



Department of  
**Education**

## INFORMATION STATEMENT

EFFECTIVE: JULY 2019

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## 1 INTRODUCTION

This Information Statement contains an overview of the structure and functions of the Department of Education (the Department) and includes a summary of how these functions affect members of the public, and their ability to participate in policy formulation and the performance of the agency's functions.

This statement outlines the Freedom of Information (FOI) process and describes:

- The procedure to amend personal information held by the Department if out of date, misleading or inaccurate.
- The range of collated information reports that are available to members of the public.
- The types of documents that can be inspected, purchased or obtained without charge.

The Director General of the Department is the Principal Officer that has decision making responsibility relating to the release of information. The Director General has authorised directors, managers and principals to make decisions on the release of information held by the Department.

### 1.1 INFORMATION RELEASE

The Department gathers and retains a variety of information. The general approach is to provide access to information and documents wherever possible by means of:

#### **Corporate Information Services Help Desk**

The Help Desk provides regular assistance with records of a general nature, which includes family history, school results and enrolment records. These requests are managed outside of the FOI process.

#### **Direct Release**

Managers and principals are encouraged to release information outside of the formal FOI process. This is called direct release.

#### **Freedom of Information**

The *Freedom of Information Act 1992* provides the public with a right to access government records.

### 1.2 HISTORY

Several Machinery of Government (MOG) reforms have occurred over the years resulting in changes of agency functions and structure. The history of the Department agencies is useful in locating relevant information.

#### **DEPARTMENT OF EDUCATION**

The Department was established in 1893 by statute *Elementary Education Act 1871 Amendment Act 1893*. The new Department was placed under the control of the Minister of Education. The Minister was given the power to appoint and dismiss teachers. In 1928, the original *Elementary Education Act* was repealed and replaced by the *Education Act 1928* and this was replaced by the *School Education Act 1999*. The Education Department was officially established in 1964 under the *Public Service Act 1904-1963* and *Public Service Regulation 99*.

The passage of the *Teacher Education Act 1972* led to the closure of the Teacher Education Division and the transfer of control and administration of Teachers Colleges to the Western Australian Teacher Education Authority. In 1978, the *Pre-School (Education and Child Care) Act 1973-75* was repealed and the Pre-School Board dissolved. This resulted in the establishment of an Early Childhood Branch within the Department. In 1979, the Department of Education was re-established under the *Public Service Act 1978*.

In 1988, the Office of Technical and Further Education was established as a sub-department of the Ministry of Education under the *Public Service Act 1978*. The Education Department was designated the Ministry of Education. In 1989, the sub-department Office of Technical and Further Education was abolished.

In 1994, the Ministry of Education was re-designated the Education Department of Western Australia. In 2001, the Department was renamed Department of Education due to the MOG changes. On 3 February 2003, the State Government announced that it was consolidating the former Departments of Education and of Training into one Department called Department of Education and Training. On 30 October 2009, the Department of Education and Training was split to create a separate Department of Training and Workforce Development and the Department of Education and Training was renamed Department of Education.

In 2009, the Independent Public Schools initiative was launched where the school Principal is given increased flexibility and responsibility to make local decisions across a range of school operations to enhance education outcomes for students. This also empowers school communities to shape the ethos, priorities and directions of their schools to reflect the aspirations of their students.

Each year, schools may express an interest in becoming an Independent Public School in consultation with their school communities. Schools must meet the stringent selection criteria. Independent Public Schools are required to comply with the Department's Records Keeping Plan (RKP).

Effective from 1 July 2017, the new Department of Education was formed (Western Australian Government Gazette Perth, Wednesday, 28 June 2017 No.129 Alteration of Statutory Designations Order 2017 - *Public Sector Management Act 1994 - 2017 Machinery of Government Changes*).

Under the *Public Sector Management Act 1994 35(1)(b)*, the Department of Education Services was amalgamated with the new Department of Education.

