



Department  
of Health &  
Social Care

Freedom of Information Team  
Department of Health and Social Care  
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London SW1H 0EU

[www.gov.uk/dhsc](http://www.gov.uk/dhsc)

Cathy Fox

By email to: [request-826431-97a4e9bc@whatdotheyknow.com](mailto:request-826431-97a4e9bc@whatdotheyknow.com)

10 March 2022

Dear Cathy Fox,

**Freedom of Information Request Reference FOI-1395804**

Thank you for your request dated 26 February, in which you asked the Department of Health and Social Care (DHSC):

*"Dear Department of Health and Social Care,*

*Thankyou for your reply. As i understand it is was Sajid Javid, the Secretary of State for the department for Health and Social Care, who said there was a professional duty to get vaccinated.*

*It would be surprising therefore if the very department he headed had no evidence whatsoever of the very professional duty that the Political Head of the Department had made a statement about. Indeed i would thin it was the duty of the department to have information on this subject.*

*I further ask for any press lines to take that were prepared for questioning on this subject.*

*Yours faithfully,*

*Cathy Fox"*

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

DHSC holds information relevant to your request. As the information held by the Department is in the public domain we will, under Section 21 of the FOIA (information accessible to the applicant by other means), refer you to the published sources.

In verifying the statement made by the Secretary of State we would direct you to readily accessible information in the public domain, including statements made by the General Medical Council (GMC) relating to professional responsibility for vaccination against COVID-19. The GMC guidance *Good Medical Practice*, published in 2013 and last updated in 2019, sets out the professional responsibilities of staff to get vaccinated. This states that workers "should be immunised against common serious communicable diseases (unless otherwise contraindicated)."

This is also addressed by the GMC in their [COVID-19 Q&A webpage](#):

*“In our guidance Good medical practice (2013), we say that doctors should be immunised against common serious communicable diseases unless doing so is contraindicated.*

*In our view, the potential risk to a doctors’ own health as well as the risk of inadvertently spreading COVID-19 to vulnerable patients weighs in favour of doctors being vaccinated. And reducing the number of staff who are sick or in self-isolation due to COVID-19 infection has a positive impact on workforce capacity to respond to patient need and wider health service demands.*

*However we recognise that vaccination is not possible in all cases. If you are not vaccinated, you need to be confident that there are measures in place where you work to manage any risk to patients and colleagues. You will need to take appropriate steps to reduce risks and prioritise patient safety.”*

Together with the Academy of Medical Royal Colleges, the GMC further issued a statement following the government announcement to remove regulations:

*“We note the Government is consulting on revoking the regulations that make vaccination against COVID-19 a condition of deployment for health and social care workers in England, based on the latest emerging evidence. The GMC has reviewed and updated its advice for doctors on vaccinations accordingly.*

*While the GMC does not consider that solely turning down vaccination would in itself form the basis of a fitness to practise referral, doctors have a professional duty to protect patients from risks posed by their health, and to be immunised against common serious communicable diseases, unless contraindicated.*

*The GMC and the Academy of Medical Royal Colleges have consistently made clear that in the case of COVID-19, the potential risk to a doctors’ own health as well the risk of inadvertently spreading the virus to vulnerable patients weighs very strongly in favour of doctors being vaccinated. Reducing the number of staff members who are sick or in self-isolation also has a positive impact on workforce capacity to respond to patient need and wider health service demands.*

*Being a good doctor means more than simply being a good clinician. Doctors can provide leadership to their colleagues and vision for the organisations in which they work and for the profession as a whole.*

*Whether or not vaccination is required as a condition of deployment, it continues to be one of the most effective ways to protect patients, staff and the health service itself. Over 95% of doctors have already received at least two vaccinations, with the majority of these having also been boosted. We strongly encourage those who haven’t yet taken up the full course of vaccination to do so.”*

The Health and Care Professions Council are the regulators for 15 professions across the health and social care sectors. They have published a statement on COVID-19 vaccination:

*“The government has announced that it will bring in regulations to revoke vaccination as a condition of deployment. The regulations come into force on 15 March.*

*Since the start of the COVID-19 vaccine roll-out, the HCPC has strongly encouraged all our registrants to take up the vaccine, if they are able to do so.*

