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29 April 2021

Karen Reynolds

By email: [foi+request-7219-741a89c4@righttoknow.org.au](mailto:foi+request-7219-741a89c4@righttoknow.org.au)

Dear Karen Reynolds

### **Freedom of Information request — Request consultation process**

Thank you for your correspondence of 14 April 2021, in which you requested access under the *Freedom of Information Act 1982* (FOI Act) to documents held by the National Disability Insurance Agency (NDIA).

#### **Scope of your request**

You have requested access to documents about the National Disability Insurance Scheme (NDIS). Specifically, you requested access to:

*“...a list of all staff employed within the Agency's new Sustainability Action Taskforce, as well as any correspondence that relates to terms of reference or scope of the Taskforce.*

*I also request any documents, notes, emails, transcripts or other information which relates to the development of an algorithm in relation to scheme sustainability from 2017”*

#### **Practical refusal**

I am authorised to make decisions under the FOI Act.

I am writing to advise that your request does not provide enough information about the documents you are seeking access to, and in its current form is likely to result in a substantial and unreasonable diversion of resources. This is called a ‘practical refusal reason’ under section 24AA of the FOI Act.

On this basis, I intend to refuse your request. However, before I make a final decision, I am writing to provide you with 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 –**

I have conducted a preliminary search for documents which are likely to be relevant to your request. This search has revealed that the NDIA is in possession of more than 370 individual documents matching the scope of your request, not including any attachments which may be contained within those documents.

Based on a preliminary examination of a sample of 5% of the documents found in this search, I consider that:

- the total amount of pages of all the documents within the scope of the request is likely to exceed 5,550; and
- allowing one minute per page, it would take approximately 93 hours to review and collate the documents.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

### **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 documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, the NDIA will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

You have 14 days from the date you receive this letter to contact me and do one of the following:

- a. withdraw your request;
- b. make a revised request; or
- c. indicate that you do not wish to revise the request.

During this period, you are welcome to seek assistance to revise your request. If you revise your request in a way that adequately addresses the practical refusal reason outlined above, we will 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 timeframe for processing your request.

You can contact me by email at [foi@ndis.gov.au](mailto:foi@ndis.gov.au)

Alternatively, you can reply in writing to the following address:

Freedom of Information Section  
Parliamentary, Ministerial & FOI Branch  
Government Division  
National Disability Insurance Agency  
GPO Box 700  
CANBERRA ACT 2601

If you do not contact me within this period, that is by **13 May 2021**, your FOI request will be taken to have been withdrawn under subsection 24AB(7) and will not be dealt with any further.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

### **Ausilia Woodhead**

Assistant Director  
Parliamentary, Ministerial & FOI Branch  
Government Division