



Dear 

I refer to your request, under the ACT *Freedom of Information Act 1989* (the Act) received by the Education and Training Directorate on 9 November 2015.

Your request

You are seeking access to:

Documents containing information about students being suspended or permanently excluded from ACT public schools in the 2013 and 2014 calendar years, and in terms 1 and 2 in 2015. The documents should include the date of the incident, the duration of the suspension/exclusion, details of the incident (eg: whether drugs/alcohol/bullying/violent behaviour was involved), any further information on the school/Directorate's reasons for the suspension/exclusion, and any further actions taken.

Following email correspondence with an officer from the Directorate's Governance and Legal Liaison section on 14 December 2015, you agreed on 15 December 2015 to reduce the scope of your request to the month and year, number of days suspended and the reason for the suspension.

I note you are not seeking duplicate copies of documents that have already been publicly released or media releases, media articles or media statements.

I understand you have been contacted by the Directorate regarding the delay in responding to your request. Thank you for agreeing to an extension of time.

Documents located

The student suspensions information you are seeking is contained in an electronic database and the information you originally requested would represent approximately 600 x A3 pages in size 11 font. Each page of the data base includes 22 columns, four of

which contain free text that provides further information about each suspension incident, the student(s) involved, actions taken and other information relevant to the incident.

As advised in an email to you from the Directorate of 14 December 2015, the free text information in the database contains personal information that would be exempted under section 41 of the FOI Act (documents affecting personal privacy) and the report would require close consideration for redaction of that information. Following that advice, you agreed on 15 December 2015 to reduce the scope of your request to the month and year, number of days suspended and the reason for the suspension.

My decision

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

Student suspensions

A schedule setting out the relevant documents located in relation to student suspensions and my decisions in relation to those documents is at Attachment A, and the released document is at Attachment B.

Following your agreement to reduce the scope of your request, I requested print outs of the relevant information without the free text columns and the day of the incident in order to reduce the number of pages to be provided to you, and to avoid the need to redact all the information in those columns. This also enables the information to be provided to you in A4 format.

I have decided to release the documents to you without redactions.

In considering the documents, please note that each line of the reports represents an individual student, so a number of students may have been suspended for the same incident, and other reports may relate to the same student for a number of incidents.

You will see that there are no suspensions recorded in the column for aggressive behaviour in 2014. This is because suspensions for aggressive behaviour were recorded differently in 2014 than in 2013 and 2015. In 2014, aggressive behaviour was described by 'yes' or 'no' in relevant fields on the report, such as 'verbal', 'physical' or 'bullying' rather than in a specific column.

Students permanently excluded from ACT public schools

I have been advised that no students have been permanently excluded from ACT public schools between 1 July 2013 and 1 July 2015.

Your rights for review

If you are dissatisfied with the outcome of your request, you have a right to seek a review under section 59 of the FOI Act. My decision is also appealable if, in your opinion, you do not believe that all the information relevant to your request in the possession of the Directorate has been located.

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

Online publication

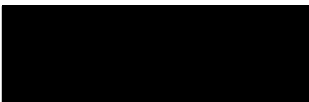
Please be aware that under the ACT Government's Online FOI Publication policy, information released to you under this Freedom of Information request may be released on the internet.

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



Tracy Stewart
Director
Families and Students
14 January 2016

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.