



15 August 2022

Our reference: LEX 68168

Posty (Right to Know)

Only by email: foi+request-8982-b996ce97@righttoknow.org.au

Dear Posty

Decision on your Freedom of Information Request

I refer to your request to Services Australia (the Agency) dated 2 June 2022 and revised on 4 July 2022, for access to documents under the *Freedom of Information Act 1982* (the FOI Act) made in the following terms:

I request, under the Freedom of Information Act 1982, copies of the following documents:

Participation in Cashless Debit Card (CDC) 103-03150010 from your Operational Blueprint.

I request that it be posted to your operational blueprint site for all to see if unredacted, or if unable to be done a PDF to this right to know request

Any documents held by the agency relating to the Hon Amanda Rishworth MP, Minister for Social Services' Tweet titled "Media Release: Abolishing the Cashless Debit Card" as at 3 June 2022, with documents being the agency's email/calendaring system and collaboration (i.e. outlook, Microsoft teams).

My decision

The Agency holds 2 documents (totalling 33 pages) that relate to your request.

I have decided to grant you **part access** to these documents with some of the content removed.

I have decided that parts of the documents you have requested are exempt under the FOI Act because they contain:

- operational information, the disclosure of which would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Agency and release is contrary to the public interest (section 47E(d) conditional exemption), and
- personal information of third parties, the disclosure of which would be unreasonable and contrary to the public interest (section 47F(1) personal privacy exemption).

Please see the schedule at **Attachment A** to this letter for a detailed list of the documents and the reasons for my decision, including the relevant sections of the FOI Act.

How we will send your documents to you

The documents are attached.

Please note that page 33 has no content once out of scope information has been redacted and therefore this page is blank and has not been provided.

You can ask for a review of our decision

If you disagree with any part of the decision you can ask for a review. There are two ways you can do this. You can ask for an internal review from within the Agency, or an external review by the Office of the Australian Information Commissioner. See **Attachment B** for more information about how to request a review.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Yours sincerely

Phillipa
Authorised FOI Decision Maker
Freedom of Information Team
Information Access Branch | Legal Services Division
Services Australia



SCHEDULE OF DOCUMENTS FOR RELEASE
Posty (Right to Know) - LEX 68168

Doc No.	Pages	Description	Decision	Exemption	Comments
1.	1-16	Participation in Cashless Debit Card (CDC) – 103-03150010	Release in part	s 47E(d)	Information that would have a substantial adverse effect on the proper and efficient conduct of the operations of the Agency deleted under s 47E(d) Irrelevant material deleted under s 22 (out of scope)
2.	17- 33	Email correspondence and Microsoft Teams messages relating to the Hon Amanda Rishworth MP, Minister for Social Services' Tweet titled "Media Release: Abolishing the Cashless Debit Card" as at 3 June 2022	Release in part	s 47E(d) s 47F(1)	Information that would have a substantial adverse effect on the proper and efficient conduct of the operations of the Agency deleted under s 47E(d) Personal information of third parties deleted under s 47F(1) Irrelevant material deleted under s 22 (out of scope) Please note: no content remains on page 33 following redaction of out of scope material, therefore the blank page has not been provided.



REASONS FOR DECISION

What you requested

On 2 June 2022, you requested access to:

I request, under the Freedom of Information Act 1982, copies of the following documents:

Participation in Cashless Debit Card (CDC) 103-03150010 from your Operational Blueprint.

I request that it be posted to your operational blueprint site for all to see if unredacted, or if unable to be done a PDF to this right to know request.

On 3 June 2022, you contacted the Agency to revise the scope of your request, advising the following:

Given the announcement to "Abolish the Cashless Debit Card" today:

<https://twitter.com/AmandaRishworth/status/1532567834932674560>

I would like to amend my request to additionally ask for any documents relating to the abolishment of the Cashless Debit Card.

On 22 June 2022, I wrote to you about your original request and advised your request was broad and did not sufficiently identify the documents you require. Between 22 June 2022 and 4 July 2022, the Agency formally consulted with you under section 24AB of the FOI Act. On 4 July 2022, you revised your request. Your revised request was confirmed by the Agency by email on 11 July 2022.

