

Early childhood service providers

Frequently Asked Questions

Why have these requirements been introduced?

The Early childhood services and immunisation requirements legislation (No Jab No Play) is an amendment to the *South Australian Public Health Act 2011 (the Act)* which aims to increase vaccination coverage rates, and thus increase protection of children enrolled in and attending early childhood services against vaccine preventable diseases (VPDs).

Following changes to the Act, from 7 August 2020, children will not be able to enrol in or attend early childhood services unless all immunisation requirements are met.

The Act states:

- > an early childhood service must not enrol a child if all immunisation requirements are not met
- > a child cannot attend, or continue to attend, an early childhood service if all immunisation requirements are not met
- > early childhood services must keep a current copy of an approved immunisation record for each child enrolled in, or attending that service, and
- > approved immunisation records must be supplied by parents/guardians to the early childhood service at specified times.

What services does this apply to?

For the purposes of this legislation an early childhood service is a service that provides the education and/or care of children under the age of 6 years, such as childcare, family day care, occasional care, kindergarten and early learning centres, including early childhood services provided at primary school sites.

Services such as primary education, babysitting, playgroups, childminding or services comprising out of school care are excluded from the legislation.

What does 'all immunisation requirements' refer to?

The National Immunisation Program (NIP) provides funded vaccines at specific ages to babies, toddlers, teenagers and adults eligible for a Medicare card.

The [NIP – South Australian Schedule](#) indicates at what ages certain vaccines must be administered. These are referred to as schedule points.

Vaccines must be administered on, or close to, the specific points for children to be considered **up to date** with their immunisations – usually a few days before or a few weeks after is acceptable.

Vaccines that are administered under NIP are recorded on the Australian Immunisation Register (AIR).

Unless the child has an approved exemption, if a child has not received all of their scheduled vaccines at the specific schedule points or as per a recognised catch-up service, then the AIR records the child as being 'not up to date'.

What is a catch-up schedule?

A child is registered for a catch-up schedule on the Australian Immunisation Register (AIR) when they have missed some vaccines as per the National Immunisation Program (NIP) schedule.

If the child's immunisation history statement indicates the child is on a catch-up schedule then the child is eligible to attend the service. A child can only be registered as being on an approved catch-up once.

What are the approved exemptions from meeting all immunisation requirements?

There are two processes that enable exemption from meeting all immunisation requirements. They are:

- > the Commonwealth Governments legislation, *A New Tax System (Family Assistance) Act 1999*, referred to as *No Jab No Pay*, and
- > the South Australian Public Health Act 2011, referred to as *No Jab No Play*.

What are the approved No Jab No Pay exemptions?

'No Jab No Pay' legislation approves these exemptions:

- > the child has a medical contraindication to a vaccine, such as anaphylaxis
- > the child has natural immunity to a particular disease
- > the child is part of an approved vaccine study
- > the vaccine is temporarily unavailable
- > the child is vaccinated overseas*, or
- > the Secretary (see below) has determined that the child meets the immunisation requirements.

These exemptions are applied through the Commonwealth Medicare system. They are usually applied by the child's medical practitioner and reflected on the child's immunisation history statement.

Parents and guardians will need to speak with their medical practitioner about whether exemptions to being vaccinated are to be considered valid.

*A child vaccinated overseas will not automatically be granted an exemption; the overseas schedule for which that child was vaccinated will need to meet Australian immunisation schedule requirements. [An immunisation provider](#) will need to assess if this meets the Australian requirements and enter all doses administered overseas into the Australian Immunisation Register (AIR).

Further information regarding exemptions and the process to apply for exemptions is detailed on the Commonwealth Government's Department of Social Services [Family Assistance Guide, Immunisation - approved exemptions](#) webpage.

What is a Secretary's exemption?

The [Family Assistance \(Meeting the Immunisation Requirements\) Principles 2015](#) set out the circumstances under which Secretary of the Commonwealth Government's Department of Social Services can determine that an individual has met the immunisation requirements for family assistance payments set out in the *A New Tax System (Family Assistance) Act 1999*.

Clinical experts have determined that there are a small number of individuals who do not meet the criteria for medical exemptions as set out in the Australian Immunisation Handbook, but for whom the risks of physical harm are greater than the benefits and a process has been developed to be able to apply for an exemption.

