



Australian Government

Department of Health

Department Reference: FOI 035-1617

Mr Justin Warren

Via email: foi+request-2110-2e8a0f9c@righttoknow.org.au

Dear Mr Warren,

FREEDOM OF INFORMATION REQUEST: NOTICE OF LIABILITY TO PAY A CHARGE

I refer to your request of 9 August 2016 to the Department of Health, seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

"In the Australian Bureau of Statistics (ABS) Annual Report for 2014-15, there is an article about an ABS project (the Project) to integrate Census data with anonymised Medicare and Pharmaceutical Benefits datasets (Chapter 3, "Unlocking the power of statistics mental health services use and outcomes"). I respectfully request the following information under Freedom of Information Act 1982:

- 1. Documents that refer to the scope and scale of the information provided to the ABS by the Department for the Project, i.e. the number of people's data that was provided, the total number of records, and the fields in each dataset that were supplied (e.g. name, address, condition, drugs prescribed, etc.). This is the metadata of the dataset(s).*
- 2. Documents discussing the reason the dataset and/or the fields within the datasets were required for the Project.*
- 3. Documents describing the process and techniques used to anonymise the datasets, such as the creation of linkage keys, including the algorithm(s) used to generate linkage keys.*
- 4. Documents the discuss obtaining informed consent from those whose data was to be supplied; how that consent was obtained; or why consent was not obtained and the justification for not obtaining consent."*

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge in respect of your request.

Subsection 29(1)(f) of the FOI Act provides that you must notify the Department in writing within 30 days after the date of this notice of either the following:

- that you agree to pay the charge;
- that you wish to make a contention that the charge has been wrongly assessed or should be reduced or not imposed (if you wish to contend please see further details below); or
- that you withdraw your request.

Preliminary Assessment

In accordance with paragraph 29(1)(b) of the FOI Act my preliminary assessment of the charge is \$189.35. This has been calculated as follows:

| | | |
|---|--------------------------------|-----------------|
| search and retrieval time (including time spent locating relevant files and collating relevant documents contained on those files) | 4.25 hours @ \$15.00 per hour | \$63.75 |
| decision making time (including time spent examining the documents, considering exemptions, undertaking consultation, writing the decision and preparing any documents for release) | 11.28 hours @ \$20.00 per hour | \$225.60 |
| | First 5 hours free | (\$100.00) |
| TOTAL | | \$189.35 |

Deposit

I have also decided that you are required to pay a deposit. As the preliminary assessment is greater than \$100.00 a deposit of 25% is required, this being \$47.34

Payment of a deposit will be taken as your authority for us to proceed with the processing of your request and your agreement to pay the full charge in which case you will become liable to the Commonwealth for the full cost of the processing charge. Your deposit payment (cheque or credit card) should be sent to either of the following:

FOI@health.gov.au

OR

FOI Unit (MDP 41)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Contention that the charge has been wrongly assessed, should be reduced or not imposed

Under the FOI Act you have the right to contend that the charge has been wrongly assessed, should be reduced or not imposed. If you choose to make such a contention the matters that I am required by subsection 29(5) of the FOI Act to take into account include:

- (a) whether the payment of the charge, or part of it, would cause financial hardship to you or the person on whose behalf the application was made; and
- (b) whether the giving of access to the document[s] in question is in the general public interest or in the interest of a substantial section of the public.

Timeframe for providing you with a decision

The date for providing you with a decision will be later than that previously advised because processing of your request is suspended from the date you receive this notice. Counting of

the 30 calendar days will resume when either you pay a deposit or any contention about the charge has been resolved.

Relevant provisions

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website using the following link:

<https://www.legislation.gov.au/Details/C2016C00067>

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 6289 1666, or by email at FOI@health.gov.au

Yours sincerely



Director
Freedom of Information

14 September 2016