

# COVID-19 VACCINATION

QUALITY AREA NO 2 AND 7. | GREENBROOK KINDERGARTEN VERSION 1.0



## AUTHORISATION

This policy was adopted by the approved provider of Greenbrook Kindergarten on 14<sup>th</sup> July 2022

**REVIEW DATE:** FEBRUARY 2023



## PURPOSE

This policy provides guidelines for Greenbrook Kindergarten to provide clear communication to our workers, student teacher candidates and adult volunteers regarding vaccination against Covid 19 in the workplace.

This policy sets out the approved provider's position on COVID-19 vaccinations.



## POLICY STATEMENT

### SCOPE

This policy applies to the approved provider, persons with management or control, the nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, student teacher candidates, and adult volunteers attending the programs, activities, and services of Greenbrook Kindergarten, including during offsite excursions and activities.

Parents or guardians who are engaging in activities at the kindergarten or volunteering as committee members are not required to comply with this policy.

### VALUES:

Throughout the pandemic Greenbrook Kindergarten has always followed the advice from the Department of Education & Training, the Chief Health Officer, and the Minister for Health regarding Covid 19 vaccination of staff, volunteers, and student teacher candidates. Hence, moving forward from the 25<sup>th</sup> of June 2022 we will continue to follow their advice for Early Childhood Services. From Saturday 25<sup>th</sup> June 2022 any future recommended vaccinations for current employees, will be voluntary, not mandatory. Please refer to the vaccination requirements in the **Vaccination requirements section** of this policy for specific vaccination requirements and information pertaining to Student teacher candidates, volunteers, and future employees.

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## RESPONSIBILITIES

### EMPLOYEES OF THE APPROVED PROVIDER WILL BE RESPONSIBLE FOR:

- Familiarising themselves with this policy and participating in a consultation meeting/s with their employer
- Providing a copy of their COVID-19 vaccination information record or medical exemption received prior to the Pandemic order expiring (25/6/22) to the employer.
- Co-operating with any control measures that the employer may put in place to limit the spread of COVID-19; and
- Complying with the ongoing hygiene protocols in place and any other directions by management to reduce the spread of COVID-19.

### NEW EMPLOYEES, VOLUNTEERS AND STUDENT TEACHER CANDIDATES WILL BE RESPONSIBLE FOR:

- Providing a copy of their COVID-19 vaccination information record prior the Pandemic order expiring (25/6/22) before attending the premises for the first time.
- Co-operating with any control measures that the employer may put in place to limit the spread of COVID-19; and
- Complying with the ongoing hygiene protocols in place and any other directions by management to reduce the spread of COVID-19.

### THE APPROVED PROVIDER WILL BE RESPONSIBLE FOR:

- Providing copies of this policy to all new and existing workers, student teacher candidates and volunteers.
- Ensuring employees, student teacher candidates and volunteers comply with this policy
- Maintaining records / receiving acceptable evidence of workers having received the COVID-19 vaccine.
- Providing new workers with information about the COVID-19 vaccine policy prior to commencing employment

KEY RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teachers, educators, and all other staff	Parents/guardians	Contractors, volunteers, and students
<b>Notify new and existing staff of vaccination requirements</b>					
Provide copies of this policy to all new existing workers (including parent volunteers, and students on placement).	√	√			
Provide new employees with a copy of the COVID-19 vaccine policy prior to the commencement of employment.	√	√			
<b>Notify volunteers of vaccination requirements</b>					
Notify volunteers of this policy	√	√	√		
<b>Receive vaccination records (received prior to the pandemic order ceasing)</b>					
Receive acceptable evidence of workers COVID-19 vaccination information or medical exemption that they received prior to 25/ 06/2022.	√	√			
Maintain records in a secure location on premises.	√	√			
<b>Review this policy</b>					
Developing and recommending strategies including revisions to this policy	√	√	√	√	

## CONSULTATION - IMPORTANT

Consultation under the *Occupational Health and Safety Act 2004 (Vic)* is an imperative step in implementing this policy for an early childhood education and care service. The obligation of the approved provider is to consult with its employees to ensure the following prior to making this direction and implementing this policy. During consultation employees must be:



