

New UK Government Regulations

Working in Healthcare patient areas

The government has announced that from 1 April 2022, all staff and contractors working in patient areas must have had two doses of a COVID-19 vaccine to be allowed to work in any role in which they have face-to-face contact with patients or service users (please see below for information on workers this includes).

This will be a legal obligation for hospitals and all regulated healthcare service providers. The Care Quality Commission (CQC) will monitor compliance with the regulation. Based on records 92% of frontline staff already meet this requirement. Support will be provided for those who have not yet accessed a vaccine to do so.

The advice is that contractors talk to their line managers if they are unvaccinated to get information and support on how to access vaccines.

Once the proposal to make vaccinations mandatory has passed into law, we will be informing line managers of the names of any relevant contractors they manage whose vaccination status is unknown. It will then be the responsibility of line managers to meet with these contractors to request their vaccination status and to confirm their intentions around vaccination.

We will be carrying out random Audits with all patient facing suppliers to ensure our contractors comply with the law.

FAQs

Who does the regulation apply to?

The regulation applies to healthcare staff and contractors who deliver face-to-face patient care or treatment within CQC regulated services, as well as non-clinical staff who may have social contact with patients but are not directly involved in patient care (e.g. receptionists, ward clerks, porters, cleaners and staff who go into a patient area in order to carry out aspects of their job, such as building maintenance, stock delivery or IT equipment installation), regardless of contracted hours or working arrangements. **This also includes all temporary, voluntary, bank and agency staff/workers, and independent contractors.**

Contractors who do not think they are covered by this legislation (because they do not have contact with people being treated in patient areas), should inform their manager. This will be reviewed as part of implementation of the regulation and informed of the decision as part of that process.

What evidence of vaccination will be required?

All contractors will be asked to submit evidence of their vaccination status. Where contractors have been vaccinated by the NHS in England, they can demonstrate their COVID-19 vaccination records using the NHS COVID Pass service via the following three routes:

- the NHS App (**select the ‘travel’ option not ‘domestic’**).
- the NHS website – [NHS.uk](https://www.nhs.uk) (**select the ‘travel’ option not ‘domestic’**).

- the [NHS COVID Pass letter](#) (scan this and email it)

Once contractors receive a digital version of their COVID pass (or a digital scan of the Pass letter), they should email it to the place of work. They must include their date of birth.

If the COVID pass is incorrect, or if they've received their vaccinations abroad, they should phone the NHS COVID Pass Service on 119.

Is the COVID-19 booster included in the regulations?

At present, the regulations do not require evidence of boosters, but the government is keeping this under review.

What if staff have been vaccinated in another country?

Individuals who are vaccinated abroad will be required to provide evidence of their vaccination status and, where necessary, have a top-up dose with a UK authorised vaccine consistent with the UK Health Security Agency (UKHSA) guidance on vaccines. To avoid doubt, mixed doses (that is, where different vaccines have been administered to complete the dose schedule) will be accepted for the purposes of the vaccination requirements.

What if my contractor(s) is unvaccinated?

Any contractor who has not yet had their first and second dose of COVID-19 vaccine is advised to start this process as soon as possible. Subject to the legislation passing into law, contractors who have not had both doses by 1 April will not be allowed to work in roles that involve patient contact. ***This means anyone who has not had their first dose will need to have had it by 3 February.***

You can find information about the support on offer below.

Are there any exemptions?

There are only a very limited number of exemptions that apply under the regulations. These are in cases where a member of staff:

- does not have contact with patients or service users
- is under the age of 18
- is clinically exempt
- is medically exempt due to a short-term medical condition (including pregnancy)
- is taking part or has previously taken part in a clinical trial for a COVID-19 vaccine

Contractors with a clinical exemption will be required to provide evidence of their exemption. This will be available via the NHS COVID Pass from 23 December. If contractors do not currently have an exemption approved, they will need to phone the NHS COVID Pass Service on 119 and ask for an application form which is returned via the GP or Specialist.

Alternatively, contractors may apply for medical exemption through the [government website](#).

Contractors with a clinical exemption can continue to work in patient areas. Managers will be required to update existing risk assessments for these individuals to ascertain the potential risk of COVID-19 spread caused by unvaccinated (but exempt) workers and to identify the level of risk of exposure to the individual, other workers, patients and visitors. As a result of this assessment,

managers may be required to put in place other 'measures' and reasonable adjustments to help reduce the risk, which may include reviewing current personal protective equipment (PPE) use, regular lateral flow testing, remote working, sufficiently ventilated workplaces, cleaning regimes and hand hygiene etc.

What support is available to contractors who may be worried or reluctant about getting the vaccine?

If the contractor is unvaccinated, the conversation with their line manager will be an opportunity to explore the reasons for this, signpost contractors to appropriate support and advise on the potential implications if they cannot be redeployed and if they are not vaccinated by the necessary deadlines.

There are lots of reasons why some contractors may feel reluctant to have their vaccinations, including potentially sensitive issues around race and religion, and that line managers may need support to approach these conversations.

What happens if contractors choose not to get vaccinated?

It is likely that they will be unable to work on the Mitie contract and the supplier will need to find vaccinated contractors who can fulfil the role. Suppliers who do not have the appropriately vaccinated contractors will need to raise this with their Mitie Procurement contact at the earliest opportunity.