



COVID-19 Mandatory Vaccination Policy

1. Purpose

This policy outlines Methodist Ladies' College's (MLC or "the College") requirement for all 'Education Workers' and visitors who enter MLC Premises, to be vaccinated against COVID-19. This policy sets out how the College will ensure compliance with Victorian Government health directions (as amended or replaced from time to time) (**Health Direction** or **Health Directions**) and its duties under the *Occupational Health and Safety Act 2004* (Vic) (**OHS Act**) in respect of COVID-19. The policy also details the limited grounds of exemptions (being medical grounds) from the requirement to be vaccinated against COVID-19.

2. Scope

This policy applies to all staff employed by the College, members of the MLC Board and MLC Board Stakeholder, third-party contractors, volunteers and visitors to MLC premises, including parents of MLC students.

3. Policy Statement

3.1. Principles

As an employer and provider of educational services, MLC has a moral and legal responsibility for the health and safety of all who attend the College Premises. This includes having a responsibility to provide, so far as is reasonably practicable, a workplace that is safe and without risk to health for all employees, students and members of the broader College community. This responsibility includes preventing the spread of diseases, such as COVID-19, on campus and amongst members of the College community, to the fullest extent reasonably practicable.

There is a high risk of COVID-19 infection in the context of a public-facing learning environment, that requires those working at MLC to regularly come into contact each day with a large section of the College community (including staff, students and parents).

COVID-19 vaccinations are an effective way of reducing the risk of spreading COVID-19 between staff and students, and the community at large. COVID-19 vaccinations also reduce the severity of the impact that COVID-19 has on people if they do contract the virus.

On 1 October 2021, the Victorian Government issued a Health Direction in the form of the *COVID-19 Mandatory Vaccination Directions (No 6)* under the *Public Health and Wellbeing Act 2008* (Vic), requiring that all Education Workers (other than an "Excepted Person") be vaccinated in order to attend the premises of an education facility. MLC must comply with this and any other applicable Health Directions made by the Victorian Chief Health Officer under the *Public Health and Wellbeing Act 2008* (Vic). Please refer to <https://www.dhhs.vic.gov.au/coronavirus> to access the Health Directions.

The College will act in accordance with all Health Directions as amended or replaced from time to time. The Health Directions, as applicable to the College, help to manage the health and safety risk presented by COVID-19. They also reflect the duty of care owed by the College to its staff and students.

The College will also act in accordance with its duties under the OHS Act, as relevant to the risk to health and safety caused by COVID-19. For this reason, this policy and the College's requirements imposed by this policy are not conditional upon the continuation of the Health Directions.

3.2. Responsibilities

The MLC Board of Directors is responsible for the approval of this policy.

The Director of Human Resources is responsible for reviewing the validity of requests for medical exemptions to vaccination.

The Principal will grant approval when the grounds for a medical exemption to vaccination request is considered valid.

3.3. Definitions

College Premises means all MLC campuses including the Kew campus and Tiddeman Boarding House, MLC Banksia, MLC Marshmead and the MLC rowing facilities at the Richmond Rowing Club.

COVID-19 vaccination means a COVID-19 vaccine approved by the Therapeutic Goods Administration (**TGA**) for use in Australia.

Education Worker means:

- any person employed by the College (including teachers, early childhood educators, boarding house staff and educational support staff), whether on a full-time, part-time, casual or specified term basis;
- Third-party Contractors, being persons contracted to work at the College and who will or may be in close proximity to children, students or staff, whether or not engaged by the College (including casual relief teachers, maintenance contractors, catering staff, before/after school care providers and auditors, but excluding delivery personnel);
- Staff of any other entity who attend College Premises; and
- Volunteers who attend College Premises and work in close proximity to children, students or staff (including parent helpers).

Excepted Person means a person:

- who holds certification from a Medical Practitioner that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to a Medical Contraindication; or
- who holds certification from a Medical Practitioner that the person is unable to receive a dose, or a further dose, of a COVID-19 vaccine due to an acute medical illness (including where the person has been diagnosed with SARS-CoV-2).

Exemption means a medical exemption, in accordance with clause 3.6 of this policy.

Medical Contraindication means a recognised medical reaction preventing a person from receiving a COVID-19 vaccination as set out in the Health Direction as amended or replaced from time to time and/or as advised from time to time by the Australian Technical Advisory Group on Immunisation.

