

19 August 2024

Ghyas Alam

By email: foi+request-11489-ec00893e@righttoknow.org.au

Dear Ghyas Alam

Freedom of Information request - Notification of Decision

Thank you for your correspondence of 5 June 2024, 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 notify you of my decision on your application.

Scope of your request

You have requested access to the following documents:

"I am writing to request information regarding the number of people with disabilities who have applied for APS positions through the Recruitability Scheme, as well as their success rates in securing employment within NDIA.

The information requested would greatly assist in understanding the effectiveness of current diversity initiatives taken by the Federal Government. Kindly refer to the legislative framework governing the Recruitability Scheme, specifically under section 28 of the Australian Public Service Commissioner's Directions 2016, which has been amended and in force since 25 July 2019.

Please include details such as the total number of applicants with disabilities, the number of successful applicants offered positions, and any relevant demographic breakdowns or trends observed within the Agency. Additionally, if there are any existing reports or publications on this topic, I would be grateful to receive them alongside the requested data."

Extension of time

On 4 July 2024, you agreed to a 30-day extension of time under section 15AA of the FOI Act, making 5 August 2024 the new date to provide you with a decision on access.

Expiration of time

As we were not able to complete your application by the legislated due date of 5 August 2024, your application is regarded as a deemed refusal under section 15AC of the FOI Act. I have continued processing your request and advise that although you no longer have internal review rights on my decision, you still retain your external review rights. These are set out in **Attachment B** to this letter.

Search efforts

Searches for documents were conducted by the People, Culture and Wellbeing Division and one document responsive to your application was created as per s17(1)(c) of the FOI Act.

Decision on access to documents

I have decided to grant full access to one document.

I made this decision as an authorised FOI decision maker under section 23(1) of the FOI Act.

Release of documents

The document for release, as referred to in the Schedule of Documents at **Attachment A**, is attached.

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

**Patrick**

Senior Freedom of Information Officer
Government, Risk & Legal – Complaints Management and FOI
General Counsel Division

Schedule of Documents for FOI 23/24-1338

Document number	Page number	Description	Access Decision	Comments
1	1	Data relating to RecruitAbility applications, interviews and offers Date: July 2020 – May 2024	FULL ACCESS	

Your review rights

As this matter was a deemed refusal, internal review of this decision is not an option. However, if you have concern with any aspect of this decision, please contact the NDIA FOI team by email foi@ndis.gov.au or by post:

Freedom of Information Section
Complaints Management & FOI Branch
General Counsel Division
National Disability Insurance Agency
GPO Box 700
CANBERRA ACT 2601

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.