

25 May 2021

Karen Reynolds

By email: foi+request-7248-15e3433e@righttoknow.org.au

Dear Karen Reynolds

Freedom of Information request — Notification of Decision

Thank you for your correspondence of 15 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).

The purpose of this letter is to provide you with a decision on your request.

Scope of your request

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

“...I request a copy of any report, actuarial figures, documents, emails or other information relating to the information in this story about 'postcode disparity' between funding levels and any aligned information provided to the Minister, including details about thin markets, demographic information about CALD and ATSI status and other factors that may impact upon funding levels.

<https://www.examiner.com.au/story/7163186/disability-scheme-budgets-less-in-states-regional-areas/>”

On 7 May 2021 you revised the scope of your request to be for the following documents:

“...a copy of any report or data provided to Minister Roberts and/or his office during the period that immediately preceded his public speaking on this matter and which was in response to a request by his office for disaggregation of data by federal electorate (which is not usually collated by the Agency).

- *A copy of the Minister's email request for the data, or a copy of any email that asked for information to be provided in a format that was disaggregated by federal electorate rather than usual NDIA reporting format*
- *a copy of any information that related to the above correspondence and the provision of a report to Minister Roberts office and/or DSS*
- *a copy of the actual report or data that was provided”*

Decision on access to documents

I am authorised to make decisions under the FOI Act. My decision on your request and the reasons for my decision are set out below.

I have identified two documents (including attachments) which fall within the scope of your request.

The documents were identified by conducting searches of NDIA's systems, using all reasonable search terms that could return documents relevant to your request, and consulting with relevant NDIA staff who could be expected to be able to identify documents within the scope of the request.

I have decided to grant access to two documents in full.

In reaching my decision, I took into account the following materials:

- your correspondence outlining the scope of your request;
- the nature and content of the documents falling within the scope of your request;
- the FOI Act;
- the FOI Guidelines;
- consultation with relevant NDIA staff; and
- the NDIA's operating environment and functions.

Access to edited copies with exempt or irrelevant material deleted (section 22)

I have identified that documents falling within the scope of your request contain material that is irrelevant to your request. The irrelevant material relates to staff names and contact information, as well as information included within an email chain which is not relevant to the subject matter of your request.

In accordance with section 22 of the FOI Act, I have considered whether it is possible to delete the irrelevant material from the documents and have concluded that it is reasonably practicable to do so. Accordingly, I have prepared an edited copy of the documents with the irrelevant material removed.

Release of documents

The documents for release, as referred to in the Schedule of Documents at **Attachment A**, are enclosed.


Further, given that requests for data broken down by electorate are regularly made by members of parliament, you may wish to search the [Parliament of Australia](#) website, if you are seeking further information about electorates, with an example found [here](#), which may assist you in your search.

Rights of review

Your rights to seek a review of my decision, or lodge a complaint, are set out at **Attachment B**.

Should you have any enquiries concerning this matter, please do not hesitate to contact me by email at foi@ndis.gov.au.

Yours sincerely



Ausilia Woodhead

Parliamentary, Ministerial & FOI Branch
Government Division

Schedule of Documents for FOI 20/21-0652

Document number	Page number	Description	Access Decision	Comments
1	1-5	Email Subject: RE: Data Request - participant comparisons [SEC=OFFICIAL:Sensitive] Dated 16.02.2021	FULL ACCESS	Irrelevant material removed under section 22 of the FOI Act.
1.1	6-9	Active participants split by state, electorate (CED) Data as at 31.12.2020	FULL ACCESS	

Your review rights

Internal Review

The FOI Act gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision, you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the review process, you should clearly outline your grounds for review (that is, the reasons why you disagree with the decision). Applications for internal review can be lodged by email to foi@ndis.gov.au or sent by post to:

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

Review by the Office of the Australian Information Commissioner

The FOI Act also gives you the right to apply to the Office of the Australian Information Commissioner (OAIC) to seek a review of this decision.

If you wish to have the decision reviewed by the OAIC, you may apply for the review, in writing, or by using the online merits review form available on the OAIC's website at www.oaic.gov.au, within 60 days of receipt of this letter.

Applications for review can be lodged with the OAIC in the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001
Email: enquiries@oaic.gov.au
Phone: 1300 363 992 (local call charge)

Complaints to the Office of the Australian Information Commissioner or the Commonwealth Ombudsman

You may complain to either the Commonwealth Ombudsman or the OAIC about actions taken by the NDIA in relation to your request. The Ombudsman will consult with the OAIC before investigating a complaint about the handling of an FOI request.

Your complaint to the OAIC can be directed to the contact details identified above. Your complaint to the Ombudsman can be directed to:

Phone: 1300 362 072 (local call charge)
Email: ombudsman@ombudsman.gov.au

Your complaint should be in writing and should set out the grounds on which it is considered that the actions taken in relation to the request should be investigated