

# Vaccination a Condition of Deployment for Wider Social Care Supporting Guidance

Covid-19 Support Team

Last Updated: 24 January 2022

[Guidance Link](#)

[Coronavirus \(COVID-19\) vaccination as a condition of deployment for the delivery of CQC-regulated activities in wider adult social care settings](#)

# 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.

Key dates 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.

6 January 2022

3 February 2022

1 April 2022



As of the 20/01/2022, 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](#))

# What the regulations mean for Registered Persons

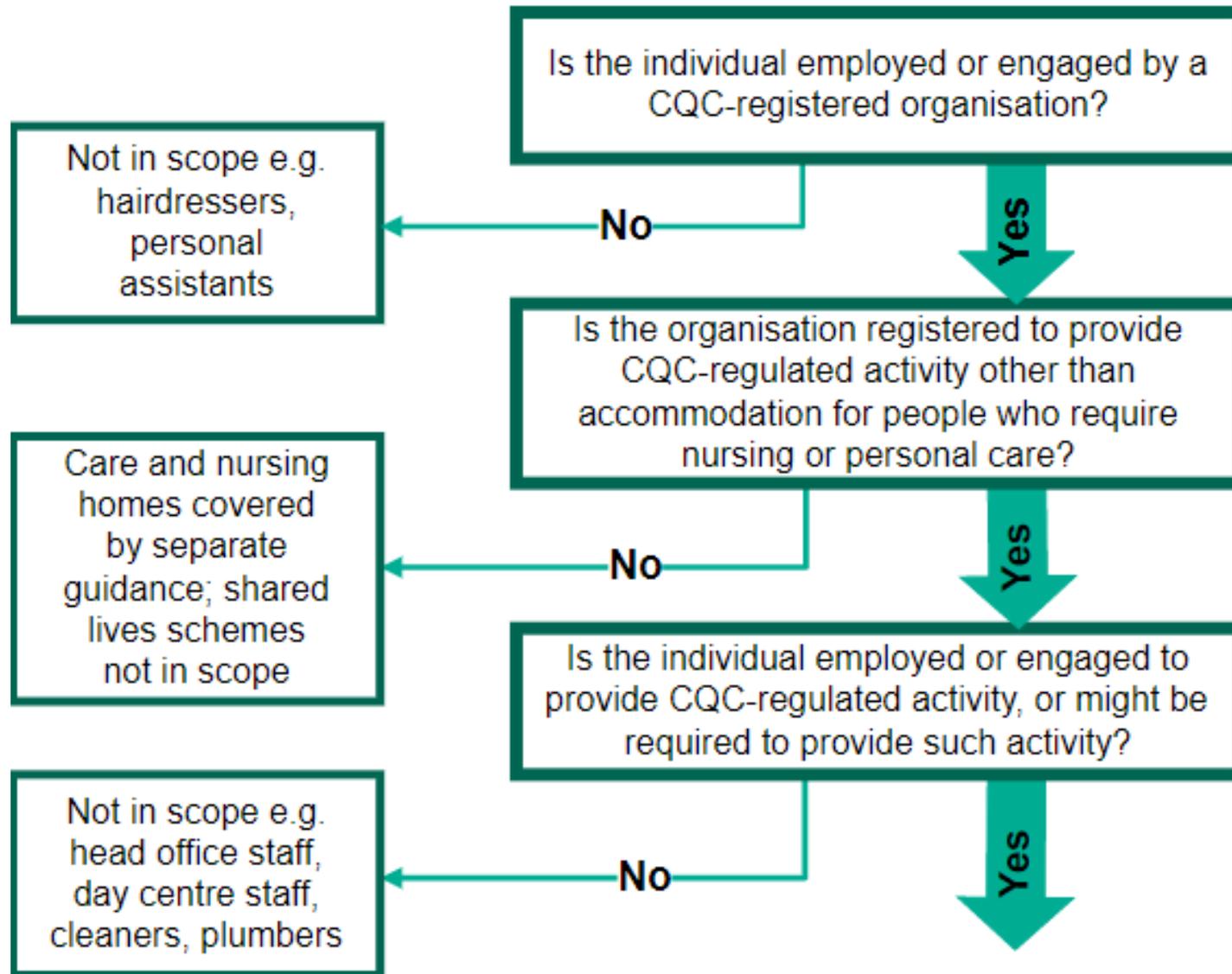
As a registered person, you will need to:

- ▶ inform anyone you employ or engage to provide CQC-regulated activity of the scope of the regulations, considering the overall timeline and good employment practice
- ▶ check the vaccination or exemption status of staff who are in scope of the regulations; this includes the responsibility for evidence of the vaccination or exemption status of agency workers to have been checked
- ▶ ensure that systems and processes are in place to ensure that individuals who are employed or otherwise engaged by you, and who are in scope of the regulations have provided you with evidence that they have satisfied the vaccination requirements, or that they are exempt or covered by other exceptions; please refer to 'The role of the CQC in assuring these regulations' section within this guidance for information on what the CQC will look for
- ▶ ensure that any records you keep remain in line with [General Data Protection Regulation \(GDPR\) principles](#) (more information is available in the 'Record keeping in relation to vaccination or exemption' section of this guidance)
- ▶ ensure you are undertaking appropriate risk assessments where individuals you employ or engage cannot be vaccinated

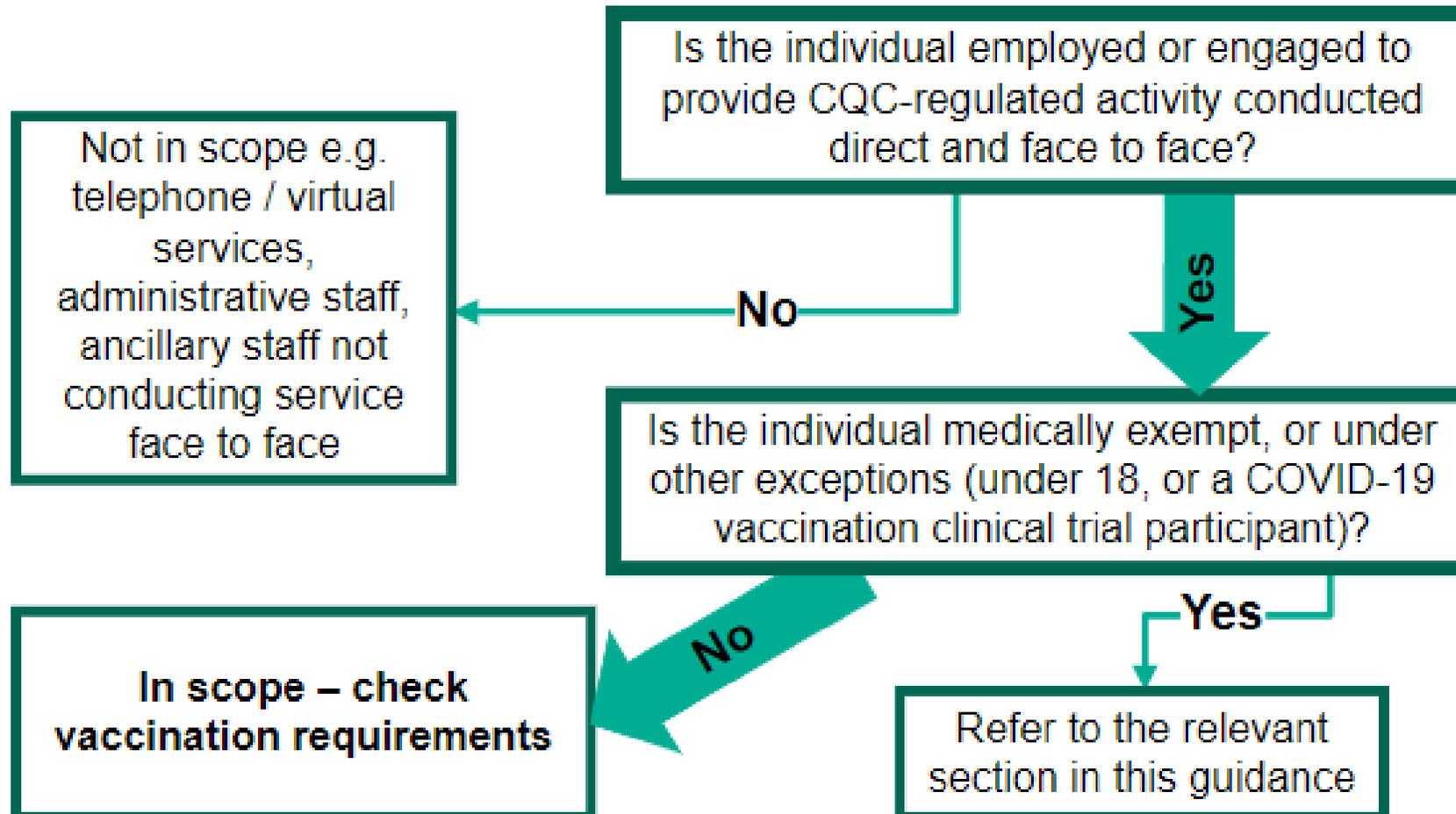
# Recent updates changes for both VCOD guidance

