



IN CONFIDENCE

BORDER EXECUTIVE BOARD

COVERSHEET

**Update: Implementation of COVID-19 Public Health Response
(Vaccinations) Amendment Order 2021**

Security level: IN CONFIDENCE

Report number: BEB RPT 21-047

To: Hon Chris Hipkins
Minister for COVID-19 Response

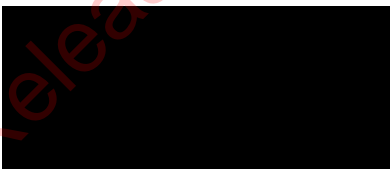
KEY POINTS

1. Attached is this week's report regarding the implementation of the **COVID-19 Public Health Response (Vaccinations) Amendment Order 2021**.
2. The implementation programme is being delivered by a cross-agency Senior Officials Group, chaired by the Border Executive Board and including representatives from Ministry of Health; Ministry of Transport; Ministry of Business, Innovation and Employment; Department of Prime Minister and Cabinet; Public Service Commission; Ministry of Social Development; Civil Aviation Authority; and Maritime NZ.
3. This report provides you with detail on current and emerging issues related to the implementation of the amended Vaccination Order, and how these are being responded to by Government agencies and the border sector.
4. The data included in this report was extracted from the Border Worker Testing Register by the Ministry of Health on Wednesday 01 September.
5. The implementation programme is overall showing as GREEN, which acknowledges that the number of issues under active management has reduced, and confidence in compliance levels of government workers.

RECOMMENDATION:

a) That you note the contents of the attached report

Yes / No



PP
**Comptroller of Customs / Chair
Border Executive Board**

Date: 02 September 2021

Hon Chris Hipkins
Minister for COVID-19 Response

Date:

ENDS

Border Worker Vaccinations Order Amendment (BWVO Amendment): Implementation Report

Summary - Updates in bold

Overall programme status: GREEN

Date Prepared: 02 Sept 2021, 10.00am

Prepared by: Morag Ingram, Border Executive Board, s9(2)(a) OIA

- Vaccination numbers across both public and private sector border workers continue to increase. Scheduled on-site vaccination sessions for workers on ports have been affected to differing degrees by the community outbreak and raised alert levels. Some DHBs were able to restart onsite vaccinations under appropriate Alert Level conditions. Border workers continue to have priority access.
- As at 1 September, there were 12,429 workers listed as Active¹ on the Border Worker Testing Register (BWTR), of which 94% are recorded as having received at least one dose.
 - 10,881 (88%) are recorded as fully vaccinated; 706 (6%) are recorded as having received one dose; a remaining 842 (7%) are recorded as no dose.
 - MoH is working through data anomalies on vaccination status as they arise.
- In terms of the split of government and privately-employed workers:
 - 98% of all government workers who are active on the Border are recorded as being fully vaccinated; and 17 government workers are recorded as having received one dose. 72 active government border workers working at the air and/or maritime sector and MIQF have been recorded as unvaccinated (no dose), however following detailed interrogation of individual records, only 3 workers' status is unknown.
 - 83% of all privately employed workers who are active on the Border and covered by the amended Order are recorded as being fully vaccinated; with another 689 (8%) privately employed workers recorded as having received one dose; a remaining 770 (9%) are recorded as no dose.
- Based on ongoing outreach and engagement with individual workers and PCBUs, the Ministry of Health's (MoH) Monitoring and Compliance team is confident no unvaccinated government workers are currently active on the border.
- No supply chain exemption applications have been received to date. A reminder of the process is being provided to PCBUs this week.
- The application to the Employment Court for a Judicial Review of the Order was dismissed, however a subsequent application was made to the High Court on Sunday, 22 August. Crown Law is leading the response.

