

Laura Bowman

From: official information
Sent: Monday, 13 December 2021 9:46 am
To: [REDACTED]
Cc: official information
Subject: LGOIMA 21391 - [REDACTED] - HCC Staff Vaccination Policy.
Attachments: COVID-19 Vaccination Policy.pdf

Kia Ora,

I refer to your **information request below**, Hamilton City Council is able to provide the following response.

Please find attached our 2021 COVID-19 Staff Vaccination Policy.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

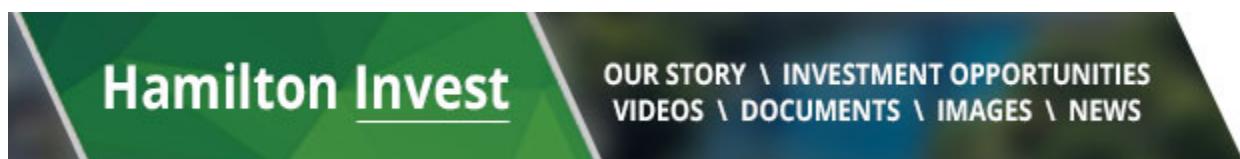
Kind Regards,

Tatiyana | Official Information & Legal Support Advisor
Legal Services & Risk | People and Organisational Performance
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-----Original Message-----

From: [REDACTED]
Sent: Saturday, 11 December 2021 4:47:31 am
To: info@hcc.govt.nz
Subject: Staff vaccination policy

Hi

Could you please send me a copy of HCCs policy concerning the staff that it requires to have received the COVID-19 vaccination in order to carry out their role at HCC.

Thanks

[REDACTED]
Get [Outlook for iOS](#)

Date Approved by ELT:	3 December 2021
Next review date:	3 June 2022
Document number:	D-4013352
Associated documents:	N/A
Sponsor/Group:	People and Organisational Performance
Policy Owner:	People, Safety and Wellness

Management Policy – COVID-19 Vaccination Policy

Te Puutake - Purpose

1. The purpose of this Policy is to outline Hamilton City Council’s (‘Council’) position and requirements in relation to COVID-19 vaccinations to reduce the risk of contracting or transmitting Covid-19 for all Employees, Contractors and Volunteers.
2. In consultation with employees, Council has conducted a risk assessment examining exposure and transmission risks across most roles within the organisation. We also looked at the range of other controls available and how those may be applied across the organisation.
3. Council has an obligation to provide a safe and healthy working environment for all our workers under the [Health and Safety at Work Act 2015](#), which extends to others that we engage, including our customers, visitors and wider communities and iwi. This commitment is reinforced through our organisational purpose, to ‘Improve the wellbeing of Hamiltonians’ and places front and centre our non-negotiable ethos: Safety first in all we do.
4. Under the Health and Safety at Work Act 2015 we have a duty to take all reasonably practicable steps to eliminate, or otherwise minimise, any risks to our people. Council continually assesses risks within our workplaces, including the risk that is introduced by having COVID-19 in the community.
5. Vaccinations play a key role in managing the risk of COVID-19 in the workplace as they provide an effective way to mitigate the risk to business continuity arising from workplace infection and support the continuing provision of our services and job security for our people. More importantly, they are crucial in reducing the likelihood of our people and the community accessing our workplaces and becoming infected with COVID-19 in the course of the work that we do and reducing the severity of the illness if anybody is infected despite best efforts being made to avoid that happening.

Overview

6. Council recognises that vaccination against COVID-19 represents an important risk mitigation to assist in bringing the spread and impact of the disease under control. Vaccines help protect people by reducing their likelihood of becoming infected and by

either preventing or reducing symptoms of COVID- 19 which is helpful in reducing the risk of COVID-19 spreading in the workplace.

Ngaa Tikanga Whakahaere - Principles of Policy

7. The guiding principles for this policy are:

- To effectively manage the health and safety of all people in the workplace through our risk management process
- Support the Governments vaccination programme and the ethos behind the COVID-19 Protection Framework
- Adhere to all Public Health Orders issued by Government to manage COVID-19, which takes precedence over this Policy and any other Council issued instructions

Te Whaanuitanga – Scope

8. This Policy applies to all Employees, Contractors and Volunteers of the Council, regardless of whether they work full time, part time or on a casual basis and irrespective of location.
9. This policy also extends to any contractors and temporary staff performing work for Council or who are present in the workplace or engaging with our employees through the course of their work.
10. All Council Business Units are required to comply with this Policy in its entirety.
11. COVID-19 vaccination requirements applicable to independent contractors and suppliers will be set out in the Supplier Requirements.
12. This Policy has been drafted based on the advice and information provided by government departments at the time. However, given the changing nature of matters relating to COVID-19, this Policy will be reviewed in 6 months' time, or earlier if required, and changes made where necessary. Staff will be advised of any further updates to this Policy.

