

20 April 2018

Jan MacPherson
fyi-request-7515-5e2fcabd@requests.fyi.org.nz

Dear Ms MacPherson

Ref: 0051692

Official Information Act Request

Thank you for your request of 26 March 2018, asking for the following information under the Official Information Act 1982 (the Act):

"I respectfully request a list of those gradual process work related injury and personal injury claims pertaining to issues with footwear required to be worn in ones place of employment (work boots, gumboots etc)".

We also note the annotation you posted to the FYI website, clarifying your request:

"... I would like the number of claims pertaining to the above issues – not individual claims".

Background information

Before responding to your request, we would first like to provide some background information on the claim information we collect.

While certain information is accessible through our electronic claims database, this is not to the level of detail required to answer your query. This data that ACC collects is reliant on the information a person provides on their ACC45 form, which is completed when they seek medical treatment for their injury. The form has multiple fields, some of which are mandatory to complete while others are not.

The ACC45 form includes a free-text field where a person can provide a brief description of how their accident happened. This field is not mandatory to complete and not every client does so. Even where clients do provide a description of how their injury occurred, there is a large degree of variability in the nature and quality of the descriptions provided. Such inconsistency can make it difficult to search for a particular item or issue with a high degree of accuracy.

Furthermore, although the terms 'footwear' or 'work boots' may have been used in the free-text field for example, it does not necessarily mean that the injury occurred due to the footwear an employee had been required to wear.

It would only be possible to ascertain whether this information was held by ACC, by searching through hard copy claim files. That said, we still consider it unlikely that we would find many injury descriptions that would categorically substantiate your request, as this level of detail is not generally recorded.

Our response

As outlined above, in order to provide the data you have requested, we would need to undertake a substantial manual search through the accident descriptions on thousands of individual 'gradual process' claim files and then try to determine if an injury was caused by footwear that was required to be worn in the work place.

Therefore, we must refuse your request under section 18(f) of the Act as we are not able to make the information available without substantial research and collation.

We have considered asking you to refine your request, or possibly extending the time limit for responding. However, we have determined that the resources required to obtain the data would significantly impact the everyday operations of ACC, and neither option would likely enable the request to be granted.

Comments or queries

If you have any further questions or concerns, ACC will be happy to work with you to resolve these. Please address any concerns by emailing GES@acc.co.nz or in writing to *Government Engagement and Support, PO Box 242, Wellington 6140*.

If you are 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 Engagement and Support