



30 March 2022

Dear

On 17 December 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

1. *Any briefing paper or advice paper from the Ministry of Social Development in relation to the COVID-19 Public Health Response (Protection framework) Order 2021.*
2. *Any and all Health & Safety risk assessments performed by the Ministry of Social Development.*
3. *Any vaccination policy applied by the Ministry of Social Development for beneficiaries AND employees.*

I would like to extend my apologies for the long period it has taken to respond to your request for information.

Please find the Ministry's responses to each of the aspects of your request below.

1. *Any briefing paper or advice paper from the Ministry of Social Development in relation to the COVID-19 Public Health Response (Protection framework) Order 2021.*

The following papers are enclosed:

| No. | File number    | Date            | Document type | Title   | Decision and OIA Section(s)  |
|-----|----------------|-----------------|---------------|---|--|
| 1.  | REP/21/11/1197 | 2 November 2021 | Joint Report  | Wage Subsidy August 2021 scheme: Second six-week review                   | Refuse in full, 18(d). Will be proactively released by the Treasury in April 2022. |
| 2.  | REP/21/11/1201 | 5 November 2021 | Report        | Impact of vaccine mandate changes for MSD clients                         | Release in full.   |
| 3.  | REP/21/11/1204 | 5 November 2021 | Report        | COVID-19: A whole of system approach under the COVID Protection Framework | Release in full.<br>The released version of the Cabinet paper can be found         |

IN-CONFIDENCE

| No. | File number    | Date             | Document type | Title  | Decision and OIA Section(s)  |
|-----|----------------|------------------|---------------|--|--|
|     |                |                  |               |  | here:<br><a href="https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/system-welfare-approach-under-the-covid-19-protection-framework.html">https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/system-welfare-approach-under-the-covid-19-protection-framework.html</a>   |
| 4.  | REP/21/11/1210 | 5 November 2021  | Report        | Overview of the Community Connection Service   | Release in part. Ministry staff names below tier 4 are withheld as they are out of scope.  |
| 5.  | REP/21/11/1225 | 12 November 2021 | Report        | Final Cabinet paper - COVID-19: A whole of system welfare approach under the COVID Protection Framework        | Release in part. Ministry staff names below tier 4 are withheld as they are out of scope.<br><br>The released version of the Cabinet paper can be found here:<br><a href="https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/system-welfare-approach-under-the-covid-19-protection-framework.html">https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2022/system-welfare-approach-under-the-covid-19-protection-framework.html</a> |
| 6.  | REP/21/11/1251 | 19 November 2021 | Aide-memoire  | COVID-19: A whole of system welfare approach under the COVID Protection Framework [Updated]                    | Release in part. Ministry staff names below tier 4 are withheld as they are out of scope.  |
| 7.  | REP/21/11/1255 | 17 November 2021 | Joint Report  | Adapting the COVID-19 Leave Support Scheme and Short-Term Absence Payment to the COVID-19 Protection Framework | Refuse in full. 18(d). Will be proactively released by the Treasury in April 2022.   |
| 8.  | REP/21/11/1258 | 17 November 2021 | Aide-memoire  | Aide-Memoire: Economic supports under the new COVID Protection Framework                                       | Release in part. 6(c) 9(2)(f)(iv) Ministry staff names below tier 4 are withheld as they are out of scope.   |
| 9.  | REP/21/11/1308 | 30 November 2021 | Report        | OSCAR Programmes under the COVID-19 Protection Framework   | Release in part. Ministry staff names below tier 4 are withheld as they are out of scope.  |
| 10. | REP/21/12/1333 | 3 December 2021  | Report        | COVID-19 Protection Framework welfare response - proposed reporting approach                                   | Release in full.   |
| 11. | REP/21/12/1368 | 10 December 2021 | Aide-memoire  | Aide-Memoire: COVID-19 Protection Framework  | Release in part. 9(2)(g)(i)  |

Some information is withheld under section 6(c) of the Act where making that information available would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences.

