



GOVERNMENT OF BERMUDA

Ministry of Education

PATI Information Statement

Name of Public Authority: APPEALS COMMITTEE

Introduction:

The purpose of the Public Access to Information Act is to—

- give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;
- increase transparency, and eliminate unnecessary secrecy, with regard to information held by public authorities;
- increase the accountability of public authorities;
- inform the public about the activities of public authorities, including the manner in which they make decisions; and have more information placed in the public domain as a matter of routine.

The purpose of the information statement is to provide information to give the public sufficient information about the public authority to help them to make requests and share to what information is already publicly available.

Section A: Structure, Organization and Legislation [s5(1)a]

Appeals Committee:

Mrs. Regina Queeniqueka Simmons
Mr. Anthony Whaley
Mrs. Jan MacDonald
Mr. Jose Lopez
Mr. Collin Anderson
Pastor Lorne Bean
Margaret Hallett

Legislation

Education Act, 1996
Education (Applications for Registration of Schools) Rules 1987
Education Rules 2006
Education Rules (Tutorial Sites) 2003
Education (School Support) Rules 2004
Bermuda Educators Council Act 2002
Policies and Procedures Manual for Principals, (2008)

Policy and Procedures Manual for Teaching Staff

Student Code of Conduct

Collective bargaining agreements of the Bermuda Union of Teachers, Bermuda Public Services Union and the Bermuda Industrial Union

Section B: 1) Functions, powers, duties of the Authority [s5(1)b]

The Governor shall appoint not less than seven persons to form a panel from which the members of the Appeals Committee shall be selected. The Governor appoints a chairman of the Appeals Committee. The Appeals Committee has the power to regulate its own proceedings. Fees shall be paid to members of the Appeals Committee in accordance with the Government Authorities (Fees) Act 1971.

Any person aggrieved by the refusal, transfer, or expulsion, as the case may be, shall have the right to appeal to the Appeals Committee. Pending any decision of the Appeals Committee on any appeal the decision appealed against shall stand.

- The Appeals Committee shall fix a date for the hearing of the appeal and on that date may either determine the appeal upon the facts contained in the notice of appeal and in the reply thereto, if any, or they may hear such further evidence as may be required and available.
- The Appeals Committee shall communicate its decision in writing to the appellant and to the respondent, and that decision shall be final.

Section B: 2) Obligations under PATI Act [s5(1)b]

To provide an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
 - General information, e.g. activities of the Authority
 - Log of all information requests and their outcome
 - Quarterly expenditure (upon request) [s6(5)]
 - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner
- To respond to requests from the Information Commissioner [s9]
- To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- To conduct an **internal review** if formally requested [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required

- To provide an **annual written report** to the Information Commissioner of the status of information requests [s58 (3)].
- **To do anything else as required** under the PATI Act and subsequent Regulations [s59, 60], including:
 - **Fees** for Requests for information
 - Management and maintenance of **records**
 - **Procedures** for administering the Act
- To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- To **designate one of its officers** to be the person to whom requests are directed [s62]

Section C: Services and Programmes [s5(1)c]

Services:

Right of Appeal: (1) Where –

- a) A child is refused admission to a particular aided or maintained school
- b) A child is required to transfer to a school situated in a parish, zone or area, in which he has taken up new residence; or
- c) A child is expelled pursuant to section 26(1)(e) or section 67(7)

Any person aggrieved by the refusal, transfer, or expulsion, as the case may be, shall have the right to appeal to the Appeals Committee. Pending any decision of the Appeals Committee on any appeal the decision appealed against shall stand.

- The Appeals Committee shall fix a date for the hearing of the appeal and on that date may either determine the appeal upon the facts contained in the notice of appeal and in the reply thereto, if any, or they may hear such further evidence as may be required and available.
- The Appeals Committee shall communicate its decision in writing to the appellant and to the respondent, and that decision shall be final.

Section D: Records and documents held [s5(1)d]

Policy and Procedure information
 Advertising
 Templates of standard correspondence
 Memoranda
 General correspondence

Section E: Administration (all public access) manuals [s5(1)e]

Education Act, 1996
Education Rules, 2006
Education (School Support) Rules
Education (Tutorial Sites) Rules 2003
Education (Applications for Registration of Schools) Rules 1987
Bermuda Educators Council Act 2002
Student Code of Conduct

Section F: Decision-making documents [s5(1)f]

Policy and Procedures for Registration into Preschool, Primary School, Middle School and Senior School

Section G: The Information officer [s5(1)g]

Darlene R. Hartley
Email: MOEPati@moed.bm
Tel: (441) 278-3344

Section H: Any Other Information [s5(1)h]

N/A

Section I: Any Other Information To be Provided? [s5(1)i]

Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]


Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(1-5), PATI Act]:

Date Information Statement was updated: *March 2015*

Locations of Information Statement:

- Your principal office: Ministry of Education Y/N
- The Bermuda National Library; Y/N
- The Bermuda Archives; Y/N
- Available electronically, Y/N
- Website for public authority (www.moed.bm). Y/N
- Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y/N
- With the Information Commissioner. Y/N

Sign and Date:

 *30/Mar/2015*