



Dunedin Fringe Arts Trust

COVID-19 Vaccine Certification Policy

DFAT's COVID19 Vaccine Certification Policy

When the COVID-19 Protection Framework comes into force for the Otago region, vaccine certification will be required for any person present in a space managed by DFAT or at an activity being presented under our umbrella.

This policy is a live document, is based on government guidance as it exists at November 2021, and intends to comply with all relevant laws (current and future) including those relating to the COVID-19 protection framework, work health and safety laws, human rights laws and employment laws.

Who does it apply to?

All DFAT trustees, employees, contractors, volunteers (hereafter referred to as personnel); arts practitioners and audience participating in activities associated with DFAT.

When does it apply?

For any space managed by the DFAT, or hosting an event being presented under the DFAT organisational umbrella.

Why do we have this Policy?

Under the COVID-19 Protection Framework, vaccination for all event workers is required at all levels (Red, Orange, Green). Workers include staff, volunteers, contractors, professional and semi-professional performers.

We have an ethical and legal obligation to keep participants of DFAT events safe (Health and Safety at Work Act 2015) and this policy will help to protect against, and minimise the spread of, COVID-19. Furthermore, the vaccine certification system offers the creative sector greater certainty of events being able to proceed, and increased audience capacity / revenue.

We acknowledge that under NZ Bill of Rights people have a choice to not have a vaccine and that under the COVID-19 Protection Framework this will prohibit them from attending events.

Fringe event organisers and host venues

Fringe event organisers are required to share this policy with all of their own personnel and ensure they understand its implications. While best practice would see Fringe event organisers undertaking a [risk assessment](#) for all roles associated with their event, our recommendation is that in-person roles are fulfilled only by people with a valid My Vaccine Pass. To download the Verifier app and obtain more information, [goto this Ministry of Health webpage](#).

Fringe event organisers are required to confirm appropriate certification status of their in-person personnel to DFAT via the Eventotron system. Note that DFAT will not hold any personal information relating to certification status but Fringe event organisers are advised to have a privacy policy that adheres to the NZ Privacy Act 2020 and ensure they obtain informed consent before collecting any such data.

For registrations purposes of the 2022 Dunedin Fringe Festival, an undertaking to obtain a Vaccine Pass by the 17th of January is sufficient to finalise registration. Refusal to disclose status should be treated in the same way as declining to obtain a Vaccine Pass ie they may not have in-person participation in the Dunedin Fringe or other events associated with DFAT.

All venues hosting Dunedin Fringe events will utilise the Verifier app with only holders of a valid pass, or people younger than 12 years 3 months, being allowed entry. For the avoidance of confusion, this includes all workers (employees, contractors, and volunteers), practitioners, and audience.

The Fringe Office reserves the right to cancel the registration of the event as per the Registration Terms and Conditions clause (2-e), if this condition is not met.

DFAT audiences at ticketed events and events in venues

All venues hosting Dunedin Fringe events will utilise the Verifier app with only holders of a valid pass, or people younger than 12 years 3 months, being allowed entry.

As per our Ticketing Terms and Conditions, failure to display a valid My Vaccine Pass at point of entry will not entitle affected persons to a refund.

DFAT personnel

All employees, contractors, and volunteers (including Trustees) will be required to provide proof of vaccination certification status before entering a space being managed or hired by DFAT. If appropriate, the person concerned may be given the option of contributing remotely provided this does not impinge on their ability to perform the role.

Background

The Dunedin Fringe Arts Trust's (DFAT) COVID19 Vaccine Certification Policy (VCP) was created in response the NZ Government's COVID-19 Protection Framework (aka 'The Traffic Light' system). It will replace our existing policies including, but not limited to, Dunedin Fringe Covid-19 Contingency Plan, and any artist Terms and Conditions relating to COVID.

As part of managing the health and safety risks created by the pandemic DFAT will:

- Fully comply with government led initiatives which manage the health impact of the pandemic on DFAT personnel and the people they interact with.
- Support DFAT personnel in ensuring they have the information they need in relation to the government measures including vaccination.
- Implement initiatives to comply with government advice on vaccination and other pandemic related safety issues, such as vaccination certification, testing, PPE and social distancing.
- Continuously assess the risks presented by the pandemic and the health and safety mitigations available to ensure the health and safety of DFAT personnel, and other people who have personal contact with each other as a result of DFAT activities.
- Implement mitigation measures to ensure the health and safety of DFAT personnel and other people who have personal contact with each other as a result of DFAT activities.

What is the Government's COVID-19 Protection Framework, (for events where vaccine certificates are used)?

Green:

COVID-19 across New Zealand, including sporadic imported cases.

