



Update: Implementation of COVID-19 Public Health Response (Vaccinations) Amendment Order 2021

Security level: IN CONFIDENCE Report number: BEB RPT 21-043

To: Hon Chris Hipkins
Minister for COVID-19 Response

KEY POINTS

1. Attached is this week's report regarding the implementation of the **COVID-19 Public Health Response (Vaccinations) Amendment Order 2021** ('the Order').
2. The implementation programme is being delivered by a cross-agency Senior Officials Group, chaired by the Border Executive Board and including representatives from Ministry of Health; Ministry of Transport; Ministry of Business, Innovation and Employment; Department of Prime Minister and Cabinet; Public Service Commission; Ministry of Social Development; Civil Aviation Authority; and Maritime NZ.
3. Following a conversation with your Office on Thursday 5 August, and subsequent discussion with officials, this report is in a new format from those provided in previous weeks. Its aim is to provide you with greater levels of detail on current and emerging issues related to the implementation, and how these are being responded to by Government agencies and the border sector.
4. The data included in this report is the same as that provided to your office by the Ministry of Health on Wednesday 18 August.
5. The implementation programme is overall showing as AMBER, which acknowledges both that there are a number of issues under active management, as well as having entered Alert Level 4 at 11.59pm, 17 August 2021.

RECOMMENDATION:

- a) That you note the contents of the attached report

Yes / No

s9(2)(a) OIA

Richard Bargh
Acting Comptroller of Customs / Chair
Border Executive Board

Hon Chris Hipkins
Minister for COVID-19 Response

Date: 18 August 2021

Date:

Border Worker Vaccinations Order Amendment (BWVO Amendment): Implementation Report

Summary - Updates in bold

Overall programme status: AMBER

Date Prepared: 18 August 2021, 1.30pm

Prepared by: Morag Ingram, Border Executive Board, [REDACTED]

- Vaccination programme has been paused nationwide due to entering Alert Level 4. We will support decisions taken by DHBs and the national Vaccination Programme, and provide information as it comes available to the Border sector.
- As at 18 August, 91% (11,578) of the 12,693 active border workers on the Border Worker Testing Register have had at least one vaccination, and three quarters (75%) of the total 2,774 port workers have now received at least one dose. (Active workers are defined as those who have worked at a port/border in the last 14 days.)
- No supply chain exemption applications have been received to date.
- Agencies continue to support existing and new PCBUs to assess their workforce against scope of the amended Order. Direct outreach and engagement sessions are planned with PCBUs and contracting companies within both maritime and aviation sectors.
- Face-to-face meetings with port employers and unions are continuing, including visits in the past week to ports in Gisborne, Taranaki and Timaru.
- Both Dr Ashley Bloomfield and Dr Siouxsie Wiles have offered to speak to PCBUs and vaccine-hesitant workers – this offer is being targeted.
- An application to the Employment Court for a Judicial Review of the Order was notified to Crown Law on Monday 16 August. Further updates will be provided as this develops.

