## Fitzgibbon, Breanna

From: Toogood, Tim

Sent: Thursday, 31 March 2022 10:03 AM

To: EGMSIoffice
Cc: School Operations

Subject: RE: FOR ADVICE: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March

2022

**OFFICIAL: Sensitive** 

Hi,

## The school have updated:

- All staff members involved have returned to school, and ongoing support is being offered through EAP.

has not returned to school no suspension issued, school supporting family with safe return to school

still serving 15 day suspension – Principal has contacted

, all are okay,

returning to school following suspension today (31/03/22), contact with family

Kind regards,

## **Tim Toogood**

## **Director School Operations**

Phone: 0468514690 Email: tim.toogood@act.gov.au

School Improvement Branch | Education | ACT Government

Hedley Beare Centre for Teaching and Learning Stirling |GPO Box 158 Canberra ACT 2601

www.education.act.gov.au | Facebook | Twitter | Instagram | LinkedIn | Google+



I acknowledge the traditional custodians of the lands and waters where we live and work, and pay my respects to elders past, present and future.

From: EGMSloffice <EGMSloffice@act.gov.au> Sent: Wednesday, 30 March 2022 4:18 PM

To: School Operations < School Operations@act.gov.au>

Cc: Toogood, Tim <Tim.Toogood@act.gov.au>

Subject: FW: FOR ADVICE: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March 2022

**OFFICIAL: Sensitive** 

Please see below request for an update from DG

From: DGEDUoffice < <a href="mailto:DGEDUoffice@act.gov.au">DGEDUoffice@act.gov.au</a> Sent: Wednesday, 30 March 2022 4:13 PM

To: EGMSDD < EGMSDD@act.gov.au >; EGMSIoffice < EGMSIoffice@act.gov.au >

Cc: DGEDUoffice <DGEDUoffice@act.gov.au>; DDGEDUoffice <DDGEDUoffice@act.gov.au>

Subject: FOR ADVICE: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March 2022

**OFFICIAL: Sensitive** 

Good afternoon all,

Please see below request from DG for an update on the welfare and wellbeing of all staff and students involved in this incident.

Can you please provide this as soon as the information is available?

Kind regards, Courtney

## Courtney Pilicic | A/g Executive Support Officer to Katy Haire, Director-General, Education Directorate

Phone: 6207 8330 | Mobile: 0466 244 210 | Email: <a href="mailto:courtney.pilicic@act.gov.au">courtney.pilicic@act.gov.au</a> 220 London Circuit, Canberra City ACT 2612 | GPO Box 158 Canberra ACT 2601 www.education.act.gov.au | Facebook | Twitter | Pinterest | LinkedIn | Google+

From: Haire, Katy < <a href="mailto:Katy.Haire@act.gov.au">Katy.Haire@act.gov.au</a> Sent: Tuesday, 29 March 2022 2:37 PM

To: DGEDUoffice < DGEDUoffice@act.gov.au>

Subject: RE: FOR INFORMATION: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March 2022

**OFFICIAL: Sensitive** 

Can I please have an update on the welfare and wellbeing of all staff and students involved?

Also I note that the DDG has instituted processes to ensure that caveats on serious matters such as this are progressed faster and more efficiently in future.

Note: The version I received on Sunday was still a draft (I provided feedback directly to Jane on it) and was not provided to me for clearance.

Katy Haire | Director-General Education Directorate | ACT Government

T: +61 2 6205 9158 | E: <u>katy.haire@act.gov.au</u>

GPO Box 158 Canberra ACT 2601 | www.education.act.gov.au

From: Reyes, Kristine < <a href="mailto:Kristine.Reyes@act.gov.au">Kristine < <a href="mailto:Kristine.Reyes@act.gov.au">Kristine.Reyes@act.gov.au</a>>
<a href="mailto:Kristine.Reyes@act.gov.au">Kristine.Reyes@act.gov.au</a>
<a href="mailto:Kristine.Reyes@act.gov.au">Kristine.Reyes@act.gov

**Sent:** Tuesday, 29 March 2022 11:48 AM **To:** Haire, Katy < <a href="mailto:Katy.Haire@act.gov.au">Katy.Haire@act.gov.au</a>>

Subject: FOR INFORMATION: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March 2022

Importance: High

Ні К

For your noting.

KR

From: Reyes, Kristine < Kristine.Reyes@act.gov.au > On Behalf Of DGEDUoffice

Sent: Tuesday, 29 March 2022 11:20 AM

**To:** DDGEDUoffice < <u>DDGEDUoffice@act.gov.au</u>> **Cc:** DGEDUoffice < <u>DGEDUoffice@act.gov.au</u>>

Subject: FW: FOR PRIORITY CLEARANCE]: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24

March 2022 Importance: High

Hi Jolene

Caveat brief on incidents can progress to MO with DDG clearance and only requires drop copy to DGO.

Thanks KR

From: Clinch, Jolene < Jolene. Clinch@act.gov.au > On Behalf Of DDGEDUoffice

Sent: Tuesday, 29 March 2022 11:09 AM
To: DGEDUoffice < DGEDUoffice@act.gov.au >
Cc: DDGEDUoffice < DDGEDUoffice@act.gov.au >

Subject: FOR PRIORITY CLEARANCE]: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March

2022

Importance: High

**OFFICIAL: Sensitive** 

Hi Team

Please find attached the Caveat brief on the incident at Calwell High late last week. This was sent to DG on Sunday night by DDG, just forwarding formally now.

