# Handling consent refusal by people presenting for vaccination

This factsheet provides guidance for vaccination providers on handling consent refusal by people presenting for vaccination. This may occur, for example, where a person requires vaccination for their employment.

**Background**

**Vaccine providers have reported some people have requested vaccination but have refused to provide informed consent.** It can be associated with behaviour that includes, but is not limited to:

* aggressive, abusive, apologetic, blame shifting, quiet and loud behaviour;
* offering bribes or gifts to falsify consent documentation;
* changing words on consent forms (e.g. crossing out consent and replacing with ‘coerced’ or ‘forced’); and
* trying to engage in political debate or discussion including ‘violation of rights’ and ‘personal freedoms’.

**What is informed consent and why is it important?**

**Informed consent is an individual’s voluntary decision to agree to a healthcare treatment, procedure or intervention**, such as a COVID-19 vaccination, in its entirety, after the individual has been provided understandable, sufficient, appropriate and reliable information about the intervention, including the potential risks and benefits. Consent can be verbal or written.

As a health professional you:

* require informed consent from a patient prior to providing them with a vaccination; and
* have a duty of care to ensure patients are making educated and informed decisions about vaccination.

It is not your role as a health professional to debate topics or change a patient’s opinion. Patients may be hesitant for a range of reasons such as their beliefs about vaccination, bad experience with previous vaccination, needle phobia or misinformation.

**Can I vaccinate a patient if they are mandated to receive a vaccination?**

**A patient must provide informed consent prior to vaccination.**

If a patient has not provided informed consent, you **should not** vaccinate them, even if they are mandated to receive a COVID-19 vaccination to perform particular roles or enter certain settings.

**What should I do if a patient is aggressive or I feel threatened?**

**Staff safety is a priority and you do not have to tolerate aggressive behaviour.** If a patient is being aggressive, you can:

* request the patient to leave the clinic; or
* if you do not feel comfortable to request a patient to leave, and if able, remove yourself from the situation and escalate to a supervisor.

The following page provides some suggested talking points to assist you to have conversations with patients who do not provide informed consent.

**Resources**

* The Australian Technical Advisory Group on Immunisation has released information for providers on [COVID-19 Vaccination Consent & FAQ](https://www.health.gov.au/resources/publications/covid-19-vaccination-consent-information-for-providers-covid-19-vaccination-consent-and-faqs)
* Healthdirect has published information about [Informed Consent](https://www.healthdirect.gov.au/informed-consent)
* The Australian Immunisation Handbook has information about [Preparing for Vaccination](https://immunisationhandbook.health.gov.au/vaccination-procedures/preparing-for-vaccination#accordion-para-11276-189034), including obtaining valid consent
* [Consent form for COVID-19 vaccination](https://www.health.gov.au/sites/default/files/documents/2021/10/covid-19-vaccination-consent-form-for-covid-19-vaccination-covid-19-vaccination-consent-form_0.pdf)

# Talking points for patients who exhibit vaccine consent refusal

**Key questions to ask the patient to confirm consent**

* I am about to vaccinate you with [name of vaccine]. Do you consent to receiving this vaccine? **The answer must be *YES.***

**Patient expresses that they feel like they are being forced into a COVID-19vaccination**

* This must be a difficult situation for you. Would you like to discuss your concerns with me?
* It sounds like you have some concerns about getting vaccinated today. Would you like to go over this together and I can provide you with some information about the COVID-19 vaccines?

**Patient wants to debate topics around vaccines and vaccination**

* I cannot engage in this conversation with you in a professional capacity.
* If you would like to receive a COVID-19 vaccination, you must provide informed consent.

**Patient informs you they must get vaccinated to remain employed but do not provide informed consent**

* As a health professional, I cannot comment on vaccine mandates.
* I suggest that you should have this conversation with your employer.
* I cannot vaccinate you without your informed consent.

**Patient asks you to report, or offers you a bribe, to report that you have administered a COVID-19 vaccine and falsify records**

* It is against the law for me to report a vaccine that I have not administered or sighted evidence for.
* It is against the law for me to accept a bribe to falsify a document, I can lose my licence to practice, face criminal charges and even receive jail time.
* I cannot be involved in the falsification of vaccination status or medical exemptions as I can be subject to civil penalties, criminal convictions and possibly even jail time.