

# RESIDENTIAL AGED CARE FACILITY COVID-19 VACCINATION POLICY

## POLICY STATEMENT AND OBJECTIVES

---

[Entity] is committed to the health and safety of its residents, staff members and volunteers and to preventing the spread of vaccine-preventable diseases such as COVID-19.

The Commonwealth Government has confirmed that from 17 September 2021, all residential aged care workers must be vaccinated against COVID-19 as a condition of engagement. Each State and Territory has issued health directions/orders to this effect. The Directions/Orders that are currently in place are:

- *Public Health (COVID-19 Aged Care Facilities) Order 2021 (NSW)*
- *Public Health (Aged Care Workers COVID-19 Vaccination) Emergency Direction 2021 (ACT)*
- *COVID-19 Directions (No. 48) 2021: Directions for Aged Care Facilities (NT)*
- *Mandatory Vaccination of Certain Workers - No. 1 (Tasmania)*
- *Residential Aged Care Direction (No.5) (QLD)*
- *Emergency Management (Residential Aged Care Facilities No 40) (COVID-19) Direction 2021 (SA)*
- *COVID-19 Mandatory Vaccination Directions (No 1) (Vic)*

This policy sets out the measures [entity] is taking to ensure it meets all mandatory requirements related to the COVID-19 vaccination, as well as Worker obligations.

## SCOPE

---

This policy applies to all Workers (see the definition of “Worker” in the definition section below).

## DEFINITIONS

---

**COVID-19 vaccination** means a COVID-19 vaccine approved by the Therapeutic Goods Administration for use in Australia, or where a person has been vaccinated overseas, a World Health Organisation-COVAX approved COVID-19 vaccine.

**Residential aged care facility** means a facility at which accommodation, and personal care or nursing care or both, are provided to a person in respect of whom a residential care subsidy or a flexible care subsidy is payable under the *Aged Care Act 1997* (Commonwealth), or funding is provided under the National Aboriginal and Torres Strait Islander Flexible Aged Care Program.

**Worker** means ##Insert varying definitions based on state health directions:

[Australian Capital Territory]

- A staff member, meaning a person who:
  - has, or is reasonably likely to have, access to aged care residents; and is either:

- employed, hired, retained or otherwise engaged directly by [entity], to provide care or other services under [entity]'s control; or
- is otherwise engaged by [entity] through a third party, for example an employment or recruitment agency, to provide care or other services under [entity]'s control;
- key personnel of [entity]; and
- employees and contractors of [entity] who provide care to aged care residents; and
- health professionals contracted by [entity] to provide care to aged care residents; and
- kitchen, laundry, garden and office personnel employed by [entity]; and
- consultants, trainers and advisors for accreditation support or systems improvement who are under the control of [entity]; and
- transport operators contracted by [entity] to collect aged care residents for outings.
- A volunteer, meaning a person who:
  - is not a staff member of [entity]; and
  - offers their services to and are engaged by [entity]; and
  - provides care or other services on the invitation of [entity] and not solely on the express or implied invitation of an aged care resident; and
  - has, or is reasonably likely to have, unsupervised access to aged care residents.
- A student on placement, meaning a person who attends a residential aged care facility for a vocational placement (within the meaning of s 12 of the *Fair Work Act 2009* (Cth)).
- A visiting Health Practitioner, meaning a health practitioner (as defined by s 5 of the *Health Practitioner Regulation National Law (ACT)*), who is not a staff member but who visits a residential aged care facility to provide care to aged care residents
- A person who provides services in connection with any of the following Commonwealth aged care programs:
  - the Transition Care Programme;
  - the Short Term Restorative Care Programme
  - the Multi-Purpose Services Programme;
  - the National Aboriginal and Torres Strait Islander Flexible Aged Care Programme; or
  - Respite care;

but only to the extent that those services are being provided at the residential aged care facility.

#### [New South Wales]

- An employee of the [entity].

