



Mandatory COVID-19 vaccination for in-home and community aged care workers – comparison table of State and Territory public health instruments

	<u>Australian Capital Territory</u>	<u>New South Wales</u>	<u>Northern Territory</u>
What?	Public Health (Disability and Other Care Workers COVID-19 Vaccination) Emergency Direction 2021	Public Health (COVID-19 Care Services) Order.	COVID-19 Directions (No. 55) 2021: Directions for mandatory vaccination of workers to attend the workplace.
Who is affected?	Disability support and in-home and community aged care workers	In-home and community aged care workers	A worker who, during the course of work, is likely to come into contact with a vulnerable person.
Vaccination requirement	To be vaccinated as a condition of work or to provide in-home care services.	Only provide work as an in-home and community aged care worker if they have received the first dose of the COVID-19 vaccine by 9 am 25 October and the second dose by 9 am on 29 November 2021	
What's included?	First dose vaccine by no later than 15 November 2021, second dose by no later than 13 December 2021.	If the work is done on or after 9am on 25 October 2021 but before 9am on 29 November 2021—the worker has received at least 1 dose of a COVID-19 vaccine, or if the work is done on or after 9am on 29 November 2021—the worker has received at least 2 doses of a COVID-19 vaccine.	For the period starting on 13 November 2021 and ending 24 December 2021, a worker who has not received the first dose of an approved COVID-19 vaccine must not attend the worker's workplace. On and from 25 December 2021, a worker who has not received 2 doses of an approved COVID-19 vaccine must not attend the worker's workplace.
Workers included/excluded	In-home and community aged care worker means a person who undertakes work, for or on behalf of an in-home and community aged care provider that is undertaken directly with a client of the provider, or which requires regular interaction with clients of the provider but does not include work a residential aged care facility.	<i>In-home and community aged care worker</i> means a person who provides flexible care, home care or a Commonwealth-funded aged care service, outside of a residential care setting, for or on behalf of a responsible person.	A worker who, during the course of work, is likely to come into contact with a vulnerable person.
Medical exemptions	The Chief Health Officer or an authorised delegate may provide an exemption from this Direction to <ul style="list-style-type: none"> • A person who is unable, due to a medical contraindication, to receive a COVID-19 vaccination • A person for whom a COVID-19 vaccination is not reasonably available If the Chief Health Officer exempts a person from this Direction, or a stated requirement under this Direction, that person must comply with the conditions of the exemption.	If the worker is unable, due to a medical contraindication, to be vaccinated against COVID-19, and presents to the responsible person for the worker or provider a certificate, in the form approved by the Chief Health Officer, issued by a medical practitioner, specifying the medical contraindication that makes the worker or provider unable to be vaccinated	If the worker has evidence of a contraindication to all approved COVID-19 vaccines: <ul style="list-style-type: none"> • A medical certificate issued by a medical practitioner that certifies that the worker has a contraindication to all approved COVID-19 vaccines determined in accordance with the <i>Clinical guidance on use of COVID-19 vaccine</i> in Australia 2021, or any successor guidelines, issued by Australian Technical Advisory Group on Immunisation (ATAGI); • A certificate issued by the Commonwealth that certifies that the worker has a contraindication to all approved COVID-19 vaccines.

	<u>Australian Capital Territory</u>	<u>New South Wales</u>	<u>Northern Territory</u>
Other exemptions	The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from this Direction.	The Minister may, in writing and subject to conditions the Minister considers appropriate, exempt a person from the operation of this Order if the Minister is satisfied it is necessary to protect the health and well-being of persons.	
What else must a provider do?	<ul style="list-style-type: none"> • Take all reasonable steps to collect and maintain evidence of vaccination status or evidence of exemption for each worker they are responsible for prior to a worker undertaking work; and • On request, provide any evidence of vaccination status or evidence of exemption that the responsible person has collected and maintained to an authorised person as soon as practicable after the request is made; and • Not use or disclose evidence of vaccination status or evidence of exemption except: as is provided by this Direction; as is permitted or required by any other law; or to the extent that the person expressly provided their evidence of vaccination status for a purpose other than these directions. • Take all reasonable steps to protect any evidence of vaccination status or evidence of exemption that the responsible person holds from: misuse and loss; and unauthorised access, modification or disclosure. 	The Minister directs that a responsible person for an in-home and community aged care worker or a person who provides disability services must take all reasonable steps to ensure that the worker or provider subject to a direction under clause 6B or 6C complies with the direction.	<p>Ensure that any worker who performs work does not attend the worker's workplace.</p> <p>Keep a register of the extent to which each worker who performs work is vaccinated with an approved COVID-19 vaccine.</p> <p>Extent to which provider takes reasonable steps to determine the extend to which any worker who performs work for the person is vaccinated with an approved COVID-19 vaccine.</p> <p>Provide register to an authorised officer on request.</p>
Evidence and record keeping	<p>A worker must provide evidence of vaccination status or evidence of exemption if required to do so by their responsible person or by an authorised person</p> <p>Note: Evidence of vaccination status is a health record for the purposes of the Health Records (Privacy and Access) Act 1997. A responsible person will have obligations under the Health Records (Privacy and Access) Act 1997 in relation to the record including collection, storage, use, access, and disclosure of the record.</p>	<p>Vaccination evidence means evidence from the Australian Immunisation Register.</p> <p>Kept under the Australian Immunisation Register Act 2015 of the Commonwealth.</p> <p>That the worker has had 1 or more doses of a COVID-19 vaccine.</p> <p>Example— An online immunisation history statement or COVID-19 digital certificate from the Australian Immunisation Register.</p>	<p>Take reasonable steps to determine the extend to which any worker who performs work for the person is vaccinated with an approved COVID-19 vaccine.</p> <p>A worker must, on request, provide evidence the person needs to determine the extent to which the worker is vaccinated with an approved COVID-19 vaccine.</p>
Reporting	An online immunisation history statement or COVID-19 digital certificate from the Australian Immunisation Register.	To My Aged Care	

	Australian Capital Territory	New South Wales	Northern Territory
Enforcement and penalties	<p>An authorised person may ask a person for any information necessary to determine whether the person is complying with this Direction.</p> <p>Any person must comply with any request made under paragraph 5 by an authorised person.</p> <p>If a person fails to comply with this Direction, an authorised person may direct the person to do such things as are reasonably necessary to comply with this Direction, including, upon request, to produce proof of identification to the authorised person.</p>		<p>Maximum penalty 400 penalty points.</p> <p>An infringement notice for failing to comply with a fine equal to 32 penalty points for an individual and 160 penalty points for a body corporate.</p>
Other provisions		<p>The Minister directs that an in-home and community aged care worker or a person who provides disability services must, if required to do so by the responsible person for the worker or provider, provide the responsible person with vaccination evidence.</p>	<p>Vulnerable people – refer to https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/advice-for-people-at-risk-of-coronavirus-covid-19.</p>

	Victoria	Queensland	South Australia
What?	COVID-19 Mandatory Vaccination (Workers) Directions (No 4).	Workers in a healthcare setting (COVID-19 Vaccination Requirements) Direction.	Emergency Management (COVID-19) (In home and Community Aged Care and Disability Workers Vaccination) Direction 2021.
Who is affected?		Aged care services funded by the Australian Government and delivered in the home.	In home, community and disability workers.
Vaccination requirement	<p>On or after the relevant date, an employer of a worker must not permit a worker who is unvaccinated to work for that employer outside the worker's ordinary place of residence.</p> <p>If an employer does not hold vaccination information about a worker, the employer must treat the worker as if the worker is unvaccinated.</p>	<p>By 15 December 2021, a worker in healthcare has received the prescribed number of doses of a COVID-19 vaccine; or</p> <p>Where COVID-19 vaccination requirements in another public health direction or an employment direction also apply to the worker in healthcare, the worker must receive the prescribed number of doses of the COVID-19 vaccine by the date in those requirements; and</p> <p>As soon as reasonably practicable after each dose of the COVID-19 vaccine, the worker in healthcare must provide evidence of complying with the COVID-19 vaccination requirements to their employer, where applicable, and to the responsible person for the healthcare setting.</p>	<p>A person must not engage in work or perform duties of an in-home and community aged care worker or a disability support worker from 30 November 2021 unless—</p> <p>(a) the person has received at least one dose of a TGA approved or recognised COVID-19 vaccine; and</p> <p>(b) the person has received, or has evidence of a booking to receive, a second dose of a TGA approved or recognised COVID-19 vaccine within the interval after the first dose recommended by the ATAGI for that COVID-19 vaccine.</p>
What's included?	<p>Care worker means a person who works in connection with a retirement village.</p> <p><i>Social and community service worker in aged care services;</i></p>	<p>A worker in healthcare and their employer must take all reasonable steps to ensure that the worker in healthcare does not enter, work in, or provide services in a healthcare setting if the person is prohibited from doing so under this Direction.</p> <p>After 15 December 2021 - the responsible person for a healthcare setting should make reasonable efforts to obtain confirmation that any worker in healthcare that enters, works in or provides services in a healthcare setting has received the prescribed number of doses of a COVID-19 vaccine, or meets the conditions for an exception under this Direction.</p>	

