



FOI 1001/23/24

James Smith

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Dear James,

NOTIFICATION OF A REQUEST CONSULTATION PROCESS – FOI 1001/23/24

I refer to your request for access to the following documents, in the possession of the Department of Defence (Defence) under the *Freedom of Information Act 1982* (Cth) (FOI Act).

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

I believe that due to its size, the work involved in processing your request in its current form would substantially, and unreasonably divert the resources of this agency from its other operations. On this basis, I intend to refuse your request. This is called a ‘practical refusal reason’ (section 24AA). Before I make a final decision, you have 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.

Reason for Intending to Refuse Your Request

In your request, you sought documents relating to:

Please provide a copy of Defence Force Recruiting - Recruiting Services Contract between Department of Defence and Adecco Australia Pty Ltd (ABN 91 006 253 336) contract ID CN3923195 Agency Reference ID:4600042630 dated around October or November 2022, including all and any annexures, appendices, attachments and the like.

See: <https://www.tenders.gov.au/Cn/Show/7ee5b746-f6e5-4dcb-86e6-d3268dc6c477>

Costing/profit information can be redacted however all other information and materials should be provided.

For the purpose of providing this notice, I have considered whether processing your request would be unreasonable. I consider that processing your request, as it currently stands, would be unreasonable as it would substantially and unreasonably divert the resources of the agency from its other operations.

Section 24(1) of the FOI Act provides that an agency may refuse to give access to documents in accordance with an FOI request if:

- a practical refusal reason exists in relation to the request; and
- following a request consultation process under section 24AB of the FOI Act, the agency is satisfied that the practical refusal reason still exists.

Section 24AA(1)(a)(i) of the FOI Act provides that a practical refusal reason exists in relation to an FOI request if the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

I find that a significant amount of resources would have to be diverted to arrange for the required searches to be undertaken, to then review any documents that were identified as being possibly relevant to your request, and finally, to undertake the decision making process on any documents that did meet the parameters of your request. This assessment is because:

Under the current scope, the volume of information that Defence holds is estimated to be in the thousands of pages. Preliminary searches for documents relevant to the Adecco Recruiting Services Contract and its annexes have revealed that Defence holds more than 57 files (some with hundreds of pages) that would need to be reviewed for commercial sensitivities and confidential information. The Adecco contract itself contains 4500 pages, which using a conservative 2 minutes to review each page, would take one full time staff member 150 hours, or 4 weeks, to consider this document and its annexes. As such, it has been estimated that the relevant team would be required to divert resources from its usual operations for a period of one month to review all documents that have been identified as potentially in scope of this request.

Request Consultation Process

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

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

Before the end of the consultation period, you must do one of the following, in writing:

- Withdraw your request;
- Make a revised request; or
- Tell us that you do not wish to revise your request.

The consultation period starts on the day after you receive this notice and ends on 10 July 2024.

During this period, you are welcome to seek assistance from the contact person I have listed below 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. (Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request.)

In your consideration of submitting a revised request, you may like to consider what areas of the contract you are interested in.

If you do not do one of the three things listed above during the consultation period or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

Contact Officer

If you would to revise your request or have any questions, the contact officer for your request is:

Ryan
Freedom of Information Case Manager
Email: foi.casemanagement@defence.gov.au

Yours sincerely,

anna.whi
pp



Digitally signed by
anna.whipp
Date: 2024.06.25
17:13:17 +10'00'

Anna Whipp
Assistant Secretary
HR Business Partners

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25 June 2024