

Vaccination a Condition of Deployment for Wider Social Care Supporting Guidance

Covid-19 Support Team

Last Updated: 06 January 2022

Vaccination a Condition of Deployment

Staff who are employed or otherwise engaged by a CQC registered homecare provider, have direct face-to-face contact with people receiving care and are performing a regulated activity, will need to be fully vaccinated (or demonstrate they are exempt as allowed in certain limited circumstances) to continue to deliver CQC regulated homecare, including in extra care and other community settings, from 1 April 2022.

The Government have published the consultation result on their website [HERE](#). Key dates to bear in mind are:

- ▶ 6 January - Regulations made. Start of 12-week grace period.
- ▶ 3 February - 8 weeks before regulations are enforced (and the period required between the first and second vaccination dose).
- ▶ 1 April - Regulations enforced. All staff in scope must be fully vaccinated or have secured a medical exemption.

We expect for this to be passed through parliament shortly, with the finalised guidance being published in the coming weeks.

As of the 06/01/2022, fully vaccinated only requires the first and second doses. Please be aware that it is expected that booster vaccinations will be included in the coming months.

What is Expected From the Care Provider

Social care settings where regulated activities take place are within scope. The only exception to this is shared lives caring arrangements. The condition applies to the person undertaking the regulated activity, not the setting as a whole.

The condition applies to any people working or volunteering who have direct face-to-face contact with people receiving care.

Non-clinical workers who have direct face to face contact with patients and care recipients as part of delivering or supporting the delivery of a CQC-regulated activity are also within scope of the requirements.

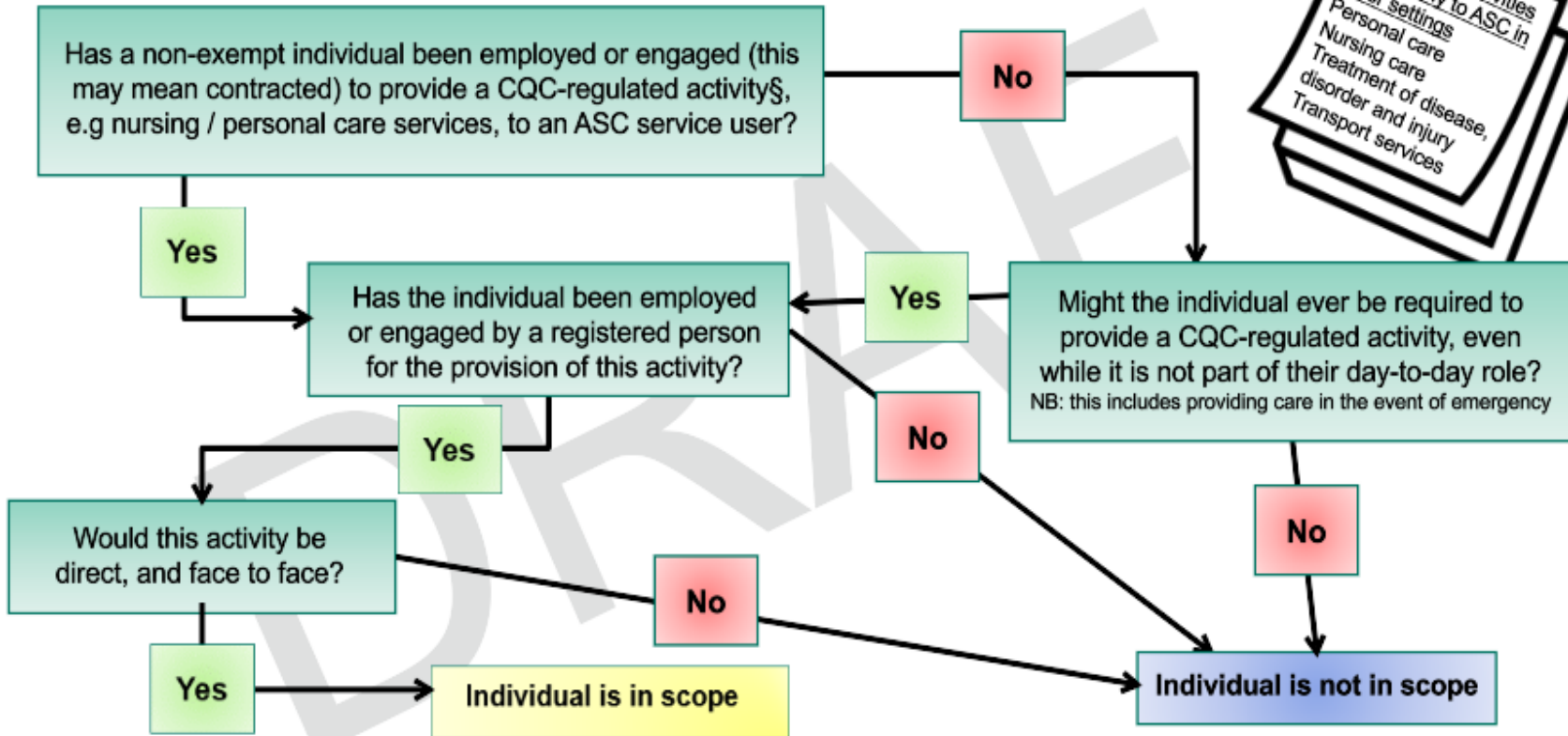
Care Providers must ensure that:

- ▶ any staff deployed to provide CQC Regulated care is fully vaccinated.
- ▶ Records are kept for staff vaccination status.
- ▶ they support staff with understanding their requirement around vaccinations.
- ▶ staff are supported to access (<https://www.bradfordcravenccg.nhs.uk/coronavirus-covid-19-vaccinations/>) and to attend their vaccination appointments ([See ICTF Round 3 vaccine payment for more information](#))

Which Staff are in Scope?

*This refers to VCOD in wider ASC settings, and doesn't include care homes

General principles – who is in scope*?



What does 'in Scope' mean?

Who does this apply to?

- The requirement to be vaccinated will apply to all those that are deployed to undertake a CQC-regulated activity.
- This includes any staff or volunteers who have direct face-to-face contact with people receiving care. For example, those people delivering services in hospitals, GP practices, dental practices and also those delivering CQC regulated activities as part of a social care service in a person's home.
- It would mean only those workers and volunteers who are fully vaccinated (or those with a medical exemption) could be deployed to deliver those services.

Who does this not apply to?

The requirement will not apply to those who:

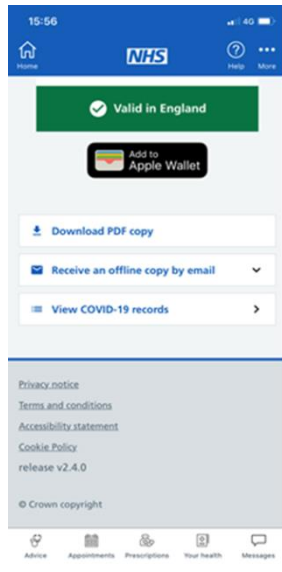
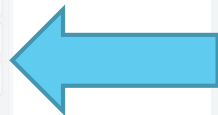
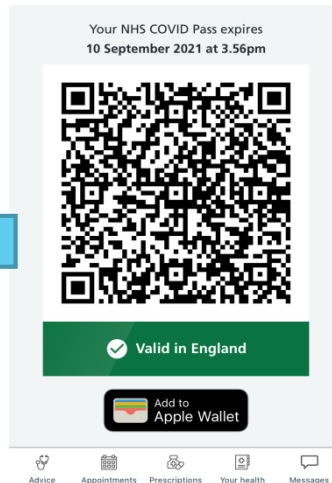
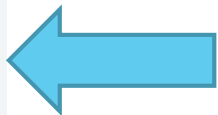
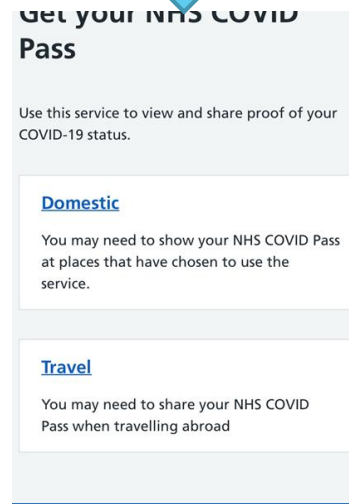
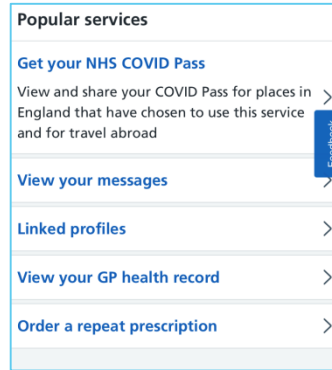
- Are under the age of 18
- Are medically exempt
- Have participated in a clinical trial
- Do not have direct, face to face contact with a patient or service user
- Are pregnant and have a temporary medical exemption which will be valid until they are 16 weeks post-partum

