



New Zealand
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15 March 2019

Spencer Jones

fyi-request-9311-8372cd71@requests.fyi.org.nz

Dear Mr Jones

I refer to your request of 26 December 2018, requesting, under the Official Information Act 1982 (OIA), the following:

Please detail the number of employment terminations on either Medical Incapacity or Medical Retirement of NZDF personnel (uniformed and civilian) between 2011 and 2018 (separately by year and Mil/Civ employees).

I would also like copies of all NZDF workplace disability employment policies.

I apologise again for the time it has taken to provide this response. Please note the information requested in relation to civilian employment is not recorded centrally, and cannot be provided without a substantial collation or research effort. This aspect of your request is therefore declined in accordance with section 18(f) of the OIA.


The following table provides the numbers of uniformed New Zealand Defence Force personnel released under Medical Discharge, by year, between 2011 and 2018 (inclusive):

Year	2011	2012	2013	2014	2015	2016	2017	2018
Total	58	44	35	20	26	30	18	30

The section of Defence Force Order 3 regarding Medical Discharge is enclosed, for your information.

You have the right, under section 28(3) of the OIA, to ask an Ombudsman to review my response to your request.

Yours sincerely



A.J. WOODS
Air Commodore
Chief of Staff HQNZDF

Enclosure:

1. DFO 3, Part 11, Chapter 8, Medical

**A FORCE FOR
NEW ZEALAND**

Medical

Introduction 11.8.94

The Service may initiate the Medical discharge of a member if they fall below a medical standard that renders them unable to perform the duties required of them as a member of the Armed Forces. This does not include the failure to meet single Service fitness standards.

A 'Medical Limitations of Engagement Review' may be initiated either by Medical, or by a member's commander or manager, when a member's medical standard brings their fitness to serve into question. Medical will advise the maximum achievable employment category, and timeframe for rehabilitation if appropriate. The decision to recommend a Medical discharge is a command/manager responsibility.

Medical discharge is to be considered only after all other options have been explored, and there is no reasonable expectation that a member will recover and be able to resume their full range of Service duties.

Income Protection under the NZDF Member Insurance Benefits Programme (MIBP) may be used to support members of the Regular Force who are absent from the workplace (after 90 days) while they recuperate from serious illness, or rehabilitate from serious injury. Income Protection may also be applied when a member is diagnosed as terminally ill and is no longer able to perform their duties.

Medical discharge categories 11.8.95

Term	Definition
MED1	Permanent disability
MED2	Falling below medical standard

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Medical, Continued

Completion of
MD 715 Record
of Procedure
Medical
Limitations of
Engagement
Review
11.8.96

MD 715 Record of Procedure Medical Limitations of Engagement Review		
By Whom	MD 715	Action to be Taken
Medical Officer		Following a medical board the member is medically downgraded and limitations in their employment are detailed.
Medical Officer	Part A	MD 715 raised, Part A completed.
Regional Medical Officer	Part B	Complete Part B of MD 715. Confirm grading as at Part B.
Medical Review Board		Discuss limitations in member's employment with commander/manager. Inform member of medical grading and limitations in employment.
Commander/Manager	Part C	Receive MD 715. Investigate trade, branch, or corps options; remuster, retention which may involve a change in appointment, retention in current trade with alternate duties, or discharge. Investigate entitlement to MIBP Income Protection insurance and/or Terminal Illness Benefit (through HRAs). Complete Part C of MD715 which includes a recommendation to the approving authority. Interview member to advise them of the commander/manager recommendation to the approving authority (member may bring a support person to the interview). If Medical discharge is recommended the member is immediately placed on sick leave. Discuss terminal date and resettlement options with member. Confirm ACC (Manager, NZDF Accredited Employer Programme) has been advised if applicable. Forward MD 715 to the approving authority after member has completed Part D.

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Medical, Continued

Completion of
MD 715 Record
of Procedure
Medical
Limitations of
Engagement
Review
11.8.87
continued.

MD 715 Record of Procedure Medical Limitations of Engagement Review		
By Whom	Form	Action to be Taken
Member	Part D	Comment at Part D of MD 715
Approving Authority	Part E	Receive MD 715. Review form and attachments, call for more information if required. Complete Part E. Return to commander/manager
Commander/manager		Receive MD 715 with approving authority decision. Interview member with support person in attendance if required. Advise medical officer of approving authority decision.
Member	Part F	Sight approving officer decision at Part E. Comment on Part F if required. Return MD 715 to his/her commander/manager.
Medical Officer		On-going care plan until discharge.
Career Manager	Part G	Receive MD 715 complete Part G. Enter discharge into SAP. File MD 715.
HRSC		Liaise with member to complete administrative action.
HRAs		Advise the commander/manager regarding entitlement to MIBP Income Protection insurance and/or Terminal Illness Benefit. Liaise between the NZDF, the member and the insurance provider.