- A person who provides services for [entity] or for 1 or more residents of the facility under a contract or arrangement with any person, but not including the following:
  - a maintenance contractor,
  - a person who provides services to a resident of the facility under a contract or arrangement with the resident,
  - a student.

#### [Northern Territory]

A person who is an officer, employee or contractor of an aged care facility.

#### [Queensland]

- Direct care workers, including nurses, personal care workers, allied health assistants;
- Administration staff, including reception staff and management;
- Ancillary staff, including food preparation staff, cleaners, laundry staff, gardeners and maintenance staff;
- Lifestyle and social care staff, including for music and art therapy;
- Transport drivers of residents of a residential aged care facility;
- Volunteers engaged by a residential aged care facility to undertake duties at a residential aged care facility;
- Note: volunteers who are not engaged by the residential aged care facility, for example community visitors providing companionship to a resident at the request of the resident, are not Workers.
- Medical practitioners and allied health professionals, including paramedics and emergency services staff who regularly attend and provide care to residents of a residential aged care facility whether employed or engaged by the resident, residential aged care facility or another person.
- Other lifestyle staff, including hairdressers and beauticians, who regularly attend and provide care to residents of a residential aged care facility whether employed or engaged by the resident, residential aged care facility or another person.

#### [South Australia]

- Any person employed or engaged by or on behalf of [entity] (whether as an employee, contractor or agency staff) to work or perform duties at our residential aged care premises including:
  - Direct care workers (nurses; personal care workers; allied health professionals; allied health assistants);
  - Administration staff (reception; management; administration);
  - Ancillary staff (food preparation; cleaning; laundry; garden; maintenance);
  - Lifestyle / social care (music/art therapy);

- Transport drivers of residents;
- Volunteers engaged by [entity] to undertake duties at our residential aged care premises;
- Students on placement at our residential aged care premises; and
- Medical practitioners and allied health professionals who attend and provide care to residents of our residential aged care premises, whether employed or engaged by the resident, [entity] or another person.

Volunteers who are not engaged by [entity], for example community visitors providing companionship to a resident at the request of the resident, are not included in the meaning of a Worker.

#### [Tasmania]

- A person employed, or engaged, by or on behalf of [entity], regardless of whether in a paid or volunteer role;
- A person undertaking a clinical placement, or work experience, at the residential aged care facility;
- A person employed, or engaged, by or on behalf of [entity], to provide services, other than maintenance services, in respect of [entity]'s facility or one or more residents, regardless of whether the employment or engagement is paid or voluntary.

#### [Victoria]

- A person (including a volunteer) that is:
  - employed or engaged as a contractor, by [entity] to perform work at the residential aged care facility including:
    - direct care workforce including nurses, personal care workers, allied health professionals, and allied health assistants;
    - administration staff including reception and management staff;
    - ancillary staff including food preparation, cleaning, laundry, gardening and general maintenance staff;
    - dental practitioners;
    - phlebotomists (pathology nurses);
    - lifestyle and social staff, such as those delivering music or art therapy;
    - transport drivers who are responsible for collecting and transporting residents to and from the residential aged care facility for outings;
    - volunteers engaged by the residential aged care facility to undertake duties at the facility;
    - students on placement;
    - medical practitioners and allied health professions who attend the residential aged care facility to provide care to residents of the facility; and

- a medical practitioner, dental practitioner or allied health professional who is employed or engaged by a resident of the residential aged care facility to provide care to the resident;

#### [Western Australia]

- A person who provides goods or services at a residential aged care facility and is employed or otherwise engaged (including a volunteer, other than an ad hoc volunteer):
  - by [entity], or
  - a third party who provides goods and services at [entity's] residential aged care facility for or on behalf of [entity], including a labour hire firm who provides staff to supplement the permanent workforce;

including, for the avoidance of doubt:

- a direct care worker including a nurse, a personal care worker, an allied health professional and an allied health assistant;
  - an administrative staff member including a person working in administration, management or reception services;
  - an ancillary staff member including a cleaner, a laundry staff member, a gardener, a person performing food preparation services and a person providing maintenance services;
  - a person providing lifestyle and social care, including a person providing music or art therapy or a transport driver who transports residents for the purposes of outings.
- A person who provides services in connection with:
    - the Transition Care Programme;
    - the Short Term Restorative Care Programme;
    - the Multi-Purpose Services Programme;
    - the National Aboriginal and Torres Strait Islander Flexible Aged Care Programme
    - Respite care but only to the extent that those services are being provided at the residential aged care facility.
  - A person who provides health, medical, pharmaceutical or allied health services to a resident (irrespective of whether those services are paid and irrespective of whether that person is employed or engaged, including in an unpaid or voluntary basis, by [entity] or a third party who provides goods and services at the residential aged care facility for or on behalf of [entity] or some other person, including the resident).
  - A person who is a student and is on a placement at a residential aged care facility as a formal part of their education.
  - An ambulance officer.

#### **COVID-19 VACCINATION REQUIREMENTS**

---

*[Insert relevant option:*

[Option 1]The ##[state] Government Health Directions confirm that all residential aged care workers are required to have a COVID-19 vaccination in order to enter a residential aged care facility to perform their work.[End option 1]

OR

[Option 2]The Victorian Government is yet to release its Health Directions regarding the COVID-19 vaccination but it is expected to by ##[date] and this policy is drafted on the basis that those directions will require that all residential aged care workers are required to have a COVID-19 vaccination in order to enter a residential aged care facility to perform their work.][End option 2]

COVID-19 vaccinations are an effective way of reducing the risk of spreading COVID-19 between Workers and residents and the community at large. COVID-19 vaccinations can also reduce the severity of the impact that COVID-19 has on people, if they contract the virus.

[Entity] recognises that having a vaccination, including the COVID-19 vaccination, is a personal choice. However on and after 17 September 2021, Workers must not enter our premises to perform their duties as a Worker without having received at least the first dose of a COVID-19 vaccination, subject to the very limited exceptions set out below under 'Exceptions To COVID-19 Vaccination Requirements'. This is the requirement under the Health Direction/Order and it is also a lawful and reasonable requirement.

That means by **16 September 2021** in order to continue to work at our aged care facilities/facility, all Workers must have had at least one dose of a COVID-19 vaccination. In order to meet this deadline, all Workers must take the following steps (if they have not already):

- If relevant, seek medical advice regarding the COVID-19 vaccination, as it relates to you.
- Where you do not have a genuine medical contraindication (a valid medical reason not to have the COVID-19 vaccination), make appointments to receive your first and second doses of the COVID-19 vaccination.
- If you have trouble making an appointment, or need to provide evidence of your status as a residential aged care worker, please contact your manager.
- When you receive your first and your second COVID-19 vaccination dose, ensure that you keep a record of these.
- Provide us with confirmation that you have received your COVID-19 vaccination, after both your first and second dose.
- If you do have a valid medical contraindication, you will need to provide that information to us too.

[Option] All employees will be allowed paid time off to attend an appointment to receive their COVID-19 vaccination upon providing proof of this appointment [End option]

Workers can access COVID-19 vaccinations at various locations including vaccination hubs, roving clinics, general practices, some pharmacies. The dedicated **COVID-19 Vaccine Helpline 1800 020 080** (select option 4) can answer any questions you may have about vaccination and can help you book a vaccination appointment. Vaccinations are free, and you do not need a Medicare card to make an appointment or receive the vaccination.

If a Worker chooses not to have a COVID-19 vaccination, they should speak to their manager and the content under 'Un-vaccinated Staff without a Valid Exception or Medical Exemption' applies.

## EXCEPTIONS TO COVID-19 VACCINATION REQUIREMENTS

---

### [Australian Capital Territory]

In accordance with the *Public Health (Aged Care Workers COVID-19 Vaccination) Emergency Direction 2021 Notifiable Instrument NI2021-501*, the Chief Health Officer may exempt a Worker in writing from the compulsory COVID-19 vaccination by 17 September 2021, subject to any conditions that the Chief Health Officer considers necessary, including in the following circumstances:

- a Worker who is unable to receive a COVID-19 vaccination due to a medical contraindication; or
- a Worker for whom a COVID-19 vaccination is not reasonably available.

