## <Date>

**<Parent/Carer Name>**

**<Address>**

**<SUBURB QLD 4xxx>**

Dear <name of parent/carer>

**Contagious Conditions** **under the *Public Health Act 2005 (Qld)***

On <date> I advised you of my suspicion that <student’s name> has <condition>, a contagious condition, and that other students attending <name of school> may be at risk of contracting this condition.

I also advised you of your obligation under section 161(1)(a) and (2) of the *Public Health Act 2005* (the Act) not to send your child to school if you know, or ought reasonably to know, that your child has a contagious condition.

Despite my advice to you, <student’s name> continues to attend OR you have told me that <student’s name> will continue to attend the school.

I have consulted with the <location> Public Health Unit which advises that <e.g. a child with the suspected contagious condition should be removed from the school as soon as reasonably practicable and is not to return to school until they have a medical practitioner’s certificate stating that they do not have the condition, or the prescribed period for the condition in the *Public Health Regulation 2018* (Qld) (the Regulation) has ended.>

You have not provided the school with a medical certificate stating that your child does not have the contagious condition.

Therefore, pursuant to s.164 of the Act, I hereby direct you to remove <student’s name> from school. They must not return to school during the prescribed period for the condition. This period ends <specify when end of period conditions>.

I have attached a copy of the advice received from the Public Health Unit and further information they provided on the contagious condition <remove if written advice not provided>, and a copy of the relevant provisions of the Act and the Regulation.

To discuss the options available for <student’s name> to access an educational program while they are subject to this direction, and not attending school, please contact me on <contact details>.

I wish <child’s name> a speedy recovery and look forward to seeing them again at the end of the prescribed period of absence.

Yours sincerely

Principal

School name

Enc. (Public Health Unit advice) <remove if written advice not provided>

(ss. 161, 163, 164 *Public Health Act 2005 (Qld)*)

(Schedule 4 Part 2 Public Health Regulation 2018 (Qld))

### Extracts from *Public Health Act 2005* (Qld)

**s.161 When parent must not send a child to school, education and care service or QEC approved service**

(1) This section applies if—

(a) a parent knows or ought reasonably to know that the parent's child has, or may have, a contagious condition; or

(b) a person in charge of a school, education and care service or QEC approved service has directed the parent to remove the child from, and not to send the child to, the school or service during the prescribed period for the condition, under section 164, 166 or 169.

(2) The parent must not send the child to any school, education and care service or QEC approved service during the prescribed period for the condition.

**s.163 Person in charge may advise parent about suspicion of contagious condition**

(1) This section applies if a person in charge of a school, education and care service or QEC approved service reasonably suspects—

(a) that a child attending the school or service has, or may have, a contagious condition; and

(b) that other children attending the school or service may be at risk of contracting the contagious condition.

(2) The person in charge may advise at least 1 of the child's parents—

(a) of the suspicion of the person in charge; and

(b) of the parent's obligation under section 161(1)(a) and (2) not to send the child to the school, education and care service or QEC approved service.

**s.164 Person in charge may direct parent not to send child to school, education and care service or QEC approved service**

(1) This section applies if—

(a) a person in charge of a school, education and care service or QEC approved service has advised a parent under section 163(2) about the parent's child; and

(b) the child continues to attend the school or service or the parent tells the person in charge that the parent's child will continue to attend the school or service; and

(c) the person in charge reasonably suspects that the child still has, or may have, the contagious condition and that other children attending the school or service may be at risk of contracting the condition if the child continues to attend the school or service.

(2) The person in charge may direct the parent—

(a) to remove the child from the school, education and care service or QEC approved service as soon as reasonably practicable; and

(b) not to send the child to the school or service during the prescribed period for the condition applying to the child.

(3) However, the person in charge must consult a doctor or another person authorised by the chief executive for advice before taking action under subsection (2).

s. **169 Chief executive may direct person in charge in relation to child**

(1)This section applies if—

(a) a doctor who examines a child under [section 167](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2005-048#sec.167) attending a school, education and care service or QEC approved service advises the chief executive that—

(i) the child has, or may have, a contagious condition; and

(ii) the prescribed period for the condition has not ended; or

(b) a parent of a child has been advised under [section 168](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2005-048#sec.168) but the child has not been examined—

(i) by the doctor arranged by the chief executive; or

(ii ) by another doctor chosen by the parent and a certificate provided by that doctor stating that the child does not have the contagious condition or the prescribed period for the condition has ended; or

(c) the chief executive reasonably suspects that a child attending a school, education and care service or QEC approved service has, or may have, a contagious condition and the prescribed period for the condition has not ended; or

(d) the chief executive reasonably suspects that a child attending a school, education and care service or QEC approved service—

(i) has not been vaccinated for a vaccine preventable condition; and

(ii) will be at risk of contracting the condition if the child continues to attend the school or service.

(2) The chief executive may direct the person in charge of the school, education and care service or QEC approved service to direct the parent of the child to remove the child from, and not to send the child to, the school or service for the prescribed period for the condition.

(3) If directed by the chief executive under subsection (2), the person in charge of the school, education and care service or QEC approved service must comply with the direction, unless the person in charge has a reasonable excuse.

Maximum penalty—50 penalty units.

(4) A direction by the chief executive under subsection (2)—

(a) must be given in writing, if practicable; and

(b) must include the information mentioned in [section 170](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2005-048#sec.170)(2).

(5) If it is not practicable to give the direction in writing, the chief executive may give the direction orally but must confirm it in writing as soon as practicable thereafter.

### Extract from Public Health Regulation 2018 (Qld) – Schedule 4, Contagious conditions

### Part 2 Prescribed period for contagious condition for child suspected of having condition

(School to add relevant content in a three column table with headings, in keeping with the format of Part 2, Schedule 4 at <https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2018-0117#sch.4-pt.2>)

e.g.

|  |  |  |
| --- | --- | --- |
| **Contagious condition** | **Start of period** | **End of period** |
| pertussis | the earlier of the following—  (a) the onset of symptoms;  (b) the child has relevant contact with a person infected with the condition | either—  (a) if the child has had symptoms—the treating doctor confirms the child is not infectious, but not earlier than—  (i) 5 days after the child starts a course of an appropriate antibiotic; or  (ii) if the child has an onset of paroxysmal coughing caused by the condition—14 days after the onset of the coughing; or  (iii) otherwise—21 days after the onset of coughing that is not paroxysmal coughing;  or  (b) otherwise—the earlier of the following—  (i) the treating doctor confirms the child is not infectious but not earlier than 14 days after the relevant contact;  (ii) the chief executive advises a parent of the child that the chief executive is satisfied the risk of the child transmitting the condition is low |