	Victoria	Queensland	South Australia
Workers included/ excluded	Worker who works outside the worker's ordinary place of residence.	Does not apply to a worker in healthcare who is unable to be vaccinated due to a medical contraindication where the responsible person for the healthcare setting : <ul style="list-style-type: none"> a. assesses the risk to the staff member, other staff, patients, clients and other persons at the healthcare setting; and b. determines that the unvaccinated worker may continue to work in the healthcare setting where their work cannot be performed outside the healthcare setting; and c. the unvaccinated worker complies with the requirements in paragraph 11. 	in-home and community aged care worker means a person who is providing in-home and community aged care services to another person in person for or on behalf of a responsible provider. a full-time, part-time and casual worker, sub-contractor or volunteer.
Medical exemptions	A person is an excepted person : if the person holds certification from a medical practitioner that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to a medical contraindication; or if the person holds certification from a medical practitioner that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to an acute medical illness (including where the person has been diagnosed with SARS-CoV-2). A certification for the purpose of subclause (5)(b) is effective until the earlier of: <ul style="list-style-type: none"> • the date specified by the medical practitioner; or • the date 6 months from the date the certification was given by the medical practitioner. 	A worker in healthcare to whom paragraph 10 applies must provide a medical certificate, issued by a medical practitioner, and their Australian Immunisation Record, specifying the medical contraindication that makes the person unable to be vaccinated and the period of the medical contraindication if it is temporary. Where the medical practitioner certifies that a person has a temporary medical contraindication for being unable to receive the COVID-19 vaccination, paragraph 10 only applies for the period specified in the medical certificate. If the medical contraindication continues beyond the specified period, the person must provide a new medical certificate from their medical practitioner, certifying the matters in paragraph 12. Medical contraindication means a temporary or permanent contraindication that is: <ul style="list-style-type: none"> a. recognised in guidance published by the Australian Technical Advisory Group on Immunisation (ATAGI) in relation to the use of a particular COVID-19 vaccine; or b. notified to the Australian Immunisation Register (AIR) by a medical practitioner in relation to a person and recorded on the person's Immunisation History Statement (IHS). <i>Note: a temporary vaccine exemption may apply until a specified date due to acute major illness, significant immunocompromise of short duration and recognised overseas vaccination.</i>	The person has a medical certificate or letter from a legally qualified medical practitioner certifying that the person: <ul style="list-style-type: none"> (i) has a medical exemption from receiving a TGA approved COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI; or (ii) has a medical exemption on either a permanent or temporary basis from receiving the preferred vaccine as recommended by ATAGI for the person's age; or (iii) has an appointment to be assessed by a medical specialist or has commenced an assessment with a medical specialist to determine whether they have a medical exemption from receiving a COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI; or (iv) is currently taking part in a COVID-19 vaccine trial and receipt of a TGA approved vaccine would impact the validity of the trial; and the certificate or letter specifies the nature of the exemption and the basis on which it applies; and (vi) the Chief Public Health Officer or her delegate has endorsed the exemption; and (vii) the person provides the responsible provider with a copy of the endorsement provided under paragraph (vi).

