE What if the review is about a fatal claim on behalf of the estate?

If the application concerns a fatal claim on behalf of the estate, an additional process needs to be carried out before a review can be made/ proceed. Note that the review relates to a fatal claim on behalf of the estate in the allocation task.

NOTE What is a fatal claim on behalf of the estate?

These claims include:

1. Cover issues concerning the deceased.
2. Entitlements that the claimant was eligible for before death such as permanent injury compensation or treatment.
3. Entitlements, such as the funeral grant, that explicitly state the estate is the recipient.

Claims where a party is requesting entitlements for themselves, such as spousal grant or childcare, are not fatal claims on behalf of the estate.

- b** Ensure the information in the review application is legible and complete.


NOTE What if there is an issue with the application?

If the review application form is:

- Illegible: return the application to the sender with a note highlighting which part cannot be read.
- Unsigned: Carry on with the process. Unsigned application are acceptable.
- Unclear on what decision the client wants to review (eg the dates to not match): Proceed to lodge the application and note on the task for the RS to follow up with the client requesting clarification.
- Unclear that the customer wants to apply for a review: Contact the customer and clarify their intention. If they do not want a formal review, contact the decision maker so they can work on the applicant's request. If the applicant cannot be contacted, or does not respond to a request for further information within 24 hours continue with this process.

NOTE What if the customer/representative is submitting an application which they had previously withdrawn?

Refer to Managing Withdrawn and then Re-submitted Review Applications Policy.

 Managing Withdrawn and then Re-submitted Review Applications Policy

- c** Establish who submitted the review application to understand how to proceed as some applications cannot be considered.

NOTE What types of applications cannot be considered?

- Review applications from employers about work related personal injury entitlements cannot be considered. In these cases, lodge the application and instruct the allocated review specialist to speak with the application about the matter being jurisdictional.
- Review applications received from registered health professionals about a patient's cover and/or support cannot be considered. In these cases - lodge the application, and instruct the allocated review specialist to contact the client directly to ask whether it was their intention to go down the review channel and that they authorise the provider to lodge the review on their behalf.

- d** Ensure that the claim or ACC number is correct.

NOTE What if the claim or ACC number is incorrect?

- If the application requires a claim number, in Eos search for the client through the party record. If this is unsuccessful, contact the client or client's representative and ask them to provide the correct number.
- If the application requires an account number, in Juno_PolicyCenter search for the business customer.

- e** Determine whether application is for a claim with an active Accredited Employer (AEP) or Third Party Administrator (TPA).

NOTE What if the application is for a claim with an active AEP or TPA?


Then forward the review application to the correct AEP or TPA and request they acknowledge that they have received the application. Generate a general task on the relevant claim as a reminder to await an acknowledgement from the AE and follow up at two day intervals. This process ends.

- f** Ensure there is a current Authority to Act (ATA) on the claim or account if required.

NOTE What if there is no current ATA?

- If the review is a decision about a claim then send the customer/representative the ACC5937 to complete and request it is returned to resolutionservices@acc.co.nz.
- If the review is about a levy decision then send the customer/representative the ACC1766 to complete and request it is returned to resolutionservices@acc.co.nz.

 ACC5937 Authority to act - Client

 ACC1766 Giving Access Levy Information

- g** Check whether there is a Review Provider listed as a claim participant. If there is a Review provider listed and no active review – remove the Review provider as a claim participant.

- h** Ensure there is only one decision per review application.

NOTE What if there is a levy decision which covers multiple years?

Log the application. Only one application is required in this circumstance.

NOTE What if there are multiple decisions contained within one decision letter?

Log each decision as a separate review.

The exception to this however is where ACC has issued a decision declining cover AND surgery. In these cases one review is logged for the cover decision and the Review Specialist must explain to the client that if cover is overturned then ACC will revisit the application for surgery.

NOTE What if the decision letter has only one decision, but the review application seeks two different outcomes?

Proceed to lodge the application and note on the task for the RS to follow up with the client requesting clarification on whether a second review is required.

- i** Ensure any documents supporting the review application are for the customer's review.

