



## Policy D14 Vaccination

In line with its duty under Work Health & Safety (WHS) legislation, Scope Home Access aims to provide and maintain a working environment for employees, volunteers (including Directors), students on work placement, contractors, clients and visitors to our sites that is safe and free of risks to health and safety, so far as is reasonably practicable.

This policy has been developed because Scope Home Access has determined that it is reasonable and necessary to require the highest levels of vaccination possible in our organisation to help safeguard the health of our employees, volunteers (including Directors), students on work placement, contractors, our clients who we serve and who are vulnerable, and the community at large, from the infectious disease known as SARS-CoV-2 (COVID-19).

Scope Home Access is also required to comply with the recently updated NSW Government issued Public Health Order (Public Health (COVID-19 Care Services) Order 2021) made under the Public Health Act 2010 (NSW), which mandates full COVID-19 vaccination for all Home Care Package and Commonwealth Home Support Program staff, volunteers (including Directors), students on work placement and contractors.

The policy only applies to COVID-19 vaccination and applies to all employees, volunteers (including Directors), students on work placement and contractors who perform work for Scope Home Access.

### 1.0 VACCINATION

#### 1.1 OBJECTIVE OF THIS POLICY

The objective of this policy is to outline Scope Home Access's approach to managing risks relating to the coronavirus, including the risks associated with infection, transmission, and the risk of illness or death associated with contracting COVID-19. The objective of this Policy is to impose reasonable obligations on both Scope Home Access as well as all workers in an effort to prevent the spread of COVID-19 amongst the employees, volunteers (including Directors), students on work placement, contractors and subcontractors working in Scope Home Access's business.

#### 1.2 POLICY

The policy to require vaccination against COVID-19 as a condition of working for Scope Home Access is considered reasonable and necessary due to:

- The advice from the Australian Technical Advisory Group on Immunisation (ATAGI), a technical advisory group of the Australian Government, is that vaccination against COVID-19 is recommended for all individuals aged 5 years or older;
- ATAGI has noted that the overarching goal of the COVID-19 vaccination program is to protect all people in Australia from the harm caused by COVID-19, through preventing serious illness and death, and as much as possible, disease transmission;



- Clients and visitors to our sites are likely to reasonably expect that our employees, volunteers (including Directors), students on work placement and contractors are vaccinated against COVID-19;
- Scope Home Access's employees, volunteers (including Directors), students on work placement and contractors:
  - Provide community aged care and disability services, in individual close contact settings to vulnerable older people, people with a disability at any age and carers for these two groups in their home environment;
  - provide services to sectors of our community who may have lower rates of vaccination and health literacy, and thus higher infection risk;
  - work in publicly accessible buildings that are either owned or leased by the organisation; and
  - will be exposed in the workplace to an expected increase of COVID-19 community transmission in the geographic locations in which we work, with negative health impacts expected on those who are unvaccinated
- Most employees, volunteers (including Directors), students on work placement and contractors at Scope Home Access have been eligible to voluntarily receive a vaccine against COVID-19 since mid-2021. The policy builds on Scope Home Access's robust COVIDSafe Plan implementation measures that assist in controlling the risk of COVID-19 transmission and infection in our workplace. Scope Home Access has determined that those measures alone are now not sufficient to meet our compliance obligations under NSW Government issued Public Health Order (Public Health (COVID-19 Care Services) Order 2021 made under the Public Health Act 2010 (NSW). This is particularly the case in light of the proximity and close contact our employees, volunteers (including Directors), students on work placement and contractors have with vulnerable older people.

### 1.3 MANDATORY REQUIREMENTS

- Scope Home Access supports the guidance provided by the Australian Government that all persons aged 5 or over should receive a COVID-19 vaccine.

All employees, volunteers (including Directors), students on work placement (aged 16 years and over) and contractors of Scope Home Access will be required, as a condition of their employment, volunteering, work placement or contracted work, to be appropriately vaccinated unless an exemption is approved by Scope Home Access pursuant to this policy.

- A person is "appropriately vaccinated" if
  - The person has received at least 3 doses of a COVID-19 vaccine approved by the Australian Therapeutic Goods Administration (TGA), or
  - The person:
    - Has received 2 doses of a COVID-19 vaccine, and
    - It is not after the later of the following –
      - 12 April 2022,
      - 6 weeks from the due date for the person's third dose of a COVID-19 vaccine
  - The "due date" for a person's third dose of a COVID-19 vaccine is the day that is 13 weeks after the person received the second dose of a COVID-19 vaccine.





