

File Ref: [REDACTED]

[REDACTED]

Dear [REDACTED]

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 5 September 2018, in which you sought access to information relating to the ACT Government's 2016 election commitment to provide a device to all Year 7 and Year 11 students, specifically:

1. *Documents or communications prepared for the Minister's office on the educational benefits or disadvantages of Chromebooks or similar technologies.*
2. *Any advice or documents provided to the Minister's Officer that were generated by internal committees within the Directorate on the educational benefits or disadvantages of Chromebooks or similar technologies in the form of reports, briefings, emails, meeting minutes or presentations.*
3. *Any documentation provided to the Minister's Office that was generated or compiled by the Directorate on the educational benefits or disadvantages of Chromebooks or similar technologies, including reports, ministerial or other briefings, emails or presentations.*
4. *Any documentation generated or compiled by the Minister's office on the educational benefits or disadvantages of Chromebooks or similar technologies.*

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

The Education Directorate was required to provide a decision on your access application by 4 October 2018. On 28 September 2018 you agreed to an extension of six working days to 12 October 2018 for the processing of your request. Thank you for agreeing to this extension.

Decision on access

Searches were completed for relevant documents and 12 documents were identified that fall within the scope of your request. These documents provide some references to the educational benefits of the program. However, the main discussion of the benefits or disadvantages is contained in Cabinet documents which cannot be released to you under the Act. Most of the documentation pertains to the Directorate's involvement in the implementation phase.

I have included as Attachment A to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents. The documents are provided as Attachment B.

I have decided to grant access to the documents relevant to your request as follows:

- full access to two documents;
- partial access to four documents with deletions applied; and
- not release six documents

For documents where access is refused or partially provided, I have decided that, in accordance with Schedule 1 of the FOI Act, they contain information that I consider to be contrary to the public interest to disclose, or would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act. Access is partially provided to these documents under section 50 of the Act.

I have decided that some of the documents that are relevant to your request contain Cabinet information that, in accordance with Schedule 1, 1.6 of the Act, is taken to be contrary to the public interest to disclose. As election commitments require Cabinet consideration, documents that are prepared for the implementation of election commitments that are submitted to Cabinet are regarded as having been brought into existence for the purpose of submission to Cabinet. For this reason, some of the documents are not released or are partially released in accordance with section 50 of the Act.

In addition, information contained in the documents that is outside of the scope of your request has been redacted, and documents that are publicly available are not provided.

Material considered

In reaching my access decision, I have taken the following into account:

- the FOI Act, particularly sections 17 and 50, and schedules 1 and 2; and
- the content of the documents that fall within the scope of your request.

Charges

Processing charges are not applicable for this request because I have decided that the number of pages involved that are material to your request does not exceed the threshold of 50 pages.

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, my decision and documents released to you 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.

You may view the Directorate's disclosure log at
https://www.education.act.gov.au/about_us/freedom_of_information/disclosure-log.

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 that my decision is published in the Directorate's disclosure log, 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:

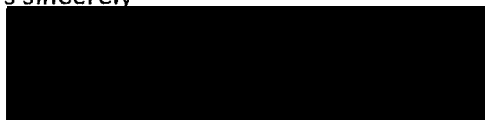
ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

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 Coordinator on 02 6205 0720 or email EDULegalLiaison@act.gov.au.

You may wish to be aware that a review of the government's program will be undertaken the third year to establish the way forward beyond 2020.

Yours sincerely



Margaret Stewart
Information Officer

// October 2018