Vaccination as a condition of deployment (VCOD) for all healthcare workers

Manager Guidance

The Government has announced that all NHS staff in patient facing roles will need to have both their first and second Covid vaccines by 1st April 2022. This decision has been made to protect our patients and our NHS workforce and LYPFT will comply with this decision and implement all regulations issued.

Regulation objectives:
Making COVID-19 vaccination a condition of deployment in health and adult social care settings (domiliary care and other CQC-regulated settings) is intended to:

- Protect all those who use health and care services, a large number of whom are vulnerable, as well as the wider community.
- Protect workers themselves by increasing vaccination rates.
- Help reduce COVID-19 related sickness absences.

The government regulations are expected to come into effect from 1 April 2022, subject to parliamentary process. This means that unvaccinated individuals will need to have had their first dose by 3 February 2022, to ensure they have received their second dose by the 1 April 2022 deadline.

For those colleagues where the Trust does not have details of a vaccination the Trust will write individually to those staff to clarify their vaccination status. If they do not wish to take up a vaccination the offer of a supportive 121 conversation with their line manager must take place as a priority and by the 17 December 2021.

Line managers are asked to support the below action which is being requested of all colleagues where we do not have a vaccination recorded for them:

<table>
<thead>
<tr>
<th>Situation</th>
<th>What employees need to do</th>
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</thead>
<tbody>
<tr>
<td>If you’ve not been vaccinated but would now like to receive either your first or second dose.</td>
<td>Contact the LYPFT Covid Vaccine Team so we can book you in either by:</td>
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<td></td>
<td>Booking online using the InHealth system:</td>
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<td></td>
<td><a href="https://links.inhealthcare.co.uk/lypftboostervaccs">https://links.inhealthcare.co.uk/lypftboostervaccs</a></td>
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<td>Emailing: <a href="mailto:cvacmountannexe.lypft@nhs.net">cvacmountannexe.lypft@nhs.net</a></td>
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<td></td>
<td>Calling: 0113 85 58866 (Mon – Fri during daytime office hours).</td>
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<tr>
<td>Our records are wrong and you have received your full</td>
<td>Contact the LYPFT Covid Vaccine Team so we can update your records.</td>
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</table>
| vaccine dose (either with us or somewhere else). | Email: cvacmountannexe.lypft@nhs.net  
Phone: 0113 85 58866 (Mon – Friday during daytime office hours). |
|---|---|
| If you are exempt | Contact the LYPFT Covid Vaccine Team who’ll need to ensure this is recorded (see above contacts).  
Exemptions are:  
• those under the age of 18  
• those who are clinically exempt from COVID-19 vaccination  
• those who have taken part or are currently taking part in a clinical trial for a COVID-19 vaccine  
• those who do not have direct, face-to-face contact with a service user, for example, those providing care remotely, such as through triage or telephone consultations or managerial staff working in sites apart from patient areas (at LYPFT we feel that a very small minority of staff may fall into this category, if any)  
• those providing care as part of a shared lives agreement |
| If you have concerns and need to have a confidential discussion about receiving it or declining it. | Contact your line manager AND contact our HR team using the following dedicated email address lypft.covid19testing@nhs.net  
Your line manager will also be informed of your vaccination status and will also be in touch with you to discuss further.  
The meeting with your line manager will need to take place no later than 17 December 2021. |

1:1 Management Conversations

Evidence has shown that sensitive 1:1 conversations approached holistically, with empathy and respect, are the best way to convert vaccine hesitancy to vaccine uptake.

A line manager conversation must:

• set out the Trust expectations to comply with the government regulations that will come in to force on 1st April 2022
• offer staff member to take up the offer of a vaccination
• understand individuals’ intentions to be vaccinated
• establish if they fall into any of the exemption categories
• or establish if staff member has been double vaccinated but not recorded on the system (evidence to be requested)

Conversations should include:
• Ensuring the individual is aware of the regulations and advising them of the impact of the regulations on their role.
• Discussing any individual circumstances that may currently be stopping them from getting the COVID-19 vaccination with understanding and compassion.
• If the individual advises that they are medically exempt, please signpost them to obtaining evidence of clinical exemption.
• Addressing concerns and vaccine hesitancy.
• Providing details of access to expert clinical advice from clinicians locally wherever possible.
• Signposting the employee to support services (including health and wellbeing and occupational health) and COVID-19 vaccination information resources from NHS England and the Department of Health and Social Care.
• Encouraging the employee to have further conversations with their own GP or trusted healthcare professional if they have any further questions around vaccination.

