

C4 Freedom of information

The object of the ACT *Freedom of Information Act 1989* (the FOI Act) is to extend as far as possible the right of the Australian community (in particular the citizens of the ACT) to access information in the possession of the ACT Government.

This right is limited only by exceptions and exemptions necessary for the protection of essential public interests. This includes the private and business affairs of persons in respect of whom information is collected and held by agencies, including the Directorate.

The Directorate is required to prepare statements under sections 7 and 8 of the FOI Act. The Section 7 Statement is about the publication of information concerning functions and documents of the Directorate. The Section 8 Statement refers to documents in the possession of the Directorate that are available for inspection and purchase. Both statements are available on the Directorate's website.

Section 7 Statement

In accordance with the requirements of section 7 of the FOI Act, the following statement is correct as at 30 June 2011.

Organisational functions and powers

The organisational functions and powers of the Directorate are described in **Section C5** of this report. Legislation administered by the Directorate is listed in **Section A2**.

Public participation in decision-making

Arrangements for public participation in decision-making include:

- calling for public submissions
- holding public meetings and forums with opportunities for public discussion
- establishing committees for consultation on specific issues
- circulating draft documents, including policies, for public comment
- circulating draft bills before the Legislative Assembly
- community representation on public school boards
- engaging with the ACT Council of Parents and Citizens Associations
- receiving feedback through the Minister's Office.

Categories of documents

The Directorate holds several categories of documents including those:

- available on request and without charge
- that are part of a public register
- available for a fee
- available under the FOI Act, subject to the exemption provisions of the FOI Act.

Contracts executed by the Directorate after 1 October 2007, with a value of \$20,000 and over, may be found on the ACT Government Contracts Register at <http://www.contractregister.act.gov.au>

Documents available on request and without charge

Documents within this category include publications produced by the Directorate on various aspects of its activities. These publications are often distributed from public schools throughout the ACT and are usually available on the Directorate's website <http://www.det.act.gov.au> Other documents within this category include discussion papers, information pamphlets, census data and annual reports.

Documents of other kinds that may be available under the FOI Act

Such documents may include:

- general records, including internal, interdepartmental and public documents such as minutes of meetings, agendas, background papers, and policies
- statements, correspondence and administrative records
- personnel records
- student records
- records held on microfilm, computer or paper in connection with Directorate functions
- financial records
- details of contracts and tenders
- operational policies.

Facilities for access

People seeking information are encouraged to first contact the Directorate before using the more formal freedom of information (FOI) process. The directorate contact for FOI is:

The FOI Coordinator
Information, Communications and Governance Branch
ACT Education and Training Directorate
GPO Box 158
CANBERRA ACT 2601

The physical location of the FOI Coordinator is:

220 Northbourne Avenue, Braddon, ACT
Telephone: (02) 6207 6846
Fax: (02) 6205 9453

A regular bus service is available from most locations in the ACT to within walking distance of this location. Advice on bus services and times is available from <http://www.action.act.gov.au> or by calling 13 17 10.

Short-term parking is available at the main entrance, with reserved parking for people with disabilities.

For assistance with specific arrangements for access to the physical location, phone the Directorate on (02) 6205 9400.

Section 8 Statement

Section 8 of the FOI Act requires the Director-General of the Directorate to make available a list of documents Directorate staff use when making decisions. Examples include policies and publications. A full list is available on the Directorate's website.

Section 79(2) Statement

In accordance with section 79(2) of the FOI Act, the Directorate provides the following information regarding FOI requests received during the reporting year.

Access decisions in relation to FOI requests are categorised as full release, partial release, entirely exempt, technical refusal (no documents located), still being processed, transferred and withdrawn.

Requests for access

No requests were carried over from 2009-10. In 2010-11, the Directorate processed a total of 40 new requests for access to documents. This compared with 21 requests for 2009-10.

Table C4.1: Freedom of information requests, 2010-11

Requests	Number
New requests	40
Requests carried over from previous year	0
Total	40

Source: Information, Communications and Governance Branch

Table C4.2 outlines the access decisions made for these requests.

Table C4.2: Freedom of information decisions, 2010-11

Decisions	Number
Full release	4
Partial release	24
Technical refusal (no documents)	5
Entire exemption	1
Transferred	0
Withdrawn	3
Incomplete at 30 June 2011	3
Requests handled outside the Act	0
Total	40

Source: Information, Communications and Governance Branch

Internal Review and ACT Civil and Administrative Tribunal applications

Three applications were received under section 59 of the FOI Act for review of a decision. Two of these requests resulted in additional information being provided to the applicants. The third request was incomplete at 30 June 2011.

Fees and charges

The Directorate did not collect any fees in relation to the processing of requests in 2010-11.

Amendment of personal records

The Directorate did not receive any requests under section 48 of the FOI Act for the amendment of personal records in 2010-11.

For more information contact:

Director

Information, Communications and Governance

(02) 6205 7661