Thank you Jolene

From: Clinch, Jolene On Behalf Of DDGEDUoffice

**Sent:** Monday, 28 March 2022 9:15 AM **To:** EGMSDD < <u>EGMSDD@act.gov.au</u>>

Cc: DDGEDUoffice < DDGEDUoffice@act.gov.au >; EGMSIoffice < EGMSIoffice@act.gov.au >; EDU Student Engagement

Director's Office <<u>EDUDSEOffice@act.gov.au</u>>; EDU, EBM P&P <<u>ebmpp.edu@act.gov.au</u>>

Subject: FW: [FOR PRIORITY CLEARANCE]: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24

March 2022 Importance: High

**OFFICIAL: Sensitive** 

Hi Team

This TRIM container has been updated with a version updated by Mark Huxley and approved by the DDG last night.

Kind regards

Jolene

From: EGMSDD < EGMSDD@act.gov.au>
Sent: Monday, 28 March 2022 8:32 AM

To: DDGEDUoffice < DDGEDUoffice@act.gov.au >

Cc: EGMSIoffice <EGMSIoffice@act.gov.au>; EDU, EBM P&P <ebmpp.edu@act.gov.au>; EDU Student Engagement

Director's Office < EDUDSEOffice@act.gov.au >; EGMSDD < EGMSDD@act.gov.au >

Subject: [FOR PRIORITY CLEARANCE]: FILE22/3275 S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March

2022

Importance: High

**OFFICIAL: Sensitive** 

Good morning,

Please find attached for DDG clearance.

Drop copy - EGMSI, EBM P&P, SE

Thank you, Tahlia

From: EDU Student Engagement Director's Office < EDUDSEOffice@act.gov.au >

Sent: Friday, 25 March 2022 3:10 PM

To: EGMSDD <EGMSDD@act.gov.au>; McMahon, Kate <Kate.McMahon@act.gov.au>

Cc: EDU Student Engagement Director's Office < EDUDSEOffice@act.gov.au >; Seton, Sam < Sam.Seton@act.gov.au >;

Atkins, Jessie < <a href="mailto:Jessie.Atkins@act.gov.au">Jessie < Jessie.Atkins@act.gov.au</a>>

Subject: FOR PRIORITY CLEARANCE: S/G CAVEAT BRIEFING- Calwell High School Incident- 24 March 2022

Importance: High

**OFFICIAL: Sensitive** 

Hi Laura,

Please progress to Kate with priority

Clearance Advice	
TRIM No	FILE22/3275
Clearance due date /Critical	25 March 2022
Date	
Critical date reason (if applicable)	Incident Caveat Briefing for priority clearance
Context/Background information for clearance	Staff members have been involved in an incident at Calwell High School resulting in the serious assault of one staff member and student  Student is to be suspended for 15 days  P&P providing support as necessary.
Additional Comments	Please provide drop copies to EGM SI and EBM P&P upon EGM SDD clearance and progression to DDG

Kim Peisley (she/her)| Executive Officer

Executive Branch Manager, Student Engagement- Sam Seton

Executive Branch Manager, Complex Case Management-Jessie Atkins

Microsoft Teams | Email: <u>kim.peisley@act.gov.au</u>

Student Engagement | Education | ACT Government

Hedley Beare Centre for Teaching & Learning | 51 Fremantle Drive Stirling ACT 2611 |

GPO Box 158 Canberra ACT 2601

www.education.act.gov.au | Facebook | Twitter | Instagram | LinkedIn

 From:
 WorkSafe

 To:
 Haire, Katy

 Cc:
 Beaver, Jeffrey

Subject: Prohibition Notice N-000003584

Date: Thursday, 31 March 2022 3:16:23 PM

Attachments: Prohibition Notice N-000003584.pdf

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

Please see attached PDFs to view a copy of your Notice.

**Inspection number:** 00116525 **Lead Inspector:** Jeffrey Beaver

Company Name: Calwell High School

**Notice Number:** N-0000003584

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000 Facsimile: (02) 6205 0336 Email: worksafe@act.gov.au



# PROHIBITION NOTICE

This is a Prohibition Notice issued under section 195 of the Work Health and Safety Act 2011

#### Information

#### Notice number N-0000003584

Issued By: Jeffrey Beaver ID number:

## To whom this notice is issued

Name of registered directorate: Calwell High School ABN: 67277075681

Registered Address: 111 Casey Crescent suburb: Calwell state: ACT postcode: 2905

Site address: 111 Casey Street suburb: Calwell state: ACT postcode: 2905

Method of service: Email

Served on:

Date of issue: 31/03/2022

A verbal instruction was not issued.

## **Description**

The provision that the inspector believes is being, or is likely to be, contravened by the activity (s196(1)(c)) is WHS Acts Section number - 19(3)

You are prohibited from carrying on the following activity, or the carrying on of the activity in a specified way:

On Thursday 31 March 2022 around 9.25am, I, Senior Inspector Jeff BEAVER and Inspector Meaghan O'CONNOR, both of WorkSafe ACT, attended Calwell High School, 111 Casey Crescent Calwell 2905 in the Australian Capital Territory (the school). At that location, O'CONNOR and I entered the Main Entrance of the school and identified ourselves as Workplace Inspectors, produced our Workplace Inspector identification cards and advised we were at that location and entering pursuant to s163 of the Work Health and Safety Act 2011 to conduct a workplace inspection based on information received by WorkSafe ACT of an incident of occupational violence that allegedly occurred at that same location in the preceding week.

