

18 November 2024

David Wright  
Right to Know

**By email:** [foi+request-12161-205e97b0@righttoknow.org.au](mailto:foi+request-12161-205e97b0@righttoknow.org.au)

Dear David Wright

### Freedom of Information request — Notification of Decision

Thank you for your correspondence of 11 October 2024 (**your correspondence**), seeking access under the *Freedom of Information Act 1982 (FOI Act)* to documents held by the National Disability Insurance Agency (**NDIA**).

The purpose of this letter is to provide you with a decision on your request.

### Scope of your request

You have requested access to the following documents:

*"I refer to FOI 23.24 1189 which provides a list of all Technical Advisory Branch (TAB) research documents. Two items in the list are:*

- 1) *'The scope of Applied Behaviour Analysis'*
- 2) *'Reducing ABA over time'*

*I request copies of these documents."*

### Extension of time

On 22 October 2024, you agreed via email to a 30-day extension of time under section 15AA of the FOI Act, making 11 December 2024 the new date to provide you with a decision on access.

### Searches conducted

The NDIA's Technical Advice & Practice Improvement Branch conducted searches and located two (2) documents relevant to the scope of your request.

### Decision

I am the authorised officer pursuant to section 23(1) of the FOI Act to make a decision on this FOI request.

I have decided to:

- Grant access in part to 2 documents in accordance with section 22 – **Access to edited copies with exempt or irrelevant matter deleted**; and
- Remove irrelevant material in accordance with section 22 of the FOI Act

**Section 22 – Access to edited copies with exempt or irrelevant material deleted**

Section 22 of the FOI Act permits an agency to prepare and provide an edited copy of a document where the agency has decided to refuse access to an exempt document or that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access.

On 22 October 2024, you confirmed via email that you had no objections to surnames and contact details of NDIA staff being considered irrelevant to the scope of your request.

I have identified irrelevant material in two (2) documents and am satisfied that it is reasonably practicable to remove this information and release the documents to you in material form.

The decision in relation to each document is detailed in the schedule of documents at **Attachment A**.

**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](mailto:foi@ndis.gov.au).

Yours sincerely



**Patrick (PHO293)**

Senior Freedom of Information Officer  
Complaints Management & FOI Branch  
General Counsel Division  
**National Disability Insurance Agency**

## Schedule of Documents for FOI 24/25-0514

Document number	Page number	Description	Access Decision	Comments
1	1-9	Research paper: Applied behaviour analysis and positive behaviour support  Date: 21/07/2022	<b>PARTIAL ACCESS</b>  Exemption claimed: S22 – Irrelevant Material	Irrelevant material removed under section 22 of the FOI Act
2	10-16	Literature Review: Reducing Applied Behaviour Analysis over time  Date: 03/01/2024	<b>PARTIAL ACCESS</b>  Exemption claimed: S22 – Irrelevant Material	Irrelevant material removed under section 22 of the FOI Act

## **Your review rights**

### **Internal Review**

The FOI Act gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision, you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the review process, you should clearly outline your grounds for review (that is, the reasons why you disagree with the decision). Applications for internal review can be lodged by email to [foi@ndis.gov.au](mailto:foi@ndis.gov.au) or sent by post to:

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 also 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](http://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](http://www.oaic.gov.au)  
Post: GPO Box 5218, Sydney NSW 2001  
Email: [enquiries@oaic.gov.au](mailto: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](mailto: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.