

[Redacted]

Email: [Redacted]

Dear [Redacted]

### **FREEDOM OF INFORMATION (FOI) REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the FOI Act), received by the Education Directorate (the Directorate) on 26 January 2023, in which you are seeking:

*Copies of the Directorate's:*

1. *Diabetes Management Procedure*
2. *First Aid General Procedure*
3. *Administration of Student Medication and Complex Healthcare Procedure*

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

The Directorate was required to provide a decision on your access application by 24 February 2023.

#### **Decision on access**

Searches were completed for relevant records and three records were identified that fall within the scope of your request.

I have included as Attachment A to this decision the schedule of relevant records. This provides a description of each record that falls within the scope of your request and the access decision for each of those records.

In summary, I have decided to grant full access to the records.

The records released to you are provided as Attachment B to this letter.

My access decision is detailed further in the following statement of reasons.

## **Material considered**

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

- the FOI Act, particularly sections 16, 17, and schedule 2, and
- the content of the records that fall within the scope of your request

## **Reasons for decision**

I have considered the records that are relevant to your request in accordance with the requirements of the FOI Act.

Section 6(a) of the FOI Act provides for a right of access to government information unless access would, on balance, be contrary to the public interest. Contrary to the public interest information is defined at section 16 of the FOI Act as information that is taken to be contrary to the public interest to disclose under Schedule 1; or the disclosure of which would, on balance, be contrary to the public interest under the test set out in section 17.

### *Information taken to be contrary to the public interest to disclose*

None of the records contain information that is contrary to the public interest to disclose.

### *Information, the disclosure of which would, on balance, be contrary to the public interest*

The public interest test requires the identification of factors favouring disclosure and non-disclosure, the balancing of those factors, and a decision whether, on balance, disclosure of the information would be contrary to the public interest.

I have decided that the factor favouring disclosure, as listed at Schedule 2.1 of the FOI Act, is that disclosure of the information could reasonably be expected to inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community (Schedule 2.1(a)(iii)).

I have decided that there are no factors favouring non-disclosure of the information sought.

Consequently, the records are released to you in full.

## **Additional information**

It may be of assistance to you to be aware that the Diabetes Management Procedure, First Aid General Procedure and the Administration of Student Medication and Complex Health Procedure are currently under review. The review is expected to be completed later this year.

## **Charges**

Processing charges are not applicable for this request because the number of pages released does not exceed the threshold of 50 pages set at section 104(4) of the FOI Act.

## **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 records 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.

**Ombudsman review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the FOI 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](mailto:actfoi@ombudsman.gov.au)

**ACT Civil and Administrative Tribunal (ACAT) review**

Under section 84 of the FOI 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](mailto:EducationFOI@act.gov.au).

Yours sincerely



Paula Murray  
Information Officer

7 February 2023