Evidence of Vaccination Status

The NHS App on Smartphones will be one way to evidence your Covid-19 Vaccination status, all evidence need to currently show both doses of the vaccine. Some useful links have been included below:

- ▶ NHS App: <https://www.nhs.uk/nhs-app/>
- ▶ Getting started with the NHS App: <https://www.nhs.uk/nhs-app/nhs-app-help-and-support/getting-started-with-the-nhs-app/> (useful video on how to set up NHS login, this needs to be actioned before using the NHS App)
- ▶ NHS COVID Pass: <https://www.nhs.uk/conditions/coronavirus-covid-19/covid-pass/> or <https://www.gov.uk/guidance/nhs-covid-pass>
 - ▶ In order to access this, you may need to download the NHS Covid Pass Scanner App, available through [Google Play](#) and [Apple Store](#).
- ▶ Get your NHS COVID Pass letter: <https://www.nhs.uk/conditions/coronavirus-covid-19/covid-pass/get-your-covid-pass-letter/>
 - ▶ Please note that the letter will expire after 30 days, you will need to renew the QR code for the letter to remain active.

How to Access Your Covid Pass on the App



What will Demonstrate Vaccination Evidence

Covid Pass App



Covid Pass PDF

The PDF document features the NHS logo at the top right. A large QR code is positioned on the left side. Below the QR code, the text reads: '2D barcode valid for settings in England that have opted in to NHS COVID PASS'. The user's name is listed as 'Evan GANTES', and the 2D barcode expires on '22 JUL 2021 1:01 PM'. The document includes instructions on how to use the NHS COVID Pass and explains the 2D barcode code. It states that the 2D barcode code has been issued by the NHS based on test and vaccination results to help verify that the user has been vaccinated against COVID-19 or tested negative. It also explains that scanning the code will show the user's name, confirm their test or vaccination, and an expiry date. The duration of its validity depends on whether the user was tested or vaccinated. It further states that these 2D barcodes are being issued as part of the NHS COVID PASS service, and users need to prove their COVID-19 status at settings that have opted in. Finally, it notes that the 2D barcode expires 30 days from the date of issue, and users can generate a new one by logging in to the NHS App, visiting the NHS COVID Pass section, then downloading or email yourself a new PDF copy.

Covid Pass Letter

The letter features the NHS logo at the top right. A large QR code is on the left, with the text 'Your unique reference This is to confirm your COVID-19 vaccination record' next to it. The recipient's name and address are listed: 'Emmanuelle Carrington Whittington-Cunningham, 8888 Northumberland Pentrookshire Gardens, High Wycombe, Buckinghamshire, HP20 1UA'. The date is '27 May 2021'. The text states: 'Coronavirus (COVID-19) vaccination confirmation: two doses received. This document is important. Keep it safe. It proves that you have been vaccinated.' The recipient's name and date of birth are provided: 'Name: Emmanuelle Carrington Whittington-Cunningham, Date of birth: 15 October 1946'. It also states: 'Your NHS record now shows you have received two doses of the Pfizer-BioNTech COVID-19 vaccine.' A table summarizes the vaccination details:

Dose 1 of 2		Dose 2 of 2	
Date	2 February 2021	Date	26 May 2021
Vaccine manufacturer	Pfizer-BioNTech	Vaccine manufacturer	Pfizer-BioNTech
Disease targeted	COVID-19	Disease targeted	COVID-19
Vaccine	mRNA	Vaccine	mRNA
Batch	BA 3489 98300	Batch	BA 3489 98300
Country of vaccination	UK	Country of vaccination	UK
Authority	NHS Digital	Authority	NHS Digital
Administering centre	University Hospital of North Durham, County Durham and Darlington NHS Foundation Trust	Administering centre	University Hospital of North Durham, County Durham and Darlington NHS Foundation Trust

Clinical Trial Letter

To Whom it may concern

Confirmation of fully vaccinated status

Name:
Date of birth:
Clinical Trial name:
Clinical Trial participant number:
Clinical Trial register number:

The above person is a registered participant in an authorised NIHR COVID-19 vaccine Clinical Trial and is therefore authorised by the Department of Health and Social Care to hold fully vaccinated status against COVID-19. This letter is provided because the standard NHS routes are not yet able to accommodate the technical details for those people who have achieved COVID vaccination status through a vaccine Clinical Trial.

The holder of this letter should be given equivalent status to someone who can demonstrate their full vaccination status through the COVID-19 status certification service for any future domestic use including pilot events.

