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20 November 2024

Erika Whittome

By email: fyi-request-28731-3655df40@requests.fyi.org.nz
Ref: H2024053547

Tēnā koe Erika

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 11 October 2024 for information regarding the October 2021 document titled "*Health & Disability Worker Vaccinations Order Guidance document for PCBUs and workers*" and referring specifically to page 13 and 14. You requested:

"Would you kindly share the all cabinet, ministerial or other papers, advice, memos, correspondence etc that took place to come up with the above?"

Cabinet material relating to requiring high-risk work in the health and disability sector to be undertaken by vaccinated workers can be found here: www.health.govt.nz/information-releases/requiring-high-risk-work-in-the-health-and-disability-sector-to-be-undertaken-by-vaccinated-workers

I also refer you to Briefing HR20211564: COVID-19 Vaccination Uptake for Health Care Workers, which can be found on the Ministry's website here: www.health.govt.nz/system/files/2022-12/20211564_briefing.pdf

You may also be interested in the following published response: [h202201139_response.pdf](#).

Where links to publicly available information have been included, it is in accordance with section 18(d) of the Act.

Additional to the publicly available documents linked above, I have identified two documents within scope of your request. These documents are itemised in Appendix 1 and copies of the documents are enclosed. Where information is withheld under section 9 of the Act, I have considered the countervailing public interest in release in making this decision and consider that it does not outweigh the need to withhold at this time.

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: oiagr@health.govt.nz.

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests

Nāku noa, nā



Jane Chambers
Group Manager, Public Health Policy and Regulation
Public Health Agency | Te Pou Hauora Tūmatanui

Appendix 1: List of documents for release

#	Date	Document details	Decision on release
1	17 September 2021	Briefing HR20212012 Scope of Amendment to the COVID-19 Public Health Response	<p>Some information withheld under the following sections of the Act:</p> <ul style="list-style-type: none"> • 9(2)(a) to protect privacy of natural persons; • 9(2)(h) to maintain legal professional privilege; and • 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers and officers and employees of any public service agency.
2	22 October 2021	Briefing Scope of amendment to the COVID-19 Public Health Response (Vaccinations) Amendment (No 3) Health Workers, Prison Staff, Educators (HR20212209) - For signature	<p>Some information withheld under the following sections of the Act:</p> <ul style="list-style-type: none"> • 9(2)(a); and • 9(2)(h).

Letter Requester is referring to, supplied in OIA:

EXAMPLE LETTER: WHERE VACCINATION STATUS IS UNKNOWN

Dear xx

COVID-19 Public Health Response (Vaccinations) Order 2021 – Health & Disability Workers
We are writing to you following the NZ Government's announcement on 11 October 2021, that health & disability workers will be required to be fully vaccinated against Covid-19 under the COVID-19 Public Health Response (Vaccinations) Order 2021 ("the Order").

This means that anyone in NZ who is employed to work in a healthcare setting is required to have at least one dose of the Covid-19 by 15 November 2021, and to have their second dose of the vaccine by 1 January 2022.

We consider that your role of [insert] is a role which is required to be performed by a vaccinated worker under the Order.

Our records show that you are not vaccinated against Covid-19 and/or you have not confirmed your vaccination status.

Please can you let us know your vaccination status by [insert date]. If you are vaccinated, please provide [insert manager's name] with written confirmation of this (by registering on My Covid Record

<https://app.covid19.health.nz/> and providing a screen-shot or print out of the result) by [insert date].

If you are unvaccinated, we are happy to help you make arrangements to be vaccinated in order for you to comply with the Order.

If we do not receive written confirmation from you that you are vaccinated by [insert date], we will assume you are unvaccinated. In this event, you will not be able to work in your role as [insert] from 11.59pm on 15 November 2021. From this date you will be temporarily stood down from your duties, or we will agree to you taking annual or other leave until [insert date] whilst we work through the impact of your vaccination status on your ability to perform the role, and whether any alternative arrangements or accommodation can be considered.

If you have any queries about the content of this letter, or if you do not consider you are covered by the Order referred to above, please contact [insert name] immediately. You should also feel free to seek independent advice, including from your union, if you are a member. We realise that this may be an unsettling time for you and would like to remind you that free, confidential counselling and support is available to you. You can contact our Employee Assistance programme [contact details] to make an appointment. This is a confidential service, and no details are placed on your employee file.

Ngā mihi

What do I do if a worker is not vaccinated by 15 November 2021?

All people covered by the Order must have received their first dose of an approved COVID-19 vaccine by 11.59pm on 15 November 2021 and provide you with evidence, such as My Covid Record.

Where they are unable to provide this evidence, you must take immediate steps to stand down the employee while you consult with them to establish if they have access to a medical exemption, or to discuss any suitable redeployment options for this employee to move to an alternative role where vaccination is not required. If no redeployment options are available, then you will need to bring the employment relationship to an end, by giving formal notice of termination.

This quote is from this document called

"health_worker_vaccination_guidance_document_for_pcbus_and_workers_-_october_2021_0.pdf" which appears to no longer be on the MoH website, but is archived here: <https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fweb.archive.org%2Fweb%2F20211025002150%2Fhttps%3A%2F%2Fwww.health.govt.nz%2Fsystem%2Ffiles%2Fdocu>

ments%2Fpages%2Fhealth_worker_vaccination_guidance_document_for_pcbus_and_workers
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623%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1h
aWwiLCJXVCI6Mn0%3D%7C40000%7C%7C%7C&sdata=7uE2%2FPV62eV8WWIZsJikclh%2
BRsj1SgZP9MBNpg9%2B7iM%3D&reserved=0

Would you kindly share the all cabinet, ministerial or other papers, advice, memos,
correspondence etc that took place to come up with the above?