NOTE What if the supporting documents are not for the customer's review?

Contact the external party who sent the application immediately, let them know their error, and destroy the information.

- j** Ensure the application is not a duplicate of another review application.

NOTE What if the application is a duplicate?

- If the application relates to a claim, locate the claim in Eos, and upload the application and update the description to say 'duplicate review application'. If the review application has any differences to the initial application - send a general task to the RS to draw their attention to the newly submitted application that you consider a duplicate.
- If the application is for a business customer, in Juno_CRM, upload the application and create a new interaction to say 'duplicate review application'.

k Ensure that the Care Indicator has been updated within the previous four months if required.

NOTE What if the Care Indicator has not been updated in the previous four months?

Contact the decision maker (DM) and their Team Manager (TM) using the Client Care Indicator Template to update the Care Indicator.

- Email Template - update Client Care Indicator
- Care indicated clients

l Add a colour category or tick to the email once it has been actioned.

3.0 Log review application - decision on a claim
Resolution Coordinator

a In Eos, start the [Review Process] workflow through the [PRC REV: Receive & Log Review] task.

NOTE What information needs to be included?

- lodgement date (date ACC received the application)
- name of applicant
- decision category (in the decision letter)
- code description
- disputed decision date
- business unit responsible or where the decision was made.

- Review Codes.docx
- Create PRC REV task

b Close the task after the above information has been populated to generate the next task in the COG.

c Upload the review application, Authority to Act (if applicable) and any other supporting documentation and use the correct naming conventions.

Document Type	Description
ACC629 Review - ADR file cover sheet	Rev [redacted] Surgery
REV18 Acknowledge review application - client	Rev [redacted] Surgery
REV18 Acknowledge review application - client	Rev [redacted] Entitlements
ACC629 Review - ADR file cover sheet	Rev [redacted] Entitlements
Review Lodgement Details form	Rev [redacted] Surgery
Review Lodgement Details form	Rev [redacted] Entitlements
ACC33 Review Application	Rev [redacted] Surgery
ACC33 Review Application	Rev [redacted] Entitlements

Naming Conventions.JPG

NOTE What needs to happen to the documents so that they can be uploaded correctly?

- If an application form (ACC33) was received by email, convert the email message to a PDF file, and attach this to the front of the application. This will be the official date stamp.
- If an application was received by post and has no date stamp, use the Adobe Pro watermark feature to add a watermark.
- If an ATA document is attached and combined with a review application, these will need to be uploaded separately.

- Use Adobe Pro to add a Watermark
- Convert to PDF, combine, split, and email to Eos

d Update any relevant customer and/or advocate information.

NOTE What information needs to be added?

If an ATA is included with the application, add an advocate/representative as a participant to the claim.
If an email address was included with the application, ensure this is correctly recorded at the party record.
Go to step 4.0

Manage Participants (Eos Online Help)

3.1 Log review application - levy decision
Resolution Coordinator

a In the Levy Spreadsheet, \\ACCfiles\Data\Public\Resolution Services Folder\8. Hub Folders\8.3 Wellington\Levy Review Spreadsheet, start the Review Process workflow.

NOTE What information needs to be included?

- Review Specialist name
- ACC number
- Review number
- Review issue
- Date of ACC decision
- Date review application received

b In the I:Drive, set up the customer folder in \\ACCfiles\Data\Public\Resolution Services Folder\8. Hub Folders\8.3 Wellington\Levy Reviews

NOTE What should be stored in the folder?

- The type of application i.e. Classification Units, CPX. Multiple CU.
- A sub folder with the Review number, Customer name, ACC number
- The application for review

c In Juno_CRM, add a flag to the customer's account. The comment in the flag is 'active review'.

Create a Flag

d In Juno_CRM, create an interaction and upload the application, ACC1766 Giving access to your ACC Information (if applicable), and any other supporting documentation.

3.2 Log review application - vehicle registration decision
Resolution Coordinator

a In the Levy Spreadsheet, start the Review Process workflow.

NOTE What information needs to be included?

