

Our reference: FOI 22/23-0350



GPO Box 700
Canberra ACT 2601
1800 800 110

ndis.gov.au

23 September 2022

John Smith

By email: foi+request-9304-67881e1c@righttoknow.org.au

Dear John Smith

Freedom of Information request — Request consultation process

Thank you for your correspondence of 24 August 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 the following documents:

- *The titles and delivery dates of all final reports and documents delivered to or produced within the Directorate, since 1 January 2010, in relation to compensation recovery*
- *The titles and delivery dates of all final reports delivered to or produced by the Directorate, since 1 January 2010, in relation to the recovery of funding from participants.*

To be clear, I am not requesting the title page, I am instead am instead [sic] requesting the title/names of reports. This should be no more than a few words for each relevant document.

On 14 September 2022, in response to our question for more information, you advised:

Apologies, by Directorate I meant agency, and from 2013 would be appropriate - thank you.

On 15 September 2022, we sent a further follow up email to you, however, we have not received a response to date.

Practical refusal

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

I am writing to advise that your request does not provide enough information about the documents you are seeking access to, and in its current form is likely to result in a substantial and unreasonable diversion of resources. 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

Your request does not satisfy section 15(2)(b) of the FOI Act, as we were unable to identify the specific documents you are seeking access to. As mentioned above, we sought further information from you about the documents you are requesting access to, and we have not received a response from you.

As advised in our emails to you on 14 and 15 September 2022, if we are to take the scope of your request at literal meaning, it could involve tens or hundreds of thousands of documents, many of which relate to individual participants. This would be an unreasonable diversion of resources.

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.

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

- Providing specific search terms for reports you are interested in
- Providing more information about the types of documents you are interested in

You have 14 days 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 COB 7 October 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, consisting of a large, stylized 'C' followed by a horizontal line and a small upward stroke.

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