

**ENFORCEABLE UNDERTAKING**

Part 11

*Work Health and Safety Act 2011*

The commitments in this enforceable undertaking  
are given by

**NSW Department of Education**

ABN 40 300 173 822

to SafeWork NSW and accepted by SafeWork NSW

Privacy statement

*SafeWork NSW respects your privacy and is committed to protecting personal information. The information provided on this document is for the purpose of making an undertaking to SafeWork NSW given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current state government privacy regime.*

*SafeWork NSW may publish the undertaking and the information contained in it for purposes identified in the undertaking or for other appropriate legal purposes in various publications such as newspapers and on its website. SafeWork NSW may be required to disclose personal information to other regulatory agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy is available at [safework.nsw.gov.au](http://safework.nsw.gov.au).*

## Purpose

The purpose of this enforceable undertaking is to document the undertakings given to SafeWork NSW and accepted by SafeWork NSW pursuant to Part 11 of the Work Health and Safety Act 2011 (NSW) (WHS Act) in connection with matters relating to alleged contraventions of the WHS Act or the Work Health and Safety Regulation 2017 (NSW) (the Regulations). The Agreed Terms of the Enforceable Undertaking are set out below.

## Section 1 – General information

### a. Details of the person giving the undertaking

Entity Name:	NSW Department of Education
ACN / ABN:	ABN 40 300 173 822
Registered Address:	105 Phillip Street, Parramatta NSW 2150
Postal address:	105 Phillip Street, Parramatta NSW 2150
Telephone contact:	██████████
Email address:	██████████@det.nsw.edu.au
Legal structure:	State Government Entity
Type of business:	NSW Department of Education
Commencement date of the entity:	1 November 1999
Number of workers:	
Public Service Senior Executive:	425
Ongoing:	88,417
Temporary:	34,941
Casual:	26,046
TOTAL	149,829 (note: Approximation)
Products and/or services:	NSW Department of Education provides education services to over 2,200 public schools in NSW.

### b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by NSW Department of Education;
- ii. SafeWork NSW accepts the executed Undertaking (Commencement Date).

### c. Duration

- i. Section 5 identifies timeframes for the completion of each strategy identified in this enforceable undertaking;
- ii. the enforceable undertaking will be concluded on written advice from SafeWork NSW to NSW Department of Education when all requirements of the undertaking have been satisfactorily executed.

## Section 2 – The alleged contravention

### a. Details of the alleged contravention

It is alleged by SafeWork NSW that during the periods of approximately 20 April 2015 to 30 October 2018, NSW Department of Education failed to discharge its obligations as a person conducting a business or undertaking under section 19(1) 32 and 33, and 19(2) and 33 of the WHS Act in that it did not ensure so far as reasonably practicable the health and safety of workers and/or others.

### b. Details of the events surrounding the alleged contravention

This enforceable undertaking eligibility submission is made in relation to alleged incidents of asbestos exposure at Castle Hill High School, being a public school of the NSW Department of Education, during the periods of approximately 20 April 2015 and 30 October 2018.

### c. The details of any injury that arose from the alleged contravention

As a result of the alleged contravention the NSW Department of Education is aware of [REDACTED] workers' compensation claims that have some relationship with the asbestos exposure at Castle Hill High School.

### d. An acknowledgement that SafeWork NSW alleged a contravention has occurred

It is acknowledged by NSW Department of Education that SafeWork NSW has alleged that NSW Department of Education has contravened sections 19(1), 19(2), 32 and 33 of the WHS Act.

### e. A statement of regret that the incident occurred

NSW Department of Education is committed to ensuring, as far as is reasonably practicable, the ongoing health and safety of its workers and other persons. NSW Department of Education sincerely regrets the incident that occurred during 20 April 2015 and 30 October 2018 and extends its sympathy to the injured workers, their families, NSW Department of Education workers and any others who have been affected by the incident.

Note: the above is not an admission of guilt

### f. Prior work health and safety convictions

DoE has had no prior work health and safety convictions in NSW or other work health safety jurisdictions in the last 10 years.

### g. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

Workers compensation entitlements were administered for [REDACTED] by the NSW Department of Education claims service provider, [REDACTED]. The department provided support to these staff in line with the departments Recovery at Work Program.

- h. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

Does the alleged contravention involve injury to a person?

Yes  The workers were employed by NSW Department of Education at the time of the incident.

