

Sydney Opera House Policy

Title:	COVID-19 Vaccination Policy
Policy Number:	2021/7
Effective Date:	3 December 2021
Authorisation:	Chief Executive Officer
Authorisation Date:	2 December 2021
Superseded Policy:	N/A
Accountable Director:	Executive Director, Building, Safety & Security
Responsible Officer:	Head of Safety

1. CORE PROPOSITION

- 1.1. The Sydney Opera House (SOH) recognises vaccination as the most effective means of reducing the risk of COVID-19 transmission, resulting serious health consequences and associated impacts for SOH.
- 1.2. SOH has developed this COVID-19 Vaccination Policy (this Policy) in accordance with:
 - Its duty to provide a safe and healthy workplace and environment, as far as reasonably practicable.
 - A risk assessment.
 - Consultation with SOH Employees, other Persons Conducting a Business or Undertaking at SOH Premises (including some of their Workers), SOH's key stakeholders and customers.
- 1.3. This Policy requires all:
 - Workers to be Fully vaccinated to work at SOH Premises (excluding those outlined in 3.1).
 - Patrons to be Fully vaccinated to enter the SOH Building for any reason, including to attend a tour, performance, event, meeting, box office, retail store, bar or restaurant operated wholly or partially inside the SOH Building.

2. DEFINITIONS

- 2.1. **Fully vaccinated** – means that a person has received all required COVID-19 vaccinations and can produce a current COVID-19 official certificate to that effect, or has a valid medical exemption.
- 2.2. **Patrons** – means all visitors aged 16 years and over who enter the SOH Building for any reason including to attend a tour, performance, event, meeting, box office, retail store, bar or restaurant operated wholly or partially inside the SOH Building.
- 2.3. **Person Conducting a Business or Undertaking** – has the meaning given by section 5 of the *Work Health and Safety Act 2011* (NSW).
- 2.4. **Public Health Order (PHO)** – means an order under section 7 of the *Public Health Act 2010*, made by the NSW Minister for Health and Medical Research to deal with the public health risk of COVID-19 and its possible consequences. For the most up to date PHO, visit [NSW Legislation - COVID-related legislation](#).
- 2.5. **SOH Building** – means the building known as the Sydney Opera House and excludes the lower concourse and all outdoor areas. .
- 2.6. **SOH Employees** – means SOH ongoing, temporary and casual employees.
- 2.7. **SOH Premises** – means the SOH premises at Bennelong Point, including the SOH Building and surrounding outdoor areas (excluding the car park and construction sites under the control of a principal construction contractor), and any other premises operated by the Sydney Opera House Trust.
- 2.8. **Workers** – has the meaning provided in the *Work Health and Safety Act 2011* (NSW) and includes all SOH Employees, and any other person engaged to undertake work or volunteer at SOH

Premises aged 16 years and over, including artists and personnel of resident companies, venue hirers, suppliers, onsite commercial operators, contractors and subcontractors.

3. SCOPE

3.1. This Policy:

- Applies to Workers and Patrons.
- Does not apply to:
 - Workers in an area under the control of a principal construction contractor with its own COVID-19 Safety Plan and/or vaccination policy, and that do not attend SOH Premises.
 - Visitors or patrons of food and beverage and retail venues on the lower concourse, including the Opera Bar, Opera Kitchen and the Welcome Centre shop. These are all under the control of operators who are required to have their own COVID-19 Safety Plans and/or vaccination policy.
 - Other visitors to SOH Premises that are not Patrons such as people on the broadwalks and Forecourt, and delivery drivers (as long as they remain in the loading dock if they enter the building).
 - Events exempted by the Executive Team, following a risk assessment and appropriate consultation.
- Is consistent with:
 - SOH's legal obligations under applicable legislation including the *Work, Health and Safety Act 2011 (NSW)*. If, and to the extent that, a PHO or law that is in force after the date of this Policy is more stringent than this Policy, the PHO or law will prevail.
 - [C2021-16](#) Guidance for Government Sector Agencies regarding COVID-19 Vaccinations for their Employees.
- Should be read together with:
 - The *Sydney Opera House Trust By-law 2021* (the By-law).
 - Relevant SOH policies and procedures including the *Work, Health and Safety Policy* and *Code of Conduct*
 - SOH's other COVID-19 measures and controls.

4. COVID-19 VACCINATION REQUIREMENTS

SOH Employees

- 4.1. SOH requires SOH Employees who work at SOH Premises to be Fully vaccinated and provide evidence of that status prior to entry.
- 4.2. In the case of Fully vaccinated SOH Employees who are considered 'vulnerable' (e.g. pregnant women, elderly or immunocompromised people), SOH will complete a risk assessment and consider whether reasonable adjustments and controls are possible before that SOH Employee attends SOH Premises for work.
- 4.3. SOH Employees who are not Fully vaccinated cannot work at SOH Premises and should discuss their situation with their Manager and Human Resources (HR) Representative. SOH will consider whether temporary alternative arrangements such as working remotely where practical, different duties, taking paid or unpaid leave or other consequences apply.

