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Australian Government

Australian Taxation Office

Our Reference: 1-8OPHDS8

Contact officer: Julie Galeotti

Telephone: 13 28 69

Email: foi@ato.gov.au

Issue date: 15 July 2016

Mr Patrick Conheady

Via email to: foi+request-1907-6c151d58@righttoknow.org.au

Dear Mr Conheady,

Freedom of information internal review

I refer to your email of 29 June 2016 requesting an internal review of the decision regarding your request under the *Freedom of Information Act 1982* (FOI Act) for IT security guidelines, standards and instructions.

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

I believe that 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 due to width of scope. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, 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.

Why I intend to refuse your request

Your request stated:

Please provide the ATO's IT security guidelines and standards, including those in relation to ensuring that software developed in-house or acquired from outside the agency do not contain security flaws.

The heading of your email was 'Freedom of Information request – IT security guidelines, standards and instructions'.

The initial decision-maker took your request to be for high level guidelines and standards and it referred you to a number of publicly available documents.

Your request for internal review indicates that you are not satisfied with the scope of the documents considered in the original decision. You have requested a review of your FOI request for 'IT security guidelines, standards and instructions'. I note your initial request included the word 'instructions' only in the heading and not in the description of documents required.

I consider that your request is for all 'IT security guidelines and standards.' You have specifically included guidelines and standards relating to in-house or external software which would be captured within the wider scope of IT guidelines and standards. Instructions would only be captured within the scope of your request if they are considered to be a guideline or standard.

In my view a practical refusal reason exists because processing your request would require a large amount of resources to search for relevant documents and there are likely to be a large number of documents relevant to your request. Relevant documents would have to be examined carefully to see if they can be released publicly as they are likely to be of a sensitive nature and we would have to carefully consider any risk to our security systems.

A search for 'IT Security' within our intranet comes up with 263 results that would need to be considered as probable guidelines and standards. This intranet search comes up with a wide range of topics. The topics themselves are broad and would require significant further searches to identify all guidelines and standards. Examples of the search results include:- various Chief Executive Instructions, classification of data and security baselines, storage and transfer of data, incident management , disaster recovery processes, document handling, procurement, employee obligations, password and access, IT Equipment, IT usage by employees and monitoring of access. Each of these search results contain a number of documents and a lot contain further links which would need to be considered.

Some sensitive guidelines and standards are not generally available on the intranet and would have to be identified and extracted from restricted network share drives.

I believe that the searches required and the nature of the documents requested, mean that processing your request would require an unreasonable diversion of ATO resources 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, our office will be able to pinpoint the documents more quickly and avoid using excessive resources to search for and process documents 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
- tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice. During this period, you are welcome to seek assistance from me to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. (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.)

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

Contact officer

I am the contact officer if you would like to like to revise your request or have any questions,
You can contact me via:

- Phone: 13 28 69 (and ask for Julie Galeotti)
- Email: foi@ato.gov.au

Yours sincerely

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

Julie Galeotti
Senior FOI Adviser
General Counsel
Australian Taxation Office