



Aged Care Legislation Amendment (Influenza Vaccination in Residential Care) Principles 2018

I, Ken Wyatt AM, Minister for Aged Care, make the following principles.

Dated 27 April 2018

Ken Wyatt AM
Minister for Aged Care

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1 Name

This instrument is the *Aged Care Legislation Amendment (Influenza Vaccination in Residential Care) Principles 2018*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	1 May 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Aged Care Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Quality of Care Principles 2014

1 Section 4

Insert:

premises of an aged care service has the meaning given by the *Accountability Principles 2014*.

service staff, in relation to an aged care service, means staff (including volunteers) who access, or are reasonably likely to access, premises of the service.

2 At the end of Division 1 of Part 2

Add:

8 Influenza vaccination schemes for service staff

An approved provider of a residential care service must:

- (a) provide service staff with access to annual influenza vaccinations for free; and
- (b) promote the benefits, for service staff and care recipients, of service staff receiving annual influenza vaccinations.

3 Section 15A

Repeal the section, substitute:

15A Purpose of this Division

For the purposes of subsection 54-1(1) of the Act, this Division specifies:

- (a) the care and services that an approved provider of flexible care in the form of short-term restorative care may provide to a care recipient; and
- (b) other responsibilities of an approved provider of such flexible care in relation to the quality of the aged care that the approved provider provides.

4 After section 15B

Insert:

15BA Influenza vaccination schemes for service staff—care provided in a residential care setting

- (1) This section applies in relation to an approved provider of flexible care in the form of short-term restorative care if the care is provided in a residential care setting.
- (2) The approved provider must:
 - (a) provide service staff with access to annual influenza vaccinations for free; and

-
- (b) promote the benefits, for service staff and care recipients, of service staff receiving annual influenza vaccinations.

Records Principles 2014

5 Section 4

Insert:

service staff, in relation to an aged care service, has the meaning given by the *Quality of Care Principles 2014*.

6 Section 9 (at the end of the heading)

Add “—police certificates etc.”.

7 After section 10

Insert:

10A Records about service staff—influenza vaccinations

An approved provider of:

- (a) a residential care service; or
- (b) a flexible care service through which short-term restorative care is provided in a residential care setting;

must keep records of the number of service staff that receive an influenza vaccination each calendar year (whether or not under the approved provider’s influenza vaccination scheme).

Note: An approved provider must have an influenza vaccination scheme: see sections 8 and 15BA of the *Quality of Care Principles 2014*.

8 At the end of the instrument

Add:

12 Transitional provisions—*Aged Care Legislation Amendment (Influenza Vaccination in Residential Care) Principles 2018*

Section 10A, as inserted by the *Aged Care Legislation Amendment (Influenza Vaccination in Residential Care) Principles 2018*, applies in relation to influenza vaccinations received on or after the commencement of this section.