

Joint statement from Recognised NHS Trades Unions re: Vaccination as Condition of Deployment in Healthcare

January 2022

Despite opposition by trades unions, the Government has announced the introduction of a mandatory vaccination requirement for staff deployed to CQC regulated activity, or who are deployed in areas where CQC regulated activity takes place and contact with patients and service users is not avoidable. These regulations are now law, and will come into effect on 1st April 2022.

Whilst we strongly support and encourage take up of the vaccine, the joint NHS Trades Unions opposed the introduction of this requirement strongly, and argued that instead the Government should focus on encouraging further vaccine take-up and alternative mitigation methods to reduce the risk of transmission where necessary, in order to protect jobs and patient care.

The NHS trades unions have also called on the Government to delay the introduction of the vaccination requirement. Further to this, now that legislation has been passed and the regulations are due to come into effect, we are supporting our members and negotiating with employers to ensure all reasonable support and flexibility is put in place to protect jobs and support staff and services as the requirement is introduced.

We have been made aware of a number of template letters and communications, circulated by third parties, which suggest it may be possible to successfully challenge a requirement to be vaccinated in a particular role, or any potential dismissal arising from this requirement, based on signing and submitting a model letter to your employer.

Some of these letters have arisen from sources linked by anti-racism charity “Hope Not Hate” to political organisations on the far-right. No such letters have been issued by trades unions which are legitimately recognised by NHS employers, or affiliated to the Trades Union Congress.

We strongly encourage members not to rely on model letters from an unverified and untrusted source regarding the vaccine requirement, but rather to speak to your trade union branch or representative for specific advice and support. We would also point out that in some cases the websites which carry the model letters include disclaimers admitting no responsibility or liability, and/or stating that the letters do not constitute legal advice.

If you have concerns about the incoming regulations, including whether or not your role should be within scope, if an exemption is being properly recognised, or if you are not receiving the appropriate support, please speak to your union for professional advice based on your circumstances and the law as it stands.

If you have received a course of COVID vaccine, we would also encourage you to check that your vaccination status is shown correctly on your NHS record (eg through the NHS app), and if necessary to liaise with your employer to ensure that their records on your vaccination status are correct.

This is a joint statement by the following unions in the North West:

