

31 October 2024

File Ref: 240771

Andrew F
fyi-request-28234-af71f97b@requests.fyi.org.nz

Dear Andrew

Thank you for your Official Information Act request received on 29 August 2024. You requested:

1. *Please provide all information, reports, and internal communications over the last five years regarding concerns raised about inadequate staffing in the healthcare sector under the Health and Safety at Work Act 2015.*
2. *How many complaints or reports has Worksafe received over the last five years related to inadequate staffing in medical facilities operated by the Ministry of Health? Please provide a breakdown by year and type of complaint (e.g., unsafe working conditions, overwork, lack of sufficient staff, etc.)*
3. *Please provide data on notifiable incidents reported to Worksafe over the last five years that mention inadequate staffing as a contributing factor. Include the nature of these incidents, outcomes, and any follow-up actions taken.*
4. *How many investigations has Worksafe conducted in the last five years into incidents or complaints where inadequate staffing was identified as a potential hazard in medical facilities? Please provide details of the findings, outcomes, and any recommendations made.*
5. *Has Worksafe identified any patterns or trends over the last five years related to inadequate staffing in healthcare facilities in the course of undertaking its investigation or research function? If so, please provide details, including any sector-wide guidance or warnings issued.*
6. *Please provide details of any enforcement actions taken by Worksafe over the last five years in response to inadequate staffing in medical facilities operated by the Ministry of Health, including any Improvement Notices, Prohibition Notices, or prosecutions.*
7. *What steps has Worksafe taken to ensure compliance with the Health and Safety at Work Act 2015 in relation to staffing levels within healthcare facilities as a result of workplace assessments or audits? Include any specific initiatives or audits carried out.*
8. *Please provide data on work-related injuries and illnesses in medical facilities operated by the Ministry of Health over the last five years where inadequate staffing was mentioned as a contributing factor.*
9. *Has Worksafe conducted or reviewed any studies or reports on the impact of inadequate staffing on staff or patient safety in healthcare facilities? If so, please provide copies or summaries of these findings*
10. *What proactive measures has Worksafe recommended as part of its investigation(s) to address the risks associated with inadequate staffing in healthcare facilities? Please include any guidance provided to healthcare employers or industry bodies.*
11. *What recommendations has Worksafe made to the Ministry of Health or healthcare providers to mitigate the risks associated with inadequate staffing, and what actions have been taken in response?*

On 9 September 2024 we invited you to refine your request to:

Information about Provisional Improvement Notices can be found on our website [Provisional improvement notice \(PIN\) | WorkSafe](#)

As an alternative approach to your request, we would be able to provide you with:

- 1. PINS are between workers and PCBUs. WorkSafe only become aware of a PIN if it is referred to us for formal review. WorkSafe could provide you a table that for PIN reviews lists the year, facility, and primary concerns raised by the workers in the PIN for the last five years*
- 2. Details of any prosecutions taken by WorkSafe over the last five years in response to inadequate staffing in medical facilities*

No reply was received to our email of 9 September 2024. WorkSafe considers that the manual effort to identify, assess and collate the information or data in scope of your original request would be significant and unreasonably affect our operations. For this reason, parts 2, 3, 4 and 6 of your request have been refused under section 18(f) of the Official Information Act – *that the information requested cannot be made available without substantial collation or research.*

WorkSafe is refusing parts 1,5,7,9,10 and 11 of your request under section 18(e) of the Official Information Act, that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

On 30 September 2024, WorkSafe transferred the part of your request for:

8. Please provide data on work-related injuries and illnesses in medical facilities operated by the Ministry of Health over the last five years where inadequate staffing was mentioned as a contributing factor to Health New Zealand – Te Whatu Ora.

On 30 September 2024, WorkSafe extended the time limit for deciding on your request to 5 November 2024.

Information being released

Please find attached Appendix 1 which outlines Health Sector Provisional Improvement Notice Reviews for the last five years.

There have been no prosecutions from WorkSafe in response to inadequate staffing in medical facilities in the last five years.

This reply addresses the information you requested. You have the right to ask the Ombudsman to investigate and review my decision, and further information is available at www.ombudsman.parliament.nz.

If you require further assistance, please contact ministerial.services@worksafe.govt.nz.

Yours sincerely



Mark Johnson
Head of Insights