## **DEPARTMENT OF EDUCATION SERVICES (ABOLISHED) NOW PART OF THE DEPARTMENT OF EDUCATION**

In July 1996, the Department of Education Services (DES) was established under *Section 35* of the *Public Sector Management Act 1994 (WA)* as a department of the Public Service. The Department was created through the amalgamation of several education agencies and areas of responsibility including higher education, non-government education, international education, and executive support for several Ministerial Councils. Predecessor organisations are: Western Australian Tertiary Education Commission; Western Australian Post-Secondary Education Commission; Western Australian Office of Higher Education; Education Policy Co-ordination Bureau.

In July 2006, the Office of the Training Accreditation Council transferred from the Department of Education and Training to DES, expanding the Department's services to include the responsibility for quality assurance and recognition of Western Australian Vocational Education and Training (VET) services.

Since December 2012, the Department of Education Services has been responsible for the provision of staff and other resources to the Teacher Registration Board WA (TRBWA) formerly Western Australian College of Teaching (WACOT). The Department was responsible to the Minister for Education and the Minister for Training and Workforce Development. In 2016, the Director General of DES became a decision-maker under the *School Education Act 1999* for a range of non-government school decisions.

The Department of Education Services delivered the following services in relation to the non-government school, international education, higher education, and VET sectors in Western Australia:

**Executive Support Services** continue to be provided to the following Councils which are directly responsible to the Minister for Education and Training.

**Funding Services** to the non-government school, university sectors (per capita grants and low interest loans for capital infrastructure projects) and for various scholarship schemes.

**Policy Advisory Services** and initiatives that improve collaboration between the sectors. The Department supports the Ministers, Government and other bodies through the provision of expert strategic policy, research, planning and legislative services across relevant sectors in Western Australia.

**Regulatory Services** to ensure compliance with relevant State legislation and to enhance public confidence in the quality and integrity of education and training through effective and efficient regulation.

#### TRAINING ACCREDITATION COUNCIL (TAC) - ESTABLISHED UNDER THE VOCATIONAL EDUCATION AND TRAINING ACT 1996

The Training and Accreditation Council is Western Australia's independent statutory body for quality assurance and recognition of vocational education and training (VET) services. The council operates within the National Skills Framework and is the Western Australian VET regulator. It complies with the *Standards for VET Regulators 2015*. The council is responsible for registering training providers and accredits VET Courses.

#### RURAL REMOTE EDUCATION ADVISORY COMMITTEE (RREAC)

Established in 1997, by the then Minister for Education & Training. RREAC now provides the Minister for Education with evidence-based and solutions-focused strategic advice on education and training issues in rural and remote areas of WA.

## NON-GOVERNMENT SCHOOLS PLANNING ADVISORY PANEL (NGSPAP)

Established under *Section 241* of the *School Education Act 1999*, the NGSPAP provides advice to the Minister for Education on referred applications for advance determination with regard to school planning proposals. School planning proposals which require an advance determination include a proposal to establish a new school; to relocate a school or to establish a new campus of the school and to add one or more additional year levels.

## WESTERN AUSTRALIAN HIGHER EDUCATION COUNCIL (WAHEC)

Established in 1995, as an advisory body to the Minister for Education. The Council's purpose is to bring a State perspective and State priorities to the development of higher education in Western Australia, to advise the State Minister on the plans and priorities for the state in regards to higher education and to foster co-operation between the universities in Western Australia.

## TEACHER REGISTRATION BOARD WESTERN AUSTRALIA (TRBWA) (FORMERLY WACOT)

The Western Australian College of Teaching (WACOT) was first established by law on 15 September 2004 as an independent professional body representing all members of the WA teaching profession. It was not an agent of the Crown, but a public statutory authority created by an Act of Parliament.

The legislation provided for a Board of the College of Teaching, consisting of 19 members. Under *Section 9 (1)* of the *Western Australian College of Teaching Act 2004*, the key stakeholders in education nominated nine members for the then Minister of Education and Training to appoint to the Board. Under *Section 9 (2)*, ten teachers were elected to the Board, with elections held every three years.

