



Queensland Health

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School and Early Childhood Service Exclusion Direction

School and Early Childhood Service Exclusion Direction

Summary

Effective from: 11.59pm on 29 March 2020

Posted: 29 March 2020

This direction applies to children attending a school or approved early childhood service.

If an educator or staff member suspects a child in their care is unwell with a contagious illness they must notify the parent or guardian. The parent or guardian must collect the child as soon as possible, and the child must not return to the school or early childhood service until they are well or enough time has passed that they are not contagious.

Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency

Public Health Act 2005 (Qld)

Section 362B

On 29 January 2020, under the *Public Health Act 2005*, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is 'all of Queensland'. Its duration has been extended by regulation to 29 June 2021 and may be further extended.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following directions pursuant to the powers under s 362B of the *Public Health Act* to assist in containing, or to respond to, the spread of COVID-19 within the community.

Citation

1. This Public Health Direction may be referred to as the School and Early Childhood Service Exclusion Direction.

PART 1 — DIRECTION – EXCLUSION OF CHILDREN FROM SCHOOLS AND EARLY CHILDHOOD SERVICES DUE TO ILLNESS

2. This direction applies from 11.59pm, Sunday 29 March 2020 until the end of the declared public health emergency, unless it is revoked or replaced.
3. This Part applies in relation to a child attending a school if—
 - a. a principal, teacher or staff member of the school reasonably suspects that the child is unwell; and
 - b. the principal, or a person designated by the principal for this purpose, determines that, because of the reasonable suspicion, the child must be removed from the school; and
 - c. the principal or the designated person notifies a parent of the child of the determination.

4. This Part applies in relation to a child attending an early childhood service if—
 - a. a person in charge, educator or staff member of the early childhood service reasonably suspects that the child is unwell; and
 - b. the person in charge, or a person designated by the person in charge for this purpose, determines that, because of the reasonable suspicion, the child must be removed from the service; and
 - c. the person in charge or the designated person notifies a parent of the child of the determination.
5. If a parent of a child is notified of a determination under paragraph 3 or 4, the parent must ensure:
 - a. the child is removed from the school or early childhood service as soon as reasonably practicable; and
 - b. the child does not return to a school or early childhood service until:
 - i. if the child had or was suspected of having a contagious condition – the prescribed period for the contagious condition applying to the child has ended; or
 - ii. otherwise – when the child is no longer exhibiting symptoms of illness.

Definitions

For the purposes of this Public Health Direction:

6. *Approved provider* has the same meaning as in the *Education and Care Services Act 2013*.
7. *Contagious condition* has the same meaning as in chapter 5 of the *Public Health Act 2005*.
8. *Early childhood service* means an education and care service or a QEC approved service.
9. *Educator* has the same meaning as in chapter 5 of the *Public Health Act 2005*.
10. *Education and care service* means an approved education and care service under the Education and Care Services National Law (Queensland).
11. *Family day care coordinator* has the same meaning as in the Education and Care Services National Law (Queensland).
12. *Family day care service* has the same meaning as in the Education and Care Services National Law (Queensland).
13. *Parent* has the same meaning as in chapter 5, part 2 of the *Public Health Act 2005*.
14. *Person in charge* means—
 - a. for an education and care service other than a family day care service—the person who is present at the service as required by section 162 of the Education and Care Services National Law (Queensland); and
 - b. for a family day care service—a family day care co-ordinator for the service; and
 - c. for a QEC approved service—
 - i. the approved provider; or
 - ii. a supervisor who is present at the service.
15. *Prescribed period*, for a contagious condition, has the same meaning as in chapter 5 of the *Public Health Act 2005*.
16. *QEC approved service* has the same meaning as in the *Education and Care Services Act 2013*.
17. *School* means a State school or a non-State school within the meaning of the *Education (General Provisions) Act 2006*.
18. *Supervisor* has the same meaning as in the *Education and Care Services Act 2013*.

PART 2 - PENALTIES

A person to whom this direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—100 penalty units or 6 months imprisonment.

Dr Jeannette Young
Chief Health Officer

29 March 2020

Published on the Queensland Health website at 29 March 2020, 05:37pm

Understanding this Direction

Information to help you understand what this Direction means for children attending a school or approved early childhood service.

[Find out more](#)¹

Links

1. <https://www.qld.gov.au/health/conditions/health-alerts/coronavirus-covid-19/current-status/public-health-directions/school-and-early-childhood-service-exclusion-direction>

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