SICK STAFF POLICY

Education and Care Services National Law and Regulations and Workplace Health and Safety legislation require early childhood education and care services to implement specific measures to minimise the spread of infectious illness and maintain a healthy environment for not only children, but also educators, staff and other adults who may visit the service. Whilst we urge families to keep their child away from childcare when they are sick, we also urge staff to take leave if they are unwell to minimise the transmission of infectious disease and illness to others.

Our Service relies on employees being at their best every day. Educators often overlook their own health resulting in exhaustion, stress and illness. When an educator is unwell with an illness or injury, it is critical that they take care of their own health and take time to recover before returning to the demands and responsibilities of an early childhood education and care setting.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.1	Health	Each child's health and physical activity is supported and promoted.
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's needs for sleep, rest and relaxation.
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 174	Offence to fail to notify the regulatory authority
12	Meaning of serious incident
77	Health, hygiene and safe food practices
83	Staff members and family day care educators not to be affected by alcohol or drugs
85	Incident, injury, trauma and illness policies and procedures
88	Infectious diseases

89	First aid kits
90	Medical conditions policy
176	Time to notify certain circumstances to regulatory authority

RELATED LEGISLATION
Fair Work Act 2009 Work Health and Safety Act 2011 Children's Services Award 2010 Privacy Act 1988

RELATED POLICIES

Code of Conduct Policy	Incident, Injury, Trauma and Illness Policy
Dealing with Infectious Diseases Policy	Medical Conditions Policy
Handwashing Policy	Privacy and Confidentiality Policy
Immunisation Policy	Staff Leave Entitlements Policy

PURPOSE

We promote and maintain the health and wellbeing of all staff by ensuring as far as is reasonably practicable, the health and safety of our staff and others at the workplace. Our Service maintains an environment where measures are in place to eliminate or manage hazards and risks of illness or injury. This policy communicates clear directions and guidance about protocols and actions employees should follow to avoid adversely affecting the safety and health of children, other staff members and visitors to the service.

SCOPE

This policy applies to, staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

IMPLEMENTATION

Our Service promotes the need for a safe, healthy and inclusive workplace. Staff who are healthy provide the best possible education and care to children and are able to provide support to their colleagues. To enable compliance with *Work Health and Safety legislation* and our *Code of Conduct Policy*, all staff must take reasonable care for their own health and safety and others in the workplace.

Minimising the spread of illness, infections and diseases

We aim to minimise cross contamination and the spread of infectious illnesses by implementing best practice and high standards of personal hygiene within our Service. Recommendations by the Australian Government National Health and Medical Research Council publication, *Staying healthy: Preventing infectious diseases in early childhood education and care services (*Fifth Edition) and Safe Work Australia, guide our policies and protocols.

Staff are provided with information about the recommended vaccines for early childhood educators including yearly influenza vaccinations.

Staff are required to provide an *Immunisation History Statement* from the Australian Immunisation Register (AIR) and/or records from their general practitioner to management for their staff record.

Vaccination is important as not only can staff members catch a potentially serious infection such as measles or whooping cough, but they could also then inadvertently pass it onto children in their care who are too young to have had their vaccinations or to women who may be pregnant.

The Australian Government recommends everyone over the age of 6 months have an annual Influenza (flu) vaccine and all adults receive COVID-19 vaccinations.

We require all staff to have 2 Covid 19 vaccinations.

Exclusion periods and notification of infectious diseases are guided by the *Australian Government-Department of Health* and local public health units in our jurisdiction as per the Public Health Act. These apply to children and staff at the Service.

In the event of an outbreak of a vaccine preventable disease at our service, staff who are not vaccinated will be notified and should be excluded from the workplace.[see: Minimum periods for exclusion from childcare services]

To help minimise the spread of illness and infectious diseases within our Service, rigorous hygiene and infection control procedures are implemented including:

- effective and frequent hand washing hygiene
- cough and sneeze etiquette
- use of gloves by staff when administering medication, nappy changing, wiping children's noses, cleaning etc
- effective cleaning of the environment, toys and resources

- requesting parents and visitors to wash their hands with soap and water or hand sanitizer upon arrival and departure at the Service
- exclusion of children, educators or staff when they are unwell or displaying symptoms of an infectious disease or virus
- wearing of face masks when mandated by Public Health Orders.

