



**Australian Government**

**Department of Health**

Department Reference: FOI 1563

Mr Andy Johnson

Via email: 'foi+request-6181-8c52ed49@righttoknow.org.au'

Dear Mr Johnson

**NOTICE OF DECISIONS UNDER  
THE FREEDOM OF INFORMATION ACT 1982**

**Request for access to documents under the FOI Act**

I refer to your request of 25 February 2020 to the Department of Health (department) seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to the following documents:

*'I would like to request a copy of all reports / documents delivered by consulting firm McKinsey & Company to the Department since 1990. In addition, I would like to request a copy of each invoice paid to McKinsey for each report (including \$ fees paid, rate card applied, and other commercial terms'*

On 13 March 2020, you refined the scope of your request to the following:

*'We can limit the search to last 5 years. Does that help?'*

*'Also we can exclude administrative documents. I'm interested in official reports delivered by McKinsey to the Department.'*

On this basis, I have interpreted your application under the FOI Act as a request for access to a document that is:

*'official reports delivered by McKinsey to the department in the last five years.'*

I am writing to advise you of my decision.

Freedom of Information Unit (MDP 516) GPO Box 9848 Canberra ACT 2601

Telephone: (02) 6289 1666 ABN: 83 605 426 759

### Decision on Charges

On 9 April 2020, the department sent you a Notice of Liability to Pay a Charge (charges notice).

I am authorised under section 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests.

I have decided to withdraw the charge payable to reflect the narrower scope of your request.

### Decision on Access

All reasonable steps have been taken to find documents to which you have sought access, including a thorough and extensive search of departmental holdings undertaken in consultation with relevant policy and program areas.

Thorough searches have been conducted of:

- the departmental file management system;
- electronic documents on the department's Parliamentary Document Management System; and
- individual and group email accounts.

I am satisfied the searches conducted were thorough and all reasonable steps have been taken to locate documents relevant to your request.

I am satisfied the documents to which you have sought access under the FOI Act do not exist. As a consequence, relying on section 24A of the FOI Act, I cannot provide access to any of the documents you requested.

### Review rights

If you are dissatisfied with either of my decisions, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

### *Internal review*

Under section 54 of the FOI Act, you may apply in writing to the department for an internal review of either of my decisions. The internal review application must be made within 30 days of the date of this notice (or such further period as the department allows). Where possible please provide reasons why you consider review of the decision is necessary. The internal review will be carried out by another officer of this department within 30 days.

An application for an internal review can be addressed to:

Email: [FOI@health.gov.au](mailto:FOI@health.gov.au)  
OR  
Mail:

FOI Unit (MDP 516)  
Department of Health  
GPO Box 9848  
CANBERRA ACT 2601

#### *Information Commissioner Review*

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>

You may also make a complaint to the Information Commissioner about action taken by the department in relation to your application. Further information can be obtained from the OAIC website.

#### Relevant provisions

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website: <https://www.legislation.gov.au/Details/C2020C00110>

#### **Additional Information**

While the department does not hold the document to which you have sought access, I can provide information outside the FOI Act regarding the type of information to which you have sought access.

#### Invoices

Your initial request of 25 February 2020 sought access to 'a copy of each invoice paid to McKinsey for each report'.

AusTender provides centralised publication of Australian Government business opportunities, annual procurement plans and contracts awarded. The total value of contracts awarded to McKinsey by the department since February 2015 can be found on AusTender.

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Information regarding contracts awarded to external consultants by the department, including the total value of contracts, contract period, and a description of the services provided under the contract, is publicly available on AusTender. Please see the link below:

<https://www.tenders.gov.au/Search/CnAdvancedSearch?Type=Cn&AgencyUid=0eca80c0-ec9f-b5b9-0d3e-8a4537c39808&AgencyStatus=2&Keyword=McKinsey&KeywordTypeSearch=AllWork&DateType=Publish%20Date&DateStart=25-Feb-2015&DateEnd=25-Feb-2020>

### Official Reports

In your email of 13 March 2020, you requested access to 'official reports' delivered by McKinsey to the department.

McKinsey has not provided any documents that could reasonably be described as 'official reports'. However, McKinsey has provided administrative documents to the department, such as agenda papers, to facilitate the development of projects such as the National Medical Workforce Strategy - Scoping Framework (the Framework). Since October 2019, McKinsey has been leading stakeholder consultations on the department's behalf to inform the drafting of the Framework, which is publicly available on the department's website. Please see the link below:


[https://www1.health.gov.au/internet/main/publishing.nsf/Content/7A398D58837F631ACA2583F8007D1CCT/\\$File/FINAL%20-%20WORD%20-%20NMTWS%20Scoping%20Framework%20-%20July%202019.pdf](https://www1.health.gov.au/internet/main/publishing.nsf/Content/7A398D58837F631ACA2583F8007D1CCT/$File/FINAL%20-%20WORD%20-%20NMTWS%20Scoping%20Framework%20-%20July%202019.pdf)

I hope the additional information provided about AusTender and the Framework is useful.

### **Contacts**

If you require clarification of my decisions under the FOI Act or the other matters discussed in this letter, please contact the Freedom of Information Unit on (02) 6289 1666 or at [FOI@health.gov.au](mailto:FOI@health.gov.au).

Yours sincerely

  
Stephen Bouwhuis  
Assistant Secretary  
Legal Advice and Legislation Branch

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May 2020

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