Inspectors were advised the Director of School Improvement, Ms Susan Norton was onsite and she, and the Acting Principal, would be advised of our presence; satisfying s164 of the Work Health and Safety Act 2011.

Inspectors then spoke with several members of that schools staff, including teachers, who told us certain things. During those conversations, Inspectors were provided examples of issues occurring at that same location. These issues included:

- Teachers and administration staff, daily, being abused, threatened, sworn at, screamed at, objects thrown at them, and subject to sexualised behaviour or some form of violence from students;
- Vandalism was rampant throughout the school;
- · Teachers and administration staff being subject to physical assaults like intentional pushing or intentional shoulder collisions from the student cohort;
- The regular collapsing of classes due to staff shortages resulting in classes being combined which involve more than 40+ students for 1 teacher;
- An example of one class collapse where there were around 75 students with only 1 teacher and 1 Learning



## Support Officer:

- Being regularly down on teacher numbers due to absences associated with either COVID-19 or stress;
- Requesting relief teachers from the Directorate only to find some of those teachers were redirected elsewhere in the ACT Public School community causing class collapses;
- A staff member locking themselves in a cupboard and crying uncontrollably due to work pressures;
- Two staff members being assaulted by a student in the Principal's office due to one student trying to assault another student;
- A growing number of student mobs forming and displaying a pack mentality to physically target and assault other students, this being mainly the Year 8 cohort;
- The Year 7 cohort was learning off the Year 8 cohorts behaviour and Year 7 students had started reproducing that Year 8 behaviour towards teachers and staff;
- Fire extinguishers and/or fire hose reels being let off by students, or used as weapons against other students or staff;
- The teaching and administrative cohort, on the whole, was at breaking point physically and emotionally due to occupational violence and staff shortages;
- Staff being hypervigilant about groups of students forming together and staff were scared of the students;
- Fires had been lit on school grounds, there was regular vaping in the toilets, drug use, and use of improvised weapons by students on other student;
- The school has a 'drugs and weapon safe' which was regularly emptied by ACT Policing;
- There was no easy fix, and teachers and staff were exhausted;
- Teachers were unable to practice core learning and quality teaching as they were essentially being used as babysitters for overcrowded collapsed classrooms;
- At one stage, the Directorate sent persons from the Employee Assistance Program to the school to speak with teachers and staff, however due to staff shortages, teachers could leave classrooms to engage with those
- Some teachers are working 19.5 hours per week above the maximum face-to face teaching load due to staff shortages:
- If teachers put in too many reports about occupational violence, the Directorate uses its compassionate transfer option to "remove the noisy vessels";
- The school, daily, was "Like a war zone only worse. At least in a war zone you can fight back";
- The language used, daily, by students to teachers and other staff in classrooms and in common areas involved the words "fuck you cunt", "fuck you miss", "how big are your tits miss", "go fuck yourself", "fuck off" etc;
- The Learning Support Unit preferred its students did not play on the playground with other student cohorts as those children, who have a disability, would be subject to abusive verbally commentary such as "bunch of retards", "why are you not at Koomarri", "spastics" etc:
- Teachers and staff were constantly absent in high numbers due to "rampant COVID-19 at the school" and the stress of the school environment;
- Students were being traumatised, daily, by witnessing the violence at the school;
- Items such as tools and scissors were always 'counted out' at the end of classes to ensure none could be taken and used as weapons.

Whilst at that same location, Inspectors were shown data sets and documents corroborating staff shortages and classroom collapses consistent with the information provided by witnesses. Several s171 verbal Notices to produce information were issued to various staff, with them being advised a written s171 would follow shortly.

Inspectors spoke to a teacher at the school who had been assaulted by a student last week. This assault included the teacher sustaining a dislocated shoulder, breaking several teeth, sustaining welts to his lower arm, and bruising to his back. The teacher was trying to prevent the student assailant from assaulting another student in the



schools Principal's Office. The teacher advised that during this incident, the Principal "was thrown across her desk".

Whilst conducting the physical inspection, the school fire alarm was activated at the standby tone. I then observed students wondering in and out of classrooms and ignoring teacher requests for the students to stay in those classrooms. I observed students, whilst the tone was still activated, to commenced wondering down the hallways and ignoring teacher requests. Upon returning to the front reception area, I observed the fir indicator panel to show the detection appeared to come from a designated staff area, with smoke being detected. I observed ACT Fire and Rescue attend this same location in response to the alarm.

Whilst waiting in the reception area, a staff member approached another staff member and handed her half a pair of steel scissors. This staff member said, "One of the students was wandering around the hallway with this".

until the inspector is satisfied that the matters that give or will give rise to the risk have been remedied (s195(2)). The inspector reasonably believes that grounds for the issue of this notice exist (s195(1)), i.e. (a) an activity is occurring at a workplace that involves, or will involve, a serious risk to the health or safety of a person emanating from an immediate exposure to a hazard; or (b) an activity may occur at a workplace that, if it occurs, will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.

Basis for belief (s196(1)(a)

Without limiting subsections (1) and (2), a person conducting a business or undertaking must ensure, so far as is reasonably practicable—

(a)the provision and maintenance of a work environment without risks to health and safety; and

(b)the provision and maintenance of safe plant and structures; and

(c)the provision and maintenance of safe systems of work; and

(d)the safe use, handling, storage and transport of plant, structures and substances; and

(e)the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and

(f)the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and

(g)that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking.