Medical Practitioner means: a) a general practice registrar on an approved 3GA training placement; or (b) a public health physician; or (c) a general physician; or (d) an infectious disease physician; or (e) a clinical immunologist; or (f) a gynaecologist; or (g) an obstetrician; or (h) a general practitioner who is vocationally registered; or (i) a general practitioner who is a fellow of the Royal Australian College of General Practitioners (RACGP); or (j) a general practitioner who is a fellow of the Australian College of Rural and Remote Medicine (ACRRM).

Fully vaccinated means that a person has received two doses of a COVID-19 vaccination (as updated from time to time in accordance with the current Department of Health or TGA advice, such that, for example, 'fully vaccinated' may in time mean having received more than two doses).

Partially vaccinated means that a person has received one dose of a COVID-19 vaccination (as updated from time to time in accordance with the current Department of Health or TGA advice).

Unvaccinated means that a person has not received a dose of a COVID-19 vaccine and is not an **excepted person**.

Staff or staff member means any person employed by the College.

3.4. Directions for MLC staff regarding COVID-19 vaccination

The College requires its staff to be able to enter and remain on College Premises to do their jobs.

Pursuant to the applicable Health Direction in force at the time of issuing this policy, the College must take all reasonable steps to ensure it does not permit an unvaccinated Education Worker to enter or remain on its premises (unless an exemption applies) after 18 October 2021, unless they have a booking to receive a vaccination by 25 October 2021.

Further and in addition, the College must ensure, so far as reasonably, practicable, it provides and maintains a working environment that is safe, and without risks to health. The College considers that requiring staff members to be fully vaccinated is a reasonably practicable step it can take to reduce the risk to workplace health and safety caused by COVID-19.

The requirement for staff to be fully vaccinated is an important aspect of the College's compliance with its duty of care to staff, students and all persons who attend the College campuses, its duties under the OHS Act, and the operational needs of the College.

For the above reasons, the College requires all its staff to:

- by **18 October 2021**, have received at least the first dose of a COVID-19 vaccination (or have a booking to receive it by 25 October 2021); and,
- by **29 November 2021**, have received two doses of a COVID-19 vaccination,

unless they are covered by an Exemption as set out below.

These requirements are lawful and reasonable directions and staff must comply with them.

If, in future, repeat or additional doses of the COVID-19 vaccination are required in order to maintain best possible vaccination levels, the College will require staff to obtain such further vaccinations in order to comply with this policy. The College may require evidence of further vaccinations, as may be relevant in the future.

Unvaccinated staff should take the following steps:

- If relevant, seek medical advice regarding the COVID-19 vaccination, as it relates to them.
- Where they do not fall within the Exemption outlined below, make appointments to receive their first and second doses of the COVID-19 vaccination via the Victorian Government's [booking](#) site, or at a participating General Practice or Pharmacy.
- If they have trouble making an appointment, contact their manager immediately.

If a member of staff believes they have a valid medical Exemption as detailed below, they should ensure they advise the College's Human Resources Department as soon as possible.

3.5. Medical Exemptions from COVID-19 vaccination requirements

A member of staff may request a medical Exemption from complying with the requirement to have a COVID-19 vaccination, as set out below. All requests for an Exemption on medical grounds will be assessed by the College on a case-by-case basis and in accordance with law. The preferred method for providing evidence is by asking a Medical Practitioner to complete the College's [COVID-19 Vaccine Medical Contraindication Form](#). However, the College will also accept a signed medical certificate from a Medical Practitioner.

The College recognises the approved list of medical contraindications as specified in the Health Direction as updated from time to time.

If a Medical Practitioner certifies that a staff member has a temporary medical contraindication that makes them unable to receive the COVID-19 vaccination, any exemption based on this only applies for the period specified in the medical certificate provided by the Medical Practitioner or 6 months, whichever is less. If the medical reason continues beyond 6 months, the staff member must provide a new medical certificate from their doctor at the 6 month mark regarding the medical contraindication.

If a staff member requests an Exemption on medical grounds, the College may, in its sole discretion, do one or more of the following:

- require the staff member to provide more medical evidence than they have already provided;
- require the staff member to sign a medical authority such that the College's nominated Medical Practitioner can inquire further with the staff member's treating medical practitioner and obtain (and provide the College with) a medical report about the requested exemption;
- require the staff member to attend a medical examination with a Medical Practitioner nominated by the College, at the College's cost, to obtain further information so the College can assess the request for an Exemption.

