



2 January 2018

Our reference: LEX 33696

Mr Derek Adams

Only by email: foi+request-3631-0be75ccd@righttoknow.org.au

Dear Mr Adams

Freedom of Information request – Internal Review Decision

You requested an internal review of the decision made by an authorised decision maker of the Department of Human Services (**department**) under the *Freedom of Information Act 1982 (FOI Act)*, dated 28 November 2017 (LEX 30212) (**original decision**). Your request for internal review was received by the department on 2 December 2017.

I am authorised to make decisions under section 23(1) of the FOI Act, including internal review decisions under section 54C of the FOI Act, and my decision is set out below.

Original decision

On 14 June 2017, the department received your request for access to the following documents under the FOI Act:

‘Copies of the following documents in their original electronic file formats (eg .html for webpages, .xlsx or .xls for spreadsheets and so on):

All documents contained within the file "Perpetual Centrelink Calendar 107-03040000" as listed on this page:

<http://operational.humanservices.gov.au/public/Pages/debts/107-03040000-01.html>’.

On 28 November 2017, the department provided you with the original decision to provide you with access, in full, to the document.

Internal Review Decision

As is required by section 54C of the FOI Act, I am a decision maker other than the original decision maker. I have made a fresh decision in relation to your request.

The department holds one document (totalling one page) in scope of your request. This one page is the only page located within the ‘file’ you have specified.

I have decided to affirm the original decision and grant you access, in full, to the requested document (document 1).

I note you have requested access to the document in its ‘original electronic file format’. The document within the scope of your request is a webpage located on the department’s internal intranet.

It is not possible for the department to provide you with access to the document in its original electronic format, as to do so would require the department to facilitate your access to the department's intranet, which is only accessible to department employees.

Creating such access would result in you, an external third party, having access to Commonwealth government information, which you have no authority to access. Further, allowing external access to government systems would potentially create vulnerabilities in the system.

On this basis I have decided that providing you with access in the form requested would unreasonably interfere with the operations of the department, namely, the department's ability to maintain the integrity and security of the department's internal intranet pages.

Pursuant to section 20(3)(a) of the FOI Act, I have decided to provide you with access to the document in a PDF format.

Please see **Attachment A** for a schedule of the document.

Your submissions

In making my decision, I have had regard to your submissions, provided along with your request for internal review on 2 December 2017.

Broadly, you appear to be contending that the terms of your request and your historical correspondence with the department make clear that you are seeking access to 'the debt calculator'.

In the department's original decision, you were provided with full access to the contents of the relevant operational blueprint document webpage, as requested in the terms of your application. I consider that the original decision addressed the terms of your request and was correctly made. The department provided access to the contents of the relevant page in PDF format because, as detailed above, providing you access to the webpage itself would have required us to facilitate your access to the department intranet. Obviously, facilitating such access would have posed an unacceptable risk to the security of the department's systems.

In your submissions, you have posed a number of questions regarding the 'format of the perpetual debt calendar 'calculator' tool'. You have also provided some commentary regarding what you consider may be the nature of the tool. Due to the scope of your request, your commentary and the questions you have posed do not go to the substance of this internal review. For this reason, I do not propose to address them here. However, if you are interested in accessing the 'perpetual debt calendar', or interested in documents detailing the nature of the calendar, it is open to you to seek access to those documents by submitting a new FOI request.

You can ask for a review of the decision

If you disagree with any part of the decision you can ask for an external review by the Office of the Australian Information Commissioner. See **Attachment B** for more information about how arrange a review.

Further assistance

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

Yours sincerely

Jack

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

SCHEDULE OF DOCUMENTS**ADAMS, Derek - LEX 33696****INTERNAL REVIEW DECISION**

Doc No.	Pages	Description	Decision	Comments
1.	1	Operational Blue Print document – Perpetual Centrelink Calendar 107-03040000	Full access	



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a Freedom of Information decision

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

Asking for a formal review of an Freedom of Information decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for a review of the decision. Under section 54L of the FOI Act, you can apply for a review of an FOI decision by the Australian Information Commissioner.

Note 1: There are no fees for these reviews.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in the department within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can **lodge your application**:

Online: www.oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Email: enquiries@oaic.gov.au

Note 3: The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

Important:

- If you are applying online, the application form the 'Merits Review Form' is available at www.oaic.gov.au.
- If you have one, you should include with your application a copy of the Department of Human Services' decision on your FOI request.
- Include your contact details.

- Set out your reasons for objecting to the department's decision.

Complaints to the Australian Information Commissioner and Commonwealth Ombudsman

Australian Information Commissioner

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992
Website: www.oaic.gov.au

Commonwealth Ombudsman

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072
Website: www.ombudsman.gov.au

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.