

# No Jab, No Play

## Frequently asked questions

01 May 2017

Under the 'No Jab, No Play' legislation, before enrolling a child, early childhood services must first obtain [evidence](#) that the child is:

- fully immunised for their age OR
- on a [recognised vaccination catch-up program](#) OR
- unable to be fully immunised for [medical reasons](#).

'[Conscientious objection](#)' is not an exemption under the 'No Jab No Play' legislation.

This legislation came into effect on 1 January 2016.

## 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 93 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 legislation, children are 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?

Local council immunisation nurses, GPs 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 rare 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. In Victoria the agency that receives all reports is SAEFVIC (Surveillance of Adverse Events Following Vaccination in the Community) - more information at the [SAEFVIC website](#) or 1300 882 924.

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

### What is the objective of the 'No Jab No Play' law?

The purpose of the law is to increase immunisation rates for young children in the community.

The legislation was designed to:

- provide a prompt regarding immunisation for parents enrolling their child in early childhood education
- allow for children of families experiencing vulnerability and disadvantage to be able to access the lifelong

benefits of early childhood education and care, while being supported to obtain vaccinations and/or required evidence of vaccination.

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

The law applies to all early childhood education and care services<sup>1</sup> in Victoria providing:

- long day care
- kindergarten (including 3 and 4 year old kindergarten)
- occasional care
- family day care.

The law does not apply to:

- enrolment in primary or secondary school
- children attending an outside school hours care service (after school care, before school 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 no more than 2 hours per day and no more than 6 hours per week (for example, crèches at gyms and shopping centres)
- playgroups
- services primarily providing instruction on particular activities (for example, sport, dance or music)
- services primarily provided or shared by family members of the children (and a family member is readily available and retains responsibility for the child).

Before a service can [confirm the enrolment](#) of a child, the parent/carer must provide [an immunisation status certificate](#) that shows their child:

- is up to date with vaccinations for their age OR
- is on a [recognised vaccine catch-up schedule](#) OR
- has a [medical condition](#) preventing them from being fully vaccinated.

Early childhood services can assist families of children who aren't up-to-date with their immunisations with support and information resources as to where they can access vaccinations.

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

The purpose of removing the conscientious objection 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.

### Does the 'No Jab, No Play' law breach human rights laws or agreements?

No. The *Charter of Human Rights and Responsibilities Act 2006* (the Charter) is a law that protects specific human rights of all people in Victoria. The Charter does not include the right to education.

Australia is signatory to the *International Covenant on Economic, Social and Cultural Rights* (the Covenant), which includes the right to education, but is only binding to the extent that it is enacted in Australian law. The Covenant permits the limitation of rights for the purpose of promoting general welfare in a democratic society. The No Jab No Play provisions in the *Public Health and Wellbeing Act 2008* prevent persons in charge of certain early childhood services from confirming new enrolments of children who have not had appropriate immunisations. This limitation has been carefully weighed against the benefits of immunisation, which prevents death and disability, protecting not only the individual but others in the community who cannot be vaccinated. This purpose is consistent with the limitation provisions in the Covenant.

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.

### Shouldn't immunisation be a personal choice?

The legislation does not mandate vaccinations, nor does it require the administration of vaccines without consent. Parents may continue to make a choice not to vaccinate their children.

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

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<sup>1</sup> approved under the *Education and Care Services National Law Act 2010* and licensed under the *Children's Services Act 1996*

serious risk posed by vaccine-preventable diseases and the proven safety and efficacy of vaccines.

### Is 'homeopathic immunisation' 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.

### How does the legislation work?

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. 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.

Licensed services are subject to regular audit, and are required to meet minimum standards in relation to staffing, premises and operational requirements to protect children's safety, health and wellbeing. This includes adhering to the 'No Jab, No Play' requirements, where applicable.

## About required documentation

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

To have an [enrolment confirmed](#) for a child in long day care, kindergarten, family day care or occasional care, parents/carers 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 recognised 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 preferred type of immunisation status certificate is an Immunisation History Statement from the Australian Immunisation Register (AIR).

### How can parents/carers get an Immunisation History Statement from the Australian Immunisation Register (AIR)?

You can print a copy of your child's Immunisation History Statement from your [myGov account](#) or

- Call the AIR on phone 1800 653 809
- visit a Medicare or Centrelink office.

