

# **STANDING COMMITTEE ON PUBLIC ADMINISTRATION**

## **INQUIRY INTO ASBESTOS IN SCHOOLS**

**TRANSCRIPT OF EVIDENCE TAKEN  
AT PERTH  
WEDNESDAY, 18 OCTOBER 2006**

### **Members**

**Hon Barry House (Chairman)  
Hon Ed Dermer (Deputy Chairman)  
Hon Matthew Benson-Lidholm  
Hon Vincent Catania  
Hon Helen Morton**

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**Hearing commenced at 11.19 am**

**McCAFFREY, MR PETER**

**Chief Finance Officer, Department of Education and Training, examined:**

**LOOKER, MR RUSSELL**

**Manager, Facilities Operations, Department of Education and Training, examined:**

**PARR, MR MALCOLM**

**Acting Director, Facilities and Services, Department of Education and Training, examined:**

**The CHAIRMAN:** On behalf of the committee, welcome to the meeting. You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

**The Witnesses:** Yes.

**The CHAIRMAN:** These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during this hearing for the record and please be aware of the microphones, which are there for recording the proceedings. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Would you like to make an opening statement to the committee?

**Mr McCaffrey:** I am quite comfortable to deal with the questions as they arise from your committee.

**The CHAIRMAN:** A series of questions were forwarded to the department by way of correspondence dated 11 October 2006. Those questions were: how many schools in Western Australia are known to have asbestos-containing materials and which of these schools will be assessed as part of the review; what are the proposed dates, by month, for assessment of each school; what specific procedures will be followed by the assessors to evaluate the potential risks posed by asbestos-containing materials; what course of action will be taken to rectify any problems that are identified as part of the review and in what timeframe will these problems be addressed; and what is the expected budget for this review and any corrective actions that may arise from the review? Would you like to start by addressing those questions?

**Mr McCaffrey:** Certainly. I will take the first one, asking how many schools have asbestos that we know of. Of the 771 public schools, it is anticipated that about 600 are likely to have some asbestos-containing materials. In broad terms, it is those schools which were constructed prior to 1986. As part of the review, all public schools will be investigated and analysed. As to the second question, this process has been going for some time. The assessment work will commence this month. It is scheduled to be completed by May 2007.

[11.20 am]

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Currently, a month-by-month list of schools is unavailable. The reason for that is about 12 inspectors must be engaged to undertake the work and they have been allocated a number of schools in a portion of the state. Those inspectors will liaise with the schools they have been allocated and determine an appropriate time when the inspections can take place.

In answer to the third question, the assessors are expected to inspect the building elements. The building elements include the walls, ceilings, roofs etc, in each room within each building on each site. All identified asbestos-containing materials will be allocated a risk rating based on a risk assessment matrix.

In answer to the fourth question regarding the course of action to be taken to rectify the problems, when a high-risk score is attributed to a situation, the matter will be discussed with the principal and referred to the Department of Education and Training by the Department of Housing and Works. The rectification of such situations will be addressed on a case-by-case basis.

I refer now to the final question about the costs. We have allocated an initial \$500 000 to undertake the review. We are unsure of the amount of rectification work that will be required. Therefore, it is very difficult to make an assessment on it. However, I refer to my previous response: whatever we find that is deemed to need action to be taken will go before the department's executive to decide the allocation of additional resources necessary to undertake that work.

**The CHAIRMAN:** In answer to the second question, you said that inspectors were to be engaged. Have they been engaged, and is the work about to begin, or when will they be engaged?

**Mr McCaffrey:** I understand that they have been engaged and that the work will start shortly. About 30 inspectors received training on what is required. Of those 30 inspectors, a number are unable to participate in the timeframes that we want. However, a shortlist of 12 inspectors is ready to go.

**The CHAIRMAN:** I have a series of questions and other members might like to ask further questions as we discuss each topic. Specifically, what materials in schools - for example, in the flooring or roofing - might contain asbestos?

**Mr Looker:** Schools are fabricated from a number of different styles. Some of the quite old schools were made from brick and tile. The asbestos-containing components in those types of buildings can be quite small and include soffit linings underneath and around the eaves. There also may be some asbestos-containing material in floor tiles, such as vinyl floor tiles. The amount of asbestos in those materials is quite small. On the other hand, asbestos-containing materials are found within the walls, many of the ceiling elements, the eaves and possibly some of the floor materials in cluster buildings, which are aluminium-framed buildings. It could be said that the majority of the building structure have asbestos-containing material in some buildings, whereas others have very little. It ranges across that spectrum.

**The CHAIRMAN:** Did you mention roofing?

**Mr Looker:** All schools have had their asbestos roofs removed. That was completed in 2001 or 2002.

**The CHAIRMAN:** Would the witnesses please excuse Hon Helen Morton, who must attend another appointment for half an hour.

In what year was it determined that asbestos-containing materials should no longer be used in the construction and maintenance of schools?