- provided with information relating to the reasons, rationale and data supporting the proposal to introduce this policy and provided with a copy of the risk assessment or informed of the analysis that determined that assessment.
- employees are provided with a reasonable opportunity to express their views, or contribute ideas or suggestions in relation to the decision-making process or the risk assessment or rationale that underpinned the decision to introduce this policy; and

## VACCINATION REQUIREMENTS

**FOR THE PURPOSES OF THIS POLICY, VACCINATION AGAINST COVID-19 MEANS A FIRST OR SECOND DOSE COVID-19 VACCINE AND COVID-19 BOOSTER VACCINATION PRIOR TO THE 25<sup>TH</sup> OF JUNE 2022.**

### REQUIREMENTS FOR CURRENT EMPLOYEES

As a condition of ongoing employment with Greenbrook Kindergarten, although they highly recommend receiving, the Committee of Management will not mandate any vaccinations for staff after the 25<sup>th</sup> of June 2022.

### REQUIREMENTS FOR NEW EMPLOYEES

As a condition of accepting employment with the Employer, all new employees will be required to provide acceptable evidence that they were vaccinated against COVID-19 prior to the 25<sup>th</sup> of June 2022 as a term of their employment contract unless a valid medical exemption applies. Although they highly recommend receiving, the employer will not mandate any vaccinations for staff after the 25<sup>th</sup> of June 2022. Under special circumstances, if a suitable employee is not vaccinated due to medical reasons and is appointed to a position, then the committee of management will require them to remain at home if there is an outbreak of covid 19 at the service. This time will be taken as sick leave or leave without pay. An outbreak is considered to be 5 or more cases in a 7-day period)

### REQUIREMENTS FOR VOLUNTEERS AND STUDENT TEACHER CANDIDATES

As a condition of accepting a placement at Greenbrook Kindergarten, the Committee of Management require acceptable evidence that the students or volunteers were vaccinated against COVID-19 prior to the 25<sup>th</sup> of June 2022. Although they highly recommend, the Committee of Management will not mandate any vaccinations for students or volunteers after the 25<sup>th</sup> of June 2022 in order to attend the service.

## VACCINATION STATUS RECORDS

Workers will be required to provide the approved provider with acceptable certification (evidence) of their vaccination status (i.e., whether they have been fully vaccinated or not) and any medical exemption (if applicable) upon request.

Workers have the right to privacy regarding their vaccination status. The employer will comply with privacy obligations and in particular, will not disclose any information about an individual's personal, vaccination or health status, except where required for operational or safety reasons, at law or in accordance with a public health order, on a need-to-know basis (such as, to designated members of the Committee of Management or where it is necessary to confirm vaccination status).

**Where we do not hold information on vaccination status, the approved provider will treat the worker as if the worker is unvaccinated.**

### STORAGE OF VACCINATION STATUS RECORDS

It is recommended that vaccination records be kept on the premises either in hardcopy or electronic format in a secure location with restricted access.

Vaccination records are to be stored in accordance with the *Privacy and Confidentiality Policy* and kept on each staff record:

- Disclosure of a staff vaccination status without consent is permitted if the collection of this information is required or authorised by Australian law.

- Prior consent from staff is not required if collecting and storing vaccination information for the purposes of complying with the Directions under the *Public Health and Wellbeing Act 2008 (Vic)*
- Private sector organisations who have lawfully collected vaccination information can access the employee records exemption in the *Privacy Act 1988 (Cth)*
- The Australian Privacy Principles under the *Privacy Act 1988 (Cth)* will not apply when information is collected and held in an employee record and directly related to the employment relationship.

Only nominated person/s appointed by the Committee of Management can be permitted access to confidential vaccination records. This includes the President, the Nominated Supervisor, and the Administration Manager

### **MEDICALLY EXEMPT PERSONS**

Any student teacher candidate, volunteer or future prospective employee who has a medical condition or other reason that prevented them from receiving the COVID-19 vaccination prior to the 25<sup>th</sup> of June 2022 should contact the nominated person at their earliest opportunity. In these circumstances, the approved provider will require the worker to provide acceptable certification (*refer to Definitions*) to demonstrate that they were a medically exempt person (*refer to Definitions*).

