

Right to a Copy....

Staff & Special Reports



MINISTRY OF EDUCATION
Office of the Chief Education Officer

File No. 19/1/5
Circular No. 25 of 2016

FROM : Permanent Secretary
Ministry of Education

TO : Director – School Supervision and Management Division
School Supervisors III, II, I
Principals – Primary and Secondary Schools

DATE : 29th July 2016

SUBJECT : Request for copies of Confidential Staff Reports and Special Reports

It has come to the attention of the Ministry of Education that teachers are requesting to see the Special Report which is prepared by the Principal and accompanies an application for promotion. Reports indicate that Principals are refusing this request from teachers. Additionally, teachers are requesting a copy of their Confidential Staff Report from Principals which is also being refused by some principals.

Please be advised that the Freedom of Information Act 1999, states:

30. (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information of any individual (including a deceased individual).

(2) Subject to subsection (4), the provisions of subsection (1) do not have effect in relation to a request by a person for access to a document by reason only of the inclusion in the document of matter relating to that person.

(3) Where a request by a person other than a person referred to in subsection (2) is made to a public authority for access to a document containing personal information of any individual (including a deceased individual) and the public authority decides to grant access to the document, the public authority shall, if practicable, notify the individual who is the subject of that information (or in the case of a deceased individual, that individual's next-of-kin) of the decision and of the right to apply to the High Court for judicial review of the decision and the time within which the application for review is required to be made.

(4) Nothing in this Act shall be taken to require a public authority to give information as to the existence or non-existence of a document of a kind referred to in subsection (1) where information as to the existence or non-existence of that document, if included in a document of a public authority, would cause the last-mentioned document to be an exempt document by virtue of this section.

The person who is the subject of the Special Report and/or the Confidential Staff Report is therefore entitled to see and request a copy thereof as such documents do not fall within the category to be exempt from such person.

On another note, please be advised that once the process of filling out either a Special Report or Confidential Staff Report is completed, no grade and/or remark can be altered by the Reporting and/or Countersigning Officer without further discussion with the person who is the subject of the report.

Please be guided accordingly.

Mr. Harrilal Secharan
/I/ Permanent Secretary
Ministry of Education

It is your **RIGHT** to receive a copy of these reports, upon request. Members are advised to keep copies of these reports.