A detailed record of informal conversations should be maintained.

If you feel that an alternative manager should hold this discussion please contact your HR Manager so that this can be discussed.

Should an employee already have a full vaccination record, and the Trust does not currently hold this data, as part of the 1:1 line manager conversation employees should be support in providing a copy of their Covid 19 vaccination pass as proof of their vaccination status, and forward this to HR at lypft.covid19testing@nhs.net to include on their personal file and our data can be updated.

Medical Exemptions

If the staff member does not intend being fully vaccinated and they have a medical exception they must provide evidence of this. Some individuals are unable to be vaccinated and, in some cases, tested for medical reasons. Staff can apply for proof that they have a medical reason why they should not be vaccinated.

The possible reasons for exemptions are limited. Examples that might be reasons for a medical exemption are:
• people receiving end of life care where vaccination is not in the person’s best interests
• people with learning disabilities or autistic individuals, or people with a combination of impairments where vaccination cannot be provided through reasonable adjustments
• a person with severe allergies to all currently available vaccines
• those who have had an adverse reaction to the first dose (for example, myocarditis)
• Other medical conditions could also allow you to get a medical exemption.

Short-term exemptions will also be available for those with short-term medical conditions and as an option that some pregnant women may choose to take. The Royal College of Obstetricians, Royal College of Midwives and the UK Tetralogy Service consider COVID vaccination to be safe. They recommend that pregnant women get vaccinated against COVID.

Staff must phone the NHS COVID Pass service on 119 to ask for an NHS COVID Pass medical exemptions application form. All exemptions will be confirmed by their doctor, specialist clinician or midwife. If approved a confirmation letter will be provided, which we will need to get a copy of for our records.

Managers should explain to individuals that on receipt of evidence of their exemption you will arrange to meet with them to carry out an individual risk assessment to identify whether other additional control measures will need to be in place to allow them to work safely. They will also be required to take a Lateral Flow Test as required, and to produce evidence of their negative test result on request.

If the person does not intend to be fully vaccinated and is not medically exempt explain that we respect their decision but a further meeting involving a member of the HR Operational Team will need to be arranged where employment options will be discussed.

By 17 December 2021 please email lypft.covid19testing@nhs.net with the detail of any employee who has either a medical exemption or has chosen not to be double vaccinated at this time.

Those who have already been vaccinated or intend to be vaccinated will be required to inform the Trust Vaccination Team cvacmountannexe.lypft@nhs.net

We appreciate this is a challenging deadline and HR will ensure you have as much support as possible with the process. If you have any questions or need further information please contact your HR Manager or the HR Advice Line Hradvice.lypft@nhs.net.

Available Line Manager Support

Some Frequently Asked Questions are included below however managers are not expected to try to respond to questions about the vaccine they are not confident to
answer and should utilise the support from IPC and Pharmacy colleagues that is available for them.

The outcome of the informal line manager 1:1 discussions may be connecting an individual with the right person, for example:

- facilitating a discussion with one of our colleagues in the Covid-19 Vaccination Team
- Occupational Health regarding specific medical conditions
- a member of our Workforce Race Equality Network (WREN), Disability and Wellbeing Network (DAWN), Bank Forum or the Rainbow Alliance as appropriate.
- Our HR Advice Line team on 0113 85 59900 (option 5) or email hradvice.lyppt@nhs.net
- Our Freedom to Speak Up Guardian
- A union or staffside representative

To ensure line managers have a good awareness of and feel confident in signposting colleagues please refer to the local and national wellbeing support offers, employee assistance programmes and services such as occupational health and wellbeing teams. There is also detailed information on the vaccine available on the Covid 19 Vaccination Programme Staff Page.
Frequently Asked Questions

The FAQs and Key Points below are designed to support Managers when communicating with individuals in more detail or having conversations with staff who say they are vaccine hesitant.