As a precursor to the establishment of the College and the enactment of the legislation, an Interim Board was set up in the second half of 2002. The Department of Education Services provided support for the Interim Board until 15 September 2004.

The TRBWA was established on 7 December 2012 under the *Teacher Registration Act 2012 (WA)* as the body responsible for registration of teachers in WA. It replaced WACOT. The Board's role is determined by the *Teacher Registration Act 2012*, under which, seven Board members are appointed by the Minister for Education.

The Board's primary functions are:

- to administer disciplinary and impairment matters
- to implement an accreditation process for initial teacher education programs in WA and
- to register/re-register teachers in WA who meet all legal requirements.

In performing its functions, the Board is required to:

- develop and publish accreditation standards
- develop and publish professional standards for teachers
- keep an accurate register of accredited initial teacher education programs and
- maintain an up-to-date register of teachers.

Effective from 1 July 2017, the TRBWA will continue as a statutory entity. Memoranda of understanding with this board will be developed to ensure there is a clear distinction between the services Department staff provided to support the work of the Board and its functions.

## **PUBLIC EDUCATION ENDOWMENT TRUST**

The Public Education Endowment Trust (the Trust) was established in 1909 under the provisions of the *Public Education Endowment Act 1909* (the Act). Under the Act, the Trustees, with the approval of the Governor, may buy or sell land that was or is vested in them for the purpose of public education pursuant to *Section 4* of the Act and disburse money derived as proceeds of sale or otherwise for the purpose of public education.

## **COUNTRY HIGH SCHOOL HOSTELS AUTHORITY (ABOLISHED) AND (RENAMED) RESIDENTIAL COLLEGES UNDER THE DEPARTMENT OF EDUCATION**

The Country High School Hostels Authority (CHSHA) was established in 1960. It was a body corporate with perpetual succession and a common seal. The Authority tabled its first annual report in Parliament in 1986. The Authority's service consisted of the establishment, operation and maintenance of residential colleges that provide quality accommodation, care and services for isolated students. Almost all of the students who accessed this service did so for their secondary schooling. The Authority had eight residential colleges in country centres in close proximity to senior high schools, primary schools and TAFE colleges.

The Authority consisted of seven members who were appointed by the Minister. They were accountable for the Agency's operations and administered its business, planning and operations. Each residential college had a Board of Management appointed by the Authority to carry out the general management of the college. The Board of Management operated under a Constitution that set out the powers and functions delegated to it by the Authority. Effective from 1 July 2017, the residential colleges board of management ceased.

The *Country High School Hostels Authority Act 1960* and regulations made under that Act were repealed by the *School Boarding Facilities Legislation Amendment and Repeal Act 2016*. This followed recommendations from the 2012 Blaxell inquiry.

Effective from 1 July 2017, the new Department of Education assumed direct control of the school hostels across WA under the *School Education Act 1999 Part 6A - Student residential colleges*.

In the Department of Education organisational structure, the Country High School Hostels Authority has been renamed Residential Colleges and is a business unit reporting to the Assistant Executive Director Statewide Planning and Delivery branch.

## 2 FUNCTIONS OF THE DEPARTMENT

The Department provides high quality education for children and young people throughout Western Australia, helping each to achieve success. We provide programs for every student - for those who are academically gifted, students with special learning needs, those with a flair for the arts or a passion for sports and students from vulnerable communities.

As the largest public sector employer in the State, our people are our most valuable asset. We value the wealth of knowledge that people from different backgrounds bring to our schools and workplaces. We work with parents, carers, families, agencies to prepare students with the skills, understanding and values to reach their potential and make a positive contribution to society.

## 3 INFORMATION RELEASE BY THE DEPARTMENT OF EDUCATION

The Department of Education (the Department) has approached the *Freedom of Information Act 1992* (FOI) (the Act) where possible with management by way of:

- Information Release;
- Direct Release; and
- Freedom of Information. These are detailed below:

### 3.1 INFORMATION RELEASE

The responsibility for recordkeeping is devolved to managers and principals of the Department.

