



18 November 2022

Thatikonda, Tharun

**BY EMAIL:** [foi+request-9305-d7085281@righttoknow.org.au](mailto:foi+request-9305-d7085281@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 22/08/01326

Dear Tharun Thatikonda,

### **Freedom of Information (FOI) request - Access Decision**

On 24 August 2022, the Department of Home Affairs (the Department) received a request for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

#### **1 Scope of request**

You have requested access to the following documents:

*I request to release all the documents in relation to SkillSelect invitation round details held on 22nd August 2022 like correspondence details exchanged between various business areas of skillSelect department.*

*I request to release the information in line with document released for the FOI request fa-200700958*

#### **2 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate records.

#### **3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the FOI Act

- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access

#### **4 Decision**

Section 24(1)(b) of the FOI Act provides that, where a practical refusal reason exists, an agency may refuse to process a request only if the agency has undertaken the 'consultation process' in s24AB of the Act and, after completing the consultation, the agency remains satisfied that a practical refusal reason exists.

The Department issued a section 24AB notice on 02 November 2022 because it was found that the request would likely require a significant diversion of resources to service it.

As outlined in our notice, to process this request, the Department would need to redact individual instances of occupations that have been issued with an invitation in the 22 August 2022 round, where those occupations are less than 5 in number. There are 336 pages of invited occupations in the invitation report, which are not filtered alphabetically nor by occupation group, as this is not the way that data is organised within the invitation report. A decision maker must therefore individually scroll each page of invited-occupations list and manually identify the instances where there are 5 or less of an occupation listed. A sample assessment indicated that this process would be likely take approximately 6 minutes and 25 seconds per page, or an estimated total of 35 hours just to preliminarily assess this list and this was before we would seek feedback from the responsible business area in the ordinary course of consultation. In addition to the 3.5 hours of time that had already been devoted to processing this request, and the additional time that it would take to write a decision and prepare the document for release (noting the large file size) we therefore estimated that continuing to process this request would exceed 40 hours of work effort.

The Department has not received a formal reply to its section 24AB notice of 02 November 2022 and the consultation period has expired at the time of this decision.

Having considered the scope of the request I am satisfied that a practical refusal reason exists. Therefore, I have decided to refuse your request under s24(1) of the FOI Act.

#### **5 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

#### **6 Your Review Rights**

##### *Review by the Office of the Australian Information Commissioner*

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at <https://www.oaic.gov.au/freedom-of-information/foi-review-process>.

## 7 Making a Complaint

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

## 8 Contacting the FOI Section

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).

*Signed electronically*

Glen

**Position number 60081621**

**Authorised Decision Maker | Freedom of Information Section**

**Department of Home Affairs**