

11 January 2024

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Tēnā koe Erika

Your Official Information Act request, ref: HNZ00031650

Thank you for your email on 26 October 2023, asking for the following which has been considered under the Official Information Act 1982 (the Act). Please see outlined below a response to your request.

I refer you to my previous OIA HNZ00023978 which states: "From 13 November 2021 to 26 September 2022, a total of 478 applications for Significant Service Disruption exemption (SSD) were received. 103 applications were granted, covering approximately 11,005 workers." These were vaccination exemptions under Clause 12A of the Covid 19 Public Health Response (Vaccinations) Order 2021. Subsequently my OIA HNZ00027972 has a response on the 29th Sept 2023 which states, "All those who received 12A exemptions per the previous response (ref. HNZ00029378) were in health-related work. "

Would you kindly share

- *the process for these particular "clause 12A " exempted health related workers to then receive a Covid-19 Vaccination Certificates or CVCs.*
- *How many of them applied for a CVC?*
- *How many were approved to receive a CVC?*
- *What if any were the conditions of these CVCs and exemptions?*

The Significant Service Disruption (SSD) exemption process was established to operationalise Clause 12A of the COVID-19 Public Health (Vaccinations) Order 2021. It was managed first by the Ministry of Health and then by Te Whatu Ora from 1 July 2022. Decisions to grant or decline SSD exemption requests were made by the Minister for COVID-19 Response.

Clause 12A allowed Persons Conducting a Business or Undertaking (PCBU) in the health and disability sector to apply for an SSD exemption in a situation where the lack of vaccinated staff could severely disrupt the delivery of health and disability services. This was in force from 15 November 2021 until 26 September 2022 and during this time, 102 applications were granted covering 8,051 health and disability workers. Please note that this differs from the total number of applications and affected workers previously released in OIA HNZ00023978, which stated that 103 exemptions were granted covering 11,005 workers. These discrepancies are each due to administrative data input errors recently discovered in a review of SSD exemption data.

An SSD did not apply outside the workplace, so the workers could not apply for a My Vaccine Pass or other certificates, unlike those who were granted a Temporary Medical Exemption (TME). All granted SSD exemptions were temporary for a specified period. This time period ranged from 7 days to 8 weeks.

Conditions were outlined in the letters to individuals that were sent to confirm approval of an exemption, these were as follows:

“Being granted a significant service disruption exemption under the Order will allow you to continue to work while unvaccinated for the duration of the exemption period. With that being said, people working in the Health and Disability sector are in positions of care, and it’s important they keep the most vulnerable people safe by helping to combat COVID-19 in the community. As the ‘affected worker’ is unvaccinated, it is important that the PCBU is compliant with requirements under the Health & Safety Act. This means you need to undertake a review and identify mitigation strategies and have measures in place to meet those health and safety requirements. This might include, but not be limited to, use of PPE or mask wearing and if these measures cannot be met then other options such as redeployment may need to be considered.

It is important to note that this exemption applies specifically to your work. This exemption will not allow you to access a domestic vaccination status certificate (My Vaccine Pass). From Friday 3 December 2021 you may need to use My Vaccine Pass to enter events and venues as required under the COVID-19 Protection Framework. In order to access My Vaccine Pass you will need to be able to have received two doses of either the Pfizer or AstraZeneca in New Zealand, been vaccinated overseas with an approved vaccine, or received a medical exemption. More information on My Vaccine Pass is available [here](#).”

Note that during the period that the SSD exemptions were operational, only the Pfizer and AstraZeneca vaccines were available to the New Zealand public as part of the COVID-19 Vaccination Programme. The Novavax vaccine, Nuvaxovid, was later included in the COVID-19 Vaccination Programme.

How to get in touch

If you have any questions, you can contact us at hnzOIA@health.govt.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.

As this information may be of interest to other members of the public, Te Whatu Ora may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā



Alana Ewe-Snow
Director, Prevention
National Public Health Service
Te Whatu Ora – Health New Zealand