

23 May 2023

Scout Barbour-Evans

fyi-request-22390-232684dc@requests.fyi.org.nz

Tēnā koe Scout

Your request for Official information, reference: HNZ00015730

Thank you for your email on 5 April 2023, asking for the following which has been considered under the Official Information Act 1982 (the Act):

"I am looking to understand some choices that have been made around where will "require", "recommend", or "encourage" the use of face masks by staff and patients in hospitals. I understand that in all hospitals visitors are required to mask, but the requirement for staff or patients to mask varies by hospital.

In particular I'm interested in some advice that has been received regarding the contents of this webpage: www.tewhatauora.govt.nz/for-the-health-sector/covid-19-information-for-health-professionals/covid-19-information-for-all-health-professionals/covid-19-infection-prevention-and-control-recommendations-for-health-and-disability-care-workers/mask-wearing-healthcare-settings/

I would like to see,

- 1. Internal discussion, guidance or advice about how patients and community members will interpret and understand "require", "recommend" or "encourage" in the context of face masks - and why these were the terms chosen.*
- 2. Internal discussion, guidance or advice on any formulae or criteria that health districts could use to decide whether they should "require", "recommend" or "encourage" face masks, and how a health district might go about choosing to change their level of mandatory mask use.*
- 3. Internal discussion, guidance or advice about whether patients at outpatient services and their support people should be considered "visitors" or "patients" in the context of wearing face masks at the hospital, given that the official line is still that visitors must mask across the board."*

Information within scope of this request is itemised in the table below and copies of the documents are enclosed as the Appendix. The table outlines the grounds under which I have decided to withhold information. 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. Information deemed 'out of scope' of your request has been identified and removed accordingly.

Doc #	Date	Title	Decision on release
1	8 Feb 2022	Email: NR request for review of COVID-19 national masking guidance and legislation	Released with some information withheld under section 9(2)(a), to protect the privacy of natural persons.
2	9 Mar 2023	Email: Mask advice update. Patient rights	Released with some information withheld under section 9(2)(a), to protect the privacy of natural persons.

Doc #	Date	Title	Decision on release
3	7 Oct 2022	Email: Visitors IPC Guidance	Released with some information withheld under section 9(2)(a), to protect the privacy of natural persons.
4	29 Nov 2022	Agenda 13 December 2022	Released with some information withheld under section 9(2)(a) and some information identified as 'Out of scope'.
5	29 Nov 2022	Agenda Minutes: IPC Subgroup of TAG COVID-19	Released with some information withheld under section 9(2)(a) and some information identified as 'Out of scope'.
6	7 Dec 2022	Minutes - ARC Operational Leadership Group	Released with some information identified as 'Out of scope' and therefore, withheld.
7	13 Dec 2022	Minutes: IPC Subgroup of TAG COVID-19	Released with some information withheld under section 9(2)(a) and some information identified as 'Out of scope'.
8	21 Dec 2022	COVID-19 Clinical Advisory Group minutes	Released with some information withheld under section 9(2)(a) and some information identified as 'Out of scope'.
9	Not dated	Mask Guidance	Released in full

The terms 'require', 'recommend' and 'encourage' are defined in the 'Guidance for minimum mask use and additional PPE selection in healthcare settings February-May 2023' document, which was aimed at health professionals. These terms are used at various stages through the document, depending on setting. For example, a medical mask is recommended when providing care in hospital settings. The document states the use of these terms will be updated "according to changes in the national situation, current epidemiology and other factors (e.g. facility-based outbreak, staff resourcing)". The document is designed to provide minimal guidance for different health situations and was aimed at the health care risks from February to May.

Regarding patients at outpatient services, the [Health Practitioners Competency Assurance Act](#) defines a health service role as "assessing, improving, protecting, or managing the physical or mental health of individuals or groups of individuals." By extension, a person who attends these services for health care is a patient, even in an outpatient setting.

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

A handwritten signature in blue ink, appearing to read 'Chris Scahill'.

Chris Scahill

Group Manager | Kaiwhakahaere Ropu

National Coordination and Response & Office of the Director

Outbreak Response