### [New South Wales]

In accordance with the *Public Health (COVID-19 Aged Care Facilities) Order 2021 (NSW)*, a Worker may enter a residential aged care facility, despite not meeting the vaccination requirements above by 17 September 2021 in the following circumstances:

- a medical emergency,
- a non-medical emergency, for example, a fire, flooding or a gas leak;
- if the Worker is unable, due to a medical contraindication, to be vaccinated against COVID-19 and provides [entity] a certificate, in the form approved by the Chief Health Officer, issued by a medical practitioner, specifying the medical contraindication that makes the Worker unable to be vaccinated; or
- if the Worker receives a written exemption from the Chief Health Officer because it is necessary to protect the health and well-being of the residents of a residential aged care facility.

### [Northern Territory]

In accordance with the *COVID-19 Directions (No. 48) 2021 Directions for Aged Care Facilities*, an Aged Care Worker is only exempt from the compulsory COVID-19 vaccination by 17 September 2021 if they are not able to receive a COVID-19 vaccine.

### [Queensland]

In accordance with the *Residential Aged Care Direction (No.5): Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency (Qld)*, the following exceptions to the compulsory COVID-19 vaccination by 17 September 2021 apply:

A Worker may enter, engage in work or duties, or provide services at a residential aged care facility, despite not meeting the vaccination requirements above if:

- The Worker is not reasonably able to access a COVID-19 vaccine to comply with the COVID-19 vaccination requirements and [entity] determines that one or more of the following apply
  - it is reasonably necessary to respond to a critical workforce shortage; or
  - the person's work or duties at the residential aged care facility are necessary to provide for specialist clinical care of a resident; or



- the person's work or duties at the residential aged care facility are necessary to ensure non-specialist maintenance of the quality of care available to residents,
- for a residential aged care worker with a medical exemption (other than a health service employee) it is not reasonably practicable to deploy them to an alternative work site.

The reasons above only apply until the residential aged care worker can meet the COVID-19 vaccination requirements or alternative staffing arrangements can be made.

- The Worker has a medical exemption and provides the relevant medical evidence (see 'Contraindications to COVID-19 Vaccination- Valid Medical Exemption' below).
- Where the Worker is required to provide work or services that are immediately necessary to provide emergency care to a resident of the facility.

In addition to the above, a Worker can enter a residential aged care facility as a personal visitor of a resident of the facility or as a support person for a prospective resident, but must not enter, work in, or provide services as a Worker, and must comply with all other public health directions applicable to entering a residential aged care facility.

#### [South Australia]

In accordance with the *Emergency Management (Residential Aged Care Facilities No 40) (COVID-19) Direction 2021* (SA) the following exceptions to the compulsory COVID-19 vaccination by 17 September 2021 apply:

A Worker may enter, engage in work or duties, or provide services at a residential aged care facility, despite not meeting the vaccination requirements above if:

- The Worker has a medical exemption and provides the relevant medical evidence (see 'Contraindications to COVID-19 Vaccination- Valid Medical Exemption' below).
- The Worker is pregnant and provides relevant evidence of this to [entity].
- The Worker receives a temporary exemption from the Chief Executive of the Department, the South Australian Chief Public Health Officer or a deputy Chief Public Health Officer, because:
  - the Worker cannot reasonably access a COVID-19 vaccine by 17 September 2021;
  - the Worker's work or duties at are necessary to provide for specialist clinical care of a resident; or
  - the Worker's work or duties are necessary to ensure maintenance of the quality of care available to residents.

and provides evidence of this exemption to [entity] in writing.