Appendix A explains in more detail how the College will deal with requests for an Exemption.

3.6. Unvaccinated staff members with an Exemption

An excepted person is not prevented by the Health Direction from entering College Premises. However, for health and safety reasons, the College will not permit an unvaccinated staff member to enter College Premises even if they have an Exemption. This is because of the increased risk (of contracting COVID-19 and/or experiencing severe effects if they do so) to that person's health and safety and the increased risk (of transmitting COVID-19) they may present to others.

If the College grants an Exemption, the College will consider whether there are reasonable adjustments the College can make to accommodate the staff member so they can safely perform the inherent requirements of their position without being vaccinated against COVID-19. If not, regrettably, the College may need to terminate the staff member's employment on the grounds they are unable to safely perform the inherent requirements of their position.

3.7. Unvaccinated staff members without an Exemption

If a staff member does not have an Exemption and does not comply with the vaccination requirements under this policy, the College may take disciplinary action against the staff member that may include the termination of their employment.

Staff members who are not an excepted person and choose not to have a first dose of the COVID-19 vaccination by 18 October 2021, or do not have a booking for the vaccination to be administered by 25 October 2021:

- will not be able to attend the College Premises and so would not be able to perform the inherent requirements of their position; and
- will be failing or refusing to comply with the College's lawful and reasonable directions as established by this policy.

In those circumstances, while the College deals with the issue the staff member will be suspended without pay on the grounds they are unable or unwilling to perform the inherent requirements of their job. If the issue is unable to be resolved to the College's satisfaction (in the College's sole absolute discretion), the College may terminate the staff member's employment.

To avoid doubt, suspension without pay is not an alternative to compliance with this policy.

3.8. Requirements for new staff members

Staff employed after 18 October 2021 will be required to comply with the COVID-19 vaccination requirements outlined in this policy. These requirements must be met before the employee commences their employment. Vaccination information will be required from the new staff member as part of the College's onboarding process.

3.9. Third-party contractors

Third-party contractors are defined as Education Workers under the Health Direction. As such, all Third-party contractors must also comply with the mandatory requirements for vaccination in order to work on College Premises.

MLC will not permit unvaccinated Third-party contractors to work at College Premises. Exceptions may be made at the discretion of the Director of Corporate Services in the event that emergency work needs to be carried out.

Proof of vaccination status for all Third-party contractors will be obtained through MLC's contractor registration process.

3.10. Requirements for Visitors

In order to keep our College community safe, the College requires that all visitors be fully vaccinated before attending College Premises. During school hours, visitors will be required to sign in at one of the College Visitor Registration Kiosks and show proof of a COVID-19 Vaccination Certificate. If attending a before or after-hours event, visitors will be required to sign in using the Services Victoria app and show a College representative that they have a linked COVID-19 Vaccination Certificate.

All unvaccinated visitors will be asked to leave the College Premises and to attend to their inquiry via phone or email instead. This restriction may be waived in emergency situations relating to a student's health and wellbeing. Even in this case, the unvaccinated person must:

- take all possible steps to avoid entering buildings on College Premises unless this is strictly necessary to ensure a student's health and wellbeing,
- wear a mask and face shield; and,
- remain physically distanced as far as possible from any other person on College Premises.

This policy does not apply to third parties such as Australia Post or couriers attending College Premises to deliver/pick up parcels and mail. Special arrangements will be implemented to limit their access to College premises as far as possible.

For more information, visit [Methodist Ladies' College - Campus Information \(mlc.vic.edu.au\)](http://mlc.vic.edu.au).

3.11. Collection, recording and holding vaccination information

The Health Direction requires the College to collect, record and hold vaccination information about Education Workers who are or may be scheduled to enter or remain on College Premises. The College is required to do this by 18 October 2021. Under the Health Direction, vaccination information means information about a person's vaccination status. Vaccination status means whether the person is fully vaccinated, partially vaccinated, unvaccinated or if they are an excepted person.

