

16 May 2024

Emily Lacey

By email: foi+request-10712-392096fe@righttoknow.org.au

Dear Emily Lacey

Freedom of Information request — Notification of Decision

Thank you for your correspondence of 24 September 2023, in which you requested access to documents held by the National Disability Insurance Agency (NDIA), under the *Freedom of Information Act 1982* (FOI Act).

The purpose of this letter is to provide you with a decision on your request. I apologise for the delay in providing this decision.

Scope of your request

You have requested access to the following documents:

“the document which is referred to in the Internal Review Access and Revocation Practice Guide as “Complete an Access or Revocation Internal Review Decision Standard Operating Procedure”.

Additionally, the Internal Review Access and Revocation Practice Guide mentions “Key Indicators”. I am also requesting access to any other documents (currently in use) which define the phrase, provide examples of, or discuss “key indicators” that are used as “evidence” in determining participant eligibility.”

Decision on access to documents

I am authorised to make decisions under section 23(1) of the FOI Act. My decision on your request and the reasons for my decision are set out below.

I have identified 2 documents, which fall within the scope of your request.

The documents were identified by conducting searches of NDIA’s systems, using all reasonable search terms that could return documents relevant to your request, and

consulting with relevant NDIA staff who could be expected to be able to identify documents within the scope of the request.

I have decided to grant access to 2 documents in full.

In reaching my decision, I took the following into account:

- your correspondence outlining the scope of your request
- the nature and content of the documents falling within the scope of your request
- the FOI Act
- the FOI Guidelines published under section 93A of the FOI Act

Release of documents

The documents for release, as referred to in the Schedule of Documents at **Attachment A**, are enclosed.

Rights of review

Your rights to seek a review of my decision, or lodge a complaint, are set out at **Attachment B**.

Should you have any enquiries concerning this matter, please do not hesitate to contact me by email at foi@ndis.gov.au.

Yours sincerely



Emma
Senior Freedom of Information Officer [EHG992]
Complaints Management & FOI Branch
General Counsel Division
National Disability Insurance Agency
E: foi@ndis.gov.au

Schedule of Documents for FOI 23/24-0358

Document number	Page number	Description	Access Decision
1	1-20	Complete an Access or Revocation Internal Review Decision Standard Operating Procedure Date: 8 December 2023	FULL ACCESS
2	21-72	Applying to the NDIS Date: 1 February 2024	FULL ACCESS

Your review rights

Review by the Office of the Australian Information Commissioner

The FOI Act gives you the right to apply to the Office of the Australian Information Commissioner (OAIC) to seek a review of this decision.

If you wish to have the decision reviewed by the OAIC, you may apply for the review, in writing, or by using the online merits review form available on the OAIC's website at www.oaic.gov.au, within 60 days of receipt of this letter.

Applications for review can be lodged with the OAIC in the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001
Email: enquiries@oaic.gov.au
Phone: 1300 363 992 (local call charge)

Complaints to the Office of the Australian Information Commissioner or the Commonwealth Ombudsman

You may complain to either the Commonwealth Ombudsman or the OAIC about actions taken by the NDIA in relation to your request. The Ombudsman will consult with the OAIC before investigating a complaint about the handling of an FOI request.

Your complaint to the OAIC can be directed to the contact details identified above. Your complaint to the Ombudsman can be directed to:

Phone: 1300 362 072 (local call charge)
Email: ombudsman@ombudsman.gov.au

Your complaint should be in writing and should set out the grounds on which it is considered that the actions taken in relation to the request should be investigated.