

Our reference: FOI 21/22-0848



GPO Box 700
Canberra ACT 2601
1800 800 110

ndis.gov.au

18 February 2022

Brian Cooper

By email: foi+request-8332-216a927f@righttoknow.org.au

Dear Brian Cooper

Freedom of Information request — Notification of Decision

Thank you for your correspondence of 19 January 2022, in which you requested access to documents held by the National Disability Insurance Agency (NDIA), under the *Freedom of Information Act 1982* (FOI Act).

The purpose of this letter is to provide you with a decision on your request.

Scope of your request

You have requested access to documents about the National Disability Insurance Scheme (NDIS). Specifically, you requested access to:

- “...On page 4 of building a new NDIS Pathways program as of June 2019:*
- 1.0 What were the resources developed to ensure connection to interpreting services when working with the NDIA?*
 - 2.0 what are the training resources on:*
 - a) Disability Rights*
 - b) LGBTIQA issues and disability*
 - c) Aboriginal and Torres Strait Islander cultural awareness training*
 - d) Cultural and linguistic diversity training.*

The information sought is a copy of all training manuals, audiovisual material used. Which organisations were contracted to provide the training? Is the training continuing or has been discontinued.”

Decision on access to documents

I am authorised to make decisions under section 23(1) of the FOI Act. My decision on your request and the reasons for my decision are set out below.

The first part of your request seeks access to what resources were developed to ensure connection to interpreting services when working with the NDIA. This information is publicly available, and accessible at the following link:

- [Booklets and factsheets | NDIS](#)

Accordingly, I have not considered this part of your request in my decision.

Part 2 of your request seeks access to training resources for Disability Rights, LGBTIQA issues and disability, Aboriginal and Torres Strait Islander cultural awareness training and Cultural and linguistic diversity training. The First Nations Cultures module was purchased through a licencing arrangement from an external provider. Due to our licencing arrangements, the Agency cannot release this module to you.

The last part of your request asks two questions:

- Which organisations were contracted to provide the training
- Is the training continuing or has been discontinued.

The FOI Act does not provide for the answer to questions. As this part of your request does not seek access to documents, I have not considered this as part of your request.

I have identified 4 documents which fall within the scope of your request.

The documents were identified by conducting searches of NDIA's systems, using all reasonable search terms that could return documents relevant to your request, and consulting with relevant NDIA staff who could be expected to be able to identify documents within the scope of the request.

I have decided to grant access to all 4 documents in full.

In reaching my decision, I took into account the following:

- your correspondence outlining the scope of your request
- the nature and content of the documents falling within the scope of your request
- the FOI Act
- the FOI Guidelines published under section 93A of the FOI Act
- relevant case law concerning the operation of the FOI Act
- consultation with relevant NDIA staff.

Access to edited copies with exempt or irrelevant material deleted (section 22)

I have identified that documents falling within the scope of your request contain material that is irrelevant to your request. The irrelevant material relates to contact details of NDIA staff.

In accordance with section 22 of the FOI Act, I have considered whether it is possible to delete the irrelevant material from the documents and have concluded that it is reasonably practicable to do so. Accordingly, I have prepared an edited copy of the documents with the irrelevant material removed.

Release of documents

The documents for release, as referred to in the Schedule of Documents at **Attachment A**, are enclosed.

Rights of review

Your rights to seek a review of my decision, or lodge a complaint, are set out at **Attachment B**.

Should you have any enquiries concerning this matter, please do not hesitate to contact me by email at foi@ndis.gov.au.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line and a loop.

Carolyn
Assistant Director FOI
Parliamentary, Ministerial & FOI Branch
Government Division

Schedule of Documents for FOI 21/22-0848

Document number	Page number	Description	Access Decision	Comments
1	1-81	Celebrating Diversity LGBTIGA Inclusion Module	FULL ACCESS	
2	82-178	Celebrating Diversity Multicultural Awareness Module	FULL ACCESS	
3	179-220	Contemporary Disability Rights Module	FULL ACCESS	
4	221-239	Practice Guide – Assisting Communication	FULL ACCESS	Irrelevant material removed under section 22 of the FOI Act.

Your review rights

Internal Review

The FOI Act gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision, you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the review process, you should clearly outline your grounds for review (that is, the reasons why you disagree with the decision). Applications for internal review can be lodged by email to foi@ndis.gov.au or sent by post to:

Freedom of Information Section
Parliamentary, Ministerial & FOI Branch
Government Division
National Disability Insurance Agency
GPO Box 700
CANBERRA ACT 2601

Review by the Office of the Australian Information Commissioner

The FOI Act also gives you the right to apply to the Office of the Australian Information Commissioner (OAIC) to seek a review of this decision.

If you wish to have the decision reviewed by the OAIC, you may apply for the review, in writing, or by using the online merits review form available on the OAIC's website at www.oaic.gov.au, within 60 days of receipt of this letter.

Applications for review can be lodged with the OAIC in the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001
Email: enquiries@oaic.gov.au
Phone: 1300 363 992 (local call charge)

Complaints to the Office of the Australian Information Commissioner or the Commonwealth Ombudsman

You may complain to either the Commonwealth Ombudsman or the OAIC about actions taken by the NDIA in relation to your request. The Ombudsman will consult with the OAIC before investigating a complaint about the handling of an FOI request.

Your complaint to the OAIC can be directed to the contact details identified above. Your complaint to the Ombudsman can be directed to:

Phone: 1300 362 072 (local call charge)
Email: ombudsman@ombudsman.gov.au

Your complaint should be in writing and should set out the grounds on which it is considered that the actions taken in relation to the request should be investigated