



By email: foi+request-819-4829a6d8@righttoknow.org.au

Dear Mr Cooper-Stout

I refer to your correspondence received by the Department of Education (the department) on 8 December 2014, in which you requested access under the *Freedom of Information Act 1982* (the FOI Act) to:

"...details of advertising campaign for the Higher Education Changes including:

- Documents such as invoices outlining the cost of creative development, placement, web development and hosting for the site;*
- Emails between Departmental officials regarding the content of the advertising campaign; [and]*
- Correspondence between Departmental officials and the Minister and/or Minister's office regarding the campaign".*

Notice of intention to refuse your FOI request

I am now writing to notify my intention to refuse your request under section 24 of the FOI Act because I am satisfied that a practical refusal reason exists under subparagraph 24AA(1)(a)(i) in that processing your request would amount to a substantial and unreasonable diversion of the department's resources.

Accordingly, I am initiating a request consultation process under section 24AB of the FOI Act, and I encourage you to contact me within 14 days of receiving this notice to further discuss your request (more information is provided below).

Substantial and unreasonable diversion of resources

I have consulted with departmental officers in the Communications Branch and other areas across the department regarding the number and nature of documents held by the department which are likely to be relevant to your request, and the work involved in processing your request. I am advised that preliminary searches have identified more than 5,000 documents, consisting of more than 17,000 pages, which contain material relevant to your request.

The volume of material identified in these preliminary searches is significant due to the broad scope of your request as it is currently worded, and because a number of areas within the department have assisted with the development of the higher education advertising campaign. In light of the significant volume of material falling within the scope of your request as currently worded, it is conservatively estimated that processing your request would take in excess of 1,500 hours.

Accordingly, I consider that the work required to process your request would substantially and unreasonably divert the resources of the department from its other operations.

Request consultation process

As required by section 24AB of the FOI Act, I am now writing to provide you with an opportunity to make a written submission in support of your request as currently worded, or to revise the scope of your request so that the practical refusal reason no longer exists.

For example, you may wish to narrow the scope to remove the inclusion of cabinet material and internal departmental correspondence, but still seek the following categories of documents:

- Contracts with third parties engaged to perform background research to inform the advertising campaign and the reports provided to the department under those contracts;
- Contracts with the creative agency engaged to develop the advertising campaign;
- Invoices from third parties engaged to perform advertisement placement, web development and design services;
- Departmental minutes with respect to the advertising campaign; or
- Briefings to the Minister on the advertising campaign.

You have **14 days** from the day you receive this letter to contact me and do one of the following:

- (a) withdraw your request;
- (b) make a revised request; or
- (c) indicate that you do not wish to revise the request.

You can contact us by writing to the following address:

Attention: Margot Brown
Schools, Youth Child Care, and Corporate Legal Branch
People, Communication and Legal Group
Department of Education
Location Code: C50MA10
GPO Box 9880
CANBERRA ACT 2601

Alternatively, you can send an email to foi@education.gov.au.

If you do not contact the department within this period, your FOI request will be taken to have been withdrawn under subsection 24AB(7) and will not be dealt with any further.

Yours sincerely



Alexandra Brown
Senior Government Lawyer
Schools, Youth, Child Care, and Corporate Legal Branch
People, Communication and Legal Group

19 December 2014