

6 October 2021

To: All Practices in Surrey and Sussex LMCs

Dear Colleagues

Exemption from Covid19 Vaccination or Testing

NHS England has announced new arrangements for patients to be able to demonstrate an exemption for Covid19 vaccination and, in some cases, testing. Patients can currently use an NHS Covid19 Pass to demonstrate their vaccination details or test results; these new arrangements will enable patients to use the Covid19 Pass to demonstrate an exemption status. The reason for the exemption will not be visible.

Reasons why a Covid19 pass may be required, or where an exemption would be relevant, may include:

- Working in a CQC registered care home after 11 November
- Exemption from self-isolation [and in some cases completing a test] when travelling from a non-red list country
- Entering a venue that requires a Covid19 pass as a condition of entry

There will be two types of exemption, as there is an option when completing an exemption certificate to put a time-limited expiry of up to a year, on a patient's certificate.

Exemptions may be considered for the following reasons, which are illustrative, and further clinical guidance is expected.

- Situations where vaccination is not in a patient's best interests, such as those receiving end-of-life care
- Those who have medical contraindications to the Covid19 vaccine, because:
 - They have a severe allergy to all Covid19 vaccines or their constituents. Currently the guidance states that where 'safe alternatives' to one vaccine are available an exemption should not be issued
 - They have had adverse reactions to the first dose
- Those with learning disabilities, including autism, or with a combination of impairments, who find vaccination [and/testing] distressing because of their condition and the

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reasonable adjustments that could be made do not sufficiently mitigate against this.

Time Limited Exemptions

- If an individual is receiving hospital care and/or treatment that might make vaccination at that time inappropriate
- Pregnancy: although Covid19 vaccination is considered safe and is recommended during pregnancy, and should be encouraged, a time-limited exemption may be appropriate for women who express concerns about vaccination during pregnancy. The current guidance states that breastfeeding, and trying to get pregnant, should not be considered grounds for an exemption. The expiry date for an exemption on the grounds of pregnancy is recommended to be 16 weeks post-partum.

The guidance does note that the extent to which a diagnosis of learning disability and autism might lead to severe distress may not be apparent from the clinical records. The decision should be made “as part of a clinical assessment and the ability for reasonable adjustments to the vaccination process to be made which enables access” [to vaccination]. The available records confirming diagnosis may in some cases be limited.

NHS England guidance notes that in all cases an offer of Covid19 vaccination should be made.

Full details of the process of recording Covid19 exemptions are available via NHS Digital at:

[Summary Care Record application \(SCRa\) COVID-19 Exemptions Information - NHS Digital](#)

This describes the way in which practices should respond to Covid exemption applications once they start receiving them

Guidance for patients about this process is available at:

[COVID-19 medical exemptions: proving you are unable to get vaccinated - GOV.UK \(www.gov.uk\)](#)

In order to obtain an exemption, patients are being asked to phone 119 to request an application for an NHS Covid19 medical exemption application form. Carers can do so on behalf of others. Patients are asked not to contact their GP to request this form, or an exemption certificate, and if they do should instead be directed to call 119.

The application form will be sent to patients by post; they are then asked to submit this form to their GP/Specialist or Midwife, as should be signposted during the NHS 119 discussion

Patients are advised a decision on exemption will be made within 2-3 weeks and there is no appeal process in place following this decision.

Patients are also being advised that having an exemption certificate does not confer any protection against Covid19 infection.

The Statement of Financial Entitlements has been amended to provide for payment to be made for GP review of coronavirus vaccination and testing exemption confirmation requests. A payment of £44 is being made for this on an IoS basis. The SFE Part 6 Para. 19 payment arrangements are below:

PART 6 REVIEW OF CORONAVIRUS VACCINATION AND TESTING EXEMPTION CONFIRMATION REQUESTS

PAYMENTS FOR THE REVIEW OF CORONAVIRUS VACCINATION AND TESTING EXEMPTION CONFIRMATION REQUESTS

General

19.—(1) This Part relates to the payment for a Contractor providing services under Regulation 22A of the 2015 Regulations.

Payment

(2) The Board must pay a Contractor an IoS fee of £44.00 in respect of each response to a valid exemption confirmation request(a) that the Contractor makes.

(3) The Board must make the payment referred to in paragraph (2) by the end of the calendar month following the calendar month in which the Contractor responded to a valid exemption confirmation request.

Eligibility for payment

4) A Contractor is eligible for the IoS fee referred to in paragraph (2) if the Contractor responds to the valid exemption confirmation request by recording its response on the SCRa in relation to the relevant patient.

The Government announced a temporary self-certification of exemption process for people working or volunteering in CQC registered care homes, where Covid19 vaccination [unless exempt] is mandatory from 11 November 2021. This process will overlap with the NHS Covid19 Pass exemption process, and this temporary self-certification will expire at the end of December 2021. At the announcement of this self-certification process, on 15 September, 90.4% of care home workers had had a first dose of Covid 19 vaccine, and 82.2% a second dose. Although this vaccination rate will have by now improved further, there will undoubtedly be a number of care home workers and volunteers who will leave their roles rather than be vaccinated, which is likely to further exacerbate current workforce and capacity shortfalls within the care home sector.

I appreciate colleagues will have a number of concerns about this process, in particular the subjectivity inherent in some of the illustrative exemption examples, and the concern about a response from patients whose exemption application has been declined. The process only commenced on 1 October, and therefore the number of exemption applications an average practice may receive is not yet known.

I anticipate there will be further clinical guidance which the LMC will circulate as soon as it is available.

With best wishes

A handwritten signature in blue ink, appearing to read 'Julius Parker', written in a cursive style.

Dr Julius Parker
Chief Executive