The Medicare logo and Australian Government crest must be present and identifiable to be considered a valid Immunisation History Statement. For example, if the statement is page 2 of a letter from Medicare, both pages need to be presented to the service to confirm enrolment.

### How can parents/carers get an immunisation status certificate from an immunisation provider?

The [Immunisation History Statement from the AIR](#) is the preferred form of evidence of immunisation and parents should make every effort to obtain this documentation for the purpose of enrolling in an early childhood education and care service.

In exceptional circumstances, for example if parents need to place their child into care unexpectedly or quickly, an immunisation status certificate can be obtained from an immunisation provider such as a GP or local council immunisation service.

To be considered acceptable as an Immunisation Status Certificate for the purposes of enrolment at an early childhood education and care service the document/s need to contain **all** of the following:

- Immunisation status
  - Date of the child's next due vaccine; OR
  - A statement saying the child has completed all their childhood vaccinations
- Vaccine history
  - List of **vaccines the child has received and when the vaccine was given** (can be a separate attachment, such as a previous AIR Immunisation History Statement, or AIR Immunisation History Form recording overseas vaccinations)
- Child's details
  - Full name
  - Date of birth
  - Address
- Immunisation provider's details
  - Provider's full name
  - Organisation name
  - Signed and dated by immunisation provider
  - Medicare provider number OR Australian Childhood Immunisation Register number.

This [immunisation status certificate checklist is available for download](#).

Resources have been developed [for immunisation providers](#) and [early childhood education and care services](#) to ensure that simple, clear documents are available to facilitate enrolment.

### **Can the 'My Health and Development Record' (the 'Green Book') be used as evidence of immunisation?**

No - not as the only document provided. These records do not provide information about the date of the next due vaccination or a statement that the child has completed all of their childhood vaccinations. Documents to be used as an Immunisation Status Certificate, other than an Immunisation History Statement from the Australian Immunisation Register, need to include all the information specified on the [immunisation status certificate checklist](#).

### **What is a recognised vaccine catch-up program?**

This means that the vaccines on the catch-up program are determined by a GP or immunisation nurse and meet [national recommendations](#).

### **What documentation is required to prove a child is on a recognised catch-up schedule?**

The [Immunisation History Statement from the AIR](#) is the preferred form of evidence of immunisation and parents should make every effort to obtain this documentation for the purpose of enrolling in an early childhood education and care service.

Only in exceptional circumstances, for example, if parents need to place their child into care unexpectedly or quickly, an [immunisation status certificate can be obtained from an immunisation provider](#) such as a GP or local council immunisation service.

The documentation provided by the GP or local council immunisation service needs to include all the information specified on the [immunisation status certificate checklist](#).

The child has to start the [recognised catch-up schedule](#) (that is, has received at least the first recommended vaccine/s) and be on track with their vaccinations according to that schedule. They do not need to have completed the entire catch-up schedule [before enrolment can be confirmed](#).

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

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).

Valid medical grounds for medical contraindication are specified in the [Australian Immunisation Handbook](#).

Parents/carers who think their child may require a medical exemption to one or more vaccines should consult their GP.

If a child has a valid medical reason they cannot be vaccinated, a GP needs to complete and sign a [Medicare Immunisation Exemption Medical Contraindication Form](#), and send it to the Australian Immunisation Register (AIR).

The parent then needs to obtain an updated [Immunisation History Statement from the AIR](#) that indicates the child was up-to-date with all the vaccines that they can have, and listed the vaccines that they cannot have due to a medical contraindication. This statement needs to be provided by the parent to the early childhood service to finalise enrolment.

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

If a child's vaccinations are not up-to-date the parents/carers should consult their GP or local council immunisation service about bringing the child's vaccinations up to date.

If a child has missed the last due vaccine/s their GP or local council immunisation service needs to give the overdue vaccine/s and inform the Australian Immunisation Register (AIR). The parent/carer then needs to [request an updated Immunisation History Statement from AIR](#).

The updated AIR Immunisation History Statement showing that vaccines are 'up-to-date' needs to be provided by the parent to the early childhood service to [confirm enrolment](#).

If a child has missed all or several vaccines their GP or local council immunisation service needs to develop a [recognised vaccination catch-up schedule](#).