Your revised request was made in the following terms:

I request, under the Freedom of Information Act 1982, copies of the following documents:

Participation in Cashless Debit Card (CDC) 103-03150010 from your Operational Blueprint.

I request that it be posted to your operational blueprint site for all to see if unredacted, or if unable to be done a PDF to this right to know request

Any documents held by the agency relating to the Hon Amanda Rishworth MP, Minister for Social Services' Tweet titled "Media Release: Abolishing the Cashless Debit Card" as at 3 June 2022, with documents being the agency's email/calendaring system and collaboration (i.e. outlook, Microsoft teams).

For ease of reference, I have referred to your request for a copy of 'Participation in Cashless Debit Card (CDC) 103-03150010' as 'Part 1' of your request and the remaining section of your request as 'Part 2' of your request.

On 7 July 2022, the Agency acknowledged your original request and advised you that we would not include personal details about our staff (such as their names). You did not contact the Agency again about this. Junior staff details have therefore been redacted in accordance with section 22(1) of the FOI Act.

What I took into account

In reaching my decision I took into account:

- your original request dated 2 and 3 June 2022
- your revised request dated 4 July 2022
- other discussions and correspondence with you
- the documents that fall within the scope of your request
- whether the release of material is in the public interest
- consultations with Agency officers about:
 - the nature of the documents
 - the Agency's operating environment and functions
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines), and
- the FOI Act.

Reasons for my decisions

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

I have decided that parts of documents that you have requested are exempt under the FOI Act. My findings of fact and reasons for deciding that the exemption applies to those documents are discussed below.

Please note Document 1 relates to Part 1 of your request and Document 2 relates to Part 2 of your request.

Operations of an agency

I have applied the conditional exemption in section 47E(d) of the FOI Act to parts of Document 1 and Document 2.

Section 47E(d) of the FOI Act provides that a document is conditionally exempt if its disclosure would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of an agency.

This section of the FOI Act allows the Agency to redact material from a document if its disclosure would have a serious and significant effect on the Agency's ability to conduct its operations efficiently and properly.

Document 1 - Operational material

Document 1 contains details of Agency operational processes that are not publicly available. In particular, the document outlines the eligibility criteria for participation in the Cashless Debit Card (CDC) Program. I am satisfied this information is relevant to the implementation, delivery

and management of a process administered by the Agency, and is therefore relevant to the conduct of the Agency's operations.

I consider providing the exempt material to you, which is not publicly available, would negatively affect the conduct of the operations of the Agency because it would enable customers to tailor the information they provide to the Agency to influence their eligibility for the CDC program. It is likely disclosure of such information could lead to customers circumventing established processes and procedures, which in turn would result in Agency procedures becoming less efficient and effective.

Document 2 – Positional mailboxes

The only information to which this conditional exemption has been applied for Document 2 are internal positional mailboxes of Commonwealth agencies.

Whilst I have no reason to believe you would misuse the exempted material, the FOI Act does not control or restrict dissemination of the information, so I must consider actions any member of the public might take. This includes members of the public using the information as a new point of contact of these agencies.

Release of internal positional mailboxes would, or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of these agencies for the following reasons:

- these details are not in the public domain, and are intended to be used to facilitate confidential and prompt communications within the Agency and between the respective agencies
- given the dedicated contact points currently available to members of the public, if other contact details were released to the world-at-large, there would be a potential increase in the workloads of those teams, reducing their efficiency. Members of the public would not contact these agencies through the most appropriate contact point, which may compromise communications with the agencies and would require staff to be diverted from their normal duties in order to respond to, or redirect enquiries
- from time to time, positional mailboxes are deleted or changed due to operational requirements, and if a member of the public sends an email to such an address, there is a high probability the email would not be actioned. This may result in services not being administered correctly, or administered at all, and
- providing direct contact details may result in incorrect advice or inconsistent service being provided and would also inhibit the management of data and undermine the efforts of these agencies to provide services as efficiently and effectively as possible.

