



Topic 1 COVID Safe Business

Compulsory
Continuing Professional Development
(CPD)
1 hour

- Learner Guide -

Real Estate Training Solutions

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Welcome

Welcome to *CPD Topic 1 COVID Safe Business*; a short course equivalent to one CPD hour.

When RETS is satisfied that you are competent in this course, we will issue you with a Certificate of Completion stating that this hour of CPD has been achieved.

RETS gives you 12 months to complete this course.

In NSW all Class 1 and Class 2 licensed agents are required to complete 3 hours of compulsory topic CPD training each year, plus 3 hours of elective topics. NOTE: Class 1 agents must also complete 3 hours of business skills training.

NOTE: Satisfactory completion of this topic will count as **1 hour** of CPD towards the compulsory learning topics required for the current CPD year. This is only part of your CPD requirements. If you need assistance to understand your CPD responsibilities, you can speak with RETS on 1300 850 980.

HELP!!

If at any time you get stuck, or do not understand a concept please contact your tutor. You can reach them via email – tutor@rets.com.au.

Good Luck

Sasha Boe
Managing Director

Introduction

Topic Description

The objective of this topic is to provide an overview of how to ensure property industry workplaces are COVID Safe. Content delivered through this course will reflect relevant COVID-19 workplace health and safety Guidelines published by Safe Work Australia at <https://www.nsw.gov.au/COVID-19/safe-workplaces>.

Learning Outcomes

ELEMENT

1. COVID Safe Business

PERFORMANCE CRITERIA

- 1.1 Identify common coronavirus symptoms and how to manage employees and customers showing symptoms.
- 1.2 Identify steps that should be taken in the workplace to reduce the spread of coronavirus, including physical distancing, hand washing and hygiene, cleaning etc.
- 1.3 Identify how to complete and maintain COVID-19 Safety Plans.
- 1.4 Identify requirements for conducting auctions, including residential sales, tenancy open homes and saleyards).

Overview

In 2020 and 2021 agents in the real estate industry have had to operate in a global pandemic. Throughout this time, most real estate agents and assistant agents will have been bombarded with information about COVID, which also coincided with major changes to the Property and Stock Agents Act 2002 and Regulation 2014. Anecdotally, many agents were bombarded with so much information; they struggled to keep up with the daily changes.

The objective of this topic is to provide an overview regarding how to ensure property industry workplaces are COVID Safe.

The learning content of this CPD Topic relies mainly on information obtained by links. This is necessary because COVID related information can change regularly and quickly. By linking you to the appropriate web sites, you will be able to access the most recent information at any given time.

Ensuring a COVID Safe Business

COVID symptoms

It is important to be aware of how to spot COVID-19 symptoms in workers, volunteers and visitors to your business.

Symptoms of the COVID 19 include:

- fever (37.5 ° or higher)
- cough
- sore throat
- shortness of breath (difficulty breathing)
- runny nose
- loss of taste
- loss of smell.

Other reported symptoms include:

- fatigue
- acute blocked nosed (congestion)
- muscle pain
- joint pain
- headache
- diarrhoea
- nausea/vomiting
- loss of appetite.

Unexplained chest pain and conjunctivitis have also been reported as symptoms of COVID-19.

In more severe cases, infection can cause pneumonia with severe acute respiratory distress.

Anyone with symptoms of COVID-19, even mild symptoms, should get tested at a COVID-19 testing clinic.

You can access a COVID-19 symptom checker here:

<https://www.healthdirect.gov.au/symptom-checker/tool/basic-details>

Steps when workers have COVID symptoms

A key control measure businesses can implement to minimise the risks associated with COVID19 is to take steps to ensure that workers and other people who have COVID-19 symptoms do not attend the workplace.

Businesses may consider implementing a process to screen workers before they enter the workplace.

This screening process could include:

- reminding workers of the common symptoms of COVID-19 and that they should not be at work if they have or have had any of the common symptoms in the last 48 hours
- asking workers if they have recently travelled or been in contact with a confirmed case of COVID-19, and
- conducting temperature checks with touch-free thermometers.