The child has to start the catch-up schedule (that is, has received at least the first recommended vaccine/s on a [recognised catch-up schedule](#)) and be on track with their vaccinations according to that schedule. They do not need to have completed the entire catch-up schedule before [enrolment could be confirmed](#).

If documentation is required as a matter of urgency, the [immunisation provider can provide the immunisation](#)

[status certificate](#) documentation about the catch-up vaccines that have been administered to date and the date of the next due vaccine/s that the parent can then provide to the early childhood service to [confirm enrolment](#).

Families who experience difficulty accessing vaccinations or the required documents can seek support and guidance from the early childhood service. They may be eligible to enrol under the [Grace Period provision](#).

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 local council immunisation service.

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

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

Families whose children were vaccinated overseas should consult their GP or local council immunisation service. 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 Immunisation Register (AIR).

If/once the child is up-to-date with the Australian schedule, the AIR can 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 AIR. The parent/carer can [contact AIR and request a copy of the Immunisation History Statement](#).

The parent has to provide the statement to the early childhood service to finalise enrolment.

If the child is not up-to-date with the Australian schedule, and requires a number of vaccines, a [recognised catch-up schedule](#) needs to be developed by the immunisation provider.

### **What resources about ‘No Jab No Play’ and immunisation are there for families from a non-English speaking background?**

The brochure *Starting childcare or kindergarten? Immunisation information for parents enrolling a child* is [available in a range of languages](#):

- Arabic
- Bosnian
- Burmese
- Chinese (Traditional)
- Dari
- Farsi (Persian)

- Greek
- Indonesian
- Khmer (Cambodian)
- Serbian
- Somali
- Vietnamese
- Hindi
- Italian
- Macedonian
- Sinhalese
- Turkish

A range of information about immunisation is available on the [Health Translations website](#).

### **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 legislation, some families (such as those in emergency accommodation) are eligible to enrol and commence at the childcare/kindergarten service, under a 'grace period' provision, while they bring their children's vaccinations up-to-date and/or obtain the required documentation.

Early childhood education and care services, with help from the Departments of Health and Human Services and Education and Training, will 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.

### **Who is eligible for the grace period?**

Children experiencing vulnerability and disadvantage are eligible to enrol in a service under a grace period, without having provided proof of up-to-date immunisation. The grace period provisions allow the family to continue to access early childhood education and care services while receiving information and assistance to get their child's immunisations up to date and to obtain the required immunisation documentation that needs to be provided to the service.

Families who meet any of the following criteria are eligible for the grace period.

- Evacuated children
  - Children evacuated following emergency (such as flood or fire)
- Children in emergency care
  - Children in emergency care (for example, emergency foster care) under the *Children, Youth and Families Act 2005*
- Children in the care of an adult who is not their parent

- Children in the care of an adult who is not the child's parent due to exceptional circumstances such as illness or incapacity
- Aboriginal and/or Torres Strait Islander Children
  - Children identified by their parents as Aboriginal and/or Torres Strait Islander
- Other children experiencing vulnerability or disadvantage
  - Children who hold or whose parents hold a health care card, pension concession card, Veterans Affairs Gold or White card
  - Children from a multiple birth of triplets or more
  - Children who are refugees or asylum seekers
- Children known to child protection
  - Children who are on or who have been on a Child Protection Order
  - Children in or who have been in foster care or out-of-home care
  - Children who have a report made about them under the Children Youth and Families Act 2005
  - Families that have received support through Family Services including ChildFIRST; Services Connect; a community-based child and family service; or an integrated family service.

### How long is the grace period?

The grace period is for 16 weeks commencing from the date that the child first attends the service.

### What needs to happen during the grace period?

#### *Early Childhood Education and Care Services*

During the 16 week grace period, early childhood education and care services are required to take reasonable steps to obtain the required immunisation documentation.

The Departments of Health and Human Services and Education and Training have developed materials to support early childhood education and care services to implement the grace period provisions. This includes a [checklist to determine eligibility for the grace period](#) as well as information to provide to parents about where to access immunisation services.

#### *Parents*

During the 16 week grace period parents should endeavour to have their child vaccinated if required, and/or obtain the necessary [immunisation documentation](#) and provide it to the service.

Early childhood services can provide parents with support and information to do this.

