

Non-Employee COVID-19 vaccination policy

This is a mandated policy under the operational policy framework. This policy is supplementary to the department's [Infection control and employee immunisation programs](#) information.

Overview

This policy aims to protect the health and safety of employees, non-employees (including educators, contractors and service providers) who provide services operated by the department or delivered in government education settings and children and young people who receive the department's services. It includes Out of Hours Service providers, Family Day Care educators and respite care program care providers registered with the department.

The policy will be reviewed as the COVID-19 situation evolves, to ensure it remains relevant and appropriate to settings at the time.

In addition, this policy seeks to:

- maintain the services that the department operates in South Australia despite the presence of COVID-19 in the community;
- reduce the risk of the spread of COVID-19 by workers, educators, care providers, contractors and service providers in education and early childhood settings to vulnerable members of the community; and
- provide a safe and healthy workplace with reasonable and practicable safety measures for non-employees to meet their obligations under the *Work Health and Safety Act 2012 (SA)* not to act in a manner that may adversely affect the health and safety of other workers in an education and early childhood setting.

This policy is consistent with arrangements applying to Department for Education employees.

Scope

This policy applies to all non-employees, including volunteers, educators, care providers, contractors, consultants and other service providers who:

- engage in work or perform duties in services operated by the department;
- engage in work or perform duties at any of the department's education and early childhood settings ("workplaces" or "sites"); or
- work in or provide services in a scheme, undertaking or program of the department ("undertakings"), including bus transport services.



This policy does not apply to:

- a parent attending an education and early childhood setting in their capacity as a parent; or
- a person responding to an emergency or urgent maintenance task (eg. lift breakdown or fire); or
- a person delivering goods to, or removing items (including rubbish) from, an education and early childhood setting; or
- a person engaging in work or performing duties on a construction site for a school or preschool where:
 - the provision of education and care has not commenced at the site; or
 - the construction area is generally inaccessible from the school or preschool and there is a separate means of access to the construction site.

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Detail

Promoting vaccination

The department recognises that vaccination is the best protection against COVID-19.

The department strongly encourages all non-employees to maintain up to date vaccination against COVID-19, with a Therapeutic Goods Administration (TGA) Approved Vaccine.

For the purpose of this policy, up to date vaccination means being vaccinated in accordance with Australian Technical Advisory Group Immunisation (ATAGI) guidelines, which currently includes a third dose of a TGA approved vaccine no later than 6 months after receiving the second dose.

The department encourages all non-employees to maintain their vaccination schedule, including following the contraction of COVID-19. However, it also acknowledges that some medical practitioners may advise individuals to wait due to their personal circumstances. In this event, a non-employee will be considered to vaccinated for the period specified under the ATAGI guidelines.

Required vaccination

The department recognises that certain settings / situations are considered higher-risk due to the vulnerability of the students in these settings. These include:

- Aboriginal/Anangu Schools
- Special schools
- Disability units
- Hospital schools

The department requires any non-employee who engages in work or perform duties in these environments to maintain up to date vaccination against COVID-19, with a Therapeutic Goods Administration (TGA) Approved Vaccine in accordance with Australian Technical Advisory Group Immunisation (ATAGI) guidelines, or comply with the following reasonable, additional safety measures to mitigate risk in the workplace:

- Undertake a rapid antigen test every morning at home and return a negative result* in order to attend for work.
- Wear a surgical face mask while indoors at all times.

*If an employee returns a negative test but has symptoms of COVID-19/is unwell they are to stay at home in accordance with health advice.

^Family day care educators and respite care program care providers who return a negative test and have symptoms of COVID-19/or are unwell are not able to provide education and care in accordance with health advice.

RAT and surgical masks will be supplied by the department.

Unvaccinated non-employees will not be required to wear a mask where they have a medical exemption

unless a site leader has reasonable grounds to believe in the particular circumstances of the case that the health risks of not wearing a mask are unacceptable. The non-employee must be able to produce a copy of the medical exemption to be sighted by the site leader confirming they have a condition that specifically prevents mask wearing at any time upon request.

Unvaccinated non-employees

While the department strongly encourages all non-employees to maintain up to date vaccination, it recognises that some individuals will:

- choose not to do so; or
- have a health condition for which a Recognised Contraindication exists, and they have a medical practitioner certifying against vaccination.

The department also recognises that some employers may have their own vaccine policy or mandate and that those staff will be required to meet their employer's policies as well as comply with this policy when attending education settings or providing services on behalf of the department.

Unvaccinated non-employees are able to attend education settings or provide services on behalf of the department, subject to the requirements above in relation to higher risk settings/situations.

Risk assessment

In the current circumstances, this policy is considered reasonable to ensure the health and safety of the department's employees and students in its care, and to minimise the risk of disruption to services.

The department has considered a range of factors, including:

- Current prevalence of COVID-19 and risk of community transmission in South Australia
- Reported COVID-19 cases within department workplaces
- The nature of the department's worksites/services and the duties to be performed
- The nature of the services and programs the department provides to the community
- The degree of contact non-employees (particularly educators and care providers) have with vulnerable populations
- The proportion of employees and non-employees who are currently vaccinated against COVID-19.