This evidence which may include a medical certificate from their treating medical practitioner advising that they were unable to receive a dose, of any COVID-19 vaccine that was available in Australia for a nominated period of time. Any collection of personal information will be in accordance with privacy laws and the *Privacy and Confidentiality Policy*.

### **PERSONS WHO HAVE PREVIOUSLY TESTED POSITIVE TO COVID-19 (TEMPORARILY MEDICALLY EXEMPT PERSON)**

As per advice from the Australian Technical Advisory Group on Immunisation, dated 29 April 2022,<sup>1</sup> workers may be considered for a temporary medical exemption due to a COVID-19 infection within the previous four months. To be eligible for a temporary medical exemption, a worker may seek certification on their Australian Immunisation Register (AIR) after their treating medical practitioner has completed the medical exemption (IM011) form or provide alternative acceptable certification (*refer to Definitions*). Any collection of personal information will be in accordance with privacy laws and the *Privacy and Confidentiality Policy*.

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## **BACKGROUND AND LEGISLATION**



### **BACKGROUND**

The employer has a duty of care to ensure, so far as is reasonably practicable, the work health and safety of our workers and children in our care. It is a requirement that all employees of Greenbrook Kindergarten, were up-to-date on their vaccinations (including a third booster dose) prior to the 25<sup>th</sup> June 2022.

### **LEGISLATION AND STANDARDS**

Relevant legislation and standards which formed the basis of this policy:

- *Guidance for the Pandemic (Workplace) Order 2022 (No. 8)* – (Vic)  
<https://www.health.vic.gov.au/covid-19/workplace-order>
- *Fair Work Act 2009* (Cth)
- *Occupational Health and Safety Act 2004* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)

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<sup>1</sup> ATAGI expanded guidance on acute major medical conditions that warrant a temporary medical exemption relevant for COVID-19 vaccines. 29 April 2022. Accessed at: <https://www.health.gov.au/resources/publications/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines>

- *Privacy Act 1988 (Cth)*
- *Public Health and Wellbeing Act 2008 (Vic).*

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)



## DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved Provider, Nominated Supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue. Definitions that relate specifically to this policy are listed below.

### Acceptable certification:

An acceptable certification for the purpose of this policy includes:

- a current COVID-19 digital certificate issued by Services Australia and displayed through the Medicare App, Service Victoria App or equivalent smartphone wallet that states that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia; or
- a printed version of their COVID-19 digital certificate; or
- a current Immunisation History Statement displayed through the Medicare App, that states that the person is unable to receive a dose of a COVID vaccine that is available in Australia (whether that person has already received one or two doses of a COVID vaccine); or
- a printed version of their Immunisation History Statement; or
- Evidence to satisfy the employer of a medical exemption (medically exempt person or temporarily medically exempt person) as issued by their treating medical practitioner (e.g., a medical certificate).

### Anti-discrimination legislation means

- *Age Discrimination Act 2004 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Equal Opportunity Act 2010 (Vic)*

### Booster vaccination:

A person has received a booster dose if they have received:

- a second dose of a COVID-19 vaccine after receiving one dose of a one-dose COVID-19 vaccine; or
- a third dose of a COVID-19 vaccine after receiving two doses of a two-dose COVID-19 vaccine including different types of two dose COVID-19 vaccines.

**COVID-19:** means a contagious disease caused by severe acute respiratory syndrome coronavirus 2.

**COVID-19 vaccine:** a one dose COVID-19 vaccine or a two dose COVID-19 vaccine as described in the [Guidance for the Pandemic \(Workplace\) Order 2022 \(No. 8\)](#).

- One dose COVID-19 vaccine means 'COVID-19 Vaccine Janssen' (Janssen-Cilag);
- Two dose COVID-19 vaccine means any of the following:
  - Vaxzevria (AstraZeneca);
  - Comirnaty (Pfizer);
  - Spikevax (Moderna);
  - Coronavac (Sinovac);
  - Covishield (AstraZeneca/Serum Institute of India);
  - Covaxin (Bharat Biotech);
  - BBIP-CorV (Sinopharm);
  - Sputnik V (Gamaleya Research Institute);
  - Nuvaxovid (Biocelect on behalf of Novavax);

**COVID-19 PCR test:** a COVID-19 polymerase chain reaction test.

**COVID-19 rapid antigen test:** a COVID-19 rapid antigen test.

**Early childhood education or care services:** means onsite early childhood education and care services or children's services provided under the:

- [Children's Services Act 1996](#) including limited hours services, budget based funded services, occasional care services, early childhood intervention services, mobile services and (if applicable) school holiday care programs; or
- [Education and Care Services National Law Act 2010](#) and the [Education and Care Services National Regulations 2011](#) include long day care services, kindergarten/preschool, and family day care services, but do not include outside school hours care services.

