

Freedom of Information Request - Schedule

SUBJECT: DISABILITY EDUCATION CRITERIA, RESTRICTIVE PRACTICES AND MALKARA SCHOOL CONDITION ASSESSMENT

DATE OF REQUEST: 21/05/2026

FILE REFERENCE: FILE2026/8367

SCOPE:

1. *The most recent version of the 'ACT Disability Education Program Entry Criteria' if updated since 2023, and any current operational guidelines, eligibility criteria, assessment frameworks, or equivalent documents currently used by the Directorate for disability assessment and program entry criteria (including any associated appendices, attachments, implementation guidance, or related operational documents used by the Directorate)*
2. *All internal documentation providing current policy and procedural guidance to Directorate staff about management of restrictive practices, including but not limited to guidelines, frameworks, protocols, training materials, standard operating procedures, or equivalent documents, addressing issues such as*
 - a. *Distinctions between 'reasonable action' and 'restrictive practice'*
 - b. *Development of 'behaviour and safety plans'*
 - c. *Development of 'positive behaviour support plans' which include a restrictive practice component*
 - d. *Strategies which may be used to avoid the use of restrictive practice*
3. *Records relating to Malkara Specialist School – 2025 Condition Assessment, specifically*
 - a. *Assessment criteria and frameworks*
 - b. *Internal departmental guidance or working documents;*
 - c. *Documents assessing compliance against policy requirements;*
 - d. *Documents assessing compliance against legislative requirements;*
 - e. *Inspection reports, consultant reports, audit documents, briefing materials, correspondence, emails, file notes, meeting records, and internal communications relating to the assessment;*
 - f. *The final condition assessment report and any recommendations or findings arising from the assessment.*
 - g. *Correspondence with Minister(s)*
 - h. *Documents relating to communication of assessment and outcomes publicly (including documents relating to decisions about communications)*
4. *All communications between the Directorate and the Office of the Senior Practitioner (OSP) in relation to the OSP's visit to Malkara School on 19 March 2026 and the OSP's finding that the school was in breach of the Senior Practitioner Act 2018 due to manual handles on classroom doors being determined as an 'environmental restraint' and a breach of student human rights. ** Records relating to administrative arrangements for the visit will be excluded.*

Record Number	Description	Record Date	Decision (Full release, Partial release, Non-release)	Reason for Decision
1	Safe and Supportive Schools Policy and Procedures 1. Safe and Supportive Schools Policy 2. Safe and Supportive Schools Procedures 3. Managing Behaviours Safely – A Risk Management Approach Guidance Document 4. Individual Student Safety Analysis and Intervention Plan 5. Pre-Individual Student Safety Analysis and Intervention Checklist for Schools 6. Risk Appraisal and Treatment Plan Matrix and Template 7. Positive Behaviour Support Plan and Protective Action Plan Template 8. Use of Restrictive Practice: Reporting, Documentation and Responsibilities Flowchart	2016	Non-release	s43(1)(d) and s45(a) - publicly available at: https://www.education.act.gov.au/publications_and_policies/School-and-Corporate-Policies/wellbeing/safety/safe-and-supportive-schools-policy2/safe-and-supportive-schools-policy
2	Document – Operational Asset Management Plan - ACT Government Education Directorate	20230300	Non-release	s43(1)(d) and s45(a) - publicly available at https://www.act.gov.au/open/foi-disclosure-logs/education-foi-disclosure-logs - EDU_2026_010, Record 1

3	Document – Strategic Asset Management Framework – ACT Government Education Directorate	20230500	Non-release	s43(1)(d) and s45(a) - publicly available at https://www.act.gov.au/open/foi-disclosure-logs/education-foi-disclosure-logs - EDU_2026_010, Record 2
4	Document – Strategic Asset Management Plan – ACT Government Education Directorate	20230501	Non-release	s43(1)(d) and s45(a) - publicly available at https://www.act.gov.au/open/foi-disclosure-logs/education-foi-disclosure-logs - EDU_2026_010, Record 2
5	Email – EDU ELSO Office to K McMahon and others – FOR REFERENCE: Incident Management Procedures – Supporting Documents Attachments: A: Internal Incident Reporting Guide B: Incidents Reportable to School Operations Guide C: Education Support Office Response Matrix D: Incident Levels E: ESO – Incident Management Flow Chart (6)	20240216 0931	Full release	
6	Email – B Sloane to D Matthews; A Spence – RE: FOR APPROVAL: Media response regarding restrictive practices	20240909 0956	Full release	Outside of scope Fully redacted pages have been removed

