



Australian Government

Australian Public Service Commission

Mr John Smith

By email: foi+request-6202-01462995@righttoknow.org.au

Our reference: SHC20-982

Dear Mr Smith

Freedom of Information request

1. I am writing about your request under the *Freedom of Information Act 1982* (FOI Act) for access to documents held by the Australian Public Service Commission (the Commission). Your request was received by this office on 6 March 2020.
2. The FOI Act is publicly available from www.legislation.gov.au.

Documents relevant to your request

3. You requested access to documents in the following terms:

"I request abstract documents that contain both of the terms "Section 6" or "s6", and the term "labour hire".

Please limit your search to documents that are stored as word documents; or emails where those terms are mentioned within the text body or subject line of the email."

Request consultation process

4. I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.
5. I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size and complexity. This is called a 'practical refusal reason' under subsection 24AA(1) of the FOI Act.
6. On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, 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.

Why I intend to refuse your request

7. You requested access to documents containing the terms “Section 6” or “s6” and the term “labour hire”. The Commission’s records management area has undertaken a search of electronic records using these search terms.
8. The Commission’s records management area has advised that a search of electronic records for the following terms identified approximately 22,000 documents:
 - “section 6” and “labour hire”; or
 - “s6” and “labour hire”.
9. I have decided that a practical refusal reason exists because examining 22,000 documents would substantially and unreasonably divert the resources of the agency:
10. Under subsection 24AA(2) of the FOI Act an agency or minister must have regard to the resources that would have to be used for:
 - identifying, locating or collating the documents within the filing system of the agency or the office of the Minister
 - deciding whether to grant, refuse or defer access to a document 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 with any person or body in relation to the request)
 - making a copy or an edited copy, of the document
 - notifying any interim or final decision on the request.
11. In relation to your request, the Commission would be required to examine 22,000 documents for the purpose of deciding whether to grant, refuse or defer access to the documents you have requested. Additional time would be required to make copies or edited copies of the documents and to prepare a decision on your request.

Request consultation process

12. You now have an opportunity to revise your request to enable it to proceed.
13. Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, our agency will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.
14. Before the end of the consultation period, you must do one of the following, in writing:
 - withdraw your request
 - make a revised request
 - tell us that you do not wish to revise your request.

15. The consultation period runs for 14 days and starts on the day after you receive this notice.
16. During this period, you are welcome to seek assistance from the Commission to revise your request. 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.)
17. If you do not do one of the three things listed above during the consultation period or you do not consult the Commission during this period, your request will be taken to have been withdrawn.

Contacts

18. If you require clarification on matters in this letter please contact the Commission's FOI Coordinator by telephone on (02) 6202 3500 or by email at foi@apsc.gov.au.

19. Yours sincerely

Yours sincerely



Sayuri Grady

Authorised FOI decision maker

1 April 2020