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18 February 2025

Clementine Saber
Right to Know

By email: foi+request-12202-fc319a2e@righttoknow.org.au

Dear Clementine Saber

Freedom of Information request — Request consultation process

Thank you for your correspondence of 22 October 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:

“Dear National Disability Insurance Agency,

I'm writing to request access to documents under the Freedom of Information Act 1982:

(1). All internal guidance and policy documents available for staff in the Scheme Eligibility Branch that address visual impairment and/or permanent blindness.

(2). All research, digest, or other documents created by the Technical Advice and Improvement Branch that address visual impairment and/or permanent blindness.

(3). All internal guidance and policy documents regarding NDIS eligibility with “List A”, “List B”, and “List D”.

Please include all identified documents in full. I consider all parts of a document to be relevant, even if those parts are addressing topics other than the above.

*I can be contacted at this address if you require further information or clarification.
Thank you for your assistance.”*

You have revised the scope of your request to be for the following documents:

“Narrowed Scope:

(1). All internal guidance [ie. knowledge articles and standard operating procedures] and policy documents available [currently] for staff in the Scheme Eligibility Branch that address visual impairment and/or permanent blindness.

(2). All research [and] digest [REMOVE TEXT "or other"] documents created by the Technical Advice and Improvement Branch that address visual impairment and/or permanent blindness.

(3). All [current] internal guidance [ie. knowledge articles and standard operating procedures] and policy documents regarding NDIS eligibility with "List A", "List B", and "List D".

Please include all identified documents in full. I consider all parts of a document to be relevant, even if those parts are addressing topics other than the above."

Practical refusal

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

I am writing to advise that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of the NDIA from its other operations due to its size. 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

On 19 December 2024, we requested that you narrow the scope of your request because it appears to be large. I note that you provided a revised scope, however the scope is still voluminous.

I have conducted a preliminary search for documents which are likely to be relevant to your request. This search has revealed that the NDIA is in possession of more than 86 individual documents matching the scope of your request, not including any attachments which may be contained within those documents.

On my reasonable estimate, I consider that there is more than 860 pages worth of material that falls within the scope of your request as currently worded. At a conservative estimate of

1 minute per page, this would take an FOI officer more than 14 hours to simply review and collate the documents.

The documents that are assessed as being within scope of the request will then need to be reviewed for any sensitivities and possible exemption under the FOI Act and scheduled, we will need to consider any consultations and carry these out if required, a decision will need to be made on each document, and a decision letter prepared. This will significantly increase the hours that it will take an FOI officer to process your request.

As a result, I am of the view that the work involved in the processing of this request would substantially and unreasonably divert the resources of the NDIA from its other operations.

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.

To reduce the scope of your request, you might like to consider:

- *All research documents created by TAPIB currently used by the branch to inform policy or support requests related to visual impairment and/or permanent blindness*

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.

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 **20 February 2025**, 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

A handwritten signature in black ink, consisting of a stylized 'C' followed by a series of loops and a long diagonal stroke extending upwards and to the right.

Cooper (CHH674)

Team Leader/Senior FOI Officer
Complaints Management & FOI Branch
General Counsel Division
National Disability Insurance Agency