



Australian Government
Department of Finance

Reference: FOI 22/42
Contact: FOI Team
e-mail: foi@finance.gov.au

Andrew
Right to Know

By email only: foi+request-9024-14c70a5a@righttoknow.org.au

Dear Andrew,

Freedom of Information Request – FOI 22/42

On 15 June 2022, the Department of Finance (Finance) received your email requesting access under the Commonwealth *Freedom of Information Act 1982* (FOI Act) to the following documents:

Any currently-valid organisational charts that show the position of the Electoral Policy Unit within the Department's organisational structure.

A list of all files (in the records management sense of container objects or "folders") from the Department's primary records management system, created from 2017 to the present, where the file is owned or otherwise associated with the Electoral Policy Unit.

On 22 June 2022, Finance wrote to you requesting that you narrow the scope of your request as it was considered too broad.

The same day you responded stating:

- clarifying 'the term "organisational charts" was intended to be generic, and cover unpublished division-specific organisational charts of the kind that are commonly prepared for internal distribution within divisions or branches of large organisations, rather than just the Department-wide organisational chart'; and
- agreeing to amend the scope of the second part of your request by 'narrow[ing] the scope of my request to cover files created from 1 January 2020 onwards, rather than 2017'.

The purpose of this letter is to provide you with notice that the work involved in processing your request would substantially and unreasonably divert Finance's resources from its other operations. This is called a 'practical refusal reason'. The availability of the practical refusal reason in the FOI Act is to ensure that the capacity of Finance to discharge its normal functions are not undermined by processing requests that are unreasonably burdensome.

On the basis of the above practical refusal reason, I intend to refuse your request. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process'.

Authorised decision-maker

I am authorised by the Secretary of Finance to make decisions in relation to FOI requests.

Why I intend to refuse your request

Under subsection 24AA(2) I must have regard to the resources that would have to be used by Finance for:

- identifying, locating or collating the documents within Finance's filing system
- deciding whether to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document (including resources that would have to be used for examining the document or consulting with any person or body in relation to the request)
- making a copy or an edited copy, of the documents
- notifying any interim or final decision on the request.

I decided that a practical refusal reason exists because your request would require in excess of 40 hours to process.

Request consultation process: clarifying the terms of your request

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, such as a 'key word' or specific subject matter, rather than seeking a list of all documents.

This will enable Finance to pinpoint the documents quickly and avoid using excessive resources to process documents you are not interested in.

You are required to take further action

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request
- revise your request
- tell Finance that you seek to proceed with your original request.

The consultation period runs for **14 days** starting on the day after you receive this notice. This means you must respond to this notice in one of the ways set out above on or before **19 July 2022**.

During this period, you are welcome to seek assistance from the contact officer I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, Finance will recommence processing your request.

Please note, the time taken to consult with you regarding your request is not taken into account for the purposes of the 30 calendar day statutory processing period in which Finance is required to finalise your request.

If you do not respond electing to do one of the three options listed above during the consultation period or you do not consult the contact person during this period, the FOI Act deems your request to have been withdrawn. If your request is deemed withdrawn, you are not prevented from making a new request in the future.

Contact officer

If you would like to revise your request or have any questions, the contact officer for your request is:

Jonathan Messieh
FOI Officer
Foi@finance.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Powney', with a stylized flourish at the end.

Sebastian Powney
Assistant Secretary
Resource Management | Governance and Resource Management
Department of Finance
05 July 2022