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Medical, Continued

**Action by
commander/
manager**
11.8.97

On receipt of a confirmed MD 715, with Part B complete, the commander/manager is to interview the member. Prior to this interview s/he is to research options that may be available to the member, taking into account any limitations of employment as stated by the medical review board. The recommendation may be one of the following:

- (1) remuster to a different trade, branch or corps, where medical standards permit;
- (2) Service change, where medical standards permit;
- (3) retention in present trade, branch or corps, when staffing and other considerations permit (this may involve a change in appointment);
- (4) in exceptional circumstances, retention in trade while undertaking alternate duties; or
- (5) discharge.

**Action by
approving
authority**
11.8.98

The approving authority is to review the MD 715. Any additional information is to be called for as required.

**Member
introduces new
information
after Approving
Authority
decision**
11.8.99

The member is to be interviewed by the commander/manager once the approving authority decision is received. If the member introduces any new information that may materially affect the decision of the approving authority, the form MD 715 is to be returned to the approving authority for reconsideration. If the information is not considered to be material to the decision the member's comments are to be acknowledged and the decision to stand.

**If the member
does not make
a reply**
11.8.100

When a member has been given seven days to make a reply during the review and either does not reply or refuses to reply, this is to be recorded on the MD 715 and the form is to be on forwarded.

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Medical, Continued

Entitlement to Accident Compensation for members subject to Medical discharge
11.8.101

The NZDF may maintain the management of any accepted claim from date of injury to the end of that financial year, and the following four financial years, after which the claim is transferred to the ACC. This applies to all serving and former NZDF members.

Where an NZDF member is to be discharged Medical as a result of an accident, the commander/manager is to ensure that the Manager, NZDF Accredited Employer Programme, has been notified prior to their terminal date.

Refer: DFO 3, Part 5, Chapter 1 *Accident, Rehabilitation and Compensation*.

Refer: HR Toolkit.

Leave for members subject to Medical discharge
11.8.102

Members subject to Medical discharge may take annual leave, stand-down and equivalent leave as a lump sum at terminal date.

Members subject to Medical discharge may seek assistance from VANZ
11.8.103

Members subject to Medical discharge who consider that they have impairments caused or aggravated by qualifying NZDF operational service may seek assistance from Veterans Affairs New Zealand (VANZ).

Serious injury or illness
11.8.104

If a member of the Armed Forces is diagnosed with a serious injury, or serious illness, which may or may not be terminal, the MD 715 Medical Limitations of Engagement Review process may be initiated.

ROSO or Bond on dismissal
11.8.105

On Medical discharge all ROSO or Bonds are automatically waived

Reserve liability on dismissal
11.8.106

A member discharged Medical does not incur a Reserve liability.

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Medical, Continued

Income Protection and Terminal Illness Benefit
11.8.107

Regular Force members, who are subject to Medical discharge, may be eligible for Income Protection and/or Terminal Illness benefit provided through the Member Insurance Benefit Programme (MIBP).

Where a member is diagnosed with a serious illness, which may or may not be terminal, or is seriously injured, it is extremely important that advice is sought on options under the MIBP prior to any decision being made to medically discharge the member from the NZDF. An application for Income Protection under MIBP must be lodged while he or she is a member of the NZDF. The commander/manager is to seek advice from HRAs to clarify MIBP entitlements.

Refer: [HR Toolkit, HR Advisor Contact Details.](#)

Territorial Force MIBP Cover
11.8.108

Within New Zealand, Territorial Force members are not covered by MIBP for income protection and terminal illness benefit; however, they have limited MIBP cover for death by accident and physical loss but only when the accident occurs on NZDF duty. This limited MIBP cover is also for ACC income top up only.

When on NZDF duty outside New Zealand a Territorial Force member has the same cover as Regular Force members.

Refer: [HR Toolkit, HR Advisor Contact Details.](#)

Entitlement to a funeral with ceremonial honours for terminally ill members
11.8.109

Regular Force members medically discharged having qualified for a Terminal Illness benefit through MIBP are entitled to a funeral with ceremonial honours for up to two years after discharge date.

Refer: DFO 3, Part 11, Chapter 8, *Death* paragraph 11. 8.142.
