

28 January 2016

Lee M

[fyi-request-3498-01149161@requests.fyi.org.nz](mailto:fyi-request-3498-01149161@requests.fyi.org.nz)

Dear Lee M

### Official Information Act Requests

Thank you for your email of 26 January 2016. You were dissatisfied with ACC's response to your original request made on 19 December 2015 and re-requested under the Official Information Act 1982 (the Act):

*'...a copy of the ACC's Privacy Policy that is located on the ACC's intranet including all linked privacy related documents, and which contain all process and policy documents relating to claims management including various privacy related processes such as "completing information requests", "when to release private information" and "gaining client consent."*

ACC's Privacy Policy on its intranet replicates the policy on its internet page. The Act has a clear provision enabling agencies to refuse to provide information that is or will soon be publicly available. For this reason, we reiterate our refusal for ACC's Privacy Policy under section 18(d) of Act because it is publicly available on ACC's website at this address: <http://www.acc.co.nz/privacy/privacy-notice/WPC120319>.

The linked documents for the internet Privacy Policy can be found as links to this page <http://www.acc.co.nz/privacy/privacy-notice/WPC120319>, but for completeness, they are provided again below:

- Collection of personal and health information: <http://www.acc.co.nz/privacy/privacy-notice/WPC120330>
- Managing requests to change personal information: <http://www.acc.co.nz/privacy/privacy-notice/WPC120353>
- Requests to access your personal and health information: <http://www.acc.co.nz/privacy/privacy-notice/WPC120331>
- Uses and disclosure of your information: <http://www.acc.co.nz/privacy/privacy-notice/WPC120329>

There are more linked privacy-related documents to ACC's intranet Privacy Policy than there are to ACC's internet Privacy Policy. This is because the internal privacy-related documents relate to the operational requirements for ACC staff who process information requests. ACC again notes that these were made available to you in a separate information request you lodged via the FYI website to the Minister for ACC on 27 November 2015. The address provided to you in ACC's letter of 26 January 2016 relates to the address that you sent that request from. The webpage where you can locate ACC's response is: <https://www.fyi.org.nz/request/3423-acc-files#incoming-11032>.

Processes and policies relating to "completing information requests", "when to release privacy information" and "gaining client consent" are contained in the appendix to ACC's response (located here <https://www.fyi.org.nz/request/3423-acc-files#incoming-11032>). In particular you should read:

- Access policy
- Requests for personal information
- Requests for full client copy files
- Requests for call recordings
- Requests for client emails
- When to withhold personal information
- Examples of declining personal information requests
- Responding to a request for official or personal information.

We also note that further information relating to client consent is contained in another response to one of your information requests, which can be found on this page: <https://www.fyi.org.nz/request/3499-acc-principles-in-how-a-client-s-authority-is-used#incoming-11116>.

ACC therefore continues to refuse your request for the linked privacy-related documents under section 18(d) of the Act because this information is publicly available in ACC's responses to two of your previous requests.

Finally, with regard to legibility of documents, ACC is happy to provide you with hardcopy documents that may be easier for you to view. Please send your physical address to [GovernmentServices@acc.co.nz](mailto:GovernmentServices@acc.co.nz) to facilitate this.

### **Complaints**

If you consider that ACC has not responded to your request, you have the right to complain to the Office of the Ombudsman about our decision to withhold some of the information. 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*

**Government Services**