



## Charges notice made under the *Freedom of Information Act 1982*

Decision to impose a charge and preliminary assessment of charge of Information Law,  
Legal Services & Assurance

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**Applicant:** Verity Pane  
**Decision date:** 28 September 2018  
**FOI reference number:** FOI 24561  
**Documents:** Request for document to be created (as detailed at paragraph 3 below)

Dear Verity Pane

### Freedom of Information Request: FOI 24561

1. I have made a decision to impose charges in the amount of \$507.75.

### Authority to make this decision

2. I, Position Number 62210022, Information Law, Legal Services & Assurance, am an officer authorised by the Secretary of the Department of Veterans' Affairs (the Department) to make decisions about charges applying to requests for access to documents in the possession of the Department, in accordance with Section 23(1) of the *Freedom of Information Act 1982* (the FOI Act).

### Background

3. On 18 September 2018, you made a request for access to documents in the possession of the Department. Your request sought access to:

*Under s 17 of the FOI Act, I apply for a one page summary document to be compiled from information held in your agency's information systems, that sets out the number of DVA clients, by age group, that were referred to SPOC management by the Coordinated Care unit and Client Liaison Unit (to be listed separately) for the months of Jan 2018 to May 2018, by month.*

*As per the relevant ANAO report, the Client Liaison Unit (CLU) was established by DVA in September 2007, and the Coordinated Care (CC) unit in January 2010, following criticisms made by various preceding reviews.*

*DVA implemented the Case Coordination program to case manage clients identified (Level 3 or Level 2) as being at increased risk of self-harm or harm to others, who have multiple complex needs (although recent veterans who were at risk, such as Jesse Bird, were not managed by this unit). The Client Liaison Unit was established to case manage clients identified (Level 1) as vulnerable or having complex behaviours.*

*DVA breaks veterans into age groups referred to as 'young veterans' (64 and under) and 'veterans' (65 and over), based on historical retirement age. For the purpose of this FOI, we will stick to this age split.*

*Format of compiled document:*

*Unit.....FY15/16.....FY16/17.....FY17/18  
CLU - > 65  
CLU - 65+  
CC - > 65  
CC- 65+*

*The purpose of this FOI is to determine what DVA itself has determined are the numbers of vulnerable veterans, by age group, it has, by reference to the number of referrals it makes (which, as the Jesse Bird case reflects, will be a lower number than the actual number of vulnerable veterans DVA is communicating with, but gives some indicative evidence).*

### **Your liability to pay a charge**

4. In accordance with Section 29(1) of the FOI Act, I have decided that you are liable to pay a charge in relation to your request.

### **Preliminary assessment of the amount of the charge**

5. In accordance with Section 29(1)(b) of the FOI Act, the Department has undertaken a preliminary assessment of the amount of the charge you are liable to pay in relation to your FOI request. Accordingly, you are liable to pay \$507.75. A breakdown of this charge, as well as the basis on which the assessment is made, is provided for in detail at Schedule 1.

### **Deposit**

6. As the charge is more than \$100.00, you will need to pay a deposit of \$126.94 (which is 25% of the total charges applying to your request) before further action can be taken on your request. This amount is set in Regulation 12(2)(b) of the Freedom of Information (Charges) Regulations 1982.
7. The deposit is not refundable except in some limited circumstances (for example, if the Department fails to make a decision on your request within the statutory time limit), or may be refundable in part if the final charge is less than the deposit paid.

### **If you disagree with the Department's decision to impose a charge or the preliminary assessment of charges**

8. Under the FOI Act, you have the right to contend that the charge has been wrongly assessed, should be reduced, or should not be imposed.
9. In deciding whether a charge should be reduced or not imposed, the decision-maker in our agency must take into account:
  - whether payment of the charge, or part of it, would cause you financial hardship;
  - whether giving access to the document is in the general public interest or in the interest of a

substantial section of the public; and

- any other relevant matter.

10. If you elect to dispute the charge on the above grounds, the Department will proceed to consider your response and issue a decision in relation to the charges. You will be advised of your review rights when the decision is issued.

### **The time you have to respond and what you need to do**

11. You have 30 days to respond in writing to this notice. We therefore expect a response from you by Monday, 29 October 2018. By that date, you must do one of the following things in writing:

- agree to pay the charge, and:
  - forward a cheque for the charge in full, in the amount of \$507.75; or
  - forward a cheque for the required deposit, in the amount of \$126.94 (this will mean that you will not be entitled to access the requested documents until the full charge is paid);
- contend that the charge has been wrongly assessed, or should be reduced or not imposed and explain your reasons; or
- withdraw your request.

12. Please send your response, including payment of the charge in full or the required deposit, to:

**Post:** Legal Services & Assurance, Department of Veterans' Affairs  
GPO Box 9998, Canberra ACT 2601  
**Facsimile:** (02) 6289 6316  
**Email:** [information.access@dva.gov.au](mailto:information.access@dva.gov.au)

13. The period for processing your request is suspended from the day that you receive this notice and resumes on either the day you pay the charge (in full or the required deposit) or the day on which this agency makes a decision not to impose a charge.
14. If you fail to give the Department such notice within 30 days from the date of this notice, your request for access to the document will be taken to have been withdrawn.

### **Contact us**

15. If you wish to discuss this decision to impose a charge, or the preliminary charges estimate, please do not hesitate to contact me by email at [information.law@dva.gov.au](mailto:information.law@dva.gov.au) .

Yours Sincerely,

**Position Number 62210022**  
Information Law  
Legal Services & Assurance

28 September 2018



## Preliminary charges estimate made under the FOI Act

DOCUMENT ESTIMATE	
Number of relevant documents (once created)	1
Number of relevant pages (or other size descriptor) <i>Although the number of pages may be greater than 1, we have only charged at rate of 1 page</i>	1

PROCESSING CHARGES		
<b>Search and retrieval</b>		
<b>Task</b>	<b>Time</b>	<b>Cost @ \$15/hr</b>
Search and retrieval of relevant electronic and registry files <i>(at a rate of 3 minutes per file for 507 relevant estimated files)</i>	25.35	380.25
Search and retrieval of relevant pages in file <i>(at a rate of 1 minute per file to transpose data in format requested)</i>	8.45	126.75
Preparation of schedule of documents <i>(at 3 minutes)</i>	0.05	0.75
<b>Search and retrieval subtotal</b>	<b>33.85</b>	<b>507.75</b>
<b>Decision making</b>		
<b>Task</b>	<b>Time</b>	<b>Cost @ \$20/hr</b>
Examination of documents <i>(at 5 minutes per page)</i>	0.08	1.67
Consultation with third parties	0.00	0.00
Preparation of documents for release	0.00	0.00
Preparation of notice of access decision	1.00	20.00
Decision making subtotal (before deduction of 5 hours)	- 5 hours	- \$100.00
<b>Decision making subtotal (after deduction of first 5 hours free)</b>	<b>0.00</b>	<b>0.00</b>

ESTIMATED TOTALS AND DEPOSIT	
<b>ESTIMATED TOTAL</b>	<b>\$507.75</b>
<b>REQUIRED DEPOSIT</b>	<b>\$126.94</b>