- Review Specialist name
- Vehicle registration number
- Review number
- Review issue
- Date of the decision
- Date review application received

b In the I:Drive, set up the customer folder in \\ACCfiles\Data\Public\Resolution Services Folder\8. Hub Folders\8.3 Wellington\Levy Reviews

NOTE What should be stored in the folder?

- The type of application i.e. vehicle registration decision.
- A sub folder with the Review number, Customer name, Vehicle registration number.
- The application for review and a copy of the letter from the NZTA.

4.0 Acknowledge the Review Application

Resolution Coordinator

- a** Check that the application has been received within the three-month timeframe.

NOTE What if the application was received outside the three-month timeframe?

Generate the Acknowledgement of a review application letter (REV18) to the applicant and select the option that explains that a review specialist will be in contact to discuss the reasons the review application was late.

NOTE What if it is not clear that the review was lodged within the three-month timeframe?

- Allocate the review application to the selected Review Specialist and notify them in the allocation task that is has not been established whether the application is late.
- Also advise the Review Specialist that they will need to update and send the Acknowledgement of a review application letter (REV18) once they have established if the application is late or not.

- b** Generate the REV18 Acknowledgement of a review application letter to the applicant, and if in Eos leave the document as incomplete.

 REV18 - Acknowledge Review

 REV50 - Acknowledge review application - Levy (Business)

NOTE What if the review is reopened review as a result of a settled appeal or court decision?

Tailor the Rev18 'Acknowledge of review application' to state something similar to:
"Further to the settlement agreement of XX date - we have now reopened the review and allocated the following review number: "

- c** Check to see whether there is an interested party to the review.

NOTE Who are interested parties?

- Employers are interested parties where the client (employee) has put in a review to challenge the decline of cover for a work related PICBA and WRGPD!
- Clients are interested parties where the employer has lodged a work injury dispute review.

NOTE What if there is an interested party?

Generate REV021 Acknowledgement to Interested Party to notify the interested party of the application.

 REV21 Acknowledge review to interested party

5.0 Check for Privacy Act request

Resolution Coordinator

- a** Read through the information submitted and identify whether the client has requested a full copy file.
- b** In Eos, complete a 'Complete Request for Copy of Clients Information' task if a full copy file was requested.

NOTE What should be recorded on the 'Complete Request for Copy of Clients Information' task?

Record 'Privacy Act Request received via (email/ ACC33/client letter) on (insert date).

6.0 Allocate the Review Application to a Review Specialist

Resolution Coordinator

- a** In the Resolution Coordinator Calculator tool, enter details.

 Review Allocation Calculator

NOTE What details should be entered?

- Customer Name
- The review number that has been generated from Eos, or the Levy Spreadsheet
- The date the review was received
- Whether this is a privacy act request
- Whether the review was lodged outside the three-month time frame
- Whether the customer has a representative/ advocate and a current Authority to Act on file (or is being requested)
- Any interested parties – such as an employer

- b** Copy the information generated in the calculator tool and paste into the PRC REV: Complete Admin Review task if the review is about a decision on a claim in Eos.

NOTE What if the review is about a levy decision?

Copy the information generated in the calculator tool and paste into an email, along with the review application email and supporting documents and send to the allocated Review Specialist.

The process ends.

- c** Mark the task as a high priority, change the target date of the task to 'today's date' and transfer to the allocator's work queue who will allocate the work out to the Review Specialist.

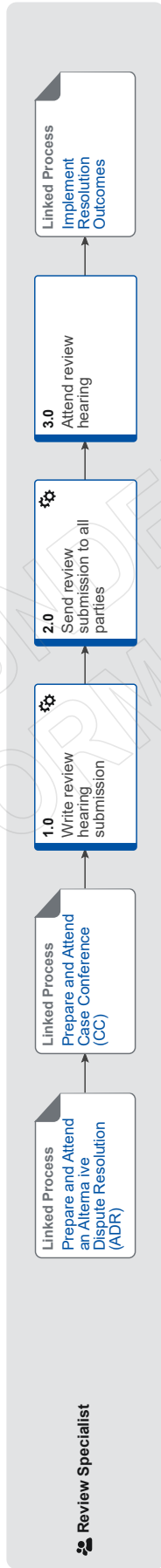
NOTE What if the review relates to a decision made under the Code of Claimant Rights?