If the College collects information that an Education Worker is partially vaccinated, the College must also collect, record and hold information about whether that Education Worker has a booking to receive, by 29 November 2021, a dose of a COVID-19 vaccine that will cause the Education Worker to become fully vaccinated. If the College collects information that an Education Worker is unvaccinated, the College must also collect, record and hold information about whether that Education Worker has a booking to receive, by 25 October 2021, a dose of a COVID-19 vaccine that will cause the Education Worker to become partially vaccinated.

The purpose of collecting vaccination status information is:

- to ensure compliance with the Health Direction;
- to ensure that the College knows who is able to legally attend College Premises or perform work for the College; and,
- to enable the College to manage the risks to staff, students and the community arising from COVID-19, including preparing for any possible future outbreaks.

Evidence of a COVID-19 vaccination can include:

- a vaccination certificate or other evidence from a vaccine provider;
- an immunisation history statement that can be accessed from Medicare online or the Express Plus Medicare mobile app;
- a statement of your vaccination history, that you can request from the Australian Immunisation Register;
- a record from a Medical Practitioner.

When collecting vaccination information, the College will comply with the MLC Privacy Policy and the *Privacy Act 1988* (Cth). Vaccination information will only be used for the purposes described above. De-identified staff vaccination information may be provided to the MLC Board to enable them to discharge their and the College's duties under the OHS Act.

All vaccination information will be securely stored and kept confidential and will only be accessible to people who are required to access it. Access to vaccination record information of an individual can be requested at any time by that individual and requests can also be made to update information where necessary (e.g. where subsequent vaccinations are received).

The College may require an Education Worker to provide their current vaccination status at any time, to ensure the College is compliant with this policy. Staff must provide evidence of their existing COVID-19 vaccination status or the reasons for any Exemption when requested by the College.

The College is required to provide access to vaccination information to an Authorised Officer under the *Public Health and Wellbeing Act 2008* (Vic) if requested to demonstrate compliance with the Health Direction.

4. Related Documents

- [MLC Privacy Policy](#)
- [COVID-19 Vaccine Medical Contraindication Form](#)
- [Discipline and Performance Management Policy and Procedure](#)

5. References

Legislation:

- [Privacy Act 1988](#)
- [Public Health and Wellbeing Act 2008 \(Vic\)](#)

Links:

- [Are COVID-19 vaccines safe?](#)
- [Australian Immunisation Register](#)

- [COVID-19 vaccine information in your language](#)
- [The Fair Work Ombudsman's guidance on COVID-19 vaccinations](#)

6. Governance

DOCUMENT DETAILS		
Title:	COVID-19 Mandatory Vaccination Policy	
Policy Approver:	MLC Board of Directors	
Policy Owner:	Director of Human Resources	
Created:	October 2021	
Review Timeline:	Biennial	
Date of Next Review:	April 2022	
VERSION CONTROL		
Version	Date	Description
V1	Oct 2021	New Policy
AUDIENCE		PUBLICATION LOCATION
MLC Community & Public		MLC website, myMLCfamily, Staff Hub

APPENDIX A: Managing Staff Requests for Exemption

Requests for an Exemption will generally be handled by the College as follows:

- a) Staff must provide the request in writing, along with supporting evidence (as described above) to the College by emailing it to humanresources@mlc.vic.edu.au.
- b) The College may at any stage ask Staff for further information or seek professional or expert advice or an opinion (including but not limited to from a Medical Practitioner) to assist the College to consider and determine the request.
- c) After considering a request for an Exemption, unless further information or evidence is required (in which case it will be sought), the Principal will decide whether to grant the Exemption request.
- d) The College will endeavour to conclude the above process within 14 working days. Staff who would otherwise be required to be Vaccinated under this policy are not required to do so if they have an Exemption request pending and will be suspended with pay until the request is determined. All requests for Exemptions and information provided by Staff in connection with such requests will be handled confidentially.

A. Where an Exemption may not be granted

An Exemption will not be granted other than as provided in this policy.

B. What if an Exemption is not granted?

If an Education Worker does not have a valid Exemption, the Education Worker will be expected to obtain the Vaccine in accordance with this Policy and Health Order. If they do not do so, it will be dealt with as non-compliance with this policy.

If a College employee does not have a valid Exemption and remains non-compliant with this policy, they will be suspended without pay whilst the issue is investigated, on the grounds they are unable or unwilling to perform the inherent requirements of their job. If the issue is unable to be resolved to the College's satisfaction (in the College's sole absolute discretion), the College may terminate the staff member's employment.