Information release requests are received and managed by the business unit or school as part of their recordkeeping responsibilities, with the support of Corporate Information Services (CIS).

Managers and principals are authorised to make Information Release decisions for information under their control. *Section 242(1)(d)* of the *School Education Act 1999* (the Education Act) allows personal information to be directly released with the authority of the person to whom the information relates.

The release of information may require consideration of whether the *Freedom of Information Act 1992* (the FOI Act) may apply.

Managers and principals should deal directly with the person making the request and release what can be appropriately released in the first instance. If the person is not satisfied with the information or documentation provided, then they can make a formal Freedom of Information (FOI) application to the business unit or school. The FOI applicant should be given a formal Notice of Decision (samples available in the Information Release Helpful Documentation on the Department's website – under Information Release (IR)) with the information and documents to be released.

If the FOI applicant requires the decision to be reviewed, they should be referred to the Corporate Information Services team by contacting (08) 9264 4867 or email to [recmanhd@education.wa.edu.au](mailto:recmanhd@education.wa.edu.au)

FOI help is available on the Department's [website](#).

### 3.2 DIRECT RELEASE

Certain information may be released to an applicant outside of the FOI Process. These processes assist with facilitating access, and streamlining the processes of serving the community in a more efficient and effective manner.

A request for information can be made directly to a school manager, school principal or regional office. This is the most efficient way for individuals to get information about themselves or their child e.g. school reports. This request receives the quickest response. Strict conditions apply to the release of these documents.

Once the identity of the person or their authorised representative has been confirmed, the business unit or school should release the appropriate documents directly to the requestor. The personal information can be released to the requestor with a simple letter or email that becomes the record of the decision. Please be aware that any personal information about others must be deleted (redacted) from the document(s) prior to their release.

The Education Act also provides for documents or information to be released in accordance with legislation, subpoenas, orders to produce and lawful requests from Government agencies. The business unit or school should release the information or documents directly once the manager or principal is satisfied that the request is lawful. Advice can be sought from Legal Services by contacting (08) 9264 4052 or email to [legalservices@education.wa.edu.au](mailto:legalservices@education.wa.edu.au).

### 3.3 FREEDOM OF INFORMATION (FOI) RELEASE

If it is not possible to process the request under Direct Release, a formal FOI Application may be required.

For FOI Application Form, available on the Department's website See Appendix.

#### WHO CAN APPLY?

Applications will only be accepted from an individual or their authorised third party or representative (e.g. insurer, solicitor investigator etc.). A request from an authorised representative or third party must include a signed consent or authority from the applicant on the representative's company letterhead or provide identification.

#### HOW DO I APPLY?

An application for FOI must be submitted in writing. You can lodge your application:

In person at:  
Department of Education  
Corporate Information Services  
151 Royal Street  
EAST PERTH WA 6004

Or

In writing:

Application form located on Department of Education's website or a written letter mailed to:

Department of Education  
Corporate Information Services  
151 Royal Street  
EAST PERTH WA 6004

An application form is available on IKON (Internal) and the Department's website. You can email your application form to: [foi.enquiries@education.wa.edu.au](mailto:foi.enquiries@education.wa.edu.au).

The FOI Act provides the public with a right of access to documents held by WA agencies, including the Department of Education. Access to documents held by the Department of Education enables the public to become aware of information held about them, and for the public to more effectively participate in governing the State.

If you are considering making an application, you should first contact the relevant business area, school or education regional office to establish whether the information you are seeking is available outside of the FOI Act.

Documents are only released pursuant to the applicable provisions within the FOI Act, and only if no alternative method of access is available. The FOI Act provides that some business areas within nominated government agencies are exempt from the FOI process.

Any FOI application received requesting only the applicant's personal information within a document, is available free of charge.