- ▶ No new self-certified temporary exemptions for vaccinations can be approved since the 24<sup>th</sup> December. However some staff will be temporarily exempt on other grounds, such as:
  - ▶ Long term sickness (therefore will not enter the home)
  - ▶ Maternity Leave (therefore will not enter the home)
  - ▶ Contracted Covid-19 within the last 28 days (need to wait until past recovery period before receiving their next dose)
- ▶ New starters can begin work 21 days after their initial dose of the Covid-19 vaccine. They must also have had their second dose within 10 weeks of the first in order to continue working.
- ▶ Following a Covid-19 infection, staff have a temporary exemption/delay for up to 42 days (28 days plus 2 weeks) to get their next vaccine dose.

# Which Staff are in Scope? 1 / 2



# Which Staff are in Scope? 2/2



# 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 people working as employees, contractors, agency workers, students, or volunteers, or as any other type of worker, provided that they are providing direct, face to face CQC-regulated activity on behalf of a registered person, subject to certain exemptions and conditions set out in this guidance
- ▶ This applies whether or not the CQC-regulated activity is their primary role, their full-time role, or something they only do occasionally
- ▶ 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

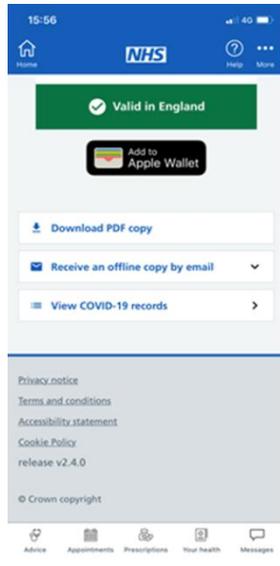
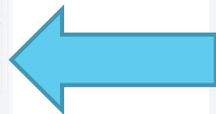
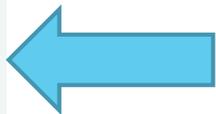
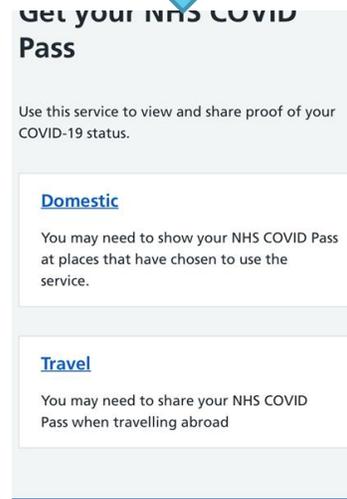
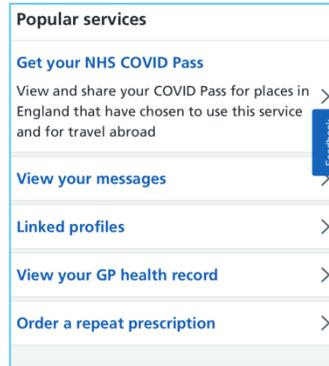
For examples, please see the Government issued guidance [HERE](#).