- Record keeping/scanning required
- Face coverings mandatory on flights, encouraged indoors
- Specified outdoor community events – allowed
- No limits (if vaccine certificates are used) for events (indoor/outdoor)

Amber:

Increasing community transmission with increasing pressure on health system.

- Record keeping/scanning required.
- Face coverings mandatory on flights, public transport, taxis, retail, public venues, encouraged elsewhere
- Specified outdoor community events – allowed
- No limits (if vaccine certificates are used) for events (indoor/outdoor)

Red:

Action needed to protect health system – system facing unsustainable number of hospitalisations.

- Record keeping/scanning required.
- Face coverings mandatory on flights, public transport, taxis, retail, public venues, recommended whenever leaving the house
- Specified outdoor community events – allowed with capacity limits
- Events (indoor/outdoor - if vaccine certificates are used) – up to 100 people based on 1m distancing, seated and separated

Localised lockdowns: will be used as part of the public health response in the new framework across all levels, and there may still be a need to use wider lockdowns (similar to the measures in Alert Level 3 or 4).

NB the above is a summary. [Please click here for the full list](#). Events which do not use vaccination certificates for attendees are subject to further restrictions.

Vaccination and DFAT Personnel

Much of our activity has a high risk of exposure to COVID-19 and opportunity for transmission. It is also likely that some public health measures (e.g. physical distancing, PPE, etc.) will not be effective in sufficiently minimising this risk.

The requirement for DFAT personnel to be physically present for at least part of the time means it may not be possible to offer unvaccinated personnel the ability to 'work from home' all of the time.

DFAT accepts the Ministry of Health's view that vaccination is an important tool in ensuring the health and safety of New Zealanders, including our personnel, and further recognises the role of vaccination in protecting those who may come into contact with personnel, including arts practitioners and audience. We will also advise personnel of any additional health and safety measures that may be taken to manage the risks associated with the COVID19.

Procedure for engaging with existing DFAT personnel about our VCP:

DFAT will:

- i) Notify all existing personnel no later than 6 December 2021, that by 17 January 2022, all roles with an in-person component are only to be carried out by persons who have received two doses of the Pfizer vaccine (or are otherwise fully vaccinated having received the recommended number of doses of any approved COVID-19 vaccine). Personnel engaged after the 6 December 2021 will be made aware of the VCP during engagement.
- ii) From 17 January 2022, require evidence from all personnel regarding their vaccination status. Appropriate evidence includes the My Vaccine Pass. The purple vaccine record card has been deemed insufficient.

Refusal to be vaccinated or to provide evidence of vaccination

Where DFAT personnel refuses to be vaccinated, or refuses to disclose their vaccination status then in the first instance, DFAT management will meet with them to understand their position and provide information to address their concerns.

An individual risk assessment may be carried out and alternative ways of working will be considered. However, alternative ways of working may not be an option as most alternative ways of working, such as working from home, or working in alternate duties, are either not practicable or will not result in a reduction of the risk of COVID-19 transmission or infection to an acceptable level.

Where the person has medical grounds (supported by appropriate medical evidence) or another genuine and valid reason to decline the vaccination, then DFAT will work with them

to explore alternative ways of working to keep themselves and others safe, and to ensure so far as reasonably practicable that the risk of COVID-19 transmission and infection is minimised at its facilities.

In the event that:

- a person undertaking a role as DFAT personnel continues to refuse the COVID-19 vaccination (or refuses to disclose their vaccination status); and
- DFAT and the personnel (after a reasonable consultation process) fail to identify suitable alternative ways of working and/or reach an agreement; and
- DFAT determines that allowing the person to continue in their position would be a breach of this policy and/or a breach of DFAT's Health and Safety obligations to protect other persons from the negative impact of the virus;

DFAT may consider options including termination of employment on notice, termination of contract, or decline voluntary services. Personnel will be advised of their right to a support person or representative throughout this process.

If vaccine booster shots become available and required by the government, the existing requirement for roles to be performed by a vaccinated person will be extended so that these roles must be performed by persons who have received booster shots in line with government advice or requirements. Personnel will be advised of the timeframes for receiving these booster shots by DFAT.

New employees, volunteers, and contractors directly engaged by DFAT

New personnel (employees, volunteers, and contractors directly engaged by DFAT) will be required to provide proof of vaccination for COVID-19 as a condition of employment or engagement, for health and safety reasons.

Visitors and contractors (engaged by companies providing services to DFAT)

Any visits to a space managed by DFAT will be undertaken in compliance with this policy. This includes customers purchasing tickets in-person at a DFAT box office.

