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## Introduction

1. In NSW, schools have obligations under the *Work Health and Safety Act 2011* (Act) and the *Work Health and Safety Regulations* (Regulation) in addition to a common law duty of care to all staff, students, and the wider school community to which they engage.
2. The scope and application of this policy is intended to cover currently known infectious diseases and any unknown infectious diseases that will evolve over time, as variants of infectious diseases become apparent, and the safety measures that are prescribed by authorities such as NSW Health, and the NSW Government from time to time.
3. A breach of WHS legislation may result in fines, or in circumstances of serious or repeated breach, criminal prosecution. Schools may also be issued with Provisional Improvement Notices by Safe Work NSW requiring specific action.
4. A breach of any NSW Public Health Order (PHO) is a criminal offence, and appropriate fines may also be applied for each breach of the PHO.

## Scope and application

5. The school's duty of care and obligations under WHS legislation, make it apparent that the school must provide employees, students, parents, and visitors with as far as is reasonably practicable, a safe environment to work, learn and engage in, which is as far as reasonably practicable, free from infectious diseases. In addition, schools have a positive obligation to prevent transmission where possible, and if a case of infectious disease arises, taking appropriate steps to prevent further transmission.
6. There are a number of ways in which this can be achieved, including but not limited to vaccinations, appropriate PPE, and other risk management strategies that may be available to the school.
7. Employees, under WHS legislation, similarly hold a responsibility to ensure as far as is reasonably practicable, to prevent the transmission of infectious diseases, and comply with any reasonable and lawful directions of the school to achieve this. Employees are also expected to comply with any PHO that is implemented from time to time.

## Infectious disease

8. Infectious diseases evolve over time, while new and unknown diseases or variants may form, others may become less prominent within our school and wider community. This

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APPROVED BY

EFFECTIVE DATE

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policy does not intend to restrict the school or its scope to current infectious diseases. Rather, this policy is to apply to all infectious diseases and is intended to operate in conjunction with and comply with any PHO that may apply, from time to time.

### *Guidance*

9. Schools have an important role to play in limiting the transmission of infectious diseases. This is supported through:
  - a. The promotion of personal hygiene, to limit and prevent the transmission of infectious diseases.
  - b. Compliance with any PHO that applies from time to time.
  - c. Appropriate risk management strategies, in conjunction with any PHO in place, to support and promote safe learning environments both on school grounds, and any location where learning and school business takes place, such as camps and excursions.
  - d. Where vaccinations are available, supporting employees and where appropriate students, to make informed decisions regarding vaccinations, with the latest medical research. This includes retaining appropriate records as to the vaccination status of employees and students. Further information relating to the collection and retention of personal information can be found in:
    - (a) The school's privacy policy; and/or
    - (b) The Australian Privacy Principles - <https://www.oaic.gov.au/>

### *Risk management strategies and infectious diseases*

10. As part of our school's risk management strategies, we encourage all staff and eligible students to be vaccinated from infectious diseases, where possible. If vaccinations are mandated by a body external to the school, such as through a PHO issued by NSW Health, employees are expected to comply with this requirement to continue working at the school.
11. Vaccinations together with other risk management strategies such as PPE will be continually assessed in line with our overall risk assessments, when considering infectious diseases.

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12. Where the school needs to consider any unique risk management strategies, when the common strategies are not available or their impact is reduced, these will be considered on a case-by-case basis.
  13. Guidance relating to the school's risk management strategies can be found in the schools Risk Management Procedure.

### *If infectious disease is active in the school community*

14. Employees, and students should not attend for work when they are unwell or have any symptoms that might be related to an infectious disease.
15. Where it is apparent that an employee or student is attending school with symptoms, they may be sent home until they are well, or they may be requested to undertake appropriate testing to determine if they do have an infectious disease. In such circumstances, the school's sick leave policies and procedures as they relate to employees and students shall apply.
16. Where it becomes known that an employee, student, or other member of the school community has tested positive to an infectious disease, the school may take, but is not limited to taking, the following steps to prevent any further transmission:
  - a. Temporarily closing the school or a section of the school for deep cleaning.
  - b. Require the infected individual to be absent from school, until such time as it is safe for them to return.
  - c. Require employees, and students to wear PPE.
  - d. Require employees and students to increase personal hygiene measures.
  - e. Limit persons, including parents, from attending the school grounds.
17. At all times, the school will comply with any PHO that is in place from time to time.
18. Employees, students, and the wider school community are expected to adhere to any PHO that is in place at the relevant period.
19. At all times, the safety of our students, employees and wider school community are paramount.

### *Relevant Legislation and further information*

20. The following are the relevant legislations that apply:
  - a. Work Health and Safety Act 2011 (Cth)
  - b. Public Health Act 2010 (NSW)

21. For further information relating to infectious diseases and information relating to vaccinations of infectious diseases, employees are encouraged to speak to their GP or visit the following websites:
- a. NSW Health: <https://www.nsw.gov.au/>
  - b. NSW Health, Immunisation programs:  
<https://www.health.nsw.gov.au/immunisation/pages/default.aspx>
  - c. NSW Health, infectious diseases -  
<https://www.health.nsw.gov.au/Infectious/alerts/Pages/default.aspx>

**Related Policies, Procedure, Forms, Guidelines etc.**

- ASHSS Privacy Policy
- ASHSS Risk Assessment Procedure

**Evaluation and Review**

This policy will be reviewed annually.

**Ratification**

This policy was ratified by the SHASE Board on \_\_\_\_\_.

Signed: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Chairperson

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