Some information is withheld under section 9(2)(f)(iv) of the Act as it is under active consideration. The release of this information is likely to prejudice the ability of government to consider advice and the wider public interest of effective government would not be served.

Regarding REP/21/11/1308, please note that subsequent to this report, an alternative legislative mechanism was used to align OSCAR provider vaccination requirements with the Education sector. However, the policy intent for requiring vaccination mandates for OSCAR remains the same.

OSCAR programmes delivered at premises other than the premises of a registered school were designated as 'close-proximity services' in an amendment to the COVID-19 Public Health Response (Protection Framework) Order 2021, which required vaccination certificates to be presented by staff and others visiting these services under Orange and Red settings of the COVID-19 Protection Framework. Children and their parents were made exempt from this requirement, effectively requiring just OSCAR staff to be vaccinated in order for OSAR services to operate under Orange and Red settings

*2. Any and all Health & Safety risk assessments performed by the Ministry of Social Development.*

In January 2022 and March 2022, the Ministry has responded to three previous relevant requests under the Act and has already or will publish the responses on the website shortly. As such, your request for this information is refused under section 18(d) of the Act as the information requested will soon be publicly available.

- The January 2022 response will soon be available here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/official-information-responses/2022/responses-to-oia-requests-january-2022.html>
- The two March 2022 responses are available in the 'March responses to OIA requests' folder here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/official-information-responses/responses-to-official-information-act-requests.html>

Further relevant information can be found online here:

- WorkSafe: [www.worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/how-to-decide-what-work-requires-a-vaccinated-employee](http://www.worksafe.govt.nz/managing-health-and-safety/novel-coronavirus-covid/how-to-decide-what-work-requires-a-vaccinated-employee); and,
- MBIE: <https://www.employment.govt.nz/leave-and-holidays/other-types-of-leave/coronavirus-workplace/covid-19-vaccination-and-employment/>

*3. Any vaccination policy applied by the Ministry of Social Development for beneficiaries AND employees.*

Regarding staff vaccinations, the relevant document is available on the Ministry's website: [www.msd.govt.nz/about-msd-and-our-work/covid-19/index.html](http://www.msd.govt.nz/about-msd-and-our-work/covid-19/index.html). This document is, therefore, refused under section 18(d) of the Act.

Regarding client vaccinations, a relevant excerpt of the Ministry's internal protocols is shown below (as at 1 March 2022):

## **Accessing our services**

*Anyone accessing MSD services and their support people and children are not required to provide proof of their vaccination status to access services in a service centre.*

*The most important things to help us manage this safely are:*

- for everyone to scan the QR code or use an alternative contact tracing system*
- for everyone to wear a face mask when dealing face to face with clients or members of the public*
- to ensure clients, visitors and contractors all wear a face mask when entering our premises*
- to ensure clients keep a 1.5 metre separation from other clients and staff*
- to maintain a high level of hygiene.*

*At Red and Orange service centres will book face to face client appointments, with contact centres booking phone appointments with case managers.*

*Phone screening for booking face to face appointments will include a health screening and an agreement to follow the 1.5 metre physical distancing rules, to wear a face mask and record their visit when entering the site.*

*If a client presents at service centre without a booked appointment, Tautiaki will arrange for the Front of House/Connector person to meet the client at the entry-point of the office maintaining a 1.5 metre distance. The purpose of this engagement will be to make sure appropriate health screening is completed.*

*Tautiaki will indicate to clients where to scan the QR code or fill out the contact tracing ballots. Clients who refuse to scan or use the manual alternative will still be seen by a case manager, provided they follow all other health and safety requirements onsite.*

*Ensure you have your COVID-19 contact tracing poster on all entries and around the building and ballots ready for those who don't use the NZ COVID Tracer app.*

*If clients present at site without a face mask, Tautiaki will ask them to use a disposable one available at the entrance and remind them they are legally required to wear one. If the client cannot or will not wear a face mask, please refer to the face mask section above, under "Clients and other visitors".<sup>1</sup>*

*Use tape on the floor to mark the 1.5 metre separation where clients sit or stand when talking to staff at reception, client interview desks, or where queues may form.*

*Do not share equipment with clients and make sure to sanitise your desk in between clients.*

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<sup>1</sup> This section advises: 'Should the client be able but not willing to wear a face mask, Tautiaki can refuse entry, suggest the use of alternative channels and follow our regular security protocols for refusing access to sites.'

