



4 September 2024

Our reference: LEX 80967

REDYELLOWPINK (Right to Know)

Only by email: foi+request-11839-b6961f0c@righttoknow.org.au

Dear REDYELLOWPINK

Decision on your Freedom of Information Request

I refer to your request received by Services Australia (the Agency) on 5 August 2024 for access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

Lump sum repayment of advance payment 103-05040050 from your Operational Blueprint.

My decision

The Agency holds one document (totalling 37 pages) that relates to your request.

I have decided to grant you **part access** to the document.

I have decided certain parts of the document you have requested are exempt under the FOI Act, as the document includes operational information, the disclosure of which would have a serious or significant effect on the Agency's ability to conduct its operations efficiently and properly (section 47E(d) conditional exemption).

Please see the schedule at **Attachment A** to this letter for a description of the document and the reasons for my decision, including the relevant section of the FOI Act.

How we will send the document to you

The document is attached.

You can ask for a review of our decision

If you disagree with any part of the decision, you can ask for a review. There are two ways you can do this. You can ask for an internal review from within the Agency, or an external review by the Office of the Australian Information Commissioner. See **Attachment B** for more information about how to request a review.

Further assistance

If you have any questions, please email freedomofinformation@servicesaustralia.gov.au

Yours sincerely

Tracy
Authorised FOI Decision Maker
Freedom of Information Team
FOI and Reviews Branch | Legal Services Division
Services Australia



SCHEDULE OF DOCUMENT FOR RELEASE
REDYELLOWPINK (Right to Know) - LEX 80967

Doc No.	Pages	Date	Description	Decision	Exemption	Comments
1.	1 – 37	10.08.2024	Lump sum repayment of advance payment 103-05040050	Release in part	s47E(d)	Operational information redacted under s47E(d) Information redacted under s22 (out of scope)



REASONS FOR DECISION

What you requested

Lump sum repayment of advance payment 103-05040050 from your Operational Blueprint.

On 8 August 2024 the Agency acknowledged your original request.

What I took into account

In reaching my decision I took into account:

- your original request dated 5 August 2024
- other correspondence with you
- the document which falls within the scope of your request
- whether the release of material is in the public interest
- consultations with Agency officers about:
 - the nature of the document
 - the Agency's operating environment and functions
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines), and
- the FOI Act.

Reasons for my decision

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

I have decided that parts of the document that you requested are exempt under the FOI Act. My findings of fact and reasons for deciding that the exemption applies to the document are discussed below.

Section 47E(d) of the FOI Act – Operations of the Agency

I have applied the exemption in section 47E(d) of the FOI Act to parts of the document (Document 1).

This section of the FOI Act allows the Agency to redact material from a document if its disclosure would have a serious or significant effect on the Agency's ability to conduct its operations efficiently and properly.

The requested document contains a guide for Agency staff concerning processes relating to information about repayments of an advance payment. I am satisfied this information is relevant to the implementation, delivery and management of a process administered by the Agency, and therefore is relevant to the conduct of the Agency's operations.

I consider that providing this material to you, which is not publicly available, would negatively affect the conduct of the Agency's operations because it may allow individuals to circumvent

elements of the Agency's processes for their own financial advantage, and provide insight to malicious users about navigating the Agency's internal systems.

While I have no reason to believe you would misuse the exempt material in this way, the FOI Act does not control or restrict use or dissemination of the information once released, so I must consider actions any member of the public might take if the information is in the public domain.

Public interest considerations

Access to conditionally exempt material must be given unless I am satisfied it would not be in the public interest to do so. I consider disclosure of the material would promote the objects of the FOI Act, including increasing public participation in Government processes.

However, I also consider disclosure of the exempt material would prejudice the Agency's ability to deliver services properly and efficiently to the public, by providing information containing detailed system coding instructions for staff, could be used as a 'how to' guide by a malicious user to navigate the Agency's system, and therefore presents a cyber security risk. Disclosure of this exempt cyber material would increase the likelihood that individuals could use process information to circumvent or manipulate steps in securing a favourable outcome for receiving payments. This in turn would significantly prejudice the Agency's ability to deliver services promptly and effectively to the Australian public.

Based on these factors, I have decided that in this instance, the public interest in disclosing the information in the above-mentioned document is outweighed by the public interest against disclosure. Accordingly, I have decided not to release the document in full to you.

Out of scope or irrelevant information has been deleted in accordance with section 22 of the FOI Act.

I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act in making this decision.



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a Freedom of Information (FOI) decision

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

Asking for a formal review of a FOI decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

1. an Internal Review Officer in Services Australia (the Agency), and/or
2. the Australian Information Commissioner.

Applying for an internal review by an Internal Review Officer

If you apply for internal review, a different decision maker to the Agency delegate who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be:

- made in writing
- made within 30 days of receiving this letter
- sent to the address at the top of the first page of this letter or by email to freedomofinformation@servicesaustralia.gov.au

Note: You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in the Agency within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can lodge your application:

Online: www.oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Email: enquiries@oaic.gov.au

Note: The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

Important:

- If you are applying online, the application form the 'FOI Review Form' is available at [Information Commissioner Review Application form](#)
- If you have one, you should include with your application a copy of the Agency's decision on your FOI request
- Include your contact details
- Set out your reasons for objecting to the Agency's decision.

Complaints to the Australian Information Commissioner and Commonwealth Ombudsman

Australian Information Commissioner

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992

Website: www.oaic.gov.au

Smart Form: [FOI Complaint Form](#)

Commonwealth Ombudsman

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072

Website: www.ombudsman.gov.au

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.