

1 December 2022

MRM

fyi-request-21016-9a7a36ef@requests.fyi.org.nz

Tēnā koe

Thank you for your email of 3 November 2022, to Mahi Haumarū Aotearoa | WorkSafe New Zealand, requesting the following information in relation to the Melville High School's Enforceable Undertaking:

- *The Principal of Melville High School, Mr Clive Hamill, agreed to the clause which reads "a copy (of the Enforceable Undertaking) will be published on Melville's website for a period of 3 years after execution", and that dissemination was to occur on or after 10/11/21. This has not happened and therefore Melville High School is in breach of this part of the Enforceable Undertaking.*

I am requesting a full explanation from Worksafe as to why it failed to ensure that all conditions accepted by Mr Hamill were fully and properly met. Also, I am requesting that Melville High School be required with immediate effect to publish a copy of the Enforceable Undertaking at its website, together with a public apology to Jayden Chhayrann and his family members for failing to properly honour the abovementioned clause.

Your request has been considered under the Official Information Act 1982 (OIA) and my response is below.

The terms of Melville High School's Enforceable Undertaking (EU) notes that the school community will be informed of the EU through their school newsletter, and that a copy of the newsletter will be published on their website. With regard to the agreed clause you have referenced "a copy will be published on Melville's website for a period of 3 years after execution", this refers to the newsletter not the EU.

The date of acceptance of the EU was 7 December 2021, and subsequently WorkSafe published information on its website in April 2022.

WorkSafe has been provided with evidence from Melville High School that a school newsletter referencing the EU was published on their [Facebook page](#) on 28 April 2022. This occurred after publication on WorkSafe's website: [Melville High School Board of Trustees | WorkSafe](#).

I recommend that you contact Melville High School directly should you have any further concerns regarding their communication with the school community and Jayden's family.

I trust that this response is of assistance. If you require any further information, please contact ministerial.services@worksafe.govt.nz.

Nāku noa, nā



Catherine Gardner
Head of Specialist Interventions