In these cases the review allocation is sent to Jessica Sharma or Hope Krause from the Hamilton Review Team.

 **PROCESS Complete Background Review Review Specialist**



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Summary

Objective

To attend a review hearing, on ACC's behalf, to provide submissions pertaining to the matter at review and the reasons for ACC's decision.

Background

A review hearing will provide ACC and the customer/representative with an outcome that is binding between the customer and ACC.

Owner

[Out of Scope]

Expert

[Out of Scope]

Procedure

PROCESS **Prepare and Attend an Alternative Dispute Resolution (ADR) Review Specialist**

PROCESS **Prepare and Attend Case Conference (CC) Review Specialist**

1.0 Write review hearing submission Review Specialist

a Complete the review submissions.

NOTE **What information should be included?**

- Background of the issue
- Relevant legislation
- Relevant case law
- ACC's position

b If the review is about a decision on a claim, in Eos, upload the submissions and change the document code to 'REV - ACC2199 - ACC Submissions - Review Appeal' and the document description to the unique review identifier.

c If the review is about a levy, complete the submissions and save them to the customer folder.

d Use judgement to consider having the written submissions peer reviewed by a colleague, senior resolution specialist or a technical specialist.

e Read the review hearings rules policy to help understand more about review hearings.

Review Hearing Rules Policy

2.0 Send review submission to all parties Review Specialist

a Check Eos and ensure that the client care indicator has not been activated since the ACC6239 was sent to the review provider.

NOTE **What if the client care indicator was already active but it hasn't been updated in the last six months?**

Contact the decision maker (DM) and their Team Manager (TM) using the Client Care Indicator Template to update the Care Indicator.

b If the review is about a decision on a claim, in Eos, use the email tool set to send the submissions document to all parties.

NOTE **What is the required timeframe for sending submissions?**

ACC has a contractual agreement that the submissions will be sent 14 days prior to the hearing taking place.

NOTE **What if you are expecting new information within 14 days of the hearing (therefore potentially changing your submissions)?**

ACC's expectation is that the submission will be sent 14 day prior to the hearing date. If new information is received after the submissions are sent the Review Specialist must provide either an amendment (if your position has changed) or an addendum (if the new information adds to ACC previously stated position).

Always ensure all new information (including revised submissions) are sent prior to the hearing for the client/representative to consider to minimise the likelihood of an adjournment.

NOTE **Who are all parties?**

- This includes:
- the review provider
 - the customer/representative
 - interested parties

NOTE **Who are interested parties?**

- Employers are interested parties where the client (employee) has put in a review to challenge the decline of cover for a work related PICBA and WRGPDI.
- Clients are interested parties where the employer has lodged a work injury dispute review.

NOTE **What if the customer/representative does not have an email address?**

Print the documents and send them to the necessary parties.

If you are working from home and this is not possible, please communicate with a colleague residing in the office or your Resolutions Manager to ensure this task can be completed within the required timeframe.

c If the review is about a levy, email the submissions to all parties, and save email as an interaction in Juno_CRM.

NOTE **What if the customer/representative does not have an email address?**

Post the submissions to the customer/representative and save a scanned copy in a Juno_CRM interaction.

d Ensure any new information (since the last bulk print) relevant to the review has been sent to all parties prior to the hearing (eg CAP comment, newly obtained medical notes).


3.0 Attend review hearing Review Specialist

a Consider who from ACC should attend the hearing.


NOTE Who from ACC should you consider?

Consider:

- decision maker
- TAS
- any other ACC expert (eg technical specialist, medical advisor, etc).

 Reference Guide for Review Specialists when deciding whether to refer a task to Technical Accounting Specialist (TAS)

b Dial into the tele/video conference or attend in person.

 Arrange Face to Face Client Meeting - Health and Safety Requirements

NOTE Where can face to face hearings be held?

