

## Summary

### Objective

Effective communication between ACC staff and clients is essential to creating productive relationships and enabling ACC to better support clients. However, at times communication between ACC staff and clients breaks down.

If the client's behaviour or communication is unreasonable, it may be appropriate to introduce a communication plan to manage the behaviour.

### Background

This communication plan policy applies to all ACC staff who have contact with clients. This includes staff and clients in Te Ara Tika and the Remote Claims Unit.

- 1) Non-effective communication
- 2) Criteria for implementing a communication plan
- 3) Type of Restrictions
- 4) Reviewing the communication plan
- 5) Code of Claimant's Rights

Owner

[Out of Scope]

Expert

## Policy

### 1.0 Non-effective Communication

- a** Non-effective communication is defined as, "behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint." This behaviour can fall into five broad categories relating to:
- persistence
  - demands
  - lack of co-operation
  - arguments
  - overall behaviour.

### 2.0 Criteria for implementing a communication plan

- a** If a client exhibits the above behaviour a communication plan may be appropriate.
- b** All the following criteria must be fulfilled before a communication plan is implemented:
- The client exhibits behaviour or non-effective communication that must be managed because of the excessive demands it places on staff, time, or resources, or it poses health and safety risks.
  - The client has been given two or more written warnings (with the warnings outlining the type of non-effective communication displayed, when it occurred, expectations going forward, and the restrictions that could be placed on the client if there is no change in their communication).
  - Authorisation from a manager (Client Service Leader or other equivalent level manager; or Te Ara Tika Team Leader and RCU Leader) approving the implementation of a communication plan.

## PROCESS

### Implement a Communication Plan

#### 3.0 Types of Restrictions

- a** The restrictions that can be placed on a client are the same as those outlined by the Ombudsman in Managing unreasonable complainant conduct practice manual. They include:
- who the client can have contact with
  - what they can raise with the agency (ACC)
  - when they can have contact
  - where they can make contact, and
  - how they can make contact.
- b** The restriction options can be found here.
- Communication Plans - Types of Communication Restrictions
- c** For more information refer to the Managing unreasonable complainant conduct practice manual.
- Managing unreasonable complainant conduct <https://www.ombudsman.parliament.nz/sites/default/fi>

#### 4.0 Reviewing the communication plan

- a** Restrictions placed on a client must be reviewed every six months, at a minimum, to see if they are still appropriate.
- b** Authorised managers are responsible for determining:
- if the restrictions should be retained
  - if the restrictions should be removed, or
  - whether new restrictions should be added.

#### NOTE What to do if new restrictions need to be added after reviewing the plan?

If the client starts introducing a new form of behaviour or non-effective communication, they have not previously displayed, then at least two written warnings must be issued before a new restriction is added to the Communication Plan.

However, if the client continues to display the same type of behaviour or non-effective communication and the current restriction is not having the desired effect then a new restriction can be added without issuing warnings.

## PROCESS

### Review a Communication Plan

#### 5.0 Code of Claimants Rights

- a** Whether a client is on a communication plan or not clients have rights under the Code of Claimants Rights. The following are the rights held by claimants relevant to communications plans; ACC must adhere to these when communicating with clients:
- Right 1 – you have the right to be treated with dignity and respect.
  - Right 2 – you have the right to be treated fairly, and to have your views considered.
  - Right 5 – you have the right to effective communication.
  - Right 6 – you have the right to be fully informed.
  - Right 8 – you have the right to complain.

 Code of ACC Claimants' Rights  
<https://www.legislation.govt.nz/regulation/public/2002/>

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## Communication Plans - Types of communication restrictions

### Introduction

Audience: Client facing staff.

Summary: 'Alternative service arrangement' is the common term used to describe the process of modifying or restricting usual service delivery methods. Alternative service arrangements can be used to modify or restrict the ways in which services are delivered to a client to minimise

### Restriction options for communication plans

The following are reasonable restriction options to use when a client is put on a communication plan. These are the same restriction options as outlined by the Ombudsman in the Managing unreasonable complainant conduct practice manual.

Communication Restriction	Description	Behaviour
Who	A client may be limited in who they can contact, if they have:	<ul style="list-style-type: none"> <li>reframed their complaint to get it taken up again</li> <li>repeatedly raised minor and/or irrelevant issues</li> <li>made regular, frequent and unwarranted contact.</li> </ul>
What	A client may be limited in what they can raise, if they have:	<ul style="list-style-type: none"> <li>repeatedly raised the same complaint or issues and is unable to let go of their issues</li> <li>reframed their complaint to get it taken up again</li> <li>been persistent in wanting to pursue trivial issues</li> <li>made unreasonable and illogical arguments which they insist should be pursued.</li> </ul>
When	A client may be limited in when they can make contact (time, day, or length of time), if they have:	<ul style="list-style-type: none"> <li>engaged in persistent and/or lengthy contact when this is not warranted</li> <li>been threatening, or confrontational.</li> </ul>
Where	A client may be limited in where they can make contact (prohibiting access to premises etc.), if they have:	<ul style="list-style-type: none"> <li>engaged in confrontational behaviour.</li> </ul>
How	A client may be limited in how they can make contact (writing only, only allowing contact to be made through a representative etc.), if they have:	<ul style="list-style-type: none"> <li>engaged in persistent and otherwise unmanageable behaviour</li> <li>sent a constant stream of written communications, called, or visited offices when it is not warranted and when asked not to.</li> </ul>



