

15 September 2017

Karl Bloxham  
Email: [fyi-request-6072-35553961@requests.fyi.org.nz](mailto:fyi-request-6072-35553961@requests.fyi.org.nz)

Dear Mr Bloxham

### Official Information Act Request

I refer to your email of 28 August 2017 asking for the following information under the Official Information Act 1982 (the Act):

*"Please provide the scope of information recorded about the death and now specific ie illness, accident, heart failure, car accident, work place, self harm, firearms etc."*

ACC provided an answer to your question in its letter dated 22 August 2017. We acknowledge that you may not have been satisfied with our response. It is important to note that the scope of information recorded by ACC, about a death, depends on the specifics of individuals' circumstances.

There are three main situations where particular information is required and recorded once ACC is notified of a death.

The first situation is when ACC is asked to provide cover for a death caused by an accident. When ACC is notified of the claim, we gather as much information as appropriate, about the circumstances surrounding the death, to determine whether the death was related to the accident. The source of this information can include medical notes, police reports, coroner's findings and/or a doctor's certificate. The attached document *Cover criteria for accidental death claim* outlines ACC's policy for making cover decisions on an accidental death claim.

The second situation is when ACC is notified of a death which has resulted from an injury already accepted by ACC. Medical evidence is then required to confirm that the death is the consequence of the covered personal injury, rather than caused, for example, by a pre-existing medical condition.

In both circumstances outlined above, a family representative will be asked to complete an *ACC21 Advice of accidental death* form. The document asks for information about the deceased, their death certificate, accident details, their partner, children and dependants so ACC can provide the right financial support as soon as possible. A copy of this document is attached for your information. We also attach the document *How we can help after someone dies from an injury* which outlines the range of financial help ACC may be able to provide.

The third situation, which is the most common, is when a client already has an accepted claim and cover for the death is not being sought. In this situation the date of death is only required and is noted on the claim file. ACC does not require details regarding the cause of the client's death, if it's not related to the covered injury. However, the family may wish to provide more information.

On 20 July 2017, you were provided with a document *Recording date of death*, which outlines the process ACC follows when it is notified that an ACC client has died.

Where entitlements are being received on the claim, then any payments should cease from the date of death. ACC would contact a family representative to discuss any overpayments, if appropriate.

**Queries or concerns**

If you have any queries about a specific situation we would be happy to answer any of your questions. You can call ACC directly on 0800 101 996.

You also have the right to 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

**OIA Services**

**Government Engagement and Support**

Encl: *Cover criteria for accidental death claim*  
*ACC 21 Advice of accidental death*  
*How we can help after someone dies from an injury*

# Cover criteria for accidental death claim

Contact

Last review 11 Apr 2016

Next review 11 Apr 2017

## Introduction

We will accept a claim for a death if it meets the same criteria as a non-fatal injury. The death must have been caused by either:

- an [accident](#)
- a [work-related gradual process disease or infection](#)
- a [consequence of treatment](#) for personal injury
- a [treatment injury](#).

We may cover a death resulting from suicide, although [disentitlement](#) may apply in some cases.

## Rules

### Gathering information

You must gather as much information as possible when determining whether a death can be covered. Sources of information include:

- [ACC45 ACC Injury claim](#) (174K) form
- [ACC021 Advice of accidental death](#) (250K) form
- doctor's certificate (death certificate). Get a copy from the funeral director identified on the ACC21 form. You can find the funeral director's contact details by:
  - checking the invoice for funeral expenses
  - contacting the deceased's personal representative
- pathology reports
- occupational health and safety reports
- police report. A police report may be available depending on the circumstances of death, eg death resulting from a motor vehicle accident or assault. If this is a possibility, write to the Police and request a copy of the report
- local newspapers. Check for any articles relating to the death and scan to claim file. You must consider any media articles alongside the available medical information
- eyewitness reports, if needed to help determine the cause of death. Get copies of the reports relating to the accident from the Police.

When you contact the bereaved you must treat them sensitively and professionally. Staff from the Accidental Death Unit should contact the:

- [applicant](#), to help complete the [ACC021](#) (250K)
- surviving spouse, next of kin or their representative, to explain how ACC can help.

### Requesting a coroner's report

You must obtain a coroner's report or post-mortem report in the following situations:

- when a body cannot be found
- if you have reason to believe the cause of death may be related to a medical condition rather than an accident, eg a motor vehicle accident where the driver may have suffered a heart attack
- when the cause of death is not clear from the reports and certificates received by ACC.

