Dear…….,

I refer to your request to me that I am required to have the influenza vaccine to access my family member. Please clearly provide to me in writing, the legislative direction that compels me to be subjected to the influenza vaccine.

I draw your attention to [Care Facilities Directions (No 8) dated July 22, 2020 in Victoria and the current directions or the current Aged Care Directions in Queensland or the current Public Health COVID-19 Aged Care Facilities Directions in NSW], where **the prior mandate of the influenza vaccine has been removed.**

Workplaces are acting beyond their authorisation if they are setting policies that go beyond the directions. While I recognise it may be recommended, I do have the right to refuse being vaccinated and do not need to provide any reason for same.

I also note here that you as an aged care facility provider are not an “Authorised Entity” under the relevant Public Health Act to either direct me personally to obtain the influenza vaccination, or demand that I get the influenza vaccination in the absence of a medical assessment. Additionally, immediate family medical background checks may need to be done to identify any potentially dangerous pre-existing conditions which are known to cause adverse effects, such as Guillain-Barre Syndrome or auto-immune conditions, or any other unknown allergies/risks, as well as showing the reason why I need to be vaccinated.

However, to assist you in allowing me to have access to my family member, I am happy to provide you a medical certificate confirming my health status that I do not currently display any flu-like symptoms or COVID-19 symptoms.

I note here that the influenza vaccination has not been shown to reduce the risk of hospitalisation and does not protect fully from getting influenza and/or preventing transmission. The only appropriate assessment for that purpose is to ensure that I am not currently sick. This is what will protect your residents and other employees. To that end, I am happy to provide that proof.

I have the basic human right to refuse to be vaccinated and urge that you refrain from using coercive or punitive tactics when there is clearly no law supporting your policy.

I thereby request immediate access to my loved one in your aged care facility and look forward to your prompt response by email.