



9 March 2017

Our reference: LEX 27725

Lyndsey Jackson

By email: foi+request-3141-3efc3afb@righttoknow.org.au

Dear Lyndsey

Your Freedom of Information Request

I refer to your correspondence received by the Department of Human Services (the **department**) on 23 February 2017. In your email, you made a request under the Freedom of Information Act 1982 (the **FOI Act**) for the following:

'In an interview with Tom Tilley from Triple J Hack on 21 February 2017, Minister Alan Tudge said, "Now, if a person that we know is vulnerable and they've got a vulnerability indicator on their file, they will not be sent any sort of notice. They simply are not covered..."

ALAN TUDGE:

Well, as I said, if they've got any sort of vulnerability index written on his file, then they don't get sent these notices.

Transcript: <https://www.mhs.gov.au/transcripts/2017-...>

The Freedom of Information request is for clarification and information on:

1. What constitutes "vulnerability"?
2. What is the description and definition of the Vulnerability index and descriptions of individual index items?
3. How many people on the Centrelink system have this marker on their file currently? How many people on the Centrelink system had this marker on their file at any time in 2016 calendar year?
4. Please provide workflow information on the process that this marker gets added to a file, what can trigger it and by whom?
5. When and how can the vulnerability marker be updated, change or expire? Which markers expire and how is does this occur? Manual or automatic? How are reviews conducted before expiration?
6. Which agencies and individual roles have access to this information? Including external agencies such as debt collectors?

Your request is invalid

In its current form, your request does not meet the requirements of the FOI Act.

The FOI Act provides a right of access to documents which are in the possession of the department. A 'Document' is defined in section 4(1) of the FOI Act to include any or any part of the following:

- any paper or other material on which there is writing
- a map, plan, drawing or photograph
- any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them
- any article or material from which sounds, images or writing are capable of being reproduced with or without the aid of any other article or device
- any article on which information has been stored or recorded, either mechanically or electronically
- any other record of information
- any copy, including any part of any copy, of a reproduction or duplicate of a thing listed above.

You have asked a number of questions in your correspondence. The FOI Act does not provide for a right to request that the department answers questions, rather it provides a right to access documents. For this reason, your request is not currently valid.

Further assistance

However, there are publically available documents which may assist you in answering your questions. For dot points 1, 2, 4, 5 and 6 of your correspondence you may wish to view the following links on the department's website:

- <http://operational.humanservices.gov.au/public/Pages/job-seekers/001-10050000-01.html>
- <http://operational.humanservices.gov.au/public/Pages/job-seekers/001-10050010-01.html>
- <http://operational.humanservices.gov.au/public/Pages/job-seekers/001-10050020-01.html>

For dot point three, you may wish to view the following link on the Department of Employment website which has data within the quarterly reports that may be relevant to your question:

- <https://www.employment.gov.au/job-seeker-compliance-data>

The right to access documents under the FOI Act does not apply to all documents that are in the possession of agencies that are subject to the FOI Act. The FOI Act does not apply to documents where the document is already publicly available. This is found in section 12(b) of the FOI Act.

For this reason, this FOI request has now been closed. Please note you may make a fresh FOI request at any time.

Yours sincerely

Authorised FOI Decision Maker
Freedom of Information Team
FOI and Litigation Branch | Legal Services Division
Department of Human Services