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ndis.gov.au

28 April 2021

Jacqueline Softly

By email: foi+request-7230-69a444c9@righttoknow.org.au

Dear Jacqueline Softly

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:

“...I understand the NDIA is no longer going to allow participants to directly pay their service providers. I understand this will be done by a company contracted to the NDIA.

Please provide any/all information that supports this policy change:

Rationale - what is this move based on?

What consideration was given to whether participants wanted this change? What consultation was carried out and any data gathered to support the change.

Expected outcomes - what does NDIA expect to achieve?

How this change will be monitored, evaluated, reported on.

Measures to safeguard the rights of participants and their nominees.

Please also provide any information regarding the contract to do this work including:

Who the contractor is.

How the contractor was selected. Process, selection criteria, conflicts of interest etc How much they will be paid.

Length and terms of contract.

Details of their role e.g simply paying invoices provided to them, or a role in judging whether an invoice should be paid?

How the contractor role will interface with participants and their nominees and safeguards for participants and nominees.

What actions will be required of participants and nominees to make sure providers are paid. What information and support will be given to participants and nominees to enable them to take part in the process.

Any other information relevant to this policy change, contract details and impact on participants and nominees.”

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 –

Your request does not satisfy section 15(2)(b) of the FOI Act, as the terms of your request are too broad and we are unable to identify the specific documents that you seek.

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

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 **12 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