**Mr Looker:** I do not know whether that was decided in a specific year. Effectively, asbestos-containing materials ceased to be manufactured as building products in about 1986. Suppliers may still have had some asbestos-containing materials in their stock at that time. However, one would think that from about 1988 or so, no asbestos containing materials would have been installed in buildings. In about 1986 it ceased being put into building components.

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**The CHAIRMAN:** At the time that decision was made, was there any discussion about or decision made on the future management of asbestos-containing materials in those schools in which it was already present?

[11.30 am]

**Mr Looker:** One document I would like to refer to is this document, and I have some copies that I can provide.

**The CHAIRMAN:** Can you read out the full title of the document? Do you want to table that document?

**Mr Looker:** I think we should. The document is the report of the Western Australian Advisory Committee on Hazardous Substances. We refer to it as the WAACHS report. It is dated August 1990. I have some copies. This report was commissioned across the public sector on the management of asbestos-containing materials, but it had a particular focus on schools. An eminent body of persons across the sector were represented on that group, including health professionals and specialists in the industry. The report effectively suggested that asbestos-containing materials that were left undisturbed represented a negligible risk to health, and that has formed the body of knowledge upon which government has based its management of asbestos within its buildings. That document was used at the time by both the education department and the equivalent of the public works department, or the BMA or CAMS under its various guises, which provided advice to government departments.

**The CHAIRMAN:** You may have covered this point, but there may be some other information. Prior to the current review, have there been any previous reviews of asbestos-containing materials, and when was the last statewide assessment of asbestos-containing materials in schools?

**Mr Looker:** Yes, there has. In about 1999 the education department had completed a review of all its schools at the time and it produced an asbestos location schedule for each of those facilities. Again, one of the documents that I have brought with me today - I did not bring the whole lot, because the pile is quite big - relates to the Carine Senior High School.

**The CHAIRMAN:** Can you identify the document? Would you like to table it?

**Mr Looker:** It is an asbestos identification survey for facility 3360, which is the Carine Senior High School.

**The CHAIRMAN:** Do you wish to table that document?

**Mr Looker:** I think we should, yes.

**The CHAIRMAN:** Is there any formal procedure currently in place for assessment and management of asbestos-containing materials in WA schools? Has there ever been a formal procedure?

**Mr Looker:** That is a little difficult to answer, because you will recall that I mentioned that all the school roofs were removed. At the time that those roofs were removed, a procedure was developed by the Building Management Authority, which did a survey of the roofs to look at their level of degradation to determine the appropriate actions for the maintenance of those roofs. A rating scale of one to five was put together for that particular project. I can say yes to that, but in terms of all asbestos cement, no, there was not. A rating scale was put together specifically for roofs, but the nature of asbestos and its orientation in relation to weathering and exposure to the elements mean that it was not appropriate to apply the same scale to, say, asbestos that was inside facilities as was applied to that which was in roofs. That five-point scale existed at that time, yes. Can I hear the question again to see whether I have answered all of it?

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**The CHAIRMAN:** Is there any formal procedure currently in place for assessment and management of asbestos-containing materials in WA schools? Has there ever been a formal procedure?

**Mr Looker:** I have another document called "Asbestos Management Procedures in the Workplace", which, unfortunately, I do not have multiple copies of. This was issued to all schools.

**The CHAIRMAN:** Can you give us the date?

**Mr Looker:** It was 1994.

**The CHAIRMAN:** Do you wish to table that?

**Mr Looker:** I think we should, but I do not have multiple copies of it with me.

**The CHAIRMAN:** We can organise that. Can you explain what the document is?

**Mr Looker:** The document was issued to all schools and it outlines the way in which asbestos-containing materials should be managed at a local level with schools. It was primarily for use by school principals, but the same document was also issued to all contractors and those who were undertaking works on the schools. In 1994 the document was primarily developed for the protection of the government's workers, who in those days were day-labour employees who did much of the maintenance work on schools. Subsequently, the document was issued to all contracted employees who worked through what is now the Department of Housing and Works, and previously CAMS and so on, as part of their contract agreement when they did maintenance work at schools. That formed the basis for the way in which asbestos-containing materials should be addressed when maintenance work was required.

**The CHAIRMAN:** It was addressed from the point of view of protecting the department's workers or contracted workers, rather than -

**Mr Looker:** It actually covered both in that the workers on the facilities had the greatest potential to be exposed to risk. Certainly it was to protect them, but the procedures also covered a policy that said that when asbestos work is conducted at schools, it should be done when the premises are vacant. As a consequence, that had a protection for the building occupants. It sort of covered both, but the worksheets primarily had a focus on how maintenance work on asbestos-containing materials should be performed.

**Hon ED DERMER:** I have listened carefully to what each of you gentlemen has said today. I understand that the priority of the Department of Education and Training was to deal with the asbestos roofs when the department became aware of the hazard. Am I correct in that understanding?