#### [Tasmania]

In accordance with the *Mandatory Vaccination of Certain Workers - No. 1* (Tas) the following exceptions to the compulsory COVID-19 vaccination by 17 September 2021 apply:

- The Worker has a medical exemption and provides the relevant medical evidence (see 'Contraindications to COVID-19 Vaccination- Valid Medical Exemption' below).



- The Worker is ineligible to receive a COVID-19 vaccination due to their age, and they provide evidence of their age to [entity].

#### [Victoria]

In accordance with the *COVID-19 Mandatory Vaccination Directions (No 1)* (Vic) the following exceptions to the compulsory COVID-19 vaccination by 17 September 2021 apply:

- The Worker has not received any doses of a COVID-19 vaccine but has made a booking to receive a dose of a COVID-19 vaccine by 1 October 2021, has provided [entity] evidence of that booking, will at all times while at the work premises wear personal protective equipment that includes at a minimum, a surgical mask and face shield, and will only work at a single work premises.
- The Worker:
  - has a medical contraindication, meaning a contraindication to the administration of a COVID-19 vaccine as determined by the Australian Technical Advisory Group on Immunisation's (ATAGI) clinical guidance on the administration of COVID-19 vaccines in Australia; and
  - has provided [entity] with evidence from a medical practitioner certifying the medical contraindication.
- The Worker is required to perform work or duties at the work premises that are necessary to provide for urgent specialist clinical or medical care at the work premises due to an emergency situation or a critical unforeseen circumstance. For example, medical practitioner is required to attend the premises on short notice due to an emergency situation.
- The Worker is deployed to fill a vacancy to provide urgent care, to maintain quality of care and/or continue essential operations at the work premises due to an emergency situation or a critical unforeseen circumstance. For example, a work premises has a large number of workers furloughed due to exposure at a Tier 1 site.

#### [Western Australia]

In accordance with the *Residential Aged Care Facility Worker Access Directions* (WA) the following exceptions to the compulsory COVID-19 vaccination by 17 September 2021 apply:

- The Worker is present at the residential aged care facility in some capacity other than as a Worker.
- The Worker is responding to an emergency in a capacity other than as an ambulance officer.
- The Worker has a medical exemption and provides the relevant medical evidence (see 'Contraindications to COVID-19 Vaccination- Valid Medical Exemption' below).
- The Worker is granted a temporary exemption in writing by the Chief Health Officer and provides evidence of this to [entity].

### **CONTRAINDICATIONS TO COVID-19 VACCINATION - VALID MEDICAL EXEMPTION**

---

A medical exemption applies where a Worker:

- is unable to receive a COVID-19 vaccination because the Worker has a recognised medical contraindication (a medical condition that prevents them from receiving the vaccination); and

- provides a medical certificate from a registered medical practitioner:
  - certifying that the Worker is unable to receive the COVID-19 vaccination because they have a recognised medical contraindication;
  - indicating whether the medical contraindication will permanently or temporarily prevent COVID-19 vaccination; and
  - if the medical contraindication only temporarily prevents a COVID-19 vaccination, specifying when the person may be able to receive the COVID-19 vaccination.

The best way to provide this evidence is by asking your medical practitioner to complete the 'COVID-19 Vaccine Medical Contraindication Form'. You can request a copy of this from your manager.

If a registered medical practitioner certifies that a Worker has a temporary medical contraindication, which makes them unable to receive the COVID-19 vaccination, any exemption based on this only applies for the period specified in the medical certificate provided by the medical practitioner. If the medical reason continues beyond that period, the Worker must provide a new medical certificate from their doctor, regarding the medical contraindication.

Where a Worker has a genuine medical contraindication, [entity] may consider implementing additional safety measures. An employee may also seek to discuss with their manager whether redeployment is a relevant option for them.

## **UN-VACCINATED WORKERS WITHOUT A VALID EXCEPTION OR MEDICAL EXEMPTION**

---

Workers who choose not to have a COVID-19 vaccination by 16 September 2021 and who:

- do not have a valid medical exemption to a COVID-19 vaccination; and
- do not have another valid exception (as set out above);

will not be able to attend the residential aged care facility to provide the duties associated with their position as a Worker. As such, rosters will be changed (where relevant) so that only workers that comply with the obligations set out in this policy will provide service or perform duties.

