



Our reference: FOI 24/25-0830

22 January 2025

Elias (via Righttoknow.org.au)

By email: (foi+request-12394-5dfebdd0@righttoknow.org.au)

Dear Elias

Freedom of Information request — Request consultation process

Thank you for your correspondence of 27 November 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:

“All published and draft internal policies, knowledge articles, standard operating procedures, checklists, forms, templates, or other internal guidance pertaining to:

- 1. Identifying participants for ‘eligibility reassessment’*
 - 2. Conducting an ‘eligibility reassessment’*
 - 3. Finalising an ‘eligibility reassessment’*
 - 4. Internal review of an ‘eligibility reassessment’ decision*
 - 5. External review of an ‘eligibility reassessment’ decision*
 - 6. Reinstating a participant after an ‘eligibility reassessment’ decision is overturned on appeal*
 - 7. Assessing and deciding whether a participant who was previously removed as a result of an ‘eligibility reassessment’ is eligible for NDIS upon receiving a new access request*
- Please include all identified documents in full, I consider all parts of a document to be relevant. This also includes the ‘version control’ information for every document.*

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

A preliminary search for documents likely to be relevant to your request has revealed that the NDIA has more than 460 individual documents matching the scope, not including any attachments which may be contained within those documents.

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On my reasonable estimate, I consider there is more than 2000 pages worth of material that falls within the scope of your request. At a conservative estimate of 1 minute per page, this would take an FOI officer more than 30 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 by narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access.

I have done some preliminary searches and created a list of documents which cover the overview of the Eligibility Reassessment process. To help reduce the scope of your request, you might like to consider requesting these specific documents. From these documents, you would then be able to request any specific further documents you believe relevant.

Document name	Type of document	Source
Eligibility Reassessment – FAQs	Internal FAQ	NDIA intranet
SOP - Complete the plan reassessment (full)	Standard operating procedure	NDIA intranet
When to refer the participant for an eligibility assessment	Knowledge article	PACE
Complete the eligibility reassessment check	Knowledge article	PACE
Finalise eligibility assessment	Knowledge article	PACE
Finalise a revocation after an eligibility assessment	Knowledge article	PACE

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 contact me by 5 February 2025, by email at foi@ndis.gov.au.

Yours sincerely

Cindy – CGN062

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

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