

Asbestos Incident Management Procedure

NSW Department of Education

2025

Acknowledgement of Country

The NSW Department of Education acknowledges the Traditional Custodians of the lands where we work and live. We celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of NSW.

We pay our respects to Elders past, present and emerging and acknowledge the Aboriginal and Torres Strait Islander people that contributed to the development of this plan.

Asbestos Incident Management Procedure
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Additional Information and Support

- For further advice in relation to this Asbestos Management Plan:
- Email schoolinfrastructure@det.nsw.edu.au

Document Control

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Definitions

Term	Meaning
Airborne asbestos	Any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.
Asbestos	The asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals, including actinolite asbestos, grunerite (or amosite) asbestos (brown), anthophyllite asbestos, chrysotile asbestos (white), crocidolite asbestos (blue) and tremolite asbestos, or a mixture that contains one or more of these.
Asbestos containing dust (ACD)	Dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.
Asbestos containing material (ACM)	Any material or thing that, as part of its design, contains asbestos.
Competent person	<p>In relation to carrying out clearance inspections under WHS Regulation clause 473 – a person who has acquired through training or experience the knowledge and skills of relevant asbestos removal industry practice and holds:</p> <ul style="list-style-type: none"> - A certification in relation to the specified VET course for asbestos assessor work. - A tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health. <p>For all other purposes – a person who has acquired through training, qualification or experience, the knowledge and skills to carry out the task.</p> <p>In relation to identifying asbestos, a competent person is:</p> <ul style="list-style-type: none"> - Trained to handle and take asbestos samples, have the knowledge and experience to identify suspected asbestos and be able to determine risk and control measures. - Familiar with building and construction practices to determine where asbestos is likely to be present, and/or. - Able to determine that material may be friable or non-friable asbestos and evaluate its condition. <p>The department engages competent persons from the Hygienist Services Panel (SINSW1340-20) for the purpose of identifying asbestos or carrying out clearance inspections.</p>

HSSW	The Health, Safety & Staff Wellbeing directorate within the NSW Department of Education.
Principal Contractor	Entity with legislative responsibility for the management of health and safety for construction work. A principal contractor must oversee any construction work valued at \$250,000 or more.
SAMP	School Asbestos Management Plan
Site Manager	Person with responsibility for construction work which is not undertaken by a Principal Contractor.
WHS Act	Means the <i>Work Health and Safety Act 2011</i> (NSW).
Worker	A person who performs paid work in any capacity for an employer, business or organisation (including but not limited to employees, apprentices, contractors and subcontractors) or who is unpaid (including but not limited to volunteers).

1 Introduction

1.1 Background

NSW Department of Education manages a diverse asset portfolio which includes facilities that may have asbestos-containing building materials and asbestos-containing debris in soils. Incidents involving asbestos or ACM include:

- Disturbance of asbestos or ACM, such as during unauthorised works or due to vandalism.
- The discovery of asbestos or ACM not listed in the site's asbestos register, whether in buildings or in soil.

Incidents must be managed efficiently and systematically in accordance with this Asbestos Incident Management Procedure.

Further information relating to asbestos management can be found in the NSW Department of Education's Asbestos Management Plan, Asbestos Management Procedure, Asbestos in or on Grounds Guide.

1.2 Purpose

The purpose of this procedure is to outline the responsibilities and processes to be followed following an incident involving asbestos or ACM in NSW Department of Education workplaces.

This Asbestos Incident Management Procedure is intended to be read by NSW Department of Education workers, their health and safety representatives, and other people working with or around asbestos at NSW Department of Education facilities.

This procedure provides directions to staff for incidents that occur during:

- normal business operations i.e., school activities and
- works undertaken by contractors, where the incident affects or potentially affects the safety of the school community and/or contractors:
 - during the facility's business operations. For example, potential exposure to asbestos because a contractor accidentally damages ACM during school operations; or
 - when facility operations recommence. For example, works conducted during weekends or holidays leave behind assumed or confirmed asbestos and ACM with unsealed penetrations.

1.3 Scope, Definitions & Scenarios

This procedure outlines the responsibilities and process to be followed in the incidents defined below:

1.3.1 Accidental Disturbance

An **accidental disturbance** is a disturbance of confirmed or suspected asbestos or ACM other than where the disturbance is planned asbestos work. An accidental disturbance may be associated with an unexpected find or may be a known material. An accidental disturbance may also be where a material's condition has deteriorated to such an extent that it is no longer intact, for example lagging falling from its original position or fire damage to fibre cement sheeting.

