



COVID-19 VACCINATION POLICY

Document Type	Policy
Reference	511334
Approval Date	15 March 2022
Replaces Document & No.	N/A
Owner Service Area	People & Culture
Review Date	September 2022
Audience	External

1. INTRODUCTION AND PURPOSE

Catholic Education Diocese of Parramatta (CEDP) and its Staff have a responsibility to mitigate the impact, and the risk of transmissibility of, COVID-19 in the workplace. COVID-19 is highly transmissible between individuals in close contact and poses a great risk to vulnerable members of the community such as the elderly, the immunocompromised, and those living with disability.

CEDP recognises the risk that COVID-19 creates for its Staff, students and community members. The purpose of this COVID-19 Vaccination Policy (the **Policy**) is to outline the circumstances in which CEDP may require its Staff to be vaccinated against COVID-19.

2. SCOPE

This Policy applies to all Staff as defined in Part 3 of this Policy. The Policy outlines when Staff are required to be vaccinated against COVID-19, exemptions to vaccination and evidence requirements. Staff must familiarise themselves with this Policy and the obligations outlined within it.

3. DEFINITIONS

ATAGI means Australian Technical Advisory Group on Immunisation.

ATAGI Guidelines means ATAGI clinical guidance on COVID-19 vaccines in Australia in place from time to time.

Booster means doses of a COVID-19 Vaccine in addition to the first two doses of a COVID-19 Vaccine.

Central Office means the following locations - Bethany Centre, 12 Victoria Road, Ann D. Clark Building, and the Aengus Kavanagh Centre.

COVID-19 means the 2019 Novel CoronaVirus and includes all variants of COVID-19.

Employee means a person employed by CEDP under an Employment Contract but excludes other Staff Members as defined in this section of the Policy.

Employment Contract means the contract that provides the terms and conditions of employment between CEDP and the Employee.

Medical Contraindication Certificate has the same meaning as given in a Public Health Order in place from time to time. Where there is no Public Health Order definition, it means a certificate issued by a medical practitioner that certifies a person cannot have any approved COVID-19 Vaccine available in NSW because of a specified medical contraindication. The certificate must be in a form approved by the NSW Chief Health Officer from time to time and must include the medical condition which prevents the person from being vaccinated. The medical contraindication must comply with ATAGI Guidelines as defined in this section of the Policy and in place from time to time. Any certificate issued by a medical practitioner who is not authorised to issue one or more types of medical certificates is not valid.

Public Health Order (PHO) means an order made under section 7 of the Public Health Act 2010 (NSW) as amended or replaced.

School means a school owned and operated by CEDP.

Staff or Staff Member includes paid employees (whether employed on a permanent, temporary or casual basis), religious, volunteers, contractors, sub-contractors, consultants and students on work placements.

Vaccine refers to any COVID-19 vaccine approved for use in Australia by the Therapeutic Goods Administration (TGA) and Commonwealth Government and available for use in NSW. The TGA also recognises a limited number of vaccines administered overseas which can be listed on the Australian Immunisation Register, if they were received overseas on or after 1 March 2020.

Vaccination Evidence has the same meaning as given in a Public Health Order in place from time to time. Where there is no Public Health Order definition, it means evidence from the Australian Immunisation Register that the person has:

- had the required number of doses of a COVID-19 Vaccine (which may include Boosters), or
- a medical contraindication that prevents the person from receiving any approved COVID-19 vaccine available in NSW and a Medical Contraindication Certificate as defined in this Policy.

4. LAWFUL COMPLIANCE

CEDP and its Staff must comply with this Policy, any applicable PHO and other applicable obligations in relation to COVID-19. Other applicable obligations may include, but are not limited to, a direction from the NSW Government that is not yet, but is scheduled to form, a PHO, or a duty of care to students and Staff. Any such obligations will be communicated to Staff by CEDP.

Failure to comply with any of these may result in disciplinary action up to and including the termination of employment, or termination of engagement. Staff must also follow CEDP policies and procedures and lawful and reasonable directions given by CEDP.

CEDP reserves the right to vary or amend this Policy in its absolute discretion from time to time.

5. STAFF REQUIRED TO BE VACCINATED

CEDP has determined that all Staff are required to be vaccinated against COVID-19 in order to work at a School, Central Office or any location for the purpose of carrying out work required by CEDP. Staff are required to be vaccinated as follows:

- For Staff who work in a School or who are required to visit a School in their role - two doses of a COVID-19 Vaccine
- For all other Staff – two doses of a COVID-19 Vaccine by 26 April 2022;
- In the event Boosters are required for all Staff who work in a School under a PHO or otherwise required by law, all Staff will be required to have Boosters as directed by CEDP.

This Policy applies independently of any PHO. For clarity, this Policy will continue to apply after the repeal or expiry of any PHO which otherwise applies to Staff..

