



## **FREEDOM OF INFORMATION POLICY**

### **Rationale**

- Schools must abide by the *Freedom of Information Act 1982* provision that all persons have a legally enforceable right to access documents and certain categories of documents are exempt from disclosure.
- Members of the public have the right to:
  - access documents that are not exempt and held by Ministers and agencies in documentary form
  - amend personal information where the information is inaccurate, incomplete, out of date or would give a misleading impression
- The *Freedom of Information Act 1982* does not interfere with the standard access of parents/carers to student records and information.
- Each request for school documents must be considered in relation to privacy of personal affairs. School records can contain information on members of the whole school community including teachers, students, parents and administrators. Therefore each request for these documents must be carefully considered.
- The FoI Unit will work with schools and Regional Offices to manage this sensitive process, and staff and parents will normally be notified when their information or that of their children appears in documents sought.

### **Purpose**

- To ensure the Northern School for Autism abides by the provisions of the *Freedom of Information Act 1982*.

### **Implementation**

- The only people able to make decisions about freedom of information requests are the Minister, Secretary, who is the principal officer under the legislation or Manager of Freedom of Information and Privacy, who is the authorised officer under the legislation.
- If the school receives a freedom of information request it will be sent immediately to the Manager of Freedom of Information and Privacy. Contact details are:
  - Freedom of Information Manager
  - Department of Education and Training
  - GPO Box 4367 MELBOURNE VIC 3001
  - Telephone: (03) 9637-2670 or (03) 9637-1879
  - Fax: (03) 9637-2730
  - Email: [foi@edumail.vic.gov.au](mailto:foi@edumail.vic.gov.au)
- All requests must be made in writing to the authorised officer (Freedom of Information Manager as above) and provide sufficient information to allow the requested documents to be identified.
- The authorised officer must assist the applicant when insufficient information has been provided and will seek a Principal's assistance when a request for school based documents is received and obtain their advice on the sensitivity of documents requested.
- A fee of \$28.90 will be charged for freedom of information request but may be waived in circumstances where evidence of hardship e.g. current health care card is provided.
- An applicant may also incur charges associated with searching for and providing access to documents. These charges are regulated through legislation set out in Regulations and calculated by an FoI Officer.
- If the request is to amend personal records, the request must clearly state which document needs amending and provide a statement specifying the requested amendments.
- School Council records are excluded from freedom of information access requests. However any document created by a School Council and forwarded to DET, Regional Office, or school can be

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subject to a freedom of information request. Therefore School Council records must be clearly distinguishable from other school records.

- Please refer also to the school's *Information Privacy Policy*.

**Reference:**

[www.education.vic.gov.au/school/principals/spag/governance/Pages/foi.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/foi.aspx)

**Review:**

This policy will be reviewed every three years or if guidelines change (latest DET update early July 2018).

This policy was first ratified on 26 March 2016

Subsequent updates were ratified on 18 February 2016 and 6th December 2018

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