Accidental disturbance incidents may include:

- activities that are prohibited under WHS legislation, such as any work on friable asbestos or ACM;
- damage to asbestos or ACM due to weather, environment or structural effects;
- accidental damage, for example, breakage of an ACM wall caused by student activities;
- intentional damage, for example, vandalism of building containing assumed or known ACM;
- unauthorised asbestos work, for example, a staff member using a battery powered drill and drilling a hole into ACM; or
- the presence of potentially unsafe material that is accessible post work, for example discovery of dust deposits below an area where a light or air conditioning unit has been installed on ACM.

1.3.2 Unexpected Find

An **unexpected find** is the identification of an ACM which is not listed in the site asbestos register or SAMP, other than a find as part of hazard identification activities (such as an intrusive asbestos survey in preparation for a project).

Unexpected finds incidents may include:

- ACM material found on school grounds, for example, ACM found on a school oval or playground;
- vinyl floor tiles discovered underneath the carpet in a school facility; or
- the unexpected discovery of deposits of debris resembling ACM debris for example behind a cupboard in a storeroom, or in a ceiling void.

2 Roles and Responsibilities

For further information regarding roles and responsibilities for purposes of asbestos management please refer to the Asbestos Management Procedure.

2.1 All Staff and Workers

All workers, including staff, contractors and volunteers, have a responsibility to:

- obtain authorisation from the relevant Asset Management Unit prior to performing building works;
- **in the event of an asbestos-related incident, immediately:**
 - **stop work;**
 - **isolate the area; and**
 - **inform the principal or workplace manager as soon as possible.**

2.2 Principal / Workplace Manager / Site Manager

The principal or Workplace Manager (in the case of an operational school site) or Site Manager (in the case of a construction site) has a responsibility to:

- initiate and follow the procedure provided in Section 3 in the event of an asbestos incident.

2.3 School Infrastructure

School Infrastructure have a responsibility to:

- Follow the procedure provided in Section 3 in the event of an asbestos incident.
- Ensure that the asbestos register is updated as required following an asbestos incident.

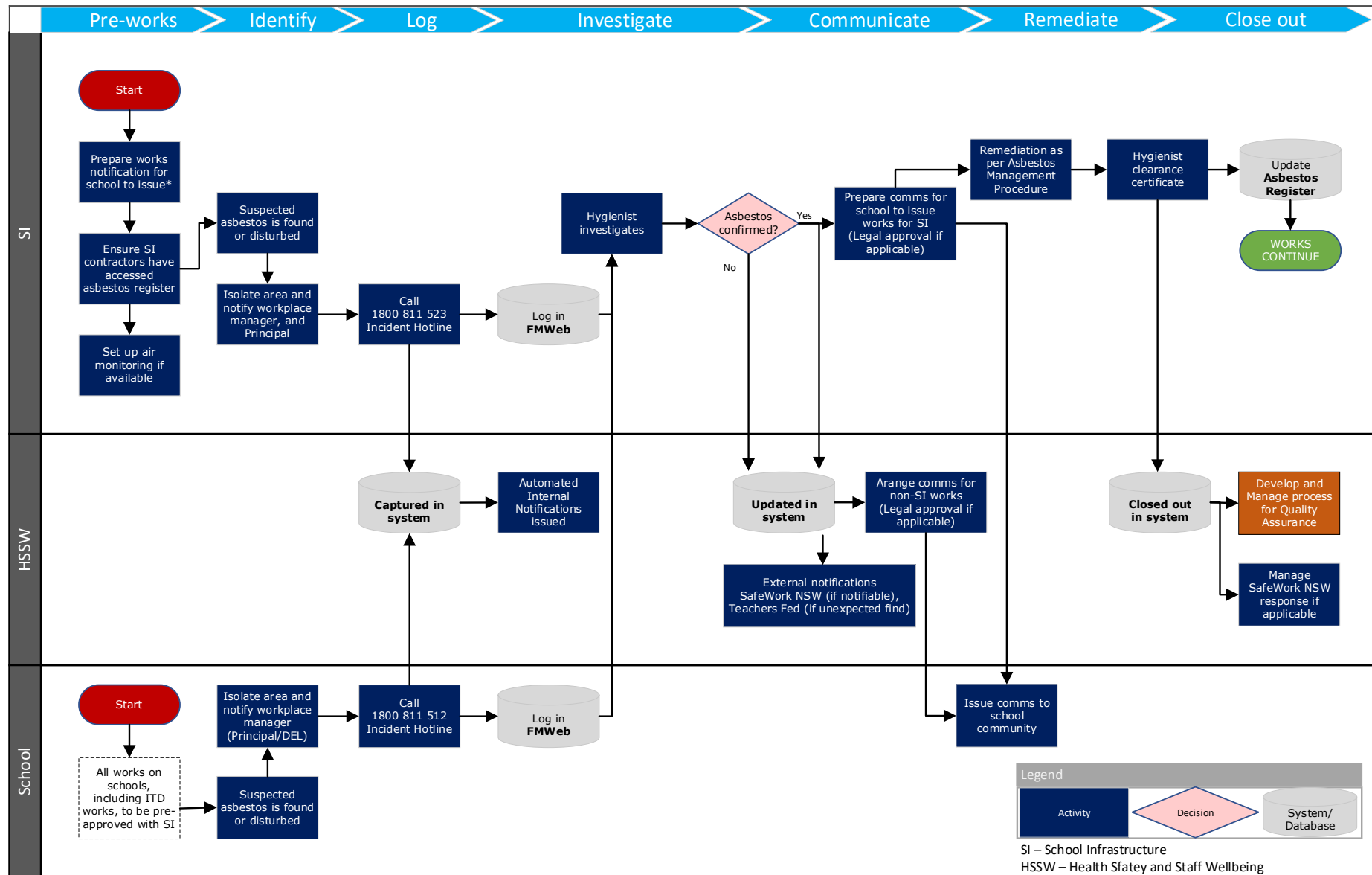
2.4 Health, Safety & Staff Wellbeing Directorate

