

APPLICATION ACKNOWLEDGEMENT

18 July 2013

Our ref: F13/565-5

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[Anonymous request made through the right to know website]

By email: foi+request-283-cad7d8de@righttoknow.org.au

Dear Sir/Madam

Your Freedom of Information Request

I refer to your email of **Friday, 5 July 2013** to the Australian Curriculum, Assessment and Reporting Authority (**ACARA**) seeking access to documents under the *Freedom of Information Act 1982* (Commonwealth) (**FOI Act**).

I confirm your request is for:

"In the Ministerial Council for Education, Early Childhood, Development and Youth Affairs April 2012 Communiqué the following was reported:

'Ministers discussed concerns over practices such as excessive test preparation and the potential narrowing of the curriculum as a result of the publication of NAPLAN data on My School. Ministers requested that ACARA provide the Standing Council with an assessment of these matters.'

See more at: <http://newmatilda.com/2013/07/04/school-testers-deny-naplan-side-effects#sthash.ntTFLV9J.dpufUnder>

FOI

On the basis of this statement, under the provisions of the FOI Act I request copies of all documentation in ACARA's possession that provide information on action taken by ACARA or other bodies/persons in response to this directive, including the assessment provided to the Standing Council".

This letter formally acknowledges receipt of your request, as required by s15(5)(a) of the FOI Act. Information on the processing of your request is set out below.

I am an authorised decision-maker under section 23 of the FOI Act.

Your identity

I have had regard to The Australian Information Commissioner's guidelines on FOI, version 1.3, March 2013, part 3 (**Guidelines**). Refer to http://www.oaic.gov.au/images/documents/freedom-of-information/applying-the-foi-act/foi-guidelines/part3_processing_requests_for_access_v1-3.pdf

I accept that the FOI Act does not prevent a natural person from using a pseudonym [para 3.34 of the Guidelines]. I decide that your identity is **not** relevant in deciding if the requested documents are exempt, as your request does **not** concern your own personal information or your business affairs [para 3.35 of the Guidelines]. I have therefore commenced processing your request, noting that if I need to consult with you (see below), some of my staff may need to talk with you.

Timeframe for providing you with our decision

The statutory timeframe for processing a request is 30 days after the day on which the request is received.

This timeframe may be extended where:

- I need to negotiate with you on the final scope or wording of your request in circumstances where I am unable to process your request in its original form;
- charges are levied as prescribed by the *Freedom of Information (Fees and Charges) Regulations* [**Regulations**] (see charges below); or
- consultation with third parties is necessary (see consultation with third parties below).

Charges

Agencies may decide that an Applicant is liable to pay a charge in respect of a request for access to documents. These charges are set by the Regulations and are for search and retrieval of documents, decision making and provision of access (for example, copying and postage).

If ACARA decides to charge you in respect of this FOI request, I will send you a preliminary assessment of the charges as soon as possible following retrieval of any documents that may be relevant to your request.

Please note that under changes to the FOI Act from 1 November 2010 no application fee applies.

Consultation with third parties

ACARA may be required under the FOI Act to consult other parties (third parties) where information relating to third parties arises in documents sought by your request. The Act prescribes a further 30 days processing time for ACARA to undertake this consultation.

Your request

I advise that members of my staff are currently reviewing your request. It may be that:

- I need to consult with third parties regarding your request (if documents that are within scope contain information provided by a State); or

- I need to consult with you if a practical refusal reason exists (substantially and unreasonably diverting the resources of ACARA from its other operations).

If this need arises, I will send you a further letter. At present, I advise that the deadline for providing you with a final response is **Monday 5 August 2013**.

If you require clarification of any of the matters discussed in this letter, or have any queries throughout the process, please contact Peter Matheson, Board Secretary by email: peter.matheson@acara.edu.au or phone 02 8098 3116.

Yours sincerely

A handwritten signature in blue ink that reads "R. Randall". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'R'.

Robert Randall
Chief Executive Officer