



Department
of Health &
Social Care

39 Victoria Street
Westminster
London
SW1H 0EU

To:
Care home providers
Care home managers

13 October 2021

Dear Colleagues,

Throughout the COVID-19 pandemic, the care sector has done a phenomenal job to support and protect those most at risk from COVID-19. People across the sector have risen to this unprecedented challenge and gone above and beyond the call of duty to keep those they care for safe.

Following the decision to implement vaccination as a condition of deployment for Care Quality Commission (CQC) regulated care homes, Government have been made aware of various documents making claims regarding the legality of implementing this requirement. We are very clear that care home providers should follow government [guidance for implementation](#), including on employment practices for engaging with staff, supporting compliance and when assessing how individuals working or volunteering in CQC-registered care homes provide evidence of a medical exemption.

Government guidance for temporary self-certified exemptions, available [here](#), and the formal exemptions, found [here](#), clearly sets out the specific forms of evidence that the government considers satisfactory in demonstrating that a person is exempt from vaccination for clinical reasons. Care home providers should take such government guidance into account when considering what evidence is satisfactory. We advise providers to accept exemption evidence that is in line with government guidelines as follows:

Exemptions can be demonstrated through the temporary self-certified exemption letter we have published until 24 December.

After 24 December exemptions will need to be demonstrated by the formal process. Individuals applying for a medical exemption will automatically get the results of their application by post 2 to 3 weeks after applying. This notification letter can be used by an individual to prove their exemption status, pregnant women can also use MAT B1 certificates.

There is specific advice in Annex A of the [operational guidance](#), on employment practices to support employer's engagement with staff about the regulations, internal vaccination policies and guidelines on fair reasons to dismiss staff who do not comply the regulations.

Skills for Care and Advisory, Conciliation and Arbitration Service (ACAS) have also developed one stop webpages with resources and information to help care providers and local authorities support their people through the new regulations.

Skills for Care resources can be found here: <https://www.skillsforcare.org.uk/Recruitment-retention/COVID-19/COVID-19-Vaccination.aspx>, and includes key information about:

- The initial 16-week grace period of the legal requirements;
- How providers can prepare for the changes, including who needs to be vaccinated, who might be exempt, legal expectations and implications for staff who choose not to be vaccinated;
- Practical case studies from organisations that have started to implement these changes already.

ACAS advice available here: <https://www.acas.org.uk/coronavirus>, can support providers with:

- Implementing return to work procedures;
- Keeping staff and the workplace safe;
- Supporting staff to get vaccinated;
- Pay queries related to self-isolation and sickness.

On 15 September, we introduced a temporary process for people working or volunteering in care homes to self-certify as exempt if they believe they met the medical exemption criteria. This self-certification process was established temporarily until the launch of the formal exemption process. Self-certification forms would only be valid for 12 weeks after this new system launched, therefore will expire on 24 December 2021.

In order to continue to work or volunteer in a care home after 24 December 2021, individuals need to obtain a formal exemption. They can do so by ringing 119 and requesting a NHS COVID Pass medical exemption application form as set out [in this guidance](#). Individuals applying for a medical exemption will automatically get the results of their application by post 2 to 3 weeks after applying. This notification letter can be used by an individual to prove their exemption status. Pregnant women can also use MAT B1 certificates.

Thank you again for your ongoing support and dedication to the implementation of vaccines as a condition of deployment regulations. It's important we continue to encourage and support those that have not yet taken the vaccine, so that we can protect those most vulnerable to COVID-19.

Kind regards,

COVID-19 Vaccines Consultation and Legislation Team



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Department of Health and Social Care
39 Victoria Street, London, SW1H 0EU
Follow us on Twitter [@DHSCgovuk](#)
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