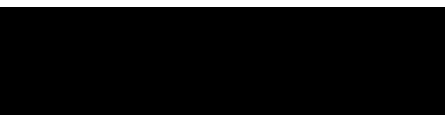




ACT
Government

Education and Training

File Ref: 2014/11922



Dear 

I refer to your email, received by the Directorate on 14 November 2014, in which you are seeking access under the ACT *Freedom of Information Act 1989* (the FOI Act).

Your request

You are seeking access to copies of:

- a. correspondence between Turner Primary School and the ACT Education and Training Directorate
- b. correspondence between Turner Primary School and the ACT Minister for Education and Training
- c. notes of meetings
- d. file notes
- e. Directorate briefs (both internal briefs and briefs to the Minister for Education and Training), and
- f. records of phone conversations

where these documents include comment on fencing, containment or safety at Turner Primary School and were written after January 2012.

My decision

I am an officer authorised under section 22 of the FOI Act to make a decision in relation to your request.

A schedule setting out the relevant documents located and my decision in relation to their release is at [Attachment A](#), and the documents are at [Attachment B](#).

I have decided to provide you with copies of documents relevant to your request with some information deleted in accordance with section 41 of the FOI Act or because it is outside the scope of your request.

Details of section 41, together with my reasons for applying it, are set out below.

Section 41 – Documents affecting personal privacy

Section 41 of the Act relates to documents affecting personal privacy. Section 41(1) states:

A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).

I have decided not to release some information in a number of documents under this section of the FOI Act. The redacted information includes the mobile phone number of a Directorate staff member and information about school board and P&C members. In my view the release of this information would be an unreasonable disclosure of personal information.

Information outside the scope of your request

I have also decided to delete information in several documents because it is outside the scope of your request. The information has been withheld from release because it is about other matters raised at school board and P&C meetings and does not include comment on fencing, containment or safety at Turner School. Some information in Document 9 has also been redacted because it relates to another issue raised by the person contacting the Directorate.

Your rights for review

My decision not to release all the documents relevant to your request is subject to review under section 59 of the FOI Act. It is also appealable if, in your opinion, you do not believe that all documents relevant to your request in the possession of the Directorate have been located.

An information sheet outlining the review and appeal process provided for in the FOI Act is attached to this letter.

Online publication

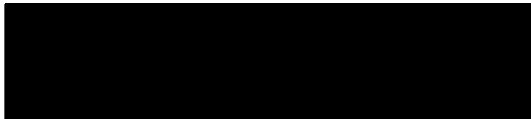
Please be aware that under the ACT Government's Online FOI Publication policy, information released to you under this Freedom of Information request may be released on the internet.

Personal information or business affairs information will not be made available under this policy.

A copy of the policy, with details about what information may be published on the internet, is available at:

http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online

Yours sincerely



Rodney Bray
Director
Infrastructure and Capital Works Branch

17 December 2014

Freedom of Information Act 1989 **Review and Appeal Processes**

Internal review

You may request a review of a decision made under the *Freedom of Information Act 1989* (ACT). Requests for review must be made in writing to the Education and Training Directorate. Requests can be sent by fax (02 6205 9453) or by mail to:

The Director-General
C/- Governance and Assurance Branch
ACT Education and Training Directorate
PO Box 158
CANBERRA CITY ACT 2601

You have **28 days** from the date you were notified of the decision to request a review. This period may be extended by the Director-General.

ACT Civil and Administrative Tribunal

If you are not satisfied after the Directorate has conducted an internal review, you may seek an independent review of the decision by the ACT Civil and Administrative Tribunal. The Tribunal is an independent body which can affirm, change or reject the decision made by the Directorate and either substitute its own decision or send the matter back to the Directorate for reconsideration in accordance with the Tribunal's recommendations.

The Tribunal can be contacted by fax (02 6205 4855), email (tribunal@act.gov.au) or by mail to:

ACT Civil and Administrative Tribunal
DX5691
GPO Box 370
CANBERRA CITY ACT 2601

An appeal must be filed in the Tribunal within 28 days after the internal review decision is made although you may seek an extension of time in certain circumstances.

An application for a review may be made by writing to the Tribunal, or by completing the *Application for Review of a Decision* form (available on the Tribunal's website at www.acat.act.gov.au). There is a fee for lodging an appeal with the Tribunal. This fee may be remitted under certain circumstances.

ACT Ombudsman

You also have the right to complain to the ACT Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

ACT Ombudsman
GPO Box 442
CANBERRA CITY ACT 2601

The ACT Ombudsman cannot override a decision made by the Directorate.