



### Written By

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### Aim

The NSW Parliament has passed a Bill to amend the Public Health Act to strengthen vaccination enrolment requirements in early childhood education and care. From 1 January 2018:

- children who are unvaccinated due to their parent's conscientious objection will no longer be able to be enrolled in child care
- it will be an offence (with a penalty of 50 penalty units) for a principal to fail to comply with the child care vaccination enrolment requirements
- it will be an offence (with a penalty of 50 penalty units) for a person to forge or falsify a vaccination certificate.

Children who cannot be fully vaccinated due to a medical condition or who are on a recognised catch-up schedule will still be able to be enrolled upon presentation of the appropriate form signed by a medical practitioner.

The new requirements do not change other existing provisions. A register of the age appropriate vaccination documentation still needs to be maintained for each child (a register template is available at Strengthening vaccination requirements for child care) and in the event of specified vaccine preventable disease outbreak in a child care centre the public health officer can exclude children who are not vaccinated for that disease to protect them from infection and prevent them from passing diseases to others.

### **How does this differ from previous requirements?**

Since 1 January 2014, NSW child care centres have been prevented under the Public Health Act 2010 from enrolling children unless approved documentation is provided that indicates that the child:

- is fully immunised for their age (AIR Immunisation History Statement), or
- has a medical reason not to be vaccinated (AIR Immunisation Medical Exemption Form), or
- is on a recognised catch-up schedule (AIR Immunisation History Form), or
- has a parent who has an objection to vaccination (Interim Vaccination Objection Form for Enrolment in NSW Child Care Centres).

The Interim Vaccination Objection Form for Enrolment in NSW Child Care Centres will be deleted and will no longer be accepted for the purposes of enrolling children in child care from 1 January 2018. To support the integrity of these changes, offences will be created for principals of child care centres who fail to comply with these requirements, and for people who forge or falsify vaccination records. NSW Health will work closely with stakeholders and develop educational materials for parents and child care centres to support compliance.

### What is enrolment?

Enrolment is the process of booking a place for a child in a child care centre for the first time involving completion of an enrolment form, provision of other documentation (i.e. birth certificate, proof of address, AIR Immunisation History Statement) and often payment of a deposit. Note: enrolment does not include the processes of committing an enrolled child to continued attendance in subsequent years at the same child care centre (sometimes known as 're-enrolment').

### What if a child is enrolled before 1 January 2018?

Children who are enrolled prior to 1 January 2018 will not be affected by the changed requirements, that is, if enrolling a child in 2017 to commence child care in 2018 parents may continue to submit any one of the four existing forms (see Forms here).

### What forms will be required to be provided at enrolment after 1 January 2018?

From 1 January 2018, parents must provide a copy of one or more of the following documents to enrol in a child care centre:

- an AIR Immunisation History Statement which shows that the child is up to date with their scheduled vaccinations or
- an AIR Immunisation History Form on which the immunisation provider has certified that the child is on a recognised catch-up schedule (temporary for 6 months only) or
- an AIR Immunisation Medical Exemption Form which has been certified by a GP.
- No other form of documentation is acceptable (i.e. the Interim Vaccination Objection Form or Blue Book). The documents must be stored by the director in a secure location for 3 years, unless a child transfers to another child care centre.

### Which vaccines must a child have to be fully vaccinated?

The NSW Immunisation Schedule sets out the age-appropriate vaccines for children and the AIR Immunisation History Statement will indicate if the child is up to date with their vaccinations.

### What if a parent fails to provide the required documents from January 2018?

Principals of child care centres cannot enrol children if the required documents are not provided.

### Which children are exempt from the new requirements?

The following are **permanently exempt** from the new requirements:

- children who are enrolled in formal schooling (for example, attending before and after school care both on school campuses or externally)
- services providing education and care to children primarily on an ad hoc, temporary or casual basis (for example, crèches in shopping centres and gyms).

The following classes of children are **temporarily exempt** from the new requirements and the documentation must be provided within 12 weeks from the date of enrolment in the child care facility:

- those who are subject to a guardianship order under section 79A of the Children and Young Persons (Care and Protection) Act 1998
- those who have been placed in out-of-home care
- those who are being cared for by an adult who is not the child's parent due to exceptional circumstances such as illness or incapacity
- those who have been evacuated following a state of emergency (for example, a declared natural disaster)
- Aboriginal or Torres Strait Islander children.

### **Why have these changes been made?**

These changes have been made to strengthen vaccination enrolment requirements in child care. In particular, they will:

- send a strong public health message about the importance of vaccination
- reinforce for the broader community the overwhelming scientific evidence that vaccination is safe and highly effective in preventing disease
- help reduce the transmission of disease in certain geographical areas.

The changes will also align with national changes under the Australian Government's No Jab No Pay initiative that removed the conscientious objection exemption in determining eligibility for child care and family assistance payments.

