

Mandatory COVID-19 vaccination for healthcare settings

From 20 October 2021, the [Emergency Management \(Healthcare Setting Workers Vaccination No 2\) \(COVID-19\) Direction 2021](#) issued under the *Emergency Management Act 2004*, came into effect.

This Direction places COVID-19 vaccination requirements on all persons working in a South Australian healthcare setting as detailed below.

Who does this apply to?

Phase 1

All persons engaging in work or duties in the following healthcare settings must be vaccinated against COVID-19 with a TGA approved or recognised vaccine, with the first dose being completed by **1 November 2021**, and the second dose being completed within the interval recommended by ATAGI:

- > public and private hospitals;
- > an ambulance service (including an ambulance service for transporting patients).

Phase 2

All persons engaging in work or duties in the following healthcare settings must be vaccinated against COVID-19 with a TGA approved or recognised vaccine, with the first dose being completed by **8 November 2021**, and the second dose being completed within the interval recommended by ATAGI:

- > primary community healthcare facilities (general practice clinics, dental clinics, private nurse offices);
- > pharmacies;
- > specialist outpatient facilities (including consulting suites of private medical specialists, including reproductive services, and any setting provided by allied health and scientific professionals, which may include primary community health facilities);
- > private pathology centres;
- > private radiology centres (including breast screening centre);
- > defence health settings (including Garrison health centres, deployed and exercise health support and clinical health training);
- > facilities for the collection, manufacture and distribution of blood and biological products;
- > Aboriginal community controlled health services;
- > the Department for Health and Wellbeing, the Commission on Excellence and Innovation in Health and Wellbeing SA.

Phase 3

All persons engaging in work or duties in the following healthcare settings must be vaccinated against COVID-19 with a TGA recognised vaccine, with the first dose being completed by **6 December 2021**, and the second dose being completed within the interval recommended by ATAGI:

- > chiropractic therapy;
- > osteopathy.

For all phases this includes clinicians, ambulance workers, allied health, cleaners, administrative and executive staff, volunteers, contractors (including couriers and delivery drivers) and students undertaking placement regardless of whether they work in a patient or a non-patient area.

What is the definition of a public hospital and private hospital?

Private hospital means a private hospital under Part 10 of the *Health Care Act 2008* (including a private day procedure centre);

Public hospital means an incorporated hospital under Part 5 of the *Health Care Act 2008*, including all services provided by a hospital (Local Health Network).

What is the definition of specialist outpatient facilities?

Specialist outpatient facilities means consulting suites of private medical specialists (including reproductive services) and any setting where the following services are provided by allied and scientific professionals in person to another person:

- > art or music therapy;
- > audiology;
- > dental therapy;
- > epidemiology;
- > exercise physiology;
- > genetic counselling;
- > nuclear medicine technology;
- > nutrition and dietetics;
- > occupational therapy;
- > optometry;
- > orthoptics;
- > orthotics and prosthetics;
- > perfusion;
- > physiotherapy;
- > podiatry;
- > psychology;
- > radiation therapy;
- > radiography;
- > social work provided at a public or private hospital or community healthcare facility;
- > sonography;
- > speech pathology.

Does this Direction apply to organisations that attend a healthcare setting?

Yes, this Direction applies to all persons who attend a healthcare setting in the course of their work or duties, including if their attendance is incidental such as delivery drivers or suppliers.

This Direction applies to any person as described above, regardless of the industry they work for (eg, the organisation does not need to be a healthcare provider for its staff to be subject to this Direction).

As an employer, how do I determine if my employees are subject to this Direction?

To work out if your staff have to comply with this Direction, you will need to look at where your staff carry out their duties. This is because the Direction is setting-based, rather than based on the type of work a person undertakes. For example, it is not only healthcare workers who must comply.

This Direction applies to any employees who carry out their duties, at any time, in a healthcare setting, or where an organisation delivers a healthcare service at their premises (see *What is the definition of specialist outpatient facilities?* above).

Employees who are required to undertake any of their duties in those settings at any time (even if it's only occasionally, such as having to accompany a client to the GP or hospital) must be vaccinated by the dates detailed in the Direction.

As an organisation that delivers healthcare services, does this mean that all of my staff must comply and be vaccinated?

Many organisations, especially non-government organisations, deliver a range of services across the community in South Australia.

This Direction applies only to the staff who carry out their duties in a healthcare setting.

For example, if an organisation employs people who are required to attend a healthcare setting as part of their work (like a community support worker who needs to go to a GP clinic with a client), they are subject to this Direction.

However, staff from the same organisation who do not need to attend a healthcare setting for their work (like a community support worker who delivers youth programs at the local library) are not required to comply with the Direction.

My organisation is funded by SA Health, Wellbeing SA or a Local Health Network to deliver a program or service – does this mean my organisation must comply with the Direction?

