

COVID-19 Vaccine for Children in Care

September 2021

1.0 Introduction

Tusla – Child and Family Agency is working closely with HSE colleagues to help stop the spread of COVID-19. The HSE has developed information regarding vaccination for healthcare professionals and for people who are eligible for vaccination and their families which is available here:

<https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/>.

HSE Guidance and Resources for Disability Services for COVID-19 are available under: [HSE Approved Guidance for Disability Services](#).

Webinar Series on Consent for Vaccination against COVID 19:

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/supportingtheconsentprocesscovid19.html>

2.0 Guidance for Vaccination of Young People

Guidance relating to vaccination of young people, consent and capacity including those in care can be found within the HSE National Consent Policy 2013:

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/consent/>.

3.0 Legislation/ National Policy

- Health Act 1947
- Incident Management Policy, 2016
- Child Care Act, 1991
- Adoption Act 2010 and Adoption Amendment Act 2017
- Children and Families' Relationship Act 2015

4.0 Purpose of Guidance

The purpose of this guidance is to provide social care staff, social work staff/ managers, foster carers and parents/ legal guardians with clear direction and information in responding to the needs of children in foster care, pre- adoptive foster care, supported lodgings and residential care/ special care when exploring the issue of vaccination against the COVID-19 virus.

This document refers to children and young people under the age of 18 years.

In this document the term 'foster care' refers to:

- Foster Care General (statutory and private)
- Foster Care Relative (statutory and private)
- Pre-Adoptive Foster Care

In this document the term residential care refers to:

- Residential Care (statutory, voluntary and private centres)

5.0 Guiding Principles

Key Guiding Principles;

- The guide reflects our corporate values and behaviors – trust, respect, kindness and empowerment.
- Good decision making involving consulting with all relevant parties to achieve the collective agreement of all relevant parties (child, parents, guardians, carers, relevant professionals)
- All parties should be provided with clear and up-to date information from the HSE website. If considered necessary based on the child's medical needs the child's GP or appropriate medical practitioner should be consulted to provide information on the benefits and risk of vaccination to assist making an informed decision.
- Children's rights, views, wishes, best interests and capacity to assent are essential elements of any decision making process. A child or young person's views should be respected, and they should not receive the vaccine, if after having the opportunity to consider the matter, are refusing.

6.0 Care Status

It is essential that social workers ensure that foster carers, supported lodgings carers, relative foster carers, pre adoptive foster carers and social care staff are aware of a child/young person's care status, which includes:

- Care order
- Voluntary consent for admission to care
- Interim care order
- Emergency care order
- Voluntary consent for admission to care for the purpose of adoption, Section V1
- Placement under Section 15 of the Adoption Act 2010
- Special Care Order

If there are any changes to their care status, foster carers and social care staff must be notified immediately.

7.0 Consent

7.1 Consent for Young People aged 16 Years and Over

Vaccination of young people aged 16 and 17 years

"COVID-19 vaccination is recommended for all those aged 16 years and older to protect them against COVID-19, and especially severe COVID-19 disease and its effects.

Information on COVID-19 vaccines is available from the HSE website including easy-read versions as well as translations into different languages.
<https://www2.hse.ie/screening-and-vaccinations/covid-19-vaccine/>

The decision of a young person to accept, refuse or defer vaccination should be respected.” (HSE, 2021)

Further information on vaccination of young people aged 16 or 17 years, including consent, is available here:

<https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/guidance-on-consent-for-vaccination-16-17-years.pdf>.

- If the young person is over the age of 16 years, has legal authority to provide consent to their own medical treatment and has sought advice or treatment in relation to the vaccination against COVID-19 and the foster carer(s)/ social care worker is/are aware of this information they must inform the social worker.
- If a young person aged 16 years and over is refusing to avail of the COVID 19 vaccine the foster carers(s)/ social care staff must advise the social worker. A note should be attached under medical/ health on NCCIS as to their decision if known.
- Where there are concerns about a young person’s capacity to give consent, the social worker in consultation with their line management and principal social worker (PSW), should make contact with the Office of Legal Services to seek advice. *Consideration at this point may be given to seeking court direction and or the appointment of a GAL where appropriate.*

7.2 Consent for Children and Young People under the age of 16 years

The COVID-19 vaccination programme has been extended to include children aged 12-15 years. The National Immunisation Advisory Committee (NIAC) **recommends** that children aged 12-15 with underlying medical conditions, those living with a younger child with complex medical needs, or with an immunocompromised adult are strongly encouraged to accept vaccination.

For healthy children, the risk of severe COVID-19 is much lower. All those aged 12 to 15 years should be **offered** an mRNA vaccine to protect themselves from frequent mild or very rare severe COVID-19 and its consequences.

Before vaccination, they and their parents/legal guardians should be informed of the benefits and risks of vaccination, the risks of COVID-19 to their age group and the uncertainties (e.g. frequency, duration, and outcome of COVID-19 and of vaccine side effects).

The decision of parents/ legal guardians to accept, refuse or defer vaccination should be respected.

The HSE National Consent Policy states that the consent of one parent or legal guardian is sufficient to proceed with a medical intervention, and this policy includes COVID-19 vaccination. The policy also highlights the need for the child to assent to care, and therefore, **vaccination will not proceed if any child does not agree to getting it on the day.**

Information for parents/ legal guardians is available within the following links: <https://www2.hse.ie/screening-and-vaccinations/covid-19-vaccine/get-the-vaccine/deciding-on-vaccination-for-12-to-15-year-olds/>.