Aahurutanga – Guidelines

Accessing our workplaces

13. While vaccination greatly reduces a person's chance of infection with COVID-19 as well as likelihood of severe illness resulting from infection, transmission can still occur. For this reason, it is important that staff remain vigilant and take appropriate alternative precautions and protections.

Symptoms of COVID-19 include:

- Fever
- Cough
- Fatigue/tiredness
- Loss of taste and/or smell
- Sore throat
- Headache
- Aches and pain

14. If you experience any of the above symptoms, or any other cold or flu-like symptoms, you should not come to work. You should notify your People Leader as per the usual process for sick leave. Symptomatic staff should be tested for COVID-19 as soon as possible in accordance with the Ministry of Health's guidelines. Council may require evidence of a negative COVID-19 test returning to work.
15. More information about COVID-19 symptoms and what to do if symptoms develop can be found here [COVID-19-like symptoms](#)
16. All Council employees shall be given reasonable, paid, time off work to enable a COVID-19 test to be taken and to isolate until the result is known if they are displaying COVID-19 symptoms, or if they have returned a positive test result.
17. If a Council employee contracts COVID-19, they must follow all Ministry of Health instructions, notify their People Leader, and may not return to a Council workplace until they return a negative COVID-19 test and are asymptomatic.
18. Council will provide paid special leave to accommodate short-term absences from work relating to COVID-19. If time off is prolonged (longer than three weeks), then we will work with the employee on a case-by-case basis to assist in determining further ongoing support.
19. Vaccination is a key measure for Council to minimise the risk of COVID-19 in the workplace and from the date the COVID-19 Protection Framework comes into force on 3 December 2021:
 - a. Every Council Employee, Contractor or Volunteer who is required to enter one of Council's workplaces to perform their duties must be vaccinated. Council appreciates that not all staff are currently vaccinated and so this requirement will be phased in as follows:

From 13 December 2021: only people who have had at least one COVID-19 vaccination will be allowed on our sites.

From 17 January 2022: only people who are fully vaccinated will be allowed on our sites.

 - b. Every Council Employee, Contractor or Volunteer who enters any of our customer or supplier sites must be fully vaccinated.

20. 'Fully vaccinated' means having received two doses of the Pfizer COVID-19 vaccine or an equivalent approved by the Ministry of Health. Additional booster vaccinations will also be required to maintain a person's 'fully vaccinated' status as those become applicable.
21. In circumstances where a member of staff has not been vaccinated (due to medical, religious, or personal choice reasons), or provided proof of vaccination by the above date(s), Council will work with those individuals and consider any redeployment options or alternative duties that may be available, including any remote working arrangements. The Chief Executive, the General Manager - People and Organisational Performance, the relevant General Manager of the staff member and the People, Safety and Wellness Manager, will oversee and approve these arrangements on a case-by-case basis.
22. Due to the nature of the work that we do, these options are likely to be very limited. If an alternative is not able to be found, we may be left with no option but to terminate employment.
23. To help us manage our vaccination requirements:
 - a. Every Council Employee, Contractor and Volunteer will be asked to disclose their vaccination status, and to update that status as and when it changes (e.g., they receive a booster vaccination).
 - b. Council acknowledges that someone's vaccine status is personal and private information and employees are not obliged to disclose their vaccination status to anyone beyond their People Leader and/or a nominated representative from People, Safety and Wellness for record purposes.
 - c. All vaccination information will be held in a secure, confidential system with restricted access, and in accordance with the Privacy Act 2020. If you choose not to disclose your vaccination status, we will assume you are not vaccinated for the purpose of this Policy.
 - d. All employees have Council's full support in getting vaccinated. For those not vaccinated, reasonable time off on pay will be given (up to one day) to speak to a medical professional regarding the vaccine, and/or to receive the vaccine.
 - e. If an employee has any concerns regarding this Policy, or wishes to discuss their individual circumstances, they are encouraged to talk to their People Leader, a member of the People, Safety and Wellness Team, Health & Safety Representative, or an independent advisor.

Public Facilities

24. Council will require proof of vaccination (My Vaccine Pass) from the public as a condition of entry into Council facilities e.g., H3 Sites (FMG Stadium, Claudelands and Seddon Park), Hamilton Park Cemetery (crematorium, chapel and other building accesses by the public) our Aquatic Centres, the Hamilton Zoo, Waikato Museum, ArtsPost and i-site, Hamilton Gardens (pavilion, information centre/shop and enclosed gardens), our Libraries, the Municipal Building and Council Chambers, to protect the public and our people from contracting or transmitting COVID-19.
25. As a public service we have an obligation to our community to operate as effectively and efficiently as is possible under the COVID-19 Protection Framework (traffic light system).
26. By implementing the requirements to provide proof of vaccination (or exemption) to gain entry into Council venues and facilities, it logically follows that public will expect that all Employees, Contractors and Volunteers are also vaccinated. For staff working in sectors or business units described as being “higher risk” under the traffic light system (including events, hospitality, close contact services etc.), staff will be legally required to be vaccinated under the Government mandate (Vaccine Pass Mandate).

