

NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

CORONAVIRUS VACCINATIONS (DIRECTED ENHANCED SERVICES) (SCOTLAND) DIRECTIONS 2020

The Scottish Ministers in exercise of the powers conferred by sections 2(5) and 105(7) of the National Health Service (Scotland) Act 1978¹, and all other powers enabling them to do so, give the following Directions.

1. Citation, commencement and interpretation

- 1.1. These Directions may be cited as the Coronavirus Vaccinations (Directed Enhanced Services) (Scotland) Directions 2020 and come into force on 23 December 2020.
- 1.2. These Directions are given to Health Boards in Scotland and apply to Scotland only.
- 1.3. In these Directions—

“the 2018 Directions” means the Primary Medical Services (Directed Enhanced Services) (Scotland) Directions 2018²,

“coronavirus vaccination” means a vaccination or immunisation against Coronavirus disease 2019 (COVID-19), and

“eligible person” means a person to whom a coronavirus vaccination should be offered in accordance with correspondence from the Chief Medical Officer or the Scottish Ministers.

2. Provision of coronavirus vaccinations

During the period in which these Directions are in force, Health Boards must ensure that arrangements are in place for the provision of coronavirus vaccinations to all eligible persons within their area in accordance with the 2018 Directions as amended by these Directions.

3. Amendment of the 2018 Directions

- 3.1 The 2018 Directions are amended as follows: -

- (a) In paragraph 2.1, after the definition of “core hours” insert-

““coronavirus vaccination” means a vaccination or immunisation against Coronavirus disease 2019 (COVID-19).”,

- (b) After paragraph 3.1(i) insert-

“(j) a Coronavirus Vaccination Programme.”,

¹ 1978 c.29; section 2(5) was amended by the National Health Service and Community Care Act 1990 (c.19), section 66(1) and schedule 9, paragraph 19(1); Section 105(7) has been amended by the Health Services Act 1980 (c. 53), Health and Social Services and Social Security Adjudications Act 1983 (c.41), and the Health Act 1999 (c. 8). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

² PCA(M)(2018)04 - Primary Medical Services (Directed Enhanced Services) (Scotland) Directions 2018 as amended by the Influenza and Pneumococcal Vaccination (Coronavirus Outbreak) (Scotland) Directions 2020.

(c) After paragraph 3.3 insert—

“3.4 Before entering into any arrangements with a primary medical services contractor for a Coronavirus Vaccination Programme as mentioned in paragraph 3.1(j), a Health Board must satisfy itself that the contractor with which it is proposing to enter into those arrangements has agreed to the compensation arrangements for the provision of coronavirus vaccinations as set out in PCA(M)(2020)17 and nothing in these Directions shall be taken as requiring a Health Board to enter into such arrangement with a contractor if it has not been able to satisfy itself in this way about that contractor.”, and

(d) After paragraph 12.3 insert—

“Coronavirus Vaccination Programme

13.1 As part of its Coronavirus Vaccination Programme, each Health Board must, each financial year, offer to enter into arrangements with each primary medical services contractor in its area, unless it already has such arrangements in place with the primary medical services contractor in respect of that financial year.

13.2 The plan setting out those arrangements that a Health Board enters into, or has entered into, with the primary medical services contractor must, in respect of each financial year to which the plan relates, include—

(a) a requirement that the primary medical services contractor develops and maintains a register (“a Coronavirus Vaccination Programme Register”) which may comprise electronically tagged entries in a wider computer database, of all the patients who are eligible for coronavirus vaccinations to whom the contractor is to offer a coronavirus vaccination, and for these purposes a patient is eligible if they are a person to whom a coronavirus vaccination should be offered in accordance with a letter from the Chief Medical Officer or the Scottish Ministers,

(b) a requirement that the primary medical services contractor undertakes—

(i) to offer coronavirus vaccinations to those patients who are eligible in accordance with any timeframes which are specified by the Chief Medical Officer or the Scottish Ministers, and

(ii) to record the information that it has in its Coronavirus Vaccination Programme Register using any applicable Read Codes,

(c) a requirement that the primary medical services contractor takes all reasonable steps to ensure that the lifelong medical records held by a patient’s general practitioner are kept up-to-date with regard to their vaccination status, and in particular include—

(i) the patient’s name, address, date of birth and GP with whom the patient is registered (if different to the primary medical services contractor which is providing the vaccination),

(ii) advice given in relation to the vaccination, including advice given if the vaccination is refused,

(iii) the name of the person that undertook assessment of the patient’s clinical suitability for the vaccination,

(iv) any refusal of an offer of vaccination,

(v) where an offer of vaccination was accepted—

(aa) details of the consent to the vaccination (where a person has consented on a patient’s behalf, that person’s relationship to patient must also be recorded),

- (bb) the name of the person that administered the vaccine,
- (cc) the batch number, expiry date, name and brand of the vaccine,
- (dd) the date of administration of the vaccine,
- (ee) the dose, form, route of administration and injection site of each vaccine,
- (ff) any contraindications to the vaccination, and
- (gg) any adverse reactions to the vaccination and actions taken as a result,

(d) a requirement that the primary medical services contractor ensures that any health care professional who is involved in administering a vaccine has—

- (i) any necessary experience, skills and training with regard to the administration of the vaccine, and
- (ii) training with regard to the recognition and initial treatment of anaphylaxis,

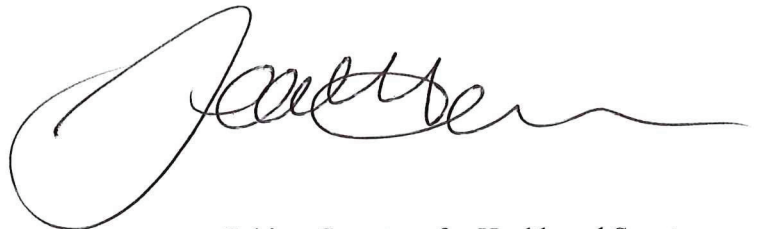
(e) a requirement that the primary medical services contractor ensures that—

- (i) all vaccines are stored in a pharmaceutical refrigerator, designed for the purpose of storing vaccines or medicines, in accordance with the manufacturer's instructions, and

- (ii) it has regard to Health Protection Scotland guidance on Vaccine Storage and Handling,

(f) a requirement that the primary medical services contractor supplies its Health Board with such information and at such frequencies as it may reasonably request for the purposes of monitoring the contractor's performance of its obligations under the plan, and

(g) the payment arrangements for the contractor, and the Health Board must, where necessary, vary the primary medical services contractor's contract so that the plan comprises part of the contractor's contract and the requirements of the plan are conditions of the contract.”.



Cabinet Secretary for Health and Sport
St Andrew's House,

22nd December 2020

