



23 March 2017

Our reference: LEX 28338

Mr Justin Warren

By email: foi+request-3230-a9030c88@righttoknow.org.au

Dear Mr Warren

Your Freedom of Information request

I refer to your request, dated 14 March 2017 and received by the Department of Human Services (the **department**) on the same day for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following documents:

I request the following information relating to the initiative to match Centrelink data with data from the Australian Tax Office (ATO) to detect potential overpayment and the recovery of those overpayments from citizens. This initiative has been extensively covered by the media using various names, including #robodebt and #notmydebt.

- Documents listing identified risks, categorisations (Likelihood, Impact, etc.), and treatments in the period 1 Jan 2016 to 31 Dec 2016. You have previously indicated that these are known more specifically as:

- a) Risk Plans
- b) Weekly Reports
- c) Issues and Escalated Issues Registers.

as per the FOI request listed here:

https://www.righttoknow.org.au/request/risk_governance_and_oversight_of_2, LEX 26567.'

Your request involves a diversion of the department's resources

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

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 are seeking.

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

During the consultation period you are welcome to ask for help in revising your request and filling out the form. You can contact the FOI team:

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

Note: When you contact us please quote the reference number **FOI LEX 28338**.

Your response will be expected within two weeks of the date of this letter, **6 April 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

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 find and process the documents you asked for. The department holds an estimated 40 documents totalling an estimated 600 pages. Please note that the scope of this request includes draft versions of documents. You should consider excluding draft documents from the scope of your request and only seek final copies of documents, which would considerably reduce the processing time required for your request.

Based on my experience with the type and volume of documents you want, I estimate it would take more than 55 hours in processing time. This includes looking at all the documents to see if any of the pages might need redactions - that is, possibly blacking out some content.

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	2.50 hours
Examine pages for decision making at an average of two minutes per page	19.97 hours
Time of three minutes per page for about 600 pages needing redaction	29.95 hours
Write statement of reasons for decision	5.40 hours
Total	55.31 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.