



## Australian Government

### Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT  
BARTON

FOI/2014/066

Anonymouse-  
Right to Know

By email: [foi+request-610-2a9990f8@righttoknow.org.au](mailto:foi+request-610-2a9990f8@righttoknow.org.au)

Dear Applicant

I refer to your email of 3 May 2014 in which you sought information, and to our email dated 7 May 2014 in which we sought clarification of the scope of your request, indicating that to be valid it must be a request for documents, and not a request for information. I also refer to your further email of 9 May 2014 in which you revised your request to the Department of the Prime Minister and Cabinet (the Department) in the following terms:

*I seek any documents pertaining to the PM&C's internal social media guidelines, policies, procedures and training manuals.*

*Specifically I seek any documents which detail the PM&C's handling procedures, policies and guidelines of communications via the Twitter channel, @TonyAbbottMHR, the Tony Abbott Facebook page, facebook.com/TonyAbbottMP, and commenting on online platforms such as Reddit.com and news sites which provide commenting functions.*

The authorised decision-maker for your request is Ben Neal, Assistant Secretary, People Capability and Performance Branch.

#### **Notice of practical refusal reason**

I write to advise you that, subject to possible clarification which would narrow your request, Mr Neal considers 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. This constitutes a 'practical refusal reason' under section 24AA of the FOI Act. On this basis, Mr Neal intends to refuse access to the documents you have requested.

However, before Mr Neal makes a final decision to refuse the request for a practical refusal reason, you have an opportunity to revise your 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.

## **Reasons for intention to refuse your request**

Mr Neal advises that processing the request would constitute an unreasonable diversion of resources. The request as currently worded ('any documents pertaining to....') is too broad as to be manageable by the Department as it would potentially capture for example every email in the Department that received the Department's social policy email message when announced, and every email that requests, for example, that it be added to a division's meeting agenda. Mr Neal considers the effort required to process your request would be a substantial and unreasonable diversion of the Department's resources.

In reaching this view, Mr Neal has had regard to the public interest in access to information held by the Department and considers that the public interest in access is outweighed by the competing public interest in the ability of the Department to undertake its ordinary functions without substantial impairment.

Mr Neal acknowledges that the processing of requests for access to documents is a legitimate part of each agency's functions, and that FOI requests may require reallocation of resources within an agency. However, Mr Neal considers that the Department could not reasonably divert sufficient resources to assist in processing your request.

## **Request consultation process**

You now have an opportunity to revise your request to enable it to proceed. Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the specific documents you wish to access.

Mr Neal has made some suggestions as to how the request may be revised. You may consider resubmitting your request, limiting it to a more manageable size, such as:

*I seek PM & C's social media policy.*

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request;
- make a revised request; or
- tell us that you do not wish to revise your request.

The consultation period runs for 14 days and will start on the day after you receive this notice. I am the relevant person for you to contact for the consultation process.

If you were to revise your request in a way that adequately addresses the practical refusal grounds outlined above, we would recommence processing it. Please note that the time taken to consult with you regarding the scope of your request is not taken into account for the purposes of the initial 30 day time limit for processing your request.

If you do not do one of the three things listed above during the consultation period or you do not consult with me during this period, your request will be taken to have been withdrawn.

Should you wish to discuss any aspect of your request, please contact me by email at [foi@pmc.gov.au](mailto:foi@pmc.gov.au) or by phone on 02 6271 5849.

Yours sincerely

A handwritten signature consisting of the letters 'J' and 'A' followed by a period, written in a cursive style.

J.A  
FOI Adviser  
Legal Policy Branch

20 May 2014