### Accepting a doctor's certificate (death certificate) in place of a coroner's report

Doctors can issue a death certificate stating the cause of death without any referral to a coroner, under the [Births, Deaths and Marriages Registration Act 1995, Section 38](#).

We will not accept a doctor's report in place of a coroner's report unless it states that the death meets all the following criteria:

- the death was caused by injuries, or the injuries contributed substantially to the death
- the injuries were caused by an accident
- it was not a violent or unnatural death, or a death that required an inquest to be held according to the [Coroners Act 1988](#).

### Timeframes for cover decisions

Statutory [timeframes to determine cover](#) apply for all claims. Generally, we must give the deceased's personal representative a decision within 21 days of the date of lodgement, unless we extend the timeframe. Treatment injury and gradual process claims have different timeframes.

### Body is not recovered

When a body is not recovered it can be difficult to establish both the death and the cause of death. If the body has not been found, and the person is presumed dead, we can only give cover if the evidence is sufficient to indicate a person is 'missing, presumed dead'.

Cover is:

- considered on a case-by-case basis
- decided only after you consult either the team manager – Accidental Death Unit or quality assurance manager.

Once there is legal recognition of the person's death, eg a coroner's findings or a High Court 'Order to Presume Death', we can revisit the cover decision if necessary.



# Advice of accidental death

Please complete this form to receive financial support from ACC after someone dies in an accident.

## How ACC can help after an accidental death

When someone dies in an accident, there's a range of financial support we may be able to provide to the family of the deceased, including helping to pay for the funeral and providing ongoing financial assistance. For us to provide you with all the support we can, we first need some information about the accident, the deceased and the people who need our support.

## What information we need and why

First of all we need information about the circumstances surrounding the death to make sure we can provide cover.

We also ask for information about the deceased, their partner, children and dependants so we can get the right financial support to the right people as soon as we can.

We know it may seem like a lot of information to provide at such a distressing time, but we're aware it can also be a difficult time financially. If receiving support quickly is important to you, the more information you can provide now the sooner we'll be able to help.

Feel free to call us on **0800 101 996** if you'd like help to complete the form or if you have any questions.

## Who can provide this information?

Anyone can provide this information. We've attached a form that guides you through what we need.

If you have recently lost someone close to you, you may find it easier to ask someone else, like a friend, family member or even the funeral director, to help you complete it.

While anyone can do this, it needs to be signed by a representative of the deceased, such as the executor of the will, or if there is no will, the next of kin.

## What to do when you've completed the form

Please send this completed form to ACC Hamilton Service Centre, PO Box 952, Hamilton 3240.

## What happens next

Once we've received this information we'll put you in touch with a specialist from the Accidental Death Unit who will help you through this process.

# ACC21 Advice of accidental death

## Part A – Getting started

| 1. Deceased person's details   |                       |
|--|-----------------------|
| Full name:   |                       |
| Date of birth:   | Gender:               |
| Date of death:   |                       |
| Ethnicity (we collect this for statistical reasons):   |                       |
| Last contact address:  |                       |
| Has a death certificate or interim death certificate been issued?<br><input type="checkbox"/> Yes (please attach a copy) <input type="checkbox"/> No (we'll need to see a copy as soon as it is available) |                       |
| Did the deceased have:<br><input type="checkbox"/> a partner? <input type="checkbox"/> any children? <input type="checkbox"/> any other dependants?  |                       |
| 2. Representative's details  |                       |
| A representative can be the deceased's spouse or partner, next of kin or the executor of the will.   |                       |
| Representative's full name:  |                       |
| Contact address:   |                       |
| Email address:   | Contact phone number: |
| What was your relationship to the deceased?  |                       |
| Do you want to be the contact person for this claim? <input type="checkbox"/> Yes <input type="checkbox"/> No  |                       |
| If you're not the contact person, please complete the contact information section on the next page.  |                       |
| 3. Representative's declaration  |                       |
| I authorise ACC to collect relevant medical and other records on behalf of the deceased person for the purpose of investigating this claim and related entitlements.                                       |                       |
| I declare that the information given in this form is true and correct.   |                       |
| Signature:   | Date:                 |

# ACC21 Advice of accidental death

## 4. Contact information

The contact person will receive communication relating to the claim.

Contact person's full name:

Contact address:

Email address:

Phone number:

What was their relationship to the deceased, if any?

