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13 May 2022

Karen Reynolds

By email: foi+request-8647-1bb2a6d5@righttoknow.org.au

Dear Karen Reynolds

Freedom of Information request — Request consultation process

Thank you for your correspondence of 24 March 2022, in which you requested access under the *Freedom of Information Act 1982* (FOI Act) to documents held by the National Disability Insurance Agency (NDIA).

Scope of your request

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

“Please provide copies of any emails, correspondence, documents, reports, file notes or other written or electronic information relating to

- the scope of the CCI Connect training program*
- documents in relation to this area containing the phrase 'rebaselining or re-baselining', and;*
- the term 'reasonable and necessary reset program'.*

Please also provide copies of any emails, correspondence, documentation, reports, file notes or other written or electronic information about;

- the cited reasons for rebaselining, including changes to project goals, changes in funding source, inaccurate original baselines and cuts to the overall budget;*
- if multiple rebaselined projects, how many times the 'reasonable and necessary reset program' has been rebaselined and on what dates*
- any policies or procedures which describe a process for developing a new baseline*
- any guidance specifying what elements these policies are to include*
- what safeguards are in place to ensure effective oversight and transparency.”*

On 15 April 2022 you agreed to your request being split into two separate requests and revised the scope of this part of your request to be for the following documents:

“Copies of any emails, correspondence, documents, reports, file notes or other written or electronic information relating to

- the term 'reasonable and necessary reset program'*
- the cited reasons for rebaselining, including changes to project goals, changes in funding source, inaccurate original baselines and cuts to the overall budget;*
- if multiple rebaselined projects, how many times the 'reasonable and necessary reset program' has been rebaselined and on what dates*

- any policies or procedures which describe a process for developing a new baseline
- any guidance specifying what elements these policies are to include
- what safeguards are in place to ensure effective oversight and transparency.”

Practical refusal

I am authorised to make decisions under the FOI Act.

I am writing to advise that, in its current form, parts of your request do not provide enough information about the documents you are seeking access to, and that the work involved in processing other parts of your request would substantially and unreasonably divert the resources of the NDIA from its other operations due to its size.

This is called a ‘practical refusal reason’ under section 24AA of the FOI Act.

On this basis, I intend to refuse your request. However, before I make a final decision, I am writing to provide you with an opportunity to revise your request. This is called a ‘request consultation process’ as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

I have conducted preliminary searches of the NDIA’s systems, using the term ‘**reasonable and necessary reset program**’. In addition, I consulted with relevant NDIA staff who could be expected to be able to identify documents within the scope of the request, including staff who are knowledgeable about how to conduct searches of the NDIA’s systems. A preliminary search for emails containing this term from January 2016 to March 2022 returned no relevant results.

This indicates that the NDIA is unable to locate documents that may be relevant to your request regarding the term ‘reasonable and necessary reset program’ and this shows that the terms of your request do not provide sufficient information to allow us to identify the specific documents that you are seeking.

I have also conducted a preliminary search for documents which are likely to be relevant to your request in relation to the term ‘**rebaselining**’. This search has revealed that the NDIA is in possession of more than 11,000 individual documents matching this part of the scope of your request, not including any attachments which may be contained within those documents.

Based on a conservative estimate of 2 pages per document I consider that:

- the total amount of pages for this part of the scope of the request is likely to exceed 22,000; and
- allowing one minute per page, it would take approximately 367 hours to review and collate the documents.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, the NDIA will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

You may like to consider whether the terms 'reasonable and necessary reset program' and 'rebaselining' are referring to a program of staff training conducted in 2020-2021, which was called 'Setting the Standard Reasonable & Necessary re-baselining training'.

To reduce the scope of your request, you might like to consider amending it to:

- *All training materials given to staff for the Setting the Standard Reasonable & Necessary re-baselining training ('the program')*
- *The training schedule for the program*
- *The program's presentation materials, for instance the relevant PowerPoint presentation*
- *Any supporting notes used by the presenter of the program*
- *Any internal policy documents regarding the program*

You have 14 days from the date 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.

During this period, you are welcome to seek assistance to revise your request. If you revise your request in a way that adequately addresses the practical refusal reason outlined above, we will recommence processing it.

Please note that the time taken to consult with you regarding the scope of your request is not taken into account for the purposes of the timeframe for processing your request.

You can contact me by email at foi@ndis.gov.au

Alternatively, you can reply in writing to the following address:

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

If you do not contact me within this period, that is by **27 May 2022**, your FOI request will be taken to have been withdrawn under subsection 24AB(7) and will not be dealt with any further.

Please do not hesitate to contact me if you have any questions.

Yours sincerely



Camille
Senior Freedom of Information Officer
Parliamentary, Ministerial & FOI Branch
Government Division