## Summary

### Objective

Email is needed in everyday working life and ACC recognises that it is the preferred method of communication for most clients, providers and employers. Our rules for email communication are outlined in this policy, including response timeframes and the types of information we'll accept by email.

**Owner** [Out of Scope]

**Expert**

## Policy

### 1.0 Agreement to use email as the preferred communication method

**a** Those who wish to communicate with us via email must:

- agree that email is their preferred method of communication
- provide one preferred email address contact, ie both work and home email addresses cannot be accepted for clients.
- respond to a verification email to ensure we have the correct version of their email address
- be aware that unverified email addresses cannot be used to send out claim information
- be aware that if a claim has been inactive the email address recorded for the claim must be re-verified.

**NOTE Verifying an email address**

When verifying a client's email address you must use the template in Eos.

Email verification

### 2.0 Is email the best form of communication?

**a** Use email for quick and clear communication. Don't use email to vent or try to resolve problems. Information comes across well in email, emotions do not. If you have a problem, pick up the phone and speak directly to the person involved.

**NOTE Example**

You receive an email from a client with a number of questions on the same topic. It's quicker and easier to call the client so you can answer all their questions at once.

### 3.0 Response timeframes

**a** We're committed to providing a high standard of customer service at all times. Our clients can expect that we'll answer their emails in a timely manner.

Our customer service standards state that:

- we must respond to all emails within 48 hours
- we encourage clients, providers and employers who communicate with us via email to correspond with a group email address, which is always monitored to ensure we respond within the required timeframe
- if using an individual email account to communicate with clients, providers or employers, staff must ensure that the email address has been verified and all external email correspondence is actioned within these timeframes, regardless of whether or not the staff member is in the office.

### 4.0 Receiving emails from clients, providers and employers

**a** While we can control the emails we send to people, we don't have the same control over the emails we receive. We trust most providers and employers to be careful about the information they send in their emails. They have duties to their patients or employees and can face disciplinary action from external bodies for breaches of privacy.

- If you receive an attached document that is not a PDF, tell the sender we prefer to receive documents in PDF format, or any other uneditable format, if possible
- If you have any doubt regarding the authenticity of an email, do not open it.

If the email is from...	then...
a client	<ul style="list-style-type: none"> <li>• when you receive an email, before responding the first thing you need to do is check that it has been sent from a verified email address. See: <a href="#">Verifying client's email using Email Toolset</a>, or <a href="#">Verifying employer contact email using Email Toolset</a>.</li> <li>• you must be satisfied that the information has come from the sender. If in doubt, phone the sender and either confirm they sent the email, or ask them to mail or fax a physical copy.</li> </ul> <p>For more information see <a href="#">Risks associated with email communication</a></p>
a provider	<ul style="list-style-type: none"> <li>• when you receive an email, before responding the first thing you need to do is check that it has been sent from a verified email address. See: <a href="#">Verifying an existing vendor, provider, or facility work email address</a>.</li> </ul>
an employer	<ul style="list-style-type: none"> <li>• do not act on information contained in the emails unless we've verified the employer and the person sending them</li> <li>• if verified, this will be noted in the Eos 'Contacts' tab</li> </ul>

Receiving emails from clients, providers and employers.PNG

### 5.0 Providers using personal email addresses

**a** If a provider chooses to use their personal email address to communicate with us, we consider that address as the official provider email address. This address must be verified before responding to any emails.

Documents and reports that we send to providers are considered to be health information under the Health Information Privacy Code 2020 (the Code). Providers must adhere to the Code and are therefore responsible for the safe and secure storage of any health information we send them.

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## 6.0 Internal emails relating to clients

- a Avoid sending internal emails about clients. If you need to send any correspondence about a client and their claim to another internal staff member, use an Eos 'General Task'.

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## 7.0 Storage of emails in core systems

- a Store all emails related to claims or clients on the appropriate Eos claim or party record.
- b Store all emails related to business customer on the appropriate Juno CRM account interactions.
- c Communication with some specialist teams (such as Privacy, Government Services, Integrity Services) do not require emails to be stored on Eos.  
See Process "When to save emails in Eos"

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 **PROCESS**      **When to save emails in Eos Policy**

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