



21 November 2023

AS Van Wey

fyi-request-24287-e1bda21d@requests.fyi.org.nz

Kia ora Amy

Your Official Information Act request, reference: GOV-028268

Thank you for your email of 9 October 2023, asking for information about client privacy under the Official Information Act 1982 (the Act). I have provided a response to each of your questions in turn.

(Question 1) Please provide the updated definition of "reasonable", when referring to reasonableness of actions, decision making, access to claimant information, obtaining claimant information, and disclosing claimant information.

ACC does not have a specific definition of 'reasonable' beyond an English language dictionary definition. Therefore, we are refusing this part of your request as we do not hold the information requested. This decision is made under section 18(g) of the Act.

(Question 2) The "reasonable" number of persons who will access any given claim, based on level of complexity (please specify how the level of complexity is determined).

The number of times a claim needs to be accessed depends on numerous factors. Every injury is managed for a different length of time requiring different levels of support, and for every action or interaction on a claim a staff member is required to access it. This could relate to weekly payments, the client calling or emailing to ask a question, uploading documents, setting up taxi requests and a multitude of other tasks.

Noting this, we have not determined a reasonable number of people who may access a claim. Therefore, we are refusing this part of your request as we do not hold the information requested. This decision is made under section 18(g) of the Act.

(Question 3) Definition of "necessary access". Is it "necessary" for the ACC call centre rep to access a claimant's information when all they are asked to do is transfer a call to the appropriate person or department? If so, please provide the rational as to why a person who is acting as a switchboard operator needs to access personal information in order to transfer a call to a specified person or team.

Our current process is that the Contact Centre collects basic information from the client including what the call is about and the client's name and claim number, and then enters that information into a system for the Recovery team to view once the call is transferred to them. This is so our clients are not required to repeat their contact details or privacy checks, reducing call handling time and providing a more seamless customer experience.

(Question 4) An explanation of the client information journey, from collection to destruction, including stages in which ACC must communicate with the claimant to discuss the actions, seek consent to obtain or disclose the information, determine which information will be collected and from whom, how it will be used, disclose information, to the claimant and seek clarification on what may or may not be disclosed, or what needs to be corrected, etc.

Information about collecting and using information can be found on our website:

- www.acc.co.nz/privacy/our-privacy-notice/
- www.acc.co.nz/privacy/our-privacy-framework/
- www.acc.co.nz/about-us/how-we-collect-and-use-your-information/how-we-use-claim-information/

Additionally, the ACC forms (including ACC6300, ACC45 and ACC46) provide explanation about collection and use of client information, (including why we collect the information, and when a clients' authority is required). Please refer to our response with reference GOV-027753 for copies of these forms.

(Question 5) Access definitions and thresholds for all personnel, by employment type.

Please refer to our response with reference GOV-027853.

(Question 6) Information on 'permissions' process to grant only certain persons access to EOS, and the information, policies, and process that govern who, and in what circumstances, access to EOS will be granted.

In addition to the documents in our response with reference GOV-027853, please find attached as Appendix 1, the documents relevant to this question:

- Request Access to Eos and MFP
- Access Monitoring Criteria

(Question 7) Policies and process to ensure maintain an up-to-date role map and access granted commiserate with the role

Please refer to documents provided for question 6 above.

(Question 8) Employee roles of persons who have "open gate access" to claimant files, based on claim category. Number of ACC employees who have "open gate access" to EOS.

There are two staff, both in Recovery Administration, who have access to all information within EOS. They have full access to all tabs and documents for all claim categories.

As for the employee roles who have access to all tabs and documents of specific claim categories, please refer to the information in the 'Full Access' column of Table 2, Appendix 2.

(Question 9) Current number of ACC employees.

At the time of this response, there were 4,247 ACC staff members.

(Questions 10 and 11) Number of ACC employees based on role and department who have "open gate access" and "limited access" (with the inclusion of the description of "limited access") to:

- (a) sensitive claims
- (b) VIP claims
- (c) RCU clients
- (d) treatment injury claims,
- (e) staff claims
- (f) claims transferred to Te Ara Tika,
- (g) and all other claim categories not specified (please specify the category).

The information requested is provided in Appendix 2. When interpreting the information provided, please note the following points as well as the notes in the appendix.

Special Access categories of claims

We have four special access categories of claims, which include sensitive claims, high profile claims (akin to 'VIP' claims), staff claims, and remote claims (RCU). 'Special Access' means that only some EOS users have access to these claims.

Treatment injury and Te Ara Tika claims are not included in the special access categories, and therefore, anyone with access to EOS will have access to treatment injury and Te Ara Tika claims (unless one of the Special Access categories also applies to that claim). There are approximately 3800 users that have access to EOS currently. There are a total of 1678 users who have personas (meaning they have limited access to EOS).

Limited access

We have interpreted 'limited access' to mean staff who have partial or restricted access to these categories of claims.

(Question 12) Processes, procedures, rules, guidelines, manuals and other documents which describe how a claimant can determine who may and may not have access to their claim information, and to what extent.

The information requested does not exist. Therefore, we are refusing this part of your request under section 18(e) of the Act.

(Question 13) Processes, procedures, rules, guidelines, manuals and other documents for changing the claim manager or SCA when the relationship between the claimant and the claim manager or SCA is dysfunctional and when requested by the claimant.

Decisions on changing which staff members are involved with which claims are made on a case-by-case basis. However, the following documents relate to this topic, and may be of interest:

- www.acc.co.nz/assets/Policy-and-procedure-documents/implement-complaint-outcome.pdf
- www.acc.co.nz/assets/Policy-and-procedure-documents/working-with-the-code-of-acc-claimants-rights-policy.pdf
- www.acc.co.nz/assets/Policy-and-procedure-documents/acc-code-of-conduct.pdf

(Question 14) Processes, procedures, rules, guidelines, manuals and other documents for changing the review specialist or resolution specialist, when the relationship between the claimant the review specialist or resolution specialist is dysfunctional, and when requested by the claimant.

Please refer to documents provided for question 13 above.

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

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

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

You can email me at GovernmentServices@acc.co.nz. If you are not happy with this response, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz.

Ngā mihi



Sara Freitag
Acting Manager Official Information Act Services
Government Engagement