# 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 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 provides information on what the code shows, what can be done with it, and what to do when it expires.

## Covid Pass Letter

The letter features the NHS logo at the top right. A barcode is located at the top left, with the unique reference '5263-6596-DR36-FG8T-5R4G-655H-710N-8U7P6' below it. A blue arrow points to the text 'Your unique reference This is to confirm your COVID-19 vaccination record'. The recipient's address is listed as 'Emmanuelle Carrington Whittington-Cunningham, 8888 Northumberland Pentrobrokeshire Gardens, High Wycombe, Buckinghamshire, HP20 1UA'. The date '27 May 2021' is printed on the right. The letter confirms that the recipient has received two doses of the Pfizer-BioNTech COVID-19 vaccine. A table at the bottom provides details for both doses.

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](mailto: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.

# The role of the CQC in assuring these regulations

The requirements, under the regulations, forms part of the [fundamental standards](#) and will be monitored and enforced in appropriate cases, by the CQC. Vaccination status of staff will be reviewed by CQC during registration, ongoing monitoring, enforcement and inspection.

## **Inspection from CQC, including Vaccination a Condition of Deployment.**

Upon inspection CQC will look for evidence to confirm systems and processes are in place to comply with the requirement.

As a registered person (as defined earlier in this guidance), you will not be required to show a record of the evidence itself. You will, however, need to provide assurance that systems and processes are in place to ensure that individuals who are employed or otherwise engaged by you, and who are in scope of the regulations, have provided you with evidence that they have satisfied the vaccination requirements, or that they are exempt or covered by other exceptions.

Such data would constitute special category data, as it relates to health information, and so must be kept securely.

All personal data must be handled in accordance with UK GDPR. This includes providing individuals with privacy information at the stage their data is being collected. Please refer to the guidance from the Information Commissioner's Office (ICO) to ensure you have appropriate lawful basis, technical and security measures in place to protect personal data.

# If your staff cannot evidence their vaccination or exemption status

## Redeployment

If they are unable to provide evidence of your COVID-19 vaccination or exemption status, then (you) the manager should explore what other options are available to them, based on availability and suitability. This could include moving them to an alternative role for which COVID-19 vaccination is not required. They should speak to (you) the manager about their options as soon as they can. They should not assume that it will be possible for them to be redeployed.

## Dismissal

If they are unable to provide evidence of their COVID-19 vaccination or exemption status, both them and (you) the manager should explore all alternative options, appropriate and relevant to the specific care setting. They should note that the regulations may provide the employer with a fair reason for dismissal.

The COVID-19 vaccines are the best way to protect yourself and others. Research has shown the COVID-19 vaccines help reduce the risk of getting seriously ill or dying from COVID-19, reduce the risk of catching or spreading COVID-19, and protect against COVID-19 variants. If they have concerns about getting vaccinated against COVID-19, they should refer to the information here: [Covid-19 Vaccination Hesitancy and Exemption Support](#).

If your staff decide not to get vaccinated against COVID-19, you should take all necessary advice before taking steps to dismiss them. [Annex A of the national guidance](#) has advice for employers (registered persons) regarding employment law and dismissal.

# 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](mailto:Covid19SupportTeam@Bradford.gov.uk)

- ▶ Bradford College & Jacob's Well

[covidvaccinationappointments@bthft.nhs.uk](mailto:covidvaccinationappointments@bthft.nhs.uk)

- ▶ Airedale General Hospital (Vaccinations)

01535 292742 or [airedale.vaccination@anhst.nhs.uk](mailto:airedale.vaccination@anhst.nhs.uk)

- ▶ Airedale General Hospital (Exemptions)

01535 294323 / 01535 293434 or [anhsft.vaccination@nhs.net](mailto: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](mailto:enquiries@cqc.org.uk)

- ▶ Advisory, Conciliation and Arbitration Service

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