

## **Can U3A as a Volunteer Organisation collect information about vaccination status of members (or visitors)?**

U3A Network Queensland Inc and its various local U3A groups can collect vaccination status information. It may not be necessary to do so however – as per the enclosed template policy if vaccination is a condition of attendance at a physical class then no record of vaccination needs to be kept.

We would recommend U3A Network Queensland Inc and individual U3As use a sight but not retain approach to vaccination status. That is, requesting an attendee to a class show evidence of vaccination, but do not copy or otherwise retain a copy of it.

## **Does the *Privacy Act 1988 (Cth)* apply?**

Covered entities are those which have annual turnover more than \$3,000,000. We suspect U3A Network Queensland Inc and its individual clubs would come under this threshold and thus the *Privacy Act 1988 (Cth)* would not apply. Note the *QLD Information Privacy Act 2009* governs information held by state government agencies.

Under the *Privacy Act 1988 (Cth)* vaccination records are “sensitive information” and covered entities must comply with the Australian Privacy Principles when collecting, using, storing and disclosing health information related to COVID-19 vaccination.

It is important to collect the information about vaccination with the individuals free and valid consent, and because the collection is reasonably necessary for U3A’s functions and activities.

## **Can U3A exclude unvaccinated attendees?**

Even after 17 December 2021 within QLD there will be restrictions for unvaccinated people where the premises are considered a vulnerable setting, or it is a non-essential leisure activity.

The presence of elderly vulnerable people supports the need to impose a requirement that attendees are vaccinated (and provide evidence of the same) or evidence of medical exemption. We provide a template policy to assist.

If individual U3A’s decide to admit unvaccinated attendees or encounter attendees with a medical exemption or reason why they cannot receive a COVID-19 vaccination then a range of control measures such as hygiene, masks, distancing and barriers should be considered. Additionally, as many U3A classes are held in rented or community facilities, the premises may have conditions which U3As can rely upon.

**Do the vaccination requirements that become operative in Queensland on 17 December (announced by the Premier on Tuesday 9 November) apply to volunteer organisations and their volunteers and/or members and visitors?**

On our reading the vaccination requirements for 17 December 2021 do not impose any requirement on U3A however the requirement for vaccination may apply to the premises U3A uses to hold classes.

Nevertheless, requiring attendees to provide evidence of vaccination or of medical exempt status is supportable. It would be at the discretion of each U3A regarding whether it permits individuals who have not been able to become vaccinated and yet attend.

**Is it possible for a volunteer organisation to introduce a policy regarding requirements for double vaccination?**

Yes, an organisation may promote a policy to support and encourage vaccination for the workers and volunteers. We provide a template policy with this information sheet.

The approval of any U3A Network Queensland Inc policy is determined by the constitution or internal processes of that entity. It could be that a guidance policy is produced for individual U3A's to adopt.

Exceptions should be assessed on a case-by-case basis to avoid discriminatory practices, the main exception being medical exemption.

**As U3A members are generally aged persons and could therefore be considered a vulnerable group, does a U3A have a specific duty of care in relation to its members and visitors?**

While U3A Network Queensland Inc does not have any employees and as a volunteer association is thus not covered by the *Work Health and Safety Act 2011* (Qld), some individual U3As may have employees meaning they have obligations under that Act.

It must do all that is reasonably practicable to minimise the risk of exposure to COVID-19 in the workplace. There is a duty to volunteers and employees to provide your workers with any information or training that is necessary to protect them from the risk of exposure to COVID-19 arising from their work.

An organisation also has a common law duty of care, this may include to manage the risk of exposure to COVID-19 when holding classes for members.

**What can we do to ensure health and safety**

There are a number of safety steps that U3As can take including,:

1. mandating vaccinations for attending physical classes;
2. physical distancing of at least 1.5 metres where reasonably practicable;
3. modifying class schedules to reduce the number of attendees if the physical space is limited; .
4. actively support virtual access to classes;
5. examining environmental factors such as cleaning of surface in premises, air conditioning and ventilation systems;
6. asking sick member not to attend classes;
7. provide instruction and amenities for personal hygiene and infection control.

Employers and volunteers should be consulted and given opportunity to express their concerns in relation to work, health and safety matters.

This includes when conducting risk assessments to make decisions on control measures to manage the risk of exposure to COVID-19 (e.g., decisions on working from home arrangements, or restricting the workplace to allow for physical distancing).

Safe Work Australia provides guidance on how to properly wash hands, training to use any necessary personal protective equipment, training workers to exercise cleaning practices throughout the day, practice physical distancing , social distancing, providing instructions on staying home from work if sick and how to set up a safe home workplace.