**Mr Looker:** That is not quite right; to a certain extent, yes. The WAACHS report, which we tabled earlier, suggested that asbestos-containing materials in reasonable condition that were left undisturbed represented a negligible risk to health. That included roofs. The department determined, irrespective of that advice, that because the roofs were causing problems through leaks and were also a brittle surface upon which people had to walk from time to time to service roof-mounted equipment such as airconditioners and so forth, it made sense to remove those roofs, and it did so. However, it was not done on the basis of a health risk from the asbestos-containing materials in the roofs themselves. The WAACHS report certainly did not recommend the removal of any of the roofs; in fact, it said quite the contrary. It said that there was no reason that they could not remain. However, the department, notwithstanding that advice, went on a program to remove all its roofs.

**Hon ED DERMER:** The report did not necessarily recommend it, but the department made the decision.

**Mr Looker:** That is right.

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**Hon ED DERMER:** My understanding is that the danger from asbestos is when fibres become loose and are inhaled.

**Mr Looker:** It needs to be inhaled, yes.

**Hon ED DERMER:** It seems logical that roofs would have a wide surface area of asbestos-containing materials and would be exposed to the immediate atmosphere around the schools. I heard you say that a logical starting point seemed to be to remove the roofs. Mr McCaffrey's initial answers in part answered the questions that came to my mind immediately, but they have led to others. You have a program whereby you inspect all the schools.

[11.40 am]

You come back with a risk rating for each school. I presume that if you found a high-risk rating, you would go to the principal and the Department of Housing and Works immediately rather than wait until the end of the program. Is that correct?

**Mr Looker:** Yes. It is difficult to explain without becoming a bit technical, but depending upon the scale of the issue that you are referring to, the work would generally be done when the school was vacant. During a school term, schools are vacant only overnight or on weekends.

**Hon ED DERMER:** And during school holidays.

**Mr Looker:** Yes. Therefore, depending upon the scale, often the work would be postponed and undertaken during a holiday period. In cases of vandalism, where asbestos-containing materials have been broken or damaged, that work would often be undertaken overnight, if it can be. Therefore, we end up with a variety of situations. We would be surprised if, as a result of this surveying process that we are about to embark upon, there were many, if any, incidents in which materials that were of high risk were discovered. Where those things are identified, they are addressed at the time through the normal maintenance processes.

**Hon ED DERMER:** I understand what you are saying. I am trying to establish the degree to which the department takes prompt action in the event that it finds an urgent need. I imagine that the process of dealing with an asbestos-related building material might increase the risk of exposure relative to the risk of just leaving it in place. That is why you have a policy of doing that work while the school is unoccupied.

**Mr Looker:** That is true. That is also the reason that we have a policy of, in some instances, patching the material rather than removing it. As you have just said, sometimes we can create a greater hazard by removing the material than by patching it and leaving it in place.

**Hon ED DERMER:** So any action that was taken would always be guided by the need to minimise the hazards?

**Mr Looker:** That is right.

**Hon ED DERMER:** Within that constraint - that is, you might need to deal with the hazard on the next available weekend rather than the next day - I presume the idea is that when you become aware of a high-risk rating, action will be taken as soon as possible thereafter so as to minimise the overall risk to all concerned. Is that correct?

**Mr Looker:** I will paint a bit of a scenario. As you have mentioned, the risk is determined by the presence of asbestos fibres in the air that can be inhaled. Our first action is to test for that. We would use air monitoring as the first indicator of whether we have a problem that needs to be dealt with immediately. If as a consequence of that air monitoring the readings indicated that there was an immediate problem, we would vacate the school. We would stop it then and undertake the work. The reality has been that thousands of hours of air monitoring over the past 15 or more years has never revealed that situation - ever.

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**Hon ED DERMER:** Hopefully that will continue to be case. However, you will find out by the time you have completed your program, I imagine.

**Mr Looker:** We have done the air monitoring at schools in some very extreme conditions, ranging from buildings where there are concerns from parents or building occupants about the condition of material, to buildings that have been virtually demolished as a result of arson or storm damage, such as where trees have fallen through asbestos roofs. In air monitoring across all those circumstances, we have yet to get readings that are above the national exposure standard.

**Hon ED DERMER:** That is good. You intend to survey all schools during this period. You cannot be exactly sure of what the cost of the corrective action will be, because you do not yet have the results of the survey. That is logical. I take it there is an allocation of funds to address any needs that you may discover?

**Mr Looker:** We have our normal school maintenance program, which is in the region of \$60 million a year, to address normal building maintenance matters. If some of that money needs to be redirected, that is something we can do.

**Hon ED DERMER:** What I am looking for is an assurance from you gentlemen that in the event that the result of the survey is more concerning than you anticipate and there is a need for money beyond what is available from the normal school maintenance program, the extra money will be found promptly.

