



AUTHOR / KEY CONTACT

# The NHS Covid Pass and Medical Exemptions



Emma Starmer  
Senior Employment Law and HR Advisor

✉ [emma.starmer@la-law.com](mailto:emma.starmer@la-law.com)  
☎ 01202 786276

The Department of Health and Social Care have today (1 October 2021) published further guidance on Covid-19 Medical Exemptions and how individuals will be able to 'officially' show exempt status via the NHS Covid Pass system.

As you will be aware, a person may be required to show their Covid vaccination status for reasons such as entering a care home regulated by the Care Quality Commission (from 11 November 2021), entering certain indoor venues and events in England, and for overseas travel.

The NHS Covid Pass has been designed to allow people to show their vaccination records or test status easily and quickly. In order to use the system, individuals must be registered with a GP in England.

## Exemptions

There are, of course, a small number of medical reasons for which individuals are deemed as not being suitable to be vaccinated against Covid-19. These include, for example, where an individual is receiving end of life care, has learning disabilities, or severe allergies to all currently available vaccines.

Short term exemptions are also available where medication may temporarily impact a person's ability to be vaccinated, or for pregnant women who choose not to be vaccinated at that time (note that short term pregnancy exemptions will expire 16 weeks post-partum).

As expected, the government have now confirmed that all exemptions must be confirmed by a doctor, specialist clinician or midwife (in the case of pregnancy that may also be via a MATB1 form). Once an exemption has been officially confirmed, the individual may use the NHS Covid Pass to prove their status in the same way as those who are vaccinated – the guidance indicates that the Pass will not show that a medical exemption exists, but will simply display in the same way as it does for those who are fully vaccinated (effectively a 'stop/go' type system).

## How to apply for exemption

Individuals seeking to show medical exemption will need to make an application via the NHS '119' telephone

service (note – the service will not be available by direct contact with a GP). Following the initial telephone call, and if considered suitable for exemption, an application form will be sent to the individual to complete and return to the specific medical professional named on the form. Application results, we are told, should be received within 2 to 3 weeks by post. There will be no appeal mechanism and the decision of the medical professional involved will be final (which will undoubtedly lead to some interesting discussions and complaints going forwards....).

If you have any questions or concerns, please contact our specialist [employment lawyers](#) by emailing [online.enquiries@la-law.com](mailto:online.enquiries@la-law.com)