

Our reference: FOI 22/23-1310



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[ndis.gov.au](https://www.ndis.gov.au)

23 June 2023

J.Finch
Right to Know

By email: foi+request-10022-a3f4d6e5@righttoknow.org.au

Dear J.Finch

Freedom of Information request — Request consultation process

Thank you for your correspondence of 3 March 2023, in which you requested access under the *Freedom of Information Act 1982* (FOI Act) to documents held by the National Disability Insurance Agency (NDIA).

Before addressing your request directly, and to assist the consultation, I would like to bring to your attention the publicly available information that might address your request. Please find attached 0274 Review of Fraud Intelligence and 0351 Fraud and Compliance Document S17. These documents were released under a previous request and provided fraud and compliance statistics.

You might also find useful information contained at these links:

- Annual reports - [Annual Report | NDIS](#)
- Quarterly reports - [Quarterly Reports | NDIS](#)

Practical refusal

I am writing to advise that your request is unclear, doesn't meet requirements, and in its current form the work involved in processing your request could substantially and unreasonably divert the resources of the NDIA from its other operations due to its broad scope. This is called a 'practical refusal reason' under section 24AA of the FOI Act.

I am authorised to make decisions under section 23(1) of the FOI Act. On this basis, I intend to refuse your request.

However, before I make a final decision, I am writing to provide you with an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

I have conducted a preliminary search for documents which are likely to be relevant to your request. This search has revealed that the NDIA is in possession of thousands of documents matching the scope of your request, not including any attachments which may be contained within those documents.

On my reasonable estimate, I consider that there are thousands of pages worth of material that falls within the scope of your request as currently worded.

Delivered by the

National Disability
Insurance Agency

The documents that are assessed as being within scope of the request will then need to be reviewed for any sensitivities and possible exemption under the FOI Act and scheduled, we will need to consider any consultations and carry these out if required, a decision will need to be made on each document, and a decision letter prepared. This will significantly increase the hours that it will take an FOI officer to process your request.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, the NDIA will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

Additionally, to reduce the scope of your request, you might like to consider the removal of all personal information regarding your request and instead request statistics on the retrieval and investigation of fraud and misappropriation of funding.

You have 14 days from the date you receive this letter to contact me and do one of the following:

- a. withdraw your request
- b. make a revised request
- c. indicate that you do not wish to revise the request.

During this period, you are welcome to seek assistance to revise your request. If you revise your request in a way that adequately addresses the practical refusal reason outlined above, we will recommence processing it.

Please note that the time taken to consult with you regarding the scope of your request is not taken into account for the purposes of the timeframe for processing your request.

You can contact me by email at foi@ndis.gov.au.

Alternatively, you can reply in writing to the following address:

Freedom of Information Section
Parliamentary, Ministerial & FOI Branch
Government Division
National Disability Insurance Agency
GPO Box 700
CANBERRA ACT 2601

If you do not contact me within this period, that is by 6 July 2023, your FOI request will be taken to have been withdrawn under subsection 24AB(7) and will not be dealt with any further.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Cooper', with a long, straight line extending upwards and to the right from the end of the signature.

Cooper

Senior Freedom of Information Officer
Parliamentary, Ministerial & FOI Branch
Government Division