

## Service delivery issues due to COVID-19 vaccine mandate

This guide suggests options for contract management where services cannot be delivered to expected quality or quantity due to impacts of the COVID-19 vaccine mandate on staffing for contracted service providers.

Please note that this is a general guide and will not be suitable for every situation. We recommend that you contact the Department of Finance with any questions you may have regarding this issue. If any conflict arises between Health Directions and this guide, Health Directions take precedence.

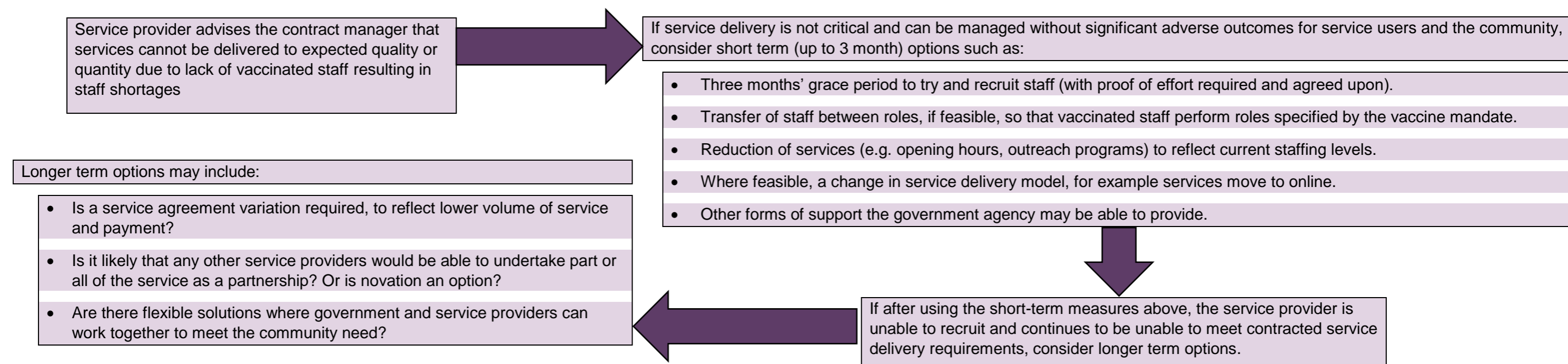
Initially we recommend contacting service providers following a risk-based assessment of the service and as part of good contract management to enable an opportunity for general discussion and to raise any issues with service delivery and for these issues to be addressed through a flexible, relationship-based approach.

If service delivery is critical and any reduction in services will result in significant adverse outcomes for service users and the community, government agencies must prioritise the wellbeing of service users and take immediate action as deemed necessary. The suggested short-term actions below may not be appropriate for critical services.

### General considerations

- Focus on the service users and community need;
- Open and transparent communication from both parties will aid problem solving; and
- Use the positive, respectful relationship as the basis for working through service delivery issues.

### Process map for short and longer term options



### Termination

Before considering terminating the service agreement, investigate all possible solutions and options, including the plan for how services will be commissioned and delivered if the service agreement is terminated.

Are you confident that another service provider will be able to recruit vaccinated staff when the incumbent was unable to?

Consider whether government has a responsibility to provide the services, and what mitigation strategies or alternatives may exist if you terminate the service agreement.

The [General Provisions for the Purchase of Community Services](#) must be followed. This includes clauses defining an Event of Default and the rights of the State Party to terminate a service agreement following an Event of Default. Consult clause 22. Default, Termination and Suspension and any other relevant clauses included in the service agreement documents before proceeding with termination.

Consult the Department of Finance for advice on terminating service agreements if needed. It is also recommended the State Party seek legal advice before termination.

### Finance

You can contact the Community Services Procurement Policy team at the Department of Finance on (08) 6551 1515 or at [cspp@finance.wa.gov.au](mailto:cspp@finance.wa.gov.au) with any queries regarding service delivery issues.