

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

Name: Name suppressed
Date Received: 14 September 2022

Partially
Confidential

Dear HON Mark Latham MP and Committee,

I write to you on behalf of myself and other parents who have come together in support of your effort to get answers to some very serious issues involving asbestos at Castle Hill High School. I hope my submission may provide the perspective of parents who have children that either attended the school and graduated, or are still attending. I apologise for any errors or mistakes ahead of time but hope that I am able to provide enough documentation for reference and accuracy. Although I have included some of the public documents found at parliament, I have tried to focus on the perspective of a parent.

There is no safe level of exposure to asbestos that can protect you from developing an asbestos related disease, including cancer (World Health Organisation). <https://www.asbestossafety.gov.au/>

As I and other parents recently went through hundreds of pages of public documents made available for the parliamentary investigation into the matter of asbestos at CHHS, it was deeply concerning. Looking for answers to make sense of the situation, there were few indications the safety of the children and teachers was a priority. Many documents carry a similar theme: parents and teachers being given little information about the processes involved with the management of asbestos at the school. By 2016 teachers raised significant concerns and were ignored for years. This was brought forth to the public by MP Ray Williams, whom we are grateful for.

Ongoing responses to concerned parents and teachers include 'it is safe' 'it is not an immediate risk' and 'there is no concern', 'let me assure you'. We need a comprehensive investigation into exactly what transpired from 2016 up to our present day. There has yet to be acknowledgement of the lack of compliance, lack of communication, lack of urgency and lack of concern indicated by the documents we went through as well as with parent updates. Without providing concrete evidence of any regular testing, monitoring, and management of ALL areas of the school, words of assurance cannot be justified.

The parents and staff at Castle Hill High are in a contentious situation where the department of education and other authorities seem to suggest if it doesn't look like a problem, it won't be a problem. Unfortunately for those who understand even the basics of asbestos, you cannot always see asbestos when it is there. It can be airborne for days. And if you see dust, asbestos cannot be ruled out, without proper, regular testing. We are dealing with a building that was built when asbestos was common in the 80s and it is aging every day. Anyone would think that would be enough reason to alert our government to make ongoing monitoring and management of asbestos testing critical, in all schools, in every room, well before Covid ever came into play.

Just because staff have worked there for years and thousands of students have graduated, 'appearing' healthy, it does not guarantee that they really are or always will be. Asbestos is a deadly fibre that can accumulate, and does not fully impact the body until much later. As it can slowly create disease, it is far less likely to be identified until far too late – which is why it is critical that people are appropriately informed of any exposures.

The basic question - is it not a given right for staff and students to be attending a school, or any building, for that matter, that is proven to ensure their safety? And if this is not considered a priority with NSW education funding, what is? Because if the NSW government is planning to prioritise funding to enhance early learning intervention for children, what is the point, if they cannot be assured they are attending a school that is able to promote a long and healthy life for these children afterwards?

The World Health Organisation AND Asbestos Safety (by our very own government) says there is NO safe level of exposure to asbestos. While we may be told that 'safe levels of exposure are 0.01 fibre per ml of air', once it is converted to cubic metres, it becomes 10,000 fibres per cubic meter of air and the measurement becomes far more relevant. (<https://www.britsafe.org/publications/safety-management-magazine/safety-management-magazine/2014/asbestos-testing-up-in-the-air/>)

Early 2015

My first child started year 7 at Castle Hill High School in need of learning support. For that reason, a meeting was arranged to discuss a learning plan with some of the staff and Principal. The Principal went out of her way to assure me that she and her staff would do everything possible to address any needs.

That meeting gave me the impression that my kids would be attending a school that had the best interest of the students in mind on every level. It made me grateful that I could entrust my children to a public institution that would take "duty of care" seriously, and would provide their students the best chance of a promising education and *future*.

From 2016

Unbeknownst to any parent, there were submissions within the CHHS workplace health and safety committee to address concerns about the ceiling.. *'Ceiling in B5/HSIE staffroom – bits falling where new lights installed – samples sent for analysis – still no answer!* This request would continue to be unanswered for years. [Annex A] Teachers would continue to complain about dust falling from the ceiling in the HSIE staffroom, while no further action took place. [Annex B]

It turns out that a test result did exist and asbestos was identified. Results were never provided to the teachers until years later. [News article by Frank Chung at news.com.au 1 June 2022 or <https://www.news.com.au/finahce/work/at-work/castle-hill-high-school-had-positive-asbestos-test-four-years-before-taking-action/news-story/304c7de91d457fb59e7bcef529523c0f> [annex C]

Friday 8 May 2020 Principal Update Email

Principal reminds parents that on Monday 11 May the school is phasing back to face-to face-learning since the Covid shut-downs. No mention of asbestos. [Can be provided]

Early Tuesday 12 May 2020 Principal Update Email (with attachment dated May 6)

Principal mentions *'asbestos was present in the roof spaces of a number of our buildings'*. It says *'testing has confirmed the presences of asbestos in the roof spaces of blocks A B C D and E'* but *'air levels were considered below the minimum detection limit'*. They will *'seal any potential penetrations to the ceiling cavity'*. And then *'they will plan remediation work to remove this material at a later date... This does not pose a risk to the school community'*. [Annex D and E]

Later Tuesday 12 May 2020 Principal Update Email

From the Principal with an apology that *'changes have been made'* due to *'unforeseen circumstances'*. She says, *'For reasons only just conveyed to me, we have had to made significant changes to the rooms of students and teachers due to urgent repairs of the school buildings'*. *'Repairs (?) will take place overnight and through the next few days. It does not explain the reason for becoming so urgent,* hours later the same day. There is no reference to asbestos. [Annex F]

Wednesday 13 May 2020 Principal Update Email

The principal writes yet again, to say that *as of Tuesday last night, FOUR blocks (A, B D, E) were quarantined so that precautionary work could take place.* She says it is *'Friable asbestos'*, (which is the more hazardous type), in the ceiling. *All the areas will be done at night.* It will be *'off limits'* [even though students will be at the school while it is completed].

She says that the *'action is immediate because it is asbestos'*, even if there is no *'current'* risk. [It didn't seem immediate earlier that day]. She says *'if I thought there was a remote chance of teachers and students being at risk, we would not be on site'*. [Did this include the areas of concern in 2016 with the teachers, years earlier?] [Annex G]

Thursday 14 May Principal Update Email with attachment dated May 13

Principal writes to keep parents *'entirely in the loop'*. The attachment from the DOE says that now they need to *'restrict access to rooms upstairs of Blocks A, C, E and E that have perforated ceiling tiles'*. They need to *'seal and encapsulate the material'*. They say air monitoring continues to give results below minimum detection. [So why did they need to do anything at all, if the air results were safe? And if the hygienist says that the other rooms on the same floor can be used as usual, wouldn't those areas have same materials in the roof that could be of risk? Based on the 2016 finding, no one was even willing to acknowledge that asbestos CAN fall through the ceiling, even without access to the roof cavity.] [Annex H and I]

Friday 22 May 2020 Principal Update Email

Principal writes to parents and students to remind us that the building works will require the 'closure of 26 classrooms and 2 staff rooms for 60 teachers, no hall toilets for students for 2 weeks'. The school will stay open and wet weather is expected. Students must somehow still master social distancing while wet weather keeps them crowded inside. [To ensure safety on every level, couldn't the school just shut down and operate remote learning, as it had done with Covid?] [Annex J]

Friday 22 May 2020 School Newsletter

The principal notes *the building work was a result of proactive investigations by the DOE...according to the Asbestos register, there is no asbestos in the roof recorded...so this finding was 'unexpected'*. [So when did they last test inside the roof, if ever? [Why would it not be mandatory to test for asbestos prior to all construction as a safety measure? Did they ever test for asbestos before construction in the past?]

I recall this message well. It said that an asbestos issue was found during covid while children still had to attend and wear masks to school. I could not understand how any sort of construction involving asbestos would be safe enough for the students to be on campus, all while having fewer class rooms, toilets, wet weather and covid at large. I contacted the school directly about this and got a generic reply that went out to all the parents. I felt uncomfortable about the situation but had no option but to comply with mandatory attendance and hope my kids would be ok.

Thursday 4 June 2020 Parliament document

CHHS Asbestos Remediation Work assessed and finds non-compliance. There is non-compliance documented during the remediation, which may have significantly compromised the health and safety of all staff and students at that time. [If this is the same group that does all the work, how can we have confidence that asbestos at the school is being managed properly, much less tested proactively in the future? How were these concerns rectified and addressed?] [Annex K]

Friday 5 June 2020 School Newsletter

Update on remediation work: '*asbestos will not be touched*'. This is being done while students are still attending the school. Where is the mention of exactly what the SAFework NSW procedures actually are, to ensure safety of the kids while they are at the school?

