



Our reference: FOI 23/24-0433

GPO Box 700
Canberra ACT 2601
1800 800 110

ndis.gov.au

4 March 2024

Lisa Robinson

By email: foi+request-10749-f3b3cce3@righttoknow.org.au

Dear Lisa Robinson

Freedom of Information request — Notification of Decision

Thank you for your correspondence of 13 October 2023, in which you requested access to documents held by the National Disability Insurance Agency (NDIA), under the *Freedom of Information Act 1982* (FOI Act).

I apologise for the delay in responding to your request. We needed to consult with a different line area which required additional time to process your request.

The purpose of this letter is to provide you with a decision on your request.

Scope of your request

You have requested access to documents. Specifically, you requested access to:

“I would like the following statistics provided please for the period to June 30, 2023:

How many assistance dog applications and dog guide applications has the NDIA received by year and state breakdown for the past five years?

How many were accepted and funded for full costs? How many were rejected?

How many were accepted for maintenance funding? How many were rejected?

How many applications for assistance animal funding were lodged at the AAT? How many of these were funded and how many declined prehearing? How many were funded on decision by the Member? How many were rejected at full hearing?

Supply the information by year and state/territory breakdown along with breakdown of dog guide and other assistance dog numbers please.

Has the NDIS received applications for non canine assistance animals? If so how many and what species?”

Decision on access to documents

I am authorised to make decisions under section 23(1) of the FOI Act. My decision on your request and the reasons for my decision are set out below.

Section 17(1)(c) of the FOI Act provides that an agency can produce a written document containing the requested information, by the use of a computer or other equipment that is

ordinarily available for retrieving or collating stored information. We have been able to produce a document containing some of the information you requested. I have, therefore, treated your request as if it were a request for access to this document in accordance with section 17(1)(c) of the FOI Act.

I have identified 1 document which falls within the scope of your request.

The document was identified by conducting searches of NDIA's systems, using all reasonable search terms that could return documents relevant to your request, and consulting with relevant NDIA staff who could be expected to be able to identify documents within the scope of the request.

I have decided to grant access to 1 document in full.

In reaching my decision, I took the following into account:

- your correspondence outlining the scope of your request
- the nature and content of the documents falling within the scope of your request
- the FOI Act
- the FOI Guidelines published under section 93A of the FOI Act

Refusal of a request for access (section 24A)

Section 24A of the FOI Act provides that an agency may refuse a request for access to a document if all reasonable steps have been taken to find the document and the agency is satisfied that the document cannot be found or does not exist.

I have conducted searches of the NDIA's documents management systems and made enquiries with NDIA staff. These enquiries have revealed that the NDIA is unable to identify any documents in relation to the following scope:

- *How many assistance dog applications and dog guide applications has the NDIA received by year and state breakdown for the past five years?*
- *How many were accepted and funded for full costs? How many were rejected?*
- *How many were accepted for maintenance funding? How many were rejected?*
- *Has the NDIS received applications for non canine assistance animals? If so how many and what species?"*

I am satisfied that all reasonable steps have been taken to locate these documents and that they do not exist. I have, therefore, decided to refuse access these two documents in accordance with section 24A(1)(b)(ii) of the FOI Act.

Release of documents

The documents for release, as referred to in the Schedule of Documents at **Attachment A**, are enclosed.

Rights of review

Your rights to seek a review of my decision, or lodge a complaint, are set out at **Attachment B**.

Should you have any enquiries concerning this matter, please do not hesitate to contact me by email at foi@ndis.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be the name 'Kylie', written in a cursive style.

Kylie

Senior Freedom of Information Officer
Governance, Risk & Legal - Complaints Management and FOI.
General Counsel Division
National Disability Insurance
E: foi@ndis.gov.au

Schedule of Documents for FOI 23/24-0433

Document number	Page number	Description	Access Decision	Comments
1	1-1	Section 17 Response	FULL ACCESS	Document created under section 17 of the FOI Act

Your review rights

Review by the Office of the Australian Information Commissioner

The FOI Act also gives you the right to apply to the Office of the Australian Information Commissioner (OAIC) to seek a review of this decision.

If you wish to have the decision reviewed by the OAIC, you may apply for the review, in writing, or by using the online merits review form available on the OAIC's website at www.oaic.gov.au, within 60 days of receipt of this letter.

Applications for review can be lodged with the OAIC in the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001
Email: enquiries@oaic.gov.au
Phone: 1300 363 992 (local call charge)

Complaints to the Office of the Australian Information Commissioner or the Commonwealth Ombudsman

You may complain to either the Commonwealth Ombudsman or the OAIC about actions taken by the NDIA in relation to your request. The Ombudsman will consult with the OAIC before investigating a complaint about the handling of an FOI request.

Your complaint to the OAIC can be directed to the contact details identified above. Your complaint to the Ombudsman can be directed to:

Phone: 1300 362 072 (local call charge)
Email: ombudsman@ombudsman.gov.au

Your complaint should be in writing and should set out the grounds on which it is considered that the actions taken in relation to the request should be investigated