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9(2)(a)



RE Official Information Act request CDHB 10850

I refer to your six emails dated 31 March 2022 requesting the following information under the Official Information Act from Canterbury DHB. (**Noting** the sixth email was a combination of the previous five). Specifically:

1. **The number of CDHB unvaccinated employees and their roles that were offered re-deployment or granted special leave/non-paid leave/holiday leave.**
2. **The number of CDHB employees and their roles that within the last 24 months have been offered special leave, non-paid leave and remain in employment but not working.**
3. **copy of the CDHB policy/memo/directive that stated that on termination regarding vaccination status a nurse would lose nursing registration.**
4. **A copy of the CDHB policy/memo/directive that while stood down a nurse must not attend place of work or any DHB premises from 11:59pm 15 November 2021 otherwise have committed an Infringement Offence and could be subject to an infringement fee or fine.**

Further, I also request under the following information under the Privacy Act 2020 which I consider to be pertinent to CDHB's decision to terminate my employment:

5. **Any information relating to how many nurses were hired to replace CDHB nurses who had their employment terminated as a result of not complying with the Government's Health Order between 15 November 2021 and 17 March 2022.**

We have responded to your questions below.

1. The Canterbury DHB does not have any employees working in contravention of the Covid-19 Public Health Response (Vaccinations) Order 2021. As employees progressed through the Health Order process they may have been stood-down either on pay or off pay (depending on their own situations). Details of employees who were stood down while they completed the vaccination process are not held in a centralised database and are unable to be provided. We are declining a response to this question pursuant to section 18(f) of the Official Information Act i.e. "*....the information cannot be made available without substantial collation or research*".

2. Please refer to **Table one and Table two** (below) for details of staff who were offered special leave, non-paid leave and who have remained in employment and details of staff who have taken Leave Without Pay (LWOP). **Please note**, these are total numbers of staff who took special leave or LWOP within the last 24-month period, rather than people who are actively on special leave or LWOP. **We note** that these tables do not differentiate between people who took leave for purposes related to the Covid-19 Public Health Response (Vaccinations) Order 2021 and those who took leave for another unrelated reason:

Table one:

Employee Role	Pay Element	Number of CDHB employees who have had a period of LWOP between 01/04/2020 to 31/03/2022
Allied Health	Leave Without Pay	266
Management / Admin	Leave Without Pay	251
Nursing	Leave Without Pay	641
RMO	Leave Without Pay	64
SMO	Leave Without Pay	49
Support	Leave Without Pay	139
	Total:	1410

Table two:

Employee Role	Pay Element	Number of CDHB employees who have had a period of Special Leave between 01/04/2020 to 31/03/2022
Allied Health	Special Leave	1107
Management / Admin	Special Leave	459
Nursing	Special Leave	1798
RMO	Special Leave	147
SMO	Special Leave	180
Support	Special Leave	253
	Total	3944


3. There is no policy, memo or directive stating that nurses would be terminated from their employment if they were not vaccinated. The Canterbury DHB was required by law to comply with the Covid-19 Public Health Response (Vaccinations) Order 2021 which is available online. Therefore, this request is refused as the information does not exist. Any policy or directive in respect of nursing registration is a matter for the Nursing Council and the Canterbury DHB does not hold this information and therefore this part of the request is rejected as the information does not exist. (Declined pursuant to section 18(e) of the Official Information Act.)
4. There is no policy, memo or directive stating that nurses must not attend a workplace in contravention of the Covid-19 Public Health Response (Vaccinations) Order 2021. There was no policy, memo or directive that attending the workplace would be an infringement offence. These are matters held within the Covid-19 Public Health Response (Vaccinations) Order 2021 and the Canterbury DHB was required to follow the law as enacted by Parliament. This order is freely available online. Therefore, this request is rejected as the information does not exist. (Declined pursuant to section 18(e) of the Official Information Act.)
5. Vacancies caused by terminations in respect of the Covid-19 Public Health Response (Vaccinations) Order 2021 are not flagged differently in our system to vacancies caused by resignation, termination,

retirement and other forms of employment termination. Therefore, the information you have requested does not exist in an easily retrievable format and your request is rejected as the information does not exist and/or it would require substantial collation to produce. (Declined pursuant to section 18(f) of the Official Information Act i.e. *"...the information cannot be made available without substantial collation or research"*).

You may, under section 28(3) of the Official Information Act, seek a review of our decision to withhold information by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz; or Freephone 0800 802 602.

Please note that this response, or an edited version of this response, may be published on the Canterbury DHB website after your receipt of this response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'RLS', with a long horizontal line extending to the right below it.

Ralph La Salle
Senior Manager, OIAs
Canterbury DHB & West Coast DHB