



26 September 2023

Our reference: LEX 76033

Renee

Only by email: [foi+request-10691-6b5e0593@righttoknow.org.au](mailto: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 want access to all documents and information, dating back to 2016, related to:  
Inclusive Accessibility Measures for ALL types of disabilities, including but not limited to neurodevelopmental disabilities and autism.  
Communication, Language, Inclusion, and Accessibility Sensory-Appropriate Spaces  
Face-to-Face Service Accessibility Cognitive and Intellectual Disabilities Psychosocial Disabilities Accommodations Targeted Measures for Direct Engagement with disabled individuals, not just organizations claiming to represent them.  
Accessibility Policies and Guidelines  
Internal Processes for monitoring and improving accessibility

Thank you for revising your request on 25 September 2023, however currently your request is still too broad and does not sufficiently identify the documents you require.

If you decide not to provide further 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.

Your response will be expected by **11 September 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 If you do not contact us during the consultation period, your matter will be taken as withdrawn by operation of the FOI Act.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 what documents you actually want. This could help the Agency find the documents.

**Note:** You may want to access the Agency's online services at [www.servicesaustralia.gov.au](http://www.servicesaustralia.gov.au) to immediately find some of the personal information and documents included in your original request.

We have 30 days to give you a decision about your request, however the time taken to consult with you now is not included in this 30 day time period.

### **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](mailto:freedomofinformation@servicesaustralia.gov.au)

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

### **Further assistance**

If you have any questions please email [freedomofinformation@servicesaustralia.gov.au](mailto:freedomofinformation@servicesaustralia.gov.au)

Yours sincerely,

Elizabeth  
FOI Practitioner  
Freedom of Information Team  
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:

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.

On 22 September 2023, I formally consulted with you under section 24AB. You responded on 24 September 2023 and declined to revise your request. I then consulted with you informally on 25 September 2023 and advised you that if you do not revise your request, a 'practical refusal reason' may exist. On that same day, you revised your request.

Your revised request is:

I want access to all documents and information, dating back to 2016, related to:  
Inclusive Accessibility Measures for ALL types of disabilities, including but not limited to neurodevelopmental disabilities and autism.  
Communication, Language, Inclusion, and Accessibility Sensory-Appropriate Spaces  
Face-to-Face Service Accessibility Cognitive and Intellectual Disabilities Psychosocial Disabilities Accommodations Targeted Measures for Direct Engagement with disabled individuals, not just organizations claiming to represent them.  
Accessibility Policies and Guidelines  
Internal Processes for monitoring and improving accessibility

As your request currently stands, I am unable to identify some of the documents falling within the scope of your request and am therefore unable to process your request. In your request, you have referred to 'information'. Under the FOI Act, applicants can request access to specific documents an agency holds. Requests for 'information' are more general in nature and are unable to be processed under the FOI Act. Accordingly, you may wish to remove this wording from your request and identify the specific documents you wish to access. Furthermore, a request for 'all documents' is very broad and potentially covers a wide range of documents that you may or may not be seeking, and additionally, may make your request voluminous.

Considering this, and the information you have provided on 24 and 25 September 2023, I propose the following scope:

From 2016 to the date of my FOI request I seek policies or guidelines held by Services Australia, relating to the following;

1. Inclusive Accessibility Measures relating to disability, including but not limited to neurodevelopmental disabilities and autism
2. Sensory-Appropriate Spaces in Customer Service Centres
3. Communication and Language Accessibility for customers
4. Face-to-Face service accessibility for cognitive and intellectual disabilities, and psychosocial disabilities
5. Accommodations and targeted measures for direct engagement with disabled individuals directly, not through representative organisations
6. Internal processes for monitoring and improving accessibility.

In proposing the above scope, I have attempted to use your own words whilst still breaking down the request. I have also used specific language to enable it to be processed. I have also removed the portion of your request for general "accessibility policies and guidelines" as I believe these documents would be covered by point 1 of the proposed scope.

You may proceed with my proposed scope or choose to propose your own. If you propose your own, please consider the language used and avoid general words such as 'information' and 'all documents'.

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).

### **Relevant sections of the *Freedom of Information Act 1982***

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.