Any visitor or contractor must be vaccinated and provide official evidence of their vaccination status before they can commence their engagement and/or enter a facility. DFAT reserves the right to terminate the contractor's engagement if the contractor does not provide sufficiently acceptable evidence of their vaccination status.

Contractors will also be required to continue to wear mandated PPE and follow required hygiene standards in line with Government and DFAT requirements.

Effect of a shift to Red Light level during the Dunedin Fringe or while tickets are on sale

The Dunedin Fringe will reduce tickets on sale to whatever is the lesser amount: 100 or the venue capacity based on 1M distancing.

Related Ticketing Terms and Conditions

- a. In the event of a cancellation by Dunedin Fringe or the Promoter, the ticket price (minus any reasonable transaction and administration fees) will be refunded:
 - i. directly to the credit card used for the original purchase. We may contact you and ask if you want to donate the ticket price to the Promotor instead of receiving a refund. If we do not hear from you within a reasonable time or you do not hear from us, we will automatically provide for the refund. Please note, in these circumstances' refunds may take up to 31 days to appear in your account; or
 - ii. upon the presentation of a valid receipt for Advance Tickets purchased from our box office (you may also donate the ticket price). If we do not hear from you within 30 days, the ticket price will be automatically donated to the Promotor.
- a. Promoters may be required to reduce their capacity owing to COVID-19 Red Light Level being declared by the government. Any purchased Advance Tickets exceeding the revised capacity will be refunded (minus transaction and administration fees). Refunds will be allocated according to date of purchase, from the most recent purchase until the revised capacity is reached.

Temporary Lockdowns

Under the provisions of the NZ Government's COVID-19 Protection Framework, it's possible Otago and other regions of NZ will be placed into temporary lockdown. If this were to occur during or within two weeks of the festival beginning the following Artist Terms and Conditions would apply:

1. If the 2022 Festival is cancelled owing to a temporary lockdown, then my registration fee and bond will be refunded. The Festival shall not be liable for any other losses resulting from the cancellation.
2. If my event is unable to proceed owing to a regional temporary lockdown preventing travel then my registration fee and bond will be refunded. The Festival shall not be liable for any other losses resulting from the cancellation.

COVID-19 Testing

Although this policy relates primarily to vaccinations in the workplace, should personnel be asked to take a COVID-19 test, they should do so.

DFAT relies on accurate information about vaccination from official medical sources and government agencies such as the Ministry of Health. While personnel may have their own view about vaccination, information about vaccination shared in the workplace must be consistent with official medical advice.

Personnel who share false, misleading and/or medically unverified information about vaccination may be subject to disciplinary action.

This policy should be read in conjunction with DFAT's code of conduct. DFAT understands that vaccinations are an emotive topic for some personnel. However, DFAT asks that you treat all personnel with respect.

Breaches of this Policy

Where any personnel are dishonest about their vaccination status, or dishonest about being infected with COVID-19 or potentially being exposed to COVID-19, their actions may be grounds for disciplinary action, including and up to summary dismissal.

Privacy

DFAT may request information from personnel regarding their vaccination status to assist it in complying with its obligations under the HSWA and so it can respond appropriately to the risks COVID-19 brings to the workplace, including to assess whether personnel can be safely deployed. If personnel chooses not to advise DFAT of their vaccination status, DFAT may assume that they are not vaccinated.

Where DFAT seeks or retains information regarding personnel vaccination status, it will deal with this information in accordance with the Privacy Act 2020, including by keeping this information secure.

DFAT will only disclose information about personnel's vaccination status where it is required to do so to achieve the purposes set out above. DFAT may disclose personnel vaccination status to DFAT entities, or as otherwise required by law.

Policy Changes

The content of this policy may change on an ongoing basis in line with evidence-based practice, levels of community spread, changes in Government restrictions or controls, and as our understanding of the virus and how it spreads develops. Potential changes to the risk profile may occur when New Zealand opens its borders.

1. Responsibilities

- All personnel, Fringe practitioners (including venue personnel hosting Fringe events) are responsible for familiarising themselves with the content and complying with the requirements of this policy.

- All personnel are personally responsible for following the official government health advice in relation to COVID-19.
- All managers or leadership positions are responsible for managing procedures associated with their functional area so that personnel, visitors and our contractors are informed, understand, and adhere to this policy.
- All personnel and people leaders engaged in activities under the direct control of DFAT are responsible for meeting requirements of risk assessments made under this policy relevant to the work they undertake.

2. Additional information

Employment New Zealand: [Coronavirus \(COVID-19\) and the workplace](#)

NZ Government: [COVID -19 Symptoms](#)

NZ Government: [People at higher risk of severe illness from COVID-19](#)