It is important to note that temperature checks can be used in combination with other measures, but they should not be solely relied on. Temperature checks do not indicate whether a person has COVID-19. A person could have a temperature for another reason unrelated to COVID-19, and people with COVID19 may also be asymptomatic or on medication that reduces their temperature.

How to manage individuals showing symptoms in the workplace

You are not expected, and should not try, to diagnose workers. However, you have a work health and safety duty to minimise the risk of workers and others in the workplace being exposed to COVID-19 so far as reasonably practicable.

If you reasonably suspect someone has the virus, or has been exposed, this creates a health risk at your workplace, and you will need to follow the steps below. Do not wait until confirmation that a worker has COVID-19. You must act promptly to take reasonable steps to manage the risks.

Anyone who is unwell should not be at a workplace. If anyone develops symptoms at work such as fever, cough, sore throat or shortness of breath, you should ask them to seek medical advice.

It is important to remember that if a person becomes sick with these symptoms at work they may be suffering from a cold, the flu or other respiratory illness and not COVID-19.

The infographic below from Safe Work Australia may assist you to understand the process of risk management in a business when a worker or visitor may have COVID-19 symptoms.

COVID-19 at the workplace

You are not expected, and should not try, to diagnose people. However, you have a work health and safety duty to minimise the risk of workers and others in the workplace being exposed to COVID-19, so far as reasonably practicable.

If you reasonably suspect someone could have the virus, or has been exposed, this creates a health risk at your workplace, and you will need to follow the steps below.

The person you are concerned about is at the workplace



1. ISOLATE

Prevent the spread. Isolate the person from others and provide a disposable surgical mask, if available, for the person to wear.



2. SEEK ADVICE

Call your state or territory helpline. Follow advice of public health officials.



3. TRANSPORT

Ensure the person has transport to their home or to a medical facility.



4. CLEAN

Clean and disinfect the areas where the person and close contacts have been. Do not use those areas until this process is complete. Use PPE when cleaning.



5. IDENTIFY & INFORM

Consider who the person has had close contact with. If instructed by public health officials, tell close contacts they may have been exposed and follow advice on quarantine requirements.



6. REVIEW

Review risk management controls relating to COVID-19 and review whether work may need to change. Consult workers on WHS issues.

The person you are concerned about was recently at the workplace



1. SEEK ADVICE

Call your state or territory helpline. Follow advice of public health officials.



2. IDENTIFY & INFORM

Identify who at the workplace had close contact with the affected person. If instructed by public health officials, tell close contacts they may have been exposed and follow advice on quarantine requirements.



3. CLEAN

Clean and disinfect the areas where the person and their close contacts have been. Do not use those areas until this process is complete. Use PPE when cleaning.



4. REVIEW

Review risk management controls relating to COVID-19 and review whether work may need to change. Consult workers on WHS issues.

If anything is unclear, see detailed guidance on the Safe Work Australia Website

Remember:

- > There is not an automatic WHS requirement to close down an entire workplace, particularly if the person infected, or suspected to be infected, has only visited parts of the workplace.
- > Workers assisting a potentially infectious person should have appropriate PPE and follow hand hygiene procedures.
- > Consult with workers and allow them to raise concerns.
- > Do you need to notify your [WHS regulator](#)? See our [Incident Notification fact sheet](#).
- > Comply with privacy obligations. See [guidance from the OAIC](#).
- > Follow the advice of health officials at all times.

State and territory health department helplines:

New South Wales
1300 066 055

Queensland
13 432 584

Victoria
1800 675 398

South Australia
1300 232 272

Western Australia
(08) 6373 2222

Tasmania
1800 671 738

Australian Capital Territory
(02) 5124 9213

Northern Territory
(08) 8922 8044



Learning activity 1

You should now review the information on the link below under the heading 'Steps to take when the person you are concerned about is at the workplace now' (there are six steps)

and

'Steps to take when the person you are concerned about has recently been at your workplace' (there are 4 steps)

<https://www.safeworkaustralia.gov.au/COVID-19-information-workplaces/industry-information/general-industry-information/COVID-19-your>

Test Your Learning

What are the 6 steps to take when the person you are concerned about is at the workplace now?

