



09 OCT 2018

Dear [REDACTED]

Thank you for your email of 18 September 2018 to the Ministry of Education requesting the following information:

1. *Minutes of the meeting last Wednesday with the Worksafe NZ representative*
2. *The engagement letter / email with the Capital Environmental Services and their report*
3. *What is the name of the company conducting the clean up? On what basis do they advise the incident is low risk? Could we please be provided with the report / communication from this company containing this piece of advice?*
4. *Who is carrying out the testing of the samples and when the report on this will be produced? We would request to receive the report in full as soon as it's available.*
5. *We also consider it fair for us to know the timeline of the events and when the school first found out about the potential asbestos.*

Your request has been considered under the Official Information Act 1982 (the Act).

Whilst the Ministry does not own the building in which Capital Montessori School discovered the asbestos, we have provided advice to the early learning service about this issue. Capital Montessori School is responsible for the testing and clean-up process.

In relation to question one, I am refusing your request for the minutes of the meeting held on Wednesday, 12 September 2018 between Capital Montessori School and Worksafe NZ under section 18(g) of the Act as the requested information is not held by the Ministry. You will need to contact Capital Montessori School to obtain this information.

In relation to question two, I am refusing your request for the engagement letter and email with Capital Environmental Services under section 18(g) of the Act as the requested information is not held by the Ministry. You will need to contact Capital Montessori School to obtain this information.

The Ministry does hold a copy of the Capital Environmental Services report which I have attached as **Appendix A**. This is released to you in full.

In relation to question three, DML (2011) Limited is the name of the company who is conducting the clean-up. They are a certified asbestos removal company. An email was sent to you by Moana Solomon, Senior Adviser Early Childhood Education, on 19 September 2018 explaining why the incident was low risk. This article from 16 September 2018 quotes an email from a WorkSafe asbestos inspector who also stated the incident was low risk, "because the sheets used for cladding had low levels of asbestos, and the asbestos was compressed within the sheets" (<https://www.stuff.co.nz/national/107126187/preschool-children-exposed-to-asbestos-for-two-months-following-construction-work-on-building>).

I am refusing your request for the report/communication from DML containing this piece of advice under section 18(g) of the Act as the requested information is not held by the Ministry. You will need to contact Capital Montessori School to obtain this information.

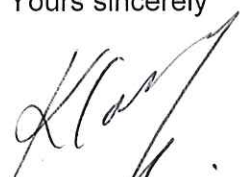
In relation to question four, I am refusing your request for who is carrying out the testing of the samples, and when the report on this will be produced, under section 18(g) of the Act as the requested information is not held by the Ministry. You will need to contact Capital Montessori School to obtain this information, as well as the final report.

In relation to point five, I am refusing your request for when the early learning service first found out about the potential asbestos under section 18(g) of the Act as the requested information is not held by the Ministry. You will need to contact Capital Montessori School to obtain this information. I can confirm the Ministry was first notified of the incident on 12 September 2018.

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Katrina Casey
Deputy Secretary
Sector Enablement and Support

cc: Erika Ross, Director of Education Wellington