If the Worker is an employee, they will be provided with an opportunity to discuss their circumstances with their manager. [entity] may at its absolute discretion consider redeploying an employee to a position which does not legally require a COVID-19 vaccination, allowing them to take accrued annual or long service leave, or temporarily suspending them from their position without pay.

At any time from 17 September 2021, if the Worker continues to refuse to receive a COVID-19 vaccination, it may be determined the Worker is unable to undertake their role and their employment or their engagement may come to an end.

## **RECORD KEEPING**

---

All Workers need to provide evidence of their COVID-19 vaccination status as soon as possible. The purpose of collecting this information is:

- To enable [entity] to ensure that all Workers comply with the conditions of their engagement, which includes receiving a dose of COVID-19 vaccination by 17 September 2021.
- To enable [entity] to take the necessary steps to if a Worker does not meet the conditions of their engagement by receiving a dose of COVID-19 vaccination by 17 September 2021.

- As part of ensuring [entity] is taking all reasonably practicable steps to ensure the health and safety of Workers and residents, including preparing for any possible future outbreaks.
- So that [entity] can comply with obligations to keep a record of the vaccination status of all Workers and report this information through My Aged Care. More information about [entity]'s reporting obligations are set out under 'Reporting' below.

Evidence of your COVID-19 vaccination can include:

- a vaccination certificate or other evidence from a vaccine provider;
- an immunisation history statement which can be accessed from Medicare online or the Express Plus Medicare mobile app;
- a statement of your vaccination history which you can request from the Australian Immunisation Register;
- a record from a health practitioner.

*[Applies to business with a turnover of \$3 mil or more]* When collecting your vaccination information, [entity] will comply with our Privacy Policy. In addition, you should note:

- [insert usual disclosures of vaccination status];
- [insert information about your privacy policy]; and
- [insert if you are likely to disclose personal information to overseas recipients, and the countries where they are located].

Your vaccination information will be securely stored and kept confidential and will only be accessible to people who are required to access it. Workers can request to access their vaccination record information at any time and can also request that any relevant updates are made to it.

## **NEW EMPLOYEES**

---

Workers engaged from 17 September 2021 will also be required to comply with the compulsory COVID-19 vaccination requirements.

The requirements set out in this policy regarding having a COVID-19 vaccination and the evidence requirements will apply to new Workers. These requirements must be met before the employee commences their employment.

In addition, the requirement to have a COVID-19 vaccination may be a term of an employee's engagement under their employment agreement.

## **REPORTING**

---

As a residential aged care provider, [entity] is required to provide weekly reports through My Aged Care on the:

- total number of workers and residents at each residential aged care service, and of those
- the number of workers and residents at each service who have received a single dose of a COVID-19 vaccine

- the numbers of workers and residents at each service who have received all required doses of a COVID-19 vaccine

The personal details of individual employees will not be provided.

## **RELATED DOCUMENTS**

---

[*Entity*] Privacy Policy

COVID-19 Vaccine Medical Contraindication Form

[*Insert relevant entity documents*]

## **REFERENCES**

---

### **Legislation**

*Aged Care Act 1997 (Cth)*

[*Select relevant*]:

*Public Health Act 1997 (ACT)*

*Public Health Act 2010 (NSW)*

*Public and Environment Health Act 2011 (NT)*

*Health Act 2005 (Qld)*

*Emergency Management Act 2004 (SA)*

*Public Health Act 1997 (Tas)*

*Public Health and Wellbeing Act 2008 (Vic)*

*Public Health Act 2016 (WA)*

[Other states to be inserted once available]

### **Links**

[Are COVID-19 vaccines safe?](#)

[Australian Immunisation Register](#)

[COVID-19 vaccine information in your language](#)

[Residential aged care workers vaccination information](#)