



24 May 2024

§ 9(2)(a)

Ref: H2024040506

Tēnā koe § 9(2)(a)

### Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the Ministry of Health – Manatū Hauora (the Ministry) on 30 April 2024 for information regarding section 31 of the Health and Disability Services (Safety) Act 2001. Please find a response to each part of your request below.

*The number of notifications received in the 2023 and 2024 (year to date so far).*

*Data recorded from notifications under sub-section (5) for 2023 and 2024, including:*

- *Any incident or situation that puts at risk (or potentially could put at risk) the health or safety of the people for whom the service is being provided.*
- *Any investigation commenced by a member of the police into any aspects of the service,*
- *Any death of a person to whom you have provided services, or occurring in any premises in which services are provided, that is required to be reported to a coroner under the Coroners Act 1988*

*The total number of Notification of Registered Nurse Shortage Forms received, please provide the data for 2023 and 2024 (year to date)*

Please refer to the table below for the number of section 31(5) notifications received by aged residential care (ARC), broken down by category type from 1 January 2023 to 30 April 2024.

Year	Death Reported to the Coroner	Health and Safety Risk to Residents	Other	Police Investigation	Registered Nurse Coverage	Total
2023	40	330	1,709	105	4,269	6,453
2024*	14	158	632	31	656	1491
<b>Total</b>	<b>54</b>	<b>488</b>	<b>2,341</b>	<b>136</b>	<b>4,925</b>	<b>7,944</b>

\*As at 30 April 2024.

As shown in the above table, a total of 7,944 section 31(5) notifications from ARC providers have been received (from 1 January 2023 to 30 April 2024).

*The number of Notification of Registered Nurse Shortage Forms received by service provider for 2022, 2023 and 2024.*

Your request for section 31(5) notifications relating to registered nurse coverage by provider/site is withheld in full under section 9(2)(ba)(i) of the Act, to protect information that is subject to an obligation of confidence and making it available would likely prejudice the supply of similar information, or information from the same source. I have considered the countervailing public interest in releasing information and consider that it does not outweigh the need to withhold at this time.

*All documentation, briefings, and reports related to how the Healthy Ageing Team, Health Workforce Team and the Office of the Chief Nursing Officer for responding to these section 31 notifications respectively.*

The Ministry has no documentations, briefing or reports within scope of this part of your request. Therefore, your request is refused under section 18(g)(i) of the Act, as the information is not held by the Ministry and there are no grounds for believing it is held by another agency subject to the Act.

Further information relating to section 31 notification reporting can be found on the Ministry's website at: [www.health.govt.nz/our-work/regulation-health-and-disability-system/certification-health-care-services/information-providers-health-care-services/notifying-incident-under-section-31](http://www.health.govt.nz/our-work/regulation-health-and-disability-system/certification-health-care-services/information-providers-health-care-services/notifying-incident-under-section-31).

I trust this information fulfils your request. If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact the OIA Services Team on: [oiagr@health.govt.nz](mailto:oiagr@health.govt.nz).

Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Manatū Hauora website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku noa, nā



Ruihua Gu  
**Acting Group Manager, Quality Assurance and Safety  
Regulation and Monitoring | Te Pou Whakamaru**