Issues

Action	Status	Responsible	Notes
Employment Relations	Under control	Hannah O'Donnell (MSD) Anna Cassie (PSC) Shane Kinley (MBIE)	<ul style="list-style-type: none"> • Two Ministry of Social Development (MSD) regional teams have been working with eight (8) staff in a s9(2)(ba)(ii) OIA to provide employment support to those who are not being vaccinated and unable to be redeployed by their current employer (four (4) in each region). MSD has offered support to impacted workers to look for and prepare for other work - MSD's support includes assistance to update CVs and find jobs that match their skills. As government employees, the staff have also been given the opportunity to be matched to other potential public sector roles in their region through the Public Service Commission's (PSC) Workforce Mobility Hub. • The [first] region ran a seminar for impacted workers at the employer's premises in July to provide information about MSD's services and provided a direct MSD contact for those wanting assistance. The team has maintained frequent contact with the employer to understand the situations for individual staff – as at 01 September, one was interested in public sector redeployment opportunities and is yet to make contact with the team to complete a profile. • The [second] region has contacted the individuals to discuss their situations – as at 01 September, they have been unable to make contact with one person, two are not wanting MSD support and will progress with their own job search. The fourth person has yet to decide whether they wanted further assistance with looking for other opportunities within the public sector. • An application for a Judicial Review of the Order has been made in the High Court. Crown Law is leading the response on this. Crown Law is also providing updates to the Attorney General's office. An OIA request from the lawyer leading the application has also been received (response led by MoH).
Prioritisation and delivery of Border Worker vaccinations	Under control	Leanne Blinkhorne (MoH)	<ul style="list-style-type: none"> • Prioritisation of border workers continues with onsite vaccinations at Ports and access to a wide range of community vaccination clinics regionally. • Onsite vaccination plans at Ports continue at Northland, Auckland, Tauranga, Tairāwhiti, Hawkes Bay, Capital and Coast and Christchurch DHBs. • Furthermore, due to extra priority vaccination capacity being opened up for essential workers, port workers have even more choices about clinic locations they can access, such as drive-through vaccination sites. For example, both Auckland and Canterbury DHBs have now established drive-through vaccination sites that are able to be accessed by Group 1 border workers as well as essential service workers. • Further detail will be provided by MoH separately in the CVIP weekly report item later in the week to the Vaccination Ministers meeting.

¹ Active workers are defined as those who have worked at a port/border in the last 14 days.

Maritime workers	Some Issues	Sharyn Forsyth (Maritime NZ) Allison Cossar	<ul style="list-style-type: none"> Further to comments in row above, vaccination rates for workers at ports have shown steady improvement, with ongoing targeted engagement continue to lift these rates further. Further effort is ongoing with new PCBUs and PCBUs with larger numbers of unvaccinated workers. Maritime NZ is aware of small groups of workers who continue to express their stance against mandatory vaccinations. Additional guidance statement for Schedule 2 groups of affected persons part 4, groups in relation to affected ports - 'on or around ships' has been refined and incorporated into the draft VO guidelines, provided to your Office this week and due to be finalised w/c 06 September. This matter was raised with you by Union representatives on 26 August.
Reporting	Under control	Priti Patel (MoH) Jo Pugh (MoH)	<ul style="list-style-type: none"> No substantive update. All comments remain relevant. MoH is progressing work on developing a new BW vaccinations dashboard aligned to the BWTR dashboard. MoH is also continuing to develop a Vaccination compliance flag to identify when workers are complying to the Order or not. Under the Order, PCBUs are required to manually request access to their employees' vaccination status on BWTR. This is the subject of ongoing communication to PCBUs by the BWTR team in MOH and through sector engagement. Regularised reporting is now available and shared on request to the Minister's Office, and in this document.
Alignment of BWTR data with other reporting systems in MOH and MIQ	Some issues	Jo Pugh (MoH) Matt Gibbs (MIQ)	<ul style="list-style-type: none"> No substantive update. All comments remain relevant. Ongoing manual workaround is required to resolve data vaccination records between the CIR and BWTR as they are identified. Ongoing manual work is required to 'cleanse' data between MIQ and BTWR employee data records. This is the subject of a regular manual process between the MIQ and MoH teams, with both teams confident this process captures the errors as and when identified. However, this does result in the data in BWTR not being as up-to-date as MIQ PCBUs and stakeholders expect. Data errors are the result of a number of reasons, including human error at time of data entry (for example by the PCBU, or by the vaccinator in the field); individuals having duplicate NHI numbers, of duplicates in the BWTR caused by staff working at multiple organisations. MoH expects corrections to flow through in the system over the coming weeks, however this will be an ongoing issue that will need active management. An Active employee in the BWTR is defined as someone who has worked within the last 14 days. However, the figures do not include inactive border workers and individuals who have self-identified as border workers at time of vaccination, but who have not been registered in the BWTR, which may account for differences in reporting. Additionally, numbers of active workers in the BWTR continue to vary as the workforce changes. This reflects the ever-changing size, complexity and composition of the border workforce – including the continuing rotation and turnover of staff within the workforce. This means the data needs to be considered as a 'snapshot' taken at a point in time. MoH and Maritime NZ are aware that some PCBUs have interpreted the Required Testing Order more widely than is strictly required, in order to ensure that their workers are prompted to be tested. This has now resulted in these workers, who may not be in scope of the amended Vaccination Order, contributing to unvaccinated numbers reported from the BWTR.
Supply Chain Exemption	Under control	Shelley Tucker (MOT)	<ul style="list-style-type: none"> No applications under the Supply Chain Exemption have been received as at 01 September 2021. The regular BWTR newsletter to PCBUs has this week reminded people of the process to apply for an exemption. This reflects that it will take time to assess applications, and workers need to be compliant by 30 September 2021.
Identifying in-scope Border Workers	Under control	Matt Gibbs (MIQ) Sharyn Forsyth (Maritime NZ) Shelley Tucker (MOT)	<p>MIQ</p> <ul style="list-style-type: none"> MIQ has engaged multiple times with PCBUs via hotel GMs, to support proactive identification of additional workers under the amended Order. Reminder communications will be sent to PCBUs in early September. <p>Maritime sector</p> <ul style="list-style-type: none"> Ongoing sector engagement to support education and awareness of contractors/sub-contractors of port companies, in particular small employers/PCBUs (<10 employees) newly in-scope of the amended Order. Online Q&A education sessions were held with Dr Siouxsie Wiles C3 (stevedoring company) and E Tu Engagement opportunities being offered include liaising with Dr Siouxsie Wiles and various unions and employers across the border workforces to support delivery of online Q&A sessions and one to one engagement offered with Dr Ashley Bloomfield for vaccine-hesitant people in economically significant roles, such as maritime pilots. Maritime NZ has compiled a list of possible contractors who board ships. Engagement via email and webinar is continuing, with multiple agencies being asked to reach out to those they have existing relationships with. <p>Aviation sector</p> <ul style="list-style-type: none"> Engagement activity planning has progressed to reach the same group of PCBUs, contractors and sub-contractors for airport companies. Dr Siouxsie Wiles is meeting with three groups of aviation stakeholders in virtual meetings over the next two weeks.

