



18 June 2021

Our reference: LEX 62938

Ms Melissa Jones

Only by email: foi+request-7457-3f3ad6d5@righttoknow.org.au

Dear Ms Jones

**Your Freedom of Information Request
Acknowledgement and Notification of Formal Consultation**

I refer to your request to Services Australia (the agency) dated 11 June 2021, for access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

Please provide a dollar figure for the last 5 financial years general ledger for the department.

We are not asking for the details being the GL just the expenditure by line item for the department for the 5 years

Currently your request does not sufficiently identify the documents you require. As such, the agency is now formally consulting with you under section 24AB of the FOI Act.

This letter is giving you an opportunity to provide us with specific information about the documents you need. Providing this additional information will assist the agency in processing your request.

If you decide not to provide further information or revise your request, I will have to refuse your freedom of information (FOI) request as a 'practical refusal reason' exists. For a more detailed explanation of what this means, please see [Attachment A](#).

Publicly available information which may assist

After conducting preliminary enquiries with relevant business areas within the agency, I have been advised detailed financial information which may be relevant to your request is included in the agency's Annual Reports. The information is contained in the financial statements section of the Annual Reports.

The agency's website provides the Annual Reports from the inception of the agency and its predecessor, the Department of Human Services. You can find the annual reports [here](#).

If the information provided in the annual reports is what you are seeking, we would appreciate it if you withdrew your FOI request.

How to send us a 'revised request'

Before I make a final decision on your request, you can submit a revised request.

Within the next 14 days (consultation period) you must do one of the following, in writing:

- withdraw the request
- make a revised request, or

- tell us that you do not want to revise your request.

If you do not contact us during the consultation period, your matter will be taken as withdrawn. Your response will be expected by **2 July 2021**. See Attachment A for relevant sections of the FOI Act.

If you decide to make a revised request you should be specific about what documents you actually want. This could help the agency find the documents.

Contact officer

I am the contact officer for your request. During the consultation period you are welcome to ask for my help in revising your request. You can contact me:

- in writing to the address at the top of this letter, or
- via email to FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Note: When you contact us please quote the reference number FOI LEX 62938.

Timeframe for processing your request

Your request was received by the agency on 11 June 2021 and the 30 day statutory period for processing your request commenced from the day after that date. However, please note the consultation period referred to above is not included in this 30 day time period. The period of 30 days may also be extended if we need to consult third parties or for other reasons.

Charges

The agency will advise you if a charge is payable to process your request and the amount of any such charge as soon as practicable. No charge is payable for providing a person with their own personal information.

Your address

The FOI Act requires that you provide us with an address which we can send notices to. You have advised your electronic address is foi+request-7457-3f3ad6d5@righttoknow.org.au. We will send all notices and correspondence to this address. Please advise us as soon as possible if you wish correspondence to be sent to another address or if your address changes. If you do not advise us of changes to your address, correspondence and notices will continue to be sent to the address specified above.

Administrative release of documents

The agency has administrative access arrangements (arrangements) for the release of certain documents without the need for a formal FOI request. Unless you advise us otherwise, in processing your request we may provide you with documents under these arrangements where appropriate. The arrangements do not extend to information or materials of third parties. You will be notified when documents are released to you under the arrangements.

Disclosure log

Please note that information released under the FOI Act may be published in a disclosure log on the agency's website. Section 11C of the FOI Act requires this publication, however it is subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

Exclusion of junior staff details

The agency is working towards ensuring all staff have a choice about whether they provide their full name, personal logon identifiers and direct contact details in response to public enquiries. Where such details are included in the scope of a request, this may add to processing time and applicable charges as it may be necessary to consider whether the details are exempt under the FOI Act. On this basis, unless you tell us otherwise, we will assume these details are out of scope of your request and they will be redacted under section 22 of the FOI Act.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Yours sincerely

Lachlan

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

What I took into account

You requested access under the FOI Act to the following documents:

Please provide a dollar figure for the last 5 financial years general ledger for the department.

We are not asking for the details being the GL just the expenditure by line item for the department for the 5 years

Your request is unclear

As your request currently stands, I am unable to identify some of the documents falling within the scope of your request, and am therefore unable to process your request.

In the first part of your request, you have referred to seeking a 'dollar figure for the last 5 financial years [sic] general ledger for the department.' It is unclear whether this is seeking a dollar figure which captures each of the last 5 years separately, or a combined figure.

In the second part of your request, you have referred to seeking 'just the expenditure by line item for the department for the 5 years.' It is unclear what you mean when you refer to "line item".

We also require clarification around your use of the term "expenditure". Documents relating to expenditure could include a variety of documents which may or may not have been intended to be captured by your request, such as receipts for purchases, payslips of agency officers and payments to customers of the agency. Without clarification this part of your request is too unclear to process.

In summary, we require the below aspects of your request to be clarified:

- what document/s you require in relation to the first part of your request
- what you mean when referring to 'expenditure', and
- what you mean when referring to 'line item'.

If you do not revise, I intend to refuse your FOI request as a 'practical refusal reason' exists under sections 24AA(1)(b) and 24 of the FOI Act. Under the FOI Act, the practical refusal reason is that your request does not satisfy the requirements in section 15(2)(b) (identification of documents).

Relevant sections of the *Freedom of Information Act 1982*

Section 24AA(1)(b) of the FOI Act provides that a practical refusal reason exists in relation to a request for a document if the request does not satisfy the requirement in section 15(2)(b) of the FOI Act.

Section 15(2)(b) of the FOI Act provides that a request must provide such information as is reasonably necessary to enable the agency to identify the documents that are being requested.

Section 24AB(6) says that the applicant must, before the end of the consultation period, do one of the following, by written notice to the agency or Minister:

- withdraw the request
- make a revised request, or
- indicate that the applicant does not wish to revise the request.

Section 24AB(7) of the FOI Act provides that the request is taken to have been withdrawn at the end of the consultation period if:

- the applicant does not consult the contact person during the consultation period in accordance with the notice, or
- the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.