I confirm this conditional exemption has not been applied to publicly available positional mailboxes or contact details of these agencies.

Public interest considerations

Access to conditionally exempt material must be given unless I am satisfied it would not be in the public interest to do so.

I consider the disclosure of the operational material in Document 1 would generally promote the objects of the FOI Act, which is in the public interest. However, I also consider disclosure

would increase the likelihood individuals would use this operational information to circumvent the Agency's procedures and tailor the information they provide to the Agency to influence their eligibility for the CDC program. This in turn would significantly prejudice the Agency's ability to deliver efficient and effective services to the Australian public.

I consider the disclosure of Agency positional mailboxes in Document 2 would generally promote the objects of the FOI Act, which is in the public interest. However, I also consider disclosure would prejudice an Agency's ability to properly and efficiently deliver services to the public where established public contact channels already exist.

Overall, I find the public interest factors in favour of disclosing the material in Documents 1 and 2 are outweighed by the public interest factors against disclosure, and that release of the material in question would be contrary to the public interest.

I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act in making this decision.

Unreasonable disclosure of personal information

I have applied the conditional exemption in section 47F(1) of the FOI Act to parts of Document 2.

This section of the FOI Act allows the Agency to redact material from a document if its release would involve the unreasonable disclosure of personal information about any person.

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable. It can include information such as a person's name, address, telephone number, date of birth, medical records, bank account details, taxation information and signature.

I am satisfied Document 2 contains the personal information of an employee from another Commonwealth agency, including their full name and contact details.

I am satisfied the disclosure of this information would be unreasonable as the information is private, not publicly available, and would not reasonably be known to you.

On this basis, I have decided this document is conditionally exempt, in part, under section 47F(1) of the FOI Act.

Public interest considerations

Under the FOI Act, access to conditionally exempt material must be given unless I am satisfied it would not be in the public interest to do so.

I consider the disclosure of the personal information of this individual would not promote the objects of the FOI Act and there is little to no public interest in the material being released. I also consider disclosure would prejudice this individual's right to privacy, and adversely affect or harm their interests. I consider there is a persuasive argument for ensuring their right to privacy where the personal information contained in this document is not reasonably known to you.

Accordingly, I am satisfied the public interest in disclosing the material is outweighed by the public interest against disclosure.

I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act in making this decision.

Summary of my decision

In conclusion, I have decided to grant you part access to two documents.

I have decided that:

- Documents 1 and 2 are conditionally exempt, in part, under section 47E(d) of the FOI Act, and
- Document 2 is conditionally exempt, in part, under section 47F(1) of the FOI Act,

and disclosure would be contrary to the public interest for the purposes of section 11A(5) of the FOI Act.

As identified in the Schedule, I have redacted the exempt information in the documents and released the remaining material in accordance with section 22(1) of the FOI Act.



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a Freedom of Information decision

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

Asking for a formal review of an Freedom of Information decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982 (FOI Act)* gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

1. an Internal Review Officer in Services Australia (the Agency); and/or
2. the Australian Information Commissioner.

Applying for an internal review by an Internal Review Officer

If you apply for internal review, a different decision maker to the Agency delegate who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be:

- made in writing
- made within 30 days of receiving this letter
- sent to the address at the top of the first page of this letter.

Note 1: You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in the Agency within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can **lodge your application**:

Online: www.oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Email: enquiries@oaic.gov.au

Note 2: The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

Important:

- If you are applying online, the application form the 'Merits Review Form' is available at www.oaic.gov.au.
- If you have one, you should include with your application a copy of the Services Australia decision on your FOI request
- Include your contact details
- Set out your reasons for objecting to the Agency's decision.

Complaints to the Australian Information Commissioner and Commonwealth Ombudsman

Australian Information Commissioner

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act, There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992
Website: www.oaic.gov.au

Commonwealth Ombudsman

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072
Website: www.ombudsman.gov.au

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.