

28 February 2025

Stuart
Right to Know

By email: foi+request-12546-38b8957c@righttoknow.org.au

Dear Stuart

Freedom of Information request — Notification of Decision

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

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

Scope of your request

You have requested access to:

“...this information under the Freedom of Information Act.

Please provide the following figures for these quarters:

- 2023-24 Q1 (1 July 2023 – 30 September 2023)
- 2024-25 Q1 (1 July 2024 – 30 September 2024)

1. *The total number of access requests carried over (outstanding) from the previous quarter.*

2. *The total number of access requests received during the quarter.*

3. *The total number of access decisions or requests for more information made during the quarter, and;*

a). *The number of those decisions/requests made within 21 days of receiving the access request.*

b). *The number of those decisions/requests made within 60 days of receiving the access request.*

c). *The number of those decisions/requests made within 111 days of receiving the access request.*

d). *The number of those decisions/requests made 112 or more days after receiving the access request.*

4. *The total number of access decisions or requests for more information made during the quarter, after more information had been provided, and;*

a). *The number of those decisions/requests made within 14 days of receiving the additional information.*

b). *The number of those decisions/requests made within 40 days of receiving the additional information.*

c). *The number of those decisions/requests made within 104 days of receiving the additional information.*

d). *The number of those decisions/requests made 105 or more days after receiving the additional information.*

5. *The total number of access requests still awaiting an eligibility decision (outstanding) at the end of the quarter.*

6. *The total number of access decisions made during the quarter where the applicant was found to be eligible.*

7. *The total number of access decisions made during the quarter where the applicant was found to be not-eligible..."*

On 6 February 2025, you revised the date range for the scope in relation to access decision and further clarified the scope as follows:

"...I'm now aware that the specific access decision timeframes I'm requesting are not available for FY 2023-24 Q1 (1 July 2023 – 30 September 2023). I give consent for this aspect of the request to be excluded for 2023-24 Q1, and instead just provided for the 2024-25 Q1 period.

But please also give careful attention to the specific number of days I have requested in point 3 (21, 60, 111, 112+) and point 4 (14, 40, 104, 105+) for the 2024-25 Q1 period."

Processing period

We have been experiencing processing delays and were not able to provide you with our decision by the due date. Consequently, we are deemed to have refused your application under section 15AC of the FOI Act. I sincerely apologise for the delay in releasing this decision to you.

We have continued processing your request. In the interests of not causing further delays, I have decided not to apply for an extension to the processing period from the Office of the Australian Information Commissioner (OAIC) under section 15AC of the FOI Act. Therefore, internal review of this decision is not an option. However, your right to apply for an external review with the Office of the Australian Information Commissioner remains protected. Please see Attachment B for more information about your rights of review.

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 an 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.

I have identified 1 document, which falls within the scope of your request.

This document was prepared in consultation with relevant NDIA staff from the Analytics, Data and Actuarial (ADA) Division. These staff are expected to conduct searches of NDIA's systems, using all reasonable search terms and identify data and information within the scope of the request.

I have decided to grant access to this document in full.

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

- your correspondence outlining the scope of your request
- the nature and content of the documents falling within the scope of your request
- the FOI Act
- the FOI Guidelines published under section 93A of the FOI Act and
- consultation with relevant NDIA staff.

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

A handwritten signature in cursive script that reads "Ramya".

Ramya (RMO 260)

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

Schedule of Documents for FOI 24/25-0933

Document number	Page number	Description	Access Decision	Comments
1	1	Section 17 Document – Access Data Date: Not applicable	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 concerns 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.