



**NDIS Quality
and Safeguards
Commission**

Status of COVID-19 vaccination of workers Request for information

This letter is a request for information under section 73F(2)(i) of the *National Disability Insurance Scheme Act 2013* (NDIS Act) relating to the COVID-19 vaccination status of your workers who provide intensive support services to NDIS participants.

Request for information

You have been identified as being registered to provide one or more classes of intensive support services¹ to NDIS participants.

Requests are being issued to all registered NDIS providers who are registered to provide one or more of classes of these support services.

This request for information is made under section 73F(2)(i) of the NDIS Act and also relates to the COVID-19 vaccination status of your workers who provide intensive support services (as defined below) to NDIS participants.

Under section 73F(2)(i), it is a condition of your registration that you:

- provide the information specified in this request
- within the period specified in the request.

The information you must provide, and the timeframes within which you must provide it, are set out below.

To read more information about COVID-19 worker vaccination, see our NDIS workforce vaccination page at <https://www.ndiscommission.gov.au/ndis-workforce-vaccination>.

Why is the NDIS Commission requesting this information?

On 10 November 2021, the Australian Health Protection Principal Committee (AHPPC) issued a statement recommending mandatory COVID-19 vaccination for certain disability workers, noting that mandating of vaccination for workers providing services and supports to people with disability provides an important protection for people with disability during the COVID-19 emergency. We issued an [alert on 12 November 2021](#) regarding this statement.

All states and territories now have in force public health orders (or equivalent legal directions) that, broadly speaking:

¹ Intensive support services are: assistance with daily life tasks in a group or shared living arrangement; assistance with daily personal activities; group and centre-based activities; specialised supported employment; community nursing care; and therapeutic supports.

- prevent unvaccinated workers from providing disability services in certain circumstances, and/or;
- require registered NDIS providers to take certain steps to ensure that their workers comply with those requirements.

This request asks for information about the extent to which your workers have been vaccinated in accordance with applicable state and territory public health orders as at particular dates. This request takes account of recent changes, and allows for future changes, in some states and territories regarding the number of doses of vaccination required in order for a person to be considered fully vaccinated.

The NDIS Commission is asking for this information to assist in:

- monitoring registered NDIS provider compliance with conditions of registration under section 73F(2)(a) of the NDIS Act, being compliance with public health orders; and
- managing the risks to NDIS participants arising from unvaccinated workers.

Information about your obligations under state and territory public health orders

To comply with this request, you will need to familiarise yourself with the public health orders that apply in each state or territory in which you operate. A Fact Sheet on the NDIS Commission website at <https://www.ndiscommission.gov.au/document/3516> will help you to understand the COVID-19 vaccination requirements under the public health orders of each state and territory. As these requirements change from time to time, it is important that you stay updated on the requirements in the states and/or territories in which you operate.

Details of information that must be provided

The terms in bold used in this section are defined below. The information that you must provide is:

1. The number of workers required to be **fully vaccinated** to deliver NDIS supports or services, in accordance with the relevant public health orders in effect.
2. Of the workers who are required to be **fully vaccinated**, the number of workers for whom you have sighted proof of their being exempt from receiving a COVID-19 vaccination.
3. Of the workers required to be **fully vaccinated**, the number of workers who are only **partially vaccinated**.
4. Of the workers referred to in point 3 who are **partially vaccinated**, the number for whom you have sighted proof of their having a booking(s) for an additional dose(s) of a COVID-19 vaccination.
5. Of the workers required to be **fully vaccinated**, the number of workers for whom you have sighted proof of their being **fully vaccinated**.

Definitions

For the purposes of this request:

Booster dose refers to an additional vaccine dose received by a person after the completion of a primary vaccination course.

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

Fully vaccinated means that a person has received the required number of doses (including booster doses) of a COVID-19 vaccination as updated by the relevant state or territory public health orders (e.g. had two doses in a state or territory requiring two doses, OR, two doses and a booster dose(s) in a state or territory requiring two doses and a booster dose(s)).

Partially vaccinated means that a person has had at least one dose of a COVID-19 vaccination but is not fully vaccinated (e.g. one dose in a state or territory requiring two doses, OR, one or two doses in a state or territory requiring two doses and a booster dose(s)).

Primary vaccination course means two doses of a COVID-19 vaccination.

Workers means the people you employ or otherwise engage to provide NDIS-funded supports or services.

When to provide the required information

Please provide the information for each period according to the following timetable.

Information known by the provider	Deadline for reporting
Information as at 20 May 2022	3 June 2022
Information as at 3 June 2022	17 June 2022
Information as at 17 June 2022	1 July 2022
Information as at 1 July 2022	15 July 2022
Information as at 15 July 2022	29 July 2022
Information as at 29 July 2022	12 August 2022
Information as at 12 August 2022	26 August 2022
Information as at 26 August 2022	9 September 2022
Information as at 9 September 2022	23 September 2022
Information as at 23 September 2022	7 October 2022

However, if there is **no change** to the information between one reporting period and the next, there is no need to provide the same information at the next deadline for reporting.

How to provide the required information

An online reporting form on the NDIS Commission Portal provides the most convenient and effective way for you to provide the requested information. A quick reference guide to assist you in using the updated form that can be accessed via the NDIS Commission Portal can be found on the NDIS Commission's website at <https://www.ndiscommission.gov.au/document/3446>.

When providing the information, do not identify individual workers who are or are not vaccinated. The NDIS Commission is gathering general data only. This request for information does not ask for sensitive and personal health information about individual workers.

How will the information collected be used?

The NDIS Commission is requesting this information to assist in monitoring provider compliance with public health orders and managing the risks to NDIS participants related to unvaccinated workers. It may also be:

- used to inform decisions by the Commission as to whether monitoring or investigation action may be warranted, or
- shared with other persons or bodies (including State, Territory or Commonwealth government agencies), where permitted by law.

This data will also be kept in the NDIS Commission's secure record system.

Do I need to comply with this request?

It is a condition of your registration that you must provide information requested under section 73F(2)(i) of the NDIS Act within the period specified in the request (which must not be less than 14 days). The NDIS Act requires you to comply with the conditions of your registration.

If you hold concerns about complying with this notice, consider obtaining legal or other independent advice.

If you have any questions about this request or experience difficulties in using the online reporting form on the NDIS Commission Portal, please contact the National Compliance team on 1800 035 544 or by email at national.compliance@ndiscommission.gov.au.

Yours sincerely

Delegate of the NDIS Commissioner

Deputy Registrar

NDIS Quality and Safeguards Commission

6 May 2022