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Wendy McGuinness

By email: wmcg@mcguinnessinstitute.org

Ref: H2024038704

Tēnā koe Wendy

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 2 April 2024 for information regarding the National Reserve Supply. Please find a response to each part of your response below:

Q1: What is the current status of the comprehensive review of New Zealand's National Reserve Supplies?

The Ministry's review into the National Reserve Supply is expected to be completed by June 30 2024.

Q2: If the review is still in progress, please provide a copy of the terms of reference and the due date for the report to be published?

The relevant terms of reference are attached to this letter as Appendix 1. There is not expected to be a final report.

Q3: If the review has been published, we would appreciate a copy of the report. Please advise if the review has led to any changes to the products listed and numbers held, or where they are located. If yes, please provide a list of the products held (by name), including the numbers held (the quantity). We would also like a general understanding of the location (e.g. in Auckland, Wellington and Christchurch).

The outcome of the review will not be published due to commercial and national security sensitivities that preclude us from providing more specific information about the stocks held, including locations. However, I can advise that supplies are held in various locations across the country.

Q4: We note the past list of the NRS is no longer available on the MoH website. Can you either direct us to where the existing list can be found or explain the reason for its removal. The Institute is very keen for the full NRS to be made available to the public, ideally every month.

Terms of Reference of the National Reserve Supply Technical Advisory Group

1. Introduction

- 1.1 These Terms of Reference establish the National Reserve Supply Technical Advisory Group (the Group) and set out the:
- role and functions of the Group
 - composition of the Group
 - term and work plan requirements
 - reporting requirements
 - terms and conditions of appointment
 - duties and responsibilities of Group members.
- 1.2 The Emergency Management Team in the Public Health Agency of Manatū Hauora (the Ministry of Health) is responsible for determining the composition of the National Reserve Supply (NRS).
- 1.3 To ensure the composition remains fit for purpose and provides supplies for a wide range of emergencies, the Emergency Management Team is establishing the National Reserve Supply Technical Advisory Group in 2023. The Deputy Director-General of the Public Health Agency will appoint members to the Group.
- 1.4 The Group is required to provide advice to the Ministry during the process of the review of the NRS, which is expected to take place during 2023 and 2024.

2. Functions of the Group

- 2.1 The Group's purpose is to determine critical items to be included in the NRS to respond to a wide range of hazards and risks. The Group will be expected to:
- consider different hazards faced by the health sector and determine the critical items required to respond to health emergencies in addition to those held as part of business as usual
 - determine if these critical supplies should be held in the NRS
 - recommend the item types and volumes of stock that should reasonably be held in the NRS.
- 2.2 Additional members with relevant expertise may be co-opted to discuss specific issues and will abide by the same terms of reference.

3. Composition of the Group

3.1 The Group will include the following representatives:

- Medical officer of health
- Infectious diseases physician
- Infection prevention control specialist
- Public health physician from Office of the Director of Public Health
- Ministry's Chief Science Advisor.

3.2 The Ministry will appoint a Chair for the Group.

3.3 The Chair agrees to:

- Provide leadership and ensure the Group retains a focus on its scope and priorities as defined in these terms of reference.
- Ensure meetings are duly convened and that a quorum is present (see section 7)
- Ensure the group has sufficient information to make recommendations
- Present advice and recommendations to Ministry decision makers
- Ensure actions and recommendations are noted and actioned within agreed timeframes.

4. Work Plan Development

4.1 The Group will be expected to:

- consider different hazards faced by the health sector and determine the critical items required to respond to health emergencies in addition to those held as part of business as usual
- determine if these critical supplies need to be held in the NRS
- recommend the item types and volumes of stock that should reasonably be held in the NRS.

5. Reporting Requirements

5.1 The Group will provide a summary of recommendations of items to be included in the NRS. Approval for any changes to the NRS composition will be sought from the Director-General.

6. Establishment, Review Process and End Date

6.1 The EMT is establishing the Group in 2023 to provide advice to the Ministry during the process of the review of the NRS, which is expected to take place during 2023 and 2024.

6.2 The Group's Terms of Reference will be reviewed each year alongside the Ministry's annual stocktake of Ministerial and Ministry committees.

7. Meetings

- 7.1 The EMT will provide Secretariat support to the Group.
- 7.2 Meetings will be held on an as-required basis, expected to be three to four times a year during the NRS composition review, which is expected to take 12-18 months from the first meeting in 2023.
- 7.3 A meeting quorum for the Group requires 50 percent of standing external Members, including the Chairperson. The quorum for a meeting is the minimum number of Members required to make the meeting valid. If a meeting is inquorate, it cannot make recommendations on behalf of the group. It can hold discussions and make recommendations for later confirmation or rejection by the group.
- 7.4 The Secretariat will maintain:
- an interests register, listing members' interests relevant to the Group's business.
 - Conflict of interest register
- 7.5 Declaration and discussion of conflicts of interest should be a standing item on each meeting's agenda, and actions arising out of this item should be recorded in the minutes.

