



# COVID-19 VACCINATIONS – TEACHING SERVICE AND SCHOOL COUNCIL EMPLOYEES POLICY AND GUIDELINES

## OVERVIEW

This policy implements vaccination requirements that apply to Teaching Service employees and school council employees.

Vaccination requirements apply under the COVID-19 Mandatory Vaccination directions issued by the Victorian Minister for Health (pandemic order).

The pandemic orders are located on the Department of Health's website, refer to: [Pandemic Order Register](#).

Under the pandemic order, all education workers who attend an education facility for the purposes of work must comply with vaccination requirements.

'Education workers' is a very broad category and includes most people that attend an education facility for work, including contractors (such as labour hire) and volunteers. 'Education facilities' is also a broad category and includes schools, school boarding premises, and premises where out of school hours care services are provided.

Victorian Public Service (VPS) employees (such as health, wellbeing and inclusion workforces) should refer to the [Public Service Vaccination Policy](#).

For more information about other persons covered by the definition of education workers, such as volunteers refer to: [COVID-19 Vaccinations – Visitors and Volunteers in Schools](#).

## SCOPE

### ***Relevant employees***

This policy applies to all Teaching Service and school council employees (employees).

### ***Department education facilities***

This policy provides information about employees that attend registered schools provided by the Victorian Government (Victorian government schools).

## EFFECT OF PANDEMIC ORDER

From 29 November 2021, unless they have a valid medical exception, employees are not permitted to attend a school unless they have provided information and supporting documentation to prove that they are fully vaccinated or have a valid medical exception. The pandemic order was amended on 25 January 2022 to include booster requirements for education workers. Under the current pandemic order, unless an employee has a valid medical exception, they will not be permitted to attend a school if they have not received a booster dose by the relevant booster deadline.

For workers that became fully vaccinated on or before 25 October 2021, the booster deadline is 25 February 2022. For workers that became fully vaccinated after 25 October 2021, the booster deadline is 15 March 2022.

Some very limited exceptions to attendance at school sites by unvaccinated employees may apply in emergency situations. For more information refer to the following topic below: Exceptional circumstances.

### **REQUIREMENTS FOR EMPLOYEES**

To comply with the pandemic order, employees must provide information to the Department through eduPay, confirming their vaccination status and uploading supporting documentation.

Employees who do not update their vaccination status in eduPay with supporting documentation to show that they meet the vaccination requirements (including with respect to boosters) will not be able to work at a school site.

For more information about accepted information and supporting documentation, refer to the topic below: What is vaccination information?

### **REQUIREMENTS FOR SCHOOLS AND THE DEPARTMENT**

To comply with pandemic order relating to relevant employees, the Department and schools must:

- notify employees about the requirement for the Department to collect, record and hold vaccination information, and that education facilities are required to take reasonable steps to ensure that unvaccinated workers do not attend the facility. The Department has notified relevant employees directly through a central communication.
- collect, record and hold vaccination information about employees. Vaccination information for employees will be collected centrally through eduPay. Principals/managers will not be able to see vaccination information in eduPay. The Department will provide principals with a regularly updated report about employees who are not able to attend school sites to perform work, as required to comply with pandemic order.
- take reasonable steps to prevent an unvaccinated employee from attending the education facility to work, unless an exception applies. The Department will communicate directly with unvaccinated employees to advise them they are not permitted to attend their workplace to work. Schools will also need to take reasonable steps to ensure that unvaccinated employees do not attend school sites to work.

#### **Information collection requirements for casual school council employees**

If a casual school council employee (such as a casual relief teacher or a casual education support - VCE examination supervisor) has not provided vaccination information to the Department via eduPay they may be permitted to attend onsite provided the school collects, records and holds the vaccination information for that casual employee using the [COVID-19 Vaccinations - Visitors and Volunteers in Schools](#) policy.

#### **Ensuring unvaccinated employees do not attend school sites to work**

In situations where an unvaccinated employee (teaching service or school council employee) attends or refuses to leave a school site principals should:

- clearly direct the staff member to leave the school grounds immediately due to the need to protect the health and safety of students and staff at the school and refer the staff member to the information that the Department has provided to all staff
- immediately notify the Region and report the incident to the Department's Incident Support and Operations Centre (ISOC) on 1800 126 126 and
- if the staff member is becoming aggressive or refuses to leave the school grounds the principal should direct students away from the area and immediately call Victoria Police to seek their assistance to remove the staff member from school grounds.

