

1 PURPOSE

- 1.1 Belgravia is committed to maintaining a safe and healthy workplace and having policies in place that address the safety of team members and the public when the COVID-19 virus is circulating in the community.
- 1.2 The nature of our workplaces means that close contact with the public and each other is inevitable. We regularly interact with people who are vulnerable, disadvantaged, and immunocompromised.
- 1.3 The purpose of this policy is to provide guidance to team members and people managers on our approach to the national roll-out of COVID-19 vaccinations to ensure that our business can operate safely in accordance with our legal obligations.
- 1.4 We adopt a risk-based approach to inform our decision-making process and policy decisions both now and in the future as the COVID-19 situation changes (*refer to Appendix 1*).

2 SCOPE

- 2.1 This policy applies to all team members / employees, contractors, and volunteers of the Organisation.

3 GLOSSARY

- 3.1 Terms not defined in this document may be in the Organisation's glossary.

Terms and definitions

Belgravia, the Organisation, we, our, us: Belgravia Group and associated entities.

Team members: Employees, contractors, and volunteers of the Organisation.

Fully Vaccinated: Having obtained the manufacturer's recommended dosage of any Therapeutic Goods Administration (TGA) approved vaccine including booster vaccination.

Control measures: Actions taken to eliminate or minimise health and safety risks so far as is reasonably practicable.

Proof of vaccination: Acceptable forms of evidence, which may vary by jurisdiction, verifying a person's vaccination status.

Vaccination, Vaccine: Therapeutic Goods Administration (TGA) approved COVID-19 vaccinations.

4 POLICY STATEMENT

- 4.1 We are committed to maintaining a safe and healthy workplace and have a duty to minimise the risk of staff exposure to COVID-19.
- 4.2 Vaccination against COVID-19 is a vital safeguard for our team members and the public. Belgravia strongly encourages all team members who can be vaccinated, to be fully vaccinated against COVID-19 as soon as practically possible.
- 4.3 We provide flexible work arrangements and vaccination appointment leave to make it easy for team members to attend COVID-19 vaccination appointments and recover in circumstances where adverse reactions or illness are experienced because of vaccination.

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- 4.4 We will always follow lawful vaccination standards and directions as they apply and/or are varied to apply at any given time in each State or Territory jurisdiction.
 - 4.5 We may give a lawful and reasonable direction requiring team members to be fully vaccinated and/or show proof of vaccination against COVID-19 considering factors such as the workplace, the nature of the role being performed and applicable medical or public health advice.
 - 4.6 Any direction will be implemented lawfully and consistently with our obligations under relevant award / agreement, applicable legislation, and public health orders.
 - 4.7 A team member who cannot show proof of vaccination or, is unvaccinated or, provides a medical certificate signed by a medical practitioner explaining reason for lack of vaccination may not be permitted to participate in identified roles where a public health order or a lawful and reasonable direction to be vaccinated is in place, as the team member will not be able to undertake the inherent requirements of the identified role.
 - 4.8 At our discretion, we reserve the right to direct any team member to undertake an independent medical examination at our cost where evidence provided for non-vaccination on medical grounds, in our opinion, provides insufficient or invalid reasons for non-vaccination.

5 INFORMATION ABOUT COVID-19 VACCINATIONS

- 5.1 The Australian Government is committed to providing all Australians with free access to safe and effective COVID-19 vaccines.
- 5.2 The Australian Department of Health advises:
 - 5.2.1 Vaccines will help protect people by either preventing or reducing symptoms of COVID-19 in the person who has received the vaccine.
 - 5.2.2 Getting the vaccine will not make you test positive for COVID-19.
 - 5.2.3 Vaccinations are an important tool in helping to stop the pandemic.
- 5.3 Team members can access accurate and current information on how the COVID-19 vaccines work. Visit the [Department of Health website](#).

6 VACCINATION APPOINTMENT LEAVE AND SUPPORT FOR EMPLOYEES

Vaccination appointment leave for permanent employees

- 6.1 Employees are encouraged, where possible to be vaccinated outside their working hours.
- 6.2 To overcome barriers to attending vaccination appointments, a permanent employee who secures a COVID-19 vaccination appointment at a time that conflicts with scheduled work, will be given access to paid *vaccination appointment leave* of up to 4 hours per vaccination appointment.
- 6.3 Vaccination appointment leave is paid at the employee's base rate of pay.
- 6.4 Requests for paid vaccination appointment leave must be approved in advance.
- 6.5 Managers and employees should agree on the amount of time required to attend a vaccination appointment, up to 4 hours, which should include reasonable travel time.
- 6.6 Employees who access paid vaccination appointment leave should return to work as soon as possible after receiving their vaccination.