Risk Assessment

27. The purpose of our risk assessment was to determine the current risk associated with COVID-19, and to assess the effectiveness of control mechanisms, including the use of vaccination as a workplace control, to reduce risk to a level that is deemed acceptable, or as low as reasonably practicable.
28. Using WorkSafe’s [risk assessment approach](#) we worked with relevant people leaders and staff who perform the work to understand the risk for each role. For completeness, we have performed a risk assessment for roles that are already subject to a Government mandate and those working in higher-risk environments subject to a Vaccine Pass mandate under the traffic light system.
29. At Council we have over 1,300 employees undertaking approximately 655 different roles. For the purpose of the risk assessment, each role was placed into the following broad categories:

A.	PHO Roles	Positions that fall under the COVID-19 Public Health Response (Vaccinations) Order 2021
B.	Higher Risk Roles	Positions working in environments or services specified as being higher risk under the COVID-19 Protection Framework (traffic light system)
C.	Vulnerable Contact Roles	Positions that work with children under 12, or other vulnerable members of the community
D.	Office Based Roles	Positions predominately based indoors with little or no interaction with general public

E.	Public Facing Roles	Positions that are public facing and/or involve a high level of interaction with the general public (including community-based events)
F.	Physical Works Role	Positions predominately based outdoors with little to no interaction with general public
G.	Essential Service Roles	Positions that are essential in providing key services to support the running of the city

Risk Assessment Summary

30. For all role types A to G above, the risk assessment process demonstrated that there is a significant risk reduction with the use of vaccination, alongside other controls. Without vaccination in each category, our reliance is on our existing control measures (e.g., Lockdowns) that may not be sustainable or realistic over time.
31. People in positions at the lower risk end, even those workers in outdoor settings or in office environments, still present with risk due to the contact with other staff in our workplace and the consequences associated with COVID-19. Vaccinated workers provide for a reduction in those consequences, and a further reduction in likelihood of infection, when combined with all other current controls in place.

Risk Assessment Outcomes

32. Through our assessment of all information available it became evident that the best way to protect our people and the community we serve, was that including vaccinations as a requirement of employment (existing and new), provided the best chance of reducing the risk and ensured that we are meeting our obligations as a good employer.

Record Keeping

33. Vaccination information that is collected will be kept confidential and secure and handled in accordance with all applicable privacy laws.
34. Proof of vaccination status will be required to ensure compliance with this Policy. As your vaccination status is your personal information, you are under no obligation to share it. However, if you do not disclose your vaccination status or provide proof that you are fully vaccinated (or have received your first dose), we must assume that you are not fully vaccinated (or have not received your first dose) for the purposes of this Policy.
35. It may be necessary to share your vaccination information with third parties (to satisfy site entry requirements etc). You will be provided with further details and asked for consent to share your information with any third-party before any disclosure is made.
36. Proof should be provided in the form of a government issued vaccine certificate or "My Vaccine Pass". You can download your vaccine certificate/pass through My Covid Record: <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-vaccines/my-covid-record-proof-vaccination-status>

Monitoring & Surveillance

37. Rapid antigen screening is another tool to support the pandemic response but does not replace the usual mask-wearing, hand hygiene and distancing rules that need to remain in place, as well as the need for vaccination. Council will consider adopting this tool in the future if practicable and may conduct 'Rapid Antigen Testing' to promote early detection of COVID-19 cases in the workplace.

New Employees

38. All new Employees, Contractors and Volunteers must be fully vaccinated (two doses) with an Approved COVID-19 Vaccine and provide Evidence of Vaccination before they commence employment.
39. It will be made clear to all applicants that all staff at Council must be fully vaccinated. Candidates who are not fully vaccinated or do not hold a MOH exemption will not be offered employment.
40. All new offers of employment/engagement will be subject to the successful candidate providing proof that they are fully vaccinated against COVID-19, or hold a MOH exemption, before they begin work.
41. Where a person offered employment/engagement with Council is not able to provide proof that they are fully vaccinated (or a MOH exemption) within the required timeframe, the offer will lapse.

Ngaa Hononga - Legislation and HCC Documents

The following legislation and documents are related or should be read in conjunction with this Policy:

- Code of Conduct Management Policy
- Health and Safety Policy
- Employment Agreement
- Human Rights Act 1993
- Bill of Rights Act 1990
- Employment Relations Act 2000
- Privacy Act 2020
- Health and Safety at Work Act 2015
- COVID-19 Public Health Response Act 2000
- COVID-19 Response (Vaccinations) Legislation Act 2021
- COVID-19 Public Health Response (Vaccinations) Order 2021
- COVID-19 Public Health Response (Protection Framework) Order 2021