The source of funding for the service does not determine whether employees of an organisation must comply with the Direction.

If your organisation delivers a program or service that is either delivered in a setting, or is a service listed in the Direction under 'Specialist Outpatient Facilities', then your staff who attend the setting where these programs or services are delivered (either inside or outside of your organisation) must comply with the Direction and be vaccinated.

My organisation delivers healthcare services at our premises. Do we need to comply with the Direction?

Yes. If you provide a healthcare services (see *What is the definition of specialist outpatient facilities?* above), you must comply with the Direction.

As an organisation that delivers healthcare services at our premises, do I need to check the vaccination status of persons who attend the premises for work purposes?

Yes. All persons who undertake duties at the healthcare setting you manage, no matter how limited or incidental, whether or not they have contact with clients, or whether they are your employees or not, must be vaccinated.

As the operator of the facility, you may request that a person attending the setting provide you with proof of their vaccination status.

If a person who attends a facility run by my organisation for work purposes does not, or cannot, show proof of their vaccination status what do I do?

Any persons attending a facility that is defined as a healthcare setting under the Direction must provide proof of vaccination to the operator of the facility upon request.

If a person who has been requested to show proof cannot or will not provide this information to you, they should be advised that they cannot carry out their duties until such time that they can provide evidence of their vaccination status.

My organisation delivers healthcare services at our premises, but only in part of our building. Does every worker who attends the building need to be vaccinated, or just those who attend the healthcare service?

If the healthcare setting comprises the entirety of your organisation's premises, then the Direction applies to any persons who attends the premises for work purposes.

If the healthcare setting, or the place where the health services is carried out, is in a discreet part of your premises, with separate entry, amenities, and no regular thoroughfare from the other parts of your organisation, then the Direction only applies to that defined part of your premises.

Your staff and any other persons who attends that part of the premises for work purposes, no matter for how long or how incidental, must comply with the Direction. Other staff in your organisation who do not frequent this part of your premises are not subject to comply with the Direction.

My organisation delivers healthcare services at our premises. Do clients need to be vaccinated in order to attend this service?

No. The Direction only applies to persons carrying out duties at these settings, not to clients and their families.

Why is this being introduced?

This Direction brings South Australian in line with the National Cabinet endorsement of the Australian Health Protection Principal Committee (AHPPC) recommendation that all people working in a health care setting are vaccinated as a condition of work.

Vaccination of people working in healthcare settings is an important mechanism to protect staff, patients and the community and to maintain the provision of public, private and community healthcare services in the event of a COVID-19 outbreak.

COVID-19 vaccines are highly effective against severe illness, hospitalisation and death, and will help keep staff, patients and visitors safe from COVID-19.

Have the vaccines been properly reviewed by regulatory agencies?

All vaccines available in Australia are approved by the Therapeutic Goods Administration (TGA) for safety, quality, and effectiveness. COVID-19 vaccines must meet the same high standards as any other vaccine approved for use in Australia.

Which vaccine do I need to have?

People must be vaccinated against COVID-19 with a TGA approved or recognised vaccine including either AstraZeneca (Vaxzevria), Pfizer (COMIRNATY), Moderna (Spikevax) or Janssen-Cilag.

If you have not already had one dose of a COVID-19 vaccine, you will need to get vaccinated with either Pfizer or Moderna to ensure you are vaccinated within the required timeframe.

What if I have been vaccinated overseas?

Vaccines that are provisionally approved by the TGA are accepted. A list of approved vaccines is on the TGA website: [tga.gov.au/covid-19-vaccine-provisional-registrations](https://www.tga.gov.au/covid-19-vaccine-provisional-registrations)

Can I choose not to get vaccinated?

You will not be forced to have the vaccine. However, if you do not meet the COVID-19 vaccination requirement on the date it applies, or do not have an approved medical exemption, then you cannot continue to work in the listed healthcare settings.

Can I choose to get COVID-19 tests instead of getting vaccinated?

No, testing is not an alternative to vaccination. If you have not been vaccinated against COVID-19 by the dates specified and you have not submitted a medical exemption certificate, you will not be able to continue working in a public or private hospital setting.

Can I get vaccinated during work time?

SA Health employees can get vaccinated during working hours, however, you will need to negotiate this with your line manager.

Do I need to provide proof of my vaccination status to my workplace/employer?

You will be required to provide proof of your vaccination status to your Line Manager/employer upon request.

What do I do if I have medical concerns about getting vaccinated?

If you have medical concerns about being vaccinated, you need to speak to your doctor.

You need to advise your organisation as soon as possible if you will not receive your COVID-19 vaccination by the required dates. Your organisation may write to you specifically regarding your vaccination status.

What happens if I cannot be vaccinated because of a medical reason? How can I get an exemption?