Vaccination appointment support for casual employees

- 6.7 Casual employees are encouraged, where possible, to be vaccinated outside their working hours.
- 6.8 Casual employees who secure a vaccination appointment that conflicts with a rostered casual shift will be afforded the flexibility to reschedule rostered work hours lost due to attending a vaccination appointment of up to 4 hours, paid at their ordinary rate plus any loading and/or penalty applicable to the rescheduled hours.
- 6.9 Managers and employees should agree on the amount of time off required, including reasonable travel time.
- 6.10 Employees should return to work as soon as possible after receiving their vaccination.

No questions asked personal leave for vaccination reactions

- 6.11 Upon providing notice to their manager, team members who become unwell or experience adverse reactions within 48 hours of receiving a COVID-19 vaccination can access one day's (prorated) personal leave entitlement paid at the team member's ordinary rate without the requirement to provide a medical certificate.
- 6.12 If the team member does not have, or has insufficient personal leave entitlement, the leave will be unpaid.
- 6.13 Employees requesting more than one day of personal leave will be required to comply with the usual notice and evidence requirements set out in the company's *Leave Entitlements Policy (HR 3.06)*.

WorkCover and No Fault Indemnity Scheme

- 6.14 Employees who can provide medical evidence that they have contracted COVID-19 through transmission at their workplace or as a result of a lawful direction to get vaccinated may be able to lodge a claim via WorkCover as allowed in the claimant's jurisdiction.
- 6.15 The Australian Government is developing a No Fault Indemnity Scheme to reimburse people where costs of injuries are above \$5,000 and who suffer a moderate to significant impact following and adverse reaction to an approved COVID-19 scheme (Further information is available [HERE](#)).

7 CONTINUED APPLICATION OF OTHER INFECTION CONTROL MEASURES

- 7.1 Vaccination is one important element in a system of control measures minimising the risk of COVID-19 transmission.
- 7.2 All control measures contained within individual workplace COVID-19 safety plans and COVID-19 WHS policies continue to apply and are amended as required from time-to-time in alignment with public health advice and best practise.

8 EXEMPTIONS

- 8.1 A team member may have a legitimate reason not to be vaccinated (for example, a medical reason) and may seek an exemption from a vaccination mandate issued via public health order in any jurisdiction or by the Organisation through a lawful and reasonable direction.

Request exemptions in writing

- 8.2 Exemption requests to a vaccination mandate can be made in writing to the team member's line manager.
- 8.3 Applicants must provide evidence of the reason for request in their written request.

Consultation

- 8.4 We will consult with the applicant to determine the precise limitations of their ability to comply with the direction and explore potential reasonable accommodations that could overcome those limitations.
- 8.5 We encourage applicants to suggest specific reasonable accommodations. However, we are not required to make the specific accommodation requested and may provide an alternative effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Organisation or posing a direct threat to the safety of the applicant or others in the workplace.
- 8.6 During deliberations work will continue as normal for the team member unless the Organisation determines based on a public health order or potential risk to the health and safety of the applicant or others, that an alternative arrangement is required.
- 8.7 In such circumstances, applicants will be advised of the alternative arrangement imposed during deliberations, which could include temporary accommodations, stand down or paid suspension.

Decision

- 8.8 Exemption requests are reviewed on a case-by-case basis considering various factors and based on an individual assessment in each situation.
- 8.9 The applicant's line manager will provide a written response detailing the decision reached and the reasons for that decision.
- 8.10 We will aim to provide the written decision within 5 business days of the conclusion of deliberations with the applicant.
- 8.11 In circumstances where no reasonable accommodation or exemption can be made, the Organisation may consider termination of employment based on an inability to perform inherent requirements of the applicant's role.

Appealing an adverse decision

- 8.12 The applicant can appeal a decision declining a request by raising a grievance via our Issues and Disputes Resolution Policy (HR 6.00) which directs the applicant to raise their grievance with their line manager's leader in the first instance, escalating through a defined process to Chief Executive Officer.

Refusal to attend the workplace due to unvaccinated co-worker

- 8.13 If a team member refuses to attend the workplace because a co-worker isn't vaccinated or because they do not wish to work directly with clients or members of the public, The Organisation can direct them to attend the workplace if the direction is lawful and reasonable.
- 8.14 Whether a direction is lawful and reasonable depends on all the circumstances, including our occupational health and safety obligations, and whether the team member has a particular vulnerability.
- 8.15 If a team member has concerns about the safety of the workplace, they should raise them with their line manager as soon as possible.
- 8.16 There may be disciplinary consequences including termination of employment for refusing to comply with a lawful and reasonable direction.

9 PROOF OF VACCINATION

- 9.1 Various jurisdictions may mandate specific proof of vaccination requirements. We will follow the most up to date requirements of each jurisdiction of operation. Generally, we expect acceptable proof of vaccination would include:
- 9.1.1 An immunisation History Statement or COVID-19 Digital Certificate (both can be obtained through your MyGov account)
 - 9.1.2 Vaccination passport
 - 9.1.3 Medical certificate signed by a medical practitioner
 - 9.1.4 Statutory declaration
- 9.2 Unless required under a public health order, we will not retain proof of vaccination once verified by an authorised manager.

