

# No Jab, No Play

## Frequently Asked Questions

14 September 2015

Under the proposed 'No Jab, No Play' legislation, all parents/guardians seeking to enrol their child at an early childhood service in Victoria will be required to provide evidence that the child is:

- fully immunised for their age **OR**
- on a vaccination catch-up program **OR**
- unable to be fully immunised for medical reasons.

'Conscientious objection' will not be an exemption.

It is intended that the law will come in to effect from 1 January 2016, subject to the passage of legislation.

### About vaccination

#### Why are vaccinations so important?

Vaccination is one of the most effective interventions to prevent disease worldwide. Modern vaccines provide high levels of protection against an increasing number of diseases which, in some cases, can be fatal.

Worldwide, it is estimated that immunisation programs prevent approximately 2.5 million deaths each year.

The current immunisation rate in Victoria for children under 5 years of age is around 92 per cent; however immunisation coverage of 95 per cent is necessary to halt the spread of particularly virulent diseases such as measles.

Immunisation not only protects those people who have been vaccinated, it also protects those in our community who may be unable to receive vaccines themselves, by reducing the prevalence and spread of disease.

#### What immunisations are required for children at childcare and kindergarten?

Under the proposed legislation, children will be required to be fully vaccinated for their age.

For more information, view the [immunisation schedule](#) for vaccines available under the National Immunisation Program, and when they should be received.

#### Where can parents/carers access immunisation services?

GPs, immunisation nurses at local councils, and health clinics can provide immunisation services.

The Better Health Channel website has a [health service locator](#) that can assist Victorians to find their nearest immunisation provider.

#### Are vaccines safe?

The scientific evidence supporting vaccination is overwhelming, and the benefits far outweigh the very small risks.

All vaccines currently available in Australia must pass stringent safety testing before being approved for use by the Therapeutic Goods Administration, Australia's regulatory authority for therapeutic goods. Safety testing is required by law and is usually done over many years during the vaccine's development.

Once vaccines are in use, their safety is continually monitored by the Therapeutic Goods Administration and other organisations.

All immunisation providers play an important role in reporting adverse events following immunisation which assists in safety surveillance after a vaccine is registered for use in Australia.

### About the 'No Jab, No Play' law

#### When would the 'No Jab, No Play' law come into effect?

Legislation will be introduced into Parliament this year. It is intended that the proposed legislation will come into effect from 1 January 2016.

Already confirmed enrolments for a place at an early childhood service commencing at the beginning of 2016, confirmed in writing by the service before the proposed legislation comes into effect, will not be impacted by the proposed legislation.

Being registered on a waiting list for a place at an early childhood service is not a confirmed enrolment.

## Who will the 'No Jab, No Play' law impact and how?

From 1 January 2016, these laws will apply to all early childhood education and care services in Victoria providing:

- long day care
- kindergarten
- occasional care
- family day care.

The proposed legislation would not apply to:

- enrolment in primary or secondary school
- outside school hours care (after care, before care, vacation care)
- enrolments of school children in long day care, family day care or occasional care
- casual occasional care services that offer care of less than 2 hours per day and less than 6 hours per week. This includes crèches at gyms and shopping centres
- playgroups.

Nothing would change for parents of children who are fully immunised because existing legislation already requires that immunisation information is provided on enrolment in early childhood education and care service.

Resources would be provided to early childhood services to assist families of children who aren't up-to-date with their immunisations with support and information as to where they can access vaccinations.

## Why is conscientious objection not an exemption under the proposed legislation?

The purpose of removing this exemption is to ensure as many children as possible are vaccinated against serious and potentially life-threatening illnesses.

If parents/carers have questions or concerns about immunisation or particular vaccines, they should seek answers from a qualified source, such as a GP or immunisation nurse.

The [Better Health Channel](#) also provides quality-assured information online.

## Do the proposed 'No Jab, No Play' laws breach human rights?

The Victorian Charter of Human Rights and Responsibilities is a law that protects the human rights of all people in Victoria. The rights in the charter may be subject to reasonable limitation. Reasonable limitation involves balancing the rights of the individual with the need for government to protect the broader

public interest especially in relation to public safety, health and order.

The benefits of immunisation are overwhelming, preventing death and disability, and protecting not only the individual but others in the community who cannot be vaccinated.

The public health risks of failing to vaccinate are so great, and that is why the Government is committed to implementing the 'No Jab, No Play' law to boost immunisation rates in the community.

## Shouldn't immunisation be a personal choice?

The proposed legislation would not mandate vaccinations, nor would it allow the administration of vaccines without consent. You may continue to make a choice not to vaccinate your child.

However, Governments have a responsibility to make decisions that balance the best possible community health outcomes with individual choices. Preventing problems before they occur is vital to good health.

The purpose of 'No Jab, No Play' is to increase immunisation rates in the community, particularly amongst young children. This is a public health priority, given the serious risk posed by vaccine-preventable diseases and the proven safety and efficacy of vaccines.

## Will 'homeopathic immunisation' be accepted under 'No Jab, No Play'?

No. 'Homeopathic immunisation' is not a recognised form of immunisation. For more information view the [Homeopathy and Vaccination fact sheet](#) produced by the National Centre for Immunisation Research.

## Could a child care service for unvaccinated children open in Victoria?

Anyone offering education and care services as defined under the *Education and Care Services National Law Act 2010* is required to be licensed by the Department of Education and Training.

Such services are required to meet minimum standards in relation to staffing, premises and operational requirements to protect children's safety, health and wellbeing. From 1 January 2016, this will also include adhering to the 'No Jab, No Play' requirements.

If the Department of Education and Training believed an unapproved or unlicensed service was in operation this would be promptly investigated. The maximum penalty for operating an unlicensed education and care service is \$20,000 for an individual or \$100,000 for a company or incorporated association.

## About required documentation

### Under 'No Jab, No Play' what documentation would be required as evidence of up-to-date vaccination?

Existing legislation already requires that immunisation information is provided on enrolment.

Once the proposed 'No Jab, No Play' law is in effect, to finalise enrolment for a child in long day care, kindergarten, family day care or occasional care, parents/carers would have to provide the service with an immunisation status certificate that shows their child:

- is up to date with vaccinations for their age **OR**
- is on a vaccine catch-up schedule **OR**
- has a medical condition preventing them from being fully vaccinated.

An immunisation status certificate is a statement showing the vaccines a child has received. The most common type of immunisation status certificate is an **Immunisation History Statement** from the Australian Childhood Immunisation Register (ACIR).

Immunisation History Statements can be requested at any time by contacting Medicare:

- phone 1800 653 809
- email [acir@medicareaustralia.gov.au](mailto:acir@medicareaustralia.gov.au)
- visit [the Medicare website](#)
- visit your local Medicare office.

Medicare automatically posts parents/carers an ACIR Immunisation History Statement after their child has completed their 18 month and 3½-4 year old vaccinations.

Alternatively, parents and carers would be able to obtain documentation from immunisation providers that would meet the requirements for enrolment. These would have to show what vaccines the child has had and any medical contraindications.

Resources are being developed for immunisation providers and early childhood services to ensure that simple, clear documents are available to facilitate enrolment.

It is likely that, in most cases, providing the ACIR Immunisation History Statement will be the easiest process for services and parents.

### What would be considered a 'medical exemption' under 'No Jab, No Play' and what documentation would be required as evidence?

Under the proposed laws, some children may be exempt from the requirement to be fully vaccinated on medical grounds.

Examples of valid medical reasons that a child could not be fully vaccinated include:

- an anaphylactic reaction to a previous dose of a particular vaccine, or
- an anaphylactic reaction to any vaccine component
- has a disease which lowers immunity (such as leukaemia, cancer, HIV/AIDS, SCID), or
- is having treatment which lowers immunity (such as chemotherapy).

Parents/carers who think their child may require a medical exemption to one or more vaccines should consult their GP or contact the Immunisation Service at their local council.

If a child had a medical reason they cannot be vaccinated, a GP or immunisation nurse from the **local council immunisation service** would need to complete and sign a Medicare **Immunisation Exemption Medical Contraindication Form**, and send it to the Australian Childhood Immunisation Register (ACIR).

The parent would then need to obtain an updated Immunisation History Statement from the ACIR that indicated the child was up-to-date with all the vaccines that they can have, and listed the vaccines that they cannot have. This statement would need to be provided by the parent to the early childhood service to finalise enrolment.

Alternatively, parents and carers would be able to obtain documentation from immunisation providers that would meet the requirements for enrolment.

### What would parents/carers whose child's vaccinations are not up-to-date need to do to obtain acceptable documentation?