**Health and safety representative:** has the same meaning as in the [Occupational Health and Safety Act 2004 \(Victoria\)](#). **Infectious disease:** An infectious disease designated by the Communicable Disease Section Department of Health Victoria (DH) as well as those listed in Schedule 7 of the [Public Health and Wellbeing Regulations 2019](#).

**Medical contraindication:** means one of the following contraindications to the administration of a COVID-19 vaccine (within the same meaning of the [Guidance for the Pandemic \(Workplace\) Order 2022 \(No. 8\)](#)).

- anaphylaxis after a previous dose.
- anaphylaxis to any component of the vaccine, including polysorbate or polyethylene glycol;
- in relation to AstraZeneca:
  - history of capillary leak syndrome; or
  - thrombosis with thrombocytopenia occurring after a previous dose;
- in relation to Comirnaty or Spikevax, myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax;
  - where a person is in the process of completing a Federal Department of Health approved COVID-19 vaccine clinical trial.
- the occurrence of any other serious adverse event that has:
  - been attributed to a previous dose of a COVID-19 vaccine by an experienced immunisation provider or medical specialist (and not attributed to any another identifiable cause); and
  - been reported to State adverse event programs and/or the Therapeutic Goods Administration.

**Medically exempt person:** A person is a medically excepted person if the person holds an acceptable certification that the person is unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to:

- a medical contraindication.
- an acute medical illness (including where the person has been diagnosed with COVID-19); or
- another specified reason as determined by their treating medical practitioner.

**Temporarily medically exempt person:** As per advice from the Australian Technical Advisory Group on Immunisation, dated 29 April 2022,<sup>2</sup> workers may be considered for a temporary medical exemption due to a COVID-19 infection within the previous four months.

To be eligible as a temporarily medically exempt person for the purposes of this policy, a worker may seek certification on their Australian Immunisation Register (AIR) after their treating medical practitioner has completed the medical exemption (IM011) form or provided another form of acceptable certification (*refer to Definitions*). An Infection needs to be confirmed via polymerase chain reaction (PCR) or rapid antigen test (RAT) to the worker's treating medical practitioner not the employer. RAT results should only be accepted where the result has been reported to the relevant jurisdiction reporting system (where possible). The employer will not accept a RAT or PCR test result alone, without acceptable certification, as evidence of a temporary medical exemption.

**Medical practitioner:** within the same meaning of the *Guidance for the Pandemic (Workplace) Order 2022 (No. 8)* includes:

- a general practice registrar on an approved 3GA training placement; or
- a public health physician; or
- an infectious disease physician; or
- a clinical immunologist; or
- a general practitioner who is vocationally registered; or
- a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or
- a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM); or
- a paediatrician; or
- a medical practitioner who is a fellow of the Royal Australasian College of Physicians.

**Pandemic:** is an epidemic occurring worldwide, or over a wide geographic area and affecting a large proportion of the population.

**Standard precautions:** work practices that achieve a basic level of infection prevention and control. Using standard precautions aims to minimise and, where possible, eliminate the risk of transmission of infection, particularly those caused by blood-borne viruses. Standard precautions include but are not limited to hand hygiene, cleaning equipment and the environment, respiratory hygiene and cough etiquette and appropriate use of Personal Protective Equipment (PPE).

**Worker:** means for the purposes of this policy:

- any person who is employed by an education operator to work in an education facility (including teachers, early childhood educators).
- staff of any other entity who attends an education facility.

