

24 October 2024

David Wright
Right to Know

By email: foi+request-12047-8fff28fb@righttoknow.org.au

Dear David Wright

Freedom of Information request — Notification of Decision

Thank you for your correspondence of 11 September 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).

This letter provides my decision on your request.

I apologise for the delay in finalising your request, we experienced some technical issues that impacted our ability to retrieve and reconcile the data.

Scope of your request

You requested access to the following documents:

"... I seek the following information:

1) The number of valid Freedom of Information (FOI) requests submitted to the NDIA in the 2023-2024 financial year.

2) Of these valid FOI requests, the number of valid FOI requests where the NDIA provided a notice of decision to the applicant within the 30-calendar day statutory timeframe..."

Decision on access to documents

I am authorised to make decisions under section 23(1) of the FOI Act. My decision on your request and the reasons for my decision are set out below.

Section 17(1)(c) of the FOI Act provides that, where an agency does not hold a document containing the information in a discrete form, the agency can produce a written document

containing the requested information, by the use of a computer or other equipment that is ordinarily available for retrieving or collating stored information. We have been able to produce a document containing the information you requested. I have, therefore, treated your request as if it were a request for access to this document in accordance with section 17(1)(c) of the FOI Act.

The document was created by retrieving and collating information held by the Agency, and consulting with relevant NDIA staff who could be expected to have access to relevant information,

I have decided to grant access full access to the document so created.

In reaching my decision, I took the following into account:

- your correspondence outlining the scope of your request
- the nature and content of the document in question
- the FOI Act.

Release of documents

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

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



Kate (KIM627)
Senior Freedom of Information Officer
Complaints Management & FOI Branch
General Counsel Division

Schedule of Documents for FOI 24/25-0335

Document number	Page number	Description	Access Decision	Comments
1	1	Freedom of Information Statistics	FULL ACCESS	Document created under section 17 of the FOI Act

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.