

DEPUTY SECRETARY
CORPORATE SERVICES

Mr Stephen Toneguzzo
Chair, Environment and Community Safe From Radiation (ECSFR)

DGL19/287

By email to [Steve@\[REDACTED\]](mailto:Steve@[REDACTED]) and info@ecsfr.com.au

Dear Mr Toneguzzo

Thank you for your email of 10 April 2019, to Mr Mark Scott AO, Secretary, Department of Education, regarding a Legal Notice of Request concerning Wi-Fi in NSW Government schools. The Secretary has asked me to respond on his behalf.

I acknowledge you are genuinely concerned for the wellbeing of students, staff and visitors to NSW Government schools. I share that concern.

The NSW Department of Education is committed to meeting its legal obligations to students, staff and visitors to its sites including under the duty of care and disability discrimination, education and work health and safety law.

This includes the duty to take:

- reasonable steps to protect a student from foreseeable risk of harm;
- do what is reasonably practicable to ensure the safety of students, staff and visitors to its work sites; and
- to make reasonable adjustments to enable a student with disability to enrol in school and participate in education on the same basis as a student without disability and without experiencing discrimination. When making reasonable adjustments the department considers the nature of any benefit or detriment likely to accrue to, or be suffered by any person concerned when an adjustment is proposed.

NSW government schools also aspire to provide each child with an education of the highest quality and to assist each child to achieve his or her potential.

I note that you have asked that the department remove Wi-Fi and hard computers from schools, banning Wi-Fi, 3G-5G enabled devices, Bluetooth and other devices from school premises.

This would foreseeably impact on the delivery of education programs to students. It would also potentially disadvantage students with disability who rely on technology to themselves participate in education.

Before any strategies of the type you have proposed are implemented in NSW Government schools it is necessary to be satisfied that the strategy is effective and evidence based. In matters such as these the department is reliant on expert advice from agencies such as ARPANSA and also NSW Health.

I have asked the department's Health and Safety Directorate to seek advice and support from those agencies in relation to the issues you have raised and write to you again once we have the benefit of their response.

Yours sincerely



Peter Riordan
Deputy Secretary, Corporate Services
8 May 2019