

File Ref: [REDACTED]

[REDACTED]

[REDACTED]

[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 8 December 2021, in which you sought access to:

- *'The consultant's report regarding ventilation at Turner Primary School, as delivered to the school and/or Education Directorate, as it pertains to the preschool.'*
- *The school's report contains an assessment of whether the windows are functional, as sent from Turner Primary School to the education directorate, as it pertains to the windows at the preschool.'*

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 14 January 2022.

Decision on access

Searches were completed for relevant records and five 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.

I have decided to grant full access to all records relevant to your request. The records released are provided as Attachment B to this letter.

Material considered

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

- the FOI Act, particularly sections 16, 17 and scheduled 1 and 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. I have decided that:

- the factors favouring disclosure, as listed at Schedule 2.1 of the FOI Act, are that disclosure would:
 - *promote open discussion of public affairs and enhance the government's accountability* (Schedule 2.1(a)(i));
 - *contribute to positive and informed debate on important issues or matters of public interest* (Schedule 2.1(a)(ii)); and
 - *reveal environmental or health risks or measures relating to public health and safety* (Schedule 2.1(a)(xi)).
- there are no factors favouring non-disclosure
- records relevant to your request will be released in full.

Additional information

I am advised that Ms Beth Mitchell from the Directorate's Infrastructure and Capital Works Branch discussed ventilation at Turner School with you by telephone. For your convenience, the information she provided to you is included in this letter to assist your consideration of the records being released to you.

The Indoor Air Quality plan contains four components:

1. Information about the operability of windows at the school (Record 4)
2. A ventilation audit conducted by heating, ventilation and air conditioning contractors to identify sources of ventilation (Record 1)
3. Identification of priority actions, such as fixing windows and installing extraction fans (Note: these are general examples and may not be relevant to Turner School)
4. Identification of other actions to enhance indoor air quality and reduce the risk of virus transmission, such as mechanical and natural ventilation

The assessment concluded that fresh air could be provided to all classrooms in compliance with the recommendations of the World Health Organization and the ACT Government's COVID-19 Pathway out of Lockdown.

Recent actions have included:

- further assessment of windows at the school which has identified that some, including in the pre-school, are difficult to operate. Maintenance has been scheduled for completion prior to the start of Term 1 2022.

- engagement of a mechanical engineer to optimise existing systems in mechanically ventilated areas
- prioritisation of the installation of UV-C lights to the three pre-school rooms that have split systems. The lights are a retrofit to the existing recirculating air conditioner in the classrooms and act to inactivate virus and bacteria as air is circulated past the light. The UV-C lights are used extensively in health settings for this purpose and have been selected to ensure no negative impact on student health and wellbeing. The fourth preschool room has evaporative cooling and can provide the fresh air requirements when in operation.

An updated ventilation map and plan will be provided to the school prior to Term 1 2022.

Charges

Processing charges are not applicable for this request because the Act requires the first 50 pages released to be free of charge and your request does not exceed this threshold.

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 the 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 team on 02 6205 0720 or email EducationFOI@act.gov.au.

Yours sincerely



Paula Murray
Information Officer

14 January 2022