

[REDACTED]

E: [REDACTED]

Dear [REDACTED]

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 7 February 2018, in which you are seeking access to documents relating to 2017 AST and ATAR results.

Specifically, your request is for:

1. *The equivalence table between aggregate scores and ATARs as relevant to ACT school leavers graduating under the BSSS system. Said document would be similar in nature to the document published at http://www.bsss.act.edu.au/data/assets/pdf_file/0019/411247/3e_Aggregate_score_vs_ATAR_report.pdf, detailing the minimum aggregate scores needed to receive each possible ATAR from 30.00 to 99.95, to the 0.05th percentile.*
2. *The AST score breakdown for every ACT college. In particular, the document would include the average score for each of the three AST sections for each individual school, coupled with the maximum score, minimum score, and number of test takers.*
3. *The list of ATARs achieved by students from every college, including the ATAR achieved by each student and his/her BSSS ID number.*

On 14 February 2018 I sent you an email asking that you contact me to discuss your request. I have not received a response to my email.

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

A decision on your access application was required to be provided by 7 March 2018.

Decision on access

You should be aware that access applications made under the FOI Act can only be used to seek access to documents in existence that are held by a government agency. The FOI

Act cannot be used as a means of creating a new document to satisfy an applicant's request.

I have discussed your application with the Board of Senior Secondary Studies (BSSS) and they have conducted a thorough search for documents based on your request. No documents were found to be in the possession of the BSSS that provide the information you are seeking for points 1 and 2 in the form you have specified.

A document that is similar to point 1 of your request is provided at Attachment A as a courtesy, although it does not cover every 0.05 percentile band and does not go as low as 30.00.

With regard to point 2 of your request, I refer you to Table 4c of the Year 12 Study available on the BSSS website at http://www.bsss.act.edu.au/year_12_and_vocational_data/year_12_study, which provides the mean score for each College, as well as the standard deviation and the number of students who sat the test.

For point 3 of your request, the release of the information you are seeking would be prejudicial to the protection of the rights of individuals to privacy. Therefore, on balance, it would be contrary to the public interest to disclose this information under the test set out in section 17 of the FOI Act. In reaching my decision, I have taken the following into account:

- The FOI Act (available at <http://www.legislation.act.gov.au/a/2016-55/>), particularly section 17 'Public Interest Test' and schedule 2 'Factors favouring disclosure when deciding the public interest';
- The content of the documents that fall within the scope of your request; and
- The *Information Privacy Act 2014*.

Online publishing

Under section 28 of the FOI Act, the Directorate maintains an online record of access applications called a disclosure log. Details about your access application, my decision and documents released to you in response to your access application will be published in the Directorate's disclosure log within 3-10 business days after my decision. Your personal contact details 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 Education 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: ombudsman@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.

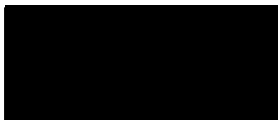
Further information may be obtained from the ACAT at:

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 me on (02) 6205 0720 or email EDULegalLiaison@act.gov.au

Yours sincerely



Paula Murray
Information Officer
Education Directorate

21 February 2018