



Vincent Sheehy

Via email: [foi+request-11647-03716e44@righttoknow.org.au](mailto:foi+request-11647-03716e44@righttoknow.org.au)

Dear Mr Sheehy

### **Freedom of Information Request LEX 51068 – Notice of intention to refuse**

I refer to the *Freedom of Information Act 1982 (FOI Act)* request made to the Department of Social Services (**the Department**) on 8 July 2024. The request, which was subsequently revised, seeks access to:

*"The briefs prepared for the Secretary for 2024/25 Budget Estimates."*

I am authorised to make decisions in respect of FOI requests under subsection 23(1) of the FOI Act.

#### **Practical refusal reason**

This request generally seeks all briefs that were prepared for the Secretary for the 2024/25 Budget Estimates. I consider that in requesting those briefs you are also requesting the associated attachments within each brief.

On an estimate that a minimum of 180 documents, being briefs and their respective attachments, fall within the scope of the request with an average of 10 pages per document, if an officer of the Department were to assess each for sensitivities and mark them up with redactions accordingly, it would take them a total of 5,400 minutes / 90 hours / 12 working days to review the documents at a rate of 3 minutes a page.

The Department is currently processing historically high amount of FOI requests coupled with reduced staffing. It does not have the capacity to process a request of this size at this time. The work involved in processing the request would substantially and unreasonably divert the resources of the Department from its other operations, in particular processing its existing FOI workload and ensuring that existing requests are dealt with within their respective statutory timeframes.

In accordance with s 24(1) of the FOI Act, I consider that a practical refusal reason exists in relation to the request for access to documents.

#### **Request consultation process**

Under section 24(1)(b) of the FOI Act, the Department is required to provide you with the opportunity to revise the scope of your request so that a 'practical refusal reason' no longer exists. One way you could achieve this is to refine the scope of your request, for example of this would be limiting the request to the index page of briefs prepared for the Secretary of the Department of Social Services for 2024-25 Budget Estimates.

Please note that refining the scope of the request may remove the practical refusal reason but does not necessarily mean that that any documents subject to the request will be released in part or in full.

## Next steps

Should you wish to revise the request, you must do so **within 14 days** after the day you are sent this notice. The 14-day deadline ends at **11:59pm on Friday 26 July 2024** by which time you are required to take one of the below actions. If you are unable to meet this deadline and require an extension of time to discuss ways to revise the scope of your request, please contact the FOI Section by email at [foi@dss.gov.au](mailto:foi@dss.gov.au).

In accordance with subsection 24AB(6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request;
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB(7), the request is taken to have been withdrawn at the end of the 14-day consultation period if:

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

In accordance with subsection 24AB(8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request.

Yours sincerely



Sarah B

Authorised FOI Decision Maker

12 July 2024