



**Australian Government**  
**Department of Health**

Department Reference: FOI 285-1617

Ms Melanie Voevodin  
Dietitian, Health Economist  
Right to Know

Via email: [foi+request-3431-1a10b1ee@righttoknow.org.au](mailto:foi+request-3431-1a10b1ee@righttoknow.org.au)

Dear Ms Voevodin

**REQUEST CONSULTATION NOTICE UNDER SECTION 24AB  
OF THE *FREEDOM OF INFORMATION ACT 1982***

I refer to your request of 8 May 2017 to the Department of Health (Department) for access under the *Freedom of Information Act 1982* (FOI Act), to '*all documents relating to NASRHP from the Department of Health.*'

**Practical refusal reason**

I have considered the scope of your request. I am satisfied, for the reasons set out below, that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the Department from its other operations (the 'practical refusal reason') (s 24AA(1)(a)(i) of the FOI Act).

**Intention to refuse access**

Before I can make a decision to refuse access to the documents on the basis of the practical refusal reason, the FOI Act requires me to undertake a request consultation process which gives you an opportunity to revise your request (s 24(1)(a) & s 24AB).

This letter constitutes a written notice in accordance with s 24AB(2) of the FOI Act giving you a 14-day period to consult with the Department about the terms of your request.

**Substantial and unreasonable diversion of resources**

The reasons for my assessment that a practical refusal reason exists is as follows. I have considered your request and have assessed the work that would be involved in processing your request, in both the searches required to identify the documents relevant to your request and the examination of these documents for decision making.

As set out below, the broad scope of your request would require a substantial amount of work.

### *Search and Retrieval*

A preliminary assessment of your request has identified in excess of 239 documents comprising approximately 1,680 pages contained across numerous electronic files that would need to be examined to identify relevant documents. I estimate that it would take over 28 hours to search, retrieve and schedule the documents. The number of hours is calculated based on the following:

- 30 seconds to review each page and tag the relevant pages falling within the scope of the request; and
- 30 seconds per page for preparation of the schedule of documents for review by the decision maker.

This means that it would take a Departmental officer working on the task full time (7.5 hours a day) approximately 3.7 business days to complete the search and retrieval of documents that fall within the scope of the request. During this period, other duties expected of that officer would not be attended.

### *Decision Making*

To discharge my responsibility as decision maker, it would take me, on a conservative estimate, an average of 3 minutes to examine and make a decision about each page. Dependent on the number of documents identified as relevant to your request, this could take up to 84 hours of my time (or approximately 11 business days). Additional time would be required to undertake consultation with any identified third parties and draft my decision. From the preliminary assessment, two third parties have been identified for consultation. I estimate that it would take roughly 4 hours to consult each third party (2 hours per consultation).

It is estimated your request in its current form would take, at a minimum, 116 hours (or 15 business days and a half) to process.

As a senior executive officer in the Department and the decision maker for your request, if I were to work on nothing other than your FOI request, this would unreasonably divert me from my other tasks.

The Department's Health Services Division is responsible for a number of health service programs including primary health care. The Primary Healthcare Branch within that division is responsible for general practice support, primary care infrastructure, allied health, chronic disease management and maternity services policy.

The processing of your request in its current form would result in a significant alteration of ongoing divisional work set out above.

Having regard to the volume of documents falling within the scope of your request, the amount of available resources that would be required and the impact on the administration of the Department's usual activities, processing your request would involve a substantial and unreasonable diversion of resources from the Department's other operations.

On this basis, I am satisfied that a practical refusal reasons exists for the purposes of paragraph 24AA(1)(a) of the FOI Act.

### **Consultation period**

The consultation period during which you can consult the below contact person is **14 days** commencing after today and ending on **5:00pm 19 June 2017**.

Under section 24AB(6) of the FOI Act, you are required to notify the Department, in writing, before the end of the consultation period that you either:

- (a) Withdraw your request;
- (b) Make a revised request;
- (c) Indicate that you do not wish to revise the request.

### **Contact person**

The contact person whom you may consult is Mr François Murat who can be contacted by telephone on (02) 9263 3720 or by email at [FOI@health.gov.au](mailto:FOI@health.gov.au).

Under section 24AB(7) your request will have been taken to be withdrawn if you neither contact Mr Murat or the FOI Unit during the 14 days, nor do any of the things mentioned above at (a), (b) and (c).

### **Relevant provisions of the FOI Act**

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

<https://www.legislation.gov.au/Details/C2017C00102>

Yours sincerely



Louis Young  
Acting Assistant Secretary  
Primary Healthcare Branch

5 June 2016

