



# Department of Education

People and Executive Services

2 Treasury Place  
East Melbourne Victoria 3002  
Telephone: 03 9637 2000  
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Date: 15 January 2025  
Our Ref: FOI 2024-721

Jarred Crowe  
Right to Know

**By email only:** [foi+request-11836-a0ea49cb@righttoknow.org.au](mailto:foi+request-11836-a0ea49cb@righttoknow.org.au)

Dear Jarred

## FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION – 2024-721

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

### Your request

On 4 August 2024, you sought to access:

*'...documents under FOI relating to the Capital Works project taking place at Barwon Valley School. Specifically, works being carried out with 2020/21 state budget funding that is referred to by the VSBA as "Upgrade and Modernisation - Stage 2"*

*I kindly request the following documents.*

- 1. Project team meeting minutes from the commencement of the project to 4 August 2024 inclusive.*
- 2. All versions of the project delivery schedule/timeline from the commencement of the project to 4 August 2024 inclusive.*
- 3. All Correspondence sent and received by the senior project officer or other VSBA staff concerning the following topics:*
  - 3a. Modification or reduction to the scope of the project,*
  - 3b. Architectural, engineering, building or construction defects or faults,*
  - 3c. Legal disputes with suppliers, contractors or vendors,*
  - 3d. Delays in the occurrence of works / project schedule adjustments,*
  - 3e. Impacts on the education delivery and day-to-day operations of Barwon Valley School.*
- 4. Any documents similar to an executive summary or presentation that explains the facilities and buildings that were to be delivered under the original scope of the project.*

Your details will be dealt with in accordance with the *Public Records Act 1973* and the *Privacy and Data Protection Act 2014*. Should you have any queries or wish to gain access to your personal information held by this Department please contact our Privacy Officer at the above address

On 26 August 2024, the FOI Unit wrote to you advising that your request would be likely to constitute an unreasonable diversion of the Department's resources in accordance with section 25A(1)(a) of the Act. On 27 August 2024, you agreed to vary your request to the following:

*I therefore would like to adjust the scope of my request to remove Items 3, 3a, 3b, 3c, 3d & 3e from my request meaning the scope of the request is now:*

*1. Project team meeting minutes from the commencement of the project to 4 August 2024 inclusive.*

*2. All versions of the project delivery schedule/timeline from the commencement of the project to 4 August 2024 inclusive.*

*4. Any documents similar to an executive summary or presentation that explains the facilities and buildings that were to be delivered under the original scope of the project.*

Further, on 27 August 2024, you confirmed with this office that you do not require access to draft and duplicate documents as well as commercial or personal information related to third parties. You do require access to documents released in part.

### **The timeframe applying to your request**

The due date for your request was 1 November 2024. I sincerely apologise for the delay in processing your request. Unfortunately, the Department is experiencing a dramatic increase in received requests, whilst at the same time, a large turnover in staff, which we have only now been able to replace.

Thank you for your patience when it comes to this request, we do appreciate it.

### **Documents**

A thorough and diligent search has been conducted to identify documents held by the Department which meet the terms of your request.

The FOI Unit caused searches to be undertaken by the Victorian School Building Authority.

### **Decision and reasons for decision**

#### *Authority to make this decision*

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*

I have taken the following material into account in making my decision:

- the content and nature of the documents that fall within the scope of your request;
- the terms of your request;
- the Act (specifically sections 3, 13, 16 and 25); and
- the searches undertaken by the Department.

## Decision

I have decided to grant access in full to six classes of documents with irrelevant matter redacted under section 25 of the Act.

### Section 25 - Irrelevant information

Among the documents discovered are pages that contain irrelevant information. Section 25 of the Act relates to irrelevant and exempt matter.

I note you have consented to the removal of commercial and personal information relating to third parties. Pursuant to the requirement set out in section 27(1)(c) I am advising you that the irrelevant matter has been redacted and stamped 'Not Relevant'.

A copy of the document released with applicable redactions will be provided to you with this Notice of Decision

### Your rights

If you are dissatisfied with any aspect of my decision, you may, under section 49A(1) of the Act apply to the Information Commissioner for a review. Your application must be made within 28 days after receipt of this decision.

The contact details for the Commissioner are as follows:

Public Access Deputy Commissioner  
Office of the Information Commissioner  
PO Box 24274  
MELBOURNE VIC 3001  
Ph 1300 006 842  
Email: [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

Alternatively, you may make a complaint about the way in which the Department managed your request, which must be submitted to the Information Commissioner within 60 days after you receive this notice of decision.

More information about reviews and 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

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) quoting our reference number as indicated at the top right hand corner of this letter.

Yours sincerely,



Shane Skelton  
Team Leader - Freedom of Information



**FOI 2024-721**

**Schedule of documents**

Doc no	Date	Pages	Description	Decision on access	Exemption
1	16 February 2021 – 4 July 2024	304	Point 1 combined documents	Full access	N/A
2	2021-2024	50	Point 2 combined documents	Full access	N/A
3	30 September 2021	70	Point 4 combined documents - Part 1	Full access	N/A
4	30 September 2021	70	Point 4 combined documents - Part 2	Full access	N/A
5	30 September 2021 – 27 April 2021	70	Point 4 combined documents - Part 3	Full access	N/A
6	27 April 2021 – 20 May 2021	69	Point 4 combined documents - Part 4	Full access	N/A
		<b>633</b>			