8. Duties and Responsibilities of a Member

- 8.1 This section sets out the expectations regarding the duties and responsibilities of a person appointed as a member of the Group. This is intended to aid members by providing them with a common set of principles for appropriate conduct and behaviour and serves to protect the Group and its members from being exposed to legal challenges.
- 8.2 Members have a commitment to work for the public of New Zealand. Members are accountable to the Ministry.
- 8.3 There is an expectation members will attend all meetings and devote sufficient time to become familiar with the affairs of the Group and the wider environment within which it operates.
- 8.4 In making themselves available for appointment, members should ensure that:
- there is no conflict of interest which would preclude their appointment; and
 - they are available to serve for the full term of the review (12-18 months).
- 8.5 Group members agree to:
- Familiarise themselves with background material (if any) sent to members prior to meetings.
 - Actively participate in meetings or provide electronic comments as required.
 - Undertake additional activities agreed by the group (such as commenting on advice or guidance, providing research material, or contacts)
 - Alert the Chair to limitations on availability and interim delegation arrangements (if appropriate).

- Engage with their sector and contribute to discussions as their sector lead; share expert knowledge and engage constructively in discussions, acting only in the role they are representing and within their scope of expertise.
- Lead/facilitate the completion of respectively owned action items within the agreed timeframes.
- Assume collective responsibility for advice through; working together in a collegial manner; seeking consensus on provision of advice wherever possible; and noting any unresolved differences of opinion, limitations of evidence or opportunity for consultation, or concessions made due to time or logistical constraints.
- Exercise all due professional care and diligence in the performance of their obligations under these terms of reference in accordance with the standards of skill, care, and diligence normally practised by suitably qualified and experienced persons in performing services of a similar nature.
- Agree not to assign, delegate, or transfer their obligations under these terms of reference without specific written approval from the Ministry via the Chair of the Group.

9. Removal from Group

- 9.1 The Ministry may, at any time and entirely at the Ministry's discretion, remove any member from the Group.

10. Conflicts of Interest

- 10.1 Members should perform their functions in good faith, honestly and impartially and avoid situations that might compromise their integrity or otherwise lead to conflicts of interest. Proper observation of these principles will enable public confidence in the work of the Group to be maintained.
- 10.2 When members believe they have a conflict of interest on a subject which will prevent them from reaching an impartial decision or undertaking an activity consistent with the Group's functions, then they must declare a conflict of interest and absent themselves from the discussion and/or activity. This must be done at the earliest possible opportunity, in the regular agenda item around conflicts of interest, and at the point the relevant item of business comes up in the meeting.

11. Liability

- 11.1 Members are not liable for any act or omission done or omitted in their capacity as a member, if they acted in good faith, and with reasonable care, in pursuance of the functions of the Group.

12. Confidentiality

- 12.1 Meetings, including agenda material and minutes, are confidential. Members must ensure that the confidentiality of Group business is maintained.
- 12.2 Members are free to, and are expected to, express their own views within the context of meetings, or the general business of the Group. Members must publicly support a course of action decided by the Group, or if unable to do that, must not publicly comment on decisions.

- 12.3 At no time shall members divulge details of Group matters or decisions to people who are not members, or Ministry employees. Disclosure of Group business to anyone outside the Ministry must be the decision of the Ministry.
- 12.4 Members of the Group are not authorised to make statements on behalf of the Group or the Ministry. The Ministry has strict protocols for managing media enquiries and all such requests should be directed to media@health.govt.nz. Members have the right to comment to the media on any matter in their professional capacity, as long as they do not attribute the comment to the Group or imply that they are speaking on behalf of the Group or wider Ministry. If a member is forewarned of being asked to comment to the media, they should advise the Ministry accordingly. If a member is not forewarned, they should advise the Ministry immediately after making comment to the media.
- 12.5 Group members must ensure that documents are kept securely to ensure that confidentiality is maintained. Release of correspondence or papers can only be made with the approval of the Ministry. At the end of a member's term, all Group information must be returned to the Ministry.
- 13. Remuneration and expenses**
- 13.1 Members of the Group are paid fees for attendance at meetings, in accordance with the Cabinet Office Circular CO (22) 2 *Fees framework for members appointed to bodies in which the Crown has an interest* (or its successor circular).
- 13.2 Members who are employees of the wider State sector are not entitled to be paid fees for Group business if this is conducted during regular paid work time (ie, members cannot be paid twice by the Crown for the same hours).
- 13.3 The fee for Group members is currently \$226 - 435 per day (before tax) and this is reviewed annually. Members will also be paid actual and reasonable meeting preparation time at the daily fee and pro rata.
- 13.4 Members are entitled to be reimbursed for actual and reasonable travelling and other expenses incurred in carrying out their duties. The expectation is that the standards of travel, accommodation, meals and other expenses are modest and appropriate to reflect public sector norms.



Dr Andrew Old
Deputy Director-General
Public Health Agency

Approved on: 15 June 2023

Date for next review: 15 June 2024