- All employees, volunteers (including Directors), students on work placement (aged 16 years and over) and contractors of Scope Home Access will also be required to maintain and provide Scope Home Access with evidence of their vaccination status, including future booster shots where necessary, at a frequency as advised by ATAGI (which Scope Home Access will communicate as guidance as this area develops), unless an exemption is approved by Scope Home Access pursuant to this policy.
- All employees, volunteers (including Directors), students on work placement and contractors of Scope Home Access should properly inform themselves about COVID-19 vaccination from official information sources of the Australian Government prior to obtaining an approved vaccine. Scope Home Access will support any person covered by this policy to access this information if requested.
- All employees, volunteers (including Directors), students on work placement and contractors of Scope Home Access should seek independent medical advice from their General Practitioner (GP) or other specialist medical practitioner prior to vaccination to discuss any personal health concerns.
- Persons not in compliance with this policy may, amongst other outcomes set out in this policy, be directed not to attend a Scope Home Access workplace until they are vaccinated and in respect of employees, may be subject to disciplinary processes which may include employment termination, as a breach of a lawful and reasonable direction by the organisation.

#### **1.4 COVIDSafe PLAN**

Scope Home Access will maintain robust infection control and other preventative measures as outlined in the organisation's COVIDSafe Plans during the WHO-declared SARS-COV2 pandemic. The organisation will comply with all applicable public health orders and lawful directions given by the Australian and relevant State and Territory Governments, including with respect to directions issued by funding bodies.

#### **1.5 WORKPLACE COMMUNICATION**

Scope Home Access will maintain ongoing workplace communication regarding COVID-19 vaccination and the WHS risks to employees, volunteers (including Directors), students on work placement and contractors during the declared pandemic, relying on official information sources of the Australian and State and Territory Governments. We encourage all employees, volunteers (including Directors), students on work placement and contractors to communicate openly and confidentially with Scope Home Access if they have genuine medical/health or other concerns about vaccination, this policy, or Scope Home Access's general COVIDSafe Plan measures.

#### **1.6 PROOF OF VACCINATION**

Scope Home Access will require all employees, volunteers (including Directors), students on work placement and contractors to provide proof of vaccination in order to comply with this policy. This information will be kept in Scope Home Access's *Vaccination Register*.



Proof of vaccination can be:

- A copy of your immunisation history statement available from your vaccination provider or the Australian Immunisation Register;
- Proof through your My Health Record; or
- Your COVID-19 Digital Certificate issued by the Australian Government.

### **Information regarding collection and treatment of information about vaccinations**

#### Purposes of collecting this information

The collection of medical information regarding vaccinations (Vaccination Information) is:

- reasonably necessary having regard to Scope Home Access's functions and activities;
- occurring for the purposes of :
  - preventing and managing COVID-19 in the workplace;
  - staffing and rostering purposes associated with these matters; and
  - providing de-identified statistical information to our funding bodies regarding workforce vaccination rates

#### How the Vaccination Information will be used

The Vaccination Information will be used for the purpose of monitoring compliance with this policy, and will be maintained on a strictly confidential 'need to know' basis by Scope Home Access management. The Vaccination Information will otherwise only be disclosed in accordance with Scope Home Access's privacy policy. These documents include information about:

- who Scope Home Access may disclose this information to;
- how individuals may request access to the personal information about them held by Scope Home Access, and seek the correction of such information; and
- how individuals may complain about (amongst other things) a breach of the Australian Privacy Principles, and how Scope Home Access will deal with such a complaint.

### **Employees, volunteers (including Directors), students on work placement or contractors who refuse vaccination**

If an employee, volunteer (including Directors), student on work placement or contractor indicates that they do not intend to obtain a COVID-19 vaccination in accordance with this policy and/or provide the Vaccination Information, as a first step, Scope Home Access will invite that person to explain their reasons for this, including whether they are seeking an exemption. Open communication is encouraged by Scope Home Access and is treated as confidential.

### **Exemptions**

All employees, volunteers (including Directors), students on work placement and contractors may apply to Scope Home Access for an exemption from this policy on the following grounds:

- medical grounds, where evidence is supplied by a qualified medical practitioner of a contraindication to all of the available COVID-19 vaccine or another medical reason for a temporary exemption;





- where the vaccine is not available to the employee, volunteer (including Directors), student on work placement or contractor due to vaccine supply issues; or
- other reasonable grounds, including non-medical requests.

Any person seeking an exemption on these grounds will be required to submit relevant information with an application for an exemption. Evidence may include:

- where exemption applications are made on medical grounds, reliable medical evidence by a qualified medical practitioner that indicates a contraindication to all of the available COVID-19 vaccines or another medical reason for a temporary exemption. This evidence must be in a form approved by the relevant State/Territory government body/Chief Health Officer; and/or
- for non-medical exemption applications, other information stating why an exemption is sought.

