



18 February 2021

Our reference: LEX 60515

Mr Ben Fairless

Only by email: foi+request-7027-159195ba@righttoknow.org.au

Dear Mr Fairless

Decision on your Freedom of Information Request

I refer to your request received by Services Australia on 19 January 2021, for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following documents:

Background: There are messages on customer service lines reminding customers that they will be treated with courtesy and respect, and asking that customers treat staff the same way.

Would you be able to provide the documents in relation to the decision to have this message installed on customer service lines?

I am happy for the names and direct contact details (but not positions) of individuals to be excluded as irrelevant under this request.

Please consider processing this request administratively (outside the FOI Act) if possible. If you are unable to do so, please consider it a formal FOI request.

My decision

I have decided to refuse your request for access under section 24A of the FOI Act as all reasonable steps have been taken to locate the documents you have requested and I am satisfied they do not exist. Please see **Attachment A** for the reasons for my decision.

You can ask for a review of our decision

If you disagree with any part of the decision you can ask for a review. There are two ways you can do this. You can ask for an internal review from within Services Australia, or an external review by the Office of the Australian Information Commissioner. You do not have to pay for a review of the decision. See **Attachment B** for more information about how to request a review.

Further assistance

If you have any questions please email FOI.Legal.Team@servicesaustralia.gov.au.

Yours sincerely

Megan
Authorised FOI Decision Maker
Freedom of Information Team
Employment Law and Freedom Of Information Branch | Legal Services Division
Services Australia

REASONS FOR DECISION

What you requested

On 19 January 2021, you sought access to:

Background: There are messages on customer service lines reminding customers that they will be treated with courtesy and respect, and asking that customers treat staff the same way.

Would you be able to provide the documents in relation to the decision to have this message installed on customer service lines?

I am happy for the names and direct contact details (but not positions) of individuals to be excluded as irrelevant under this request.

Please consider processing this request administratively (outside the FOI Act) if possible. If you are unable to do so, please consider it a formal FOI request.

What I took into account

In reaching my decision I took into account:

- your request dated 19 January 2021
- consultations with Services Australia officers about Services Australia's operating environment and functions
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the **Guidelines**), and
- the FOI Act.

Reasons for my decisions

I am authorised to make decisions under section 23(1) of the FOI Act.

Section 24A of the FOI Act

Section 24A of the FOI Act provides:

- (1) An agency or Minister may refuse a request for access to a document if:
 - (a) all reasonable steps have been taken to find the document; and
 - (b) the agency or Minister is satisfied that the document:
 - (i) is in the agency's or Minister's possession but cannot be found; or
 - (ii) does not exist.

The Child Support, Indigenous and Tailored Services Division conducted searches for any documents relevant to the scope of your request. The Division's aim is to improve customer experiences and the Division is responsible for requests that relate to customer aggression. I am satisfied that the Division is the relevant business area for your request.

The Division advised that searches were conducted in the shared drive where Customer Aggression Committee documents are stored. Searches were also conducted in the personal and positional mailboxes of relevant team members within the Division. The searches did not identify any documents relating to the decision to implement a message on customer service lines reminding customers they will be treated with respect and to treat the staff in the same way.

On the basis of these searches, I am satisfied in accordance with section 24A of the FOI Act:

1. all reasonable steps have been taken to find the documents, and
2. the documents do not exist.



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a freedom of information (FOI) decision

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

Asking for a formal review of a FOI decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (**FOI Act**) gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

1. an Internal Review Officer in Services Australia; and/or
2. the Australian Information Commissioner.

Note 1: There are no fees for these reviews.

Applying for an internal review by an Internal Review Officer

If you apply for internal review, a different decision maker to the Services Australia delegate who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be:

- made in writing
- made within 30 days of receiving this letter
- sent to the address at the top of the first page of this letter.

Note 2: You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in Services Australia within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can **lodge your application**:

Online: www.oaic.gov.au
Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001
Email: enquiries@oaic.gov.au

Note 3: The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

Important:

- If you are applying online, the application form the 'Merits Review Form' is available at www.oaic.gov.au.
- If you have one, you should include with your application a copy of the Services Australia decision on your FOI request
- Include your contact details
- Set out your reasons for objecting to Services Australia's decision.

Complaints to the Australian Information Commissioner and Commonwealth Ombudsman

Australian Information Commissioner

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992
Website: www.oaic.gov.au

Commonwealth Ombudsman

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072
Website: www.ombudsman.gov.au

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.