



Australian Government

Department of Education, Skills and Employment

Your Ref  
Our Ref 45011

Tim Sherratt

By email: [foi+request-8080-af93703c@righttoknow.org.au](mailto:foi+request-8080-af93703c@righttoknow.org.au)

Dear Tim

### **Your Freedom of Information request - charge**

I refer to your revised request, received by the Department of Education, Skills and Employment (department) on 26 November 2021, for access under the *Freedom of Information Act 1982* (FOI Act) to the following documents:

...the final three reports commissioned as part of the scoping study of potential research infrastructure for HASS and Indigenous research platforms.

On 8 November 2021, you made a request under the FOI Act in the following terms:

As part of the 2018 Research Infrastructure Investment Plan, funding was committed for a scoping study of potential research infrastructure for HASS and Indigenous research platforms (<https://www.dese.gov.au/national-research-infrastructure/national-research-infrastructure-scoping-studies>).

Three reports were commissioned as part of this scoping study, and recommendations drawn from these reports were included in the 2020 Research Infrastructure Investment Plan (<https://www.dese.gov.au/2020-research-infrastructure-investment-plan/resources/2020-research-infrastructure-investment-plan>).

I request that the three reports commissioned for the HASS and Indigenous research platforms scoping study be made publicly available, along with any recommendations and associated briefing notes derived from the scoping study.

On 26 November 2021, I wrote to you to advise you that it was likely that processing your request in those terms would substantially and unreasonably divert the resources of the department and I invited you to reduce the scope of your request.

Also on 26 November 2021, you revised the scope of your request to the terms outlined above.

### **Administrative access**

I am advised that the scope of your revised request captures three documents. I am advised that one of these documents, a report prepared by the Australian Academy of the Humanities, has previously been made available to parties external to the department in its entirety and the relevant business team in the department is prepared to release this document to you outside of the FOI process. Accordingly, the department releases a copy of the Australian Academy of the Humanities' report to you on an administrative basis (outside the FOI Act) and I have been asked to provide this to you. A copy of this document is attached to the email covering this notice. Noting the document has been provided to you, we will treat this part of your request as withdrawn unless you advise otherwise when responding to this notice.

### **Preliminary assessment of the charge**

Under the FOI Act, I have decided that you are liable to pay a charge for the processing of the remaining parts of your request. My preliminary assessment of the charge is \$135.00, calculated as follows:

Search and retrieval time: one hour, at \$15.00 per hour	\$15.00
Decision-making time including consultation with relevant third parties, after deduction of 5 hours*: 6 hours, at \$20.00 per hour	\$120.00

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<b>TOTAL</b>	<b>\$135.00</b>
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\*The FOI Act provides that the first five hours of decision-making time are free of charge and this is reflected in the calculation.

I am advised that the department has in its possession two documents with approximately 100 pages relevant to your request. As outlined above, as the Australian Academy of the Humanities' report has been released to you outside the FOI Act, the preliminary assessment of the charge outlined above only includes the estimated time taken to process the remaining two documents captured by your request.

### **Required action**

If you would like the department to continue processing your request, you must notify the department in writing within 30 days of receiving this notice that you:

- agree to pay the charge
- wish to contend that the charge has been wrongly assessed, should be reduced or not imposed or both or
- withdraw your request.

If you do not respond within 30 days, your request will be taken to have been withdrawn by the operation of the FOI Act.

### Option - pay the charge

As the charge exceeds \$25, you are required to pay a deposit of \$34.00, which is approximately 25% of the total charge, within 30 days of receiving this notice. You may elect to pay the charge in full at this point.

Payment can be made by:

- cheque or money order made out to the Collector of Public Monies - Department of Education, Skills and Employment and forwarded to the following address:

Schools, Youth and Corporate Legal Branch  
Department of Education, Skills and Employment  
LOC: C50MA1  
GPO Box 9880  
CANBERRA ACT 2601 AUSTRALIA

- credit card by completing the attached credit card authorisation and sending a scanned copy to [foi@dese.gov.au](mailto:foi@dese.gov.au) or posting it to the above address.

Please note that the charge is a fee for processing your request, not a payment for access to documents. Payment of the charge does not guarantee you access to any or all of the documents you have requested. Access to documents will be considered by the decision maker in accordance with the FOI Act.

### Option - seek reduction or non-imposition of the charge

If you want to ask the department to reduce or not to impose the charge, you should tell us why and give us evidence to support your reasons. You may wish to tell us:

- whether paying the charge would cause you financial hardship and/or
- whether access to the documents is in the general public interest or in the interest of a substantial section of the public.

We must take these matters into account in deciding whether or not to reduce or not impose the charge.

### **Time limits for processing your request**

Under the FOI Act, the time limit for processing your request is suspended from today until the day following payment of the charge (in full or the required deposit) or, if applicable, the day following a decision not to impose the charge.

As your request covers documents that contain information concerning the business, commercial or financial affairs of several organisations, I need to ask those organisations about the release of that information before making a decision on your request. For this reason, the department has extended the time for processing your request by 30 days under the FOI Act.

To assist you, I have set out the relevant sections of the FOI Act at **Attachment A**.

**Further assistance**

As an alternative, you may wish to consider revising the scope of your request. If you would like to discuss this, please email [foi@dese.gov.au](mailto:foi@dese.gov.au).

Yours sincerely

*Alison*

Alison  
Authorised decision maker  
Department of Education, Skills and Employment

6 December 2021

**Relevant sections of the *Freedom of Information Act 1982***

Charge

Section 29(1) of the FOI Act provides that, where the department decides that an applicant is liable to pay a charge in respect of a request for access to a document, or the provision of access to a document, the department must give the applicant written notice. The notice must state, among other things, that the applicant must within 30 days after the notice was given tell the department in writing that the applicant:

- agrees to pay the charge
- wishes to contend that the charge has been wrongly assessed or should be reduced or not imposed or both or
- wishes to withdraw the request.

Under section 29(2) of the FOI Act, if the applicant does not do one of these things within 30 days, the request will be taken to have been withdrawn.

Consultation

Section 27 of the FOI Act provides that if the department receives a request for access to documents containing information in relation to the business, commercial or financial affairs of an organisation or a person's professional affairs and believes the organisation or person may object to the release of the documents, the department is required to consult with that organisation or person before making a decision on access to the documents.

Section 15(6) of the FOI Act provides that when the department consults with a person under section 27 and/or section 27A of the FOI Act, the 30 day period for processing a request under the FOI Act is extended by 30 days.

# Credit Card Authorisation

Use this form to pay a Freedom of Information charge by credit card

<b>Applicant's details</b>			
<b>Name</b>		<b>Phone number</b>	
<b>Credit card details</b>			
<b>Credit card type</b>			
<b>Card holder's name</b>			
<b>Credit card number</b>			
<b>Expiry date</b>		<b>CCV number</b>	
<b>Amount</b>			
<b>Signature</b>			
<b>Date</b>			

## Privacy statement

Your personal information is collected by the Department of Education, Skills and Employment for the purposes of processing the payment of a charge imposed under the *Freedom of Information Act 1982* and related purposes. If you do not provide some or all of the information requested, the department may be unable to process your credit card payment. Your personal information may be disclosed to other parties where you have agreed, or where it is otherwise permitted by law. The department's Privacy Policy, including information about how to make a complaint and access to and correction of your personal information, can be found at <https://www.dese.gov.au/privacy>.