Briefly, the activity that the inspector believes involves or will involve the risk, and the matters that gave or will give rise to the risk (s196(1)(b))

I advised Ms NORTON and Ms SELFE, in the presence of O'CONNOR, that I had formed a belied that the staff shortages at the school, combined with occupational violence teachers and staff were being subjected to, made the current operating model of having all Year 7 to 10 student cohorts at the school untenable and it presented an imminent risk to health and safety of those teachers, staff members and student.



This Notice may include directions concerning the measures to be taken to remedy the risk or contravention. You must comply with the direction

From 4 April 2022, the Year 7 and Year 8 student cohorts are prohibited from being on the school premises unless for the purposes of a pre-arranged school excursion which did not involve them remaining on school premises. This Notice excludes vulnerable children, children of emergency workers, and all children involved in the Learning Support Unit. This Notice is to remain in force until such time as the ACT Education Directorate:

- Demonstrates, and provides evidence of, Calwell High School's ability to comply with the ACT Education Directorate's Class Size Policy;
- Evidence and information as to why, noting class collapses and staff shortages at Calwell High School, the ACT Education Directorate has not moved that school into Level 4 of its COVID-19 Planning for staff shortages;
- Evidence to demonstrate the risk of occupational violence towards teachers and staff at Calwell High School had been reviewed and migrated as far as is reasonably practicable.

The inspector recommends that you:

#### Consult

https://www.safeworkaustralia.gov.au/psychosocial-hazards?msclkid=6289d2c1b0a611ec9e6016a5382006bc

See over for important information on your rights and responsibilities.



## Prohibition Notice issued under section 191 of the Work Health and Safety Act 2011 - further

#### information

If you have any questions you may contact the inspector who issued this notice.

## **Display of Notices**

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

## Compliance with direction or notice

The person to whom a Prohibition notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

## Regulator may carry out action

If a person to whom a prohibition notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the persons liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

## **Contents of Notice**

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

### **Directions and recommendations**

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Prohibition notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

#### Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

## **Privacy statement**



WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the *Work Health and Safety Act 2011* and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies.

WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at <a href="https://www.act.gov.au/privacy.">www.act.gov.au/privacy.</a>

## Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email <a href="https://worksafe@act.gov.au">worksafe@act.gov.au</a>.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the Prohibition notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: <a href="worksafe@act.gov.au">worksafe@act.gov.au</a>

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at <a href="https://www.acat.act.gov.au">www.acat.act.gov.au</a>.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

## WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601 Email: Worksafe @act.gov.au Phone: (02) 6207 3000

Fax:(02) 6205 0336.

## **Translating and Interpreting Service**

Phone: 131 450



 From:
 WorkSafe

 To:
 Haire, Katy

 Cc:
 Beaver, Jeffrey

 Subject:
 Improvement Notice N-0000003585

 Date:
 Thursday, 31 March 2022 3:16:27 PM

 Attachments:
 Improvement Notice N-0000003585.pdf

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

Please see attached PDFs to view a copy of your Notice.

**Inspection number:** 00116525 **Lead Inspector:** Jeffrey Beaver

Company Name: Calwell High School

**Notice Number:** N-0000003585

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000 Facsimile: (02) 6205 0336 Email: worksafe@act.gov.au



# **IMPROVEMENT NOTICE**

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011

#### Information

#### Notice number N-000003585

Issued By: Jeffrey Beaver ID number:

To whom this notice is issued

Directorate Name: Calwell High School Head of Directorate: Ms Katy Haire

Site/workplace: 111 Casey Street Calwell ACT 2905

Location within address of workplace:

Served on: Method of service: Email Date of issue: 31/03/2022

Due date to remedy the contravention or likely contravention: 14/04/2022

#### Description

#### The inspector believes the person:

a) is contravening a provision of this Act; or

b) has contravened a provision in circumstances that make it I kely that the contravention will continue to be repeated; and The provision that the inspector believes is being or has been contravened is WHS Regulations Section number - 359(1)

Briefly, how the provision is being, or has been, contravened:

On Thursday 31 March 2022 around 9.25am, I, Senior Inspector Jeff BEAVER and Inspector Meaghan O'CONNOR, both of WorkSafe ACT, attended Calwell High School, 111 Casey Crescent Calwell 2905 in the Australian Capital Territory (the school). At that location, O'CONNOR and I entered the Main Entrance of the school and identified ourselves as Workplace Inspectors, produced our Workplace Inspector identification cards and advised we were at that location and entering pursuant to s163 of the Work Health and Safety Act 2011 to conduct a workplace inspection based on information received by WorkSafe ACT of an incident of occupational violence that allegedly occurred at that same location in the preceding week.

Inspectors were advised the Director of School Improvement, Ms Susan Norton was onsite and she, and the Acting Principal, would be advised of our presence; satisfying s164 of the Work Health and Safety Act 2011.

Inspectors then conducted a physical inspection of some of the common areas at that same location. During this physical inspection I observed fire suppression equipment was not easily access ble (i.e. it was contained behind padlocked doors, fire extinguishers were in locked boxes with no key to access the equipment, fire extinguishers were absent from there boxes, fire extinguishers were in boxes and secure/sealed with cable ties). I also observed that the Emergency Evacuation Plans in various areas were out of date and did not reflect the actual location of fire suppression equipment.

Numerous photographs were taken at that same location.

Around 11.02am, I, Senior Inspector Jeff BEAVER issued a verbal Improvement Notice to Ms Sophie SELFE, Director Work Health and Safety for the Education Directorate that required the Directorate to make good access to fire suppression equipment at that same location by close of business 31 March 2022. I advised that a failure to comply with that Improvement Notice may result in the entire school being subject to a Prohibition Notice until such time as the access to the fire suppression equipment was made good.