Further details on the purpose of this letter can be found online in the letter from Government Deputy Chief Medical Officer Dr Jonathan Van-Tam on 11 June 2021, which notes that:

"The Department of Health and Social Care makes a firm commitment to all volunteers in formally approved COVID-19 vaccine trials in the UK that you will not be disadvantaged in terms of any future domestic vaccine certification, if introduced, compared to anyone else who has had their vaccines under the standard NHS programme."

By July 2021, all clinical trial participants should be able to demonstrate COVID status through the same routes as people who have had their status captured through the deployed vaccine rollout (e.g. for those resident in England the NHS App). For any future domestic use individuals will be able to obtain a Covid status based on vaccination, being tested, having natural immunity (valid for up to 180 days after testing positive for Covid), participation in an NIHR COVID-19 vaccine clinical trial, or being exempt from vaccination and testing on clinical grounds. In the interim, this letter is provided to NIHR COVID-19 Vaccines Clinical Trials participants to demonstrate equivalence to a vaccinated status.

Signed by PI

Access to Vaccinations

To book your appointment you can use the [NHS National Booking System](#).

There are also local 'walk-in' appointments available throughout the Bradford district, to see the most up to date list, please see [Covid-19 Vaccine Walk-in Clinics](#).

If you or your staff would like support on accessing appointments, please contact the Covid-19 Support Team on 01274 43 1999.

Supporting your Staff to Access the Vaccine

To encourage staff to get the vaccine, employers might consider:

- ▶ paid time off for vaccination appointments
- ▶ paying staff their usual rate of pay if they're off sick with vaccine side effects, instead of Statutory Sick Pay (SSP)
- ▶ not counting vaccine-related absences in absence records or towards any 'trigger' system the organisation may have

Talking with staff can help:

- ▶ agree a vaccine policy that's appropriate for both staff and the organisation
- ▶ support staff to protect their health
- ▶ keep good working relationships
- ▶ avoid disputes in the future

If someone does not want to be vaccinated, the employer should listen to their concerns.

ACAS: <https://www.acas.org.uk/working-safely-coronavirus/getting-the-coronavirus-vaccine-for-work>

Covid-19 Vaccinations to date

07 January 2022

- ▶ Over 9 Billion doses have been given worldwide.
- ▶ Over 1 million doses have been given within Bradford District and Craven (which has a population of 650,000).
 - ▶ To compare, a million seconds is 11.5 days, a billion seconds is 50,100,200 days or 137,000 years...
- ▶ The NHS is currently encouraging people who are pregnant or planning pregnancy to have their Covid vaccine to protect them and their baby. It cannot be enforced through the mandatory vaccinations as you cannot lawfully be dismissed during pregnancy.
- ▶ The initial research into a coronavirus vaccine actually started back in the late 2000s, the reason that a vaccine specific to Covid-19 developed at the rate it did was due to the previous work and the money and people working to find a vaccine that work. There has been no comparable vaccination development on this scale.

Benefits of the Covid-19 Vaccine

- ▶ Your immune system will be prepared to attack the virus should you be exposed to Covid-19.
- ▶ The vaccine will reduce the chance of you becoming infected by the virus, as your immune system will already have antibodies that can combat the virus.
- ▶ The Pfizer-BioNTech, Oxford-Astra Zeneca and Moderna vaccines have proven effective at preventing severe illness due to a Covid-19 infection.
- ▶ The vaccine not only protects you, but those around you. As your body will be able to combat the virus the moment it enters your body, it will reduce your viral load. A reduced viral load will mean that it would be harder for you to spread the virus to those you are close to or a close contact with.
- ▶ [NHS: Coronavirus \(COVID-19\) vaccines](#)

Vaccination Hesitancy

Useful links to provide supportive information on confirmed reasons around hesitancy for the Covid-19 Vaccination:

- ▶ [NHS: Pregnancy, breastfeeding, fertility and coronavirus \(COVID-19\) vaccination](#)
- ▶ [RCOG: COVID-19 vaccines, pregnancy and breastfeeding](#)
- ▶ [NHS: Vaccination: race and religion/belief](#)
- ▶ [WHO: Safety of Covid-19 Vaccines](#)
- ▶ [British IMA: Myth Buster](#)
- ▶ [CDC: Frequently Asked Questions](#)
- ▶ [BBC: What happens if I don't get the Covid vaccine?](#)

For further local support if you are hesitant, please contact the Vaccination Team at Airedale General Hospital on 01535 294323 or 01535 293434.

Vaccination Exemption Pathway

In line with the Vaccination a Condition of Deployment guidance, staff providing CQC regulated care will either need to provide evidence of being fully vaccinated or medically exempt from receiving the Covid-19 vaccine.