Follow up the matter by:

- writing to the employee to clearly explain that the worker does not have permission to attend the school site
- Contact the [Employee Conduct Branch](#) for advice
- Seek wellbeing supports for any impacted employees or students who witnessed or were involved in the exchange.

An employee attending a school site as a parent or carer for the purposes of collecting or dropping off children is not considered to be attending for work purposes and will be subject to the same requirements as all other parents collecting or dropping off their children, refer to: [School Operations Guide](#) (staff login required).

## REQUIRED VACCINATION INFORMATION

### What is vaccination information?

Under the pandemic order, vaccination information is information about a person's vaccination status including whether they are fully vaccinated, fully vaccinated (boosted), partially vaccinated, medically excepted from vaccination (an 'excepted person') or unvaccinated. Vaccination information includes information that is derived from a record of information that was made under, or in accordance with, the Australian Immunisation Register Act 2015 (Cth). Information about whether an employee is vaccinated or partially vaccinated can be shown in documents such as:

- a letter from a medical practitioner confirming the person's vaccination status
- a certificate of immunisation (for example, a COVID-19 digital certificate)
- an immunisation history statement obtained from the Australian Immunisation Register.

Employees should provide a copy of their COVID-19 digital certificate issued by Services Australia as supporting documentation for their fully vaccinated or fully vaccinated (boosted) status.

To show that they are an excepted person, a person must provide acceptable certification that they are unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to a medical contraindication or an acute medical illness (including where the person has been diagnosed with COVID-19). For more information refer to the following topic: Medically 'excepted persons'.

The following link provides information on how to [access your digital certificate and upload it to eduPay](#) (staff login required). You can also refer to the [quick reference guide](#) (staff login required) in eduPay for more assistance.

The department will verify that vaccination information provided by employees meets the requirements of the pandemic order.

### What is vaccination information used for?

Your health information, including vaccination information, is collected, recorded, stored and used in accordance with the [Health Records Act 2001 \(Vic\)](#) and the [Public Records Act 1973 \(Vic\)](#).

Vaccination information collected about an employee will be used for the purpose of complying with pandemic order and will only be provided to people who require the information to support compliance with the pandemic order.

For more information on how vaccination will be handled, please refer to the [data collection statement](#) (staff login required).

### **Medically 'excepted persons'**

In line with pandemic order, employees may be able to show that they are an 'excepted person'.

Employees who are considered 'excepted persons' under the pandemic order can resume or continue face-to-face duties.

A person is an 'excepted person' if they hold 'acceptable certification' showing that they are unable to receive a dose, or a further dose, of any COVID-19 vaccine that is available in Australia due to a medical contraindication or an acute medical illness (including where the person has been diagnosed with COVID-19).

For the purpose of the pandemic order, the only form of 'acceptable certification' is 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 such a COVID-19 digital certificate.

A medical contraindication must be one of the following issues related to the administration of an approved COVID-19 vaccine:

- 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 (Pfizer) or Spikevax (Moderna):
  - myocarditis or pericarditis attributed to a previous dose of either Comirnaty or Spikevax or
- 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)
  - reported to state adverse event programs and/or the Therapeutic Goods Administration.

### **EXCEPTIONAL CIRCUMSTANCES**

There are very limited exceptions to the requirements to comply with the pandemic order, and in most cases these will not apply in school settings. An unvaccinated employee may be able to attend a school to:

- respond to an emergency at the facility
- fill a vacancy to provide urgent care (including specialist, clinical or medical care) to maintain quality of care and/or continue essential operations at the facility due to an emergency situation or a critical unforeseen circumstance.
- perform urgent and essential work at the facility to protect the health and safety of workers or members of the public, or to protect assets and infrastructure.

In all of the above situations, the school must take all reasonable steps to ensure that the person is wearing PPE including a surgical mask and face shield. These exceptions only apply for the time required to respond to the exceptional circumstance, and the school should ensure that the unvaccinated employee leaves the facility as soon as possible.

Schools should exhaust all other options before calling on an unvaccinated employee to respond to an emergency situation. This includes:

- normal procedures for ensuring continuity of care such as engaging casual relief teachers
- following the Department's policy on [Reporting and Managing School Incidents](#) to access area-based support. This includes consulting with Regional Emergency Management staff and the relevant school education improvement leader (SEIL) prior to engaging an unvaccinated employee.

