



Brachers Bitesize
Employee Vaccinations
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Presented by:
Antonio Fletcher

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Today's presenter



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Antonio joined Brachers in 2017 and was promoted to Partner in 2018. He has nearly 15 years' experience advising businesses of all sizes on employment law, and also advises organisations on data protection issues.

Antonio was recently named as a 'Recommended Lawyer' in the Legal 500 2021 directory.

[Connect with Antonio on LinkedIn](#) to learn more.



Today's session

01

The new COVID vaccine rules coming into force for care homes

02

Current vaccination rules and regulations for other sectors

03

Tricky issues for employers to consider relating to mandatory COVID vaccinations, including potential discrimination



Care homes

- Compulsory vaccination for care home workers
- 11 November 2021
- Care Quality Commission (CQC)
- Registered person



Exemptions

- Workers who should not be vaccinated for clinical reasons
- Emergency service providers and urgent maintenance workers
- Residents and their friends and families
- Any person visiting a dying resident or any person providing bereavement support to a resident after the death of a relative or friend
- Children under 18
- Any person working only in the external grounds



Tricky areas

- Check reasons for refusing the vaccine
- Alternative work
- Fair process



Other sectors

- No compulsory vaccination for any other sector – yet
- Consultation extending to all healthcare workers
- Regardless of vaccination, should still keep the workplace safe



Encouraging employees

- Paid time off for vaccination appointments
- Paying staff their usual rate of pay if they're off sick with vaccine side effects (instead of statutory sick pay)
- Not counting vaccine-related absences in absence records or towards any 'trigger' system the organisation may have for absence management



Potential claims

- Discrimination
 - Age
 - Disability
 - Pregnancy/maternity
 - Sex
 - Race
 - Religion/belief
- Unfair dismissal



Any Questions?

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About Brachers' Employment team

Our Employment and HR team take pride in delivering employment law and HR services that are tailored to your needs. We are dedicated to listening and learning about your business to understanding the challenges you face, your ambitions, and how to retain, your key asset, your people.

We are one of the largest employment and HR teams in the South East, working alongside businesses with 60,000 employees in the region. We will always advise you on your options to enable you to make informed choices. We appreciate that business is about taking managed risks. Our commitment to you is that we will not sit on the fence but will make recommendations using the benefit of our judgment and experience.

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