

16 June 2021

Shirley Humphris

**By email:** [foi+request-7264-96875c08@righttoknow.org.au](mailto:foi+request-7264-96875c08@righttoknow.org.au)

Dear Shirley Humphris

### **Freedom of Information request — Notification of Decision**

Thank you for your correspondence of 16 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:

1. *The number of reports of fraud against participants between Jan 1st 2019 to Jan 1st 2020*
2. *The number of the above reports investigated.*
3. *The number of those investigations that found fraud.*
4. *The reasons of the above investigations found to be fraudulent.*
5. *The amount of money found to be fraudulently used by participants during the same time period.*
6. *The number of random audits of participants conducted during the above time period.*
7. *The number of those audits that revealed fraud*
8. *The amount of money of that fraud*
9. *The reasons that the money was found to be used fraudulently.*
10. *The numbers that have had self management [sic] revoked due to fraud during the above time period.*
11. *The numbers of alledged [sic] fraud actions in that time period that were appealed*
12. *The results of the appeals.*

### **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.

The information you requested was not available in a separate written document at the time of your request. However, we have been able to produce a document containing the information you have requested. I have therefore treated your request as if it were a request for access to this document in accordance with section 17 of the FOI Act.

I have identified one document which falls within the scope of your request.

The document was 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 one document 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.

**Release of documents**

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

**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](mailto:foi@ndis.gov.au).

Yours sincerely



**Ausilia Woodhead**

Assistant Director  
Parliamentary, Ministerial & FOI Branch  
Government Division

## Schedule of Documents for FOI 20/21-0676

Document number	Page number	Description	Access Decision	Comments
1	1-3	FOI 20/21-0676 – Response to request  Dated: 04/2021	FULL ACCESS	Document created under section 17 of the FOI Act.

## 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](mailto: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](http://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](http://www.oaic.gov.au)  
Post: GPO Box 5218, Sydney NSW 2001  
Email: [enquiries@oaic.gov.au](mailto: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](mailto: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