Why are we being asked to have this conversation now?
The Department of Health and Social Care (DHSC) has formally announced (9 November 2021) that individuals undertaking CQC regulated activities in England must be fully vaccinated (have received both doses) against COVID-19 and this should be no later than 1 April 2022 to protect patients, regardless of their employer, including secondary and primary care.

The COVID-19 vaccine is a key tool in keeping staff & patients safe. It should be viewed with equal rigour as personal protective equipment (PPE), handwashing and social distancing.

How has this come about?
In August 2021, following consultation, the government introduced mandatory COVID vaccinations for staff working in and accessing Care Homes, which became legislation in November 2021. Responses to the care homes consultation also made a clear case for extending the policy beyond care homes, to other settings where vulnerable people receive care and treatment, such as hospitals, hospices, and also in a person’s home.

Therefore, during September and October 2021, the Government consulted on extending the legislation to NHS care settings. The outcome of the consultation can be seen via this link: Making vaccination a condition of deployment in the health and wider social care sector: government response (publishing.service.gov.uk).

Who is in scope of the regulation?
Workers who have face-to-face contact with patients and/or service users and who are deployed as part of CQC regulated activity.

The regulations apply to health and social care workers who are deployed in respect of a CQC regulated activity, who have direct, face-to-face contact with service users. This include individuals working in non-clinical ancillary roles who enter areas which are utilised for the provision of a CQC-regulated activity as part of their role and who may have social contact with patients, but not directly involved in patient care (e.g. receptionists, ward clerks, porters, and cleaners), regardless of contracted hours or working arrangements.

People on long term absence from work, such as maternity, shared parental leave or sickness absence, would not be in scope unless and until they return to having any
face to face contact (which would include on one off visits such as Keeping in Touch (KIT) days).

My role means I work face to face with patients, what does this mean for me?

Unless you are covered by the exemptions (see FAQ on exemptions below), you must be fully vaccinated and the Trust must have the evidence of this by 1st April 2022 or you will not be able to work in your current role.

I work in a call centre talking to patients, does this have any implications for me?

If you do not come into physical contact with patients, then the regulations do not apply to you. However, if you are required to undertake frontline duties as part of CPD (Continuous Professional Development) then the regulations will apply to your role or have a secondary assignment working frontline then the regulations do apply to you.

I work in a hospital setting supporting patients but not providing treatment i.e. patient reception, will the regulations apply to me?

Yes, if you come into contact with patients in the course of your duties, regardless of the reason, you will be required to be fully vaccinated.

Does the scope of the regulations apply to contractors and agency staff?

Yes. Anyone providing care to patients, regardless of who they are employed by, are covered by the regulations. The Trust will ensure the stipulation is part of any commercial agreement to provide staff for patient-facing duties.

Does the scope of the regulations include bank staff and volunteers?

Yes. The regulations cover any individual who has face-to-face patient contact regardless of whether the work is paid or unpaid.

Does the scope of the regulations include students?

Yes. The regulations cover any individual who has face-to-face patient contact regardless of whether the work is paid or unpaid, or whether you are studying via a University or directly with the Trust. Please speak to your course leader as soon as possible if you are unvaccinated. Educational Establishments are likely to make vaccinations a requirement of enrolment.

Are there any specific exemptions?

This government policy considers specific exemptions,
- those under the age of 18
- those who are clinically/medically exempt from COVID-19 vaccination
- those who have taken part or are currently taking part in a clinical trial for a COVID-19 vaccine (we will need to evidence that workers are exempt from having the completed course of an approved COVID-19 vaccination due to participation in a clinical trial)
- those who do not have direct, face-to-face contact with a service user, for example, those providing care remotely, such as through triage or telephone consultations or managerial staff working in sites apart from patient areas
- those providing care as part of a shared lives agreement
- Is exempt due to a short-term medical condition (which is an option that some pregnant women may choose to take; for pregnant women the exemption expires 16 weeks post-partum and so will allow them to become fully vaccinated after birth)

Staff are not able to complete a self-exemption and there are no exemptions relating to pregnancy, fertility, breastfeeding, hoping to conceive or on religious or belief grounds.

**What is a clinical/medical exception?**

Medical exemption is evidence that satisfies the Trust that, for clinical reasons, a person should not be vaccinated with any authorised vaccine (“medical exemption”). This must be supported by appropriate medical advice.

