

20 November 2023

Anon

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Kia ora

Your Official Information Act request, reference: GOV-028563

Thank you for your email of 24 October 2023, asking for the following information under the Official Information Act 1982 (the Act):

This request is for information from the dates 01/01/2018 to 10/10/2023. Please provide this following information as monthly average with standard deviation. For each monthly average, please specify the number of days which were used to calculate the average. The number of days should be the number of working days per month, non-inclusive of statutory holidays or closures for any other reason. If there were exceptional circumstances (such as closures due to mass shootings or natural disasters), please specify those exceptional circumstances, including the dates of impact and location.

Topic 1: Numbers of complaints received by ACC

To answer the following questions, please reference the following categories of persons:

- (I) claimants or their representative, where the representative was not an ACC Navigation Service provider; and*
- (II) ACC employees; and*
- (III) medical providers; and*
- (VI) ACC navigation service providers, and*
- (V) other (please specify the "other").*

[1] Please list the names of the teams delegated to monitor, allocate, assess, investigate, and take steps to remedy complaints and requests for reviews. Please specify if the team is delegated to deal with complaints or with requests for reviews. See request [1] made earlier today.

[2] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the average number (and standard deviation) of complaints received by ACC via:

- (a) email; and*
- (b) phone; and*
- (c) post.*

[3] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the average number (and standard deviation) of:

- (a) unique claims associated with the complaints or requests for reviews; and*
- (b) new complaints or requests for reviews; and*
- (c) follow up inquiries on existing complaints or requests for reviews; and*
- (d) new or repeat complaint or request for review about
 - (i) an original complaint or request for review, that had not been addressed in a timely manner; or*
 - (ii) new or repeat complaint about an original complaint that ACC failed to issue a notice of a decision; or*
 - (iii) new or repeat complaint about an original complaint that had not been investigated properly; or*
 - (vi) new or repeat complaint about an original complaint that had not been remedied; and**

(e) number of complaints which the complainant attempted to escalate to the CE of ACC.

[4] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the average number (and standard deviation), the:

- (a) unique feedback or complaint numbers allocated to new complaints; and*
- (b) unique feedback or complaint numbers allocated to new or repeat complaints about an original complaint; and*
- (c) number of complaints which were never allocated a complaint number; and*
- (d) number of complaints which were grouped together based on complainant, rather than based on a link to a specific claim.*

Topic 2: Response times and Outcomes

[5] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the average number of days (and standard deviation) it took an ACC employee to:

- (a) register the complaint or request for review and allocate it to a resolution or review specialist; and*
- (b) respond with an acknowledgement of the complaint or request for review; and*
- (c) attempt to connect with the party over phone or audio/visual conferencing to clarify the issues and discuss remedies; and*
- (d) actually make a connection with the party over the phone or audio/visual conferencing to clarify the issues and discuss remedies; and*
- (e) complete the investigation of the complaint or request for review; and*
- (f) formulate an assessment of the complaint or request for review and discuss potential remedies with the party; and*
- (g) come to an agreement to resolve the issues which satisfied the party, without escalation to an external dispute resolution provider; and*
- (h) come to an agreement to resolve the issues which satisfied the party, using an external mediator of ACC's choosing; and*
- (i) come to an agreement to resolve the issues which satisfied the party, using an external mediator of the party's choosing; and*
- (j) come to an agreement to resolve the issues which satisfied the party, using an external facilitator or conciliator of ACC's choosing; and*
- (k) come to an agreement to resolve the issues which satisfied the party, using an external facilitator or conciliator of the party's choosing; and*
- (l) issue a final decision on the complaint or request for review; and*
- (m) follow up with the party to ensure that the complainant was satisfied with the outcome, and that the agreed resolutions had been achieved.*
- (n) comply with the agreed outcome, to the satisfaction of the party.*

[6] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the number of complaints or requests for review which were resolved, to the satisfaction of the Party (not necessarily ACC) in under three months, was negotiated between the Party and ACC:

- (a) without the help or aid of external parties; and*
- (b) with the aid of a Party's (not ACC's) representative; and*
- (c) with the aid of ACC's external legal counsel; and*
- (d) with the aid of a mediator chosen by ACC; and*
- (e) with the aid of a mediator chosen by the Party; and*
- (f) with the aid of a facilitator/conciliator chosen by ACC; and*
- (g) with the aid of a facilitator/conciliator chosen by the Party.*

[7] For each of the categories in (I)-(V) above, and for each of the teams specified in [1], the number of complaints or requests for review which were:

- (a) not resolved to the satisfaction of the Party within three months; and*
- (b) escalated to an external review (ICRA, FairWay or other); and*
- (c) dismissed by the external reviewer on the grounds of lack of jurisdiction.*

[8] Please list the categorical reasons given for why the ICRA or FairWay reviewer dismissed a review on the grounds of lack of jurisdiction (e.g., no decision was issued by ACC, the decision wasn't under the Act or Code, the decision was under the privacy legislation, etc.), and the number of decisions in each of those categorical reasons.

Question 1

As noted in our response of 17 November 2023 (Ref: GOV-028562), Resolution Services is the team which is delegated to action complaints and reviews. We refer you to that response for further comments.

Questions 2 to 7

Our database does not include who raised the complaint or lodged the review for the categories specified in (i) to (v). This information would require a manual review of individual complaint files and claims. As such, we are refusing these parts of your request under 18(f) of the Act as this would require substantial collation and research. In doing so, we considered extending our timeframe to respond and charging (as allowed under the Act). However, it was determined that the resources required to extract the data would have a significant impact on the everyday functions of the team(s) involved.

Question 8

We do not hold this information in our structured database. As such, we are refusing this part of your request as extracting the data would require us to manually review all reviews which had an outcome of no jurisdiction, requiring substantial collation and research. This decision has been made under section 18(f) of the Act. In doing so, we considered extending our timeframe to respond and charging (as allowed under the Act). However, it was determined that the resources required to extract the data would have a significant impact on the everyday functions of the team(s) involved.

Some of the common reasons for a review being dismissed due to lack of jurisdiction include:

- The review application was for a decision that does not have review rights, such as decisions using extended discretion, or payments outside the scope of statutory entitlements.
- The review application was for a decision that has been replaced by a new decision.
- They did not have the right to review the decision (for example, an employer applying for a review about ACC's decision to approve entitlements on a claim).

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

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