The following support has been provided to the worker and/or their family:

- Immediate incident/injury event support and notification of injury to the Claims Services Provider for work related injury and workers compensation.
- Early intervention, including early contact with employees, provision of information and support, provision of Employee Assistance Program support, information and resources.
- Recovery and return to work support provided by dedicated NSW Department of Education RTW Coordinator.
- Return to work planning and support, including where required medical case conference and workplace return to work meetings.
- Provision of suitable work duties under Return to Work plans.
- Engagement of external workplace rehabilitation providers.
- Redeployment support to alternate role based on RTW goal.

### Section 3 – Enforcement Notices and Rectifications

- a. The details of any enforcement notices issued that relate to the alleged contravention

Were enforcement notices received?

No

Yes

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
15/09/2022	Section 191	7-426305	An asbestos register must be reviewed and as necessary revised if further asbestos or ACM is identified in the workplace. For example: - Castle Hill High School contains a number of ceiling spaces that contain sprayed limpet. Cavity walls may be inaccessible but have exposure pathways to the ceiling space. These areas have not been identified, or presumed to contain asbestos in the asbestos register for Castle Hill High School	The asbestos register for Castle Hill High School was: - updated 11/10/2022 by an independent hygienist to include inaccessible wall cavities that are presumed to contain asbestos. - the Asset Management Unit provided notifications to the school and the facilities maintenance contractor that no works are permitted within Blocks A, C, D, & E that perforate, penetrate or disturb any surfaces without consultation with the Asset Management Unit

- b. Any rectifications or changes made to work health and safety systems and/or practices as a result of the alleged contravention

Description	\$ Amount
Improved Asbestos Management Plan - The asbestos management plan (AMP) in 2015 was a hard copy document (over 211 pages) and each school held their own hard copy asbestos register which was updated publicly, yearly. The AMP had minor updates in 2017 and 2020. In September 2025, the department released a user-friendly asbestos management plan, (35 pages) with new supporting documents targeted towards School Infrastructure staff who manage projects and incident remediation. In addition, schools now have School Asbestos Management Plans which includes key points from the AMP, the asbestos management incident process, asbestos registers and site plans.	Internal resources
Daily Asbestos Register updates -The asbestos registers within the School Asbestos Management Plan are published online and updated within 24 hours of changes being made.	Internal resources
Additional training – Additional training was implemented post 2018. Under the current training framework, School Principals, School Performance PSSE staff, Asset Service Officer's and Work Health Safety Advisors are required to complete the control and management of asbestos e-learning module. In addition, an Annual Competency Check is conducted which includes questions/information relating to how to access the department's AMP and asbestos registers, as well has how to respond where asbestos is suspected or identified. The Health Safety and Staff Wellbeing (HSSW) directorate have also published two bulletins titled 'Asbestos training for general assistants and farm assistants' and 'Managing suspected asbestos in schools'. It is recommended and encouraged that General Assistants and Farm Assistants complete the asbestos training where asbestos is present in their workplace.	Internal resources
Proactive asbestos program - A program of resurveying buildings constructed prior to 2004 has been implemented with 115 inspections completed in 2023, 535 inspections undertaken in 2023-24 and 629 inspections in 2024-25. The amount indicated is for the last financial year.	~\$5.3M
Vermiculite resampling program - The NSW Department of Education currently has a program in place to sample vermiculite ceilings that have been identified as assumed asbestos or have not previously been sampled. These spaces are largely due to newly identified vermiculite containing spaces or incorrect entry of previous testing data into the database. Additional spaces are often identified throughout the Asbestos Resurvey program.	~\$1.8M

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$7,100,000

## Section 4 – Statements, commitments, and acknowledgements

- a. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

NSW Department of Education commits that the behaviour that led to the alleged contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident.

- b. A statement of assurance about future work health and safety behaviour

NSW Department of Education is committed to complying with its obligations under the WHS Act and ensuring, so far as reasonably practicable the health and safety of all workers and those who may be affected by its business or undertakings.

- c. A commitment to the ongoing effective management of work health and safety risks

NSW Department of Education commits that it will, so far as reasonably practicable, maintain ongoing effective management of work health and safety risks.

- d. An acknowledgement that the enforceable undertaking will be published and publicised

NSW Department of Education acknowledges that the enforceable undertaking will be published on SafeWork NSW's internet site until the completion of the enforceable terms and may be referenced in SafeWork NSW's publications.