The department has a number of risk control measures to minimise the risk of COVID-19 in the workplace, including:

- physical distancing
- encouraging and providing masks for use indoors when in close proximity
- maximising natural ventilation where possible
- provision of additional cleaning
- provision of hand sanitiser
- barriers and or modifying layouts/workstations.

The department is guided primarily by advice provided by SA Health.

The department will be continuously monitoring and assessing the COVID-19 situation, and the operation of

this policy in line with the latest information from Government and health authorities.

The department may amend, withdraw or replace this policy from time to time at its discretion.

Information collected under this policy

Individual information

Any information provided by a non-employee in accordance with this policy will be treated confidentially and utilised for the purposes of this policy.

All non-employees are required to provide accurate and truthful information to department in relation to this policy, when requested.

Information storage

The department does not retain evidence of vaccination or medical exemption (this will only be sighted at the local level).

The department is legally required under the *State Records Act 1997* to create, capture, classify, retain, preserve, dispose of and manage documents and records for specific periods identified in approved disposal schedules.

Further information can be found in the State Records of SA Information Management Standard.

Compliance

Compliance with this policy is a condition of entry to the department's workplaces or sites by non-employees. The department may refuse entry to a workplace or site where a non-employee does not comply with this policy, subject to any over-riding legal right of entry.

Further, contractual arrangements may require compliance with this policy.

For those delivering family day care or respite care services, failure to comply with this policy could result in removal from the family day care educator or respite care program register.

Roles and responsibilities

Chief Executive

Approve the policy parameters considering the latest information from Government and health authorities

Ensure the policy is up to date and has appropriate processes in place to support its effective operation.

Contract / Line Manager

Ensure the implementation of this policy at the local level. Seek the advice of People and Culture division

where issues arise.

FDC Scheme Manager/RCP Program Manager/Coordinator

Ensure the implementation of this policy at the local level. Seek the advice of FDC programs directorate where issues arise.

Non-employees

Comply with the requirements of this policy.

Definitions

Approved Vaccine means any COVID-19 vaccination that have been provisionally registered for use in Australia by the Therapeutic Goods Administration.

ATAGI means the Australian Technical Advisory Group on Immunisation

Education and early childhood setting means –

- (a) government school at which primary or secondary education or both is provided;
- (b) a department preschool or children’s services centre
- (c) a department playgroup or play centre
- (d) an education and care service premises, where the service is delivered on a department site, as defined in the *Education and Care Services National Law (South Australia)*;

Note—

Education and care services to which the *Education and Care Services National Law (South Australia)* applies include long day care services, family day care services, outside school hours services and preschool programs including those delivered in schools, unless expressly excluded.

- (e) a government or non-government school boarding house;
- (f) any location where the department carries out any business or undertaking.

Medical exemption means a medical certificate or letter from a legally qualified medical practitioner.

Non-Employee means a person who is not employed by the Chief Executive of the Department for Education including -

- (a) an educator registered with a department family day care scheme
- (b) a care provider registered with the department respite care program
- (c) an employee of a governing council, stand alone preschool or children’s services centre
- (d) a contractor or subcontractor; or
- (e) an employee of a contractor or subcontractor; or
- (f) an employee of a labour hire company what has been assigned to work in the department’s business or undertaking; or
- (g) a trainee; or
- (h) a student gaining work experience; or
- (i) a volunteer; or
- (j) an intern; or
- (k) a secondee; or
- (l) A person of a class as determined by the Chief Executive.

Recognised Contraindication means a reaction to an Approved Vaccine that is recognised by the manufacturer of that vaccine.

Unvaccinated non-employee – means a non-employee who is not vaccinated against COVID-19 or who does not maintain up to date vaccination against COVID-19 or a non-employee who does not produce evidence in relation to their COVID-19 vaccination status upon request.

Up to date vaccination means having obtained the recommended dosage by ATAGI of any Approved Vaccine. For example, ATAGI defines “up to date” for persons 16 years and over as receiving a Booster dose from 3 months after the last primary dose. People who haven’t received a booster within 6 months of completing their primary series is considered overdue. Further information can be found here [ATAGI statement on defining 'up-to-date' status for COVID-19 vaccination | Australian Government Department of Health](#)

Policy information

[SA Health vaccination clinics | SA Health](#)
[COVID-19 advice hub \(edi.sa.edu.au\)](#)

Supporting information

Information about the safety, efficacy and approval of the COVID-19 vaccines is available via:

- [Federal Government Information](#); and
- [SA Health information](#)

Related legislation

[Work Health Safety Act 2012 \(SA\)](#)

[Work Health and Safety Regulations 2012](#)

[Education and Children's Services Act 2019](#)

[Public Sector Act 2009](#)

[Education and Care Services National Regulations](#)

Related policies

[Work health and safety policy](#)

[First aid and infection control standard](#)

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