Thursday 11 June 2020 Principal Update

Principal says '*work of ceilings in four bloc/s has meant we have been restricted with space – all at a time where space is needed for effective distancing and hygiene*' [Is it really a good idea to have students there at all, considering the 4 June report of non-compliance?] [Annex L]

Thursday 11 June 2020 Parliament Document Meeting with some of staff at CHHS

A list of relevant questions from staff that need answers, to give them information that is relevant to potential exposure of asbestos. [Annex M]

Monday 15 June 2020 Principal Update

Principal stating ALL staffrooms and classrooms are operational. Asbestos was '*unexpected*' and '*unknown to any of us*'. She continues '*But the department determined that it wanted to ensure perfect encapsulation, all with a view of being proactive about preventing any contamination. SafeWork NSW ensured that there was strict and absolute compliance with current and future safety for the schools community*'. [Annex N]

June 2020 Parliament Document

There were some documents in parliament not identified by an owner. This photo copy is tiny. However the content seems relevant. I am hoping the actual originals can be made available. Most are dated from June, 2020, and resemble emails

"I have in front of me at least 7 dates over the past 3 years at CHHS Central electronic WHS logs which reflect direct questions asking for material from roofs to be tested for asbestos.... We were told that the material has been tested and is safe but I haven't seen the report, where is the report, I haven't seen it. The answer was... to the best of my

knowledge in the past 4.5 years I have been Director of AMU, no there have not been any reports from CHHS to have this tested." [Annex O, 3 pages]

1 June 2020 Parliament Document

Email from concerned teacher to Jody Connor, School Infrastructure Community Engagement

This teacher requests answers to specific questions about the asbestos management and exposure.

Question 1 *RE room B15 and the dust. This room was refurbished by the TAS staff themselves, and turned into a multimedia centre at the school. What is the likelihood of exposure to asbestos?*

Question 2 *RE what prompted the discovery of asbestos in all of the upper block rooms*

Question 3 *RE upper D block and the risk of exposure when the new gym was built in 2003*

Question 4 *RE how they were informed verbally and also in one document from an email via the principal or deputy principal that there is asbestos in the portables. This person was distressed not to be told WHICH portables were of concern and whether any would be shut down or remediated*

Question 5 *RE Upper A block rooms, asking about exposure levels in those rooms*

Question 6 *RE Upper D block rooms asking about exposure levels there*

Lastly this brave teacher notes that the car park nearest the hall has a skip bin partly fenced off. It had building materials and plasterboard. They asked the GA where that material was from - they said either Upper E block or D block. [Annex P]

5 June 2020 Allegations asbestos concerns were not addressed Parliament Document

Joanne Marshall responding to allegations that asbestos concerns were reported but no action taken. She determined that concerns were dismissed because 'the school's asbestos register had no record of asbestos. This could suggest that asbestos testing as a precaution prior to any kind of construction is not mandated nor seemingly relevant even though all buildings, with or without asbestos, will deteriorate with age, making reliance on a dated document far more risky. [Annex Q]

15 June 2020 Principal Update

An update to say that the work was completed and praised students for working flexibly within the constraints of limited space, wet weather, covid, and asbestos all while attending the school.

Thursday 11 March 2021 Principal Update with attachment

NSW Government is undertaking a range of proactive programs to identify and manage potentially hazardous materials across NSW schools. These programs aim to ensure the continued health and safety of the school communities. [What does a 'proactive program' entail?]

'As communicated in the notification shared in May 2020, the department implemented approved control measures to ensure that asbestos containing material found in roof cavities of CHHS were managed safely. This included sealing any potential penetrations and air vents to the ceiling cavity and making sure the material remained encapsulated in with advice from the independent hygienist. The works were safely completed...Inspections and air monitoring has been scheduled to take place from 13 March to 18 March.

[So students will continue to attend, while monitoring takes place, before the air is deemed safe? Why bother if it is at the same time? And why wouldn't all this be done over school holidays prior to students returning?] [Annex R]

17 December 2021 Parent email with attachment 17 December 2020

Acting principal mentions works are scheduled to be undertaken... The attachment says bonded asbestos will be removed outside of school hours in block D. It will not pose a risk. In addition to this, they will also be working with roof repair work for Block H. As a precaution, safety measures and monitoring will be put in place to ensure this is no risk either. [How do they know if block H is in fact a risk or not, unless they have tested and monitored the area first? And wasn't it determined earlier that most roof areas contained asbestos?] [Annex S]

4 Jan 2022 Parliament Document

Eurofins Environment Testing for asbestos indicated high asbestos levels on locations including a doorknob and wall [Annex T]