	Victoria	Queensland	South Australia
Other exemptions	<ul style="list-style-type: none"> Has a booking to receive, by the first dose deadline, a dose of a COVID-19 vaccine that will cause the worker to become partially vaccinated, To work for that employer outside the worker's ordinary place of residence. <p>The exceptional circumstances are:</p> <ul style="list-style-type: none"> A worker is required to perform work or duties that is or are necessary to provide for urgent specialist clinical or medical care due to an emergency situation or a critical unforeseen circumstance; or A worker is required to fill a vacancy to provide urgent care, to maintain quality of care and/or to continue essential operations due to an emergency situation or a critical unforeseen circumstance; or <p><i>Example 1: a large number of workers furloughed due to exposure at a Tier 1 site.</i></p> <p><i>Example 2: a medical practitioner is required to work outside their ordinary place of residence on short notice due to an emergency situation.</i></p> <ul style="list-style-type: none"> A worker is required to respond to an emergency. 	<p>The responsible person for a healthcare setting may permit a worker in healthcare who has not complied with the COVID-19 vaccination requirements to enter, work in, or provide services in the healthcare setting, for a short period until the critical workforce issue can be resolved, if:</p> <ol style="list-style-type: none"> the responsible person has assessed the risk to other staff, patients and other persons accessing the healthcare setting; and the responsible person reasonably believes it is necessary to respond to a critical workforce shortage; and personal protective equipment is used by the worker in healthcare in compliance with the PPE guideline and any COVID safe plans for the healthcare setting; and a negative COVID-19 PCR test result is provided by the unvaccinated worker in healthcare before starting each work shift. 	
What else must a provider do?	<p>If the employer collects information that a worker is partially vaccinated, the employer must also collect, record and hold information about whether that worker has a booking to receive, by the second dose deadline, a dose of a COVID-19 vaccine that will cause the worker to become fully vaccinated.</p> <p>If the employer collects information that a worker is unvaccinated, the employer must also collect, record and hold information about whether that worker has a booking to receive, by the first dose deadline, a dose of a COVID 19 vaccine that will cause the worker to become partially vaccinated.</p>	<p>An employer of a worker in healthcare must keep a record of their having sighted evidence of, or verified, the workers' vaccination status, evidence supporting a claimed medical contraindication, and of the negative COVID-19 PCR test result required before an unvaccinated worker commences each work shift.</p>	

	Victoria	Queensland	South Australia
Evidence and record keeping	<p>If a worker is, or may be, scheduled to work outside the worker's ordinary place of residence on or after the relevant date, the employer of the worker must collect, record and hold vaccination information about the worker.</p> <p>An employer of a worker must, as soon as reasonably practicable after the commencement of these directions, inform each worker who is, or may be, scheduled to work outside the worker's ordinary place of residence on or after the relevant date that:</p> <ul style="list-style-type: none"> • Clause 4 obliges the employer to collect, record and hold vaccination information about the worker; and • Subclause (1) obliges the employer, on and after the relevant date, not to permit a worker who is unvaccinated to work for that employer outside the worker's ordinary place of residence unless an exception applies under these directions. • Obliges the employer, on and after the relevant date, not to permit a worker who is unvaccinated to work for that employer outside the worker's ordinary place of residence unless an exception applies under these directions. 	<p>A responsible person or their delegate must keep a record, either locally or centrally, of COVID-19 vaccination information reported to it by a worker in healthcare or their employer. The information is collected and used for ensuring compliance with the Direction.</p> <p>The information must be stored in a secure database that is accessible to authorised persons only and maintained in accordance with the <i>Information Privacy Act 2009</i> and the <i>Public Records Act 2002</i>.</p>	<p>Keep records of the vaccination status of any person engaged to work or perform duties of an in-home and community aged care worker or disability support worker;</p>
Reporting		<p>A worker in healthcare or, where applicable, their employer must provide the responsible person with confirmation that the worker in healthcare complies with the COVID-19 vaccination requirements.</p>	<p>A person subject to the requirement in subclause (1) must provide the responsible provider with evidence of their vaccination status upon request.</p>
Enforcement and penalties	<p>For false or misleading information: 60 penalty points for a natural person or 300 penalty points for a body corporate.</p> <p>Failure to comply: 120 points for a natural person or 600 penalty points for a body corporate.</p>	<p>A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.</p> <p>Section 362D of the <i>Public Health Act 2005</i> provides:</p> <p>Failure to comply with public health directions. A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.</p> <p>Maximum penalty—100 penalty units or 6 months imprisonment.</p>	<p>FAILURE TO COMPLY WITH THIS DIRECTION IS AN OFFENCE</p>

	Victoria	Queensland	South Australia
Other provisions		<p>10. A worker in healthcare to whom paragraph 10 applies must:</p> <ul style="list-style-type: none"> a. comply with the National guide for safe workplaces and other COVID-19 guidance provided by Safe Work Australia for the healthcare setting; and b. produce a negative COVID-19 PCR test result before commencing each work shift in a healthcare setting; c. and wear PPE as required under an established PPE guideline for the healthcare setting; or <p><i>Note: an established PPE guideline may include existing Queensland Health guidelines, existing guidelines used by the healthcare setting or as outlined in the COVID safe plan for the healthcare setting,</i></p> <ul style="list-style-type: none"> d. where the worker in healthcare is a person to whom the Health Employment Directive 12/21 Employee COVID-19 Vaccination requirements (the HED) or the Residential Aged Care Facilities Direction (No.9) or its successor (the direction) applies, comply with the requirements relating to a medical contraindication or any other exceptions to mandatory vaccination requirements in the HED or the direction. 	