Around 11.09am, I advised Ms NORTON, in the presence of O'CONNOR and Ms SELFE of the Improvement Notice being issued in relation to the fire suppression equipment at the school.



I further advised Ms SELFE and Ms NORTON, that if the fire suppression equipment was made good by making it access ble, the requirement to have appropriate signage as to where that equipment was located would be extended for two weeks; namely to have the proper signage in place by 14 April 2022.

- "1) A person conducting a business or undertaking at a workplace failed to ensure the following:
- (a) the workplace was provided with fire protection and firefighting equipment that is designed and built for the types of hazardous chemicals at the workplace in the quantities in which they are used, handled, generated or stored at the workplace, and the conditions under which they are used, handled, generated or stored, having regard to-
- (i) the fire load of the hazardous chemicals; and
- (ii) the fire load from other sources; and
- (iii) the compatibility of the hazardous chemicals with other substances and mixtures at the workplace;
- (b) the fire protection and firefighting equipment is compatible with firefighting equipment used by the primary emergency service organisation;
- (c) the fire protection and firefighting equipment is properly installed, tested and maintained;
- (d) a dated record is kept of the latest testing results and maintenance until the next test is conducted.

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or I kely contravention to which this notices relates.

The inspector directs you to:

Store the fire suppression equipment at Calwell High School in a manner where is is readily access ble for that equipment to be used for fire suppression activities.

Ensure appropriate signage as to the location of that fire suppression equipment is clearly vis ble.

Ensure the posted evacuation and emergency response plans at Calwell High School accurately show the location of fire suppression equipment.

- "1) A person conducting a business or undertaking at a workplace must ensure the following:
- (a) the workplace is provided with fire protection and firefighting equipment that is designed and built for the types of hazardous chemicals at the workplace in the quantities in which they are used, handled, generated or stored at the workplace, and the conditions under which they are used, handled, generated or stored, having regard to-
- (i) the fire load of the hazardous chemicals; and
- (ii) the fire load from other sources; and
- (iii) the compatibility of the hazardous chemicals with other substances and mixtures at the workplace;
- (b) the fire protection and firefighting equipment is compatible with firefighting equipment used by the primary emergency service
- (c) the fire protection and firefighting equipment is properly installed, tested and maintained;
- (d) a dated record is kept of the latest testing results and maintenance until the next test is conducted.

The inspector recommends that you:

Consult Australian Standard AS 1851 Maintenance of Fire Protection Systems and Equipment Comply with all required building codes in relation to fire suppression equipment



See over for important information on your rights and responsibilities.

#### Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

#### **Display of Notices**

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

#### Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

(a) in the case of an individual-\$50 000; or

(b) in the case of a body corporate-\$250 000

#### Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

#### **Directions and recommendations**

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

#### Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

#### Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at <a href="https://www.act.gov.au/privacy.">www.act.gov.au/privacy.</a>

#### Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act gov au

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email:

#### worksafe@act.gov au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at <a href="https://www.acat.act.gov.au">www.acat.act.gov.au</a>.

The decision to issue this notice is also reviewable under the Administrative Decisions (Judicial Review) Act 1989 on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

#### WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601 Email: Worksafe @act.gov au Phone: (02) 6207 3000

Fax:(02) 6205 0336.



Translating and Interpreting Service

Phone: 131 450





## Young, Brioni

From: Taylor, Sharon

Sent: Thursday, 31 March 2022 4:16 PM

To:

**Subject:** Calwell High School

Attachments: Calwell High School Map.docx

## **OFFICIAL**

Good Afternoon

Thank you so much for your time this afternoon on the phone.

As discussed I have attached the map for Calwell High School. We are currently looking at having the evacuation maps done and due to an issue we need to have these done by the 12 April 22.

Could you please give us an estimated cost? Do you also do signage if required??

Also if you think you can do the plans from the maps and unable to physically go to site, once I have the maps I will go and check whatever you need before the final maps are signed off.

If you have any questions please don't hesitate to let me know.

Thank you again it is greatly appreciated.



**Sharon Taylor** 

Security & Emergency Management Officer

Ph: 02 6205 9701 | e: sharon.taylor@act.gov.au | EDUSecurityandEmergency@act.gov.au

Risk, Security and Emergency Management Section | Governance and Community Liaison Branch

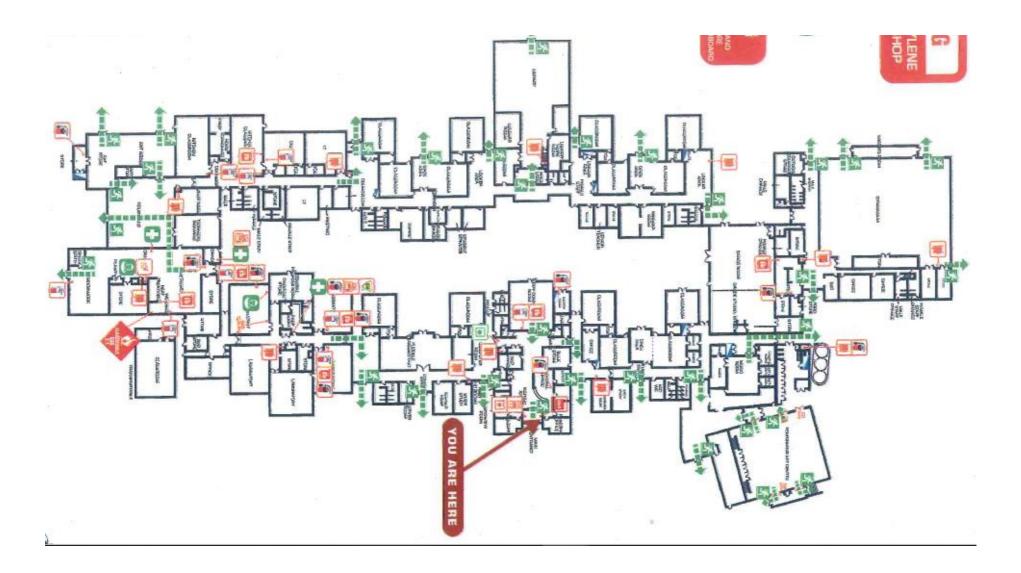
**Education Directorate | ACT Government** 

