



# Department of Education

People and Executive Services

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East Melbourne Victoria 3002  
Telephone: 03 9637 2000

Our Ref: FOI 2024-178

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**By email: [foi+request-11227-4fd5a541@righttoknow.org.au](mailto:foi+request-11227-4fd5a541@righttoknow.org.au)**

Dear Megan

## FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION – 2024-178

I refer to your request received by the Department of Education (the **department**) for documents under the *Freedom of Information Act 1982* (the **Act**).

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## Your request

1. On 13 March 2024, you sought to access:  
*Please can you release a spreadsheet of data on all formal complaints submitted against all government schools in Victoria. The fields of data to include: the school name, type of school (mainstream, special), number of formal complaints. By year, from 2000 to 2023.*
2. On 9 April 2024, the FOI Unit wrote to you advising that your request was invalid and therefore did not comply with section 17(2A) of the Act, as you had not paid the application fee. On 10 April 2024, payment of the application fee was received, and your request became valid.

### *The timeframe applying to your request*

3. On 7 May 2024, you agreed to extend the statutory time period for processing your request by 30 days in accordance with section 21(2)(b) of the Act. On 30 May 2024, you agreed to a further 14-day extension.
4. The due date for your request is now 25 June 2024.

## Documents

5. A thorough and diligent search has been conducted to identify documents held by the department which meet the terms of your request.
6. The FOI Unit caused searches to be undertaken to identify documents with the Operations and Governance Division.

### *Requests involving use of computers*

7. There were no discrete documents available which meet the terms of your request. However, I note that section 19(1)(i) of the Act provides that an agency can use a computer or other equipment that is ordinarily available for retrieving or collating stored information to produce a discrete written document containing the information sought in a request.
8. Operations and Governance Division advise that it is not possible to create a document in accordance with section 19(1)(c)(i) of the Act.
9. Operations and Governance Division state that the department does not have a centralised system for capturing data on complaints. Complaints are managed using a 3-tier process, including the school, regional office, and central office. Some of these complaints are registered on the STAR case management system however, not all complaints are captured, due to the 3-tier process and the number of complaints that are informally resolved. Operations and Governance Division further advise that creation of a document using STAR would exceed the department's obligations under section 19(1)(c)(i) of the Act.

## Decision and reasons for decision

### *Authority to make this decision*

10. I am an officer authorised by the Secretary of the department under section 26(1) of the Act to make decisions in relation to FOI requests on behalf of the department.

*Material taken into account*

11. I have taken the following material into account in making my decision:
- the Act (specifically sections 3, 13, 16, 19)

*Decision*

12. I found that:
- no documents that meet the terms of your request exist and a document could not be created in accordance with 19(1)(c)(i) of the Act.

**Making a complaint**

13. If you are dissatisfied with our handling of your request, you have the right to complain to the Information Commissioner.
14. Your complaint must be in writing, set out the nature of your complaint and must be made within 60 days after you receive this notice of decision.
15. You may lodge your complaint by:

email: [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)  
post: Information Commissioner  
PO Box 24274  
MELBOURNE VIC 3001  
fax: (03) 8684 7588

16. More information about complaints to the Information Commissioner, including a form to assist you in making your complaint, is available at [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

**Contacting the department regarding your decision**

17. If you wish to discuss this decision, please contact the FOI Unit on (03) 7022 0856 or by email at [foi@education.vic.gov.au](mailto:foi@education.vic.gov.au).

Yours sincerely



**Damien O'Shea**  
**Director, Executive and Ministerial Services**

25 June 2024