The Approved Provider, Nominated Supervisor/ Responsible Person will ensure:

- that obligations under the *Education and Care Services National Law and National Regulations* are met
- educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- staff members are informed about sick leave entitlements during the induction process
- staff members provide an Immunisation History Statement at time of employment and update this record whenever they receive a seasonal vaccination
- all staff are aware of the required procedure of informing management when they are sick and unable to attend the workplace
- staff members are encouraged to disclose any health problems that may be life threatening or may affect their work [risk of anaphylaxis, diabetes, asthma, epilepsy]
- staff members who are pregnant are made aware of health risks including:
    - exposure to specific infectious diseases or conditions that can have an adverse impact on pregnancy, including Cytomegalovirus (CMV)
- to consult with employees who are pregnant to maintain a safe workplace by eliminating or minimising any identified risk
- that staff are aware evidence may be requested for any sick leave where a staff member is unable to work due to illness or injury
    - in the case of carer's leave, staff may be asked to provide evidence if they are required to care for family member
    - evidence may include a medical certificate, which must state the staff member was genuinely entitled to the sick or carers leave and be provided by a registered medical practitioner
    - a statutory declaration is considered an acceptable form of evidence
    - if a staff member does not provide evidence when asked they may not be entitled to paid sick or carers leave
- in the case of carer's leave, staff may be asked to provide a medical certificate or statutory declaration if they are required to care for family member

- staff are aware of their accrued leave balance each year
- management monitors and review staff absences regularly
- staff are provided with information about available vaccinations to help protect them from serious illnesses such as whooping cough and COVID-19
- staff are encouraged to have yearly influenza vaccinations
- staff adhere to our *Work Health and Safety Policy*
- incidents and accidents are reported in accordance with Education and Care Services National Regulations and Work Health and Safety guidelines
- return to work programs are facilitated to assist employees return to work following an injury or incident as per workers compensation obligations
- the regulatory authority is notified of any serious incident for which emergency services attend the service within 7 days.

Employees will:

- monitor their own health and not attend the workplace if they have an infectious illness or display symptoms of an illness
- inform the Nominated Supervisor or Responsible Person if they have an infectious illness or display symptoms of an illness, adhering to any public health order directions as required
- comply with all public health direction orders (including testing and isolation requirements) where required
- provide management with their *Immunisation History Statement* or other records from their general practitioner to provide evidence of immunisations (including mandatory COVID-19 vaccination requirements,
- consider disclosing any health diagnosis that may be life threatening or may affect their work [risk of anaphylaxis, diabetes, asthma, epilepsy]
- provide a health care plan to provide guidance on management of their health care need in case of an emergency e.g., ASCIA Anaphylaxis Action Plan
- inform the Nominated Supervisor or Responsible Person the location of their EpiPen® if they are at risk of anaphylaxis
- regularly review their health care plans if they have ongoing medical needs such as asthma or anaphylaxis, epilepsy or diabetes [or any other medical condition that requires ongoing management]
- attempt to find cover for your shift by posting available shift to staff member group chat

- notify management as soon as reasonably practicable by email if they are unable to attend work due to illness or injury including who will be covering their shift
- disclose their pregnancy in a timely manner to ensure that the employer can support her health, safety and well-being in the workplace [note: there is no requirement under the Fair Work Act (2009) for an employee to disclose their pregnancy]
- provide medical evidence for their illness/injury as soon as practicable (3 leave days can be taken without a medical certificate throughout the year, if 2 days are consequtive, must have medical evidence)
- provide evidence if they are required to care for a family member if requested by management
- communicate their recovery time/plan openly and honestly with management
- abide by management's decision if requested, to take leave due to an outbreak of an infectious disease if they are considered 'at risk'
- update their emergency contact details in staff records annually or when required
- assist work colleagues to understand their own health, safety and wellbeing accountabilities and responsibilities
- be excluded from the Service if they have had diarrhoea and vomiting for 24 hours after symptoms have ceased to reduce infection transmission
- adhere to exclusion/isolation periods if they have any infectious disease
- inform management if their medical condition/illness or injury affects their ability to perform their job
- inform management if prescribed medication may cause health or safety issues for themselves or others (e.g.: medication making them drowsy)

Leave entitlements

Staff are eligible for sick leave, also known as personal leave, to take time off work for personal illness and in certain circumstances, time off work to help care for ill or injured family members. Sick leave must not be used for absences that are not connected with ill health.

