



Australian Government
Department of Social Services

Our reference: FOI 2122-047

Applicant: HTag Analytics

By email: foi+request-8081-76f4cea3@righttoknow.org.au

Date: 8 December 2021

Dear Htag Analytics,

Freedom of Information request FOI 2122-047

I refer to your correspondence received by the Department of Social Services (**Department**) on 8 November 2021, in which you requested access, under the Commonwealth *Freedom of Information Act 1982* (FOI Act) to:

“Number of evictions per suburb per quarter 2. Property type for which the eviction occurred i.e. house, apartment, townhouse 3. Reason for eviction i.e. misconduct, financial hardship, other”.

Authority to make this decision

I am an officer authorised by the Secretary of the Department to make decisions about access to documents in the possession of the Department in accordance with section 23(1) of the FOI Act.

Summary

On 26 November 2021, the Department acknowledged receipt of your FOI access request, and informed you that your decision letter is to be sent to you by 9 December 2021.

Decision

The Department has undertaken a reasonable search of its records and has not been able to identify documents relevant to your request. For this reason, I have made a

decision to refuse your request under section 24A of the FOI Act, as the documents do not exist.

Material taken into account

In accordance with paragraph (a) of subsection 26(1) of the FOI Act, my findings on any material question of fact, the material on which those findings were based and the reasons for my decision to refuse access to the documents follows.

In reaching my decision, I have taken the following material into account:

- your correspondence dated 8 November 2021, outlining the particulars of your request for documents under the FOI Act;
- consultations with departmental officers in the Data and Evaluation Branch and the Pensions, Housing and Homelessness Branch as to the information held by the department and searches for documents undertaken by them;
- Sections 3, 11 and 11A of the FOI Act which give the Australian community a legally enforceable right to obtain access to information held by the Government of the Commonwealth. I also considered section 24A of the FOI Act (Requests may be refused if documents cannot be found, do not exist or have not been received) relevant to my decision; and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (FOI Guidelines).

Reasons for decision

Requests may be refused if documents cannot be found, do not exist or have not been received (section 24A)

Subsection 24A(1) of the FOI Act provides that an agency or Minister may refuse a request for access to a document if:

- all reasonable steps have been taken to find the document; and
- the agency or Minister is satisfied that the document:
 - is in the agency's or Minister's possession but cannot be found; or
 - does not exist.

The relevant officers within the Department undertook thorough searches of the Department's internal records management systems. No documents were identified that match the scope of your request. It is my view that as advised in an email to you on 16 November 2021, the Department does not hold data relevant to the scope of your request.

I am satisfied that all reasonable steps have been taken to determine whether the relevant information exists and such steps have failed to locate any documents falling within the scope of your request. I have therefore decided to refuse your request pursuant to section 24A of the FOI Act on the basis that the documents you are seeking do not exist.

Your rights of review

Information about your rights to seek a review of this decision are at **Attachment A**. Should you have any enquiries concerning this matter please do not hesitate to contact the FOI team by email at FOI@dss.gov.au.

Yours sincerely

M. Blair
Assistant Director
Cabinet and FOI Section
Government and Executive Services Branch
8 December 2021