



21 April 2023

Our reference: LEX ID 73069

Me (Right to Know)

Only by email: foi+request-10169-8a1dcf10@righttoknow.org.au

Dear Me

Acknowledgement of your Freedom of Information Request

I refer to your request for access to documents under the *Freedom of Information Act 1982* (the FOI Act). As discussed by email on 21 April 2023, you have agreed to revise the scope of your request to:

1. Any emails or written correspondence that are:
 - a. dated 7 March - 29 November 2022, and
 - b. related to the amendment to s 67CC(2), and
 - c. not within scope of LEX71589, and
 - d. sent or received by an entity acting on behalf of Services Australia (e.g., employee, contractor, etc.). This includes emails or written correspondence sent directly to or received directly from an external source (e.g., a minister's office).
2. Any documents in the possession of Services Australia that explain or could be perceived to explain why 'we [the Department of Education?] are looking at amending s 67CC(2)(d)'
3. Any documents in the possession of Services Australia that confirm who the 'we' is in 2 above
4. Any documents in the possession of Services Australia, not covered by point 2 above, that provide information as to what caused, prompted, or contributed to, the Department of Education making the 1059 28 July 2022 request for advice (page 2).
5. I am not clear whether the 'comprehensive layperson explanation for internal use only' was later published. Assuming it was not published, or that the internal version is different to the published version, I request the final version of the 'comprehensive layperson explanation for internal use only'.
6. A document setting out, from page 5, any/all 'Minister's Rule changes by 1 July 2023' that are consequent to or otherwise relate to the amendment to s 67CC(2)

7. The names of any CCS claimants, where Services Australia considered those claimant's claims as part of considering s 67CC(2) amendments (e.g., as an example of why the amendment was needed, or a case study of what the amendment would achieve, or similar). I will grant extensions of time to consult with the relevant third party CCS claimants
8. To the extent not included in point 5 above, a copy of (from page 9) 'the taper graph demonstrating the new CCS rates and a very handy layperson explanation of the amendments in the ED'
9. Documents that set out why Services Australia thought it mattered to make it so that, from page 15 at [73], 'It would not matter whether or not the child received care for which another individual was receiving CCS.'
10. Documents that set out why, from page 15 at [74], the 'policy intent' needed to be clarified.
11. Documents documents that consider and/or justify, from page 15 at [75], the retrospective application of the amendment.
12. Copies of any emails or written correspondence related to LEX71589 that were sent or received by an SES or equivalent (regardless of which department the SES worked for, and regardless of whether they were in the 'to', 'from', 'cc', or 'bcc' field).
13. Copies of any emails or written correspondence sent by or received by the Agency to/from the Minister for Government Services (Minister, Minister's office, or ministerial staff) in relation to LEX 71589 (regardless of whether they were in the 'to', 'from', 'cc', or 'bcc' field). Additionally, any emails or written correspondence in relation to LEX 71589 sent by or received by the Agency to/from another Minister.

Your request was received by Services Australia (the Agency) on 17 April 2023 and the 30 day statutory period for processing your request commenced from the day after that date. You should therefore expect a decision from us by 17 May 2023. The period of 30 days may be extended if we need to consult third parties or for other reasons. We will advise you if this happens.

The Agency will advise you if a charge is payable to process your request and the amount of any such charge as soon as practicable. No charge is payable for providing a person with their own personal information.

Your Address

The FOI Act requires you provide us with an address which we can send notices to. You have advised your electronic address is foi+request-10169-8a1dcf10@righttoknow.org.au. We will send all notices and correspondence to this address. Please advise us as soon as possible if you wish correspondence to be sent to another address or if your address changes. If you do not advise us of changes to your address, correspondence and notices will continue to be sent to the address specified above.

Administrative Release of Documents

The Agency has administrative access arrangements (arrangements) for the release of certain documents without the need for a formal FOI request. Unless you advise us otherwise, in processing your request we may provide you with documents under these arrangements where appropriate. The arrangements do not extend to information or materials of third parties. You will be notified when documents are released to you under the arrangements.

Disclosure Log

Please note information released under the FOI Act may be published in a disclosure log on the Agency's website. Section 11C of the FOI Act requires this publication, however it is subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

Exclusion of junior staff details

The Agency is working towards ensuring all staff have a choice about whether they provide their full name, personal logon identifiers and direct contact details in response to public enquiries. Where such details are included in the scope of a request, this may add to processing time and applicable charges as it may be necessary to consider whether the details are exempt under the FOI Act. On this basis, unless you tell us otherwise, we will assume these details are out of scope of your request and they will be redacted under section 22 of the FOI Act.

Further assistance

If you have any questions please email freedomofinformation@servicesaustralia.gov.au.

Yours sincerely

Cherie
FOI Practitioner
Freedom of Information Team
FOI and Ombudsman Branch | Legal Services Division
Services Australia