**How do I get evidence for a medical exemption?**

Some individuals may have grounds not to have the vaccine for clinical reasons. Anyone who is unable to get vaccinated for clinical reasons will have to use the NHS COVID Pass to show their exemption status.

The domestic NHS COVID Pass will look and work in the same way for people with clinical exemptions as it will for people who are fully vaccinated. The pass will not show that a worker has a clinical exemption. Staff will receive a confirmation letter which they should keep for their records, and provide a copy to their line manager to prove that their unable to get vaccinated. Line Managers will be asked to send a copy of this to HR so that it can be stored on the personnel file. The letter will explain that the individual is medically unable to get vaccinated, the pass does not.

**What if my GP or Consultant charges to provide this evidence?**
We will provide a contribution towards the costs of providing the medical evidence up to the value of £20.00 on receipt of evidence of the actual costs being incurred.

If I am medically exempt does that mean I can continue to work normally?

If you are medically exempt your manager will first carry out an individual risk assessment to identify what other additional control measures will need to be in place (if any) to allow you to work safely. You will also be required to take a Lateral Flow testing as required prior to attending a LYPFT site/associated sites, and to produce evidence of your negative test result on request.

How will the Trust know my vaccination status?

Our Workforce colleagues have been working with Heads of Operations in clinical services to identify which staff are not double vaccinated. As part of this work individual line managers will need to be informed of those employees in their team who are not recorded as having a double vaccination. There is a need to do this to manage the impact of service delivery resulting from the new legislation.

How can I evidence that I am fully vaccinated?

Recognised evidence of COVID-19 vaccination
- The NHS COVID pass, or equivalent from NHS Scotland, NHS Wales or the Department of Health in Northern Ireland; or
- The EU Digital COVID Certificate; or
- The Centres for Disease Control and Prevention vaccination card; or
- A certificate in English, French or Spanish issued by the competent health authority which contains:
  a) the individuals full name
  b) the individuals date of birth
  c) the name and manufacturer of the vaccine that the individual received
  d) the date that the individual received each dose of the vaccine
  e) details of either the identity of the issuer of the certificate or the country of vaccination, or both.

NHS appointment cards cannot be used as proof of vaccination status.

I have not yet been vaccinated and have some questions before I make a decision on whether I will be vaccinated or not. Who should I contact?

We understand that you may have questions about the vaccine. We have provided, and will continue to provide, credible information and access to relevant authorities about the vaccine to assist with further understanding and answer any concerns. To find out more information about the vaccine, please speak to your line manager who will help to connect you with the best person or people to answer your questions including:
• facilitating a discussion with one of our vaccinators
• occupational health regarding specific medical conditions
• a member of our Workforce Race Equality Network (WREN), Disability and Wellbeing Network (DAWN), Bank Forum or the Rainbow Alliance as appropriate.

Pregnancy and Fertility

The Joint Committee on Vaccination and Immunisation (JCVI) has advised that pregnant women should be offered COVID-19 vaccines and that pregnant women should discuss the risks and benefits of vaccination with their healthcare professional, including the latest evidence on safety and which vaccines they should receive. Women trying to become pregnant do not need to avoid pregnancy after vaccination and there is no evidence to suggest that COVID-19 vaccines will affect fertility.

While the Royal College of Obstetricians and Gynaecologists (RCOG), the Royal College of Midwives (RCM) and the UK Tetralogy Service recommend the COVID-19 vaccination for pregnant and breastfeeding women, pregnant women are eligible to request short-term medical exemptions from vaccination. For pregnant women, the exemption expires 16 weeks after giving birth. This will allow them to become fully vaccinated after birth. A MATB1 certificate can be used to provide evidence of exemption status10.


I haven’t had the vaccine as I’m worried it might affect my fertility. Do I still need to have it?

Yes. There are no exemptions for fertility reasons. Medical experts and scientists state the vaccine is unlikely to affect fertility. There have been a lot of rumours that the vaccines could affect fertility, but these are not true.