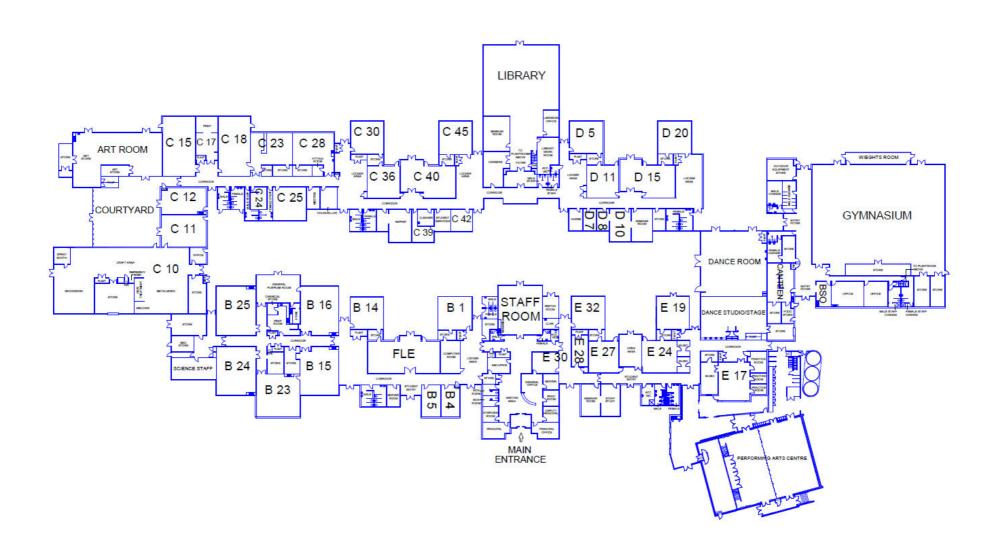
Level 4, 220 London Cct, CANBERRA CITY ACT 2601 | GPO Box 158 CANBERRA ACT 2601

www.act.gov.au



I acknowledge the traditional custodians of the lands and waters where we live and work and pay my respects to elders past, present and future.





From: <u>Martinez, Catherine</u> on behalf of <u>EDU, EGMBSG</u>

To: DGEDUoffice

**Subject:** FW: UPDATE: WorkSafe visit to Calwell HS 31/3/22

**Date:** Thursday, 31 March 2022 5:49:01 PM

**OFFICIAL: Sensitive** 

From: Matthews, David <David.Matthews@act.gov.au>

Sent: Thursday, 31 March 2022 3:03 PM

To: Ackland, Daniel < Daniel. Ackland@act.gov.au>; Selfe, Sophie < Sophie. Selfe@act.gov.au>

Cc: EDU, EGMBSG <EGMBSG.EDU@act.gov.au>

Subject: RE: UPDATE: WorkSafe visit to Calwell HS 31/3/22

**OFFICIAL: Sensitive** 

Thank you – I appreciate your work Sophie.

Please ensure Jane and Mark are fully informed and please let me know if I can assist any further.

Regards

Dave Matthews

From: Ackland, Daniel < <a href="mailto:Daniel.Ackland@act.gov.au">Daniel.Ackland@act.gov.au</a>>

Sent: Thursday, 31 March 2022 2:23 PM

To: Selfe, Sophie <<u>Sophie.Selfe@act.gov.au</u>>; Matthews, David <<u>David.Matthews@act.gov.au</u>>

**Subject:** RE: UPDATE: WorkSafe visit to Calwell HS 31/3/22

**OFFICIAL: Sensitive** 

Thank you Soph very much appreciated.

Dave – for visibility.

**Daniel Ackland** | Executive Branch Manager, People and Performance

Phone: 02 620 51820 | Mobile: 0481 298 383 | Email: <u>Daniel.Ackland@act.gov.au</u>

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51 Fremantle Drive, Stirling, ACT 2611 | GPO Box 158 Canberra ACT 2601

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From: Selfe, Sophie <<u>Sophie.Selfe@act.gov.au</u>>