Workers who are not SOH Employees

- 4.4. SOH requires Workers who are not SOH Employees and who work at SOH Premises to be Fully vaccinated, and show evidence of that status prior to entry.
- 4.5. In the case of Fully vaccinated Workers who are not SOH Employees and are considered 'vulnerable', SOH will liaise with their employer to assess any controls or adjustments which may be possible at SOH Premises.

- 4.6. Workers who are not SOH Employees and are not Fully vaccinated cannot work at SOH Premises and are encouraged to discuss their situation with their employers.

Patrons

- 4.7. SOH requires Patrons who enter the SOH Building to be Fully vaccinated, and show evidence of that status prior to entry.
- 4.8. SOH does not verify vaccination status at the time of ticket sale or reservation. Patrons must be Fully vaccinated prior to their date of attendance at the SOH Building.
- 4.9. To attend the SOH Building, children under 16 years of age who are not Fully vaccinated must be accompanied by a Fully vaccinated adult (who is also a member of their household, for as long as this is a requirement of the PHO).

5. EVIDENCE OF VACCINATION STATUS

- 5.1. Workers and Patrons will be required to provide evidence that they are Fully vaccinated in one of the following forms:
- A COVID-19 digital certificate, immunisation history statement or medically exempt status displayed through the Medicare App, Service NSW App, smartphone wallet or other authorised source.
 - A printed COVID-19 digital certificate, immunisation history statement or medically exempt status issued by an authorised source.
 - Successful completion of a Service NSW QR check-in that includes vaccination status.
 - A digital or printed copy of a completed contraindication certificate (medical exemption) in the form prescribed by NSW Health, that has been executed by an authorised medical practitioner.
- 5.2. Regular COVID-19 surveillance testing (such as Polymerase Chain Reaction (PCR) or Rapid Antigen Testing) will not be accepted as an alternative means for any Worker or Patron to show they are Fully Vaccinated as required under this Policy.

6. MEDICAL EXEMPTIONS

- 6.1. SOH Employees who are unable to receive any available vaccine or have a lawful reason to temporarily defer receiving a vaccine are required to obtain a medical contraindication certificate in the form approved by NSW Health, as set out in 5.1.
- 6.2. Subject to completion of a risk assessment, which may require SOH to obtain further medical advice, reasonable adjustments and controls may be put in place for an SOH Employee with a medical exemption. This may include the SOH Employee being able to return to work at SOH Premises, working remotely, temporarily undertaking alternative duties or accessing sick or special leave. These arrangements will depend on the circumstances at hand and will be monitored, reviewed and changed as required.
- 6.3. Unvaccinated SOH Employees who have not yet obtained medical evidence of their exemption in the required form are considered not to be Fully vaccinated for the purposes of this Policy, cannot attend SOH Premises and must discuss their situation with their Manager or HR.
- 6.4. Other Workers with a medical exemption should confer with their employers, who must notify SOH of any adjustments or additional controls proposed to be implemented for consideration by SOH.
- 6.5. Patrons with a medical exemption will be required to show evidence, as set out in 5.1, to enter the SOH Building.

7. PRIVACY RIGHTS AND RECORD-KEEPING

- 7.1. SOH's collection, storage, use and disclosure of health information (including records of vaccination status) is undertaken in accordance with the *Privacy and Personal Information Protection Act 1998 (PIPP Act)* and the *Health Records and Information Privacy Act 2002 (HRIP Act)*. Both Acts underpin SOH's *Privacy Management Policy and Plan* and *Records Management Policy*.
- 7.2. SOH Employees are required to provide health information (evidence of their vaccination status or medical exemption) because it is reasonably necessary for SOH's activities. It will assist SOH

to comply with its WHS obligations and prevent risk of significant business interruption. The information will be used and disclosed only where needed to help manage COVID-19 related incidents, demonstrate compliance with the law, and otherwise as permitted by law.

- 7.3. SOH will not collect health records of Workers who are not SOH Employees, unless required under this Policy.

8. RISK MANAGEMENT

SOH follows a structured risk-based approach for the development, implementation and review of SOH's vaccination requirements in line with *SOH's Risk Management Policy*. Risks and associated controls may be scaled up or down depending on the public health situation, legal requirements, consultation and advice from the Government.