## 5. Deceased person's doctors (if known)

Doctor's name

Practice name and address

## 6. Accident details

Where did the accident happen? Please name the nearest town or city or write 'overseas' if it happened outside New Zealand:

Date and time of the accident:

Where did the accident happen?

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> House or home   | <input type="checkbox"/> Place of sport or recreation | <input type="checkbox"/> Commercial property (eg a shop) |
| <input type="checkbox"/> Industrial site | <input type="checkbox"/> Road or street               | <input type="checkbox"/> School                          |
| <input type="checkbox"/> Farmland        | <input type="checkbox"/> Other (please describe):     |  |

Did the accident happen at work?  Yes  No

Did the accident involve a motor vehicle on a public road?  Yes  No

If yes, was the deceased the driver?  Yes  No

Please describe how the accident happened:

# ACC21 Advice of accidental death

## Part B – Who can we help?

| 7. Funeral costs   |                    |   |  |
|--|--------------------|---|--|
| Deceased person's name:  |                    |   |  |
| <p>We may be able to make a contribution towards the funeral costs, either by paying the funeral director or whoever paid for the funeral. Complete this section to let us know who you would like us to pay, and attach a:</p> <ul style="list-style-type: none"> <li>• copy of the funeral director's tax invoice</li> <li>• copy of the receipt of payment (if the account is paid)</li> <li>• pre-printed bank deposit slip of the person who paid the account (if the account is paid).</li> </ul> <p>There's a limit to what we're able to pay so any additional costs will need to be covered the estate.</p> |                    |   |  |
| Please pay the:  |                    | <input type="checkbox"/> Funeral director | <input type="checkbox"/> Person who paid for the funeral |
| Name of the person you want us to pay:   |                    |   |  |
| Address of the person you want us to pay:  |                    |   |  |
| 8. Employment details  |                    |   |  |
| <p>If the deceased was employed, we may be able to provide weekly compensation to their spouse, children or other dependants. Completing this section will allow us to contact employers to confirm their earnings and calculate how much weekly compensation to pay.</p>  |                    |   |  |
| The deceased was:  |                    |   |  |
| <input type="checkbox"/> in paid employment  |                    | <input type="checkbox"/> self-employed    |  |
| <input type="checkbox"/> owner/part owner of the company they worked for   |                    | <input type="checkbox"/> not employed     |  |
| Please list the details of the deceased's employment or self-employment for the 12 months before the accident. If the deceased was self-employed, write 'self-employed' and/or the name of the company.  |                    |   |  |
| Employer's name  | Employer's address | Occupation                                | Period of employment                                     |
|  |                    |   | From:<br>To:   |
|  |                    |   | From:<br>To:   |
|  |                    |   | From:<br>To:   |
|  |                    |   | From:<br>To:   |
| If the deceased was self-employed or owned the company where they worked and had an accountant, please provide the accountant's details so that we can contact them for information about the deceased's income.   |                    |   |  |
| Accountant's name and address:   |                    |   |  |



## ACC21 Advice of accidental death

### 9. Partner's details

Please complete this section if the deceased was married, in a civil union or in a de facto relationship like marriage.

Partner's name:

Address (if not already provided):

Date of birth:

What was your relationship with the deceased?

Married or in a civil union (please attach a copy of the certificate)       De facto relationship

Were you living together at the time of the accident?  Yes  No

If no, please explain why not:

Are you or any of the dependants of the deceased currently receiving Work and Income benefits?

Yes  No

If yes, please list which benefits and when they started:

Please complete the following if you were in a de facto relationship.

How long were you in this relationship for?

How long had you lived together?

Were you planning to marry or enter a civil union?  Yes  No

If yes, when?

Did you share financial commitments or assets, such as mortgages, hire-purchase agreements or bank accounts?  Yes  No

If you were in a de facto relationship we will also ask for more information to support your relationship. This information may include, depending on what you have available:

- a letter to us from the deceased's family confirming your relationship
- a letter to us from a mutual friend confirming your relationship
- evidence from your doctors, lawyers, accountants or employers confirming you were each other's next of kin
- evidence from Inland Revenue or Work and Income showing you were in a relationship
- a will naming you as the next of kin
- evidence of shared financial commitments or assets
- other supporting evidence.

You don't have to send these to us now if you don't have them on hand, but you may find it useful to collect them so you have them ready when we ask for them. If you have any questions about what information we need we'll be happy to answer them. Just call us on **0800 101 996**.

