



Handling consent refusal by people presenting for vaccination

This factsheet provides guidance for vaccination providers on handling consent refusal by people presenting for vaccination. This may occur, for example, where a person requires vaccination for their employment.

Background

Vaccine providers have reported some people have requested vaccination but have refused to provide informed consent. It can be associated with behaviour that includes, but is not limited to:

- aggressive, abusive, apologetic, blame shifting, quiet and loud behaviour;
- offering bribes or gifts to falsify consent documentation;
- changing words on consent forms (e.g. crossing out consent and replacing with 'coerced' or 'forced'); and
- trying to engage in political debate or discussion including 'violation of rights' and 'personal freedoms'.

What is informed consent and why is it important?

Informed consent is an individual's voluntary decision to agree to a healthcare treatment, procedure or intervention, such as a COVID-19 vaccination, in its entirety, after the individual has been provided understandable, sufficient, appropriate and reliable information about the intervention, including the potential risks and benefits. Consent can be verbal or written.

As a health professional you:

- require informed consent from a patient prior to providing them with a vaccination; and
- have a duty of care to ensure patients are making educated and informed decisions about vaccination.

It is not your role as a health professional to debate topics or change a patient's opinion. Patients may be hesitant for a range of reasons such as their beliefs about vaccination, bad experience with previous vaccination, needle phobia or misinformation.

Can I vaccinate a patient if they are mandated to receive a vaccination?

A patient must provide informed consent prior to vaccination.

If a patient has not provided informed consent, you **should not** vaccinate them, even if they are mandated to receive a COVID-19 vaccination to perform particular roles or enter certain settings.

What should I do if a patient is aggressive or I feel threatened?

Staff safety is a priority and you do not have to tolerate aggressive behaviour. If a patient is being aggressive, you can:

- request the patient to leave the clinic; or
- if you do not feel comfortable to request a patient to leave, and if able, remove yourself from the situation and escalate to a supervisor.

The following page provides some suggested talking points to assist you to have conversations with patients who do not provide informed consent.

Resources

- The Australian Technical Advisory Group on Immunisation has released information for providers on [COVID-19 Vaccination Consent & FAQ](#)
- Healthdirect has published information about [Informed Consent](#)
- The Australian Immunisation Handbook has information about [Preparing for Vaccination](#), including obtaining valid consent
- [Consent form for COVID-19 vaccination](#)

Talking points for patients who exhibit vaccine consent refusal

Key questions to ask the patient to confirm consent

- I am about to vaccinate you with [name of vaccine]. Do you consent to receiving this vaccine? **The answer must be YES.**

Patient expresses that they feel like they are being forced into a COVID-19 vaccination

- This must be a difficult situation for you. Would you like to discuss your concerns with me?
- It sounds like you have some concerns about getting vaccinated today. Would you like to go over this together and I can provide you with some information about the COVID-19 vaccines?

Patient wants to debate topics around vaccines and vaccination

- I cannot engage in this conversation with you in a professional capacity.
- If you would like to receive a COVID-19 vaccination, you must provide informed consent.

Patient informs you they must get vaccinated to remain employed but do not provide informed consent

- As a health professional, I cannot comment on vaccine mandates.
- I suggest that you should have this conversation with your employer.
- I cannot vaccinate you without your informed consent.

Patient asks you to report, or offers you a bribe, to report that you have administered a COVID-19 vaccine and falsify records

- It is against the law for me to report a vaccine that I have not administered or sighted evidence for.
- It is against the law for me to accept a bribe to falsify a document, I can lose my licence to practice, face criminal charges and even receive jail time.
- I cannot be involved in the falsification of vaccination status or medical exemptions as I can be subject to civil penalties, criminal convictions and possibly even jail time.