Common methods business should adopt to reduce the spread of coronavirus

Follow the links below to obtain more information about the most common methods used by businesses to reduce the spread of coronavirus.

Note below is general information provided by Safe Work Australia.

Physical distancing

<https://www.safeworkaustralia.gov.au/COVID-19-information-workplaces/industry-information/real-estate/physical-distancing>

Handwashing and hygiene

<https://www.safeworkaustralia.gov.au/COVID-19-information-workplaces/industry-information/real-estate/hygiene>

Cleaning

<https://www.safeworkaustralia.gov.au/COVID-19-information-workplaces/industry-information/general-industry-information/cleaning>

Learning activity 2

Review the information on the links above.

Test Your Learning

What is the recommended physical distance in order to reduce the risk of contact for COVID -19?

Besides this general information from Safe Work Australia, you must also consider the individual state requirements on the following link:

<https://www.australia.gov.au/#state-and-territory-government-information>

These can vary according to outbreaks at particular times in certain locations.

Safe Work Australia COVID-19 workplace health and safety Guidelines

When accessing information about COVID-19, it is important to seek out valid and reliable sources.

This includes the Safe Work Australia National Guide for Safe Workplaces:

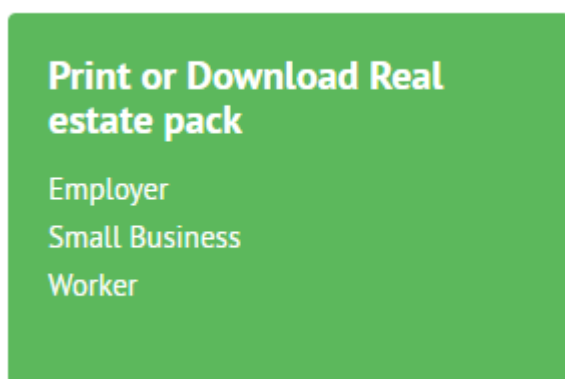
<https://www.safeworkaustralia.gov.au/doc/national-guide-safe-workplaces-covid-19>

Industry specific information from Safe Work Australia

The Safe Work Australia COVID-19 information provides for a search to make the information industry specific. Below is the link to the real estate industry specific information:

<https://www.safeworkaustralia.gov.au/COVID-19-information-workplaces/industry-information/real-estate>

At the bottom right-hand side of the page, you will find this green tile which will help you access the information under the 3 headings:



The information for workers in real estate:

<https://www.safeworkaustralia.gov.au/COVID-19-print-pack/989/734>

The information for small business in real estate:

<https://www.safeworkaustralia.gov.au/COVID-19-print-pack/989/735>

The information for the employer in the real estate industry:

<https://www.safeworkaustralia.gov.au/COVID-19-print-pack/989/733>

Learning activity 3

Review the information for employers in the link below

<https://www.safeworkaustralia.gov.au/COVID-19-print-pack/989/733>

Test Your Learning

What is the advice provided for the question 'My job involves going into other persons' homes. Do I need to clean and disinfect all of my equipment and personal effects after each visit?'

How to subscribe to updates

On the right-hand side of the page, you can subscribe to industry updates:

- Officer duties
- Manufacture of hand sanitiser
- Travel information
- COVID-19 resource kit
- COVID-19 Public health directions and COVIDSafe plans
- COVIDSafe app guidance
- Transitioning back to usual workplaces
- Heating, Ventilation and Air Conditioning (HVAC) Systems

Subscribe to updates

Subscribe to be notified about updates to Safe Work Australia's COVID-19 information.

Email

Subscribe to industry specific COVID-19 updates

Real estate ↕

Subscribe

[Subscribe to other updates from Safe Work Australia.](#)

How to complete and maintain COVID-19 Safety Plans

Information about where and how to complete a COVID-19 Safety Plan can be located on the following link:

<https://www.nsw.gov.au/COVID-19/COVID-safe#COVID19safetyplans>

On this web page, you can locate information about finding a COVID safety plan for your industry. The web site notes that if a business or organisation doesn't fit into one of the specified industries, they should complete a general COVID-19 Safety Plan instead:

<https://www.nsw.gov.au/COVID-19/COVID-safe/general-safety-plan>

Important points to note:

In order to register a business as COVID safe you must have completed a COVID Safety Plan.

