

13 May 2024

Erika Whittome  
[fyi-request-25319-a379795f@requests.fyi.org.nz](mailto:fyi-request-25319-a379795f@requests.fyi.org.nz)

Tēnā koe Erika

## Your request for official information, reference: HNZ00035461

Thank you for your email on 8 January 2024, asking Health New Zealand | Te Whatu Ora for the following under the Official Information Act 1982 (the Act):

*"I refer you to my previous OIA HNZ00023978 which states: "From 13 November 2021 to 26 September 2022, a total of 478 applications for Significant Service Disruption exemption (SSD) were received. 103 applications were granted, covering approximately 11,005 workers."*

*These were vaccination exemptions under Clause 12A of the Covid 19 Public Health response (Vaccinations) Order 2021.*

*Subsequently my OIA HNZ00027972 has a response on the 29th Sept 2023 which states, "All those who received 12A exemptions per the previous response (ref. HNZ00029378) were in health-related work. "*

*Under clause 12a of the order, it says in (6):*

*The Minister may impose conditions on the exemption as the Minister considers necessary.*

*Would you kindly share details of ALL of these conditions that were imposed on these (approx) 11005 workers for their vaccination exemptions by the Minister? Please include all emails, correspondence, minutes and meeting notes related to these conditions as well."*

## Response

A partial response was sent to you on 25 March 2024, please see the following additional information in response to your request.

All applications for Significant Service Disruption (SSD) exemption were considered by the Significant Service Disruption Exemption Panel, with final decisions and recommendations being recorded in meeting minutes stored across a number of different documents. Please note, the meeting minutes, at times, were recorded verbatim and included the discussions and opinions of the Panel.

The minutes of the first two meetings are released to you below:

- **Meeting Minutes – 14 November 2021**
- **Meeting Minutes – 15 November 2021**

Some information has been withheld under section 9(2)(g)(ii) of the Act to maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers, and employees from improper pressure or harassment.

Additionally, please see attached a **Summary of Meeting Minutes – 13 November 2021**.

The Panel met on 13 November 2021 to discuss one application received from New Zealand Health Group. The minutes of this meeting contain free and frank expression of opinion, as well as information provided to the Ministry of Health/Health New Zealand | Te Whatu Ora under an obligation of confidence. We are withholding the documented minutes under section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by, between, or to Ministers and people who are members, officers or employees of an agency in the course of their duty. We have also made the decision to withhold under section 9(2)(ba)(ii) of the Act, as the release of confidential information would be likely to prejudice the future supply of information in the public interest.

In making this decision, we have considered the public interest in release and determined that it does not outweigh the need to protect the interests mentioned above. However, while we cannot provide the actual minutes, we have attached a high-level summary of the discussion points and decisions from this meeting in accordance with section 16(1)(e) of the Act.

Finally, please also see attached an updated version of **Appendix One**. This provides a summary of the non-confidential content, including the final decisions, from meetings held between 17 November 2021 and 23 August 2022. 43 Panel meetings were held during this time, and approximately 400 applications were reviewed. SSD This summary has been provided in accordance with section 16(1)(e) of the Act.

The Panel reviewed all applications and feedback was recorded on a register; this is released as Appendix One. The Panel agreed to call on equity advice on a case-by-case basis as a special request, and potential candidates were suggested in this capacity. Conflicts of interest were declared at each meeting and relevant Panel members were not involved in decision making for their respective DHBs. The Panel discussed a process for extending previously granted temporary exemptions. It was agreed that any extensions would need to be managed via a new application (with new information) and assessed on a case-by-case basis.

We are providing you with a summary instead of the full documented minutes because the full documented minutes contain free and frank expressions of opinion and discussions of confidential information, which would be withheld under sections 9(2)(g)(i) and 9(2)(ba)(ii) of the Act. Some information would also be withheld under section 9(2)(a) of the Act to protect the privacy of natural persons.

In making this decision, we have considered the public interest in release and determined that it does not outweigh the need to protect the interests mentioned above.

### **How to get in touch**

If you have any questions, you can contact us at [h.nzOIA@tewhatuora.govt.nz](mailto:h.nzOIA@tewhatuora.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](http://www.ombudsman.parliament.nz) or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health New Zealand | 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



**Nicola Birch**

**Chief Advisor, Prevention**

**National Public Health Service**