

Our reference: FOI 24/25-1870 (LEXD 366)



GPO Box 700  
Canberra ACT 2601  
1800 800 110

[ndis.gov.au](http://ndis.gov.au)

24 June 2025

Dan Collins  
Right to Know

**By email:** [foi+request-13104-250b5a1b@righttoknow.org.au](mailto:foi+request-13104-250b5a1b@righttoknow.org.au)

Dear Dan Collins

### **Freedom of Information request — Request consultation process**

Thank you for your correspondence of 1 May 2025, in which you requested access under the *Freedom of Information Act 1982* (FOI Act) to documents held by the National Disability Insurance Agency (NDIA).

### **Scope of your request**

You have requested access to the following documents:

*All communications sent during the period 20 April 2025 to 1 May 2025 regarding the NDIS webpage titled 'Frequently asked questions about legislation' ([Frequently asked questions about legislation | NDIS](#)) or the page's content, to or from the following staff members:*

- Corri McKenzie (Deputy CEO Service Design and Improvement)
- Shannon Rees (GM Strategic Communications, Service Design and Improvement)
- Thomas O'Byrne (BM Media, Service Design and Improvement)
- Elyse Moore (Acting, BM Scheme Communications and Awareness, Service Design and Improvement)
- Yvette McKenzie (BM Platform and Channels, Service Design and Improvement)
- Laura Wilkinson (GM Service Design, Service Design and Improvement)
- Shane Robinson (BM Service Design Delivery, Service Design and Improvement)
- Carly Sierota (BM Service Guidance, Service Design and Improvement)
- Clair Wheeler (BM Strategy, Service Design and Improvement)
- Alex Rosenthal (BM Engagement and Inclusion, Service Design and Improvement)
- Julie Fayers (BM Strategic Change, Service Design and Improvement)
- Prue Coroneos (GM Policy and Practice Leadership, Service Design and Improvement)

- *Peggie Tobin (BM Scheme Policy, Service Design and Improvement)*
- *Scott McNaughton (Deputy CEO Service Delivery)*
- *Martin Nightingale (BM National Contact Centre, Service Delivery)*
- *Kellie Maloney (BM Scheme Reforms and Transition, Service Delivery)*

## **Practical refusal**

I am authorised to make decisions under section 23(1) of the FOI Act.

I am writing to advise that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the NDIA from its other operations due to its size. This is called a 'practical refusal reason' under section 24AA of the FOI Act.

On this basis, I intend to refuse your request. However, before I make a final decision, I am writing to provide you with 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.

## **Why I intend to refuse your request**

We have undertaken initial consultations with Service Design and Improvement and Service Delivery who both identified that the searches would be difficult to undertake given the large number of Senior Executive Service (SES) staff identified, and the nature of how these types of discussions progress, and both line areas identified that the scope may be too broad to be able to be processed.

We then asked the Cyber Security Operations team to conduct a preliminary search for documents which are likely to be relevant to your request, using the following search parameters:

**To/From:** The 16 SES listed within your request

**Key Words:** "FAQs"; "Legislation"; "Legislation Update"

**Date Range:** 20 April 2025 to 01 May 2025

This search identified more than **6,200** documents that could potentially match the scope of your request, not including any attachments which may be contained within those documents.

Following, we asked the Cyber Security Operations team to conduct a second search using the following search parameters:

**To/From:** The 16 SES listed within your request

**Key Words:** "FAQs"

**Date Range:** 20 April 2025 to 01 May 2025

This search identified more than **1,300** documents that could potentially match the scope of your request, not including any attachments which may be contained within those documents. However, using this keyword may not cover all documents that fall within scope of your request if a communication was sent without the keyword FAQs contained within. As a decision maker, I would not be able to state that all documents had been identified if we were to use this search option to complete the request.

If we did use this search data to assess the time it might take to process this request, I estimate that it would take an FOI officer approximately 1 minute per document to open, read and assess if the document is in scope. This task alone would take more than 20 hours.

Paragraph 3.116 of the FOI Guidelines provides that when deciding if a practical refusal reason exists, an agency must have regard to the resources required to perform the following activities:

- identifying, locating or collating documents within the filing system of the agency or minister
- examining the documents
- deciding whether to grant, refuse or defer access
- consulting with other parties
- redacting exempt material from the documents
- making copies of documents
- notifying an interim or final decision to the applicant.

On my reasonable estimate, of the work involved in processing this request with the above activities taken into consideration, I estimate that it would take an officer more than 40 hours to complete the request if using the search 2 documents, and we would not be able to confirm that we are providing all documents that fall within scope of your request.

If we were to use the documents identified in the first search, I estimate that it would take over 100 hours to simply open, read and assess if the document is in scope. When adding the other activities outlines above, the time taken would increase significantly.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

### **Request consultation process**

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

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

To reduce the scope of your request, you might like to consider:

- providing a search keyword that we can use
- identifying if there is a particular topic or question you are most interested in
- reducing the number of SES staff identified, or specifying the top 5 staff you are most interested in.

You have 14 days from the date you receive this letter to contact me and do one of the following:

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

During this period, you are welcome to seek assistance 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 it.

Please note that the time taken to consult with you regarding the scope of your request is not taken into account for the purposes of the timeframe for processing your request.

You can contact me by email at [foi@ndis.gov.au](mailto:foi@ndis.gov.au).

Alternatively, you can reply in writing to the following address:

Freedom of Information Section  
Information Release, Privacy and Legal Operations Branch  
Reviews and Information Release Division  
National Disability Insurance Agency  
GPO Box 700  
CANBERRA ACT 2601

If you do not contact me within this period, that is by **5pm, 8 July 2025**, your request will be taken to be withdrawn in accordance with section 24AB(7) of the FOI Act.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CJW205', written in a cursive style.

**Carolyn (CJW205)**  
Senior FOI Officer  
Information Release, Privacy and Legal Operations Branch  
Reviews and Information Release Division