



FREEDOM OF INFORMATION (FOI) REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Education Directorate (the Directorate) on 28 April 2023. Your request was for:

1. *Number of supernumerary teachers (i.e. having no teaching positions) in the Directorate each year since 1 July 2009.*
2. *Number of supernumerary teachers who have resigned or been dismissed since 2009.*

I am an Information Officer appointed by the Director-General under section 18 of the to deal with access applications made to the Directorate.

The Act provides a right of access to government information, which is defined as information contained in a record held by an agency (i.e. the Directorate) or Minister, or contained in a record that the agency or Minister is entitled to access.

Searches have been undertaken within the Directorate and no records have been located that are relevant to your request, i.e. the Directorate does not hold information that matches your description. Therefore, in accordance with section 35(1)(b) of the Act, my decision is that the Directorate does not hold the information you are seeking.

As advised in the email sent to you on 9 May 2023:

- Supernumerary employment status is used to manage position funding and occupancy to facilitate employment of staff in other areas at no additional cost to the gaining area from having additional staffing resources allocated to them. They are generally a short to medium term arrangement dependent upon an individual's circumstances, business/project needs and/or other individual employment arrangements. For example, it may be used to accommodate a person returning from long term leave, illness or injury, or for an individual who has decided to adjust their working arrangements.

- The numbers of staff who are allocated as supernumerary can change from one day to the next. However, the numbers involved are very small
- There are a large number of teachers employed by the Directorate that are not employed in teaching positions. For example, they may be undertaking project work or working in Education Support Office positions.

For these reasons, the Directorate is unable to provide you with the information you are seeking as set out in your request, because teachers with supernumerary employment status still have positions.

Online publishing – disclosure log

Under section 28 of the Act, the Directorate maintains an online record of access applications called a disclosure log. Information about your request and my decision in response to your access application will be published in the Directorate’s disclosure log between three and 10 working days after a decision on access has been provided to you. Your personal information will not be published.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day a decision was made, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact the Directorate's FOI team on 02 6205 0720 or email EducationFOI@act.gov.au.

Yours sincerely



Paula Murray
Information Officer

25 May 2023