# ACC21 Advice of accidental death

## 10. Children's details

Please list below all the deceased's children under the age of 21 at the date of death and attach copies of their birth certificate (if available). A child could be any of the following:

- natural (including child born within 12 months of their natural parent's death)
- adopted
- stepchild
- unborn child.

### 1. Child's full name:

Date of birth:

Name and contact details of the child's caregiver (if known):

Relationship of the caregiver to the child:

If the child is over 18, are they in full-time study?  Yes  No

If yes, please name the school or tertiary institution (if known):

### 2. Child's full name:

Date of birth:

Name and contact details of the child's caregiver (if known):

Relationship of the caregiver to the child:

If the child is over 18, are they in full-time study?  Yes  No

If yes, please name the school or tertiary institution (if known):

### 3. Child's full name:

Date of birth:

Name and contact details of the child's caregiver (if known):

Relationship of the caregiver to the child:

If the child is over 18, are they in full-time study?  Yes  No

If yes, please name the school or tertiary institution (if known):

### 4. Child's full name:

Date of birth:

Name and contact details of the child's caregiver (if known):

Relationship of the caregiver to the child:

# ACC21 Advice of accidental death

If the child is over 18, are they in full-time study?  Yes  No

If yes, please name the school or tertiary institution (if known):

Continue on a separate page if needed.

## 11. Dependant's details

If someone was financially dependent on the deceased because of a physical or mental disability they may be entitled to financial assistance. This may include an elderly relative or a child over 18 with a mental or physical disability.

Please list any dependants below (this does not include the dependent partner or a child under 18 years).

### 1. Dependant's full name:

Date of birth:

Name and contact details of the caregiver (if known):

Relationship of the dependant to the deceased:

### 2. Dependant's full name:

Date of birth:

Name and contact details of the caregiver (if known):

Relationship of the dependant to the deceased:

Continue on a separate page if needed.

## 12. Attachment checklist

I have attached copies of:

- the death certificate or interim death certificate
- the marriage or civil union certificate
- the birth certificates of the deceased's children
- evidence of a de facto relationship
- the funeral invoice, receipt and verified bank details of the payee.

When we collect, use and store information, we comply with the Privacy Act 1993 and the Health Information Privacy Code 1994. For further details see ACC's privacy policy, available at [www.acc.co.nz](http://www.acc.co.nz). We use the information collected on this form to fulfil the requirements of the Accident Compensation Act 2001.

# How we can help after someone dies from an injury

When someone dies from an injury, ACC may be able to provide a range of financial help, including a contribution towards funeral expenses, one-off grants and ongoing assistance.

## Who's covered?

ACC cover and help may be available if death was caused by an accident, a work-related disease or infection or medical treatment. Death as a result of a wilfully self-inflicted injury may be eligible for entitlements.

The help we may provide applies regardless of any insurance the person had, or:

- how old they were
- what they were doing when they got injured, eg whether at work, at home, driving, etc
- whether it was their own or someone else's actions that led to their injury
- whether they were injured in New Zealand or overseas for less than six months (New Zealand residents only).

We may also be able to help the families of people who get injured while they are visiting New Zealand.

## Making a claim

To find out if you're eligible for help from ACC, you can call us on 0800 101 996. We understand this is a difficult time so we'll try to make the process as easy as possible.

You can get someone outside your immediate family to make an application for help, eg a friend, a member of your extended family, the funeral director or your minister or priest.

Once we've received your claim we'll contact you or your representative to discuss what help we may be able to provide.

We have Māori, Pacific and Asian advisors who can provide cultural support and interpreters who can help you talk to us.

## Who can receive help?

| Person           | This can be...   |
|------------------|--|
| Partner          | <ul style="list-style-type: none"><li>• the deceased person's husband or wife; their partner from a civil union or de facto partner</li><li>• a partner living apart from the deceased person at the time of death because of work, health or imprisonment</li></ul>           |
| Children         | <ul style="list-style-type: none"><li>• the deceased person's natural or adopted children, born up to a year after the person died</li><li>• children the deceased person acted as a parent for, eg a partner's child from a previous relationship or a foster child</li></ul> |
| Other dependants | <ul style="list-style-type: none"><li>• anyone who was financially dependent on the deceased person because of a mental or physical disability</li></ul>   |



## What type of help can ACC provide?

### Funeral grant

A funeral grant may be:

- a non-taxable payment towards burial, cremation and related ceremonies, either in New Zealand or overseas
- paid to the estate of the deceased person or to the funeral director.