2 Feb 2022 Parliament Document

Safe work & Environments Asbestos fibre counting results indicate test tapes collected had high asbestos levels.
[Annex U]

1 Feb 2022 Parliament Document

SafeworkNSW reports a dangerous incident whereas *'renovating room DR1008 to increase the size resulted in major renovations after which the air quality was tested 3 times 4th, 19th, and 20th of January showing air quality was contaminated from asbestos. No asbestos work was done during construction. Found shelves in the room made from asbestos which was removed.'* [Annex V]

8 April 2022 Parliament Document

Email from someone to Michelle Johns, indicating significant concerns over again, the management of asbestos. The question as to whether the appropriate service providers were hired with the relevant qualifications begs the question to be answered regarding who has been hired for each of the works done at the school since, well; at least 2016
[Annex W].

2 May 2022 Parliament Document

Letter from Joanne Marshall to the staff at CHHS regarding 2016 asbestos test results. She provides an apology about the 2016 certificate of analysis and the provision of inaccurate information. She says that the appropriate information and documentation was only just provided to SafeworkNSW on Thursday 28 April 2022. She provides counselling and support service information. She includes the minutes from the meeting with staff on 26 April about this issue. [Annex X]

9 May 2022

An email to Michelle Johns from a teacher concerned about their exposure for a decade ever since a date in the woodwork room. Dust was in a room that was degrading and they were not aware of other teachers concerns in other areas of the school. Around 2012 there was construction completed by the head teacher of TAS at the time. They ask about the protocol for construction at the school with regard to asbestos testing and procedures. They mention they were not aware whether it is acceptable for works to be completed by school staff. They ask for transparency and clarity as to whether the principal was fully informed of appropriate protocols with the asbestos management plan.
[Annex Y]

Tuesday 31 May 2022

Our local MP Ray Williams is on the news. It was then I learned that the school had not disclosed nor acted upon dangerous asbestos detection back in 2016. When I met him he had valid documentation. He helped me realise more answers were needed... urgently. There are thousands of students who attended the school, with hazardous levels of asbestos present, for the entire time there. [Annex Z]

Wednesday 1 June 2022 Email with attachment

Parent email with attachment, it is not identified as works or asbestos related
[I know many parents missed this email because there was no indication about the content. Historically we were sent an email with some kind of reference to suggest it was work or asbestos related, this one said nothing.] The attachment states *'the department is confident there are no current asbestos issues at CHHS. The letter also acknowledges tests results from 2016 were not identified until this year.* [Any they refer to the 2020 asbestos as 'unexpected'.] [Annex Aa]

'This is where concerned individuals can record their details on the National Asbestos Exposure Register....for members of the community who think they may have been exposed to asbestos can record the details of their exposure for their future reference. There is no minimum level of exposure required to add your details to the register for 'future reference'. [In this letter, there is no evidence that anything 'proactive' took place before 2016, until 2020.]
[Annex Bb]

25 June 2022

Possible minutes from meeting between a Teachers Federation Rep, Jo Marshall and a staff member?

Jo responds to the questions first by stating her role is to progress the concerns through to the appropriate people in WHS and they will provide a response. WHS unit will provide the response, not Jo Marshall. Other responses from her is that she:

hasn't yet looked at the screenshots that were sent, has not seen the requests for testing and wants to read them, is unaware of what form they were asking about, will get back to a certain person, will investigate what the policy was and provide an answer, Unsure of why the requests for testing were not escalated to the Director. [Annex Cc]

29 June 2022 Email from Principal with attachment 28 June 2022

Email says planned upcoming maintenance works at CHHS will involve working with asbestos containing material located in vinyl floor tiles in Blocks A, E, and LL.. This is following the 1 June notice where the attachment says 'the department is confident there are no current asbestos issues at CHHS'. [Annex Dd]

25 July 2022 Parent Email with 2 attachments

Attachment reiterates the process taken during school holidays was monitored and in this instance, an additional FAQ page explains how there is strict accordance with SafeWork NSW and legislation, regulations, policies and guidelines including an asbestos management plan for NSW Government schools. It sounds so complex it is not likely for any parent to understand. And there is no link to see if any of these many processes are broken down in detail. [Annex Ee]

July 2022 CHHS P & C Meeting

In this meeting, a parent had raised the issue of asbestos at the school to be discussed. At that meeting, a few other parents also responded with concerns, adding that Ray Williams really did have documentation that was valid, and there needed to be more information provided to the school community about what was and wasn't being done to ensure high levels of asbestos would not be ignored. At one point there was a mention of the inquiry made at parliament by Mark Latham for an investigation.