			<ul style="list-style-type: none"> Multiple stakeholders have sought assistance with the intended meaning of the term “layover” as used in the Order. MoH and MoT are working on a response. Air New Zealand has announced consultation with its staff to make vaccination mandatory. <p>Essential workers</p> <ul style="list-style-type: none"> While those in the new ‘Essential Worker’ category are unlikely to be in-scope of the amended Order, there is some interest from third parties in using the existing Border workforce infrastructure. The implications for the BWTR’s compliance and reporting will need to be worked through. For example, a request has been received from a s9(2)(ba)(ii) OIA to have its entire workforce (s9(2)) added to the BWTR. We understand that this is due to the organisation’s in-house risk assessment against the ‘anticipatory nature’ of the amended Order, and wanting to ensure there are testing and vaccination controls in place when deploying workers to the border and elsewhere.
Monitoring and compliance	Under control	Jo Pugh (MoH) Matt Gibbs (MIQ)	<ul style="list-style-type: none"> As at 01 September, 98% of all government workers who are active on the Border are recorded as being fully vaccinated, with 17 government workers recorded as having received one dose. In conjunction with MBIE, MoH is regularly reviewing the records of active government workers at MIQF indicated as having had no dose, and has to date found, once data issues are resolved, that all active MIQF workers have in fact been vaccinated. As at 01 September, government workers covered by the <u>amended Vaccination Order</u> (which came into effect on 26 August), there are 72 workers recorded on the BWTR as having no doses. Following a manual review of these workers’ records in the COVID Immunisation Register (CIR), as well as direct outreach and engagement with PCBUs and individual workers: <ul style="list-style-type: none"> 50 have in fact had 1 or 2 doses 10 workers are in fact inactive or not covered by either the Required Testing Order or the Vaccination Order ≤10 workers are being supported with redeployment options. For just 3 government workers, MoH currently has no direct information on vaccination status or intentions. This outreach is ongoing. Based on ongoing outreach and engagement with PCBUs and individual workers, MoH Monitoring and Compliance team is confident no unvaccinated Government workers are currently active on the border.

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Overview of vaccination rates of active border workers: data extracted from the BWTR at 8.00am, Wednesday 1 September.