Record keeping & privacy obligations

- 9.3 Like all information provided to us in the course of employment, any personal or health information provided will be collected, recorded, and stored in accordance with the *Privacy Act 1988* (Cth).

Requests from clients or the public for vaccination status of team members

- 9.4 Team members have the right to privacy about their vaccination status.
- 9.5 Team members consent to disclosure of their vaccination status to client partners (where applicable) in limited circumstances for example where a client requests evidence of vaccination status before allowing our team members onsite to provide services.
- 9.6 Where a member of the public requests evidence that team members who are providing relevant services have been vaccinated, managers must ensure their response complies with their relevant privacy obligations and ensure they do not disclose any information about an individual's personal, vaccination or health status.
- 9.7 Responses to such requests for information should be limited to confirming that all necessary steps have been taken to ensure compliance with relevant public health directions so that the safety of clients, visitors and staff is protected.

10 POLICY MODIFICATIONS

- 10.1 Government, public health guidelines, and industry best practices regarding COVID-19 and COVID-19 vaccines can change rapidly. The Organisation reserves the right to modify this policy at any time in its sole discretion to adapt to changing circumstances and business needs, consistent with our lawful obligations and our commitment to maintaining a safe and healthy workplace.

11 RELATED LEGISLATION AND DOCUMENTS

[The Fair Work Act 2009 \(Cth\)](#)

[HR 3.06 Leave Entitlements Policy](#)

[HR 6.00 Issues and Disputes Resolution Policy](#)

[Work Health and Safety Act 2011 \(NSW, QLD, ACT\)](#)

COVID-19 VACCINATION POLICY (AU)

Work Health and Safety Regulations 2017 (NSW, QLD, ACT)

Occupational Health and Safety Act 2004 (VIC)

Occupational Health and Safety Regulations 2017 (VIC)

Work Health and Safety Act 2012 (TAS)

Work Health and Safety Regulations 2012 (TAS)

Work Health and Safety Act 2012 (SA)

Work Health and Safety Regulations 2012 (SA)

Occupational Health and Safety Act 1984 (WA)

Work Health and Safety Act 2020 (WA) (the Work Health and Safety Bill 2019 was passed as the Work Health and Safety Act 2020 and assented to by the Governor on 10 November 2020. The WHS Act will not commence until proclamation)

Occupational Health and Safety Regulations 1996 (WA)

12 FEEDBACK

- 12.1 Belgravia Group staff may provide feedback about this document by emailing msmith@belgravialeisure.com.au.

13 APPROVAL AND REVIEW DETAILS

Effective Date	22 September 2021
Review Date	New policy
Next Review Date	22 October 2021
Policy Owner (name and role)	Mark Maybury - Group Manager, People & Culture
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Policy Approver (name and role)	Alex Lord – General Manager Corporate Services

Amendment History			
Version	Date	Author	Change description
1	10/09/2021	Mark Maybury	Policy created

14 APPENDIX 1 - RISK ASSESSMENT BASED APPROACH TO POLICY DECISIONS

14.1 The Organisation adopts a risk-based approach to inform the decision-making process and policy decisions both now and in the future as the COVID-19 situation changes:

14.2 When assessing workplace risk, *The Australian Government Fair Work Ombudsman* have provided workplaces with a general guide, dividing work into 4 broad tiers, from highest risk to lowest risk:

- **Tier 1 work**, where employees are required as part of their duties to interact with people with an increased risk of being infected with coronavirus (for example, employees working in hotel quarantine or border control).
- **Tier 2 work**, where employees are required to have close contact with people who are particularly vulnerable to the health impacts of coronavirus (for example, employees working in health care or aged care).
- **Tier 3 work**, where there is interaction or likely interaction between employees and other people such as customers, other employees or the public in the normal course of employment (for example, stores providing essential goods and services).
- **Tier 4 work**, where employees have minimal face-to-face interaction as part of their normal employment duties (for example, where they are working from home).

14.3 Risk Considerations to COVID-19 vaccination policy decisions:

14.3.1 Factoring in *The Australian Government Fair Work Ombudsman* tier system.

14.3.2 If our Infection Control Measures are working within our workplaces, in limiting the spread of the virus.

14.3.3 The nature of each workplace (for example, the extent to which employees need to work in public facing roles, whether social distancing is possible).

14.3.4 The extent of community transmission of COVID-19, including the risk of transmission of the Delta variant among employees, customers or other members of the community.

14.3.5 The terms of any public health orders in place where the workplace is located.

14.3.6 The effectiveness of vaccines in reducing the risk of transmission or serious illness, including the Delta variant.

14.3.7 Each employee's circumstances, including their duties and the risks associated with their work.

14.3.8 Whether employees have a legitimate reason for not being vaccinated (for example, a medical reason).

14.3.9 Vaccine availability.