

23 April 2015

L K Barber
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Dear L Barber

Official Information Act Request

Thank you for your email request of 14 April 2015, asking for information in relation to the ACC21 Advice of Accidental Death form. A response is provided to each of your questions under the Official Information Act 1982 (the Act):

1) *What is the purpose for sections 5 & 6?*

The purpose of these two sections is to collect information on the spouse and children of the deceased including contact details, marital details for the spouse including if they were living together at the date of death and caregiver details for the children. This information alerts ACC as to who may have entitlements on a claim and ensures that all parties are contacted and entitlements are considered appropriately.

2) *What does ACC do with the information supplied in sections 5 & 6? What is the procedure?*

ACC contacts the individual parties to determine whether they have entitlements on the claim and what further information may be required to make this decision.

ACC normally makes contact by telephone and then follows this up with a letter if further information is required.

3) *What does ACC do when the information is not supplied in sections 5 & 6? What is the procedure?*

If ACC is not notified of a spouse or children through the completion of the form, ACC is unable to do anything unless it is made aware that a spouse/child exists through other means. For example, there may be some indication of this in media reports. Also, the death certificate lists children and spouse's including the ages of the children.

ACC makes every effort to contact the parties, however, this is not always possible if, for example, the children are estranged from their deceased parent it may not be possible to make contact with the children. However, the caregiver of children in this situation can complete the form on behalf of their children to claim their entitlements.

The procedure is ACC will attempt to make contact with the spouse or child. There are some limitations with gathering information as ACC does not have the clients (spouse or caregiver of the children's) consent. ACC will try to contact the parties by telephone or will ask the person who lodged the claim if they are aware of where these family members may be. Sometimes, if other agencies are involved, we ask them to get the family members to contact ACC (for example, Victims Support or Ministry of Foreign Affairs and Trade).

- 4) *How does ACC determine whether any of the information supplied on this form is factually correct & no information has been withheld? If not, why not?*

ACC does not rely entirely on this form to make a decision on a fatal claim. For a wife or natural child of the deceased we ask for birth and marriage certificates. For a de facto spouse of the deceased ACC asks for documentation to support that they were living together in the nature of marriage including statutory declarations. The death certificate can also notify ACC of the fact that the deceased had a spouse or a child. The person completing the form may not be aware of other children of the deceased. Often ACC can get more than one of these forms completed for a claim by different parties. For example, the form can be completed by the executor for the estate who is applying for the funeral grant and then also by an ex-spouse who is the caregiver of the deceased's children.

- 5) *Why is there/not a requirement for a signed declaration of truth & correctness on this form? (One copy I have requires this & another does not?)*

Decisions are not made solely based on the information contained in this form. This is the initial claim form which gives ACC information to determine who to approach regarding entitlements. In some cases ACC does ask for a statutory declaration to be completed to confirm who the caregiver of a child is.

- 6) *How would an estate representative provide information on employment, GP or 'other' dependants of a deceased person? These things are not normally/always mentioned in a will.*

Employment information is required if there are children, other dependants or a current spouse, who may be eligible for entitlements. It would be unusual that a spouse would not be aware of the name of the deceased's GP or where they worked. If, for some reason, they were not aware of this information, ACC may be able to assist by gaining information from the Inland Revenue or looking at claim history to determine the client's GP.

ACC would only know of another dependant of the deceased if this information was provided to ACC as there is no way to determine this. It is not relevant whether this person is mentioned in the will although this may assist in determining their dependence on the deceased.

ACC is happy to answer your questions

If you have any questions or concerns about the information provided, ACC will be happy to work with you to resolve these. Please address any concerns by emailing GovernmentServices@acc.co.nz or in writing to *Government Services, PO Box 242, Wellington 6140*.

If you're unhappy with ACC's response, you may make a complaint to the Office of the Ombudsman. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or write to *The Office of the Ombudsman, PO Box 10152, Wellington 6143*.

Yours sincerely

Government Services