To support staff with being appropriately assessed and given medical exemption on the reasons provided within [Chapter 14a of the Covid-19 Green Book](#).

All exemptions can be consulted and reviewed by a team at Airedale Hospital, this is to ensure all staff are assessed fairly and prevent any complications from differing views/understanding from one GP surgery to another.

Should you or your staff believe that they should receive an exemption, please contact 01535 294323, or 01535 293434, or email anhsft.vaccination@nhs.net, stating that you, or they, require an "exemption discussion appointment".

For official vaccination exemption, you can contact NHS 119, see <https://bradford.connecttosupport.org/provider-zone/covid-19-vaccination-exemptions/> for more details.

CQC monitoring of mandatory vaccinations for care homes

No statement has been provided by CQC on VCOD2, but some points to consider from VCOD1 are:

- ▶ Monitoring that providers comply with the Regulations is CQC's responsibility.
- ▶ We propose to add the following question to the Provider Information Return (PIR) once this duty is in place: 'How are you assured that those you employ and deploy within your service have had their mandatory vaccinations?'
- ▶ We will also build a similar question into our monitoring approach once this duty is in place. Further information will be provided in due course.
- ▶ Where we have information of concern, through any route, we will follow this up. This may include seeking assurance from the provider or carrying out an on-site inspection.
- ▶ On inspection, where the information we hold identifies concerns, we will look for evidence to confirm systems and processes are in place to comply with the requirement.
- ▶ Registered persons will not be required to show a record of the evidence itself to inspectors but will need to be able to provide reassurance that systems and processes are in place to ensure individuals who enter the premises are fully vaccinated.
- ▶ Registered persons (or those acting on behalf of the registered person) must check that anyone wishing to enter the premises has received a full course of vaccination, unless they are exempt. CQC inspectors are included within the scope of visiting professionals for the purpose of this Regulation and we are considering the practical implications of this for our staff in exercising their regulatory activity.

Guidance from Advisory, Conciliation and Arbitration Service (ACAS)

The below was guidance produced for care homes, but the principles will be the same. Sector wide guidance is expected soon.

Where a member of staff is not vaccinated and cannot provide evidence that they are exempt, care homes should explore all options. This includes redeployment into any alternative role where vaccination or medical exemption is not required. This could include roles without direct contact with residents outside of the care home (for example at a head office).

Care homes might also need to consider paid or unpaid leave for their staff. This cannot be a long-term solution, because the regulations do not have a time limit. Leave may be considered appropriate where a worker demonstrates intent to get fully vaccinated but has not completed the full course by 11 November 2021.

Some care homes - having exhausted alternative options - may have to consider dismissing employees or terminating contracts of workers. This should only apply to those over 18 who are not vaccinated and have not obtained medical exemption. Where this is the case, care homes must comply, at all times, with employment law and adhere to good employment practice.

ACAS advice is available from page 41 onwards of the [Coronavirus \(COVID-19\) vaccination of people working or deployed in care homes: operational guidance](#).

Support for Appropriately Dismissing Employees that will not be Vaccinated

- ▶ **Government Website** - <https://www.gov.uk/dismiss-staff> and <https://www.gov.uk/dismiss-staff/fair-dismissals>
- ▶ You must have a valid reason for dismissing an employee. Valid reasons include:
- ▶ their [capability or conduct](#)
- ▶ [redundancy](#)
- ▶ something that prevents them from legally being able to do their job, for example a driver losing their driving licence or refusing mandated vaccinations.
- ▶ **Centurion Legal** - <https://centurionlegal.co.uk/tips-for-employers-on-how-to-properly-handle-employee-dismissal/>

More general advice about how to behave if you have to dismiss an employee - not specific to mandatory vaccinations

Useful Contact Information

- ▶ Covid-19 Support Team (*please also contact this team for any edits/amendments to this document*)

01274 431999 or Covid19SupportTeam@Bradford.gov.uk

- ▶ Bradford College & Jacob's Well

covidvaccinationappointments@bthft.nhs.uk

- ▶ Airedale General Hospital (Vaccinations)

01535 292742 or airedale.vaccination@anhst.nhs.uk

- ▶ Airedale General Hospital (Exemptions)

01535 294323 / 01535 293434 or anhsft.vaccination@nhs.net

- ▶ Infections Prevention and Control Team

01274 432111 (ask for Michael Horsley or Darren Fletcher)

- ▶ Care Quality Commission

03000 616161 or enquiries@cqc.org.uk

- ▶ Advisory, Conciliation and Arbitration Service

0800 4700614 or [ACAS Employer Advice](https://www.acas.org.uk)