# Consent Guidance Material for providers of disability residential accommodation

## National COVID-19 Vaccination Program

COVID-19 is a very contagious virus that can cause serious respiratory infection, particularly in some people with disability. Immunisation is a safe and effective way to help protect you, and the people to whom you provide support for. It can help protect against serious disease caused by the COVID-19 virus.

People with disability and workers can choose whether they have the vaccine.

The COVID-19 vaccine is voluntary for all individuals at this stage. This is based on expert medical advice from the [Australian Health Protection Principal Committee.](https://www.health.gov.au/committees-and-groups/australian-health-protection-principal-committee-ahppc)

Disability providers are encouraged to talk to the people with disability they support and their workers about having the vaccine. The vaccine is a way to protect people with disability, workers and the wider community.

## Prioritising people with disability living in residential accommodation and their workers

People with disability living in residential accommodation, where two or more people with disability live, can choose to receive the COIVD-19 vaccine in the first phase. This includes their workers. This is part of the first phase (Phase 1a) of Australia’s COVID-19 vaccine national roll-out strategy.

Disability providers should start seeking consent now so there is no delay in scheduling the vaccine. This will also give people with disability and workers time to make an informed decision and seek advice from their GP. Disability providers can also contact the Public Guardians where required. These processes may take time due to the current demand.

## What consent do people with disability need to provide before they have the COVID-19 vaccine?

All Australians must give [informed consent](https://www.health.gov.au/resources/publications/covid-19-vaccination-atagi-immunisation-provider-guide-to-obtaining-informed-consent-for-covid-19-vaccine) before having the COVID-19 vaccine. This is the same as with all other vaccines.

The Department of Health has developed a written Consent Form that people with disability and workers in residential settings can use. It is not a requirement to use this particular consent form.

Providers should adopt their usual consent processes to obtain informed consent. This may be your usual consent form or you should use specific requirements in your jurisdiction, if there are any. Written consent is not mandatory, but preferable.

What is important is that people with disability understand what they are agreeing to.

That is:

* understand what the COVID-19 vaccine is and what it is for
* understand the benefits of the vaccine
* understand the risks of the vaccine.

People should give consent for the COVID-19 vaccine generally and not for one particular vaccine such as Pfizer or AstraZeneca.

Consent should also be given for the second injection of the vaccine. The Consent Form provided by the Department of Health asks for consent to the second vaccine injection. If you choose your own consent form please ensure that consent is used for both the first and second injections.

A person with disability, their families and carers can engage with GPs and other health professionals to discuss the risks and benefits of the vaccine. They can also ask whether it is appropriate for someone to receive the vaccine. This may assist in ensuring there is informed consent to have the vaccine. Final consent is the decision of the person with disability and/or the person who supports them to make decisions.

GPs do not need to prescribe the COVID-19 vaccine for people with disability.

## Recording evidence of informed consent

It’s important to keep a record of who has given consent to have the vaccine.

You will need to provide evidence that you have provided informed consent to the vaccination team.

The vaccine team will request a copy of the consent form for their records.

If you provide consent verbally, the vaccination team will require clinical notes of that consent.

The vaccine providers may request a copy of the consent form. Providers will retain the original consent form.

## What if someone needs support to make a decision about whether to have the vaccine?

If someone needs support and has in place a substitute decision-maker (such as a legal guardian) or a person that usually supports them to make decisions, the decision-maker needs to consider the wishes and preferences of the person with disability around vaccinations. This includes considering previous decisions to have vaccinations.

The person with disability should actively engage in the discussion and decision whether to have the vaccine. This should be in line with [supported decision making](https://www.health.gov.au/funnelback/search?query=Support%20decision%20making) principles in each jurisdiction.

It is important to seek consent from your residents or their legal guardians. It is important to do this as early as possible to ensure they have time to provide the consent.

For further information about consent, refer to the Australian Immunisation Handbook – Preparing for vaccination – Valid consent.