Under the proposed legislation, **if a child's vaccinations are not up-to-date** the parents/carers should consult their doctor or immunisation nurse about bringing the child's vaccinations up to date.

In some cases a child may have **missed only the last due vaccine** and their doctor or immunisation nurse would give the overdue vaccine and inform the Australian Childhood Immunisation Register (ACIR). The parent/carer would then need to request an updated Immunisation History Statement from ACIR.

The updated ACIR Immunisation History Statement showing that vaccines were then 'up-to-date' would need to be provided by the parent to the early childhood service to finalise enrolment.

In some cases a child may have **missed all or several vaccines**. In this instance, the doctor or immunisation nurse would develop an approved vaccination catch-up program. The immunisation provider would need to complete and sign a [Medicare Immunisation History Form](#) and provide a copy to the Australian Childhood Immunisation Register (ACIR) and a copy to the parent/carer.

The child would have to start the catch-up schedule and be on track with their vaccinations according to that schedule. They would not need to have completed the schedule before enrolment could be confirmed.

The immunisation provider would provide documentation about the catch up schedule that the parent could then provide to the early childhood service to finalise enrolment.

Families who experience difficulty accessing vaccinations or the required documents would be able to seek support and guidance from the early childhood service.

If parents/carers have questions or concerns about immunisation or particular vaccines, they should seek answers from a qualified source, such as a GP or immunisation nurse.

The [Better Health Channel](#) also provides quality-assured information online.

### **How would parents/carers obtain acceptable documentation if their child was vaccinated overseas?**

Families whose children were vaccinated overseas would consult their doctor or immunisation nurse. Overseas vaccination schedules may differ from the Australian schedule and need to be checked by a doctor/nurse who will transfer the information to the Australian Childhood Immunisation Register (ACIR).

If/once the child is up-to-date with the Australian schedule, the ACIR would issue the parent with an Immunisation History Statement that shows they are up-to-date.

For families that do not have a Medicare card, vaccines recorded and provided in Australia can still be recorded on ACIR. The parent/carer would be able to contact ACIR and request a copy of the Immunisation History Statement. The parent would have to provide the

statement to the early childhood service to finalise enrolment.

If the child was not up-to-date with the Australian schedule a catch-up schedule would need to be developed.

The immunisation provider would provide documentation about the catch up schedule that the parent/carer could then provide to the early childhood service to finalise enrolment.

### **What about vulnerable children who are behind on their vaccinations and find it difficult to access the required documentation or immunisation services?**

There are some children in the community whose families face difficulties accessing vaccinations and/or the required documentation to prove immunisation status.

Under the proposed legislation, some families (such as those who are eligible for kindergarten subsidies) would be eligible to enrol and commence at the childcare/kindergarten service while they bring their children's vaccinations up-to-date.

Early childhood services would support families of children who are not up-to-date with their vaccinations and provide them with information as to where they can access vaccinations.

## **More information**

### **View the 'No Jab, No Play' Bill**

Once the Bill has been introduced in Parliament, it will be available online at

<http://www.parliament.vic.gov.au/static/www.legislation.vic.gov.au-bills.html>

### **About Commonwealth 'No Jab, No PAY' initiative**

The Commonwealth Government has announced changes to immunisation requirements for eligibility for family assistance payments, known as 'No Jab, No PAY'.

They have announced that, from 1 January 2016, subject to passage of legislation, families will no longer be eligible for family assistance payments if their children (up to the age of 19) are not fully immunised or if they do not have an approved medical exemption. For information call the Families and Parent Line: 13 61 50.

### **About immunisation documentation**

Australian Childhood Immunisation Register  
Immunisation History Statement: phone 1800 653 809

Medicare Immunisation History Form :

<http://www.humanservices.gov.au/customer/forms/immu13>

Immunisation Exemption Medical Contraindication:

Form: <http://www.humanservices.gov.au/health-professionals/forms/immu11>

### **Find an immunisation service**

The Better Health Channel website has a [health service locator](#) that can assist Victorians to find their nearest immunisation provider:

[http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/services\\_and\\_support?open](http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/services_and_support?open)

### **About the childhood immunisation schedule**

Immunisation – childhood fact sheet:

[http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/Childhood\\_immunisation?open](http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/Childhood_immunisation?open)

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Available at

<http://www.health.vic.gov.au/immunisation/factsheets/no-jab-no-play.htm>