Personal information is defined in the FOI Act and includes details such as a name, address, email address, telephone number, medical information and marital status. Requests for amendment of personal information should initially be directed to the manager/principal of the area/school responsible for maintaining that information.

## AMENDING PERSONAL INFORMATION

If you decide to lodge an application to correct or amend personal information, you must explain how and why you believe the information to be incorrect, incomplete, out of date or misleading and detail the changes you want made. This application must be made in writing, stating how the change is to be made i.e. Altering, deleting, inserting or making a note in relation to information.

## COSTS

The *Freedom of Information Regulations 1993 (WA)* specify a scale of fees and charges:

- |  |         |
|--|---------|
| • Personal Information about the applicant | Nil     |
| • Non-personal information                 | \$30.00 |

The Department may impose additional charges for Freedom of Information Requests.

Charges which may be imposed include:

- |                                       |                  |
|---------------------------------------|------------------|
| • Time spent dealing with application | \$30.00 per hour |
| • Photocopying costs                  | 20c per page     |
| • Postage and handling                | cost price       |

In certain cases, applicants may be eligible for a reduction in fees and charges. If you are unsure if your application is personal or non-personal, please contact the Information Release Unit via email [foi.enquiries@education.wa.edu.au](mailto:foi.enquiries@education.wa.edu.au).

The Corporate Information Services Help Desk by email [Recmanhd@education.wa.edu.au](mailto:Recmanhd@education.wa.edu.au) or by telephone (08) 9264 4867.

## INTERNAL REVIEW

If you have received a decision under the Act, you can appeal against the decision regarding access to documents or the amendment of records with 30 days of receiving the Notice of Decision.

Your appeal will be considered within 15 days of being received by the Internal Reviewer. You can seek an internal review by mailing:

Freedom of Information Internal Review  
 Department of Education  
 151 Royal Street  
 EAST PERTH WA 6004  
 Or via email: [foi.enquiries@education.wa.edu.au](mailto:foi.enquiries@education.wa.edu.au)

## EXTERNAL REVIEW

If you are unsatisfied with the decision of the Internal Review, a further avenue of appeal is available via the Office of the Information Commissioner.

Appeals to the Information Commissioner must be made in writing and include an address in Australia.

Your request must detail the part (or parts) of the decision you want the Commissioner to review, and should also provide a copy of the Notice of Decision sent to you by the Department following the internal review.

You can seek an external review by mailing application to:  
 The Information Commissioner  
 Office of the Information Commissioner  
 Albert Facey House  
 469 Wellington Street  
 PERTH WA 6000

Telephone: (08) 6551 7888  
 Country Callers: 1800 621 244 (Toll free)  
 Facsimile: (08) 6551 7889  
 Website: [oic.wa.gov.au/en-au/](http://oic.wa.gov.au/en-au/)

### 3.4 LAWFUL REQUEST RELEASE

This type of request relates to the release of information in accordance with legislation such as subpoenas, orders to produce or lawful request from a government agency.

Examples include:

- *Children and Community Services Act 2004*;
- *Criminal Investigation Act 2006*;
- *District Court Rules 2005*;
- *Family Court Act 1997*;
- *Guardianship and Administration Act 1990*;
- *Parliamentary Commissioner Act 1971*; and
- *Rules of Supreme Court 1971*.

Subpoenas are to be lodged at the Department of Education at 151 Royal Street, EAST PERTH, WA, 6004.

For further information regarding lawful requests contact the Legal Services Branch by email [legalservices@education.wa.edu.au](mailto:legalservices@education.wa.edu.au) or by telephone on (08) 9264 4052.

## 4 POLICY AND PERFORMANCE

The *School Education Act 1999* and the *School Education Regulations 2000* provide for councils representing parents, caregivers and local communities to take a significant role in the governance of all government schools. There are also Aboriginal Student Support and Parent Awareness committees to represent the specific needs of indigenous people.