Scope Home Access will assess the information supplied and, in our discretion, may require:

- additional information or clarification of the information supplied; and/or
- independent verification of the supplied evidence at our expense

#### **Assessing exemption or reasonable accommodation applications**

Scope Home Access may approve or decline an application for exemption to this policy, on either an ongoing or temporary basis. Scope Home Access will consider:

- any information provided by the applicant relating to their individual circumstances;
- the nature of the work performed by the applicant, including the core/inherent requirements associated with the role;
- the risk of COVID-19 infection in the settings in which the applicant works;
- the potential impact on the safety of others to which Scope Home Access holds a duty of care, including employees, volunteers (including Directors), students on work placement and clients;
- public health orders or other government directions or advice in place at the time;
- whether reasonable alternate duties or other risk mitigation strategies are possible to reduce the risks to an acceptable level in Scope Home Access's opinion;
- the business and operational needs of Scope Home Access; and
- any other factors that, in Scope Home Access's opinion, are relevant to ensuring a safe working environment

While each application is considered on its merits and by adopting an evidence-based approach, in general terms Scope Home Access is unlikely to approve an exemption solely on the basis of a personal or philosophical objection to vaccination (conscientious objection).

To ensure a high level of procedural fairness, a preliminary determination on an exemption application will be made in respect of the application. This will be communicated to the applicant by the Chief Executive Officer, with an invitation to that person to respond, before a final determination is made. A final determination will then be made by the Chief Executive Officer having taken into account any additional comments or information provided by the applicant.

#### **Consequences where exemption applications are not approved**



Where an application for exemption is not approved by Scope Home Access, the organisation may decide that this constitutes a breach of a lawful and reasonable direction requiring vaccination. This will be determined on a case by case basis, consistent with Scope Home Access's human resources procedures, and may result in one or more of the following:

- immediate suspension of duties and a direction not to attend work;
- disciplinary action, which may result in termination of the employment or volunteer agreement;
- in respect of contractors, a decision to cease using their services; or
- such other step that Scope Home Access deems appropriate in the circumstances.

#### **Managing those who have an approved exemption**

Where Scope Home Access has approved an exemption in respect of this policy, the outcome of that determination will be kept confidential by Scope Home Access. It may be possible that employees, volunteers (including Directors), students on work placement and contractors are unable to perform particular types of work due to Scope Home Access's concerns about workplace safety, duty of care to others, restrictions imposed through public health orders or other government directions, or funding / contractual directions which apply to Scope Home Access. Scope Home Access will deal with such occurrences on a case by case basis as it determines appropriate in the circumstances, and in consultation with the person concerned, to manage their safety and this may include alternative working arrangements.

#### **Cost of vaccination**

Vaccination against COVID-19 is free in Australia. Accordingly, Scope Home Access will not reimburse any expenses incurred as a consequence of this policy.

#### **Time off work to be vaccinated**

From the commencement of this policy, Scope Home Access will support employees to be vaccinated against COVID-19 with paid time off work as follows:

- Part-time and full-time employees may use up to 2.5 hours of their normal time at work to attend a vaccination appointment.
- Casual employees will be paid up to 2.5 hours of additional time at their usual rate of pay to attend a vaccination appointment.

Unless their shift for the day has ended, employees are expected to return to work as soon as possible after they have obtained their vaccination (that is, even if it takes less than 2.5 hours).

In the unlikely event a vaccination appointment takes longer than 2.5 hours (for example, due to travel or waiting time), Scope Home Access will consider requests for additional paid leave on a case-by-case basis. Volunteers, students on workplacement and contractors must obtain vaccines in their own time.

#### **Time off work after vaccination**

Part-time and full-time employees can use personal or annual leave if they can't work because they're unwell after being vaccinated.



Casual employees are not entitled to personal or annual leave under the National Employment Standards.

#### RESPONSIBILITIES

- The Chairperson is responsible for bringing this policy to the attention of the board.
- The CEO is responsible for ensuring all employees, volunteers (including Directors), students on work placement and contractors are aware of and comply with this policy.
- The *Vaccination Register* will be maintained by the People, Learning and Culture division.

#### RELATED POLICY:

B01 Privacy, Dignity and Confidentiality

#### RELATED PROCEDURES:

Scope Home Access COVIDSafe Plans

ORG Form 041 COVID-19 Vaccination Consent for the Release of Information Form

Australian Immunisation Register (AIR) - immunisation medical exemption form (IM011)

<https://www.servicesaustralia.gov.au/im011>

#### RELEVANT LEGISLATION AND/OR GOVERNMENT POLICY:

- Fair Work Act 2009
- Work Health and Safety Act 2011 (WHS Act 2011)
- Public Health Act 2010
- Public Health (COVID-19 Care Services) Order (No 3) 2021 [NSW]

#### POLICY APPROVAL BY BOARD OF DIRECTORS

|                                  |                    |         |
|----------------------------------|--------------------|---------|
| Christine Spackman / Chairperson | <i>C. Spackman</i> | 29/3/22 |
| Print Name/Title                 | Signature          | Date    |

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