As an example, a child with autism might require general anaesthetic to be vaccinated.

An exemption is granted if:

- a. a listed medical practitioner has certified in writing that immunisation of the child would result in an unacceptable risk of physical harm to the child or a person administering a vaccination to the child; and
- b. the Commonwealth Chief Medical Officer has certified in writing that he or she agrees with the listed medical practitioner.

The listed Medical Practitioners in South Australia are specific doctors that provide specialist immunology services and the Women's and Children's Hospital [Specialist Immunisation Service Clinic](#). A GP referral is required to attend this clinic.

What are the South Australian Chief Public Health Officer exemptions for No Jab No Play?

- > children aged less than 7 months of age are exempt from the legislation;
- > Children that attend an individual or approved provider who is eligible for the additional child care subsidy ACCS (child wellbeing) with respect to that child are exempt from the legislation.
- > children who live or reside in the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands: or within the Oak Valley community; or within the Yalata community are exempt from the legislation;
- > children of Aboriginal or Torres Strait Islander descent a temporary exemption of six weeks will apply
- > as children come under the custody or guardianship of the Chief Executive of the Department for *Child Protection as per the Children and Young People (Safety) Act 2017* a temporary exemption of six weeks will apply;
- > as children transfer from the custody or guardianship of the Chief Executive of the Department for Child Protection pursuant to the *Children and Young People (Safety) Act 2017* to another guardian or to their parent, a temporary exemption of six weeks will apply.

In special circumstances, the South Australian Chief Public Health Officer may grant an exemption.

These exemptions may be;

- > in relation to a specified child or a group of children; or
- > in relation to specified early childhood services or early childhood services of a specified group.

These exemptions may be subject to;

- > conditions as the Chief Public Health Officer thinks fit, and
- > for a specified period and vary according to the circumstances for which it applies.

Early childhood services and immunisation requirements

To apply for an exemption an exemption application must be completed using the SA Health Chief Public Health Officer Immunisation Exemption Application Form.

An exemption request must be for reasons not listed on the [Commonwealth Government's Department of Social Services Approved Immunisation Exemptions](#) as applied through the Commonwealth Governments' legislation, *A New Tax System (Family Assistance) Act 1999*.

The application, along with any supporting documentation must be emailed to: Health.NJNPExemptions@sa.gov.au

Who must supply immunisation records?

The parent or legal guardian must supply the early childhood service with the approved immunisation records for their child.

When do approved immunisation records need to be provided?

The early childhood service must request that the parent or legal guardian of a child who is enrolled in or attends early childhood services, provide the service with approved current immunisation records at the below times:

- > at the time of enrolment
- > after the child turns 7 months of age but before the child turns 9 months of age
- > after the child turns 13 months of age but before the child turns 15 months of age
- > after the child turns 19 months of age but before the child turns 21 months of age
- > after the child turns 4 years and 2 months of age but before child turns 4 years 8 months of age.

Records must be provided at these times to show the child is up to date with all immunisations and the immunisations have been provided at the correct schedule points.

If a child enrolls in a service in between these specified times, then the record must be extracted no earlier than one month prior to that enrolment.

What are 'approved immunisation records'?

For most children, an approved immunisation record will be an 'immunisation history statement', which is downloaded from the Australian Immunisation Register (AIR).

The immunisation history statement is an official record of immunisations given to a child, and it will also indicate if a child has any approved exemptions.

The immunisation history statement will show:

- > the child's name
- > date of birth
- > the date the statement was downloaded, and
- > immunisation status, this may indicate:
 - up to date
 - not up to date; or
 - on a catch-up schedule.

Refer to the resource [AIR Immunisation History Statement Examples](#) for further information.

Children that are not up to date must be excluded under the Act.

In very rare circumstances, a certificate from the Chief Public Health Officer or a document approved by the Chief Public Health Officer may be accepted.

A letter from a GP, overseas immunisation record, or the South Australian Child Health and Development Record (the "Blue Book") are not considered approved immunisation records.

How do I check if an immunisation record, exemption notice or certificate is current?

An immunisation record provided to the early childhood service must:

- a. at the time of enrolment, be downloaded no earlier than one month prior to enrolment; and
- b. be downloaded within the specified age ranges (for example after the child turns 7 months of age but before the child turns 9 months of age); and
- c. in the case of a document approved by the Chief Public Health Officer, or a certificate in writing issued by the Chief Public Health Officer, be provided within the validity period of that document or certificate.