Table 1a Vaccination rates of active workers by workforce group							Table 1b Vaccination % of active workers by workforce group				Table 1c Vaccination % of active workers by government workers or privately employed workers			
Workforce type	No dose		One dose		2 doses		Workforce type	No dose	One dose	2 doses	Type of PCBU	No dose	One dose	2 doses
	Govt	Private	Govt	Private	Govt	Private								
Aircrew		s9(2)(ba)(ii) OIA					Aircrew	≤5%	≤5%	95%	Government	≤5%	≤5%	98%
Airport	21	174	11	95	1,025	1,567	Airport	7%	≤5%	90%	Private employers	9%	8%	83%
MIQF	46	84	≤10	123	2,286	3,384	MIQF	≤5%	≤5%	96%				
Port	≤10	471		466	68	1,775	Port	17%	17%	66%				
Other		22			245	≤10	Other	8%	0%	92%				
Unknown					28	29	Unknown	0%	0%	100%				
Total	72	770	17	689	3,652	7,079	Total	7%	6%	88%				

Comments	Comments
<p>We are continuing to see an increase in privately-employed workers vaccinated, with unvaccinated workers now less than 800 nationwide, a month out from the deadline. The largest shift has been with port workers where over the last week we saw more than 100 vaccinated.</p> <p>We expect to see some fluctuation in these number in the coming weeks as new PCBUs and workers come onto the BWTR.</p> <p>Note: to ensure no information can be identifiable, all data counts of ten (10) or less are recorded as ≤10.</p>	<p>Port workers continue to be the largest proportion of unvaccinated workers in the BWTR, however we are seeing good shifts of number of workers getting vaccinated in this group.</p> <p>Note: to ensure no information can be identifiable, all percentage counts of five (5) or less are recorded as ≤5.</p>

Table 2 Summary status by PCBUs where unvaccinated active workers

Employer	Aircrew	Airport	MIQF	Port	Other
	No dose	No dose	No dose	No dose	No dose
	Private	Govt	Private	Govt	Private
s9(2)(ba)(ii) OIA		≤10			
		≤10			
		≤10			
				≤10	
				≤10	
		≤10			
		≤10			
		39			
		≤10			
		≤10			
		≤10			
			≤10	≤10	
		≤10			
				83	
				≤10	
				≤10	
		≤10			
	13				
				≤10	
				≤10	
					≤10
		≤10			
		≤10			
		≤10			
		≤10			
				≤10	
				≤10	
				≤10	
				65	
		≤10			
				≤10	

s9(2)(ba)(ii) OIA

							104	
	≤10							
	≤10							
		17						
							25	
						≤10		
	≤10							
			42*	79				
			≤10	≤10				
		13						
		≤10						
							≤10	
							≤10	
							≤10	
							10	
							≤10	
		12						
		≤10						
		≤10						
							≤10	
							14	
							≤10	
							≤10	
							31	
								19
							≤10	
		≤10						
	≤10							
							≤10	
							≤10	
							≤10	
		≤10						
	≤10							
							≤10	
							41	
								≤10
		27						
		≤10						
							≤10	
							≤10	
		≤10						
							34	
Grand Total	s9(2)(ba)(ii)	21*	174	46*	84	≤10*	471	22

Comments

*See commentary on previous pages regarding data accuracy, particularly as it relates to the recorded government worker figures.

We continue to see a good uptake of port workers getting vaccinated since last week, with a decrease of more than 100 unvaccinated again this week. 83% (last week: 78%) of port workers have now had at least one dose. We are continuing to prioritise engagement with PCBUs and sectors with larger groups of unvaccinated workers. We are expecting to new PCBUs and workers come onto the BWTR in the coming weeks.

Note: to ensure no information can be identifiable, all data counts of ten (10) or less are recorded as ≤10.

NOTE

Around 1% of workers have multiple DHBs leading to some double counting. This will be addressed in future reporting

Data extracted and count data as at 8:00am, 01 September. Vaccination status as at 9pm, 31 August. Active workers only.

No dose means either the worker has not had any doses, or they cannot be matched in the CIR for another reason.

An Active employee in the BWTR is defined as someone who has worked within the last 14 days. Data is sourced from the Border Worker Testing Register to reflect active border worker staff. These figures exclude inactive border workers and individuals who have self-identified as border workers at time of vaccination but have not been registered in the BWTR.

There may be instances of duplicates in the BWTR caused by border workers employed by multiple organisations.

Data quality is heavily dependent on uploads from PCBUs, and inaccurate details (such as full name or DoB) may mean matches with CIR are not possible.

Ongoing data maintenance and cleansing is being conducted by the PCBUs and new staff are added as they come online. As the data is cleansed and updated - including the addition and removal of staff as the workforce evolves - the numbers will continue to change.