- e. A statement of ability to comply with the terms of the enforceable undertaking

NSW Department of Education acknowledges that it has the financial ability to comply with the terms of this enforceable undertaking and has provided evidence with this undertaking to support this declaration.

- f. An acknowledgement consultation has occurred within the workplace regarding the proposal of an enforceable undertaking

NSW Department of Education acknowledges that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation with representatives from Health, Safety and Staff Wellbeing (HSSW) Directorate, Information Technology Department (ITD), School Infrastructure, Public Schools (regional leadership directors). This has occurred on an ongoing basis since February 2024. A representative from Castle Hill High School has also been consulted on the EU proposal.

NSW Department of Education acknowledges that SafeWork NSW may request evidence to verify the consultation arrangements that have occurred in relation to the development of the enforceable undertaking.

- g. Intellectual property licence

NSW Department of Education grants SafeWork NSW a permanent, irrevocable, royalty-free, worldwide, non-exclusive license to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

- h. A commitment to participate constructively in all compliance monitoring activities of the undertaking

NSW Department of Education acknowledges that the responsibility for demonstrating compliance with this undertaking rests with NSW Department of Education. Evidence to demonstrate compliance with the terms will be provided to SafeWork NSW by the due date for each Strategy item identified in Section 5.

NSW Department of Education acknowledges that SafeWork NSW may undertake other compliance monitoring activities to verify the evidence that is provided for each Strategy item identified in Section 5. The evidence provided to demonstrate compliance with the undertaking will be retained by NSW Department of Education until advised by SafeWork NSW that the undertaking has been completely discharged.

NSW Department of Education acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary.

NSW Department of Education acknowledges that should there be any delay in the delivery or compliance of the Enforceable Undertaking this will be subject to mutual agreement (confirmed in writing) between NSW Department of Education and SafeWork NSW.

- i. A commitment regarding linking the strategy and promotion of benefits to the enforceable undertaking

NSW Department of Education is committed to ensuring that any real or perceived promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the enforceable undertaking and that the enforceable undertaking was entered into as a result of the alleged contravention identified in section 2 above.

Where products or other deliverables are externally promoted or have a direct link to the enforceable undertaking NSW Department of Education will include the following statement:

*This (insert product or service) has been produced as part of an enforceable undertaking between NSW Department of Education, ACN: (insert ACN No.), and SafeWork NSW.*

Any variation to the above statement requires prior written agreement between NSW Department of Education and SafeWork NSW.

- j. A commitment to gain review and approval for industry and/or community safety information

NSW Department of Education commits that any strategies to be implemented by NSW Department of Education in compliance with this Enforceable Undertaking that involve safety information being provided to the industry and/or community will be subject to SafeWork NSW's review and approval of the content prior to dissemination.

- k. Inconsistent Statements

NSW Department of Education commits that it will not make any statement or otherwise imply anything that is inconsistent with the statements, commitments or acknowledgements contained in this Undertaking and will take steps to ensure its representatives, employees and officers do not make any such statements.

- l. Reliance on Commitments

NSW Department of Education acknowledges that SafeWork NSW may rely upon the commitments and statements set out in Section 4 (a), (b) and (c) above when making decisions regarding enforcement action if NSW Department of Education fails to comply with its work health and safety obligations in the future, including but not limited to any failure to comply with its obligations under this Undertaking.

- m. Withdrawal or variation

NSW Department of Education may with the written agreement of SafeWork NSW withdraw or vary the undertaking in accordance with section 221 of the Work Health and Safety Act 2011.

- n. Acknowledgement of Enforceable Undertakings Guidelines and Contravention of the Undertaking

NSW Department of Education has read and understood SafeWork NSW Enforceable Undertakings Guidelines.

NSW Department of Education acknowledges that if NSW Department of Education contravenes any of the terms of this Enforceable Undertaking, SafeWork NSW may apply to the relevant Court for an order in accordance with section 220 of the Work Health and Safety Act 2011.

## Section 5 – Strategies

NSW Department of Education undertakes to deliver the following Strategies.

Each strategy in the enforceable undertaking aims to provide lasting work health and safety benefits across the workplace, the industry, and the community, or a combination of these.

### Strategies that relate to the dissemination of information in relation to the enforceable undertaking

#### Strategy 1 – Enforceable undertaking public notice

##### Summary:

NSW Department of Education will place a public notice advising of the enforceable undertaking with SafeWork NSW.

##### WHS outcome and beneficiaries:

The public notice serves to advise the general public about the enforceable undertaking and serves as a form of both education and deterrence for industry.

##### Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
<p>NSW Department of Education will cause a public notice to be published on <a href="https://education.nsw.gov.au">https://education.nsw.gov.au</a> and the Sydney Morning Herald using the script provided in Annexure 1.</p> <p>The notice in the <a href="https://education.nsw.gov.au">https://education.nsw.gov.au</a> and the Sydney Morning Herald will be 1/8 of a page in size.</p> <p>The script for the notices are to be approved by SafeWork NSW prior to the public notice being published. Failure to adhere to these conditions may result in SafeWork NSW requesting another public notice be published.</p>	<p>Within 30 days of the Commencement Date of the enforceable undertaking but not prior to SafeWork NSW publishing a copy of the enforceable undertaking on its website.</p>	<p>NSW Department of Education, Communication and Engagement.</p>	<p>Within 7 days of placing the published notices NSW Department of Education will provide SafeWork NSW with the following evidence of placement.</p> <p>A copy of the full page on <a href="https://education.nsw.gov.au">https://education.nsw.gov.au</a> showing the public notice and the name and date of the publication.</p> <p>A copy of/confirmation of the Sydney Morning Herald presence.</p>

## Strategy 2 – Dissemination of information about the enforceable undertaking

### Summary:

NSW Department of Education agrees to disseminate information about the enforceable undertaking with SafeWork NSW within its workplace including to its workers, the members of any health and safety committee, health and safety representatives and all subcontractors working for NSW Department of Education and to any other relevant parties.

### WHS outcome and beneficiaries:

The dissemination of information about the enforceable undertaking is an important step in maintaining effective dialogue with the workforce about the enforceable undertaking and safety more broadly.

### Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
NSW Department of Education will cause for a notice to be published via <a href="https://education.nsw.gov.au/inside-the-department">https://education.nsw.gov.au/inside-the-department</a> accessible to all NSW Department of Education employees advising of the enforceable undertaking.	Within 30 days of the Commencement Date of the enforceable undertaking.	NSW Department of Education, Communication and Engagement.	Within 28 days of publishing the notices via <a href="https://education.nsw.gov.au/inside-the-department">https://education.nsw.gov.au/inside-the-department</a> NSW Department of Education will provide SafeWork NSW with a copy of the published notification.
Publish details of the enforceable undertaking in the first annual report.	First Annual report due after the date the undertaking is accepted.	NSW Department of Education, Strategic School Improvement Team.	Copy of published annual report to SafeWork NSW within 28 days of its publication.
Communication Strategy to be prepared and implemented for distribution to all NSW Department of Education staff.	Within 60 days of the Commencement Date of the enforceable undertaking.	NSW Department of Education, Communication and Engagement.	Copy of strategy and evidence of publication provided to SafeWork NSW within 28 days of publication.

## Strategies that will deliver benefits to the workplace, industry and the community

### Strategy 3 – Hazardous Material Management Digital Platform

#### Summary:

The NSW Department of Education will develop and implement a Hazardous Material Management Digital Platform so that the NSW Department of Education can effectively manage hazardous materials using a unified risk management framework across all department assets. This will greatly improve the way in which the department identifies, assesses, documents and manages asbestos in the first instance, and other substances in the future. For the purposes of this Enforceable Undertaking, Asbestos will be the first and only material/substance that will be created and implemented within the platform.

The NSW Department of Education currently relies on “low-tech” systems to ensure asbestos is managed effectively. This results in duplication, administrative burden and increases the possibility of errors. The proposed platform will:

- Centralise asbestos related data and information (inc. asbestos registers, reports, inspection details, induction and authorisation details. etc.).
- Integrate and streamline contractor management.
- Enable asbestos risk profiling to better inform how the NSW Department of Education manages asbestos.

A dedicated EU project manager will be appointed to drive the successful delivery of the proposed strategies. The role will manage and collaborate with all key stakeholders to ensure the strategies proposed are implemented within the timeframes allocated and within budget. They will have oversight of the pipeline of activities, organise and manage relevant working groups, prepare compliance evidence for SafeWork and be the SafeWork contact.

The NSW Department of Education recognises the broader relevance of this strategy for other NSW government departments managing asbestos risks and the opportunity for cross-agency collaboration and knowledge sharing. As part of this strategy, the NSW Department of Education will utilise existing relationships to identify NSW government agencies to present to.