### When can an early childhood education and care service confirm an enrolment?

Having an application accepted or being registered on a waiting list for a place at an early childhood service is **not** a confirmed enrolment.

Confirmation of enrolment can be given by the service only once the parent/guardian has provided acceptable documentation to the service that shows that the child:

- is up to date with their immunisations (specifically, that no vaccines are overdue two months prior to the first day of attending; see [key dates work form](#))
- has commenced [a recognised catch-up schedule](#) and that the next due vaccine/s on the catch-up schedule are not overdue two months prior to the first day of attending; see [key dates work form](#))
- has a [medical condition](#) that prevents them from being fully immunised for their age
- is eligible to enrol under the 16 week [grace period](#) while the service works with the family to obtain the necessary immunisations/documentation.

An [Immunisation History Statement from the Australian Immunisation Register](#) is the preferred document for proving a child's immunisation status, including that they are up to date, or have commenced a [recognised catch up schedule](#) or have a [medical condition](#) that prevents them from being fully immunised for their age.

Evidence required to [qualify to enrol under the Grace Period provision](#) varies depending on the circumstances of the family. Families should discuss their individual circumstances with the service.

## More information and resources

### More about immunisation

[View the immunisation schedule](#)

[Immunisation – childhood fact sheet](#)

### Access these FAQs online

<https://www2.health.vic.gov.au/public-health/immunisation/vaccination-children/no-jab-no-play/frequently-asked-questions>

### View the 'No Jab, No Play' legislation

View the legislation online [at Victorian Legislation and Parliamentary Documents](#). (Please note, due to frequent changes to this site, a direct link to the Bill cannot be

provided. Go to the 'Archive' link and look under '2015' for the [Public Health and Wellbeing Amendment \(No Jab, No Play\) Bill 2015](#)

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

Under the Commonwealth Government No Jab No Pay law, in effect from 1 January 2016, families are no longer 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 on 13 61 50, or [visit the website](#).

### About similar legislation in other Australian states

Similar legislation currently exists in New South Wales and Queensland.

Information regarding requirements in Queensland: <https://www.qld.gov.au/health/conditions/immunisation/childcare/index.html>

Information regarding requirements in New South Wales: [http://www.health.nsw.gov.au/immunisation/pages/vaccination\\_enrolment.aspx](http://www.health.nsw.gov.au/immunisation/pages/vaccination_enrolment.aspx)

### Request an Immunisation History Statement

Print a copy of your child's Immunisation History Statement from your [myGov account](#) or

- Call the AIR on phone 1800 653 809
- visit a Medicare or Centrelink office.

### Locate an immunisation provider

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

### More about vaccine safety

'[The science of immunisation / Questions and Answers](#)' addresses six questions including 'Are vaccines safe?' and 'How are vaccines shown to be safe?'

## Resources

### For parents:

- Brochure: [Starting childcare or kindergarten? Immunisation information for parents enrolling a child](#)

This brochure is [available in a range of languages](#).

- [VaxOnTime app](#)

Download the app, available for apple and android smart phones, to:

- receive reminder notifications leading up to when your child is due for their vaccinations
  - search for a local immunisation provider
  - call and make an appointment for vaccinations or find out when immunisation sessions are being run by your local council
  - add an appointment to your device's calendar.
- More information for parents is available on the [Better Health Channel](#).

### For early childhood education and care services:

- [Immunisation enrolment toolkit](#)
- Website: [Resources for early childhood professionals](#)
- [Order resources online](#)
- Fact sheet *Enrolment records* on [National Quality Framework fact sheets](#)

### For immunisation providers:

- Fact sheet: [No Jab, No Play: the role of immunisation providers](#)
- Checklist: [What needs to be included on an Immunisation status certificate](#)
- Website: [Resources for immunisation providers](#)

## Contact

Telephone 1300 882 008 Immunisation Section, Department of Health and Human Services between 9am - 12pm or 2pm - 3pm Monday to Friday or email [immunisation@dhhs.vic.gov.au](mailto:immunisation@dhhs.vic.gov.au)

For questions about the documentation required in a child's enrolment record contact the Quality Assessment and Regulation Division

- phone: 1300 307 415 or email
- [licensed.childrens.services@edumail.vic.gov.au](mailto:licensed.childrens.services@edumail.vic.gov.au)

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