If a child is attending the service for the first time and is aged outside of the specified times when records must be provided, the record should be downloaded no earlier than one month prior to enrolment into the service, and the record must indicate the child's vaccinations are up to date for their age.

Do early childhood services need to interpret the immunisation records or the National Immunisation Program Childhood Schedule?

No. Early childhood services will not be required to know or interpret the National Immunisation Program childhood schedule, or provide medical or immunisation advice to parents/guardians. Parents should be directed to their [immunisation provider](#) for any assistance.

How do parents or legal guardians get an immunisation history statement?

Immunisation history statements can be accessed by:

- > [Medicare online account through myGov](#)
- > [Express Plus Medicare mobile app](#) (through an existing myGov account)
- > Contacting the Australian Immunisation Register general enquiries line on **1800 653 809** and requesting a statement be mailed out.

The [How do I get an Immunisation history? – Guide](#) outlines the process.

What happens if parents or legal guardians refuse or claim they are unable to provide a child's immunisation record?

Early childhood service providers must request and take reasonable steps to ensure that the parent or legal guardian of each child enrolled in, or attending the premises, provides the immunisation records for their child.

If the records are not provided, the service cannot enrol the child, or continue to provide a service to the child.

Maximum penalties of \$30,000 can apply to the early childhood service.

What is the process for children born overseas?

Overseas immunisation records need to be added to the Australian Immunisation Register by an immunisation service provider.

Some records may require translation before they can be added to the Australian Immunisation Register.

For immunisation records that require translation, parents/legal guardians will need to complete the [Australian Government Free Translating Services application](#). The Free Translating Service can be used by most permanent and some temporary residents. All fields must be completed in English.

If parents or guardians require an interpreter to complete the application, contact the National Translating and Interpreting Service on 131 450.

For those that are not eligible for the Free Translating Service, there are a number of accredited translator or interpreter services available. Visit the [National Accreditation Authority for Translators and Interpreters](#) web page to locate a service.

Parents/guardians will need to take a translated copy of the child's immunisation records to an immunisation provider.

What if the child is not eligible for a Medicare card?

Children can still be added to the Australian Immunisation Register even if they do not have a Medicare card.

An AIR registration file is created when a vaccination record is notified to AIR, such as the overseas immunisation records being added to the AIR by an [immunisation service provider](#).

Individuals who are not registered on Medicare need to have a registration record created on AIR prior to immunisation providers being able to view the immunisation history on the AIR site.

Individuals who do not have a Medicare card can ring the Australian Immunisation Register and request an Immunisation history statement and it will be posted to them.

An immunisation provider may also print the Immunisation history statement for them from the AIR site, as long as the AIR record has been created.

If the child does not have a Medicare card, and the child is not up to date with all immunisation requirements, parents may have to pay for any vaccinations that are still required.

How should early childhood services collect and manage immunisation records?

Early childhood services may need to contact their approved provider, owner/operator or governing body if further assistance relating to the record management process for their service is required.

What do early childhood services need to do with the records?

Early childhood services are required to retain the provided immunisation records during the time the child is enrolled or attends the service in accordance with their records management processes.

The records are required to be provided to the Chief Public Health Officer during an outbreak (or risk of an outbreak) of a vaccine preventable disease, on request.

What happens in the event of an outbreak of a vaccine preventable disease?

In the event of an outbreak of a vaccine preventable disease, or the risk of a vaccine preventable disease, the Chief Public Health Officer (or delegate) may request the early childhood service provider to:

- > provide the names and date of birth of children enrolled, or children who routinely attend the service
- > provide immunisation records relating to each child
- > provide parent or guardian contact details for each child.

Early childhood service providers must be able to provide the above details within 24 hours of a request from the Chief Public Health Officer (or delegate). This will enable the Chief Public Health Officer (or delegate) to review the immunisation status of children at the service and to exclude any child at risk of contracting the vaccine preventable disease.

For further information

SA Health Early Childhood Services and Immunisation Requirements [webpage](#).

For more information

Immunisation Section
Communicable Disease Control Branch
Telephone: 1300 232 272
sahealth.sa.gov.au/immunisation

Public I1-A2



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