



26 November 2021

Our reference: LEX 65102

Posty

Only by email: [foi+request-8027-6c6515d3@righttoknow.org.au](mailto:foi+request-8027-6c6515d3@righttoknow.org.au)

Dear Posty

### **Decision on your Freedom of Information Request**

I refer to your request to Services Australia (the agency) dated 27 October 2021 for access to documents under the *Freedom of Information Act 1982* (FOI Act). You requested access to:

All documents contained within the file "Reviews and appeals 109-03000000" as listed on this page - referred to as your "Operational Blueprint" portal:

<https://operational.humanservices.gov.au/public/Pages/review-of-decision-and-appeals/109-03000000-01.html>

This includes all three "tabs" on the page - "Background", "Process", "Training and Support".

### **My decision**

The agency holds one document relating to your request. I have decided to grant you **part access** to this document, with some of the content removed.

I have decided parts of this document are exempt under the FOI Act because they contain operational information, the disclosure of which would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of Services Australia and release is contrary to the public interest.

Please [Attachment A](#) for the reasons for my decision.

### **How we will send the document to you**

The document is attached.

### **You can ask for a review of our decision**

If you disagree with any part of the decision you can ask for a review. There are two ways you can do this. You can ask for an internal review from within the agency, or an external review by the Office of the Australian Information Commissioner. See [Attachment B](#) for more information about how to request a review.

**Further assistance**

If you have any questions please email [FOI.LEGAL.TEAM@servicesaustralia.gov.au](mailto:FOI.LEGAL.TEAM@servicesaustralia.gov.au).

Yours sincerely

**Philippa**

Authorised FOI Decision Maker  
Freedom of Information Team  
Information Access Branch | Legal Services Division  
Services Australia

**SCHEDULE OF DOCUMENTS FOR RELEASE**  
**POSTY (Right to Know) - LEX 65102**

Document Number	Pages	Description	Decision	FOI Act Exemption	Comments
1.	1 - 9	Operational Blueprint Reviews and appeals 109-03000000	Release in part	47E(d)	Information, if released, would or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of the agency.

## REASONS FOR DECISION

### What you requested

On 27 October 2021 you requested:

All documents contained within the file "Reviews and appeals 109-03000000" as listed on this page - referred to as your "Operational Blueprint" portal:

<https://operational.humanservices.gov.au/public/Pages/review-of-decision-and-appeals/109-03000000-01.html>

This includes all three "tabs" on the page -

"Background", "Process", "Training and Support".

### What I took into account

In reaching my decision I took into account:

- your request dated 27 October 2021
- the document falling within the scope of your request
- whether the release of material is in the public interest
- consultations with agency officers about the agency's operating environment and functions, and
- the FOI Act.

### Reasons for my decisions

I am authorised to make decisions under section 23(1) of the FOI Act.

I have decided parts of the document you have requested are exempt under the FOI Act.

#### Operations of the agency

I have applied the exemption in section 47E(d) of the FOI Act to parts of the document.

This section of the FOI Act allows the agency to redact material from a document if its disclosure would have a serious or significant effect on the agency's ability to conduct its operations efficiently and properly.

The requested document contains a guide on the internal and external review processes for decisions made by Centrelink. I am satisfied this information is relevant to the implementation, delivery and management of a process administered by the agency, and therefore is relevant to the conduct of the agency's operations.

I consider providing the exempt material to you, which is not publicly available, would negatively affect the conduct of the operations of the agency because it would enable customers to circumvent processes relating to requesting reviews and appeals, or to tailor

review applications for the purpose of obtaining a favourable decision. Furthermore, it is reasonably likely that disclosure of the exempted information would allow individuals to circumvent elements of the agency's processes and arrange their affairs in a manner that would allow them to manipulate the agency's processes to their own advantage.

This would in turn create a significant risk the agency would be unable to identify review and appeal applications which should be rejected. Furthermore, in compromising the agency's ability to accurately assess and/or undertake reviews of decisions and provide appropriate advice, the release of this information also has the potential to compromise numerous past decisions made in respect of other individuals who have been through the review and appeals process who did not have access to these internal processes.

While I have no reason to believe you would misuse the exempt material in this way, the FOI Act does not control or restrict use or dissemination of the information once released in response to an FOI request, so I must consider actions any member of the public might take once the information enters the public domain.

#### *Public interest considerations*

Access to conditionally exempt material must be given unless I am satisfied it would not be in the public interest to do so.

I consider the disclosure of the material would generally promote the objects of the FOI Act, which is in the public interest. However, I also consider disclosure would increase the likelihood individuals would use process information to circumvent or manipulate steps in appeals and reviews of Centrelink decisions, and tailor their applications to receive a favourable decision. This in turn would significantly prejudice the agency's ability to promptly and effectively deliver services to the Australian public.

As such, I find the public interest factors in favour of disclosing the material is outweighed by the public interest factors against disclosure.

I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act in making this decision.

I have deleted the exempt information in the documents and released the remaining material in accordance with section 22(1) of the FOI Act.

## **INFORMATION ON RIGHTS OF REVIEW**

### ***FREEDOM OF INFORMATION ACT 1982***

#### **Asking for a full explanation of a Freedom of Information decision**

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

#### **Asking for a formal review of an Freedom of Information decision**

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

1. an Internal Review Officer in Services Australia (the agency), and/or
2. the Australian Information Commissioner.

**Note 1:** There are no fees for these reviews.

#### **Applying for an internal review by an Internal Review Officer**

If you apply for internal review, a different decision maker to the agency delegate who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be:

- made in writing
- made within 30 days of receiving this letter
- sent to the address at the top of the first page of this letter.

**Note 2:** You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

#### **Applying for external review by the Australian Information Commissioner**

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in the agency within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can lodge your application:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

**Note 3:** The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

**Important:**

- If you are applying online, the application form the 'Merits Review Form' is available at [www.oaic.gov.au](http://www.oaic.gov.au).
- If you have one, you should include with your application a copy of the Services Australia decision on your FOI request
- Include your contact details
- Set out your reasons for objecting to the agency's decision.

**Complaints to the Australian Information Commissioner and Commonwealth Ombudsman**

***Australian Information Commissioner***

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act, There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992

Website: [www.oaic.gov.au](http://www.oaic.gov.au)

***Commonwealth Ombudsman***

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072

Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.