

10 April 2019

Anthony Jordan

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Tēnā koe Anthony

Your Official Information Act request, reference: 0054034

I refer to your request of 3 April 2019, asking for the following information under the Official Information Act 1982 (the OIA):

“5/ Provide information that would exclude a claimant from making direct contact with an assessor on a Multi-Disciplinary External Panel for the purpose of obtaining information pertaining to a claimants report

a) does the ACC permit or not permit (by law) a Claimant to make contact with the above mentioned for the purpose of obtaining information about anything relating to a Panel Report they were involved in

Please provide the section of the act that backs up your reply

If the information sought from Panel Member is required to assist submitting a complaint or query to the ACC regarding one of the Panel Members, to ensure there is no obstruction to justice and/or time delays,

b) would ACC be preppared to provide a medcial agency or medical ethics body etc, to assert claimants correspondence to Panel Member”

The External Medical Panel

As mentioned in our previous response (Ref: 0053783) the correct name for the Multi-Disciplinary External Panel is the External Medical Panel (EMP).

Client contact with assessors

We have interpreted the phrase ‘by law’ as referring to the Accident Compensation Act 2001 (the AC Act). There is no provision in the AC Act regarding whether a claimant can or cannot contact a medical assessor on the EMP. Therefore, we are declining this part of your request under section 18(e) of the OIA, as the information does not exist.

Although there is no provision in the AC Act regarding this issue, if a client asked for the contact details of the assessors on the EMP, we would consider this request under the OIA. However, it should be noted that to determine the public interest in making this information available, we would consider the following points, under section 9(1) of the OIA:

- ACC has standard procedures available for clients when they are unhappy with information in a report. These provide alternative avenues for clients to raise issues, such as those you indicate in your request, without having to directly contact an/the assessors.
- We would consult with the assessors in question to confirm whether they have any concerns with their contact information being released.

Providing a medical agency or medical ethics body to assert claimant correspondence

Before responding to this part of your request, we would first like to refer you to the Ombudsman’s guide *Making official information requests*. This is available on the Ombudsman’s website, here: <http://www.ombudsman.parliament.nz/resources-and-publications/documents/making-official-information-requests>.



This part of your request asks ACC to provide an opinion and is therefore not considered Official Information under the OIA. However, we refer you to our previous response Ref: 0053783, where we noted that if a client has any queries about a report from the EMP, or would like to challenge the report, they should contact their case owner in the first instance.

We also provided the contact details for our Customer Resolutions team which clients can use to make a complaint regarding the conduct of the EMP. It should be noted that given the volume of correspondence ACC receives from clients, if complaints are not dealt with through the established process, it would likely have a significant impact on the operations of ACC. Therefore, referring all complaints to the Customer Resolution team enables ACC to provide a timely and accurate response.

ACC is happy to answer your questions

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

Nāku iti noa, nā

A handwritten signature in blue ink, appearing to read 'Emma Coats', with a stylized flourish at the end.

Emma Coats
Manager Official Information Act Services
Government Engagement & Support