| Amount payable | Information we need  |
|----------------|--|
| \$6,151.77     | <ul style="list-style-type: none"> <li>• An ACC21 <i>Advice of accidental death</i> form - your funeral director may have helped complete this form to lodge the claim with ACC</li> <li>• An ACC136 <i>Funeral grant payment authority</i> form</li> <li>• A funeral invoice or receipt if the invoice has already been paid</li> </ul> |

### Survivor's grant

A survivor's grant may be:

- a one-off non-taxable payment towards the partner, children and other dependants of the deceased person because of a disability.

| Amount payable  | Information we need  |
|---|--|
| \$6,595.48 for a spouse or partner                    | <ul style="list-style-type: none"> <li>• A marriage or civil union certificate, or an ACC6257 <i>De facto confirmation</i> form and documentation to support that the relationship was in the nature of marriage</li> <li>• A bank account deposit slip</li> </ul> |
| \$3,297.76 for each child under 18 or other dependant | <ul style="list-style-type: none"> <li>• A full birth certificate or adoption papers, or a statutory declaration and documentation confirming parent-like or other relationship</li> <li>• A bank account deposit slip (a parent's account if under 16)</li> </ul> |

### Childcare payments

Childcare payments are:

- weekly non-taxable payments to the child's caregiver
- paid for up to five years or until the child turns 14, whichever comes first (unless the child has a disability – in this case we can reassess to see if payments can continue for longer).

| Amount payable   | Information we need   |
|--|---|
| <ul style="list-style-type: none"> <li>• \$140.25 for one child</li> <li>• \$168.28 for two children (\$84.14 per child)</li> <li>• \$196.35 for three or more children, divided evenly</li> </ul> | <ul style="list-style-type: none"> <li>• A full birth certificate or adoption papers, or an ACC6253 <i>Confirmation of an acting parent</i> form</li> <li>• A bank account deposit slip</li> <li>• Written confirmation of who's responsible for arranging the child's day-to-day care, eg the ACC6258 <i>Confirmation of who is responsible for arranging day-to-day childcare</i> form</li> </ul> |

The rates above apply from 1 July 2017 to 30 June 2018.

## Weekly compensation

Weekly compensation is paid to dependants who relied on financial support from the deceased person, eg a partner, children or anyone dependent on the deceased person because of a disability.

Payments to a partner continue until the latest of:

- five years from the date payments started
- the date the youngest child cared for, who is a dependant of the deceased person, turns 18.

NZ Superannuation may affect your payments.

Payments to children stop at the end of the year they turn 18, unless they're in full-time study, in which case payments can continue until they either complete full-time study or turn 21.

Payments to other dependants continue until they earn more than the minimum full-time earner rate.

| Amount payable  | Information we need  |
|---|--|
| <p>The amount paid is generally based on 80% of the deceased person's earnings and cannot be exceeded</p> <p>Payments are divided among survivors in the following way:</p> <ul style="list-style-type: none"><li>• a partner receives up to 60% of the amount paid</li><li>• children under 18 receive up to 20% of the amount paid, which is paid to the caregiver if the child is under 16</li><li>• other dependants receive up to 20% of the amount paid</li></ul> | <p>For a partner:</p> <ul style="list-style-type: none"><li>• a marriage or civil union certificate, or an <i>ACC6257 De facto confirmation</i> form and documentation to support that the relationship was in the nature of marriage</li><li>• IRD number (in writing)</li><li>• tax code (in writing)</li><li>• bank account deposit slip</li></ul> <p>For a child or other dependant:</p> <ul style="list-style-type: none"><li>• a full birth certificate or adoption papers, or an <i>ACC6253 Confirmation of an acting parent</i> form</li><li>• IRD number (in writing)</li><li>• tax code (in writing)</li><li>• bank account deposit slip (for the caregiver's account if under 16)</li></ul> |

## Additional support when a death is caused by homicide

Through the Ministry of Justice, ACC can also support victims of a homicide. Additional support for funeral expenses on top of the ACC funeral grant can be provided, up to a total maximum of \$10,000 including GST, when a death is caused by manslaughter or murder.

This amount is the maximum ACC funeral grant topped up with funds from the Ministry of Justice.

## We're here to help

For help with our services, language or cultural support you can call the person who has been helping you at ACC, phone 0800 101 996 or visit [www.acc.co.nz](http://www.acc.co.nz).