



12 January 2017

Our reference: LEX 24850

Mr Brendan Molloy
Right to Know

By email: foi+request-2887-8532b46e@righttoknow.org.au

Dear Mr Molloy

Your Freedom of Information request

I refer to your request, dated 28 December 2016 and received by the Department of Human Services (the **department**) on the same date for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following documents:

'Recently there has been a public furore about the seemingly automated delivery of debt notices to persons receiving benefits from Centrelink programmes since early December, and perhaps earlier[1].

I hereby request, under the Freedom of Information Act 1982, copies of the following documents:

- 1) Technical reports or similar documents regarding known errors or probable risks from introducing the new "compliance system";
- 2) Documents outlining the data sources used in the new "compliance system";
- 3) Documents listing the number of debt recovery requests sent on a monthly basis (or similar) from January 2016 to the date of receipt of this request; and
- 4) An aggregate number of reported complaints from when the system was introduced relating to false or miscalculated debt recovery requests.'

Your request involves too much work for the department

Your request covers a wide range of documents. Because of the amount of work involved for the department, we are asking you to revise your request to give us more specific details about the information you are seeking.

If you decide not to make any revisions I will have to refuse your FOI request as a 'practical refusal reason' exists.

For a more detailed explanation of what this means see **Attachment A**.

How to send us a 'revised request'

Before I make a final decision on your request, you can narrow the size of your original request and submit a revised request.

Within the next 14-days you must do one of the following, in writing:

- withdraw the request
- make a revised request, or
- tell us that you do not want to revise your request.

If you do not do contact us during the 14 day consultation period, we will assume you do not want to continue with your request. See **Attachment A** for relevant sections of the FOI Act.

If you decide to make a revised request you should be more specific about what documents you actually want. This could help the department find the documents in less time and use fewer resources to process them.

Note: You may want to access the department's online services at www.humanservices.gov.au to immediately find some of the personal information and documents included in your original request.

At **Attachment B** is a form which you can use to revise your request in writing. We have 30 days to give you a decision about your request, however the time taken to consult with you now is not included in this 30 day time period.

Contact officer

I am the contact officer for your request. During the consultation period you are welcome to ask for my help in revising your request and filling out the form. You can contact me:

- in writing to the address at the top of this letter
- via email to FOI.LEGAL.TEAM@humanservices.gov.au

Note: When you contact us please quote the reference number **FOI LEX 24850**.

Your response will be expected by **26 January 2017**. If no response is received, your matter will be taken as withdrawn.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@humanservices.gov.au.

Yours sincerely

Authorised FOI Decision Maker
Freedom of Information Team
FOI and Litigation Branch | Legal Services Division
Department of Human Services
FOI.LEGAL.TEAM@humanservices.gov.au

What I took into account

Because of the amount of work involved for the department, under sections 24AA(1)(a)(i), 24 and 24AA(2) of the FOI Act I intend to refuse your FOI request as a 'practical refusal reason' exists. Under the Act, the practical refusal reason is that processing your request 'would substantially and unreasonably divert the resources' of this agency.

To process your request the department would have to do extensive searches to identify, retrieve, and process the documents you asked for. Searches carried out by the relevant business area have identified over 2500 relevant documents totalling in excess of 30000 pages within the scope of your request.

Based on my experience with the type and volume of records you want, I estimate it would take in excess of 1564 hours to process your request. This includes assessing the documents to see if any of the pages might require redaction.

Amount of time to process your request

I have calculated the number of hours it would take to process your request in full.

Search for and retrieve documents	208 hours
Examine pages for decision making at an average of two minutes per page	1000 hours
Time of two minutes per page for about 12000 pages needing redaction	233 hours
Write statement of reasons for decision and schedule the documents	123 hours
Total	1564 hours

Relevant sections of the *Freedom of Information Act 1982*

Section 24AA(1)(a)(i) of the FOI Act provides that a practical refusal reason exists in relation to a FOI request if the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

Section 24AA(2) of the FOI Act sets out certain factors which the department must consider when determining whether providing access in relation to a request would substantially and unreasonably divert the department's resources. The department must specifically have regard to the resources that would have to be used for:

- identifying, locating or collating the documents within the department's filing system;
- deciding whether to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document, including resources that would have to be used for examining the document or consulting in relation to the request;
- making a copy, or an edited copy, of the document, and

- notifying any interim or final decision on the request.

Section 24AB(7) of the FOI Act provides that the request is taken to have been withdrawn under at the end of the consultation period if:

- the applicant does not consult the contact person during the consultation period in accordance with the notice, or
- the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.

Section 24AB(6) says that the applicant must, before the end of the consultation period, do one of the following, by written notice to the agency or Minister:

- withdraw the request,
- make a revised request, or
- indicate that the applicant does not wish to revise the request.



Attachment B

**FREEDOM OF INFORMATION REVISED REQUEST FORM
(Section 24AB of the FOI Act)**

NOTE: You do not have to fill out every part of this form. However, providing as much detail as possible could help to reduce the amount of work involved for the department to process your request.

Name	Mr Brendan Molloy
FOI LEX number	LEX 24850
Initial request details	<p>Recently there has been a public furore about the seemingly automated delivery of debt notices to persons receiving benefits from Centrelink programmes since early December, and perhaps earlier[1].</p> <p>I hereby request, under the Freedom of Information Act 1982, copies of the following documents:</p> <p>1) Technical reports or similar documents regarding known errors or probable risks from introducing the new "compliance system";</p> <p>2) Documents outlining the data sources used in the new "compliance system";</p> <p>3) Documents listing the number of debt recovery requests sent on a monthly basis (or similar) from January 2016 to the date of receipt of this request; and</p> <p>4) An aggregate number of reported complaints from when the system was introduced relating to false or miscalculated debt recovery requests.</p>

I, Brendan Molloy, would like to revise my current FOI request.

1. I would like to limit the time period of documents to:

- A specific date: _____ / _____ / _____ ;
[day] [month] [year]
- A specific year: _____ ; or
[year]
- The date range from: ____ / ____ / ____ to ____ / ____ / ____
[day] [month] [year] [day] [month] [year]

2. My request relates to documents for (*tick boxes and insert numbers that apply to you*):

- A** Centrelink CRN: _____

- _____
- B** Medicare Card no: _____
 - C** Child Support CSID: _____
 - D** CRS Australia Ref no: _____

3. Select which of the following documents you are requesting:

Debt related documents

- My debt calculation documents for debt reference: _____
- A summary of my debt repayments for debt reference: _____
- Debt explanation documents for debt reference: _____
- Other debt related documents (*provide a description of these documents*): _____

Medical related documents

- Copies of medical documents about me, including medical assessment reports (for example, Job Capacity Assessment reports)
- Medical documents related to my claim for _____

Medicare

- My personal Medical Benefit Scheme (MBS) History
- My personal Pharmaceutical Benefit Scheme (PBS) History
(Note: Your PBS and MBS history are available through your online account. They can also be requested without a formal FOI request. See Question 5 below.)
- Other Medicare documents (*provide a description of these documents*): _____

Child support related documents

- My letters of assessment
- My call recordings (*provide a description of the calls you want*): _____

- Other (*provide a description of these documents*): _____

Other/general documents

- Documents about my contact with the department

HOW TO SEND THIS FORM

By post to:

Attention: LEX 24850
FOI Team
Department of Human Services
PO Box 7820
CANBERRA BC ACT 2610

Make sure you add the reference number FOI LEX 24850.

OR

Email to:

FOI.LEGAL.TEAM@humanservices.gov.au

Make sure you add the reference number FOI LEX 24850. You do not have to include your signature in your email.