



Accident Compensation Policy

Vision

The Green Party's vision is for a holistic social security, health and disability system, focused on promoting good health, reducing the risk and impact of illness, impairment and injury, and improving quality of life.

The Green Party envisions an Accident Compensation Corporation which upholds the five Woodhouse principles that it was founded on:

- Community responsibility
- Comprehensive entitlements
- Complete rehabilitation
- Real compensation
- Administrative efficiency

Key Principles

The Accident Compensation policy sits within the overall framework of Green Party [Health](#) policy and [Disability](#) policy. The principles of those policies apply here. In addition the following specific principles apply to this policy:

1. Equitable rehabilitation and compensation for all people suffering impairment, regardless of whether that impairment has been caused by injury, illness or other disability.
2. Public responsibility for rehabilitation and compensation for personal injury.
3. Health promotion and prevention of illness and injury as a priority for health investment.

Specific Policy Points

1. Overall Policy and Funding

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. Further, a substantive review is required to bring the Act and scheme back into line with the Woodhouse principles.

Policy Positions

- 1.1 Initiate a Law Commission review of the Accident Compensation Act to bring the detail into line with the purpose.
- 1.2 Change ACC to a pay-as-you-go model rather than requiring future funding, and retain a reserve sufficient to cover cost 'shocks' and enable smoothing of levy changes.
- 1.3 Support specific risk-based levies to encourage injury prevention where appropriate.
- 1.4 Fund ACC through an equitable mix of levies on employers, employees, motor vehicle usage and general taxation.
- 1.5 Ensure the maintenance of a rigorous ethical ACC investment policy which prevents it from investing in enterprises that provide products or services that significantly increase rates of injury or illness or otherwise have significant adverse social or environmental effects.
- 1.6 Support and strengthen ACC's focus on injury prevention, including integration with broader preventative health programmes and interventions in communities, workplaces, schools and homes.

2. ACC Cover for Personal Injury

ACC law needs to be broadened and clarified and all people with medical needs are treated in a fair and equitable manner.

Policy Positions

- 2.1 Ensure income support and rehabilitation support for people with disabilities and injuries are equitably provided based on need, through an extension of the ACC scheme to cover conditions that are not the result of an accident.
- 2.2 Ensure all people who have a genuine work-related gradual process injury, disease or infection, including occupational overuse injuries and chemical poisoning, can obtain ACC cover.

- 2.3 Ensure all people who suffer unexpected and unintended injuries as a consequence of treatment are able to access ACC cover.
- 2.4 Restore cover to all people who suffer mental injury by accident regardless of whether they were at work or whether there was a physical injury.
- 2.5 Ensure that ACC fully implements its responsibility to prove that a claimant is no longer entitled to support before suspension can occur.
- 2.6 Ensuring that when an injury causes an acceleration or exacerbation of a pre-existing condition, cover is granted and entitlements remain available.

3. Specialist Assessments

Both a perception of independence and independence in practice needs to ensure people receive their full entitlements.

Policy Positions

- 3.1 End the interpretation of clinical records by administrative staff without the expertise required
- 3.2 Negotiate with specialist bodies to have assessors appointed independent of ACC to ensure assessments are carried out in the best interests of the client, not ACC.
- 3.3 Enable client choice of assessor.

4. Adequate Rehabilitation and Fair Compensation

Policy Positions

- 4.1 Ensure rehabilitation to the greatest extent practicable.
- 4.2 Ensure earnings-related compensation is cut only when a claimant can realistically obtain and sustain suitable work.
- 4.3 Ensure long-term compensation where an individual's earning capacity has been permanently reduced.
- 4.4 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.
- 4.5 Ensure a fairer assessment of income earned by temporary and seasonal workers.

- 4.6 Ensure ACC payments are treated the same way as earned income when considering eligibility for income tested benefits e.g. working for families.
- 4.7 Ensure public reporting of rehabilitation outcomes for long-term claimants whose earnings-related compensation has ended.

5. Ensuring adequate access to treatment

Policy Positions

- 5.1 Revoke requirements of co-payments which compromise the “no fault” principle of ACC and deny access to appropriate treatment and rehabilitation to those who cannot afford to pay.
- 5.2 Develop alternative methods of cost-control, such as contracting directly with treatment providers and assessors for the provision of services, and negotiation in good faith with treatment providers' and assessors' professional associations on standard fees.

6. Culture of ACC

Legislative changes, such as restricting the definition of personal injury and the use of Vocational Independence Assessments, have contributed to an insurance focused culture at ACC. The rapid exit of clients is given priority over restoring a claimant's independence, health, and participation in the workforce.

Policy Positions

- 6.1 Put the emphasis back on obtaining the best outcome for clients, rather than the best financial outcome for ACC.
- 6.2 Support the development and funding of a strong network of skilled claimant advocates operating across the country to ensure that claimants receive their entitlements.

7. Complaints and appeals

Policy Positions

- 7.1 Create an independent ACC Ombudsman and the opportunity to have past abuses of individual rights independently investigated.
- 7.2 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.

- 7.3 Strengthen the Code of ACC Claimants' Rights in order to provide meaningful redress for breaches of the Code.
- 7.4 Emphasise the acknowledgement and speedy resolution of mistakes.
- 7.5 Ensure that no ACC claimants are denied the ability to appeal a decision by ACC in the courts, including by preventing ACC from seeking legal costs from claimants and opposing ACC-case filing fees.