Issues

Action	Status	Responsible	Notes
Employment Relations	Some Issues	Hannah O'Donnell (MSD) Anna Cassie (PSC)	<ul style="list-style-type: none"> • With the 26 August due date for Government (Govt) workers approaching, there is ongoing proactive outreach by MoH with the unvaccinated Govt workers and their PCBUs listed on the BWTR. • As at 18 August, 82 of the 108 workers listed in Table 1 below are vaccinated (further detail below). Of the remaining 26 govt workers, targeted monitoring and compliance work is underway with PCBU's to determine the number likely not to vaccinate. • Further legal advice is being sought by MoH regarding the coverage and scope of "service worker" as stated under the Order, with "service workers" due to have received their first dose by 26 August 2021. • Ministry of Social Development (MSD) and the Public Service Commission (PSC) have begun outreach for wrap-around support services to those Govt workers who have advised their employers they will not be vaccinated and need to pursue redeployment opportunities from 26 August. This includes the PSC activating its Worker Mobility Hub to find redeployment across Public Service agencies where possible. • An application for a Judicial Review of the Order in the Employment Court was received by Crown Law on Monday 16 August. This is purportedly on behalf of ~80 individual workers from a range of public and private organisations. Crown Law is leading the response on this, and further updates will be provided as the situation develops. Crown Law is providing updates to the Attorney-General's office.
Prioritisation and delivery of Border Worker vaccinations	Under control	Leanne Blinkhorne (MoH)	<ul style="list-style-type: none"> • MoH and DHBs have provided multiple reserve capacity appointments for Tier 1 Border Workers and their household contacts through Book My Vaccine (BMV) system and other mechanisms. • DHBs are providing a range of tailored support for Border Workers in their areas, with examples of the range of initiatives underway including: additional pop-up vaccination sites at flexible times that align with shipping schedules and workers' shifts; education sessions involving nurses and other health professionals to ensure workers have reliable, up-to-date information; outreach sites offering testing as well as vaccinations; easier booking processes for workers and their families; mobile vaccination teams at ports; and vaccination events. • Feedback from recent port visits includes: Gisborne - the Tairāwhiti DHB has employed local iwi provider, Turanga Health, to administer vaccinations at the port. This is now underway, and prior to the lockdown announcement, they believed more than 90% of all port workers would be vaccinated by the end of this week. In Taranaki, the two main PCBUs agreed times and dates they could vaccinate on the port, which started this week. In Timaru, the PCBUs acknowledged the good work South Canterbury DHB has done at the port, including education and vaccination sessions. The two main PCBUs believe most staff will have had their first vaccine dose by end of August. • No issues have been reported this week about availability of vaccination appointments for Border Workers nationwide.
Maritime workers	Some Issues	Sharyn Forsyth (Maritime NZ) Therese Egan (MOH)	<ul style="list-style-type: none"> • Further to comments in row above, vaccination rates for workers at ports have shown steady improvement since the amendment on 15 July, which expanded vaccinations to a wider group of border workers – and more intensive work is underway to lift these rates further. • Further effort is going into working closely with those PCBUs with large numbers of unvaccinated workers. • Face-to-face meeting offered with Bay of Plenty port employers being explored following information release last week.

			<ul style="list-style-type: none"> Vaccine hesitancy and disinformation continues to be drivers behind vaccine uptake, including the speed with which the vaccine was developed; s9(2)(ba)(i) its impact on fertility; and removal of “freedom of choice”. Additional guidance statement for Schedule 2 groups of affected persons part 4, groups in relation to affected ports - ‘on or around ships’ has been refined at request of sector. It needs to be broad enough to reflect different ways of operating between the ports, but narrow enough to permit consistency and compliance/enforcement.
Reporting	Some issues	Priti Patel (MoH) Jo Pugh (MoH)	<ul style="list-style-type: none"> MoH continues to develop the reporting required to satisfy information needs against the Order. PCBUs are required to manually request access to their employees’ vaccination status on BWTR. This is the subject of ongoing communication to PCBUs by the BWTR team in MoH and through sector engagement, however it is noted that the vaccination status of all workers on the BWTR will be visible to employers/PCBUs from 26 August. Regularised reporting is now available and shared on request to the Minister’s Office, and in this document.
Alignment of BWTR data with other reporting systems in MoH and MIQ	Some issues	Jo Pugh (MoH) Matt Gibbs (MIQ)	<ul style="list-style-type: none"> Ongoing manual work is required to ‘cleanse’ data between MIQ and BTWR employee data records. This is the subject of a regular, weekly manual process between the MIQ and MoH teams, with both teams confident this process captures the errors as and when identified. However, this does result in the data in BWTR not being as up-to-date as MIQ PCBUs and stakeholders expect. As at 18 August, 82 of the 108 workers listed in Table 1 below are vaccinated however due to data-matching or data error issues, they are not showing yet in the BWTR. We expect these corrections to flow through in the system over the coming weeks. Of the remaining 26 Govt workers, targeted monitoring and compliance work is underway with PCBUs to determine the number likely not to vaccinate. Ongoing manual work is required to resolve data vaccination records between the COVID Immunisation Register (CIR) and BWTR as they are identified. This is the subject of regular quality assurance checks between the two MoH teams. Data errors are the result of a number of reasons, including human error at time of data entry (for example by the PCBU, or by the vaccinator in the field), or individuals having duplicate NHI numbers; PCBUs not seeking the vax override resulting in the BWTR not showing actual vax status until 26 August 2021. This will be an ongoing issue that will need active management until 26 August 2021.
Supply Chain Exemption	Under control	Shelley Tucker (MOT)	<ul style="list-style-type: none"> No applications under the Supply Chain Exemption have been received as at 18 August 2021.
Identifying in-scope Border Workers	Some issues	Matt Gibbs (MIQ) Mikael Aldridge (Maritime NZ) Shelley Tucker (MOT)	<p>MIQ</p> <ul style="list-style-type: none"> Has engaged multiple times with PCBUs via hotel GMs, to support proactive identification of additional workers under the amended Order. No further outreach planned at this point, and this will be reviewed again in early September. <p>Maritime sector</p> <ul style="list-style-type: none"> Engagement activity at ports shifting to include contractors/sub-contractors of companies operating on ports, in attempt to identify small employers/PCBUs (<10 employees) newly in-scope of the Order. Webinar to be held 20 August; recording to be made available online. <p>Aviation sector</p> <ul style="list-style-type: none"> Engagement activity planning is underway to target the same group of PCBUs, contractors and sub-contractors for airport companies.