**Mr McCaffrey:** If I may answer that question, the department has a very rigorous budget monitoring and review process. That is based on the recurrent program and the capital works program. We find as we go through the year that a number of tender results will be slightly higher than the quantity surveyor estimated, and others will be slightly lower. On a regular basis, Mr Parr and I review what our requirements are. We are expected to do that as a matter of course. This will be treated exactly the same as any other unexpected cost that comes through our total environment. We would initially look at our internal flexibility to see what moneys we can allocate. I am very confident that if something came up to the magnitude that we needed to act quickly, those funds would be found. It might be that we would have to defer another project. A number of projects are getting delayed in our current environment, as you would be aware, due to the overheated economy in the building sector. We do have that opportunity. We also work closely with the Department of Treasury and Finance in providing it with updated cash flows on how our budget is going. If it did reach the point that there was a huge cost that we could not meet, we would immediately make a submission to the government to say we need to deal with this. We would deal with it through that process.

**Hon ED DERMER:** So basically you would alert the government to the urgent need, and the government would respond to that?

**Mr McCaffrey:** Initially we would look at our internal resources, as every government before this has always asked us to do.

**Hon ED DERMER:** In the scenario of the unexpected cost?

**Mr McCaffrey:** Yes. If it were a huge cost, something to the extreme, where we had to demolish a whole building and it would cost \$5 million or \$6 million, that would be an unexpected cost that we would need to meet. The director general has made it clear on many occasions that he considers the safety of the students to be paramount. As Mr Looker has said, if we found something that was even remotely a threat to the students, we would need to close the site.

**Hon ED DERMER:** Thank you.

**Hon VINCENT CATANIA:** The maintenance program that has been in place since 1990 has been addressing any concerns that schools might have about asbestos or any other product; so the problems have been addressed over the past 16 years?

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**Mr McCaffrey:** We have had a maintenance program for a lot longer than 16 years. That deals with the cyclical -

**Hon VINCENT CATANIA:** Since this report has come out?

**Mr McCaffrey:** Yes. We have a general maintenance program. The maintenance program is undertaken based on building assessment reports by the now Department of Housing and Works. The top priority works are done as they are required to be done. I think what Mr Looker was suggesting was that if something like asbestos removal needed to be done, and if the department had listed nine or 10 priority works, this would immediately go to number one and would replace the work that was planned to be done. It is a rolling maintenance program. The government has injected additional funds into the department over the past four, five or six years to increase the funds that we can spend on maintenance issues. As you are obviously aware, we have an aging stock that is constantly requiring work to be done.

**The CHAIRMAN:** I turn now to the last question on process. If a concern was raised by a particular school with regard to asbestos-containing materials that might pose a risk to staff and students, what process would be followed? Is there a designated point of contact for assistance in the department? Is that expected to change with this current review?

**Mr Looker:** The current policy is that if anyone in the school community has an issue with regard to matters that relate to the school, they would initially contact the school principal. The principal has a number of options that he or she can take in dealing with the matter.

[11.50 am]

For dealing with asbestos, they would probably contact the department through my branch. The principal environmental officer would then go out to meet with the school and assess the situation. Consequential actions would obviously flow from the determination that would come from that. I think it is fair to say that from time to time members of the school community do have concerns about asbestos-containing materials in schools. Those concerns need to be addressed, which is the normal process that would occur.

**Hon MATT BENSON-LIDHOLM:** I have been thinking about something else that, hopefully, will dovetail with what Mr Looker has been saying. This is only a relatively small issue, but what problems have been identified with vinyl-style tiles that may well contain asbestos? The problem goes back to the 1980s. A number of concerns have been raised because a number of Perth north metropolitan schools contained tiles -

**Mr Looker:** Floor tiles?

**Hon MATT BENSON-LIDHOLM:** Floor tiles and wall tiles. I am thinking about combustibility, and possibly with more and more airconditioning systems there may be issues there. Does that touch a nerve with you?

**Mr Looker:** It certainly does not touch a nerve with me. We consciously use the words "asbestos-containing materials" because the code of practice that guides how asbestos-containing materials shall be dealt with covers a very broad spectrum. It deals with completely unbound materials at one end. Examples I would give would include spray-on insulation that is used to protect steel elements from fire and what-have-you. That material was sprayed on a building. At the other end of the scale are bound materials. Asbestos cement in schools, which is referred to, is at that end of the scale. The vinyl tiles that you are referring to are also bound material. The asbestos material in them was put in them as reinforcing. Left undisturbed it does not create any real risk at all. The greatest risk is if somebody decides to remove the material in a way that would generate the release of airborne fibres. Normal day-to-day activity is not an issue, but if any work done was such that potentially, through high-speed power tools, grinding and those sorts of things, could release fibres, I would be more concerned. That is the reason that all the suppliers who work within the school

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environment are required to understand that that is not a way of doing business that we would approve of.

**The CHAIRMAN:** As an example of a case study, as it were, could you step us through the situation at Carine Senior High School where issues relating to asbestos materials were brought to your notice?