Following that meeting, some of the parents were wanting to form a parent asbestos safety subgroup. It would be for the best interest of the students, to be their voice and explore what else could be done to ensure the safety of the CHHS students whenever asbestos was involved.

We met and researched what other schools did that had similar issues with asbestos. Some of these schools were able to resolve their concerns through the support and involvement of their school P&C. We felt that it would be a good idea to approach the P&C, hoping we could better address unresolved issues involving the students' safety. The idea was to explore what options there might be to address the current concerns Mr Williams raised in the news. One of the parents asked to list this idea for the next P&C agenda with the idea of forming a subcommittee under the school P&C umbrella, since other schools had done this successfully and significantly reduced concerns with asbestos management.

17 August CHHS P & C Meeting

The next P&C meeting was organised by the school and guests came to speak about the management of asbestos at CHHS. This included: Haysayam Elhassan, Joanne Marshall, and Michelle Johns. Those who attended were told that everyone would be muted while they presented their information. They directed everyone to an email to provide any questions or concerns in writing. At the end of the meeting a parent proposed that a parent group be considered to ensure that any concerns for the asbestos management could be addressed. Legga the P&C President explained to all the attending parents that the Principal and P&C could not be involved with a parent asbestos group because of their legislation. The concern for this decision to be made raises the question as to whether there is actually a voice for the safety of our children involving asbestos. We understand that teachers can rely on advocacy from the Teachers Federation for this.

In Summary

The communication provided to CHHS parents has been confusing, lacks transparency, and becomes inconsistent with back and forth updates that alternate between *'the school is safe'* and *'we need to remediate/remove again'*.

The disruption and uncertainty of asbestos exposure and removal that continues to impose itself on the teachers, parents, students and community is not likely to remain cost effective nor productive. It undermines confidence in the way the government bodies are involved with asbestos management for our school. The most heartbreaking part is that, these issues do not involve the building of a new oval, or changing the look of the kid's uniforms, it is about ensuring the best possible quality of life for our students now and their future.

As parents, it is monumental that a proposal such as the one below is considered immediately. Because if the authorities say that CHHS is safe... it needs proven to be safe. Free of asbestos in ALL areas of the school. Because students and faculty exist in ALL areas of the school... all the time.

It is proposed that as early as these school holidays,

- Thorough testing is done in ALL rooms, by two new, separate and independent hygienists, who are not associated with each other, nor any government related bodies. This will ensure more accurate results.
- That air monitors, are located in ALL rooms, and monitored at the same time, everywhere in the school, including the demountables, for a significant time frame, not just a few hours here and there. Consistent tape testing as well.
- If in fact, if the findings indicate high levels of asbestos exposure throughout the property, an entire shut down should ensue so that a new school is built from the ground up while students are relocated to a nearby area with asbestos-free demountables.

Rebuilding may be more costly in the short term, but for the long term,

- It will eliminate all asbestos related risks and concerns for over 2000 students in one of the largest schools that is logistically so difficult to effectively manage and monitor.
- It would reduce the increasing burden of asbestos-related disease in the future on our health care system.
- It will stop the ongoing band-aid approach whereas the costs for testing, monitoring, remediation and removal will never end within one of our states largest schools. And neither will the containment and removal, and sectioning of a building where all areas will only deteriorate further as time passes.
- It will halt the biggest ongoing, unanswered question for everyone, at the school, who was, or is still attending CHHS: **when were the exposures, for how long, and what kind was it?**

As the HON Sarah Mitchell MLC recently wrote in her letter dated 2 August 2022, with approved funding for the complete relocation of Lennox Head Public School. ***'The safety and wellbeing of students and staff are of the utmost importance'...*** ***'new solutions need to be explored to ensure the best long-term outcome for generations of students in the region.'*** Although that project is not due to asbestos, she makes a relevant point. [Annex Gg]

On one hand, CHHS may be one of the largest schools to relocate, but if you flip it around, it is also one of the largest number of students facing a very uncertain future unless things really change quickly.

We know the department of education has proven that it can take effective measures to manage the health risks of students all across the state with Covid shut down and learning was mandated from home.

If our government cannot assure that all children are spending their early years of learning in an asbestos-free environment, the potential implications of exposure will cause grave concerns about how decisions are made with little regard for the future.

Respectfully submitted, A concerned parent in support of the parent asbestos group for CHHS.