



19 May 2014

Our reference: LEX 8298

'Anonymouse'

By email: [foi+request-609-68b60dfd@righttoknow.org.au](mailto:foi+request-609-68b60dfd@righttoknow.org.au)

Dear Anonymouse

**Your Freedom of Information request**

1. I refer to your request dated received by the Department of Human Services (the department) on 3 May 2014, for access under the *Freedom of Information Act 1982* (the FOI Act) to the following:

*"in relation to telephone call statistics. I specifically seek data for the period 2011-today [3 May 2014], including:*

1. *Any documents which contain information regarding the actual wait times for customers who call and are placed on hold.*
2. *Any documents which show the number of times a caller is transferred from one department to another.*
3. *Any documents which show the frequency of calls received by Centrelink on an hourly basis. For example - the number of calls between 9am - 10am, or 10am - 11am.*

*...QoS may also be referred to as a Service Level Agreement (SLA). It is a common clause in ICT contracts whereby a supplier will guarantee a certain level of availability of their systems and may pay penalties for failing to meet these targets.*

*My inquiry is specifically in regards to the software(s) used by Centrelink staff who answer telephone calls from customers and use these systems to retrieve client details or otherwise work on client files. I have been unable to ascertain the makers of these softwares from publicly available information and may be able to further refine my request below if these software vendors are made known to me.*

1. *Contract outlines and QoS/SAL information from contracts of ICT suppliers who have designed and/or work on maintaining this backend system for Centrelink.*
2. *Any documents or reports showing length of time, number of incidents, and causes for such incidents where this backend software was unavailable to Centrelink staff.*
3. *Any performance reports of the software suppliers for Centrelink's backend systems".*

2. I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to FOI requests.
3. I am writing to notify you of my intention to refuse your FOI request on the basis that a practical refusal reason exists, as defined under section 24AA of the FOI Act. I consider that the work involved in processing your request would substantially and unreasonably divert the resources of the department from its other operations, and that the second part of your request does not provide sufficient information to enable the department to properly identify the documents you are seeking.
4. Before I make a final decision to refuse your request, you have an opportunity to revise the request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have **14 days** to respond to this notice in one of the ways set out below.

### **Why I intend to refuse your request**

#### *Substantial and unreasonable diversion of resources*

5. Subparagraph 24AA(1)(a)(i) of the FOI Act provides that a practical refusal reason exists in relation to an FOI request if the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.
6. Subsection 24AA(2) of the FOI Act sets out certain factors which the department must consider when determining whether providing access to documents 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:
  - a) identifying, locating or collating the documents within the department's filing system
  - b) deciding whether to grant, refuse or defer access to a documents 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;
  - c) making a copy, or an edited copy, of the documents; and
  - d) notifying any interim or final decision on the request.
7. Based on preliminary enquiries with relevant staff within the department, I understand that the department generates call wait time hard/soft copy reports on a daily, weekly, quarterly, annual and ad-hoc basis. These reports are both at a high level (for example, wait times in relation to specific programs), and a detailed level (for example, individual telephony queues). Reporting is also generated for different stakeholders and purposes (for example, forecasting and scheduling, real time reporting or historical reporting). Given that you have requested 'any documents' which contain information regarding actual call wait times and your request covers a time period of approximately three years, this part of your request alone would capture a substantial amount of material held by a number of areas within the department who are involved in reporting on telephone call information. This also does not take into account the amount of call data available from which a report could potentially be generated.
8. Furthermore, as your request is for 'any documents', it potentially captures any briefing, email, report or other document that refers to customer wait times, that either summarises all instances or refers to individual instances where a customer has been placed on hold for whatever reason.

9. Similarly, in relation to the frequency of calls received by Centrelink, I understand that there is a large amount of information available, as a result of the department generating a number of reports for a range of stakeholders and purposes, though I am advised that the department does not produce as much reporting that shows hourly reports (it is usually daily reporting, and there is also some historic call data on a 15 minute interval basis). However, as you have requested 'any documents' over a three year period, I understand that this part of your request is quite broad in scope and captures a significant amount of material.
10. Even just taking into account these two aspects of the first part of your request, I consider that processing your request would substantially and unreasonably divert the resources of the department from its other operations. Specifically, I am advised by relevant areas within the department that, given the time period requested and the broad nature of your request as currently drafted, the number of documents generated by the department that fall within the scope of your request is unquantifiable without significant initial time being spent identifying relevant documents.
11. Accordingly, I have decided that a practical refusal reason exists under subparagraph 24AA(1)(a)(i) of the FOI Act as the work involved in processing your request would substantially and unreasonably divert the resources of the department from its other operations.
12. However, I note that there is also publicly available information available that may be of interest of you. In relation to call wait times, the department publishes high-level information in its Annual Report (for example, refer to pages 14 and 38 of the 2012-2013 Annual Report). Information is also publicly available through Questions on Notice, for example from the Senate Estimates 2013-14 Supplementary Estimates Hearings in November 2013, the department provided the following:

[http://www.aph.gov.au/~media/Estimates/Live/clac\\_ctte/estimates/sup\\_1314/DHS/Answers/009.pdf](http://www.aph.gov.au/~media/Estimates/Live/clac_ctte/estimates/sup_1314/DHS/Answers/009.pdf)

[http://www.aph.gov.au/~media/Estimates/Live/clac\\_ctte/estimates/sup\\_1314/DHS/Answers/046.pdf](http://www.aph.gov.au/~media/Estimates/Live/clac_ctte/estimates/sup_1314/DHS/Answers/046.pdf)

*Identification of documents*

13. Paragraph 24AA(1)(b) of the FOI Act provides that a practical refusal reason exists in relation to a request for a document if the request does not satisfy the requirement in paragraph 15(2)(b) of the FOI Act. Paragraph 15(2)(b) of the FOI Act provides that a request must provide such information as is reasonably necessary to enable the agency to identify the documents that are being requested.
14. In relation to the second part of your request, seeking information about ICT suppliers who have designed and/or work on maintaining the software(s) used by Centrelink staff who answer telephone calls from customers, I consider that your request does not sufficiently satisfy the requirement in paragraph 15(2)(b) of the FOI Act (identification of documents).
15. There are many staff across the department who use telephone systems and software to answer calls from customers, in addition to retrieving details or working on client files. There may also be a range of software that departmental employees use in the course of doing that work. As it is currently worded, your request is not restricted to call centre or front line customer service staff, if that is what you intended.
16. Without further information concerning the identity of the documents that you wish to request, your request does not comply with paragraph 15(2)(b) of the FOI Act.

17. Accordingly, I consider that your request does not satisfy the requirement in paragraph 15(2)(b) of the FOI Act. I have also decided that a practical refusal reason also exists under paragraph 24AA(1)(b) of the FOI Act in relation to your request.

#### **Request consultation process**

18. You now have an opportunity to revise your request to enable it to proceed. Revising your request can mean explaining in more detail the documents you wish to access. In this case, you may want to consider limiting your request to more specific types of documents or restricting the time period specified in your request. You may also want to consider providing further detail, if possible, about the nature of the software you have referred to in your request and/or the context in which that software is used by the department.
19. Before the end of the consultation period, you must do one of the following, in writing:
- a. withdraw your request;
  - b. make a revised request; or
  - c. tell us that you do not wish to revise your request.
20. The consultation period runs for **14 days** and starts on the day after you receive this notice.
21. During this period, you are welcome to seek assistance. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it (Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request).
22. If you do not do one of the three things listed above during the consultation period or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

#### **Further information**

23. In accordance with the FOI Act, the department has a period of 30 days to process your request. That time period may be extended if we need to consult third parties or for other reasons, and we will advise you if this happens. We will also advise you if a charge is payable to process your request and the amount of any such charge as soon as practicable. No charge is payable for providing a person with their own personal information.

#### **Disclosure Log**

24. Please note that information released under the FOI Act may be published in a disclosure log on the department's website. Section 11C of the FOI Act requires this publication, however it is subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

#### **Exclusion of junior departmental officer details**

25. The department is working towards ensuring that all employees have a choice about whether they provide their full name and direct contact details in response to public enquiries. Where such details

are included in the scope of a request, this may add to processing time and applicable charges as it may be necessary to consider whether the details are exempt under the FOI Act. On this basis, unless you tell us otherwise, we will assume that staff names, direct contact details and personal log-on identifiers are out of the scope of your request and they will be redacted under section 22 of the FOI Act.

**Contact officer**

26. I am the contact officer for this request. If you would like to revise your request or have any questions, you can contact me at the following address:

FOI Legal Team  
FOI and Information Release Branch  
Department of Human Services  
PO Box 7820  
Canberra Mail Centre ACT 2610

27. Alternatively, you can send an email to [FOI.Legal.Team@humanservices.gov.au](mailto:FOI.Legal.Team@humanservices.gov.au).
28. **If you do not contact the department within this period, your FOI request will be taken to have been withdrawn under section 24AB(7) and will not be dealt with any further.**

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Julian Russell', with a long horizontal stroke extending to the right.

Julian Russell  
Government Lawyer  
FOI and Information Release Branch | Legal Services Division  
Department of Human Services