The HSSW Directorate have a responsibility to:

- follow the procedure provided in Section 3 in the event of an asbestos incident;
- notify SafeWork NSW in the event of a notifiable incident (see Section 3.2);
- implement the incident notification and response procedure.

3 Immediate Response

The response to be followed in the event of an asbestos-related incident is shown in Figure 1.



* If works have material impact to school/community and/or WHS concern
 ** E.g. if works arranged by the GA, ITD or if asbestos is identified by school staff

Figure 1. Asbestos Incident Management Process

The workflow above provides each step to be followed in the event of an asbestos incident. Where the workflow alone may be insufficient information for a person to follow, **further information to supplement key areas of Figure 1 is provided in the following sections.** Note that this is not a complete list of the elements in Figure 1.

3.1 Isolate the Area

Isolation can be achieved by any means of restricting access to the area without impacting emergency access and egress. The exact method that is used to isolate the area will depend on the specifics of the incident and the location. Consider:

- locking the door/s to the area;
- installing barricading; and
- signage instructing people not to enter.

The person who identifies or disturbs the asbestos or ACM should initially isolate the area as much as is possible with the equipment that they have available to them. As an example, a teacher may initially isolate an area by locking a door. Under no circumstances should staff disturb material suspected to be ACM or attempt to clean up an area affected by an asbestos incident.

The principal or Workplace Manager will review the measures in place and implement further isolation controls if required. For an outdoor area as an example, the principal may gain assistance from other staff to ensure that the area is isolated.

Isolation can also require minimising the spread of asbestos fibres which may be on a person. For example, where asbestos disturbance has contaminated a worker's clothing, this should be removed before exiting the area if safe to do so. Alternatively, the clothing, head and face of the individual could be dampened with water to limit dust becoming airborne.

Removal and disposal of clothing contaminated, or suspected to be contaminated, with asbestos or ACM should follow the requirements provided in the Asbestos Management Procedure.

3.2 Notifiable Incidents

Notification to SafeWork NSW of ACM incidents is the responsibility of Health Safety and Staff Wellbeing Directorate where required.

Under the WHS Act, a **notifiable incident** is:

- the death of a person
- a serious injury or illness or
- a 'dangerous incident'.

A dangerous incident is an incident in relation to the workplace that exposes a worker or another person to a serious risk to a person's health or safety due to immediate or imminent exposure to a range of hazards, which includes asbestos. It includes near misses where no-one is injured.

Therefore, an asbestos-related incident would be classified as a *dangerous incident* if it exposes a worker or any other person to a serious risk to their health or safety due to an immediate or imminent exposure to asbestos or ACM.

A notifiable incident must be immediately notified to SafeWork NSW and the scene of the incident must be preserved until Safe Work NSW releases the site. The only exemption to this is where actions are needed to assist an injured person, make a site safe or facilitate a police investigation.

The NSW Department of Education will notify SafeWork NSW in the following asbestos-related incidents relating to NSW Department of Education works:

1. where an accidental disturbance of friable asbestos has, or could have, exposed a person to airborne asbestos fibres;
2. where an accidental disturbance involving non-friable asbestos and a tool, including pressure washing, has or could have exposed a person to airborne asbestos fibres; or
3. where students and/or staff are in the immediate vicinity of the accidental disturbance of ACM as detailed in 1 or 2 above.

Other factors may increase the actual or perceived risk, including but not limited to the:

- extent of the disturbance of asbestos or ACM; or
- potential of exposure to students and the community.