#### WHS outcome and beneficiaries:

NSW Department of Education is one of the state’s largest employers with one of the largest asset portfolios located throughout the state. Accordingly, departmental workers (including staff and industry contractors) and the students/community will benefit from the proposed hazardous materials management platform.

The implementation of the platform will improve safety to workers, students and the community through:

- Clearer, near real-time data capture and identification of asbestos materials at department sites leading to fewer accidental disturbances of, and incidents relating to, asbestos-containing materials.
- Improved assurance and more stringent hold points to ensure other specialist PCBUs and contractors:
  - know where asbestos is located when works are proposed.
  - are adequately trained, licensed (where relevant) and authorised (where required) to conduct the works proposed.

- Greater clarity and understanding of the asbestos profile at each site and throughout the NSW Department of Education by implementing the national risk assessment algorithm.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the following table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
1. Discovery, platform selection and detailed scoping.	<p>The NSW Department of Education Information Technology Directorate, with support from the EU Working Group and Health, Safety and Staff Wellbeing Directorate, will:</p> <ul style="list-style-type: none"> <li>• Define platform scope and Minimum Viable Product (MVP) requirements in consultation with the established internal EU Working Group.</li> <li>• Conduct market research and shortlisting of suitable platforms that align with security, privacy and data governance standards.</li> <li>• Review alignment with National Guide for Asbestos Surveys risk profiling algorithm and data model mapping to ensure capability to capture and profile asbestos risk data consistently across assets.</li> <li>• Develop detailed scoping and functional requirements documentation.</li> <li>• Develop detailed process flows and customer journey maps.</li> </ul>	Within 4 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Chief People Officer and Chief Information Officer.	<ul style="list-style-type: none"> <li>• Approved project scope and business requirements documentation.</li> <li>• Market scan and platform evaluation report.</li> <li>• Evidence of alignment to the National Guide for Asbestos Surveys (risk profiling algorithm and data model mapping).</li> </ul>
2. Platform build, configuration, and prototype testing.	<p>The Information Technology Directorate, with support from the EU Working Group and Health, Safety and Staff Wellbeing Directorate, will:</p> <ul style="list-style-type: none"> <li>• Build and configure the platform according to agreed MVP requirements.</li> </ul>	Within 12 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Chief Information Officer.	<ul style="list-style-type: none"> <li>• System design and configuration documentation.</li> <li>• UAT test cases and results.</li> <li>• Demonstration of algorithm integration and output examples.</li> <li>• Prototype walkthrough in a test environment.</li> </ul>

	<ul style="list-style-type: none"> <li>Establish data architecture in alignment with the new platform.</li> <li>Establish and integrate risk-based assessment framework/profiling algorithms.</li> <li>Conduct system build testing and internal user acceptance testing (UAT).</li> <li>Develop user interface, data input templates, and reporting dashboards for pilot use.</li> <li>Integrate with internal systems based on the requirements.</li> </ul>			
3. Data migration, pilot, and validation testing.	<p>The Information Technology Directorate, in collaboration with EU Working Group and Health, Safety and Staff Wellbeing and School Infrastructure NSW, will:</p> <ul style="list-style-type: none"> <li>Migrate legacy asbestos-related data from existing systems to the new platform.</li> <li>Validate migrated data accuracy and consistency using automated and manual checks.</li> <li>Undertake performance, usability, penetration testing.</li> <li>Risk assessment framework/profiling algorithm test providing clarity on the risk framework and outputs.</li> <li>Undertake stakeholder training and feedback sessions.</li> </ul>	Within 18 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Chief People Officer, Chief Information Officer and School Infrastructure.	<ul style="list-style-type: none"> <li>Pilot reports and user feedback summary.</li> <li>Evidence of migrated data validation results.</li> <li>Training materials and attendance records.</li> <li>Platform demonstration including risk profiling results.</li> </ul>
4. Staged rollout and full implementation.	<p>Following successful pilot completion, the rollout will occur in stages:</p> <ul style="list-style-type: none"> <li>Phased rollout with training and onboarding support.</li> <li>Ongoing monitoring of system performance, adoption metrics, and risk algorithm outcomes.</li> <li>Continuous improvement cycles and support framework established post-implementation.</li> </ul>	Within 24 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Chief People Officer and Chief Information Officer and School Infrastructure.	<ul style="list-style-type: none"> <li>Implementation plan and progress reports.</li> <li>Usage statistics and adoption metrics.</li> <li>Risk profiling dashboard snapshots demonstrating live algorithm application.</li> <li>Post-implementation review and lessons learned report.</li> </ul>
5. Cross agency collaboration and knowledge sharing of the HMMDP.	<p>The NSW Department of Education will undertake the following:</p> <ul style="list-style-type: none"> <li>Identify relevant NSW Government agencies (e.g. ██████████ ██████████ ██████████)</li> </ul>	Within 12 months of the completion date of the delivery of the HMMDP	NSW Department of Education, Information Technology Directorate.	<ul style="list-style-type: none"> <li>Inter-agency engagement plan</li> <li>Workshop/webinar agendas, attendance records, and presentation packs</li> </ul>

