



Terms of Reference and Process Immunisation Policy Local Health Panel

Purpose

The Local Health Panel through the relevant SA Health service supports the implementation of the [Addressing vaccine preventable disease: Occupational assessment, screening, and vaccination Policy \(2022\)](#).

Scope

The Local Health Panel provides recommendations for the management of special circumstances where a Health Care Worker (HCW) in a SA Health service is unable (due to temporary or permanent contraindications to vaccination, or non-response to vaccination), or refuses to comply with the Policy, and an acceptable outcome consistent with the Policy has not been reached through local area management procedures.

Membership

The Local Health Panel is a group of a minimum of two people convened to provide expertise in infection control and risk management in relation to matters specific to administration of this Policy within SA Health. It should include a nursing or medical expert from staff health/worker health, infection control or infectious diseases and a clinical expert from the area involved. It should not include the person who originally assessed the immunisation category for the role.

Responsibilities

The Local Health Panel will provide expert technical advice and identify management options for the HCW who is non-compliant with the Policy, with consideration of the responsibilities, location, duration, staffing profile and client/patient profile of the HCW position.

Operating procedures

Convening the Local Health Panel

The Local Health Panel will only be convened as the need arises to review specific HCW cases.

The Policy indicates that a Local Health Panel may be convened in situations where:

- A HCW's duties are assessed as mandated for vaccination and/or screening and/or TB screening and the HCW refuses to participate in vaccination and/or screening and/or TB screening/assessment; or
- A HCW does not have immunity to one or more vaccine preventable diseases required for their work role; or
- A HCW disputes the risk categorisation assigned to their role and management options (including appropriate work placements, work adjustments and/or work restrictions) have been considered at a local area level and no acceptable outcome consistent with the Policy is reached.

Categories for which a Local Health Panel would be engaged include, however are not limited to:

1. Existing employees within SA Health services who **refuse** recommended screening and/or vaccinations.
2. Student HCWs, prospective or existing employees who are **unable to be vaccinated** due to temporary or permanent medical contraindications and who have undergone a further specialist medical assessment.



Process

- At any stage, management within the relevant SA Health service may seek a risk assessment. The risk assessment is undertaken by the Local Health Panel to reassess the risk and identify available management options to manage the risks consistent with the Policy.
- The request to convene a Local Health Panel should be made to the Local Staff Health/Worker Health team (or equivalent) by completing the [Request for LHN Local Immunisation Panel Review](#) as per local SA Health service procedures.
- The local Staff Health/Worker Health team (or equivalent) will assemble the Local Health Panel ensuring the panel consists of a nursing or medical expert from staff health/worker health (or equivalent), infection control or infectious diseases and a clinical expert from the area involved.
- Local SA Health service processes will also be implemented to engage and notify the HCWs Area Director(s) and/or Executive that the Local Health Panel is required.
- The Local Health Panel will reassess the risk and allocated immunisation category, seeking management options from the Chief Executive or delegate, consistent with the Policy.
- Where practicable, following a risk assessment undertaken by the Local Health Panel, the employing authority (or delegate) may give the HCW the opportunity to reconsider any decision regarding screening and/or vaccination refusal. The employing authority (or delegate) may give the HCW an opportunity to be engaged in the process to determine any appropriate future work/placement options (short and long term) consistent with the risk assessment.
- In the event the HCW is determined to be non-compliant with mandatory vaccination and health screening requirements and the employing authority (or delegate) intends to take any adverse management options the employing authority (or delegate) should provide the employee an opportunity to respond to intended adverse management options.
- Any action will be considered on a case-by-case basis taking into account any response from the HCW. This does not prevent the employing authority (or delegate) from taking immediate actions including issuing interim managerial directions to ensure compliance with this Policy or to minimise risks to the safety of the HCW, other workers, patients, clients or members of the public.

Outcome and appeals process

- Once a decision has been made by the Local Health Panel, the outcome will be communicated to the HCW's Local Area Manager or Clinical Placement Coordinator, who in turn will communicate it to the HCW.
- The HCW has 21 days to respond if they intend to appeal.
- Decisions made are reviewable in accordance with the provisions of the Public Sector Act for those staff employed under the [Public Sector Act 2009](#) and the [SA Health HR Manual](#) for those staff employed under the [Health Care Act 2008](#).