Where there is doubt about whether the threshold above has been met, HSSW may err on the side of caution and notify. HSSW can also seek privileged internal or external legal advice for clarification. HSSW should also consult SafeWork NSW guidance which was prepared specifically for the Department of Education to remedy overreporting of asbestos incidents. The guidance scenarios are reproduced in Appendix A.

Where the asbestos related incident involves a Principal Contractor (for example engaged under a GC21 contract), the Principal Contractor is required to notify SafeWork NSW of the incident immediately and must also notify the NSW Department of Education. The NSW Department of Education must satisfy itself that SafeWork NSW has been appropriately notified or otherwise notify SafeWork NSW itself.

A notifiable incident will be taken to represent an exposure or potential exposure to asbestos. Events which do not meet the threshold of notifiable incident should not be referred to as an “exposure to asbestos”, except in extreme circumstances.

Unexpected finds should not be routinely notified to SafeWork NSW, except where they meet the threshold above. An unexpected find of non-friable material, such as fibre cement debris (fragment), without mechanical action by a power tool, does not constitute a dangerous incident even if the material is handled by a worker or student.

3.3 Remediation

Remediation can include minor temporary make-safe works to a full removal of the material.

The remediation requirements will vary but the initial response may include:

- make-safe works to prevent further harm to people or the environment; and
- sampling of materials or the air by a competent person such as an occupational hygienist.

Further detail on asbestos-related works can be found in the department’s Asbestos Management Procedure.

3.4 Other Actions

Further actions not listed in Figure 1 may be required on a case-by-case basis. Based on the situation, consideration should be given to:

- internal escalation, for example to the relevant Executive Director;
- further measures for managing community concern; and
- other actions required in the specific circumstances.

4 Exposure Register

Staff or students who may have been exposed to asbestos will be provided information on how to register with the National Asbestos Exposure Register managed by the Australian government.

5 Emergency Management

5.1 Emergencies

An emergency can occur if a building, structure or plant is structurally unsound or the collapse of a building, structure or plant is imminent.

If an emergency occurs and requires demolition, a procedure must be developed in consultation with a competent person / licensed asbestos assessor that will, as far as reasonably practicable, reduce the exposure to asbestos of workers and persons in the vicinity of the demolition site to a level below the exposure standard before the demolition work starts. SafeWork NSW must also be provided with written notice of the emergency immediately after they become aware of the emergency and before the demolition starts.

5.2 Vandalism & Illegal Dumping

Unexpected finds or accidental disturbances could occur from vandalism (for example, damage to asbestos or ACM) or illegal dumping. **In addition to the process outlined above**, instances of vandalism and illegal dumping should be reported to the following:

- The local police station.
- The School Security Unit on 1300 880 021.
- The NSW Environment Protection Authority on 131 555 (for illegal dumping).

6 Further Information

Further information regarding asbestos management is available in the Department of Education's Asbestos Management Plan and Asbestos Management Procedure, or contact schoolinfrastructure@det.nsw.edu.au.

Appendix A: Example Scenarios from SafeWork NSW

The following table has been reproduced from SafeWork NSW guidance to assist the NSW Department of Education with understanding what scenarios are notifiable incidents and which are not. Note that the recommendations below constitute legislative obligations relating to asbestos management. Other requirements are specified elsewhere in this procedure.

Example Scenario	Notification to Safe Work NSW Required / Not Required
A tradesperson or General Assistant has inadvertently disturbed asbestos by cutting, drilling, sanding etc where asbestos controls were not implemented.	Notification to SafeWork NSW required.
Contractor engaged to replace lights has inadvertently drilled into asbestos cement where asbestos controls were not implemented.	Notification to SafeWork NSW required.
Students or staff have noticed non-friable asbestos fragment/s on the school grounds.	Notification to SafeWork NSW not required. Remove the asbestos containing material and manage as part of the relevant Asbestos Management Plan.
Worker engaged by Principal Contractor for major capital works has noticed non-friable asbestos fragments in soil while excavating.	Notification to SafeWork NSW not required. Remove the asbestos containing material and manage as part of the relevant Asbestos Management Plan.
Students or staff have noticed non-friable asbestos fragments outside of school grounds, such as on the verge or Council-operated oval.	Notification to SafeWork NSW not required. Ensure staff and students do not disturb the material. Consider alerting the relevant Council.
The General Assistant has come across non-friable asbestos under the school building i.e. packers which are stable in a non-friable condition.	Notification to SafeWork NSW not required. Update the Asbestos Register and manage as part of the relevant Asbestos Management Plan.
Asbestos in window putty of a classroom has been scratched out by a student causing debris to become loose.	Notification to SafeWork NSW required.

Example Scenario	Notification to Safe Work NSW Required / Not Required
Friable asbestos material has been inadvertently disturbed by a person (teacher, parent, student, GA etc).	Notification to SafeWork NSW required.

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