- Whangarei
- Auckland
- Hawkes Bay (Hastings/Napier)
- Hamilton
- New Plymouth
- Wellington
- Blenheim/Nelson
- Christchurch
- Dunedin.

 Zoom Meeting Guide

c Answer any questions asked by the review provider.**NOTE What happens at the hearing?**

- The customer/representative will outline their case.
- The reviewer will ask clarifying questions of the customer/representative.
- ACC will present their case and submissions.
- The reviewer will ask clarifying questions of ACC.
- ACC will be offered the opportunity to cross examine the customer/representative.
- The customer/representative will summarise their case and provide submissions.

NOTE What if you want to view the same file that was sent to the client/advocate and provider?

A copy of the file that was sent to all parties is available for you to view in the CIR Shared Portal

 Client Info Requests - Shared Portal

NOTE What happens if the reviewer adjourns the hearing?

The customer/representative and Resolution Services will agree on actions to be taken.

If the review is about a decision on a claim, update the Hearing Request task to provide the reasons for the adjournment. The review will remain allocated to the Review Specialist until the hearing is closed.

 Adjournments Policy

d Approve costs within the Review Specialist delegation when called upon by the Reviewer, using the delegation levels in 7.10 Mediation, review and appeal on Te Whāriki.

 7.10 Mediation, review and appeal (Te Whāriki)

NOTE What if the reviewer requests costs outside of the regulated amount?

This is outside of the Review Specialist delegation and must refer to a Senior Review Specialist or Resolution Manager for consideration.

This would most likely be in cases whereby travel costs to the hearing are outside of the regulated amounts.

e Complete the [PRC REV Hearing Requested] e-form after the hearing is concluded, and close this task.**f** Update the task information in the subsequent [PRC REV Record Review Outcome] to say "Awaiting Outcome" and note the date of the hearing. Update the target date to 28 days after the hearing date and transfer the task to the 'Hamilton SC - Quality Assurance' queue.

 **PROCESS** **Implement Resolution Outcomes**
Review Specialist



Reference Guide

Proceed to hearing tasks in Eos

When to use

Use this reference guide if you have determined by day 4 that the review application needs to proceed to a hearing.

Instructions

1. From the **PRC REV: Complete an Admin Review** task, click the **Add. Info** tab.

PRC REV: Complete an Admin Review

Close Task Add Resultant Activity Add Sub-Activity Transfer Put On Hold Cancel

Activity Details History Claim View Documents **Add. Info** Process View

Work Details Edit History

Work Type PRC REV: Complete an Admin Review

Claim [Redacted]

Subject [Redacted]

Status Open

Target Date

Description
 Default Task Routing: Routed to person who completed previous task in the REV process.
 Complete an Administrative Review. Capture a summary of the Review Application in the task. Manually create sub-task PRC REV: Decide Administrative Review Outcome.

2. Click **Change**.

PRC REV: Complete an Admin Review Close

Close Task Add Resultant Activity Add Sub-Activity Transfer Put On Hold Cancel

Activity Details History Claim View Documents **Add. Info** Process View

Edit

Summary of Administrative Review Change

Claimant's Reason for Lodging the Review -

ACC's Reason for the Original Decision -

Legislative Basis / Case Law -

Additional Information -

Administrative Review Outcome -

Close

3. Edit the information, then click **OK**.

Claimant: [REDACTED] OK Cancel

Summary of Administrative Review

Claimant's Reason for Lodging the Review

ACC's Reason for the Original Decision

Legislative Basis / Case Law

Additional Information

Administrative Review Outcome

Security Level

OK Cancel

4. Click **Close Task**.

PRC REV: Complete an Admin Review Close

Close Task Add Resultant Activity Add Sub-Activity Transfer Put On Hold Cancel

Activity Details History Claim View Documents Add. Info Process View

Edit

Summary of Administrative Review Change Properties

Claimant's Reason for Lodging the Review

ACC's Reason for the Original Decision

- Select the next step, **Pending Review Hearing**, then the reason **New Review Process Received** and then click **OK**.