Many of the Department's policies affect members of the community, including the location of new schools, school closures, amalgamations of schools, homework, school fees, uniforms and school boundaries etc. Department of Education policy and guidelines are available on the [Policies](#) site.

Individual schools may have a range of groups working in the school. Membership and other information about these groups may be obtained by contacting the school principal.

### 4.1 PROTECTING PERSONAL INFORMATION STATEMENT

The Department's Protecting Personal Information Statement provides an overarching framework, for the collection of personal information and how it is used by the Department.

Where there is no specific legislative provision governing the collection, storage, use and disclosure of personal information, the policy aligns with the *Australian Privacy Principles*, as per *Section 14* of the *Privacy Act 1988 (Cth)*.

The Department's Protecting Personal Information Statement can be accessed by visiting our [website](#) or on the Department's Intranet.

## 5 DEPARTMENT RECORDS

Department records relating to administration, schools, students and staff are maintained in paper and/or electronic forms across central office, education regional offices and schools.

## 5.1 CENTRAL OFFICE

Records held in Central Office support the Department's business activities. Records of historical value are transferred to the State Records Office at the end of a specified retention period, where they can be viewed by the public unless restrictions have been applied. In such cases, it is necessary to seek the permission of the Department before access can be provided.

Administrative records contain documents relating to the following key business areas:

- Aboriginal education;
- Community relations, compensation;
- Contracting, curriculum;
- Early childhood, education delivery, equipment and stores, establishment;
- Financial management, fleet management, government relations;
- Industrial relations, information management, land and property management;
- Legal services, occupational health and safety, personnel;
- Publication, school management, staff development; and
- Strategic management, student management, technology and telecommunications; and vocational education and training.

Records are maintained for individual schools in the following key subject areas:

- Accidents, agricultural advisory committees, audits;
- Buildings and works;
- Cleaning, complaints, curriculum;
- Financial management, financial reporting, furnishings and equipment;
- Grounds and gardening;
- Lands, livestock and farm produce;
- Pest control, pre-primary transferred centre leases and equipment agreements;
- School/community facilities, school grant;
- Security, staffing, students;
- Technology and telecommunications; and
- Utilities management baseline.

The Department also maintains Library facilities in its central office.

### **Contact**

Corporate Information Services, Record Management Help Desk: (08) 9264 4867

## 5.2 EDUCATION REGIONAL OFFICES

The Education Regional Offices hold records in the following key subject areas:

- Audit Reports;
- Buildings and Works;
- Cleaning;
- Complaints;
- Critical Incident Reports;
- Financial Guidance;
- Ministerial Correspondence (copies);
- Performance Management;
- Planning; and
- Staffing.

## Contact

### North Metropolitan Education Regional Office

T: 9285 3600 F: 9285 3730  
 A: Level 2/1 Puccini Court, Stirling WA 6021  
 P: PO Box 1126 Innaloo City WA 6918

### South Metropolitan Education Regional Office

T: 9336 9563 F: 9336 2237  
 A: 184 Hampton Road, Beaconsfield WA 6162  
 P: PO Box 63 South Fremantle WA 6162

### Goldfields Education Regional Office

T: 9093 5600 F: 9093 5656  
 A: Federal Road, Kalgoorlie WA 6430  
 P: PO Box 385 Kalgoorlie WA 6433

### Kimberley Education Regional Office

T: 9192 0800 F: 9193 6718  
 A: 10 Coghlan Street, Broome WA 6725  
 P: PO Box 2142 Broome WA 6725

### Midwest Education Regional Office

T: 9956 1600 F: 9964 1391  
 A: Level 2, 209 Foreshore Drive, Geraldton WA 6530  
 P: PO Box 63 Geraldton WA 6530

### Pilbara Education Regional Office

T: 9185 0111 F: 9185 0137  
 A: Level 2, 20 Sharpe Avenue, Karratha WA 6714  
 P: PO Box 384 Karratha WA 6714

