



## Internal review decision made under the *Freedom of Information Act 1982*

Internal review decision and reasons for decision by Position Number 62210136  
Legal Services and Assurance Branch - Legal, Governance and Assurance Division

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**Applicant:** Verity Pane  
**Date of primary decision:** 13 September 2018  
**FOI reference number:** FOI 23543  
**Internal review decision date:** 15 October 2018  
**Internal review reference number:** IR 24470

Dear Ms Pane,

1. The purpose of this letter is to give you my decision about your request for internal review, under the *Freedom of Information Act 1982* (**the FOI Act**).
2. I have made a decision to affirm the original decision made by Position Number 62210022, Information Law Team, Legal Services and Assurance Branch, Legal, Governance and Assurance Division, to release two documents, in part, subject to your request.

### Background

3. I, Position Number 62210136, am an officer authorised by the Secretary of the Department of Veterans' Affairs (**the Department**) under section 23 of the FOI Act, to review decisions about access to documents in the possession of the Department, in accordance with section 54C of the FOI Act.
4. On 16 July 2018, you made a request for access to documents in the possession of the Department. Your request sought access to:

*... copy of the client satisfaction survey (<https://www.dva.gov.au/consultation-and-grants/client-satisfaction-survey>) sample selection methodology (a survey it is claimed is carried out biannually).*

*...*

*... any documentation recording or explaining as to why the survey is only carried out via the telephone via CATI (Computer-Assisted Telephone Interviewing) compared to online collection, using Survey Monkey or the other like platform (especially given the cost benefits). ...*

5. As an extension of time was applied to process your request, in accordance with subsection 15(6) of the FOI Act, a decision on your request was due by 14 September 2018.
6. The decision maker decided not to impose a charge in relation to your request, in accordance with subregulation 3(1) of the *Freedom of Information (Charges) Regulations 1982*.
7. On 13 September 2018, you were provided with a decision relating to access to two documents within the scope of your request. Those documents relevant to your request were provided to you in part, deleting irrelevant material, in accordance with subparagraph 22(1)(a)(ii) and subsection 22(2) of the FOI Act.
8. On 13 September 2018, you requested an internal review of the above decision. In your request, across two emails, you specifically stated:

*... I seek internal review to ensure a proper search for all relevant documents has occurred for all, and not just part of the scope of the FOI, as it seems the search has been very inefficient indeed.*

*...*

*Internal review is therefore necessary in order for DVA to search the most relevant place, which it artificially excluded in this response. ...*

## **Decision and Reasons for Decision**

9. I have made a decision to affirm the original decision to release two documents, in part, subject to your request.
10. I am satisfied that the Department has undertaken additional searches and have been unable to identify any further documents within the scope of your request, as set out in paragraph 4 above.
11. Further, I have decided that parts of the two released documents have been appropriately deleted/redacted. In that regard, I am satisfied that to give full access to those documents would disclose information that would reasonably be regarded as irrelevant to your request, as per the provisions in paragraph 7 above.
12. In making my decision, following the Information Law Team's request, to the relevant Business Area to undertake additional searches to ensure all relevant documents had been captured, I have taken the following material into account:
  - the terms of your primary request;
  - the terms of your request for an internal review;
  - the documents within the scope of your request;
  - the FOI Act;

- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act; and
- meeting/discussion with the relevant Business Area.

13. A full extract of the FOI Act provisions used to make my decision were provided in the original decision, in Schedule 2 '*Schedule of relevant provisions in the FOI Act*'.

## Your rights of review

14. Under section 54L of the FOI Act, if you are dissatisfied with my decision, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, lodged in one of the following ways:

**Online:** [www.oaic.gov.au](http://www.oaic.gov.au)  
**Post:** Office of the Australian Information Commissioner  
GPO Box 5218, Sydney NSW 2001  
**Facsimile:** (02) 9284 9666  
**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
**In person:** Level 3, 175 Pitt Street, Sydney NSW.

15. More information about your review rights under the FOI Act is available in Fact Sheet 12 published by the Office of the Australian Information Commissioner: <http://oaic.gov.au/freedom-of-information/foi-resources/freedom-of-information-fact-sheets/foi-factsheet-12-your-review-rights>

## Contacts

16. If you wish to discuss this decision, please do not hesitate to contact the Information Law Team, preferably by email: [informationlaw@dva.gov.au](mailto:informationlaw@dva.gov.au)

Yours sincerely,

*Position Number 62210136*

Legal Services & Assurance Branch  
15 October 2018