



Dear Approved Provider

In the context of the current COVID-19 pandemic, strong leadership by aged care providers has never been more important or necessary, and I thank you for your efforts to ensure the health, safety and wellbeing of your consumers and staff at this time.

On 28 June 2021, National Cabinet agreed that COVID-19 vaccination will become a mandatory condition of working in an aged care facility, as a vital additional risk control measure during the pandemic. State and territory governments are currently implementing this decision using public health orders or equivalent instruments.

I am writing to you about this requirement and how the Aged Care Quality and Safety Commission (the Commission) will engage with individual providers in relation to it.

All aged care providers have a legal obligation to ensure the safe, effective and quality delivery of personal and clinical care in accordance with the requirements of the *Aged Care Act 1997* and the *Quality of Care Principles 2014*. During the pandemic, this includes responsibility for minimising the risk of, preparing for, and managing any outbreaks of COVID-19. The Commission's statutory role is to ensure that providers fulfil the above responsibilities.

From 17 September 2021, residential aged care workers will be required to have received a minimum first dose of a COVID-19 vaccination. As a further protection for aged care consumers and staff, the Commission is introducing the same requirement for any quality assessors visiting an aged care service.

Having a vaccinated aged care workforce is essential to mitigating the transmission and impact of COVID-19. It is important that you do everything you can to facilitate this. Collecting data on workers' compliance with the mandatory vaccination requirement is also essential for your infection prevention and control planning (including outbreak management planning) for individual services and at a whole-of-organisation level.

Since 15 June 2021, you have been required to report weekly de-identified data on numbers of vaccinated workers at your service/s through the MyAgedCare Provider Portal. This information is shared with the Commission and analysed to assess risks to the health, safety and well-being of consumers. Providers who are failing to report, or are reporting low vaccination levels, will be assessed as higher risk. The Commission considers this assessment alongside other data to identify high risk providers. Relevant other data can include the current locational prevalence of COVID-19 cases, past or current non-compliance, IPC lead reporting, outcomes of Commission monitoring activities, and information referred by Commonwealth, state and territory COVID responders.

The Commission will engage with identified high risk providers through targeted Infection Control Spot Checks, performance assessments and/or as part of a full quality or review audit. The Commission will assess providers' compliance with the Aged Care Quality Standards, with specific regard to:

- **Standard 3, requirement (3)(g):**
  - Minimisation of infection-related risks through implementing standard and transmission-based precautions to prevent and control infection;
- **Standard 7, requirement (3)(a) and (d):**
  - The workforce is planned to enable, and the number and mix of member of the workforce deployed enables, the delivery and management of safe and quality care and services.
  - The workforce is recruited, trained, equipped and supported to deliver the outcomes required by these standards.
- **Standard 8, requirement (3)(b) and (c):**
  - The organisation's governing body promotes a culture of safe, inclusive and quality care and services and is accountable for their delivery.

Effective organisation wide governance systems relating to the following: workforce governance and regulatory compliance.

Where a service is found to not meet the Quality Standards, the Commission will take proportionate regulatory action. Depending on the level of assessed risk, which includes consideration of your compliance posture, the Commission may issue a Direction, a Non-Compliance Notice or take other escalating enforceable regulatory action/s such as issuing a Sanction. In all circumstances, the Commission's response to non-compliance will be informed by the risk posed to the safety, health, well-being and quality of life of consumers.

The Department of Health has published information about mandatory vaccination of workers and reporting of vaccination numbers.

**<https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/information-for-aged-care-providers-workers-and-residents-about-covid-19-vaccines>**

The Commission has practical guidance to support COVID-19 outbreak management planning and preparation in residential aged care facilities.

**<https://www.agedcarequality.gov.au/providers/covid-19-provider-resources>**

The severe impact of COVID-19 on older people is now well known. The actions you take to ensure the effectiveness of measures including aged care worker vaccination are critical to safeguard the people you care for and care about.

Thank you for your focused attention and efforts on this matter.

Yours sincerely

*J. M. Anderson*

Janet Anderson PSM  
Commissioner

16 August 2021