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[ndis.gov.au](http://ndis.gov.au)

Our reference: FOI 24/25-0278

30 September 2024

Rachmum4

By email: [foi+request-11963-92d71099@righttoknow.org.au](mailto:foi+request-11963-92d71099@righttoknow.org.au)

Dear Rachmum4

### Freedom of Information request — Request consultation process

Thank you for your correspondence of 29 August 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:

*“Could you please provide information on the outcome of reports for services requested by OT’s and other allied health providers for PWD when presented in functional Assessment reports.”*

### Practical refusal

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

I am writing to advise that your request does not provide enough information about the documents you are seeking as is reasonably necessary to allow us to identify them. 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

Your request does not satisfy section 15(2)(b) of the FOI Act, as the terms of your request are not identifiable, and we are unable to identify the specific documents sought. We seek further information from you about the documents you are requesting access to.

Specifically, we require clarity about:

- What you mean when you have requested ‘...outcome of reports for services requested by OT’s and other allied health providers...’.
- What ‘other allied health providers’ you are referring to.

Please note that searches of functional assessment reports would likely require searches of individual participants NDIS file, which would breach those participant’s privacy unless you provided consent, and would amount to a task that would substantially and unreasonably divert the resources of the NDIA from our operations.

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**Request consultation process**

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, the NDIA will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

You might like to consider:

- Clearly identifying the documents you are seeking access to.

You have 14 days from the date you receive this letter to contact me and do one of the following:

- 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 taken into account for the purposes of the timeframe for processing your request.

You can contact me by email at [foi@ndis.gov.au](mailto: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 14 October 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



**Patrick (PHO293)**

Senior Freedom of Information Officer  
Complaints Management & FOI Branch  
General Counsel Division

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