Under the Enterprise Business Agreement 2023, full time employees are entitled to 10 days of sick/ carer's and 5 wellbeing leave for each year of employment. Part time employees are entitled to the same leave entitlements on a pro-rata basis. Sick leave accumulates each year. Casuals are not entitled to paid sick or carer's leave.

Evidence may be requested for personal leave to state the staff member was genuinely entitled to the sick or carers leave and be provided by a registered medical practitioner. A statutory declaration is

considered an acceptable form of evidence. If a staff member does not provide evidence when asked they may not be entitled to paid sick or carers leave

Privacy and Confidentiality

Employees are required to notify management if they are affected by an infectious disease.
Privacy laws, however, protect staff members from disclosing other non-infectious illnesses to their employer.
Information about an employee's health cannot be shared with others without their consent.
This is applicable for employees who have cancer or a mental illness.
Employees should inform management if reasonable adjustments need to be made to their duties to allow them to continue to work due to their illness.
Advice from a registered medical practitioner may be required to assist in managing work duties and ensuring the wellbeing and safety of others.

Returning to work after surgery

Staff members who have undergone any type of surgery will need to take advice from their doctor/surgeon as to when it is appropriate and safe to return to the workplace.

A medical clearance statement will be required to ensure the staff member is fit and able to return to normal duties.

Reporting outbreaks to the public health unit

The Approved Provider is required to notify the local Public Health Unit (PHU) by phone (call 1300 066 055) as soon as possible after they are made aware that a child enrolled at the Service or **staff member** is suffering from one of the following vaccine preventable diseases or highly infectious illnesses:

- Diphtheria
- Mumps
- Poliomyelitis
- Haemophilus influenzae Type b (Hib)
- Meningococcal disease
- Rubella ('German measles')
- Measles
- Pertussis ('whooping cough')

- Tetanus
- An outbreak of 2 or more people with gastrointestinal or respiratory illness
- any confirmed case of coronavirus- (COVID-19)

Policy Evaluation

Our Service relies on employees being at their best every day and we are committed to promote the health, safety and well-being of staff members at all times. This policy will be evaluated and reviewed annually as part of our review cycle.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Sick Staff Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

SOURCE

ASCIA Action Plans, Treatment Plans, & Checklists for Anaphylaxis and Allergic Reactions: https://www.allergy.org.au/hp/ascia-plans-action-and-treatment
Australian Children's Education & Care Quality Authority. (2024). *Guide to the National Quality Framework.*
Australian Government- Department of Health and Aged Care https://www.health.gov.au/
Australian Government. Fair Work Ombudsman. Modern Award. Children's Services Award 2010
Australian Government. Fair Work Ombudsman. Modern Award. Educational Services (Teachers) Award 2020
Department of Health NSW Vaccination of staff working in Early Childhood Services https://www.health.nsw.gov.au/immunisation/Factsheets/vaccination-early-childhood-staff.pdf
Education and Care Services National Regulations. (Amended 2023).
Education and Care Services National Law Act 2010. (Amended 2023).
Fair Work Ombudsman https://www.fairwork.gov.au/leave/sick-and-carers-leave
National Health and Medical Research Council. (2013). *Staying Healthy: Preventing infectious diseases in early childhood education and care services* (5th Ed.). Australia: Commonwealth of Australia. NSW Government. (n.d.). *Public Health Act 2010*
Pregnancy Birth and Baby. *Cytomegalovirus (CMV) during pregnancy.*
Privacy Act 1988
Safe Work Australia – www.safework.nsw.gov.au
Work Health and Safety Act 2011 (Cth).
Work Health and Safety Regulations 2017

REVIEW

POLICY REVIEWED BY:	Krystle Hills	Centre Manager	21/08/2024
POLICY REVIEWED	August 2024	NEXT REVIEW DATE	August 2025
MODIFICATIONS	• annual policy maintenance • additional information added re: staff who are pregnant- alerting of health risks of CMV)		

	• sources updated	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
April 2024	• annual policy maintenance • link to local state and territory health departments updated • continuous improvement section added • Removed sick child policy references	April 2025