7	Email – EGMSDD to EDU, Learning & Teaching – CLEARED: DUE 09/09 – EGM BRIEF – Extending specialist school grandfathering arrangements – FILE2024/111870 Attachment: EDUCATION STRATEGY – Planning – EGM Brief – extending specialist school grandfathering	20240913 1252	Partial release	Schedule 2, 2.2(a)(ii)
8	Email – B Sloane to A Spence – RE: FOR APPROVAL: Media inquiry – Children with disabilities and restrictive practice	20240916 1751	Partial release	Schedule 2, 2.2(a)(ii) and outside of scope
9	Email – B Sloane to J Atkins and others – FOR INFORMATION: Question regarding Senior Practitioner review of incident	20240917 1350	Partial release	Schedule 2, 2.2(a)(ii) and outside of scope
10	Document - Brief to Minister for Education and Early Childhood – Draft Implementation Plan – Directorate response to Commission-Initiated Consideration	20250410 (1)	Partial release	Schedule 2, 2.2(a)(ii) and outside of scope
11	Document - Brief to Director-General – Human Rights Commission (HRC) Report – XXXX incident: Directorate Implementation Plan	20250410 (2)	Partial release	Schedule 2, 2.2(a)(ii) and outside of scope
12	Email – C Flynn to G Kidney; V Douk – RE: ACAP – Asset Condition Assessment Program 2025 Attachment: Malkara School (1)	20260109 1333	Full release	

13	Email – G Kidney to S Stanford and others – FW: Malkara Mark ups Attachments: A: Malkara School – Updated toilet floor plan B05-022 & B05-023 & B05-024 B: Malkara School – updated floor plan (Varo – 14 Jan 2026) C: RE: Malkara Mark ups D: Malkara school update drawing greg	20260122 2038	Full release	
14	Email – C Gumley to G Cusack; R Bobbin – RE: FOR ACTION: SUB26/5037: MIN CORRO – MIN RESPONSE: Malkara and XXXX Maintenance (Fiona Carrick MLA) Attachment: MIN CORRO – MIN RESPONSE: Malkara and XXXX Maintenance (Fiona Carrick MLA)	20260213 1222	Full release	Outside of scope
15	Email – EGMSDD to DDGEDUoffice – FOR CLEARANCE: SUB/288: Question Time Briefs for Assembly Sitting Period – Sitting Week 24-26 Attachment: 24. Restrictive Practices in ACT Government Schools	20260216 1230	Full release	Outside of scope
16	Email – C Gumley to J Nakkan; EDU, EBM AMD - RE: FOR ACTION: SUB26/5037: MIN CORRO – MIN RESPONSE: Malkara and XXXX Maintenance XXXX Attachments: A: Summary Report Malkara 2026 (Draft) B: Summary Report XXXX 2025 DRAFT	20260216 1726	Full release	Outside of scope Attachment B is outside of scope

17	Email – EDU EBMSFM to R Hooper; P Morton – FW: FOR ACTION: SUB26/5037: MIN CORRO – MIN RESPONSE: Malkara and XXXX Maintenance XXXX Attachments: A: MIN CORRO – MIN RESPONSE: Malkara and XXXX maintenance XXXX B: FW: FOR ACTION: SUB26/5037: MIN CORRO – MIN RESPONSE: Malkara and XXXX maintenance XXXX	20260218 1501	Partial release	Outside of scope Attachment A and Attachment A1 are provided at Record 16 Attachment B to Attachment A is outside of scope
18	Document - Advice to Ministers Office - Reports on Malkara School Infrastructure	20260306	Full release	Outside of scope
19	Email – T Harkness to D Allison; S Hayward – RE: school visits Attachment: Senior Practitioner School Visit Information Request	20260318 1420	Partial release	Schedule 2, 2.2(a)(ii)
20	Email – T Harkness to D Allison and others – RE Malkara and XXXX visit summary Attachment: Notes from Site Visits – Malkara and XXXX	20260326 1605	Full release	Outside of scope
21	Email – M GHamilton to G Kidney; Assets, EDU – RE: Malkara School	20260407 1349	Full release	
22	Email – T Harkness to School Restrictive Practice support – response to Malkara Attachment: Response to EDU re Malkara	20260506 0854	Partial release	Schedule 2, 2.2(a)(ii)

23	Email - School Restrictive Practice support to K Douch – Response to EDU re Malkara Attachment: Response to EDU re Malkara	20260511 1231	Partial release	Attachment is provided at Record 22
24	Email – EDU, CBS & WHS to DDGEDUoffice – FW: FOR CLEARANCE: SUB26/12049 – Term 2 Comms – Restrictive Practice compliance Attachment: Comms Package – Senior Practitioner Act Compliance	20260514 1111	Full release	Outside of scope
25	Document – Standard Operating Procedure (SOP)	20260518	Full release	
26	Email – DDGEDUoffice to EDU, Director-General Office; EGMSDD – For Awareness: Formal Complaint Submission – Malkara Specialist School (Request for Review) Attachment: Formal Complaint and Request for Review - 200526	20260520 1535	Full release	Outside of scope
27	Service Portal (intranet) content re Restrictive Practice 1. Landing page 2. What is Restrictive Practice? 3. The Senior Practitioner Act 4. Restrictive Practice Guiding Principles 5. Immediate Steps after a Restrictive Practice is used 6. Positive Behaviour Support Plans 7. Working with Parents and Carers 8. Restrictive Practice PL 9. Restrictive Practice Factsheets	20260521	Full release	