



Ben Little

By email to: [foi+request-12976-7825bac8@righttoknow.org.au](mailto:foi+request-12976-7825bac8@righttoknow.org.au)

Dear Ben

### **Freedom of Information Internal Review LEX 53597**

I refer to your application under *Freedom of Information Act 1982 (FOI Act)* made to the Department of Social Services (**the Department**) on 24 April 2025. The application seeks internal review of the decision made in respect of the FOI request LEX 53354 (**original decision**) which sought access to:

*The Foundational Supports report from the consultations held by the Social Deck in 2024. My request is for both the summary and full version.*

I am authorised to make internal review decisions under subsection 23(1) of the FOI Act and am writing to inform you of that decision.

### **The original decision**

The original decision refused the request under section 24A of the FOI Act. This is because the Department took all reasonable steps to locate the documents and found that we did not have possession of the documents sought by this request.

A copy of the original decision is enclosed at **Attachment A**.

### **Internal review decision**

I have decided to affirm the original decision to refuse the request under section 24A of the FOI Act. The reasons for my decision are set out below.

### **Material relied upon in making this decision**

I relied on the following material in coming to this decision:

- the terms of the FOI request;
- the application for internal review;
- the documents subject to the FOI request;
- advice from subject matter experts within the Department regarding the nature and sensitivity of the documents subject to the request;
- the FOI Act; and
- the Guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act (**FOI Guidelines**).

## Reasons for Decision

The application for internal review argued that the primary request was reasonable and the report was due to be made public early in 2025.

I have addressed these points as part of my reasons below.

### *Primary request was reasonable*

The Department considered the request made on 24 April 2025 was reasonable, meaning that it did not issue a practical refusal notice in respect of it, and it was then processed in accordance with the FOI Act and its established procedures.

### *Documents do not exist*

In its original decision, the Department advised that the final version of the report and the subsequent summary had not yet been finalised at the time of the request. Therefore, the Department determined that the documents sought by the request did not exist and refused the request under section 24A of the FOI Act.

I have reviewed the document searches undertaken by the Department and advice from the relevant business area, and affirm the original decision to refuse the request on the grounds that the documents did not exist at the time of the request.

### *Report to be made public early in 2025*

The Department's website advises a summary report of community consultation will be published early in 2025. You may consider [subscribing to the Foundational Supports newsletter](#) to receive notification of when the report is published.

## Review rights and complaints

Information concerning how you may seek a review of this decision or make a complaint about the handling of this request is at **Attachment B**.

## Contact

If you would like to discuss any aspect of my decision, please contact me at [foi@dss.gov.au](mailto:foi@dss.gov.au).

Yours sincerely



Sarah B  
Authorised FOI Decision Maker

22 May 2025

## Attachments

Attachment A – Original decision

Attachment B – Review Rights

## REVIEW RIGHTS

### **Review or Complaints to the Information Commissioner**

You may seek review of this decision via the Australian Information Commissioner (**Information Commissioner**) within 60 days of the receipt of this decision letter.

You may also make a complaint to the Information Commissioner concerning actions taken by the Department while exercising its powers or performing its functions under the FOI Act.

Further details on both processes above can be found on the Information Commissioner's website at <https://www.oaic.gov.au/>.