If an unvaccinated employee attends a school to respond to an emergency situation, the principal should provide this information when reporting the emergency to the Department's ISOC on [1800 126 126](#), as well as to the relevant SEIL.

## **RESULT OF NON-COMPLIANCE WITH THIS POLICY**

### **Unvaccinated employees**

If an employee does not comply with vaccination requirements they will be informed by the Department that they must not attend the school premises.

Employees who do not meet the vaccination requirements will not be able to attend work onsite and will not be assigned alternative duties in place of onsite duties. From 18 December 2021 until 27 January 2022, normal school holiday provisions will apply.

From 28 January 2022 (beginning Term 1), paid and unpaid leave entitlements will not be available to any employees who do not meet the vaccination requirements. For ongoing employees, any further absence will be considered in line with the Department's [Absent Without Leave](#) policy, which may result in cessation of employment. This will occur automatically under provisions in the [Education and Training Reform Act 2006 \(Vic\)](#) and/or relevant Ministerial Orders.

Fixed term employees will be considered to have abandoned their employment if they are absent on unauthorised absence for more than 20 working days from 28 January, consistent with section 12.2.1 of Ministerial Order 1038.

### **Medically excepted employees**

Employees who are unable to receive an approved COVID-19 vaccine due to a genuine medical exception are able to perform onsite duties. Where medically excepted employees do not attend for onsite duties due to concerns about COVID-19, principals should work through concerns with individual employees, noting that the Department's policy aims to provide a safe workplace for all employees, including those who cannot receive a COVID-19 vaccination, by complying with pandemic orders set by the Minister.

From Term 1 2022, where a medically excepted employee continues to be absent from the workplace, a further assessment may be required to determine whether the employee is able to fulfil the inherent requirements of their role.

## **OTHER INFORMATION FOR STAFF**

### **Assistance in accessing vaccinations**

School staff can access up to half a day's paid release from duty to attend first and second dose COVID-19 vaccine appointments. Schools are asked to exercise maximum flexibility in enabling employees to make and attend vaccination appointments, including with respect to boosters.

Employees are requested to make appointments that occur at times that minimise disruption to the educational program of the school and support for students.

For more information, refer to: [Release from duty to attend COVID-19 vaccinations](#) (staff login required)

### **Where can I find out more information about vaccinations?**

To find out more information about COVID-19 vaccines, employees are encouraged to speak with their medical practitioner.

General information about vaccinations is available at the Victorian Government's COVID-19 website, refer to: [About COVID-19 vaccines](#).

Employees can also call the Department's COVID-19 hotline on [1800 338 663](#). The hotline operates from 8:30 am to 5 pm Monday to Friday, and 10 am to 3 pm Saturday and Sunday, excluding public holidays.

### **Support for mental health and wellbeing**

If staff are experiencing stress, anxiety or other impacts on their mental health in relation to the requirements, they can access confidential counselling support through the Employee Assistance Program, available 24 hours a day, 7 days a week, through LifeWorks on [1300 361 008](#). More information is available at [COVID-19 employee health, safety and wellbeing supports for schools](#).

### **REVIEW/GRIEVANCE**

As noted above, vaccination requirements are a condition of employment in accordance with the pandemic order issued by the Minister, refer to: [Pandemic Order Register](#).

There is no mechanism for decisions made by the Minister to be reviewed by the Department.

Where an employee has a concern about how this policy has been applied in their specific circumstances, they are encouraged to discuss this with their line manager in the first instance. Further information about the Department's grievance and dispute resolution processes is available on HRWeb, refer to: [Grievances](#).

### **EVALUATION**

This policy may be updated in line with any future pandemic orders issued by the Minister and it is recommended that you also check current health information at the Department of Health website: [Coronavirus \(COVID-19\)](#).

This policy is taken directly from the Department of Education and Training's Policy and Advisory Library (PAL) dated **February 9, 2022** and will be reviewed in line with new legislation, regulations and best practice.

### **POLICY REVIEW AND APPROVAL**

Policy last reviewed	February 2022
Consultation	Leadership School Council
Approved	February 2022
Next scheduled review date	February 2023