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<sup>2</sup> ATAGI expanded guidance on acute major medical conditions that warrant a temporary medical exemption relevant for COVID-19 vaccines. 29 April 2022. Accessed at: <https://www.health.gov.au/resources/publications/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines>

- volunteers that attend an education facility and that work in close proximity to children, students, or staff (does not include parent helpers and the Committee of Management).
- students on placements at an education facility.

But does not include (while recommended):

- education staff directly employed by an agency.
- a person attending an education facility outside of the education facility's normal operating hours, where the facility is hired, leased, operated, or controlled by a community group; or example: workers attending an education facility for community sporting activities outside of normal operating hours.
- a person attending an education facility outside of the education facility's normal operating hours for the purposes of polling activities for an election conducted by the Australian Electoral Commission or Victorian Electoral Commission, provided no children or students that attend the educational facility are present. Example: a candidate for a state or federal election attending an educational facility for a site visit outside of normal operating hours.<sup>4</sup>
- staff of the Department of Education and Training who attend an education facility (such as allied health personnel or Authorised Officers).
- a person providing healthcare services at an education facility.
- [a person contracted to work at an education facility and who will or may be in close proximity to children, students, or staff, whether or not engaged by the education operator including casual relief teachers, Breakfast Club suppliers, agency staff, IT personnel, NDIS providers and auditors, (but does not include delivery personnel)

**Work premises:** means premises in which work is undertaken, including any vehicle whilst being used for work purposes, but excluding a person's ordinary place of residence.

**Up-to-date:** A person is up-to-date on their vaccination status, as defined by the Australian Technical Advisory Group on Immunisation (ATAGI) in their clinical guidance for the [use of COVID-19 vaccines](#) (10 February 2022):<sup>3</sup>

- **Individuals aged 16 years and over:** have previously been considered up to date with COVID-19 vaccination after completing an appropriate primary course of a Therapeutic Goods Administration (TGA) approved or recognised vaccine. To optimise protection from the Omicron SARS-CoV-2 variant, individuals should receive a booster dose 3 months after completion of their primary schedule. A person will be considered 'overdue' if a booster has not been received within 6 months of completing their primary schedule.
- **Severely immunocompromised individuals aged 5 years and over:** require a 3rd primary dose of a COVID-19 vaccine from 2 months (and no later than 6 months) after dose 2 to remain up to date. Those who are aged 16 years and over are recommended a booster (4th) dose, 3 months after dose 3 of their primary vaccination course. However, for the purpose of being up to date in the AIR (which does not contain any information on medical conditions) only a total of 3 doses will be counted as being up to date in this subgroup.
- **Individuals who have had prior COVID-19,** including asymptomatic SARS-CoV-2 infection, still require completion of the above vaccination schedule, but can defer receipt of the next dose for up to 4 months following their infection.

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<sup>3</sup> Australian Technical Advisory Group on Immunisation (ATAGI). ATAGI statement on defining 'up-to-date' status for COVID-19 vaccination. 10 February 2022. Accessed at: <https://www.health.gov.au/committees-and-groups/australian-technical-advisory-group-on-immunisation-atagi>



## SOURCES AND RELATED POLICIES

### SOURCES

- Australian Government COVID-19 website - <https://www.australia.gov.au/>
- Australian Government Department of Health - <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-restrictions>
- SafeWork Australia - <https://www.safeworkaustralia.gov.au/covid-19-information-workplaces>
- WorkSafe Victoria: <https://www.worksafe.vic.gov.au/consultation>
- Victorian Equal Opportunity and Human Rights Commission: <https://www.humanrights.vic.gov.au/>
- Australian Technical Advisory Group on Immunisation (ATAGI) statements: <https://www.health.gov.au/committees-and-groups/australian-technical-advisory-group-on-immunisation-atagi>

### RELATED POLICIES

- Dealing with Infectious Diseases
- Occupational Health and Safety
- Code of Conduct
- Privacy and Confidentiality



## EVALUATION AND REVIEW

Information regarding the COVID-19 pandemic is subject to change given the evolving nature of the pandemic and the Government's response to it. We encourage all workers to regularly keep up to date with Government advice, particularly when restrictions are in place.

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints, and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy, and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required (recommended at every three to six months due to the nature of this policy).
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures unless a lesser period is necessary due to risk ([Regulation 172 \(2\)](#)).



## ATTACHMENTS

- Nil