## Supported decision-making tools and resources

Some aspects of the following resources may be specific to the state or territory where they were developed. But much of the information will be relevant across Australia.

* [NSW Public Guardian information on supported decision-making for people with a disability](https://www.publicguardian.justice.nsw.gov.au/Pages/Supported-DecisionMaking.aspx)
* [ADACAS Advocacy web-based decision-making tool in plain English for people with a disability (needs a log in)](http://www.adacas.org.au/supported-decision-making/supported-decision-making/)

## Advocacy organisations

Advocacy organisations can provide information and guidance and support people with disability to communicate their wishes. The final consent on whether to have the vaccine is the decision of the person with disability and/or the person who has legal authority to make decisions on their behalf.

To see the advocacy organisations visit [Disability Advocacy Finder (dss.gov.au)](https://disabilityadvocacyfinder.dss.gov.au/disability/ndap/)

## State and Territory Consent information

Information on state and territory laws on consent for medical procedures:

* [New South Wales](https://www.health.nsw.gov.au/policies/manuals/Pages/consent-manual.aspx)
* [Victoria](https://www2.health.vic.gov.au/mental-health/practice-and-service-quality/mental-health-act-2014-handbook/recovery-and-supported-decision-making/informed-consent)
* [Queensland](https://www.health.qld.gov.au/consent)
* [South Australia](https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/end+of+life+care/consent+to+medical+treatment+and+healthcare)
* [Western Australia](https://healthywa.wa.gov.au/~/media/Files/Corporate/Policy%20Frameworks/Clinical%20Governance%20Safety%20and%20Quality/Policy/WA%20Health%20Consent%20to%20Treatment%20Policy/Supporting/WA-Health-Consent-to-Treatment-Policy.pdf)
* [Tasmania](https://www.publicguardian.tas.gov.au/__data/assets/pdf_file/0004/555160/Consent-for-Medical-and-Dental-Procedures-Fact-Sheet.pdf)
* [Northern Territory](https://publicguardian.nt.gov.au/sites/default/files/understanding_the_nt_guardianship_of_adults_act.pdf)
* [Australian Capital Territory](file:///U:\Downloads\1994-72.pdf)

## Guidance Materials

This pack contains guidance materials, including a consent form and vaccine information sheet. People with disability, workers, families, carers, guardians, advocates and others to inform participation in the National COVID-19 Vaccination Program can use these materials. Some materials have been developed for all Australians, by the Australian Technical Advisory Group on Immunisation (ATAGI). ATAGI advises the Minister for Health on a range of immunisation issues, including COVID-19.

The guidance materials include:

* Consent form (ATAGI)
* Information on COVID-19 Pfizer (Comirnaty) vaccine – fact sheet
* Pre vaccine information (ATAGI)
* Post vaccine information (ATAGI)

The information in this pack should be provided to the person with disability and/or substitute decision makers. This information will assist them make informed decisions about the   
COVID-19 vaccine. If the person with disability needs support to read this information, you should arrange to have this information read and/or explained to them.

Easy read information about the vaccine and giving informed consent is available on the Department of Heath COVID-19 vaccines website.

Australian Government, state and territory government helplines will be have information on how people with disability can access the vaccine.

Disability Gateway Helpline: [**1800 643 787**](tel:1800%20643%20787)

Disability Gateway website: [www.disabilitygateway.gov.au](http://www.disabilitygateway.gov.au/)

If you are deaf, or have a hearing or speech impairment, you can also call the National Relay Service on **133 677.**

The National Coronavirus Helpline: **1800 020 080**

Translating and Interpreting Service (TIS National): For translating and interpreting services call **131 450** and ask for the helpline you would like to be connected to.

Learn more at the Department of Health’s [COVID-19 vaccines website](hhttps://www.health.gov.au/initiatives-and-programs/covid-19-vaccines) and subscribe to the [COVID-19 vaccines update](https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/subscribe-to-covid-19-vaccines-updates).