The following video link includes information on who can consent for young people under 16 years including those who are in care: [Who can give consent for vaccination of a young person aged under 16 years?](#) (HSE, 2021)

8.0 Procedure

- Where the child and/or young person is in voluntary care or subject to an Interim Care Order or an Emergency Care Order under the Child Care Act 1991, consent of parents/ legal guardians is required for the administration of the vaccine and if the parent/ legal guardian wishes for their child to be vaccinated every reasonable effort should be made by the social worker to seek parental consent.
- Where a Full Care Order (Section 18 of the Child Care Act 1991) is in place, Tusla can consent to any necessary medical treatment, examination or assessment. This process of consent should also take into account the views of the child/ young person's parents. Children should be offered the option to avail of the vaccine and if indicate they wish to be vaccinated. Their decision must be respected.
- In the case of Enhanced Right's, the foster carers must discuss with the social worker prior to providing consent.

Regardless of care status if any children on the day of the administration of the vaccine does not assent to the vaccine it will not be administered.

Children with underlying medical conditions, those living with a younger child with complex medical needs, or with an immunocompromised adult are strongly encouraged to accept vaccination. In instances where parents/ legal guardians are refusing to provide consent in these instances social workers should contact the office of legal services for advices to consider if there is a best interest's consideration.

8.1 Consent and Voluntary Care/ Interim Care Order

In all instances the decision of the parent/ legal guardian should be respected and where there exists any reason where it is considered in the child's best interests to have the vaccine and consent is not forthcoming advices should be sought from the office of legal services. It is also important to remember that if the child does not provide assent for the vaccine on the day the vaccine will not be administered.

- If a parent / legal guardian registers and provides consent for the administration of the vaccine the social worker should follow up to ensure that they have the date and time and venue of the appointment which will be sent to them via text message. The parent/ legal guardian can agree with the social worker who is attending the appointment.

- If the parents/ legal guardians are unable to register their child for the vaccination the social worker must seek their consent to register the child on their behalf and once this consent is obtained they must request the parents/ legal guardians to attend the appointment with the child(ren). In this instance the social worker must register the child via **HSELIVE 1800 700 700 or by contacting a local GP or pharmacy**
- If the parents/ legal guardians are unable to register their child or attend the appointment the social worker must request that they complete the consent form below seeking their consent to register their child for the vaccination and to bring their child to said vaccination appointment. They must also request parents/legal guardians to complete the HSE consent form.
<https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/prog1215/>

In these instances social workers must make their appointment via HSELive on 1800 700 700 or by contacting a local GP or pharmacy

- Consent form for children attending GP or Pharmacy for vaccination: <https://www.hse.ie/eng/health/immunisation/hcpinfo/covid19vaccineinfo4hps/prog1215/consentform.pdf>
- Consent form for children attending a HSE Central vaccination clinic for vaccination: <https://bit.ly/CFVCO>.

A clear record should be maintained of all conversations and maintained on NCCIS under medical/ health. In the event that written consent cannot be obtained the reason should be recorded on file.

The social worker should ensure that the parent(s)/ legal guardian:

- Has received sufficient information about the nature, purpose, benefit and risks of the vaccine.
- Is voluntarily giving their consent i.e. not under pressure from any family member or friend to give their consent.
- Is competent to make the decision i.e. that they understand in broad terms the nature of the vaccine, has sufficient understanding of the benefits and risks known at the time, understands the relevance of the decision and is able to retain this knowledge. It is assumed that adults generally have capacity to make healthcare decisions, unless the contrary has been shown.

If there are any concerns in relation to the capacity of the parents/ legal guardians to provide consent, either written or verbal the social worker must contact Office of Legal Services.

All consent forms should be retained on the care records in line with Data Protection requirements.

In the event that a parent/ legal guardian refuses to provide consent after discussion and sharing of information with the social worker and there exists significant concern in relation to the child/ young person's health, the social worker should make contact with the child/ young person's GP and seek advice. The social worker must share this advice with the parents/ legal guardians to provide them with an opportunity to reconsider their decision. If they continue to refuse to provide consent following the GP's advice the social worker must contact with the Office of Legal Services.

8.2 Procedure for Attending Appointment

Once all consent is sought the foster carer/ social care staff can attend the vaccination centre with the child/ young person.

Appendix 1: COVID-19 Vaccination Consent Form

This form is to be completed by the child's social worker and/ or birth parents/legal guardians to ensure medical consent ("**consent**") is received and documented for receiving the COVID-19 vaccine for children/ young people in care.

It should be completed for:

- All new admissions as part of the admissions process
- Current children and young people in care (including residential care, supported lodgings and foster care).

Medical Consent Form (COVID-19 Vaccination) Voluntary Care, Interim Care Order, Emergency Care Order

I hereby provide **medical consent** to have my child named hereunder who is in my custody admitted to care by the Child & Family Agency (hereinafter called "The Agency"), under Section 1, Section 4, Section 13 and Section 17 of the Child Care Act 1991 are registered by the Agency to receive the COVID-19 vaccine. This consent also provides for the Agency to bring my child(ren) to said appointment whereby they will be administered the COVID-19 vaccination.

I undertake to co-operate fully with The Agency in the best interest of the child. In the event that I am not happy with any change of circumstance or any event I will notify the social worker.

Name of Parents/Legal Guardian:

Relationship to Child:

CHILD TO WHOM MEDICAL CONSENT RELATES

Surname	Forename	Gender	Date of Birth	Current Address	

Signed: _____ **Date:** ____/____/____.
Parent/ Legal Guardian

Signed: _____ **Date:** ____/____/____.
Parent/ Legal Guardian

Signed: _____ **Date:** ____/____/____.
Social Worker