

31 January 2022

s 9(2)(a)

By email: s 9(2)(a)
Ref: H202116877

Tēnā koe s 9(2)(a)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 29 November 2021 to the Ministry of Health (the Ministry) for information relating to applications for exemptions from the requirement for compulsory vaccination of health and disability workers.

Please note all information below is held by the Ministry as of 29 November 2021, the time of your request. The Ministry also does not hold information on the occupation of those who apply for temporary medical exemptions (TME).

With the above considered, I will respond to each part of your request in turn.

1. The number of applications for exemption received

580 temporary medical exemptions (TME) have been received. This includes 149 incomplete applications that have been returned to the applicant.

352 temporary significant service disruption (SSD) exemptions have received. This includes 131 incomplete applications that have been returned to the applicant.

2. The number of applications for extension to exemptions received

7 applicants have applied to have their exemptions extended.

3. The number of such applications for which decisions have been communicated

Decisions on 322 TME and 67 SSD applications have been communicated to the applicant.

4. The number of such applications for which decisions remain pending

Decisions remain pending for 109 TME and 150 SSD applications.

5. The number of applications approved, and the number denied

There have been 266 TME approved, while 56 have been declined.

One SSD application has been approved (two exemptions for one PCBU under one application). 66 SSD applications have been declined.

6. The number of individual health and disability workers affected (ie number receiving an exemption and number not receiving an exemption)

As noted earlier the Ministry does not hold information on the occupation of people who apply for TME. In regard to applications for SSD, please note the Ministry only holds this information by PCBU. 352 applications have been received for SSD by PCBU's.

7. The number of individual receivers of care affected by the refusal of exemptions

This is not applicable for TME and this information is not available for SSD.

8. Number of such applications that were on the basis of 'temporary significant service disruption' grounds.

This is not applicable for TME. For SSD 352 applications were on this basis.

9. Number of decisions on applications pending as at today (29 November 2021)

There were 109 decisions pending for TME as at 29 November 2021, and 150 for SSD.

10. The extent (if at all) that the availability of suitable alternative care has been considered in approving/not approving applications for exemption/extensions to such exemptions

Please note that this is not part of the temporary medical exemptions process.

The temporary significant service disruption exemption requirements are outlined below. In response to your question, one requirement the panel must consider is that exemptions should be limited to situations where an affected worker cannot be replaced by another worker without causing a significant service disruption.

Temporary Significant Service Disruption (SSD) Exemption Requirements are set out in the COVID-19 Public Health Response (Vaccination) Order (VO) 2021 clause 12A (4)(a) (i) and (ii) (B). Applications for SSD require that the PCBU has assessed their service will be significantly disrupted if the affected worker(s) are unable to provide a part or all the service.

Further information on SSD can be found on the Ministry's website:

www.health.govt.nz/system/files/documents/pages/temporary-service-disruption-exemption-30nov21.pdf.

11. Any and all information the Ministry has on the number of persons who will have to be admitted to an inpatient facility as a result of denial of exemptions

12. Any and all information the Ministry has as to the availability of suitable inpatient facilities

Please note the Ministry does not hold the information requested for these parts of your request. The Ministry does not hold this information centrally at a national level, however you may wish to contact the district health boards (DHBs) for further information. A list of their websites can be found here: www.health.govt.nz/new-zealand-health-system/key-health-sector-organisations-and-people/district-health-boards/district-health-board-websites.

13. The reasons why decisions on some such applications remain pending as at today's date despite existing exemptions expiring at midnight tonight

Of the 150 decisions outstanding for SSD applications mentioned above, 46 were awaiting assessment by Panel on 1 December and 104 applications were awaiting a final decision by the Minister for COVID-19 Response.

14. What assistance the Ministry can and will offer to those receiving care and affected by the inability of workers who do not have exemptions extended and those who support them

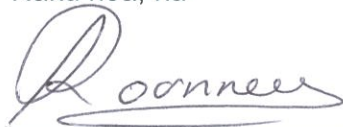
Please note the Ministry does not provide direct support to those receiving care but encourages PCBUs to work with their funders to ensure that care needs are fully met.

Providers are also able to apply for a SSD. Some providers have used this option to give them sufficient time to make arrangements in order to ensure care is provided by vaccinated workers.

I trust this information fulfils your request. 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 Ministry website at: www.health.govt.nz/about-ministry/information-releases.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'A Koornneef', with a horizontal line underneath.

Astrid Koornneef
Director
National Immunisation Programme