- There is no scientific process by which the vaccines could affect fertility.
- Like all vaccines, the COVID vaccines teach your body to fight the disease and to develop antibodies to do this. They do not have any ingredients that would affect fertility and the components leave the body within a few days.
- There is no evidence to support the theory that immunity to the spike protein could lead to fertility problems. Most people who contract COVID will develop antibodies to the spike and there has not been any evidence of fertility problems in people who have had COVID.
- It is standard practice for new medicines not to be recommended during pregnancy or those planning a pregnancy when they are first issued. Now
that more data is available, the independent body responsible for assessing the safety of vaccines (the Joint Committee for Vaccinations & Immunisations), has updated its advice and says there is no need to delay pregnancy after having either vaccine.

Is the COVID-19 booster included in the regulations?
At present, the regulations do not require evidence of boosters, but employers are strongly advised to provide supportive advice to workers to encourage uptake of the booster vaccine if eligible.

Is the Flu vaccination a condition of deployment?
At present, it is not proposed that flu vaccination requirements will be introduced as a regulation, however, the government will keep this under review following this winter and ahead of winter 2022/23.

What happens if I had the first vaccine but didn’t have my second? It’s been more than 12 weeks since the first vaccine
People are encouraged to receive the 2nd vaccine at any point and there is no requirement to restart the course if the interval is longer than 12 weeks. The 1st dose should not be repeated, and every effort should be made to determine the vaccine used for the 1st dose and administer the same as a 2nd dose. (Green Book chapter 14a)

I’m currently ill with COVID, and unable to receive a first vaccination dose prior to 3 Feb deadline, when can I be vaccinated?
UKHSA advice states that where an individual aged 18 years old and over has recently been infected with COVID-19, they should wait for 28 days (4 weeks) before getting a dose of any vaccine. For the purposes of the Regulations, individuals will be considered temporarily exempt from the date of their positive test result on the basis that there are clinical reasons why they should not be vaccinated.
The temporary exemption:
• Will start from the date of the positive test,
• Continues for 42 days from the date of the positive test result,
• The 42 days comprises a 28-day grace period based on clinical advice, and 14 days in which to receive the first dose of COVID-19 vaccine.

You will be asked to provide evidence of their positive test and date. This could include a text message after using a rapid lateral flow test kit, or the NHS App for proof of prior infection.

Do people who have had COVID need to be vaccinated?
Yes, they should get vaccinated. There is no evidence of any safety concerns from vaccinating individuals with a past history of COVID infection, or with detectable COVID antibody, so people who have had COVID disease (whether confirmed or suspected) can still receive the COVID vaccine when it is their time to do so.

The Joint Committee on Vaccines and Immunisation (JCVI) has reviewed this and decided getting vaccinated is just as important for those who have already had COVID as it is for those who haven’t.

What happens if I still choose not to be vaccinated?

If you are not exempt as per the government guidelines, but still choose not to be double vaccinated we will respect your decision. However, legally, you may not be able to continue your role with LYPFT. A further conversation will need to be arranged with support from a HR practitioner and if you wish you are able to bring with you a staff representative or work colleague.

We do understand how difficult this situation is and want to reassure you if you choose not to be double vaccinated and are not exempt, we will wherever possible discuss redeployment OR the offer of a suitable alternative role within the organisation. However, in the event that this isn’t possible, or if you refuse the redeployment offer further conversations will need to be had regarding your employment options.

Could I lose my job if I won’t have the vaccine?

Unfortunately, yes. If you refuse the vaccine, and are not medically exempt, or it is deemed that it is not necessary for the role you undertake, regardless of the reason, and redeployment is not possible, then unfortunately your contract will need to be terminated.

What if I don’t want the vaccine and only need to have contact with patients for CPD reasons?

If your role requires you to have patient contact to keep your clinical skills up to date, the Trust will need to consider whether this can be provided in an alternative way. If an alternative cannot be found, the above processes for redeployment and/or termination may apply.

I only need to have patient contact as part of a major incident, do I have to be vaccinated?

Yes. Any patient contact will mean you must be fully vaccinated. If you refuse the vaccine, the Trust will review your responsibilities to see if this element of your role can be removed without any consequences for your role or the Trust operations.
Health and wellbeing support

In addition to signposting individuals to internal health, wellbeing and psychological support, NHSEI has put in place a comprehensive package of wellbeing support for health and social care workers which is available to all primary, secondary and tertiary care organisations. The support package includes:

- a dedicated health and care staff support service including confidential support via phone and text message
- free access to a range of mental health apps
- a range of counselling and talking therapies
- online resources, guidance, and webinars