*We have a number of Standards in place that are relevant in the context of COVID-19 vaccination. These Standards reinforce the personal professional responsibility for ensuring the safe delivery of care and a safe working environment for colleagues. Our Standards of Proficiency set out the need for registrants to establish and maintain a safe practice environment; to maintain the safety of both service users and those involved in their care; and to select appropriate personal protective equipment and use it correctly.*

*Our Standards for Conduct Performance and Ethics require our registrants to take all reasonable steps to reduce the risk of harm to service users, carers and colleagues and not do anything, or allow someone else to do anything, which could put the health or safety of a service user, carer, or colleague at unacceptable risk.*

*The HCPC does not set specific requirements for registrants to have particular vaccinations. This is because such requirements can depend on a number of different factors including the specific professional context in which registrants are working, the particular role they play, the service users they support and any relevant individual health matters. Such requirements are normally determined by local policies set by employers.*

*While the HCPC does not set specific requirements for registrants to be vaccinated, registrants have personal professional responsibility towards patients and the wider public. Covid-19 vaccination protects patients and the public, as well as registrants and their colleagues. All registrants should ensure that they meet their HCPC Standards at all times and follow local policies in place as set out by their employer.”*

The Nursing and Midwifery Council have similarly published a statement:

*"We are incredibly proud of how nursing and midwifery professionals have responded to the pandemic – not only caring for people with Covid-19 and those with other needs but also vaccinating millions of people across the UK.*

*"Since the Covid-19 vaccine rollout started, the NMC has strongly encouraged anyone eligible - including all professionals on our register - to be fully vaccinated as quickly as possible. There is a global scientific consensus, supported by our own medicines regulator in the UK, on the importance and value of full vaccination against Covid-19 and the benefits for people receiving care, vaccinated individuals themselves, their families, communities and the wider health and social care system.*

*"Our Code and our standards have always made clear that professionals have a responsibility to maintain their own level of health, taking all reasonable personal precautions to avoid potential health risks to colleagues and people receiving care. They also need to practise in line with the best available evidence, take appropriate steps to reduce risks and prioritise the safety of people in their care. They must work cooperatively, respecting others' views and opinions and behaving in a professional way at all times.*

*"That's why we continue to encourage nursing and midwifery professionals to be vaccinated against Covid-19. We're glad that the vast majority of nurses, midwives and nursing associates already are.*

*"Any professional with concerns about vaccination should seek advice and support, for example from their GP, occupational health team, employer or trade union. Employers should work collaboratively with professionals who are seeking more information or support around vaccination. We do not consider that solely turning down Covid-19 vaccinations is a basis for a Fitness to Practise referral.*

*"We continue to strongly encourage all professionals to take up the offer of vaccination. It is the best way to protect themselves, their families, colleagues and, of course, everyone receiving care."*

A press release announcing the Government's intention to revoke VCOD in health and social care settings, subject to public consultation and Parliamentary approval, was published on 31 January 2022. A further press release was published on 1 March 2022 following the government response to this consultation. Both press releases set out the professional responsibility for those working in health and social settings to be vaccinated.

Alongside this, the following lines to take were prepared on the topic of professional regulation and worker's responsibility to be vaccinated:

*Professional Regulation:*

*What do the professional regulators currently require from health professionals on covid vaccination?*

- The current guidance from the regulators is that professionals should be vaccinated for communicable diseases, including covid. Where they are not vaccinated for reasons of legitimate exemption, they are advised that they should take steps to protect patients accordingly.*

*What are you asking them to do today?*

- *Given the particular impact of covid on individuals, professionals, the NHS and wider society; the strong scientific and professional consensus in support of vaccination; and the strong sense of personal professional obligation that the overwhelming majority of health professionals feel in regard to covid vaccination, I have written to the regulators today to ask them to review their guidance with other professional leaders in the UK to satisfy themselves that the current guidance gives a sufficiently strong leadership message to those who are not yet vaccinated.*

*Are you asking them to strike off professionals who refuse to be vaccinated?*

- *No, we are asking them to ensure that their guidance fully reflects the strong professional consensus about vaccination of healthcare staff.*

The Chief Medical Officer's view is similarly that there is a professional responsibility for health and care workers to be vaccinated against Covid-19, as has been widely reported. He has laid this out in a letter sent to the sector also signed by other senior medical and professional officers.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be sent to [freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk) or to the address at the top of this letter and be submitted within two months of the date of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow SK9 5AF

Website: <https://ico.org.uk/concerns>

Yours sincerely,

Freedom of Information Officer  
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