**Mr Looker:** Yes. It occurred at the time when I had only just joined the department, so I was a new employee. The school raised a concern, which I think was taken up with the school principal. The school principal had contacted our office. The environmental health officer went to the school. The concern related to vertical fascia panels around the roof of the building. The building has effectively a flat roof with a decorative fascia around the outside of it, behind which are gutters and part of the roof plumbing. The concern was with severe discolouration and water damage. Gutters or aspects of the roof were allowing water to run down material, which resulted in very black stains on parts of the roof fascia. The concern related to the potential for that to be breaking down and releasing airborne asbestos fibres. The school P&C had arranged for some sampling to be done of that material. They had got an independent environmental consultant to go in and have a look at the material. A report was prepared that said that the material was breaking down and was a risk to health. My initial reaction to that was to see whether or not any air monitoring had been done, and in fact none had been done. To observe that material is breaking down is one thing, but to say that airborne asbestos fibres are released is quite a different thing. I initially asked for air monitoring to be done, and the result of that was negative; no asbestos fibres were being released according to the results of the air monitoring that occurred.

At that point we then started to get into a bit of an arm wrestle, to use a colloquial term, with what we as a department felt needed to be done to deal with the health risk versus what members of the school community wanted to be done to deal with the perceived problem. There was a disagreement about that. WorkSafe was called in by both parties. The school P&C had arranged for a WorkSafe inspector to look at the facility. Simultaneously, the department had asked for WorkSafe to come in to provide some advice on the facility. When I met the WorkSafe person onsite, he was not initially sure whom he had to report to, because both requests came almost simultaneously. The consequence of all that was that WorkSafe finally issued an improvement notice. I have a copy of that with me, which we can circulate. The nature of the concern that WorkSafe had was that the documentation that existed at the school, or could not be found at the school, did not comply with the regulations of the day. An improvement notice required the department to bring that up to speed, which is exactly what we are doing now.

**The CHAIRMAN:** Would you like to identify and table that document for us?

**Mr Looker:** It is in the box. It is a handwritten improvement notice. There are a number in the box, but it is the handwritten one.

**The CHAIRMAN:** If there is a series of documents that you wish to table, could you identify them?

**Mr Looker:** It is improvement notice 305401. There are seven copies of it in the box.

**The CHAIRMAN:** Are there any other documents relating to Carine Senior High School?

**Mr Looker:** I have here a couple of other improvement notices. If I may read out the actions required in the initial notice, the department had to -

- (1) Provide an onsite register containing details of identification, assessment and control measures, as per part 9 of the NOHSC:2018 (2005).
  - (2) Carry out a risk assessment of ACM as per part 10 of NOHSC:2018 (2005).
  - (3) Risk assessment to be carried out by a competent person.
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Those were the three health and safety requirements that flowed from that improvement notice. The consequence of that was that the department prepared "Carine Senior High School. Asbestos Management Procedures". The document addressed each of those three points, as required under the improvement notice. There are copies of that in the box.

**The CHAIRMAN:** That document is tabled?

**Mr Looker:** Yes. What that effectively did was to bring up to date the original document, which I tabled earlier, which had just the location, to one that now had also a risk assessment associated with the material that had been identified on site. That is what this document did. It also brought into one bound document the other manual that I had, which was the one in the binder in the file, dealing with asbestos procedures in the workplace.

[12.00 pm]

They evolved over time and amounted to a set of procedures and an identification schedule. This document brings all that information together. The early part of that also contained a register so that anyone coming onto the site to undertake work had somewhere to record that they had been on site and had read the procedures. It formalises the process in one document and was produced by the Department of Education and Training. The equivalent of this document will be the result of this current survey round. When we have completed them, all schools will have one of these documents, which comprises a group of documents. A number of schools have difficulty finding them, and that was the case at Carine Senior High School because the principal could not put his hand on this document.

**The CHAIRMAN:** Who did the air monitoring at Carine Senior High School?

**Mr Looker:** That was done by a company called MPL.

**The CHAIRMAN:** Is that a company that contracted to the department?

**Mr Looker:** Yes; it is a specialist service that must be undertaken according to national standards. The department would not have the appropriate equipment. I think in the past we would have done it through the Chemistry Centre. However, that service is not available any more.

**Hon VINCENT CATANIA:** Is that through the Department of Housing and Works?

**Mr Looker:** That is right.

**The CHAIRMAN:** Did the results from the air monitoring of that source match the results from the independent air monitoring brought to your notice by the school community?

**Mr Looker:** No air monitoring was done by the independent adviser to the school P&C association. It had not done any air monitoring.

**Hon ED DERMER:** I understand that the test done independently was on the actual material that was believed to have frayed.

**Mr Looker:** Observations were undertaken of things on site. I think QED provided advice to the school that there was a potential for fibres to be loose, that the black material on the sheets was as a result of a fungus or biological build-up, which had the potential to release fibres. I do not think we would necessarily dispute any of that. However, the significant question is whether those fibres can be inhaled. Air monitoring at Carine revealed on four occasions that no fibres were being released.

**Hon ED DERMER:** What was independently assessed was the actual asbestos-containing material and not the air?

**Mr Looker:** That is right. Anyone who walked onto the site and saw the material would say that, visually, it was most unattractive because it was black mould. That is quite different from saying it was unsafe.