1. You will need to seek a medical certificate from a legally qualified medical practitioner which states that you have a temporary or permanent medical reason for vaccination exemption in accordance with the guideline published by the Australian Technical Advisory Group on Immunisation (ATAGI):
www.health.gov.au/resources/publications/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines
Any such medical certificate will need to specify the nature of the exemption and the basis on which it applies.
2. You will need to complete an [SA Health Chief Public Health Officer Immunisation Exemption Application Form](#) and submit this, along with your medical certificate signed by a legally qualified medical practitioner, to Health.NJNPExemptions@sa.gov.au.
3. Your application for an exemption must be endorsed by the Chief Public Health Officer (CPHO). If approved, the CPHO will provide a signed exemption letter that can be provided to your employer.

What happens if my application for a medical exemption is approved? What does this mean for my ongoing employment, role etc.

You will continue to be able to work in your current role, noting that control measures will continue to be in place. You will be required to wear appropriate personal protective equipment when engaging in work or performing duties. Where the nature of the medical contraindication could adversely impact your ability to perform your role safely, a risk assessment will be undertaken to address any concerns.

What happens if my application for a medical exemption is not approved?

Medical exemptions will only be accepted and endorsed by the CPHO if they are in accordance with the ATAGI published guidelines.

If your medical certificate is not in accordance with the ATAGI guidelines and is not endorsed by the CPHO, you are subject to the Direction and must meet the vaccination requirements.

I am pregnant or planning pregnancy. What should I do?

You can get vaccinated if you're pregnant, breastfeeding or trying to become pregnant. Pregnant women are particularly vulnerable to COVID-19 and should be vaccinated against COVID-19. Vaccination reduces the risk of severe disease during pregnancy and helps to keep you and your unborn baby protected from the virus.

Pregnancy is not a reason for a medical exemption under this Direction.

How can I book in a vaccination appointment?

To find a COVID-19 vaccination appointment, visit the Vaccine Clinic Finder at <https://covid-vaccine.healthdirect.gov.au>

Your workplace may have special arrangements in place (e.g. walk-in appointments) for staff to get vaccinated.

What happens if I can't get a vaccination appointment time before the required date?

You are encouraged to book a vaccination time as soon as possible and walk-in capacity is being increased in the coming week.

You can discuss what options are available to you with your employer if you have not received at least one vaccination dose by the required date due to appointment availability.

How can I prove I have been vaccinated?

There are several options to receive your 'proof of COVID-19 vaccination':

- > Download your COVID-19 digital certificate via the [Express Plus Medicare](#) mobile app or your [Medicare online account](#) through myGov.
 - o You can add your COVID-19 digital certificate to your Apple Wallet or Google Pay.
 - o Instructions are available on the [Services Australia website](#).
- > If you can't get proof online, your vaccination provider may be able to print your immunisation history statement for you.
- > Call the [Australian Immunisation Register](#) on 1800 653 809 (Monday to Friday 8am to 5pm) and ask for your statement to be sent to you. It can take up to 14 days to arrive in the post.
- > If you're not eligible for Medicare, call the Australian Immunisation Register and request your certificate be mailed to you or add your COVID-19 certificate to your digital wallet using the Individual Healthcare Identifiers service (IHI service) through myGov.

Who should I send my vaccination record to?

You will be required to provide your vaccination status to your Line Manager/employer.

Who will be able to see my vaccination status? How will such information be held?

Your vaccination status will be generally be recorded on your organisation's HR management system (such as CHRIS21 for SA Health staff) to which a small number of HR and/or worker health and safety staff usually have access to.

What leave is available if I have an adverse reaction to the vaccination?

SA Health staff can access available sick leave if you experience any side effects to the vaccination.

What if I'm already on short-term leave when vaccinations are due?

If you are already on leave at the time vaccinations are due, you are still encouraged to get vaccinated as this is in your best interest to protect yourself and your family. However, you are required to have had your vaccination(s) before you return to duty and will be required to provide evidence of your vaccination status prior to resuming duty.

I am currently on long term leave (eg. maternity or long service leave). When am I required to have the vaccine? Can this be done prior to my return to work?

If you are already on leave at the time vaccinations are due, you are still encouraged to get vaccinated as this is in your best interest to protect yourself and your family. However, you are required to have had your vaccination(s) before you return to duty and will be required to provide evidence of your vaccination status prior to resuming duty.

What happens if I am not vaccinated by the required date?

If you do not provide evidence of having had one dose of a COVID-19 vaccine by the required date and do not have a medical exemption certificate your employer will contact you further in relation to your options and the implications for your employment.

Are employers legally obliged to enforce the vaccinations?

The Direction places an individual obligation on healthcare workers – it is not an obligation on the employer. Non-compliance with the Direction is an offence. No employer should aid the committal of an offence. Under the Direction, employers can request proof of your vaccination status.

Can employers dismiss non-complying staff?

Employers will need to seek independent legal advice.

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