### Southwest Education Regional Office

T: 9791 0300 F: 9791 2228  
 A: Bunbury Tower 5th Floor, 61 Victoria Street, Bunbury WA 6230  
 P: Bunbury Tower, 61 Victoria Street, Bunbury 6230

### Wheatbelt Education Regional Office

T: 9622 0200 F: 9622 3996  
 A: McIver House, 297 Fitzgerald Street, Northam WA 6401  
 P: Box 394 Northam WA 6401

## 5.3 SCHOOLS

Student records held in schools include children's progress reports, attendance, academic, discipline, behaviour records, health and enrolment. All student records are the property of the Department. In accordance with the *State Records Act 2000*, student records are usually only retained until the student reaches 25 years of age.

### FREEZE ON DESTRUCTION OF STUDENT FILES (ROYAL COMMISSION)

On 12 November 2012 the Prime Minister, the Hon Julia Gillard MP, announced the Australian's Government's intention to establish a *Royal Commission into Institutional Responses to Child Sexual Abuse in Australia* (the Royal Commission). One of the key recommendations of this Royal Commission was to impose a Freeze on the disposal of records relating to young people.

In line with the recommendations of the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse, the State Records Office of Western Australia (SROWA) has issued a disposal freeze on records documenting, or that may be relevant to, actual or alleged incidents of child sexual abuse. The disposal freeze overrides any pre-existing disposal authorisations given within retention and disposal schedules.

In addition to student records, schools may hold documents in the following subject areas:

- administrative matters;
- building furnishing and maintenance;
- committees;
- community relations;
- curriculum;
- establishment (staffing);
- financial management;
- gardening;
- information technology;
- organisational development; and
- staff management and development.

Documents held at schools which have been closed are processed by the Department's Corporate Information Services.

**Contact:**

Corporate Information Services, Record Management Help Desk: (08) 9264 4867

School records of historical value are transferred to the State Archives when they are no longer required.

Principals are responsible for determining whether to grant access to school records in accordance with the Department's policies and procedures.

If access is refused, then applicants seeking information may choose to exercise their rights under the *Freedom of Information Act 1992*.

It is Department policy that parents be given access to their children's school records unless a court of law has removed the right of access to such information. The educational welfare of children may require third parties to seek access to certain school-based information, such as students' progress reports, in order to make informed decisions in respect of the children's education. In such cases, principals must be satisfied that the release of information is in the best interest of the child.

**Contact:**

Principal of the school by accessing Schools Online.

## 5.4 PERSONNEL FILES

The Staff Recruitment and Employment Services in central office is the custodian of employees' personnel files. Documents in these files, include details of leave and salary increments, transfer advice, employment contracts and general correspondence with the employee.

Strictly confidential information on individuals is held on their relevant personnel sub files in the following categories:

- breach of standards;
- EEO complaints;
- grievances;
- medical;
- performance management;
- personnel investigation;
- recovery (salary);
- rehabilitation; redeployment;
- teacher employment application; and
- workers compensation.

Staff have a right of access to their personnel file and do not need to make an application under FOI to inspect these records. A request for access can be made by appointment with the Department's file viewing officer for centrally held files or the appropriate principal for personnel files held at school level.

However, an FOI application may be necessary for access to information held on personnel sub files. Initial contact should be made with the manager/principal of the relevant area/school to determine whether the requested information can be provided outside of FOI.

Please refer to Section 5 of this document for further information on the FOI process.

**Contact**

Staff Recruitment and Employment Services for personnel file viewing: (08) 9264 5562.

6 **RELEVANT PUBLICATIONS**

Classroom First

Department of Education Annual Reports

Department of Education Strategic Planning Documents

Department of Education Information Release Guidelines 2018

Department of Education Protecting Personal Information Statement

Freedom of Information Act 1992

Freedom of Information Regulations 1993

Privacy Act 1988

School Education Act 1999

School Education Regulations 2000

State Records Act 2000

Strategic Plan for WA Public Schools 2016-2019

7 **APPENDIX**

Freedom of Information Application Form