



5 December 2024

Our reference: LEX 80969

RedYellowPink

Only by email: foi+request-11841-6684adf1@righttoknow.org.au

Dear RedYellowPink

Freedom of Information (FOI) request - Statement of Reasons

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 document:

Notification and assessment of shared care arrangements for Family Tax Benefit (FTB) 007-02040020 from your Operational Blueprint.

Deemed refusal

The Agency was required to provide you with a decision in relation to your request by 4 September 2024. As a decision was not provided to you by this date, the principal officer of the Agency is deemed to have refused your request under section 15AC of the FOI Act.

We apologise for the delay in processing your request. Although your request is deemed to be refused, I am providing you with the document that was the subject of your FOI request and releasing it to you administratively. The document is marked up with redactions based on if the Agency had made a decision within time.

I am providing you with a statement of reasons which explains the document that is being released. The statement of reasons is at **Attachment A**.

You can ask for a review of our deemed refusal decision

If you disagree with the deemed refusal of your request you can ask for an external review by the Office of the Australian Information Commissioner. See **Attachment B** for more information about how to request a review.

Summary of the statement of reasons

If I had made a decision on your FOI request by 4 September 2024, I would have decided to grant you **part access** to one document (Document 1), with some of the content removed.

I am satisfied parts of the document you requested would have been exempt under the FOI Act because the document includes operational information, the disclosure of which would have a substantial adverse effect on the Agency's ability to conduct its operations efficiently and properly (section 47E(d) conditional exemption).

How we will send the document to you

The document is attached.

Further assistance

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

Yours sincerely

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



DESCRIPTION OF DOCUMENT FOR RELEASE
REDYELLOWPINK - LEX 80969

Doc No.	Pages	Date	Description	Outcome	Exemption	Comments
1.	1-122	18 July 2024	Operational Blueprint: Notification and assessment of shared care arrangements for Family Tax Benefit (FTB) 007-02040020	Release in part	s47E(d)	Operational information redacted under s47E(d). Information redacted under s22 (out of scope).



STATEMENT OF REASONS

What you requested

Notification and assessment of shared care arrangements for Family Tax Benefit (FTB) 007-02040020 from your Operational Blueprint.

On 12 August 2024, the Agency acknowledged your request, and on 21 August 2024, we sought your agreement to a 30 day extension of time to process your request. We did not receive a response from you.

What I took into account

In writing this statement of reasons, I took into account:

- your 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.

Statement of reasons

If I had made a decision under the FOI Act, I am satisfied that I would have considered parts of the document you requested are exempt under the FOI Act. My findings of fact and reasons for being satisfied that the exemption applies to the document, including consideration of the factors I am required to take into account in section 11B, are outlined below.

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

If I had made a decision under the FOI Act, I would have applied the conditional 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 substantial adverse effect on the Agency's ability to conduct its operations efficiently and properly.

Document 1 explains the notification and assessment of shared care arrangements for family assistance and Paid Parental Leave scheme payment.

I am satisfied the information contained within Document 1 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 provide insight to malicious users about navigating the Agency's internal systems. Additionally, the material may be misused by an individual for malicious purposes, which may place other individuals at risk.

While I have no reason to believe you would misuse the exempt material in any 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.

If I had made a decision under the FOI Act, I would have considered that disclosure of the material would promote the objects of the FOI Act.

However, I also would have considered how disclosure of the exempt material would prejudice the Agency's ability to properly and efficiently deliver services to the public, by providing information which would allow individuals to navigate the Agency's established processes. I also consider some of the exempt material 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.

Based on these factors, I have would have decided that in this instance, the public interest in disclosing the information in the document is outweighed by the public interest against disclosure. Accordingly, if I had made a decision on your FOI request by 4 September 2024, I would have decided not to release the relevant document to you in full.

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



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a Freedom of Information outcome

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

Asking for a formal review of a Freedom of Information decision

If you believe that the deemed refusal of your request is incorrect, the FOI Act gives you the right to apply for a review of that decision. Under section 54L of the FOI Act, you can apply for a review of the deemed refusal decision by the Australian Information Commissioner. Please note that a statement of reasons is not reviewable by the Australian Information Commissioner.

Applying for external review by the Australian Information Commissioner

If you do not agree with the deemed refusal of your request, you can ask the Australian Information Commissioner to review the deemed refusal 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

Important:

- If you are applying online, the application form the 'FOI Review Form' is available at [Information Commissioner Review Application form](#)
- Include your contact details
- Set out your reasons for objecting to the Agency's deemed refusal 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.