



15 August 2024

M. West

By email: foi+request-11755-1e29bb48@righttoknow.org.au

Dear M. West

Freedom of Information request — Request consultation process

Thank you for your correspondence of 24 July 2024, 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:

Any and all documents, including but not limited to emails, memos, reports, presentations, and meeting minutes, that contain information about or reference to a "Nothing before February 2024 campaign" or "Nothing before 2024 campaign" within the National Disability Insurance Agency (NDIA).

I understand that this term is known within the NDIA, and I am seeking to obtain information about the nature, purpose, and scope of this campaign.

The time frame for this request is from 1 January 2022 to the date of this application

Practical refusal

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

I am writing to advise that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the NDIA from its other operations due to its size and broad scope. 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

I have conducted preliminary searches with the Service Delivery branch for documents which are likely to be relevant to your request. This search revealed that more than 3000 individual documents may be relevant to your scope.

On my reasonable estimate, I consider that there is more than 6,000 pages worth of material that falls within the scope of your request as it is currently worded, and at a conservative

estimate of 1 minute per page, this would take an FOI officer more than 100 hours to simply review and collate the documents.

I note that documents that are assessed as being within scope of the request will then need to be reviewed for any sensitivities and possible exemption under the FOI Act. We will also need to consider any further consultations and carry these out if required, a decision will then need to be made on each document before a decision letter is prepared. This will significantly increase the hours that it will take an FOI officer to process your request.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

Request consultation process

Before I make a final decision, I am writing to provide you with an opportunity to revise your request to enable it to proceed. This is called a 'request consultation process' as set out under section 24AB of the FOI Act.

To assist with the management of your application, I have consulted with the Service Delivery branch for suggestions on how to make your request more manageable. Service Delivery have advised that locating any documents referencing "Nothing before February 2024 campaign" or "Nothing before 2024 campaign" is too large and that it is recommended that you narrow your request to a more specific document/s.

Under the request for consultation, you have 14 days from the date of this letter to:

- 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 considered 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
Complaints Management & FOI Branch
General Counsel Division
National Disability Insurance Agency
GPO Box 700
CANBERRA ACT 2601

If you do not contact me within this period, that is by 29 August 2024, 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



Wendy (WNN633)
Senior Freedom of Information Officer
Complaints Management & FOI Branch
General Counsel Division