*Supply sanitiser in the front of house so clients can sanitise before and after using kiosks, water coolers, kids' areas and public toilets where they are available.*

***Contractors, providers, suppliers and visitors (excluding people accessing MSD services)***

*External people who enter our sites for other purposes than to access MSD services, such as contractors, providers, suppliers and visitors must show their My Vaccine Pass to access our sites. They can access all our sites but must follow all protocols in place while working from MSD premises.*

*Meetings can be held with external people at all our sites, however you cannot hold events or gatherings at frontline sites, see the "Events and gatherings" section for more info about this.*

*You can find detailed information on Vaccination requirements for external people on the MSD Vaccination Policy decision page.*

***Visitor sign in and contractor management***

*As normal business practice, any visitor or contractor is required to sign the visitor register and receive a health and safety induction outlining hazards onsite – ensure you have the correct version of both forms which are available on Doogle.*

*All contractors, providers, suppliers and visitors must show their My Vaccine Pass to access our sites and must adhere to all other protocols in place.*

*Keeping accurate records of who is onsite and when is very important for contact tracing, even for other MSD staff visiting the site. Ensure they scan the QR code when coming onto site.*

*Provide hand sanitiser for their use after using pens to sign in and before entering the office.*

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The principles and purposes of the Act under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government
- to increase the ability of the public to participate in the making and administration of our laws and policies
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact [OIA\\_Requests@msd.govt.nz](mailto:OIA_Requests@msd.govt.nz).

If you are not satisfied with this response you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or 0800 802 602.

Yours sincerely



Melissa Gill  
**Deputy Chief Executive**  
**Organisational Assurance and Communication**



# Report

**Date:** 03 November 2021      **Security Level:** IN CONFIDENCE  
**To:** Hon Carmel Sepuloni, Minister for Social Development and Employment

## Impact of vaccine mandate changes for MSD clients

### Purpose of the report

- 1 This paper provides information on the recent changes to the vaccine mandate and what this means for Ministry of Social Development (MSD) clients.

### Recommended actions

It is recommended that you:

- 1 **note** that financial assistance from MSD is available for people regardless of their vaccination status, and the general eligibility and commencement rules apply
- 2 **note** that a 13-week non-entitlement period would apply for people who leave their employment without a good and sufficient reason
- 3 **note** that the introduction of a vaccination requirement while a person is in a role would be considered a significant change in the conditions of employment, and would generally be considered a good and sufficient reason for voluntary unemployment
- 4 **note** that work-tested clients have a general obligation to be available for, and taking reasonable steps to obtain, suitable employment and must accept any offer of suitable employment
- 5 **note** that MSD considers a range of factors when identifying suitable employment opportunities for clients, such as the skills required for the role, and client's family and religious commitments, to ensure the employment opportunities best meet client's personal circumstances and employer's requirements
- 6 **note** that the vaccination status of clients and the vaccine requirements of a role will also be taken into account when identifying suitable employment opportunities for clients

- 7 **note** that officials do not consider any changes to current settings are required at this stage but will monitor the situation and assess the impacts of any further changes to the vaccine mandate.



\_\_\_\_\_  
Bede Hogan  
Policy Manager  
Income Support Policy

3/11/2021

\_\_\_\_\_  
Date



\_\_\_\_\_  
Hon Carmel Sepuloni  
Minister for Social Development and Employment

14/11/2021 CS

\_\_\_\_\_  
Date

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