	<p>██████████) through existing inter-agency networks.</p> <ul style="list-style-type: none"> <li>• Develop a structured engagement plan to share business capabilities, platform capabilities, lessons learned, and risk-assessment methodology.</li> <li>• Conduct 2–3 cross-agency knowledge-sharing workshops/webinars and invite participation through existing safety and digital-governance forums.</li> <li>• Document insights and recommendations for broader sector adoption.</li> </ul>			<ul style="list-style-type: none"> <li>• Summary report capturing shared learnings and collaboration outcomes</li> </ul> <p>The NSW Department of Education will provide any content developed for the purpose of the proposed cross collaboration to SafeWork NSW for feedback and approval.</p>
Recruitment and appointment of EU project manager role within Health Safety and Staff Wellbeing directorate.	The NSW Department of Education, Health Safety and Staff Wellbeing Directorate will employ a Clerk Grade 11/12.	Within 3 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Executive Director, Health Safety and Staff Wellbeing.	Within 3 months of the accepted enforceable undertaking the NSW Department of Education will provide SafeWork NSW with role description, role advertisement and appointment information when filled.

Cost:

Description	\$ Amount
Hazardous Materials Management Digital Platform (budgetary estimate pending formal discovery and procurement process)	██████████
Appointment of EU Project Manager (2-year temporary full time)	██████████
<b>Total estimated costs</b>	<b>~\$2.5 – 3.5M</b>

The NSW Department of Education currently have over 2600 local contractors engaged to perform different maintenance services across the state. This does not include contractors engaged through major capital works streams or those contractors engaged by the schools directly. Through the development phases of the platform, the NSW Department of Education will identify all contractor engagement avenues to refine the total number of contractors that will utilise the platform and the mandatory training tools embedded. Training will be mandatory for contractors undertaking maintenance services at NSW government schools.

The success of implementing the Hazardous Material Management Digital Platform will be evaluated against key performance indicators focused on safety, compliance, and operational outcomes, including:

Category	Metric
1 System Utilisation	# active users by stakeholder type (e.g., contractor sign-ins, authorisation). # authorisations issued to contractors.

2	Data Integrity	% of data synchronised near real-time. # of data change logs tracked. % Completeness of migrated OART data.
3	Governance and Compliance	% of records with full audit trail. # of completed proactive assessments. % compliance with automated inspection and review prompts.
4	Coverage and Reach	% of schools utilising the platform. # of contractors accessing platform.
6	Stakeholder Satisfaction	Feedback mechanism within platform on topics including usability and effectiveness of contractor authorisation mechanisms.
7	Cross-Agency Collaboration	# of NSW Government agencies engaged (invited vs. attended). # of cross-agency knowledge-sharing sessions delivered (workshops, demos, webinars). % positive overall feedback received in surveys following cross-agency information sessions.

## Strategy 4 – Educational & informative asbestos related material for department workers (contractors and staff)

### Summary:

Asbestos management training and education is pivotal to the reduction of asbestos related incidents at department sites. Currently, asbestos management training is mandatory for all principals (approximately 2600) and all Public Service Senior Executive (PSSE) staff (approximately 425), Asset Service Officers and Work Health and Safety Advisors. All those who have completed the training module are reassessed annually through the department's Annual Competency Check.

The NSW Department of Education has identified that there are opportunities to improve information sharing and training relating to asbestos management within the school environment. Accordingly, the NSW Department of Education proposes to create training and informative material for the following groups:

### **Asset Maintenance Contractors**

The NSW Department of Education will include within the HDDMP platform, bite-size mandatory training with verification check points / hold points for all asset maintenance related contractors engaged by the department. The NSW Department of Education engaged approximately 2600 asset maintenance-related companies in 2025. While the number of individuals undertaking asset maintenance works in department workplaces is unknown (as they are engaged as needed) at this stage, given the NSW Department of Education's presence throughout the state including rural and remote areas, the mandatory training for contractors is expected to have far-reaching positive impacts. The 'mini-induction' type module will inform and equip contractors with the relevant information in an easy digestible manner prior to undertaking any works on NSW Department of Education sites.

