

Compulsory COVID-19 Vaccines for Care Home Staff

With effect from 11 November 2020, it is mandatory for all staff working in care homes to be fully vaccinated unless they are exempt. This requirement, under the Health Protection (Coronavirus) (Amendment) (Coronavirus) Regulations 2020 (Regulated Activities) (Amendment) (Coronavirus) Regulations 2020, is intended to protect the residents most at risk of infection from COVID-19.

The care homes that are affected by this requirement are:

- Are based in England;
- Are registered with the Care Quality Commission (CQC); and
- Have residents/servants requiring nursing or personal care.

Care home staff in Scotland and Wales are not legally required to have the vaccine.

Which staff are required to have the vaccine?

The guidance is wide-ranging and applies to all staff who need to enter the care home building in order to work. Staff must have the vaccine, unless they have a medical exemption. The following categories of staff are included:

- Workers employed by the care home;
- Agency workers;
- Volunteers;
- Tradespeople coming into the care home; and
- Hairdressers etc who visit the care home setting.

The requirement to have the vaccine does not apply to:

- individuals who only visit the care home;
- care home residents;
- friends or relatives of care home residents;
- persons providing emergency maintenance work in the care home; and
- those under the age of 16.

What constitutes a medical exemption?

Government guidance states that a medical exemption is not appropriate due to clinical reasons. A medical exemption from the vaccine will be provided by the Joint Committee on Immunisation against Infectious Disease (JCVI) if a person is unable to seek a clinically approved exemption from the vaccine.

- Guidance on what constitutes a medical exemption will be provided by the JCVI. The guidance will be available on [the JCVI website](#) and will be updated as advice from the Joint Committee on Immunisation against Infectious Disease (JCVI) evolves. There will be no exemption for care home staff.

workers who refuse
pregnant care workers

on religious grounds or for

How can employees provide

COVID-19 vaccination?

Individuals that have been vaccinated
vaccination status using the

England may demonstrate their
via the following 3 routes:

- the NHS App;
- the NHS website – NHS.uk
- the NHS COVID Pass

Employers should be aware that a
used as proof of vaccination

appointment card cannot be

What happens if employees have not had COVID-19 vaccinations by 11 November?

COVID-19 vaccinations by 11

Unless they are medically exempt,
required to have had both COVID-19
have not had the COVID vaccination
outside the care home setting

ing in care homes are legally
by 11 November. If employees
they will have to be redeployed

If this is not possible, the employer
process.

dismissed, following a full and fair

What are the next steps for

Employers should:

- Collect evidence that employees have had one or both vaccinations. This information should be stored in line with the organisation's Data Protection Policy.
- Make sure staff are aware of the organisation's requirements in respect of COVID-19 vaccination and the potential consequences of non-compliance.
- Review recruitment to ensure that new starters have had the vaccine or have a valid exemption.
- Consider possible options for redeployment of staff who have not had the COVID-19 vaccination.

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