Sent: Thursday, 31 March 2022 2:07 PM

**To:** Ackland, Daniel < <u>Daniel.Ackland@act.gov.au</u>> **Subject:** UPDATE: WorkSafe visit to Calwell HS 31/3/22

Importance: High

**OFFICIAL: Sensitive** 

Hi Daniel,

**Improvement Notice** now in effect for the issues around fire equipment. Notice was issued verbally at 11:02am 31/3/22

- Fire Hose Reel cupboards have been locked to prevent students from tampering with the equipment. Note the hose reels themselves have been decommissioned however the cupboards are housing the fire extinguishers.
  - ACTION locks must be removed to ensure accessibility to the fire extinguishers
  - DUE COB 31/3/22
  - STATUS complete, photographic evidence collected
- Some fire Extinguishers have been cable-tied into the metal housing/cabinets
  - ACTION cable ties must be removed to ensure unimpeded accessibility to the extinguishers
  - DUE COB 31/3/22
  - STATUS complete, photographic evidence collected
- Query regarding the number/location of fire equipment
  - ACTION all identified locations where extinguishers should be must be in place
  - DUE COB 31/3/22
  - STATUS Stuart Hunter (ICW) is contacting a provider to attend the school today. I have requested that this provider issue a site report indicating that the locations of fire safety equipment has been checked and all are fitted with operable equipment. Pyrosolv are travelling here from Goulburn anticipate arriving 2:30 3:30pm. I will stay here to provide instructions and gain the required report.
- Signage does not consistently correspond to the location of the equipment I,e, the signs indicate locations of fire hose reels which are no longer in situ.
  - ACTION signage must be reviewed and corrected
  - DUE: 14 days
  - STATUS: Have advised Stuart Hunter (ICW) and Tracey Allen (Risk, Security and Emergency Management) that this needs to be completed agreement that provider will undertake.
- Emergency maps are not accurate as they still indicate fire equipment which is no longer in situ
  - ACTION all maps across campus must be updated
  - DUE: 14 days
  - STATUS: Have advised Stuart Hunter (ICW) and Tracey Allen (Risk, Security and Emergency Management). RSE advised that they have been liaising with the Calwell HS Business Manager (who raised this fire safety matter with WorkSafe) for quite some time but have been unsuccessful to date due to the BM not approving the expenditure. I have requested that this work be progressed ASAP and invoicing issues can be managed later.

**Prohibition Notice** will be sent through this afternoon to take effect as of 4/4/22 and remain in effect until the regulator is satisfied that the alleged contravention is no longer occurring and steps have been taken to ensure no future similar contravention. If such evidence if provided to and accepted by the regulator prior to the 4/4/22, the notice may be lifted

- Notice is in relation to staffing shortages which is resulting in alleged non-compliance with the class sizes policy which is presenting an unacceptable risk to psychological safety
- Prohibition Notice will prohibit the Years 7 and 8 cohorts from being on site at Calwell High School
- Excluded from this is the LSU, vulnerable students and children of essential workers.
- The notice will require the directorate to satisfy WorkSafe that systems and processes are in place to ensure adequate staffing numbers and compliance with class size policy.

NIL ACTION COMMENCED PENDING RECIEPT OF NOTICE AND INSTRUCTION BY EXEC.

Kind regards, Soph

## Sophie Selfe | Director - Work Health and Safety, Early Intervention and Wellbeing

Phone: 02 6207 0290 | Email: sophie.selfe@act.gov.au

People, Safety and Conduct | People and Performance Branch | Education | ACT Government Hedley Beare Centre for Teaching and Learning, 51 Fremantle Drive Stirling ACT 2611 | GPO Box 158 Canberra ACT 2601

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11:52

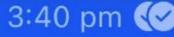




# **School Incidents Early Advice**



Thu, 31 Mar



# **Tim Toogood**

Calwell HS. Accusation from parent that teacher assaulted child, pushing in the chest and grabbing another child by the arm. DSI aware of incident. Reportable conduct notification to be made.

6:18 pm



## Young, Brioni

From: Allen, Tracey

Sent: Friday, 1 April 2022 9:06 AM

**To:** Selfe, Sophie

**Cc:** Taylor, Sharon; Harwood, Daniel

**Subject:** FW: Calwell High School

#### **OFFICIAL**

## **Dear Sophie**

As discussed, at your request RSEM will lead the Schools Emergency Plan review and update for Calwell High. Part of this will be the review of the school evacuation maps and signage. In the past ICW has managed this part of the process, but if you are happy for us to proceed we will. As you will see below we have an opportunity for a who is more than happy to help. It just happens that is in Canberra this next week.

If you are happy with this approach, can you confirm with ICW that RSEM will lead the evacuation maps & signage along with the Schools Emergency Plan. We will then contact and arrange a visit on Monday at 2:30pm when they are available. It would be great if go on site, that you also attend.

If ICW want to take the evacuation maps and signage let us know and we will work with them to arrange to be on site as stated below.

If you can let me know this morning which approach to take that would be great.

In the meantime we will also review the schools emergency management plan.

Cheers

Tracey

From: Taylor, Sharon <Sharon.Taylor@act.gov.au>

Sent: Friday, 1 April 2022 7:36 AM

To:

Cc: Allen, Tracey < Tracey. Allen@act.gov.au>; Harwood, Daniel < Daniel. Harwood@act.gov.au>

Subject: RE: Calwell High School

## **OFFICIAL**

Good Morning

At this stage 2:30 Monday will be fine but will let you know by mid-morning.

As for the plans let me do some searching and I will get back to you as soon as I can

Thank you so much



**Sharon Taylor** 

Security & Emergency Management Officer

Ph: 02 6205 9701 | e: sharon.taylor@act.gov.au | EDUSecurityandEmergency@act.gov.au

Risk, Security and Emergency Management Section | Governance and Community Liaison Branch

**Education Directorate | ACT Government** 



I acknowledge the traditional custodians of the lands and waters where we live and work and pay my respects to elders past, present and future.

