



22 September 2023

Our reference: LEX 76033

Renee

Only by email: foi+request-10691-6b5e0593@righttoknow.org.au

Dear Sir / Madam,

Acknowledgement and Request Consultation Notice

I refer to your request for access to documents under the *Freedom of Information Act 1982* (the FOI Act). You requested access to:

I am writing to submit a formal Freedom of Information (FOI) request under the Freedom of Information Act 1982 for access to documents and information related to measures taken to ensure accessibility to your services, both in person and online, for people with disabilities.

I am specifically interested in obtaining any information, documents, and data pertaining to the following areas:

1. **Inclusive Accessibility Measures:** Any policies, guidelines, or initiatives implemented to enhance accessibility for individuals with disabilities, including but not limited to those with physical, sensory, cognitive, intellectual, and psychosocial disabilities.
2. **Communication and Language, Inclusion and Accessibility:** Information regarding inclusive communication supports, inclusive language accessibility, and inclusive accommodations provided to ALL individuals with disabilities, whether they are nonverbal or have other unique ways of communicating, including neurodivergent and autistic individuals who may require in-person communication.
3. **Sensory-Appropriate Spaces:** Details on the creation and maintenance of sensory-appropriate spaces to accommodate neurodivergent individuals and those with sensory sensitivities.
4. **Face-to-Face Service Accessibility:** Information on access to face-to-face services for individuals who require in-person communication for accessibility purposes with your agency.
5. **Cognitive and Intellectual Disabilities:** Any measures taken to address the needs of individuals with cognitive and intellectual disabilities to ensure they can access and benefit from your services.

6. Psychosocial Disabilities: Policies and practices related to the inclusion and support of individuals with psychosocial disabilities to promote their participation in your programs and services.

7. Accommodations: Details on accommodations that have been made for individuals with disabilities to access your services effectively.

8. Targeted Measures for Direct Engagement: Details about any targeted measures or initiatives undertaken to directly engage with individuals with disabilities (not just organizations representing them) to assess their needs and preferences, as well as ways to provide them with opportunities to participate and provide feedback.

9. Accessibility Policies and Guidelines: Copies of internal accessibility policies, guidelines, or procedures, as well as any relevant training materials for staff and service providers.

10. Internal Processes: Information on the internal processes and mechanisms in place to monitor and improve accessibility, including any data or reports related to accessibility outcomes.

I kindly request a copy of all relevant documents, reports, policies, emails, meeting minutes, and any other materials that pertain to the above topics. Please provide the most recent and up-to-date information available as well as any other older documents or information. As far back as possible.

Additionally, I request any other relevant documents or information relating to this topic that may be of interest. Please provide information in any form it is available, whether written by hand, in a document, memo, note, PDF file, MP3, MP4, or any other type of file or document. Please include any data or reports that may be relevant.

Currently your request does not sufficiently identify the documents you require.

Services Australia (the Agency) is formally consulting with you under section 24AB of the FOI Act.

This letter is giving you an opportunity to provide us with specific information about the documents you need. Providing this additional information will assist the Agency in processing your request.

If you decide not to provide further information or revise your request, I will have to refuse your freedom of information (FOI) request as a 'practical refusal reason' exists. For a more detailed explanation of what this means, including some suggestions on what to consider when revising your request, please see **Attachment A**.

How to send us a 'revised request'

Before I make a final decision on your request, you can submit a revised request.

Within the next 14 days (consultation period) you must do one of the following, in writing:

- withdraw the request
- make a revised request, or

- tell us you do not want to revise your request.

The consultation process begins the day after the day you receive this notice. Accordingly, your response is expected by **6 October 2023**.

If you do not contact us during the consultation period, your matter will be taken as withdrawn by operation of the FOI Act. See **Attachment A** for relevant sections of the FOI Act.

If you decide to make a revised request you should be specific about the documents you want. This could help the Agency find the documents.

Contact officer

I am the contact officer for your request. During the consultation period you are welcome to ask for my help in revising your request. You can contact me:

- in writing to the address at the top of this letter, or
- via email to freedomofinformation@servicesaustralia.gov.au

Note: When you contact us please quote the reference number FOI LEX 76033.

Timeframe for processing your request

Your request was received by the Agency on 17 September 2023. The 30 day statutory period for processing your request commenced from the day after that date. However the time taken to consult with you now is not included in this 30 day time period.

The timeframe for processing your request may also be extended if we need to consult third parties or for other reasons. We will advise you if this happens.

Charges

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-10691-6b5e0593@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

Further assistance

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

Yours sincerely

Elizabeth
FOI Practitioner
FOI and Ombudsman Branch | Legal Services Division
Services Australia

What I took into account

You requested access under the FOI Act to the following documents:

I am writing to submit a formal Freedom of Information (FOI) request under the Freedom of Information Act 1982 for access to documents and information related to measures taken to ensure accessibility to your services, both in person and online, for people with disabilities.