Overview of vaccination rates of active border workers: data extracted from the BWTR at 8.00am, Wednesday 18 August.

Table 1 Vaccination rates of active workers by workforce group

Workforce type	No dose		One dose		2 doses	
	Govt	Private	Govt	Private	Govt	Private
Border Workforce Aircrew		s9(2)(ba)(ii) OIA				
Border Workforce Airport	64	189	10	84	958	1,685
Border Workforce MIQF	40	79	12	133	1,978	3,865
Border Workforce Port	<10	710	<10	321	81	1,656
Border Workforce Other		<10		<10		257
Unknown		<10				80
Total	108	1,007	24	546	3,017	7,991

Comments

We are continuing to see an increase in workers getting vaccinated. The focus is currently on ensuring Govt workers get vaccinated by 26 August, and in conjunction with PCBUs, educating and engaging workers who are vaccine hesitant across the groups with larger numbers. We are expecting the overall number of unvaccinated Govt workers to also reduce as updated information is received and issues with data matching are resolved.

Table 2 Summary status by PCBUs where more than 10 unvaccinated active workers

PCBU	Border Workforce Aircrew		Border Workforce Airport		Border Workforce MIQF		Border Workforce Port	
	No dose		No dose		No dose		No dose	
	Govt	Private	Govt	Private	Govt	Private	Govt	Private
s9(2)(ba)(ii) OIA				13				
		s9(2)(ba)(ii) OIA		55				
								155
								14
			21					
								83
								154
			<10	10				
								47
					37	75		
				18				
			13					10
								18
								64
			12	<10				
								61
				35				
								43
Total		s9(2)(ba)(ii) OIA	64	189	40	79	<10	710

Comments

We have seen a good uptake of port workers getting vaccinated since last week, with a decrease in the unvaccinated number by more than 100, and 75% of port workers now having had at least one dose. We are continuing to prioritise engagement with PCBUs with larger groups of unvaccinated workers.

PLACEHOLDER - With moving to Alert Level 4, work is underway to review previous vaccination arrangements for border workers, more info to come on tracking against vaccine delivery once those decisions/arrangements are finalised.

Comments

NOTE

Around 1% of workers have multiple DHBs leading to some double counting. This will be addressed in future reporting

Data extracted and count data as at 8:00am August 18. Vaccination status as at 9pm August 17. Active workers only.

Variation is on the same day previous week.

No dose means either the worker has not had any doses, or they cannot be matched in the CIR for another reason.

An Active employee in the BWTR is defined as someone who has worked within the last 14 days. Data is sourced from the Border Worker Testing Register to reflect active border worker staff. These figures exclude inactive border workers and individuals who have self-identified as border workers at time of vaccination but have not been registered in the BWTR

There may be instances of duplicates in the BWTR caused by staff working at multiple organisations.

Data quality is heavily dependent on uploads from PCBUs and inaccurate details (such as full name or DoB) may mean matches with CIR are not possible.

Ongoing data maintenance and cleansing is being conducted by the PCBUs and new staff are added as they come online. As the data is cleansed and updated - including the addition and removal of staff as the workforce evolves - the numbers will continue to change.