CEDP's decision to require Staff to be vaccinated against COVID-19 is based on a WHS risk assessment that considered factors including, but not limited to:

- PHOs including the including the *Public Health (COVID-19 Vaccination of Education and Care Workers) Order 2021* [NSW] and *Public Health (COVID-19 Vaccination of Education and Care Workers) Order (No 2) 2021* [NSW]
- work health and safety obligations and duty of care;
- contact with vulnerable family members of Staff Members and other vulnerable members of the community such as children or people living with a disability
- availability of other controls to mitigate the transmissibility of COVID-19 including (but not limited to) rapid antigen tests, mask wearing, improved ventilation, more frequent cleaning, use of hand sanitiser and physical distancing protocols;
- vaccine availability;
- severity and rate of transmissibility due to new COVID-19 variants including the delta and Omicron variants;
- Government advice that three doses of an approved COVID-19 vaccine offers extra protection against the effects of the Omicron variant;
- the lower rate of vaccination for children aged 12 – 15 years and 5 – 11 years compared to people aged 16 and over, and the fact that children aged under 5 are not currently eligible for vaccination;

- the current lack of eligibility for Booster vaccinations for children under the age of 16 years;
 - location of work and COVID-19 transmission rates in those areas; and
 - location of places of residence of Staff Members and COVID-19 transmission rates in those areas.
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6. LAWFUL & REASONABLE DIRECTION

The requirement for Employees to be vaccinated against COVID-19 and provide Vaccination Evidence, in accordance with this Policy, are considered to be lawful and reasonable directions. Employees have a responsibility to follow lawful and reasonable directions given by CEDP in accordance with their Employment Contract.

Failure to comply with this Policy, or a lawful and reasonable direction given in accordance with this Policy, is a serious matter. Employees who fail to comply may be subject to disciplinary action including termination of employment.

7. LEAVE

Where an Employee fails to comply with this Policy, or a lawful and reasonable direction made in accordance with this Policy, CEDP reserves its discretion to deny applications for leave (including for leave without pay).

8. VACCINATION EVIDENCE

When attending a School, Central Office, other CEDP premises or any location for the purposes of carrying out work required by CEDP, Staff are required to always carry Vaccination Evidence.

Staff must provide their Vaccination Evidence upon request to a person authorised by CEDP to do so. This may include a Principal or Manager or their delegate.

9. EXEMPTION FROM VACCINATION

Staff should obtain independent medical advice prior to having a COVID-19 Vaccine.

Staff who cannot have any COVID-19 Vaccine due to a medical contraindication are exempt from being required to be vaccinated under this Policy. An exemption to vaccination:

- is subject to approval by CEDP

- must be supported by Vaccination Evidence (including a Medical Contraindication Certificate)
- is limited to medical contraindications that comply with ATAGI Guidelines in place from time to time, and
- may be temporary or ongoing (Staff are not exempt from vaccination after a temporary medical contraindication has expired).

Staff who believe they hold an exemption from being required to receive a COVID-19 Vaccine must notify CEDP as soon as reasonably practicable to do so and provide their Vaccination Evidence of the medical contraindication. Any such request is a lawful and reasonable direction.

The following process will be followed:

- **Review of Vaccination Evidence**

Vaccination Evidence will be reviewed by the People & Culture – HR Advisory team on a case-by-case basis. A Staff member is not permitted to attend the workplace until their exemption has been approved by People & Culture. The Principal or Manager is responsible for seeking advice from People & Culture prior to accepting Vaccination Evidence (including a Medical Contraindication Certificate).

If there is a reasonable concern about the basis for the exemption sought, CEDP may request additional information from the Staff Member or their medical practitioner, or make independent inquiries. A request for additional information is a lawful and reasonable direction. Matters considered in the review of Vaccination Evidence include, but are not limited to, whether the health condition(s) meets the contraindication criteria in NSW Health advice and ATAGI Guidelines.

- **Risk Assessment**

Where an exemption to vaccination is accepted by CEDP, return to work is subject to a risk assessment which will be undertaken by CEDP. The Staff Member will be consulted about any risk assessment and a medical assessment may be required.

If a new vaccine is approved for use in Australia and becomes available, for example, Novavax, all Staff who are currently exempt from vaccination will be required to have their Vaccination Evidence reviewed and provide new Vaccination Evidence that they have received the required vaccination or confirming they cannot have any approved COVID-19 Vaccine available in NSW.

If ATAGI Guidelines change, the duration of a temporary exemption may change and/or new Vaccination Evidence may be required.

10. CONFIDENTIALITY

A staff member's vaccination status is confidential. CEDP will not collect, use, or disclose the vaccination status of its Staff except in accordance with the *Privacy Act 1988* (Cth), the *Health Records and Information Privacy Act 2002* (NSW) and the *CEDP COVID-19 Vaccination Collection Notice*.

11. FURTHER INFORMATION

Further information on this policy can be directed the Enterprise Service Desk on (02) 9840 5620 or via email esd@parra.catholic.edu.au.