You must agree to keep a copy of a COVID-19 Safety Plan at the registered business premises.

The person registering the COVID Safe Plan must agree to be responsible for the COVID Plan on behalf of the business.

The COVID plan most relevant to real estate agents is the plan that relates to Auction houses (including residential sales, tenancy open houses and saleyards):

<https://www.nsw.gov.au/COVID-19/COVID-safe/auctions-and-open-houses>

Full details are provided in the physical distancing section of the COVID-19 Safety Plan. For example, as at the date of writing this CPD unit, the below information regarding maximum is correct:

Auctions and open houses	Maximum capacity summary
Attendance	Capacity must not exceed one visitor per 2 square metres of space. Children count towards the capacity limit.

Review the COVID-19 Safety Plan information on the following link:

<https://www.nsw.gov.au/form/COVID-safety-plan/auctions-and-open-houses>

To create the Plan, you will need to record the action/s you will put in place under the following Safety Plan sections:

- wellbeing of staff and customers
- physical distancing
- hygiene and cleaning
- record keeping.

Public Health Requirements for conducting auctions, open homes and saleyards

Patron check-in at business premises that are used for auction houses, other than clearing houses, **must be** completed using electronic methods such as a QR code.

It is now a legal requirement for those businesses conducting open homes, private inspections (whether for sales or leasing) or on-site auctions to have a written COVID-19 Safety Plan.

- Whilst the requirement is only to have one overarching COVID-19 Safety Plan for your business and copies of this document can be used at all of your opens and inspections, agents should be mindful of the circumstances of each property and adjust the plan if necessary.
- The COVID-19 Safety Plan document should be on display to the public and available for examination by the NSW Fair Trading inspectors, should you be subject to a spot check.
- The COVID-19 Safety Plan requires agents to consider a series of Public Health Order 'requirements'; agents must then insert next to each requirement a set of appropriate 'actions' they plan to implement in order to satisfy each requirement.
- There is no standard set of 'actions' and your business must formulate its own COVID-19 Safety Plan relative to its own particular set of circumstances and business conditions. The NSW Ministry of Health has advised that REINSW cannot formulate a standard set of 'actions' for our members to use.
- The real estate industry is exempt from the 20-person visitor rule provided that social distancing requirements are adhered to and the 4 sqm rule observed, and importantly, that there is a COVID-19 Safety Plan in place.
- The NSW real estate industry is NOT listed as an industry required to register COVID-19 Safety Plans.
- It is an offence not to comply with a Public Health Order and NSW Fair Trading now have the power to conduct random checks of open homes and auctions,

and issue on-the-spot fines to real estate businesses and individuals where there is non-compliance of the Public Health Order.

- Agents must be able to show that they not only have a COVID-19 Safety Plan but that they have also observed the rules of that Safety Plan in order to be deemed compliant by NSW Fair Trading.
- Agents need to consult with their staff about the COVID-19 Safety Plan and ensure that they understand the Plan and the obligations imposed by the NSW Public Health Order.

COVID and Strata Management

The Strata Schemes Management Amendment (COVID-19) Regulation (No 2) 2020 came into effect on 5 June 2020.

You can view the legislation directly here:

<https://www.legislation.nsw.gov.au/view/pdf/asmade/sl-2020-660>

COVID NOTE – The Amendments to the legislation are a temporary measure, stated to be repealed on 13 May 2021.

From 5 June 2020 amendments to the Strata Schemes Management Regulations 2016 allow owners corporations to hold meetings by other means even if the necessary resolutions have not been previously adopted. People voting by these alternate means are taken to be present for the purpose of determining quorum.

'This entitlement will be subject to the secretary¹, (or if strata managing agent may exercise the functions, the strata managing agent) taking reasonable steps necessary to ensure that each owner of a lot in the strata scheme or each member of the strata committee (as the case may be) can participate in and vote at the relevant strata meeting. To avoid argument about what constitutes reasonable, it would be best to resolve the relevant motions to adopt pre-meeting voting at the next committee and general meetings to firm up this position and ensure that attendance by other means will remain available to the scheme after these temporary measures are repealed.