### **Do parents still have a choice to vaccinate their children?**

Yes. Vaccination is not compulsory and parents will continue to have the choice whether or not to vaccinate their child. However, conscientious objectors will no longer be able to enrol their children in child care and will need to make alternative arrangements.

### **Are unimmunised children able to enrol in child care after 1 January 2018?**

The only unimmunised children who can be enrolled in child care after 1 January 2018 are those who are on a recognised catch-up schedule (provided that the appropriate documentation has been provided), or those who are unimmunised due to medical reasons as described at section 2.1.4 of the Australian Immunisation Handbook 10th ed) (provided that the appropriate documentation has been provided), or children who are too young to be immunised (under 2 months of age).

Children who are unimmunised for a disease may be asked to stay at home if there is an outbreak of that vaccine preventable disease in a child care centre.

### **How do parents access an AIR Immunisation History Statement for their child?**

Parents automatically receive their child's AIR Immunisation History Statement in the mail after they complete their immunisation schedule (sometime after 4 years of age).

A copy of their child's immunisation details can also be obtained at any time by:

- using their Medicare online account through myGov
- using the Medicare Express Plus App
- calling the AIR General Enquiries Line on 1800 653 809

### **What if a child was vaccinated overseas?**

Overseas immunisation records must **not** be accepted by child care centres. The overseas immunisation records need to be assessed by an Australian immunisation provider who will transfer the information to the Australian Immunisation Register (AIR). Parents can then request an AIR Immunisation History Statement.

### **Which diseases must child care facility directors report to public health units?**

Under the NSW Public Health Act 2010 child care centres must notify outbreaks of the following 9 vaccine preventable diseases to the local Public Health Unit on 1300 066 055:

- Diphtheria
- Haemophilus influenza type b (Hib)
- Measles
- Meningococcal C
- Mumps
- Pertussis (whooping cough)
- Poliomyelitis
- Rubella
- Tetanus.

The Public Health Unit may need to review the centre's immunisation register to determine which children are at risk from the outbreak.

Following assessment of the situation, the public health officer may instruct the director to exclude certain children for a period, or provide advice regarding preventive measures.

**Are child care centres required to forward immunisation status documentation to primary school principals?**

No. Child care centres are not required to transfer AIR Immunisation History Statements or exemption documentation to primary school principals when a child leaves a child care centre, however they must retain the information for 3 years.

**How are the new requirements being enforced?**

New offences have been created to ensure that principals only enrol children for whom the appropriate forms have been provided, and that these forms have not been forged or falsified, with fines up to \$5,500.

This is in addition to the current regulatory activities undertaken by the Department of Education under the Education and Care Services National Law and Regulations.

The National Health and Medical Research Council's (NHMRC) Staying Healthy – Preventing infectious diseases in early childhood education and care services (5th edition, updated June 2013) is a best practice tool that provides information for educators to help limit the spread of illness and infectious diseases in their services.

**Immunisation and Educators/ Teachers**

In addition to children being fully up to date with their immunisations, it is recommended that early childhood services have a comprehensive staff vaccination program in place as a work health and safety measure and to help manage the risk of diseases transmission in their service. In particular, it is recommended that educators at early childhood services are protected against

- Influenza,
- Measles,
- Mumps,
- Rubella,
- Diphtheria,
- Tetanus,
- Whooping cough,
- Varicella and
- Hepatitis A.

Staying Healthy – Preventing infectious diseases in early childhood education and care services (5th edition, updated June 2013) is available at: [www.nhmrc.gov.au/guidelines/publications/ch55](http://www.nhmrc.gov.au/guidelines/publications/ch55).

Under the NSW Public Health Act 2010, early childhood services must maintain a current Immunisation Register that records the Immunisation Status and Forms held for all children. Information will be collected on enrolment and will be recorded in the HubWorks Account Management System, with reports available as required.

Approved providers are required to notify vaccine preventable diseases to their local public health unit (PHU) on 1300 066 055

### Resources & References

Public Health Unit: Phone 1300 066 055.

The following websites:

- Immunise Australia
- National Centre for Immunisation Research and Surveillance
- A to Z Infectious Diseases

CELA: Phone 1800 157 181 or email [info@cela.org.au](mailto:info@cela.org.au)

Education and Care National Regulations.

The National Quality Standard (2010).

Being, Belonging and Becoming: The Early Years Framework for Australia (2009).

Early Childhood Australia's Code of Ethics

<http://www.health.nsw.gov.au/immunisation/Publications/immunisation-enrolment-toolkit.pdf>)

### Relevant Documentation

This policy is displayed in the Pre School and will be provided as part of Bermagui Preschool Induction Procedure.

It is available in the Parent Handbook, Policies and Procedures, Staff Handbook and on the Pre School website

### Date Adopted:

October 2017

### Review Date:

October 2020