### **Education Support Staff (also known as corporate staff)**

An additional new training module will be created which will be mandatory for Asset Management Group Leaders and Asset Service Officers (approximately 400 staff); and WHS Managers, WHS Leaders and Work Health and Safety Advisors (approximately 80 staff); and available on an opt-in basis to all other NSW Department of Education staff. General asbestos awareness information will be provided, as well as internal management protocols and information regarding NSW Department of Education's asbestos management framework.

### **All School Based Staff and the General Public**

In addition, the NSW Department of Education will create bite-size educational/informative material to be made available to all school-based staff (approximately 120,000 staff) and the NSW community on the department's website. These videos, infographics and/or interactive quizzes will provide context around what exposure and risk levels mean. These informative tools are envisaged to result in increased staff and community awareness, as well as trust in the way that the NSW Department of Education manages asbestos. This material will not be mandatory however participation will be encouraged internally.

The training content may be developed in a variety of formats to ensure accessibility, noting that access to a strong and reliable internet connection can be an issue in some rural/remote workplaces.

### WHS outcome and beneficiaries:

The expected WHS outcomes which will benefit workplace, industry and community are:

- Enhance department engaged PCBU's / contractors' knowledge and awareness of asbestos prior to construction and maintenance works on NSW Department of Education sites.
- Provide the NSW Department of Education with greater assurance that asset maintenance contractors are aware of and confirm they understand their obligations whilst working on school sites.
- Minimise accidental disturbance of asbestos containing materials and consequent asbestos exposure through improved information sharing.
- Enhance education support staff's skills and knowledge regarding general asbestos awareness and the department's asbestos management framework and protocols.
- Upskill asset maintenance contractors in asbestos awareness, including contractors operating in rural and remote areas.
- Improve knowledge across the government sector by distributing the education and training resources to other NSW government organisations.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position title(s) or area responsible and/or involved	Evidence that will be provided to SafeWork NSW
A mandatory training/validation module within HMMDP (strategy 3) for asset maintenance contractors engaged by the department to complete prior to commencing work on school sites. The module will include basic asbestos awareness principles as well as how to find and understand the School Asbestos Management Plan and asbestos register.	The training/validation module will be developed either internally or through an external entity	The module will be migrated into HMMDP during the platform building phase and so will occur within 24 months of the commencement date of the Enforceable Undertaking.	NSW Department of Education, Executive Director, Health Safety and Staff Wellbeing and Director Learning Development, Executive Director ITD and Deputy Secretary Schools Infrastructure.	<ul style="list-style-type: none"> <li>• Concept draft will be provided to SafeWork NSW for feedback and approval.</li> <li>• Final module will be provided to SafeWork NSW for approval at stage 3 (pilot and validation testing) of the HMMDP.</li> <li>• Statistics associated with module uptake and completion will be provided at quarterly intervals following the launch of the module in the initial 12 months.</li> </ul>
A mandatory training module to be provided within the department's professional learning system (MyPL) for critical education support staff that require asbestos awareness and an understanding of the NSW Department of	The training module will be developed either internally or through an external entity and will be published on the MyPL system.	The mandatory training module will be uploaded within 24 months of the commencement date of the Enforceable Undertaking. Note	NSW Department of education, Executive Director, Health Safety and Staff Wellbeing and Director Learning and Development.	<ul style="list-style-type: none"> <li>• Storyboard will be provided to SafeWork NSW for feedback and approval.</li> <li>• Final module will be provided to SafeWork NSW.</li> <li>• Statistics associated with module uptake and completion will be</li> </ul>

