

Our reference: FOI 21/21-1541



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1800 800 110

ndis.gov.au

3 June 2022

Shirley

By email: foi+request-8875-70340ed3@righttoknow.org.au

Dear Shirley

Freedom of Information request — Request consultation process

Thank you for your correspondence of 8 May 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:

- “... 1. copies of all the NDIA’s Risk Committee’s Minutes of Meeting for the financial year 2019-20, cited in the NDIA 2019-20 Annual Report [1]. This includes all attendees, agenda, topics and resolutions/outcomes.*
- 2. provide copies of all the NDIA’s ICT and Digital Committee’s Minutes of Meeting for the financial year 2019-20, cited in the NDIA 2019-20 Annual Report [1]. This includes all attendees, agenda, topics and resolutions/outcomes.*
- 3. provide copies of all the NDIA’s “risk week” activities for the financial year 2019-20, cited in the NDIA 2019-20 Annual Report [1]. This includes training materials, resources, references, feedback, attendees and outcomes. Also, specific details about “Insight”.*
- 4. provide copies of the NDIA’s “best practice risk and governance principles” for the financial year 2019-20, cited in the NDIA 2019-20 Annual Report.*
- 5. copies of the NDIA’s “risk management framework” for the financial year 2019-20, cited in the NDIA 2019-20 Annual Report [1]. Also, was the NDIA’s ‘risk management strategy’ approved by National Cabinet’s Disability Reform Council? If so, please provide a copy of the approval and the approved risk management strategy.*
- 6. a copy of the NDIA’s ‘alternate cloud environment strategy’ cited in the NDIA’s Annual Report 2019-20.*
- 7. a copy of the NDIA’s research that identified ‘mobile capacity’ as the priority for participants, cited in the NDIA’s Annual Report 2019-20.*
- 8. a copy of the NDIA’s ‘Agency-wide review of the prevailing operating risks’ conducted during the financial year 2019-20, cited in the NDIA’s Annual Report 2019-20.*
- 9. a copy of the NDIA’s ‘alternate cloud environment strategy’ cited in the NDIA’s Annual Report 2019-20”*

Delivered by the

National Disability
Insurance Agency

Practical refusal

I am authorised to make decisions under section 23(1) of the FOI Act.

I am writing to advise that the work involved in processing your request in its current form 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 processes 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

Based on the scope of your request, the relevant line areas commenced preliminary searches for documents which are likely to be relevant to your request. The results indicate that the NDIA is in possession of more than 6,630 documents which may match the scope of your request. Using a conservative estimate, I anticipate there are approximately 2 pages per document, which means a total of more than 13,260 pages of material that may currently fall within the scope of your request.

An FOI officer is required to open, read and assess if a document is within scope of the request and using a conservative estimate of 1 minute per page to open, read and assess if each document is within scope of the request, it would take the FOI officer more than 221 hours to review these documents found from these preliminary searches.

The documents that are assessed as being within scope of the request will then need to be reviewed for any sensitivities and recommendations made regarding any possible exemptions under the FOI Act and scheduled. The Agency will need to consider any consultations and carry these out if required, a decision will need to be made on each document, and a decision letter prepared.

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 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
- 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 **5:00pm 17 June 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

A handwritten signature in black ink, appearing to be the name 'Erin', written in a cursive style.

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