	Tasmania	Western Australia
What?	Vaccination Requirement for certain workers	Community Care Services Worker (Restrictions on Access) Directions
Who is affected?	In-home care provider means a person who is employed, or engaged, by a Commonwealth funded service provider to provide inhome and community aged care services.	In Home, community workers
Vaccination requirement	On and from 30 November 2021, an in-home care provider is not permitted to provide in-home and community aged care services unless the in-home care provider is sufficiently vaccinated against the disease as specified.	On and from 12.01am on 1 December 2021, a person who is a community care services worker must not enter, or remain at a community care services facility or a community care services accommodation, if the person has not been partially vaccinated against COVID-19; and (b) on and from 12.01am on 1 January 2022, a person who is a community care services worker must not enter, or remain at a community care services facility or a community care services accommodation, if the person has not been fully vaccinated against COVID-19, unless the person is present at the community care services facility or community care services accommodation solely in a capacity other than as a community care services worker.
What's included?	<p>The person has received all of the doses of a vaccine for the disease that is necessary for the person to be issued with - (A) a vaccination certificate in respect of the disease issued by the Australian Immunisation Register, operated by or on behalf of the Commonwealth Government; or</p> <p>(B) an equivalent document from a jurisdiction outside of Australia that is recognised by the Commonwealth Government or the Director of Public Health; has received at least one dose of a vaccine for the disease; and</p> <p>(B) has made a booking to receive, as soon as is reasonably possible, all other required doses of the vaccine that are necessary for the person to be issued with a document referred to in subparagraph (i) in respect of the disease; and</p> <p>(C) as soon as practicable after being issued with a document referred to in subparagraph (i) in respect of the disease, has provided the document to his or her relevant supervisor as required under paragraph (1); or</p> <p>(iii) the person -</p> <p>(A) has made a booking to receive the first dose of a vaccine for the disease as soon as is reasonably possible; and</p> <p>(B) provides evidence of the booking to the relevant supervisor of the person; and as soon as is reasonably possible, receives all of the doses of a vaccine for the disease that are necessary for the person to be issued with a document referred to in subparagraph (i) in respect of the disease; and</p> <p>(D) as soon as practicable after being issued with a document referred to in subparagraph (i) in respect of the disease, has provided the document to his or her relevant supervisor as required under paragraph.</p>	<p>Services relating to in-home and community aged care including recipients receiving any of the following care types:</p> <ol style="list-style-type: none"> 1. Home Care Package; 11. Short-term Restorative Care; iii. Transition Care Program; 1v. Multi-Purposes Services Program; v. Commonwealth Home Support Programme; or VI. National Aboriginal Torres Strait Islander Flexible Aged Care Program;