Education's asbestos management framework and protocols. This training module will be required to be completed upon commencement and refreshed through the department's annual competency check for staff nominated.		that the timing for nominated staff to complete the module will align with the calendar year in accordance with broader mandatory training protocols.		provided at quarterly intervals following the launch of the training modules in the initial 12 months.
Informative and educational videos, infographics and/or interactive quizzes relating to asbestos awareness to be made available to school-based staff and the broader community on the NSW Department of Education's website. Materials will be incorporated into messaging, for example in response to an incident or event as required.	The Informative and educational videos, infographics and/or interactive quizzes will be developed either internally or through an external entity and will be published on the NSW Department of Education's website.	Within 24 months of the commencement date of the Enforceable Undertaking	NSW Department of education, Executive Director, Health Safety and Staff Wellbeing and Director Learning and Development.	<ul style="list-style-type: none"> <li>Storyboard will be provided to SafeWork NSW for feedback and approval.</li> <li>Final materials will be provided to NSW SafeWork.</li> </ul>
The NSW Department of Education will share resources on asbestos related material with other government agencies.	The NSW Department of Education will identify relevant NSW government agencies (e.g. [REDACTED] [REDACTED] [REDACTED]) and provide materials via email to all relevant NSW government agencies.	Within 12 months of the delivery of the HMMDP	NSW Department of Education Executive Director, Health, Safety and Staff Wellbeing and Director Learning and Development.	<ul style="list-style-type: none"> <li>List of relevant NSW government agencies identified for sharing.</li> <li>Draft messaging to identified agencies with training materials.</li> <li>Evidence of messaging having been sent to identified agencies.</li> </ul>

Cost:

Description	\$ Amount
Develop educational/training material for NSW Department of Education staff.	[REDACTED]

Develop safety educational/training material for PCBUS / contractors engaged at Department workplaces.	██████████
<b>Total estimated costs</b>	<b>\$140,000</b>

TOTAL MAXIMUM ESTIMATED VALUE OF THE UNDERTAKING

\$2.64M – 3.64M

## Section 6 – Execution of Undertaking

NSW Department of Education give this undertaking and commit to the terms herein.

Signed:  
[Person]



Name: Murat Dizdar

Position: Secretary, NSW Department of Education

Dated at Sydney this 17th day of December, 2025

Witnessed in the presence of:

Signed:



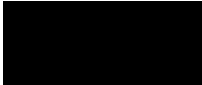
Name: Navena Duncan

Dated at Sydney this 17th day of December, 2025

## Section 7 – SafeWork NSW's acceptance of undertaking

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed:



Name: Mary Snell

Position: Executive Director, Operations and Enforcement.

Authorised delegate for SafeWork NSW.

Date: 20/01/2026

## Annexure 1 – Public Notice of SafeWork NSW’s acceptance of undertaking

Notice of Acceptance of an Enforceable Undertaking under Part 11 of the Work Health and Safety Act 2011.

Between the periods of approximately 20 April 2015 to 30 October 2018, NSW Department of Education failed to discharge its obligations as a person conducting a business or undertaking under the WHS Act in that incidents of asbestos exposure occurred at Castle Hill High School.

SafeWork NSW investigated the incident and subsequently alleged that NSW Department of Education contravened section 19(1) 32 and 33, and 19(2) and 33 of the Work Health and Safety Act 2011.

SafeWork NSW has accepted an enforceable undertaking from NSW Department of Education, ABN 40 300 173 822 in accordance with Part 11 of the Work Health and Safety Act 2011 in relation to the abovementioned alleged contravention. This notice has been placed under the terms of the Enforceable Undertaking and acknowledges acceptance of the Enforceable Undertaking by NSW Department of Education.

The undertaking requires the following actions:

- The creation and implementation of a new hazardous materials management digital platform (HMMDP) for use by the NSW Department of Education, to effectively manage hazardous materials across all department assets. For the purposes of this Enforceable Undertaking, Asbestos will be the first and only material/substance that will be created and implemented within the platform, which will:
  - centralise asbestos related data and information
  - integrate and streamline contractor management
  - enable asbestos risk profiling
- Cross agency collaboration with other relevant NSW Government agencies to share knowledge, business capabilities, platform capabilities, lessons learned, and risk-assessment methodology of the HMMDP.
- The creation of educational and informative asbestos related material and training modules for key department workers including:
  - asset maintenance contractors
  - education and support staff (corporate staff)
  - all school based staff and the general public.

NSW Department of Education is committed to ensuring, as far as reasonably practicable, the ongoing health and safety of its workers and other persons. NSW Department of Education sincerely regrets the alleged contravention and extends its sympathy to the exposed workers and their families, NSW Department of Education workers and any others who have been affected by the incident.

This undertaking provides the ability to make further improvements in relation to health and safety within NSW Department of Education and its workforce, the industry and local community.

The full undertaking and general information about enforceable undertakings is available at [safework.nsw.gov.au](http://safework.nsw.gov.au).