**The CHAIRMAN:** What is being done about the situation at Carine Senior High School now?

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**Mr Looker:** As a result of the issues that were occurring out there, and this acknowledgement of that, because some of those fascia panels were visually unattractive we decided to remove some of them to make some of the problem go away. To try to argue a case that these panels should stay because we wanted to dig our heels in did not make sense. We want to get the school community into using the school and focussing on teaching and learning outcomes. That is what the school is all about. We removed a number of panels; that is, those that looked the worst. Not all the panels were removed. A number of agreements came out of the resolution of the issues at Carine from a P&C association perspective. We agreed to meet the organising body of the P&C association, which is the Western Australian Council of State School Organisations, to organise an asbestos workshop for any parents who wanted to attend. I cannot remember when it was held.

**Mr McCaffrey:** Early this year.

**Mr Looker:** It might have been April; I cannot remember the date. Parents from around the state were invited by that organisation. Some came from south west schools etc to sit with us to gain a good understanding of asbestos-containing materials and asbestos in schools. An agreement was made between the department and the group representing parents at the school to jointly produce a memorandum of understanding. I believe it was signed at the last annual conference in, I think, August. I think there were three aspects. There was a requirement under a second improvement notice that principals undergo some formal training to raise their awareness of the management of asbestos in schools. That is still to be done and will occur during this last term.

**The CHAIRMAN:** It has been put to this committee that some of the maintenance work at Carine Senior High School was conducted outside the guidelines in that some of the fascia was drilled when drills should not have been used. Do you have any comment on that? Is that sort of work supervised to make sure those things do not happen?

**Mr Looker:** Some of the points I make will be a little technical. The current work practice requires that power tools should not be used to drill asbestos cement. The point is not whether the instrument cutting the material is being driven by hand or power; it is whether fibres will be released as a result of the activity. In the days when those initial documents were written, things like battery-powered drills, cutting disks and the sort of equipment that is available today did not exist. It was all 240-volt power, which allowed for high-speed cutting and which had a great likelihood of releasing airborne asbestos fibres. There is no way that that can be done. However, today a battery-powered drill and many normal drills can be operated at speeds at which the cutting point is exactly the same speed as occurs with manual equipment. They can turn very slowly. The issue is not whether the equipment is driven by power or by hand but whether the activity will release fibres. That is not to say that, from time to time, contractors do things that we would say are not appropriate. We deal with asbestos incidents at schools probably every day of the year. There are 600 schools that are built with asbestos-containing materials. We probably do 80 000 or 90 000 break-down repairs on those schools each year. We are working on asbestos in schools constantly. From time to time, that will not be done well. I am reminded by Peter McCaffrey that I am using the term “we” when the maintenance for the department is conducted through the Department of Housing and Works. Education department contractors per se do not do the work. The education department uses the Department of Housing and Works as an organisation to arrange its building works.

**The CHAIRMAN:** We will also be talking to the Department of Housing and Works.

**Mr Looker:** I understand that. I use the term “we” as a former manager on the other side of the fence at housing and works, CAMS and BMA.

**The CHAIRMAN:** Collective responsibility.

**Mr Looker:** Yes. It is part of the big firm.

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**The CHAIRMAN:** Anecdotally, I suppose, the perception that has come to some of us is that the management of asbestos-containing materials in WA state schools is lagging behind the treatment in other public buildings in WA. Is that a fair criticism?

[12.10 pm]

**Mr Looker:** I think that is totally unfair. I am serious. I have been with the Department of Education and Training for only 12 months, but I have 25 years' experience in the public sector across virtually every government department. I spent 11 years in the Department of Health and since then I have worked in the Building Management Authority, the Department of Contract and Management Services and the Department of Housing and Works before coming to the Department of Education and Training. I have seen asbestos management in every government department across the state. Ports are the only area in which I have limited knowledge. My sense is that the rest of the sector is guided by the work that is done through the Department of Education and Training, mainly because the building occupants are children; that is important. It is also the case that teachers have a strong voice within government. The concerns from those sources has led the Department of Education and Training to lead the management of asbestos within the state. Most of the documents the committee has received - even the report of the Western Australian Advisory Committee on Hazardous Substances - focus on schools. Documents that deal with the way asbestos shall be managed in workplaces have their origins in schools. I do not think it is at all a fair criticism to say that the Department of Education and Training is lagging. However, some of the smaller agencies that have a very small building portfolio can deal with the issue in a very different way to the Department of Education and Training. A department that has, for example, only 15 facilities can decide to remove all asbestos-containing materials to make it go away. That is not something that can be done as easily in the Department of Education and Training. If that is the criticism, I do not think it is fair.