	Tasmania	Western Australia
Workers included/ excluded		Ad hoc volunteer means a person who provides goods or services at a community care services facility in a voluntary or unpaid capacity and does so on an ad hoc basis only. Where only part of premises are being used as a community care services facility, nothing in these directions prevents a community care services worker who is not vaccinated against COVID-19 from entering or remaining upon that part of the premises which is not being used as a community care services facility
Medical exemptions	Holds - (I) a document, in a form approved by the Director of Public Health or his or her delegate, by a medical practitioner, within the meaning of the Acts Interpretation Act 1931, that certifies that the person has a medical contraindication that prevents the person from being vaccinated; or (II) a medical exemption, that applies to the vaccinations for the disease, that is recorded in respect of the person on the Australian Immunisation Register, operated by or on behalf of the Commonwealth Government;	Exempt person means, to the extent that any such person is a community care services worker: (a) a person who has: or 1. a medical exemption of which the person provides proof on request by a person referred to in paragraph 7; or 11. a temporary exemption of which the person provides proof on request by a person referred to in paragraph 7; Medical exemption means a medical exemption recorded on the Australian Immunisation Register and displayed on the individual's Immunisation History Statement.
Other exemptions	Is ineligible, due to the person's age, to be vaccinated against the disease until a later phase of the vaccination program recognised by the Director of Public Health or his or her delegate; [exemption] may only be given by the Director of Public Health, or his or her delegate, if the Director, or delegate, is satisfied that the exemption is necessary for the protection of the health and well-being of persons; and (ii) may be subject to such conditions that the Director of Public Health, or his or her delegate, considers appropriate in the circumstances;	Any other person or class of persons who the Chief Health Officer, or a person authorised by the Chief Health Officer for the purposes of this paragraph, declares in writing to be an exempt person upon receipt of a request for exemption in the form specified by the Chief Health Officer and subject to any terms and conditions specified. Temporary exemption means an exemption approved by the Chief Health Officer or a person authorised by the Chief Health Officer for that purpose whether in relation to an individual or a class of persons and subject to any terms and conditions specified in that approval.
What else must a provider do?	As soon as is practicable after this direction commences, notify the person that the person is required to be sufficiently vaccinated against the disease, as specified in paragraph (h), by 30 November 2021; and (ii) on and after 30 November 2021, ensure that the person does not provide in-home and community aged care services, as part of his or her employment or engagement as an in-home care provider, if the relevant supervisor is not satisfied that the person - (A) is sufficiently vaccinated against the disease as specified in paragraph (h); or (B) is not required, under paragraph (h), to be sufficiently vaccinated against the disease; provided to the Director of Public Health or his or her delegate as soon as possible after the request has been made;	The employer or person apparently in charge of a community care services facility or community care services accommodation or service provider of community care services must: (a) take all reasonable and lawful steps to: 1. collect and maintain a record of the vaccination status of each community care services worker of the community care services facility or community care services accommodation; and 11. only roster on, or otherwise permit to work in a community care services facility or community care services accommodation, a community care services worker who is vaccinated or is an exempt person in accordance with these directions;

	Tasmania	Western Australia
Evidence and record keeping	<p>Must ensure that -</p> <ul style="list-style-type: none"> (i) a copy, or written record, of each of the following is kept and maintained by the relevant supervisor: <ul style="list-style-type: none"> (A) evidence of each piece of evidence provided to the relevant supervisor under paragraph (h)(iii)(B) in respect of a booking for a vaccination that is provided by the person; (B) each document provided to the relevant supervisor under paragraph (h) by the person; (C) each document provided to the relevant supervisor under paragraph (l) as evidence of the vaccination status of the person; and (ii) if requested to do so by the Director of Public Health or his or her delegate, details of the information kept under subparagraph (i) are 	
Reporting	<ul style="list-style-type: none"> (i) a copy, or evidence, of his or her Immunisation History Statement from the Australian Immunisation Register, operated by or on behalf of the Commonwealth Government; (ii) electronic evidence, that the person has been immunised in respect of the disease, that has been issued by or on behalf of the Commonwealth Government or the Tasmanian Government; (iii) an equivalent document, or electronic evidence, from a jurisdiction outside of Australia that is recognised by the Commonwealth Government or the Director of Public Health; 	<p>A community care services worker must provide evidence in the form approved by the Chief Health Officer of their vaccination status for inspection, recording and retention of a copy, if:</p> <ul style="list-style-type: none"> (a) directed to do so by an emergency officer or a nominated officer; or (b) required to do so by their employer or by the person apparently in charge of a community care services facility or by the service provider of community care services.

	Tasmania	Western Australia
Enforcement and penalties		
Other provisions	<p>A person to whom paragraph (i)(i), (ii) or (iii), or paragraph (k), applies must wear a fitted face covering while he or she is present on the premises of the relevant location for the person; [unless]</p> <p>holds a medical certificate, or other documentation by a medical practitioner, within the meaning of the Acts Interpretation Act 1931, that certifies that the person has a physical, or mental health, illness, condition or disability that makes the wearing of a fitted face covering unsuitable; and</p> <p>(B) produces a legible copy of the medical certificate, or other documentation, if requested to do so by his or her relevant supervisor or by a person in authority at the relevant location for the person; [unless]</p> <p>the person removes the fitted face covering to communicate with a person who is deaf, or has impaired hearing, and visibility of the mouth is essential for the communication;</p> <p>(ii) the wearing of the fitted face covering would create a risk to the health or safety of the person;</p> <p>(iii) the person removes the fitted face covering to enable clear enunciation, or visibility of the mouth, as part of his or her employment or training;</p> <p>(iv) the person is orally consuming food, drink or medicine;</p> <p>(v) the person is undergoing medical care, or treatment, that is unable to be provided while the person wears a fitted face covering;</p> <p>(vi) the person is requested to remove the fitted face covering to ascertain or confirm the identity of the person;</p> <p>(vii) the person may lawfully remove, or is lawfully required to remove, the fitted face covering;</p> <p>(viii) an emergency where it is not practicable or safe to wear the fitted face covering;</p> <p>(ix) such other circumstances that are specified in an exemption, from the requirements of paragraph (m), that is given by the Director of Public Health or his or her delegate;</p>	