The Fair Trading NSW website offers the following on guidance on the reasonable steps necessary referred to in the paragraph above as:

At a minimum, the secretary should ensure the technology chosen:

- *is accessible to all lot owners*
- *doesn't incur unreasonable expenses for individual lot owners to use*

¹ Source: <https://bannermans.com.au/strata/articles/strata/743-strata-in-the-time-of-covid-19-a-practical-guide>

- *has easy to follow instructions readily available.*

Committee secretaries should consider the size of the scheme and the type of owners when deciding how to ensure participation.

For example, in a smaller scheme a simple teleconferencing (phone) meeting may be suitable. Larger schemes will most likely need video conferencing platforms, voting websites, and other options.

Elections are expressly still excluded for pre-meeting electronic voting.

The time for holding the first general meeting after the initial period for the strata scheme has also been extended to 6 months rather than 2 months as required by section 14 of the Strata Schemes Management Act 2015'.

The below article by Strata Community Australia summarises the COVID related strata changes.

Electronic Voting as COVID-19 Continues

To combat issues surrounding Covid-19, many of you will know that electronic strata meetings and electronic voting have been adapted and regulated to reduce the risk of public transmission of the virus.

Voting does not have to be done in person. An owners corporation can vote on matters by:

- teleconference, videoconferencing, email, or other electronic devices
- pre-meeting electronic voting. This is a vote by email or other electronic means before the meeting. Both the owners corporation and strata committee can use this method of voting. An election cannot involve a pre-meeting electronic vote.

All strata schemes and community associations can now meet and vote electronically at general and committee meetings. Previously, strata schemes could only meet and vote electronically if the owners corporation or strata committee had adopted a resolution to allow it. Community schemes laws didn't provide for electronic voting.

To ensure these owners aren't excluded or disadvantaged, the scheme's secretary must take reasonable steps to ensure all owners can participate in and vote at meetings.

This requirement applies to strata schemes that haven't previously authorised electronic voting and to all community schemes. It doesn't apply to strata schemes that have previously resolved to allow electronic voting. They are unaffected by these changes.

Electronic voting and meetings are new for all community schemes and required new laws ensuring:

- community associations can vote by teleconference, videoconference, email or other electronic means
- certain motions can be voted on before the meeting using pre-meeting electronic voting
- schemes can hold elections electronically for committees.

At a minimum, the secretary should ensure the technology chosen:

- is accessible to all lot owners.
- does not incur unreasonable expenses for individual lot owners to use.
- has easy to follow instructions readily available.

Committee secretaries should consider the size of the scheme and the type of owners when deciding how to ensure participation.

Are electronic meetings mandatory for all schemes?

No. The new laws simply provide schemes with the option to meet and vote validly by electronic means.

Some schemes may be able to continue holding meetings in person and paper ballots for voting, as long as they follow public health advice about physical distancing and hygiene.

The new laws also allow for meeting notices and other documents to be served by email, rather than hard copy, reducing points of contact.

To learn more, head to Fair Trading's website where they address online meeting and voting in more detail, here.

Source: <https://nsw.strata.community/electronic-voting-as-covid-19-continues/>, accessed 16/2/21

To assist start agents in navigating the COVID-19 changes, Bannerman Lawyers have produced an excellent resource called 'Strata Solutions & ToolKit' which you can access here:

<https://bannermans.com.au/strata/articles/strata/743-strata-in-the-time-of-covid-19-a-practical-guide>

Conclusion

This CPD Topic has looked at

- Identifying common coronavirus symptoms and how to manage employees and customers showing symptoms.
- Identifying steps that should be taken in the workplace to reduce the spread of coronavirus, including physical distancing, hand washing and hygiene, cleaning etc.
- Identifying how to complete and maintain COVID-19 Safety Plans.
- Identifying requirements for conducting auctions, including residential sales, tenancy open homes and saleyards).