**Mr Parr:** It is worth noting that the Department of Education and Training has participated in development work for matters concerning asbestos management. The code of practice that has been referred to demands that building owners conduct a survey to identify asbestos and attach a risk rating to it. The department has worked very closely in recent months with the Department of Housing and Works to develop the risk assessment instrument. There was no guidance provided in that area, so the department has been at the forefront in developing that risk assessment instrument. There was furthermore no definition for what constituted a competent person to make the assessments referred to earlier. The department was at the forefront in developing the credentials of what might be deemed a competent person to undertake these assessments.

**Hon VINCENT CATANIA:** Has the Department of Housing and Works taken on those criteria?

**Mr Parr:** Yes, the development of a whole-of-government approach now forms part of its procedure.

**Mr Looker:** The committee that is meeting through the Department of Housing and Works also has as a representative, the occupational health and safety coordinator, from the State School Teachers' Union of Western Australia. That person was part and parcel of the group that put together the new code of practice. She was on the working party that developed the code of practice, and is working with the group in developing a way forward for the asbestos assessment matrix and the training component for competent persons. I do not know that we can do any more.

**The CHAIRMAN:** Is there a parent or community representative?

**Mr Looker:** No, this is an internal government group that is composed of representatives from the major building portfolio managers across the public sector.

**The CHAIRMAN:** There is a union representative?

**Mr Looker:** That is mainly because the focus of the initial project was schools. In determining whether or not the State School Teachers' Union should be the only union represented, discussions

took place with UnionsWA to determine whether it was comfortable with that representation, and it was. It advised that it was happy for the representative from the State School Teachers' Union to represent all Western Australian unions in the working group.

**The CHAIRMAN:** I am asking whether there is a representative from the community or the parent body throughout Western Australia as well.

**Mr Looker:** No, there is not. It is a whole-of-government approach across all government departments, but it is not a public forum. It is designed to determine government policy for the way in which these sorts of issues are managed and dealt with. It is a government committee.

**Mr McCaffrey:** The committee might recall Mr Looker's comments about the work we have done with the Western Australian Council of State School Organisations. That has been very productive, particularly the relationship we have developed with the president of WACSSO. We keep WACSSO in the loop and it understands where we are going and what we are doing. We will continue to strengthen links with that organisation, even though it is not part of this committee in the early stages. We have already made those steps.

**Hon HELEN MORTON:** The "Asbestos Cement Products" report was written in 1990; "Asbestos Management Procedures in the Workplace" appeared in 1999. It would appear to me that the knowledge of the requirements to do the work that is now being undertaken has been around for 16 years or more; at least nine years in the case of "Asbestos Management Procedures". I want to understand what has led to these sudden efforts by the Department of Education and Training to develop the review of all the schools. What has not happened over the past 19 years that is going to start happening now? What difference has occurred over the past 19 years that has caused this to happen right now?

**Mr Looker:** To be honest, I think the incident at Carine Senior High School largely initiated these efforts. The work practices that were in place as a result of the WAACHS report, and the body of science that supports them, has not changed; it has not developed since then. It is still a fundamental document in providing guidance for the way that asbestos-containing materials should be managed in Western Australia. That has not changed. The procedures for management have not changed. However, there has never been legislation requiring the conducting of the sort of formal review that is being conducted, in any particular sequence. This suggests that the review should take place annually. We argue that through the normal maintenance processes, it is under constant review. In situations where asbestos-containing materials are causing a problem, they are dealt with there and then. A formal review such as the identification and location schedule has not been done since 1999. The action we are undertaking now came about as a consequence of the improvement notices that were issued. My suggestion for the proposal for the department from this point forward is to do this every three years, and to build it into our forward estimates to allow a similar sort of review to occur on a three-yearly cycle. It is a reasonable criticism to ask why another review could not have been done since the initial review. Yes, we could have done another review, but the reality is that we have a constant review going on as a result of maintenance processes. At any time, in situations in which material is identified to be a problem, it is dealt with there and then.

[12.20 pm]

**Hon HELEN MORTON:** The impression I got from previous discussion around this issue was that there was an impression that it was not being taken seriously, and that something has occurred - the Carine thing - that has suddenly jerked the department into taking it more seriously. Consequently, things are now starting to happen. From my point of view, I am just really interested to make sure that the action continues and does not, somehow or other, go back to not being taken seriously once this inquiry is over.

**Mr Looker:** I would think that we have always taken it seriously. There has never been a time that we have not done so. There has always been a recognition that asbestos is a hazardous material. There are many hazardous materials around the place, but we recognise that asbestos is hazardous.

The action in relation to the procedures that have been developed and the ongoing administration of that is a testament to the fact that the department is taking it seriously. However, as regards the formality of producing a document such as this survey, nobody is safer as a consequence of doing this. We are constantly reviewing all the asbestos in the buildings as a result of our normal day-to-day maintenance. Schools are vandalised every weekend, and schools catch fire from time to time. Flood and storm damage also occurs. When those buildings contain asbestos, it is dealt with there and then in accordance with procedures to which we have been working for a long time. None of those procedures is being changed as a consequence of this review, because they are appropriate. They are still procedures that are applied across the rest of the sector. It is really a case of the formality of going through this process. That is where the criticism can be drawn, and we would have to cop that, I guess.

