



Australian Government
Department of Education and Training

Ms Jenny Hare

By email: foi+request-1302-7cd34786@righttoknow.org.au

Dear Ms Hare

I refer to your request received by the Department of Education and Training (the department) on 10 October 2015 for access under the *Freedom of Information Act 1982* (FOI Act) to the following documents:

"Back-issue newspaper story in pressreader.com, Australian, June headline said "21m equity program had little effect. An equity program that received \$21 million in federal government funding increased university applications across three years by a figure so small as ... Bridges to Higher Education is a joint equity program run by five NSW universities." (The Australian). ...

I would like under FOI a copy of the request/application for this money from the universities' that got it. I don't want anyones' names, privacy detail's and that kind of thing. I only want to see what the universities' would DO with this size of money and HOW would they know it was any good. www.bulletpoint.com.au/heppp says it is a "Sydney Basin Consortium (led by University of Western Sydney)" that got it."

Preliminary Assessment of the Charge

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge for the processing of your request. My preliminary assessment of that charge is \$138.75, calculated as follows:

Search and retrieval time: 0.09 hours at \$15.00 per hour:	1.35
Decision-making time: 11.87 hours minus the first 5 hours* at \$20.00 per hour:	137.40
TOTAL	\$138.75

*The FOI Act provides that the first five hours of decision-making time are free of charge and this is reflected in the calculation.

I am advised that the department has in its possession 1 document, consisting of 39 pages of material, relevant to your request. I estimate that it has taken 0.09 hours to locate and retrieve that document, and will take an additional 11.87 hours to examine the documents, conduct necessary consultation and prepare a decision on access.

Required Action

If you would like the department to continue processing your request, you must notify the department in writing within 30 days of receiving this notice that you:

- A. agree to pay the charge (or the required deposit) and pay it;
- B. contend that the charge:
 - (i) has been wrongly assessed; or
 - (ii) should be reduced or not imposed; or
 - (iii) both; or
- C. withdraw the request for access.

If you do not provide a written response in accordance with one of Options A, B or C above within 30 days of receiving this notice, your request will be taken to have been withdrawn under subsection 29(2) of the FOI Act.

Alternatively, you may wish to refine the scope of your FOI request. If you would like to discuss this please contact me for assistance.

Further information on options A, B and C is set out below.

Option A – pay the charge

As the charge exceeds \$100, you are required to pay a deposit of \$34.65, which is 25% of the total amount, within 30 days of receiving this notice. You may, of course, elect to pay the charge in full at this point.

The amount due can be paid by cheque or money order made out to the Collector of Public Monies—Education, or by credit card. If you'd like to pay by credit card, please contact us for further details.

Option B – seek reduction or non-imposition of the charge

Now that the department has issued you with a charge, you may contend that the charge has been wrongly assessed, or should be reduced or not imposed. Subsection 29(5) of the FOI Act provides that, in deciding whether to reduce or not to impose a charge, the decision-maker must take into account any relevant reasons, including whether payment of the charge, or part of it, would cause you financial hardship, and whether the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public.

If you wish to contend that the charge has been wrongly assessed or should be reduced or not imposed, please set out your reasons and the evidence in support of your reasons as clearly as possible. If you believe that payment of the charge would cause you financial hardship, please provide sufficient details of your financial circumstances to enable the decision-maker to make a well-informed decision in this regard.

Option C – withdraw your request

If you wish to withdraw your request you may do so in writing.

Third Party Consultation

Your request covers a document which contains information about the business affairs of several organisations. Under section 27 of the FOI Act where a request is made for a document containing information about the business affairs of organisations and it appears to the department that the organisation might reasonably wish to contend that the information is exempt under provisions of the FOI Act, the department must give the organisation a reasonable opportunity to make such a submission in support of the contention.

Time limits for processing your request

Section 31 of the FOI Act provides that where a notice is sent to an applicant regarding the payment of a charge in respect of a request, the time limit for processing the request is suspended from the date the notice is received until either:

- the day following payment of the charge (in full or the required deposit); or

- if applicable, the day following the notification to the applicant of a decision not to impose the charge.

In addition, given that consultation with third parties is required, subsection 15(6) of the FOI Act extends the standard statutory 30-day time limit for processing requests by another 30 days.

Publication of information in the FOI disclosure log

Information released under the FOI Act may be published in a disclosure log on the department's website. Section 11C of the FOI Act requires this publication, subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

Address for correspondence

Please send all correspondence regarding your FOI request to me at the following address:

Matthew Simpson
Schools, Skills and Corporate Legal Branch
People, Communication and Legal Group
Department of Education
LOC: C50MA10
GPO Box 9880
CANBERRA ACT 2601

or by email to foi@education.gov.au.

Please contact me on (02) 6240 9305 or Lyndal Buik on 02 6240 7335 if you would like to discuss this matter.

Yours sincerely



Matthew Simpson
A/g Senior Government Lawyer
Schools, Skills and Corporate Legal Branch
People, Communication and Legal Group

30 October 2015