9. CONSULTATION

- 9.1. In accordance with SOH's *Enterprise Agreement*, the *Work, Health and Safety Policy* and *Work, Health and Safety Consultation Statement*, SOH consulted with SOH Employees, including SOH's Health and Safety Representatives in the development of this Policy.
- 9.2. SOH will continue to consult with SOH Employees in accordance with its legal obligations before implementing safety practices and systems that may affect their health, safety and welfare, including in relation to the duration and/or any changes to the terms of this Policy.
- 9.3. In line with SOH's commitment to customer service, SOH has and will continue to survey customers to inform this Policy.
- 9.4. SOH has also consulted with and will continue to consult with Persons Conducting a Business or Undertaking (including their Workers) in accordance with its Work Health and Safety obligations.

10. TRAINING

SOH will ensure that relevant customer-facing SOH team members, e.g. Host and Welcome team members and Security Officers, are trained in how to manage the implementation of and any non-compliance with this Policy whether by a Worker, Patron or other member of the general public.

11. COMMUNICATION

SOH's Communications team will use appropriate techniques and channels to communicate this Policy and related matters to Workers, Patrons and visitors to SOH Premises.

12. REVIEW AND MONITORING

This Policy will be effective until at least 31 January 2022. SOH will review the risk assessment, including safety and other considerations such as the evolving public health analysis and assessment, business continuity and impacts, and undertake further consultation with Workers and key stakeholders and customers before making any changes to the duration and/or terms of this Policy.

13. COMPLIANCE

- 13.1. Workers and Patrons that do not comply with this Policy will not be able to enter the SOH Building.
- 13.2. For SOH Employees, compliance with this Policy is a condition of employment.
- 13.3. Employers of other Workers are required to verify compliance with this Policy in relation to their workers' attendance at SOH Premises. SOH may request verification of this compliance or further information where reasonably necessary for the operation of this Policy.

14. SUPPORT AND GUIDANCE FOR SOH EMPLOYEES

- 14.1. The SOH Health Centre can be contacted for health-related information and the Employee Assistance Program (EAP) on 1800 818 728 is also available.
- 14.2. SOH Employees are encouraged to reach out to their Manager or HR to discuss any concerns they may have or an inability to comply with this Policy as soon as possible.

14.3. Any SOH Employee who has a grievance relating to this Policy can raise it in line with SOH's *Resolving Workplace Grievances Policy* and *Grievance Resolution Procedure*.

14.4. Contact the Policy team for any other policy-related queries.

15. RESPONSIBILITIES

15.1. **Everyone** (including Workers and Patrons) is responsible for:

- Complying with this Policy and maintaining a healthy and safe environment for themselves and others.
- Seeking clarification if they do not understand any aspect of this Policy and how it relates to them.

15.2. **Managers and supervisors** are responsible for:

- Ensuring Workers under their supervision are notified of this Policy, and understand and comply with its provisions.
- Ensuring their new starters have been trained in this Policy as part of their induction.

15.3. **Security Officers and Authorised Officers (as relevant)** are responsible for:

- Supporting SOH Employees in the enforcement of this Policy.
- Assisting with Workers and Patrons who fail to comply.

15.4. **Head of Safety** is responsible for:

- Implementing, reviewing and monitoring this Policy.
- Consulting with the Health & Safety Representatives on the implementation of this Policy as required.
- Providing advice to Human Resources and other stakeholders to develop any relevant guidelines and procedures to support this Policy.

15.5. **Human Resources (HR)** is responsible for:

- Reviewing unvaccinated SOH Employee circumstances to consider reasonable alternative arrangements and options in consultation with their Manager/supervisor.
- Providing information to SOH Employees on their eligibility to access COVID-19 pandemic special leave.
- Reviewing cases of SOH Employees awaiting medical exemptions to consider reasonable alternative arrangements and options in the interim, in consultation with their Manager/supervisor.
- Ensuring this Policy is included in induction training for new starters.

15.6. **Executive Team members** are responsible for endorsing, including in relation to the duration and/or any changes to the terms of this Policy, and supporting its implementation.

16. RELEVANT LEGISLATION

- Public Health Orders issued under Public Health Act 2010 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)

17. SOH SUPPORTING DOCUMENTS

- Code of Conduct
- COVID-19 Safety Plan
- Delegations of Authority Manual

- Grievance Resolution Procedure.
- Resolving Workplace Grievances Policy
- Trust By-law 2021
- Work, Health and Safety Action Plan (2020-22)
- Work, Health and Safety Consultation Statement
- Work, Health and Safety Policy (2020-23)

Version History

Version	Approved by	Approval date	Effective date	Sections modified
1.0	Chief Executive Officer	02/12/2021	03/12/2021	New policy

APPROVED



Chief Executive Officer
Date: 02/12/2021