**Mr McCaffrey:** We need extra information too.

**Hon HELEN MORTON:** That is the accountability?

**Mr Looker:** Yes.

**Mr Parr:** Mr Chairman, if I could just comment on that question, and endeavour to indicate how seriously the department has taken this matter over the past 16 years. It is worth following the chronology of events. The Western Australian Advisory Committee on Hazardous Substances was commissioned by the government in 1990. It represents a very solid body of scientific information. We have heard what the conclusions were - that risks to health due to exposure to asbestos cement products are negligible. Subsequent to that, the department undertook a program of encapsulating the most degraded asbestos cement roofs in schools. That program ran for approximately two or three years, broadly in the period 1992 to 1994. The purpose of the encapsulation program was not related to health issues but to arrest the erosion of asbestos cement roofs. It was an asset management policy. That was undertaken over approximately a three-year period. Then, in approximately 1995-96, the then government embarked on an asbestos roof replacement program that ran from 1996 to 2001 and cost in the vicinity of \$20 million. The result of that is that no public school in Western Australia now has an asbestos cement roof. Simultaneous with that asbestos replacement program, an asbestos identification survey was undertaken in the late 1990s. Mr Looker has spoken about the survey form, and evidenced the survey form of 1999 for Carine. That was to establish an asset register for every school premise. That was done, and distributed to every school. More recently, in this decade, the requirements of the code of practice have been updated to not only necessitate an asbestos register identifying the substance, but also attach a risk rating to that identification. That is the work being undertaken now by this review. If you focus on the actions that have been taken over the past 16 years, you can conclude that the department has taken this matter very seriously.

**Hon MATT BENSON-LIDHOLM:** I think Mr Looker may already have answered my question before. In Mr McCaffrey's introductory remarks he mentioned that the assessments were due to be completed in May 2007. Are you saying that every three years after that date we will be looking at another procedure rolled out by the department?

**Mr Looker:** Yes, we will have to do it all again.

**Hon MATT BENSON-LIDHOLM:** That is fine; I thought that may well have been the case. Obviously, in the interim, you will be reliant upon the principals and the senior administration to keep the department well versed on any issues that may crop up.

**Mr Looker:** Can I just answer that? A formal survey by an environmental specialist looking at the location of asbestos and its condition will take place every three years. However, asbestos is being managed every day through the maintenance arrangements we have in place.

**Hon MATT BENSON-LIDHOLM:** That is why I mentioned the principals. I was just qualifying things in that regard to be sure and certain. Fairly obviously, the point that was made about

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professionally developing principals and keeping them up to scratch is a very important component of all of this, because the system of promotions and staff movements all around the state would require that sort of process to be well and truly put in place and monitored very closely.

**Mr McCaffrey:** Agreed.

**The CHAIRMAN:** I think we have covered a fair bit of ground. Obviously the committee has a general interest in a matter that has been raised with us, and we have asked some questions. Specifically, three committee members were teachers in Western Australian schools in former lives, so we have a personal interest as well. By way of conclusion, are there any other documents you wish to identify and table?

**Mr McCaffrey:** I do not think so, Mr Chairman. From the department's perspective, we welcome the opportunity to come here today and discuss these matters with you, and to make clear what the department is doing. As has been pointed out on a number of occasions, we take this matter very seriously. It has been great to be able to discuss this in an open forum, and I thank the committee for giving us the opportunity.

**Mr Looker:** Asbestos has a lot of mystique around it. The public has a lot of concern, which is often unfounded, as a consequence of the lack of detailed knowledge most people have. That makes the management of this issue really difficult. From a personal perspective, I would say that a huge amount of money has been spent on the management of this issue that could well be spent far more effectively in other areas. That is not to say that a huge amount of effort is not being put into this issue already. However, it is largely dealing with perceptions rather than the reality of the health risk. Thousands and thousands of air-monitoring hours have been done at schools and have come up with a result of zip. But perceptions are the main thing we must try to deal with.

**Hon ED DERMER:** There is a popular understanding that one fibre of asbestos in the wrong place in a lung can set off asbestosis or some other dreadful asbestos-related disease. I have no idea how well founded this is medically.

**Mr Looker:** One ray of sunlight can cause skin cancer.

**Hon ED DERMER:** As long as that understanding is there, people will not be reassured by the Australian standard on the acceptable percentage of fibres in the atmosphere. I had not planned to say this, but I say it in response to your comment that a lot of people believe that to be the case. It may or may not be well founded; I just do not know. People will find it very hard to accept even the most rigorous Australian standards to accept any level of fibre as safe.

**The CHAIRMAN:** That was a comment, I think. Being involved in politics, we are well and truly aware of the difference between the emotion involved in an issue on the substance of that issue. Thank you very much for your time this morning; we appreciate it.

**Hon ED DERMER:** I made that comment in the hope that someone would know the real science behind it, but no one has come forward to enlighten me.

**Hearing concluded at 12.29 pm**

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