Choose Next Step OK Cancel

Currently At Complete an Administrative Review Reason -

Please Choose the next Step. Please Choose the Reason.

Step	Description	Reason
Withdraw / Settle		New Review Process Received
Pending Review Hearing		Prepare for Mediation Provider
Extenuating Circumstances		Prepare for Preliminary Hearing
Pending Mediation		

Result: The following two tasks will generate, the:

- **PRC REV: Prepare Submissions** task
- **PRC REV: Prepare Documentation** task.

- Open the **PRC REV: Prepare Documentation** task.

Using the **Calculator** tool, enter the correct information for a review that is **Proceeding to Hearing**. (You can save a copy of the calculator tool to your desktop.)

Link to calculator tool folder:

<W:\Public\Resolution Services Folder\8. Hub Folders\Templates and tools>

File name: 28-45 Day Task Calculator.xlsx

Update the **target date** using the date given for **28 days** in the calculator tool. Update the information for the RC.

Reviews 28/45 Day Task Calculator

<p>Client Name: Jim Bob Jones</p> <p>Claim Number: 1234567891</p> <p>Review Number(s): 5670483</p> <p>Date Review Received: 20/08/2018</p> <p>Privacy Act Request?: N</p> <p>Possible Resolution (extend to 45 days?): N</p> <p>GD/Fairway: Fairway</p> <p>Client File: <To be confirmed></p> <p>Care Indicator: N</p> <p>Advocate/ATA: <input type="text" value="Enter advocate name here"/></p> <p>Employer (or other interested parties): <input type="text" value="Enter employer name, if applicable"/></p> <p>Additional Info For Review Coordinator: <input type="text" value="Enter additional info for RC, if any"/></p> <p>Additional Info For CIT: <input type="text" value="Enter additional info for CIT, if any"/></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Target Dates</th> <th style="width: 70%;">Prepare Documentation Task Description</th> </tr> </thead> <tbody> <tr> <td>21 Days 09/09/2018</td> <td>Last date to send Prep documentation task to CIT</td> </tr> <tr style="border: 2px solid red;"> <td>28 Days 16/09/2018</td> <td> Proceed to hearing GD/Fairway: Fairway Client File: <To be confirmed> <hr/> 5670483_JimBobJones </td> </tr> <tr> <td>42 Days 30/09/2018</td> <td>Last date to confirm withdrawal and bulk print done</td> </tr> <tr> <td>45 Days 03/10/2018</td> <td></td> </tr> </tbody> </table>	Target Dates	Prepare Documentation Task Description	21 Days 09/09/2018	Last date to send Prep documentation task to CIT	28 Days 16/09/2018	Proceed to hearing GD/Fairway: Fairway Client File: <To be confirmed> <hr/> 5670483_JimBobJones	42 Days 30/09/2018	Last date to confirm withdrawal and bulk print done	45 Days 03/10/2018	
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7. Transfer the **PRC REV: Prepare Documentation** task to **Client Information Requests**.

PRC REV: Prepare Documentation

Close Task Add Resultant Activity Add Sub-Activity Transfer Put On Hold Cancel

Activity Details History Claim View Documents Process View

Work Details Edit History

Work Type PRC REV: Prepare Documentation

Claim [Redacted] X

Subject [Redacted]

Status Open

Description

"Proceed to hearing
GD/Fairway: Fairway
Client File: <To be confirmed>
5670483_JimBobJones"

Target Date

Original Target Date 07/09/2018 15:44
Target Date 16/09/2018 15:41
Priority -

On Hold Until 17/08/2018 10:23
Process Target Date 18/03/2015 08:20

8. Open the **PRC REV: Prepare Submissions** task and copy the information from the calculator tool to this task. This will be your working task using the information and dates to ensure you meet all timeframes.

Working Task (e.g. Prep Submissions) Description

Send CIT task
Update care indicator
Contact decision maker
Contact client (how do they want their file?)
Complete Admin Review
Send Rev18
Complete relevant documents group

28 Day Timeframes
28 days (due at FW if resolution unachievable): 28/08/2018
90 days (deemed if not set down): 29/10/2018