

TERMS OF REFERENCE FOR INDEPENDENT CULTURE REVIEW OF ACC

Purpose

The purpose of the independent culture review of ACC (the Review) is to provide assurance as to whether ACC meets good practice for providing a positive, inclusive and safe workplace. The Review will also consider whether ACC has robust systems, practices and processes for responding to staff concerns about inappropriate conduct and behaviour within the organisation.

Context

ACC is committed to fostering an inclusive and values-based culture where leaders role model good behaviour to create a positive and safe workplace culture. This includes a culture that enables staff to feel that they can raise concerns about conduct and behaviour safely, and one that ensures concerns will be handled appropriately.

Recently, there have been reported issues and allegations about some senior executive conduct and behaviour within ACC. Issues of this nature are potentially serious. In response to these concerns, the ACC Board Chair has confirmed with the Minister of ACC that the Board will commission an independent culture review.

On 17 March 2025, the Minister for ACC issued the ACC Board with a letter setting out his expectations for ensuring that ACC is providing a safe and positive workplace culture for its staff. This letter of expectation included providing appropriate and confidential ways for staff to share concerns about inappropriate conduct and behaviour, and ensuring that these concerns were properly considered.

The Review is an important and necessary step to understand whether ACC is meeting the standards required for a positive, inclusive and safe workplace.

The ACC Board has appointed Doug Craig (Director, RDC Group) and Pip Muir (Chair and Partner, Simpson Grierson) as the Independent Reviewers (the Reviewers) to conduct the Review.

Scope of Culture Review

The Review is to consider, make findings, and report on the following:

- the experiences of staff with respect to ACC providing a positive, inclusive and safe workplace
- ACC's current workplace culture, the factors that may be contributing to it, and how the organisation is responding
- whether ACC has taken effective and appropriate steps to promote and create a positive, safe and inclusive workplace culture, in line with public service good practice, as well as the Public Service Commission's Positive and Safe Workplaces¹ and Speaking Up² Model Standards

¹ [Model-Standards-Positive-and-Safe-Workplaces-v3 \(1\).pdf](#)

² [Model-Standards-Speaking-up.pdf](#)

- assess ACC’s existing policies, systems and procedures relating to inappropriate conduct and behaviour, comparing them to good practice and identifying any actual or perceived barriers to reporting or making complaints about inappropriate conduct and behaviour. This assessment will be in accordance with the Public Service Commission’s Positive and Safe Workplaces and Speaking Up Model Standards, as well as other relevant examples of good practice guidance, policies or practice
- consider whether ACC’s recruitment and appointment systems and processes represent good practice, including ensuring they appropriately identify any issues related to conduct and behaviour. This includes ensuring they align with the standards set out in the Public Service Commission’s Workforce Assurance Model Standards
- make recommendations, where appropriate, to improve:
 - how ACC promotes and maintains an open, inclusive and supportive culture for its people
 - how ACC promotes and ensures the treatment of staff with respect and dignity
 - ACC policies, systems, and procedures for dealing with complaints about inappropriate conduct and behaviour. This includes processes for staff to speak up, and the effective management and resolution of complaints and concerns.

Out of scope

The Review will not be investigating individual past or current complaints. Individual complaints about conduct, behaviour and culture will only be assessed to inform findings and recommendations against the Terms of Reference.

The Review will not make any findings or make any comment on the conduct, performance or competence of any individual who is a complainant or the subject of a complaint. If there are allegations made to the Reviewers that indicate the need for a separate employment investigation related to any current employee, the Reviewers may refer the matter to the Chair of ACC, subject to appropriate consultation with relevant parties.

Approach and methodology

The Review will ensure that there are safe and confidential processes for any ACC staff member to provide information to the Reviewers. Appropriate support options will be made available to those participating in the Review, including the provision of support through the Employee Assistance Programme (EAP).

All ACC staff will be advised of the Review and will be provided guidance on the steps they can take to participate in a safe and confidential way.

A confidential email address will be established to enable any staff member within ACC to provide information or raise concerns within the context of the Terms of Reference to the Reviewers. Staff will be able to request a confidential discussion with the Reviewers. The Reviewers will also consider the use of confidential small group listening sessions to seek staff insights and input from across the organisation.

Those who take the opportunity to share their experiences will be given details of avenues of available support, counselling services or other pathways for the resolution of such complaints.

Staff, management and board members who are interviewed will be provided with the opportunity to share their perspectives by outlining in person, or in writing, their experiences relating to ACC's workplace culture, including how concerns about how inappropriate conduct and behaviour has been handled.

The Review will engage with any relevant external agencies and experts as the Reviewers consider necessary.

The Reviewers may, at their discretion, interview any persons who have conducted employment investigations into recent complaints about conduct and behaviour at ACC to provide insights and observations about complaint-handling practices and culture to inform the Review, without impacting confidentiality and privacy obligations.

The Review will examine all relevant policies and any other material relevant to the Terms of Reference. The Review will also have access to strategies, plans, data and reporting, and any other relevant information necessary to form views on the matters within the scope of the Review.

Confidentiality and Protection of Privacy

All personal information collected through the Review is subject to an obligation of confidence.

All people interviewed or spoken to as part of this Review will be advised that notwithstanding the above commitment to confidentiality, the Reviewer's report, its findings and recommendations are intended to be released publicly. However, findings will not identify any individual or make reference to facts that could reasonably lead to the identification of any individual.

The Review will be conducted in a manner consistent with procedural fairness and the principles of natural justice.

Deliverables

The Reviewers will provide a final report against the matters within the scope of the Terms of Reference by 2 June 2025 to the ACC Board. An interim report on the initial findings will be provided to the ACC Board no later than the end of April 2025. Updates on progress with the Review, including interim and final reports will be provided to the Minister of ACC.

The Chair may agree with the Reviewers to extend the timeframe for the interim and final report, if necessary to achieve the objectives of this Review. These Terms of Reference are approved and signed by:



Dr Tracey Batten
Chair
Accident Compensation Corporation

Date: 20 March 2025