



Dear 

**RE: Notification of decision regarding your Freedom of Information request**

I refer to your request received by the Education Directorate on 20 September 2017 in which you are seeking access under the ACT *Freedom of Information Act 1989* (the FOI Act), to documents regarding suspension data for children in out of home care.

**Your request**

Your request advises that you are specifically seeking:

*Data about suspensions and expulsions of out of home care children in the ACT for each calendar year from 2010-2016*

**My decision**

I am authorised under section 22 of the FOI Act to make a decision on behalf of the Directorate in relation to your request.

One document has been identified as falling within the scope of your request. I have decided to provide partial access to this document with redactions made for out of scope information. The released document is at Attachment A.

You will note that the document being released provides information for the calendar years 2013-2016. No documents were identified that contained the information requested by you for 2010-2012.

**Your rights for review**

My decision not to release all the information 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 the 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.

**ACT Government Online FOI Publication**

As part of the ACT Government's commitment to open government, all written documents made available to an applicant in response to an FOI request are made available for online access by the public, subject to exceptions for personal information, information relating to business affairs, and copyright material. In this case the documents will be released publicly.

Yours sincerely



Tracy Stewart  
Director  
Governance and Community Liaison

19 October 2017

## ***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 Directorate. Requests can be sent by mail to:

The Director-General  
C/- FOI Officer,  
Governance and Community Liaison Branch  
ACT Education Directorate  
PO Box 158  
CANBERRA CITY ACT 2601

Or email: [EDULegalLiaison@act.gov.au](mailto:EDULegalLiaison@act.gov.au)

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](mailto: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](http://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.