I am specifically interested in obtaining any information, documents, and data pertaining to the following areas:

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5. **Cognitive and Intellectual Disabilities:** Any measures taken to address the needs of individuals with cognitive and intellectual disabilities to ensure they can access and benefit from your services.
6. **Psychosocial Disabilities:** Policies and practices related to the inclusion and support of individuals with psychosocial disabilities to promote their participation in your programs and services.
7. **Accommodations:** Details on accommodations that have been made for individuals with disabilities to access your services effectively.
8. **Targeted Measures for Direct Engagement:** Details about any targeted measures or initiatives undertaken to directly engage with individuals with disabilities (not just organizations representing them) to assess their needs and preferences, as well as ways to provide them with opportunities to participate and provide feedback.
9. **Accessibility Policies and Guidelines:** Copies of internal accessibility policies, guidelines, or procedures, as well as any relevant training materials for staff and service providers.
10. **Internal Processes:** Information on the internal processes and mechanisms in place to monitor and improve accessibility, including any data or reports related to

accessibility outcomes.

I kindly request a copy of all relevant documents, reports, policies, emails, meeting minutes, and any other materials that pertain to the above topics. Please provide the most recent and up-to-date information available as well as any other older documents or information. As far back as possible.

Additionally, I request any other relevant documents or information relating to this topic that may be of interest. Please provide information in any form it is available, whether written by hand, in a document, memo, note, PDF file, MP3, MP4, or any other type of file or document. Please include any data or reports that may be relevant.

Publicly available information

The Agency holds many publicly available documents that define the organisations' understanding of disability and directs the overall strategy to ensure all users can access and benefit from the services provided. They have been provided to you below.

Operational Blueprints

Operational Blueprints are internal Agency documents which outline the Agency's policies and procedures.

Two Operational Blueprints have been identified as procedures to guide Agency employees when interacting with customers with disabilities. These documents are publicly available and can be found at the following links:

Identifying customer vulnerability and risk issues 003-06010030
<https://operational.servicesaustralia.gov.au/public/Pages/help-in-an-emergency/003-06010030-01.html>

Providing services to customers with disabilities 008-01030000
[01030000-01.html](https://operational.servicesaustralia.gov.au/public/Pages/help-in-an-emergency/008-01030000-01.html)

Website

As a Federal Government Agency, our values are underpinned by the Australian Disability Strategy 2021-2023. More information on this can be found on our website at the following link:

<https://www.servicesaustralia.gov.au/protocol-for-engaging-people-with-disability?context=1>

Disclosure Log

The FOI Disclosure Log lists Agency information that has been released in response to historical FOI requests. On 12 April 2023, we released 'Our Vulnerability Strategy- July 2021' under FOI. This strategy outlines how the Agency supports our vulnerable customers. You may request a copy of the strategy by emailing freedomofinformation@servicesaustralia.gov.au and requesting the disclosure log documents in relation to LEX 72499.

Further assistance

If your request is not met by the publicly available documents above, you may wish to revise your request so we are able to process it.

In your request, you have referred to 'information' and 'data'. Under the FOI Act, applicants can request access to specific documents an agency holds. Requests for 'information' or 'data' are more general in nature and are unable to be processed under the FOI Act. Considering this, you may wish to remove this wording from your request and identify the specific documents you wish to access.

Further, the point of your request where you have requested 'any other relevant documents or information relating to this topic which might be of interest', is unclear as it does not reference a specific document held by the Agency. Therefore, you may wish to consider withdrawing this part of your request.

You have specified that you are requesting documents from 'as far back as possible'. A request of this size may potentially be too voluminous for the Agency to process, as it may unreasonably divert our resources. To assist us in processing your request, it would be appreciated if you could specify a date, for example, our current policies or limit the date range of the request.

If you do not revise your request, I intend to refuse your FOI request as a 'practical refusal reason' exists under sections 24AA(1)(b) and 24 of the FOI Act. Under the FOI Act, the practical refusal reason is your request does not satisfy the requirements in section 15(2)(b) of the FOI Act (identification of documents).

Assistance with your request

In summary, I seek clarification on whether your request is met by the publicly available documents.

Alternatively, you may wish to revise your request. I suggest the following scope, as it would remove the ambiguous language and provide a date range, this would enable us to process the request.

Policies, guidelines, or documents place concerning current initiatives impacting our customers, in regards to the following:

1. Inclusive Accessibility Measures
2. Communication, language, inclusion, and accessibility
3. Creation and maintenance of Sensory-Appropriate Spaces
4. Access to Face-to-Face Service Accessibility
5. Support for customers with cognitive and intellectual disabilities
6. Support for customers with psychosocial disability
7. Accommodations that have been made for customers with a disability
8. Targeted measures for direct engagement for customers with a disability
9. Training materials for staff when interacting with customer with disabilities

10. Mechanisms to monitor and improve accessibility

Relevant sections of the FOI Act

Section 24AA(1)(b) of the FOI Act provides a practical refusal reason exists in relation to a request for a document if the request does not satisfy the requirement in section 15(2)(b) of the FOI Act.

Section 15(2)(b) of the FOI Act provides a request must provide such information as is reasonably necessary to enable the Agency to identify the documents are being requested.

Section 24AB(6) provides the applicant must, before the end of the consultation period, do one of the following, by written notice to the Agency:

- withdraw the request
- make a revised request, or
- indicate that the applicant does not wish to revise the request.

Section 24AB(7) of the FOI Act provides the request is taken to have been withdrawn at the end of the consultation period if:

- the applicant does not consult the contact person during the consultation period in accordance with the notice, or
- the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.