From:

Sent: Thursday, 31 March 2022 4:40 PM

To: Taylor, Sharon <Sharon.Taylor@act.gov.au>

Subject: Re: Calwell High School

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sharon,

My only availability is Monday 4 April from around 2:30pm+, other than that the only only time I am available would be after business hours which I would need to discuss with my Director.

In terms of price, I will get back to you on that. Do you have the soft copies of all the You Are Here locations for the diagrams?

Our normal turn around time is 3 weeks so I expect there to be a fee to expedite these works.

Please let me know if the time suits. I will get back to you regarding pricing.

Thank you,

El El jue, 31 mar 2022 a la(s) 4:16 p. m., Taylor, Sharon < Sharon. Taylor@act.gov.au > escribió:

**OFFICIAL** 

Good Afternoon

Thank you so much for your time this afternoon on the phone.

As discussed I have attached the map for Calwell High School. We are currently looking at having the evacuation maps done and due to an issue we need to have these done by the 12 April 22.

Could you please give us an estimated cost? Do you also do signage if required??

Also if you think you can do the plans from the maps and unable to physically go to site, once I have the maps I wi
go and check whatever you need before the final maps are signed off.

If you have any questions please don't hesitate to let me know.

Thank you again it is greatly appreciated.



**Sharon Taylor** 

Security & Emergency Management Officer

Ph: 02 6205 9701 | e: sharon.taylor@act.gov.au | EDUSecurityandEmergency@act.gov.au

Risk, Security and Emergency Management Section | Governance and Community Liaison Branch

**Education Directorate | ACT Government** 

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\_\_\_\_\_

From: Ackland, Daniel
To: Matthews, David
Subject: RE: Fire equipment

**Date:** Friday, 1 April 2022 10:53:00 AM

#### **OFFICIAL**

Yep, will do

**Daniel Ackland** | Executive Branch Manager, People and Performance

Phone: 02 620 51820 | Mobile: 0481 298 383 | Email: <u>Daniel.Ackland@act.gov.au</u>

People and Performance | Education | ACT Government

51 Fremantle Drive, Stirling, ACT 2611 | GPO Box 158 Canberra ACT 2601

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From: Matthews, David < David. Matthews@act.gov.au>

**Sent:** Friday, 1 April 2022 10:40 AM

To: Ackland, Daniel < Daniel. Ackland@act.gov.au>

Subject: RE: Fire equipment

## **OFFICIAL**

I have forwarded to Andrew – can you keep him the loop about fire management stuff as well.

**Thanks** 

Dave Matthews

From: Ackland, Daniel < <a href="mailto:Daniel.Ackland@act.gov.au">Daniel.Ackland@act.gov.au</a>>

**Sent:** Friday, 1 April 2022 9:00 AM

**To:** Matthews, David < <u>David.Matthews@act.gov.au</u>>

**Cc:** Haire, Katy <<u>Katy.Haire@act.gov.au</u>>; Simmons, Jane <<u>Jane.Simmons@act.gov.au</u>>; Huxley,

Mark < <a href="Mark.Huxley@act.gov.au">Mark < <a href="Mark.Huxley@act.gov.au">Mark.Huxley@act.gov.au</a>>; DGEDUoffice < <a href="DGEDUoffice@act.gov.au">DGEDUoffice@act.gov.au</a>>

Subject: FW: Fire equipment

## **OFFICIAL**

Hi Dave,

See below email Sophie sent Work Safe late yesterday afternoon re: fire extinguishers.

**Daniel Ackland** | Executive Branch Manager, People and Performance

Phone: 02 620 51820 | Mobile: 0481 298 383 | Email: <u>Daniel.Ackland@act.gov.au</u>

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From: EDU, EBM P&P < ebmpp.edu@act.gov.au>

**Sent:** Friday, 1 April 2022 8:51 AM

To: Ackland, Daniel < <a href="mailto:Daniel.Ackland@act.gov.au">Daniel.Ackland@act.gov.au</a>>

Subject: FW: Fire equipment

## **OFFICIAL**

**From:** Selfe, Sophie <<u>Sophie.Selfe@act.gov.au</u>>

Sent: Thursday, 31 March 2022 4:58 PM

**To:** Beaver, Jeffrey < <u>Jeffrey.Beaver@worksafe.act.gov.au</u>>; WorkSafe

<<u>WorkSafe@worksafe.act.gov.au</u>>

**Cc:** EDU, EBM P&P < <u>ebmpp.edu@act.gov.au</u>>

Subject: FW: Fire equipment

#### OFFICIAL

Good afternoon Jeffrey,

Please see attached photographic evidence indicating compliance with WorkSafe instruction to remove the locks impeding access to the fire extinguishers. Also attached is correspondence from confirming they have attended site today to review the placement of all fire protection equipment and ensured all are operable and accessible.

Moving forward, *People and Performance* will work with *Infrastructure and Capital Works* and *Security, Risk and Emergency* to implement performance solutions endorsed by ACT Fire & Rescue for interim arrangements. We will then seek to progress to a permanent solution for adequate fire safety measures in an environment where equipment is frequently tampered with and damaged.

Kind regards, Soph

## Sophie Selfe | Director - Work Health and Safety, Early Intervention and Wellbeing

Phone: 02 6207 0290 | Email: sophie.selfe@act.gov.au

People, Safety and Conduct | People and Performance Branch | Education | ACT Government Hedley Beare Centre for Teaching and Learning, 51 Fremantle Drive Stirling ACT 2611 | GPO Box 158 Canberra ACT 2601

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