AHPPC statement on mandatory vaccination of Aged Care In-home and Community Aged Care workers

HPPC recommends the following national framework for the mandatory COVID-19 vaccination requirement for in-home and community care, be established under state and territory public health. Further, AHPPC recommends the first dose of a TGA approved COVID-19 vaccine by 30 November 2021 and a second dose by 31 December 2021. AHPPC also recognises that some jurisdictions may introduce requirements that come into effect earlier or go beyond arrangements outlined in this statement. The implementation of these requirements may also differ between jurisdictions depending on their public health legislation

1. Scope

The recommended scope for the mandatory COVID-19 vaccination requirements includes:

- All Commonwealth funded aged care service providers delivering in-home and community aged care services including:
 - Home Care Packages
 - Commonwealth Home Support Program (CHSP)
 - National Aboriginal and Torres Strait Islander Flexible Aged Care Program home care services
 - Short-Term Restorative Care
 - Transition Care Program
 - Multi-Purposes Services
- All full-time, part-time and casual staff employed or engaged by the Commonwealth funded service provider, including sub-contractors and volunteers (proposed definition below).
- Workers and volunteers in all roles delivered by the Commonwealth funded aged care service provider, including those that provide care and services in and around clients' homes, in the community and organisational administration.

2. Definition of in-home and community aged care worker for Commonwealth funded aged care services

The recommended definition of in-home and community aged care workers for Commonwealth funded aged care services is:

In-home and community aged care worker means a person who is providing "flexible care", "home care" or "services" for or on behalf of:

1. an "approved provider" for whom a flexible care subsidy is payable in respect of services delivered outside of a residential care setting or home care subsidy is payable under the Aged Care Act 1997 (Cth); or
2. a "service provider" of a Commonwealth-funded aged care service as defined in the Aged Care Quality and Safety Commission Act 2018, delivering services outside of a residential aged care setting.

Where:

- the "approved provider" definition captures Home Care and non-residential Short-Term Restorative Care, Multi-Purpose Services and Transition Care
- the "service provider" definition captures the non-residential National Aboriginal and Torres Strait Islander Flexible Aged Care Program and Commonwealth Home Support Program (grant funded services, not under the Aged Care Act).

This definition should be considered in the context of existing Public Health Orders relating to residential aged care, noting flexible care services and services under the National Aboriginal and Torres Strait Islander Flexible Aged Care Program can include care delivered in a residential care setting and care delivered outside of a residential care setting, including in-home and community aged care services.

3. Mechanism

It is recommended public health orders place an obligation on the individual worker as well as on the aged care provider:

- on the worker to inform their employer of their vaccination status.
- on the aged care provider to ensure that they allow only people who have been vaccinated to provide care or services for clients.
- on the aged care provider to keep records of having sighted evidence of, or verified, workers' vaccination status.

4. Exemptions

It is recommended that exemptions are limited and consistent with the national framework endorsed by AHPPC for residential aged care workers.

- Medical exemptions will be in line with the Australian Technical Advisory Group on Immunisation ([ATAGI clinical guidance on COVID-19 vaccine in Australia in 2021](#)).
 - Selected medical practitioners can [notify the Australian Immunisation Register \(AIR\)](#) of an individual who has a vaccine exemption due to medical contraindications or natural immunity which will be displayed on an individual's [Immunisation History Statement \(IHS\)](#).
 - This includes permanent vaccine exemption or temporary vaccine exemption until a specified date due to acute major illness, significant immunocompromise of short duration and recognised overseas vaccination.
- Temporary exemptions may apply where there is a demonstrated issue with access and supply or where compliance with the mandatory vaccination requirements will undermine the quality of care for clients.
- Exemptions on religious, political, and personal grounds are not an allowable exemption.

Aged care in-home and community aged care workers will need to provide evidence to their employer that a medical exemption has been granted.