

Accident Compensation Policy

Vision

A holistic social security, health and disability system focuses on promoting good health, reducing the risk and impact of illness, disability and injury, and improving quality of life.

Values and Principles

Decisions relating to accident compensation must be consistent with the following values and principles:

- *Honour Te Tiriti o Waitangi*: Compensation and rehabilitation for Māori who are injured should ensure that whānau, hinengaro, tinana and wairua are upheld through those processes.
- *Social Responsibility*: Rehabilitation and compensation should be equitably applied for all people suffering impairment, regardless of whether that impairment has been caused by injury, illness or other disability.
- *Appropriate Decision-Making*: Assessments about health and quality of life should be based on expert advice, plus the lived experience of the individual and their whānau, which includes mātauranga Māori.
- *Non-Violence*: Health promotion, and prevention of illness and injury through violence, should be a priority for health investment.
- *Ecological Wisdom*: Living and working within healthy ecosystems is part of preventing illness, disability and injury.

Summary

The Green Party will ensure that Accident Compensation Corporation (ACC) functions ethically and equitably, in a way that is aligned with the Woodhouse principles of community responsibility, comprehensive entitlements, complete rehabilitation, real compensation, and administrative efficiency. ACC will be expanded into income support and treatment for injuries, disability and illnesses, no matter their origin.

Strategic Priorities

The Green Party's strategic goals include:

"High quality healthcare (...) will be available to all."

Actions in this policy that will help achieve this include:

- Initiate a Law Commission review of the Accident Compensation Act to bring the operational detail into line with the purpose, and the Woodhouse Principles of community responsibility, comprehensive entitlements, complete rehabilitation, real compensation, and administrative efficiency. (1.1)

- Ensure income support and rehabilitation support for disabled people and people with injuries are equitably provided based on need, through an extension of the ACC scheme into an Agency for Comprehensive Care that includes income support and treatment for injuries, disability and illnesses, no matter the origin. (2.1)
- Revoke requirements of co-payments to treatment providers. (2.6)
- Ensure earnings-related compensation is cut only when a claimant can realistically obtain and sustain suitable work. (2.9)

Connected Policies

The Accident Compensation policy sits within the overall framework of the [Health](#) Policy. It is also connected to [Household Livelihoods](#) and [Disability](#) Policies.

Specific Policy Points

1 Overall ACC Policy and Funding

Issues

The business of ACC should be ethical. Currently ACC is funded as if it were a private insurance company which affects the culture and the way claimants are treated. Legislative changes have also contributed to an insurance-focused culture at ACC. Privacy breaches and poor case management are long-standing barriers to a client-centric, ethical approach.

Actions

- 1.1. Initiate a Law Commission review of the Accident Compensation Act to bring the operational detail into line with the purpose, and the Woodhouse Principles of community responsibility, comprehensive entitlements, complete rehabilitation, real compensation, and administrative efficiency.
- 1.2. Support ACC's ongoing focus on injury prevention.
- 1.3. Put the emphasis back on obtaining the best outcome for clients, rather than the best financial outcome for ACC.
- 1.4. Fund ACC using:
 - 1.4.1. A pay-as-you-go model, rather than requiring future funding, and retain a reserve that is sufficient to cover cost 'shocks' and to enable smoothing of levy changes.
 - 1.4.2. Specific risk-based levies to encourage injury prevention where appropriate.
 - 1.4.3. An equitable mix of levies on employers, employees, motor vehicle usage and general taxation.
- 1.5. Ensure that ACC has a rigorously ethical investment policy that only supports enterprises that have a positive and significant impact on injury or illness rates, and social and environmental effects.
- 1.6. Proactively provide claimants with access to claimant advocates, in case they need them.

2. Comprehensive Entitlements for Personal Injury

Issues

ACC law needs to be broadened and clarified so all people with medical needs are treated in a fair and equitable manner. Not all priority population groups are well covered. There are discrepancies in pay-out and cover for Māori, Pasifika and women. The rapid exit of clients from ACC is currently given priority over restoring a claimant's independence, health, and participation in the workforce. Both a perception of independence and independence in practice is needed to ensure people receive their full entitlements.

Actions

- 2.1. Ensure income support and rehabilitation support for disabled people and people with injuries are equitably provided based on need, through an extension of the ACC scheme into an Agency for Comprehensive Care that includes income support and treatment for injuries, disability and illnesses, no matter the origin.
- 2.2. Ensure that ACC fully acts on its responsibility to prove that a claimant is no longer entitled to support before suspension can occur.
- 2.3. Expand ACC coverage to include:
 - 2.3.1. all injuries during birthing
 - 2.3.2. all gradual process injuries
 - 2.3.3. all mental injuries

A. Specialist Assessments

- 2.4. Ensure that all staff who interpret clinical records have sufficient expertise to do so.
- 2.5. Ensure that assessors operate in the best interests of the client, not ACC.
- 2.6. Enable client choice of assessor, to the extent practicable.

B. Financial Access to Treatment

- 2.7. Revoke requirements of co-payments to treatment providers.
- 2.8. Develop alternative methods for controlling the cost of treatment to claimants.

C. Complete Rehabilitation and Real Compensation

- 2.9. Ensure rehabilitation to the greatest extent practicable.
- 2.10. Ensure earnings-related compensation is cut only when a claimant can realistically obtain and sustain suitable work.
- 2.11. Ensure Vocational Independence Assessments are reoriented so that their primary purpose is to help claimants plan how best to return as much as possible to their pre-injury life and are available to all claimants, not just those who meet the earnings-related compensation criteria.
- 2.12. Ensure ACC payments are treated the same way as earned income when considering eligibility for income tested benefits e.g. working for families.
- 2.13. Ensure public reporting of rehabilitation outcomes for long-term claimants whose earnings-related compensation has ended.

D. Complaints and appeals

- 2.14. Ensure that the system of recording, investigating and responding to complaints, including a system of reporting promptly to the claimant the result of an investigation, is effective.
- 2.15. Strengthen the Code of ACC Claimants' Rights in order to provide meaningful redress for breaches of the Code.
- 2.16. Emphasise the acknowledgement and speedy resolution of mistakes.
- 2.17. Ensure that no ACC claimants are denied the ability to appeal an ACC decision in the courts, including by preventing ACC from seeking legal costs from claimants and opposing ACC-case filing fees.