

**Submission
No 132**

**INQUIRY INTO PLANNING AND DELIVERY OF SCHOOL
INFRASTRUCTURE IN NEW SOUTH WALES**

Name: Mr John Wright
Date Received: 5 September 2022

The Hon. Mark Latham, MLC
Parliament House
Macquarie Street
SYDNEY NSW 2000

My name is John Wright. Over the course of 2021 and 2022 I have been acting as Head Teacher History at Castle Hill High School, one of two Faculties which have operated from the HSIE staffroom, which has been affected by the discovery of asbestos fibres. I am concerned that the HSIE staff, toward whom I have a duty of care, have not yet been provided a meaningful response to the finding that they have been exposed to asbestos at work.

In my correspondence with the Department of Education regarding this matter, I have put questions which I believed required answers, and indicated that I was prepared to wait until the close of inquiries conducted by Professional and Ethical Standards (PES), as well as Worksafe NSW, to hear their findings. I note that the Worksafe NSW investigation has been completed. I have not been provided with any indication as to when the PES investigation will end or what they will do at its conclusion.

In that context, I think that the best way for me to discharge my duty of care to my staff is to make a submission to this Legislative Council inquiry asking the NSW Parliament to ensure that the school community is provided a full and frank explanation.

I regard taking this step as an unwelcome escalation. My strong preference would have been for the Department to report back to the HSIE staff and the rest of the school community at Castle Hill High School before the closing date for submissions to this inquiry, and I indicated this to the Department in writing before making this submission. Given the historical handling of this issue, I believe that the Department has much to do to demonstrate its *bona fides* — its willingness to prioritise the wellbeing of the school community above the school's and the Department's reputation. I am pleased to say that the Department responded by indicating that the questions I raised were fair questions and that putting them to this inquiry was an appropriate course of action. I take this as an indication of good faith.

The questions I ask this Legislative Council inquiry to put to the Department are:

1. Do you accept that the employer was advised that there were loose asbestos fibres present in the HSIE staffroom in 2016 and that no action was taken to remove them or to make that workplace safe until 2020?
2. Do you accept that the failure to take remedial action in 2016 compromised the safety of the staff, and possibly students, for a period of at least four years?
3. Do you accept that members of the HSIE Faculty, who sought evidence as to whether the dust which was visible in the staffroom for many years contained asbestos, were pressured to stop asking questions?
4. Do you accept that the employer failed in its duty of care to provide a safe workplace during that period?
5. Do you accept that, in the event any member of the HSIE Faculty employed between 2016 and 2020 were to contract an asbestos-related illness, the Department of Education would be legally liable?

There are a number of members of the HSIE Faculty who harbour very serious concerns that in time they may contract an asbestos-related illness. I feel it is my obligation to do everything I can to ensure that, if they do, the Department of Education will accept legal liability for their condition and provide appropriate recompense, without them having to fight a protracted legal battle.

I ask this inquiry to put these five questions to the Secretary of the Department of Education to answer on the public record. If Ms Harrison indicated that the Department did accept this responsibility, I would consider my duty of care extinguished and look forward to contributing to the task of bringing everyone in the school community back on the same page, fully focussed upon our primary task of teaching the students at our school.

Kind Regards

Acting Head Teacher History
Castle Hill High School