

19 June 2026

Erika Whittome

fyi-request-34671-9a7a729a@requests.fyi.org.nz

Tēnā koe Erika

Your request for official information, reference: HNZ00203454

Thank you for your email on 9 May 2026, asking Health New Zealand | Te Whatu Ora (Health NZ) for the following under the Official Information Act 1982 (the OIA):

According to HNZ00096379 response dated 25 Sept 2025:

"Across Health NZ, there were 20 cases of personal grievances due to unjustified disadvantage arising from vaccine mandates and 56 cases of personal grievances due to unjustified dismissal, a total of 76 cases. Of the 56 cases of unjustified dismissal, four cases relate to a breach of contract.

Of the 20 cases of unjustified disadvantage, one case relates to a breach of contract."

1. Would you please share the total cost to date of all legal costs responding to vaccine mandate claims with mediations, the Employment Relations Authority and in the Employment Court or any other courts?

2. Please include any disbursements as well, eg travel, accommodation, meals etc to any third-party legal workers.

3. There are around 52 "preferred" law firms used by the government. Would you please share the spend to date outsourcing these cases to such law firms by DHB district?

4. What is the total of settlements paid out to date by DHB district across the whole country? For example, a response to OIA HNZ00087554 says that Waikato DHB terminated 95 staff has spent \$327,893.69 on settlements. "As of 16 July 2025, the total sum paid as a result of settlements is \$327,893.69."

5. What is the total number of terminations per DHB district from vaccine mandates in 2021 and 2022?

6. Are any of these terminated health workers reinstated or back working at the DHB? Please provide the total number by DHB district back working.

Response

For the sake of clarity, I will address each question in turn.

1. Would you please share the total cost to date of all legal costs responding to vaccine mandate claims with mediations, the Employment Relations Authority and in the Employment Court or any other courts?

2. Please include any disbursements as well, eg travel, accommodation, meals etc to any third party legal workers.

Generally, claims about the vaccination order contain claims for both alleged breaches of contract and breaches of statutory law as well. However, the type of breach is not contained in a centralised database.

To provide you with this information, our staff would have to manually review all individual pleadings across all districts. Health NZ would need to divert personnel from their other core duties and allocate extra time to complete this task. The diversion of these resources would impair our ability to carry out our other core functions. As such, your request is refused under section 18(f) of the OIA, as it requires substantial collation and research.

I have considered whether fixing a charge for the supply of the information or extending the timeframe for response would enable Health NZ to respond. I do not consider that either option would remove the impact that supplying the information would have on our other operations.

Likewise, matters of this nature form part of our staff's daily duties and cannot be identified as individual tasks. Therefore, your request for costs associated with inhouse human resource or legal input under section 18(g) of the OIA as the information is not held by Health NZ and we have no grounds to believe that the information is held by another entity subject to the OIA.

3. There are around 52 "preferred" law firms used by the government. Would you please share the spend to date outsourcing these cases to such law firms by DHB district?

Please refer to **Table One** below for the total outsourced legal service costs (including disbursements) for all vaccination order claims by district.

Table One: Outsourced legal service costs

District	Outsourced Legal Spend by District (GST excl)
Canterbury	\$50,683.51
Capital, Coast and Hutt Valley	\$11,958.56
Hawke's Bay	\$55,588.53
Lakes	\$4,866.43
MidCentral	\$13,639.04
Northland	\$58,717.78
Tairāwhiti	\$29,405.08
Waikato	\$16,173.44
Waitematā	\$31,341.19
Whanganui	\$44,443.25
Total	\$316,816.81

Data from 1 July 2024 to 19 June 2026

4. What is the total of settlements paid out to date by DHB district across the whole country? For example a response to OIA HNZ00087554 says that Waikato DHB terminated 95 staff has spent \$327,893.69 on settlements. "As of 16 July 2025, the total sum paid as a result of settlements is \$327,893.69."

The figure provided in OIA response, reference HNZ00087554 (\$327,893.69) is the total settlement amount for the 2024/25 financial year. The total sum paid as a result of settlements for the 2025/26 financial year has not yet been calculated. This information will be available after July 2026.

5. What is the total number of terminations per DHB district from vaccine mandates in 2021 and 2022?

Please note from items one and two, claims generally include more than one employment breach. The OIA does not require an agency to form an opinion or create new information to answer a request. This part of your request is therefore refused under section 18(g) of the OIA.

While we cannot provide you with the requested information, please refer to the **Table One** that was provided in response to OIA reference, HNZ00036089 from February 2024. This does not have a district breakdown as we do not hold data in that form. Please note the Vaccination Order was revoked effective 27 September 2022 therefore this data would not have changed.

Table One – Staff who resigned or had their employment terminated due to the introduction of the COVID-19 vaccine mandate

	Resigned	Terminated
Allied and Scientific	27	192
Nurses	57	370
Midwives	10	70
Management and Admin	34	173
Medical	8	38
Care and Support	33	190
Other	<5	8
Total	170	1041

Data as at 29 August 2022

Please note:

- The numbers presented cover both vaccinations one and two and the booster.
- Some of those reported as having resigned or been terminated may have since returned to the workforce.
- A breakdown by resignation or termination for such a small group of staff could identify individuals. To avoid revealing sensitive information about potentially identifiable individuals in our data, all values between 1 and 5 are suppressed and represented as <5.
- Health New Zealand defines resignation as “all employees who have resigned and have indicated that this is (or can fairly be assumed to be) because of the Vaccination Order. This category also includes those who have chosen to retire because of the Vaccination Order”.
- Health New Zealand defines terminated as “all employees who have been issued formal notice of termination of their employment, as a result of non-compliance with the Vaccination Order”.

6. Are any of these terminated health workers reinstated or back working at the DHB?
Please provide the total number by DHB district back working

This information is not captured in our records. Please note that the OIA does not require an agency to form an opinion or create new information to answer a request. This part of your request is refused under section 18(g) of the OIA.

How to get in touch

If you have any questions, you can contact us at hnzOIA@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 or by phoning 0800 802 602.

Nāku iti noa, nā

A handwritten signature in blue ink, appearing to read 'M. McLay', with a long horizontal flourish extending to the right.

pp

Matthew McLay

Manager, Government Services

Health New Zealand | Te Whatu Ora