



Our Ref: DECD17/52291  
Your Ref: 09085/0611/17

Freedom of Information  
Information Release Unit  
Customer Services and Business Support

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Hon Robert Brokenshire MLC  
Australian Conservatives  
Parliament House  
North Terrace  
ADELAIDE SA 5000

Dear Mr Brokenshire

**RE Freedom of Information - Determination**

I refer to your Freedom of Information (FOI) application received by the Department for Education and Child Development (DECD) on 6 November 2017, requesting access to:

*'For all buildings used by DECD staff in a pre-school, primary school or secondary school contexts, any audit, list, log or schedule of capital maintenance works for the time period including:*

- a. the estimated cost of those works;*
- b. date the works were first listed;*
- c. when the works were completed or whether the work is still outstanding;*
- d. grading of the urgency or seriousness of the works (including a key explaining the grading system used).*

*TIME FRAME: 2014, 2015, 2016 school years (or if reporting period is financial then 2014/15, 2015/16 and 2016/17).'*

I also refer to email correspondence with your office on 28 November 2017 in which you advise that you seek the same information as that requested in December 2014, your reference number 09085, requesting access to:

*'For all buildings used by DECD staff in a pre-school, primary school or secondary school contexts, any audit, list, log or schedule of maintenance works including the cost of those works including any grading of the urgency or seriousness of the works (including whether any necessary works pose a threat to safety of staff or students).'*

Searches have been conducted for information in relation to your request. Three documents containing data have been identified as matching the scope of your application. I have considered the documents with reference to the *Freedom of Information Act, 1991* ("the Act") and have determined to release all documents in full. Due to the volume of documents, they will be provided to you on disc.

Note that DECD does not hold a document containing the '*grading of the urgency or seriousness of the works*' in conjunction with the information provided.

No costs have been levied for processing of your application as they are within the threshold prescribed by the Fees and Charges Regulations allowed for Members of Parliament.

If you are dissatisfied with this determination you have a legal right of review as outlined in the attached document.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, a copy of your notice of determination and the documents to which you are given access, will be published in the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

Should you require further information or clarification on this matter, please contact me at [decd.foi@sa.gov.au](mailto:decd.foi@sa.gov.au) or on telephone 8226 3231.

Yours sincerely



Chrissie Argitis  
**ACCREDITED FREEDOM OF INFORMATION OFFICER**

21 December 2017

## **YOUR RIGHTS TO REVIEW**

### **1. INTERNAL REVIEW**

Under S.29 and S.38 of the Freedom of Information Act (SA) 1991, if you are dissatisfied or “aggrieved” with certain decisions or “determinations” of an agency (regarding access to documents or amendment of records) you can apply to the agency concerned for an internal review of its determination.

To apply for an internal review of a determination you must write a letter addressed to the Principal Officer or lodge an internal review application form with the same agency which made the original determination. The application must be accompanied by the appropriate fee (if applicable). The application should be lodged within 30 days of the original determination.

There is no right to an internal review of a determination made by a Minister or Principal Officer of an agency.

### **2. INVESTIGATION BY THE OMBUDSMAN/POLICE COMPLAINTS AUTHORITY**

If, after an internal review has been completed, you are still dissatisfied with the agency’s determination you can request an external review of the determination by the Ombudsman. The Ombudsman is empowered to investigate the conduct of any person or body in relation to a determination made by an agency under this Act.

You may also request an external review by the Ombudsman if you have no right to an internal review.

The application for review by the Ombudsman should be lodged within 30 days of the date of a determination.

Requests to the Ombudsman must be in writing. An application form is not required. Investigations by the Ombudsman are free. Further information is available from the Office of the Ombudsman.

### **3. REVIEW BY SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (SACAT)**

You have a right to apply for a review by SACAT if you are unhappy with:

- a determination not subject to Internal Review
- an Internal Review determination, or
- the outcome of a review by the Ombudsman SA or the Police Ombudsman.

You must exercise your right of review with SACAT within 30 calendar days after being advised of the above types of determinations or the results of a review.

Any costs will be determined by SACAT, where applicable.

For more information contact:

South Australian Civil and Administrative Tribunal (SACAT)  
Telephone: 1800 723 767  
Email: [sacat@sacat.sa.gov.au](mailto:sacat@sacat.sa.gov.au)