



14 January 2025

Our reference: LEX 82935

Nosey Rosey (Right to Know)

Only by email: foi+request-12573-d72b6cea@righttoknow.org.au

Dear Nosey Rosey

Decision on your Freedom of Information Request

I refer to your request, received by Services Australia (the Agency) on 14 December 2024 for access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

Part 1

I seek access to records held by Services Australia that detail who has been granted access to the Verification of Entitlement (VoE) system within the last ten years, the reasons such access was permitted, the date on which each instance of access was granted, and the scheduled date for any subsequent review or re-approval of that access. I refer specifically to the VoE functionality administered by Services Australia, as described on the Centrelink Confirmation eServices (CCeS) page found at: <https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.servicesaustralia.gov.au%2Fcentrelink-confirmation-eservices-cces&data=05%7C02%7Cfreedomofinformation%40servicesaustralia.gov.au%7C625c8c9399bf4e48231508dd1bebb000%7C627250e63e294861a084aad68ccfcccc%7C0%7C0%7C638697421416048358%7CUnknown%7CTWfPbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIIYiOiIwLjAuMDAwMCIslIAiOiJXaW4zMilslkFOIjoiTWfPbClslldUljoyfQ%3D%3D%7C80000%7C%7C%7C&sdata=ma42%2FcOhyEwdpWW5%2B0fgvJXtshY%2B0E02C2WZjUebGPA%3D&reserved=0>

I request documents that identify any company or organisation granted access to the VoE system, along with the name of that company or entity, the reason why access was granted, the initial date on which that access was approved, and the date when the approval for that access is next scheduled to be reviewed. Where an individual has been granted access in their own right, rather than as part of a company or organisation, I request disclosure of the individual's name. If this would cause unreasonable disclosure of personal information, I ask that you consider whether identifying the individual by a first name and a role description, or a similar method, would be feasible while still satisfying the public interest in understanding who is permitted to use the VoE system. I am not seeking any personal contact details or sensitive personal information about these individuals beyond their names as they appear in the context of approved users of the VoE system.

Part 2

I also request copies of any documents that outline the policies, procedures, criteria, or internal guidelines governing how access to the VoE system is approved, managed, and periodically reviewed. This includes any instructions to staff, procedural manuals, or policy statements that describe the processes by which certain entities or individuals become authorised users, the factors considered in approving or denying access requests, the review mechanisms that are in place, and the intervals at which access privileges are re-evaluated.

If the requested information is stored in a database or can be readily extracted from electronic records, I request that you provide it in a machine-readable format, such as CSV or Excel, where that is reasonably practicable. If the records are contained in written documents, I ask that you provide scanned copies or PDFs. I understand that some documents may contain information that is not relevant to my request, and I am willing to receive redacted versions of documents if it assists in processing this request in a timely manner. Should you consider that identifying details of individuals require redaction to comply with the FOI Act, I ask that you consult with me under section 24AB before making a decision, so that we may discuss whether a refinement of the request is possible.

I believe that the disclosure of these documents serves the public interest, as it will enable greater transparency and accountability regarding how access to the VoE system is managed. This system affects a wide range of stakeholders, and understanding who has been granted permission to use it, as well as the reasons for doing so, contributes to the public's confidence that personal information managed by Services Australia is properly safeguarded and that access is granted for legitimate purposes only.

Note: For ease of processing, I have separated your request into Part 1 and Part 2.

My decision

I have decided to refuse your request under section 24(1) of the FOI Act because a 'practical refusal reason' still exists under section 24AA of the FOI Act. I am satisfied that the work involved in processing your request would substantially and unreasonably divert the resources of the Agency from its other operations as specified in section 24AA(1)(a)(i) of the FOI Act.

The reasons for my decision, including the relevant sections of the FOI Act, are set out in **Attachment A**.

You can ask for a review of our decision

If you disagree with the decision you can ask for a review. There are two ways you can do this. You can ask for an internal review from within the agency, or an external review by the Office of the Australian Information Commissioner. See **Attachment B** for more information about how to request a review.

Further assistance

If you have any questions, please email freedomofinformation@servicesaustralia.gov.au.

Yours sincerely

Cherie
Authorised FOI Decision Maker
Freedom of Information Team
FOI and Reviews Branch | Legal Services Division
Services Australia



REASONS FOR DECISION

What you requested

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Request consultation process

On 8 January 2025, I wrote to you providing a notice of intention to refuse your request under section 24AB(2) of the FOI Act as your request was too big to process. I gave you an opportunity to consult with the Agency to revise your request so as to remove the practical refusal reason.

I advised that Part 1 of your request was too much work for the Agency to process, as the information you requested is not captured in an existing document or able to be produced via an automated process. Therefore, manual interrogation of each business / organisation record would be required to review, analyse, extract and collate this information.

As there are over 3,000 businesses / organisations, with an estimated time of 10 minutes to interrogate each record, we estimate it would take more than 500 hours to produce a document.

Additionally, the Agency would need to consider formally consulting with each third party under section 27 of the FOI Act, about the potential release of their information (i.e. their name). Based on a conservative estimate of 30 minutes to prepare and send individual consultation notices and to consider responses from each of the 3,000 third parties, we estimate the consultation process alone would take in excess of 1,500 hours.

In relation to Part 2 of your request, I provided links to publicly available documents. Specifically, the CCeS policy, terms and procedural guide for businesses, and two Operational Blueprint documents. While Part 2 of your request is not considered voluminous in itself; I asked you to consider the publicly available information provided and revise Part 2 to documents of interest that are not already covered by the publicly available information.

I also explained that the Agency does not have a 'Verification of Entitlement' system. However, we have interpreted your FOI request to be in relation to Centrelink Confirmation eServices (CCeS), noting the link provided in your request relates to CCeS information on the Agency's website.

On 9 January 2025, you advised that you did not wish to revise your request.

What I took into account

In reaching my decision I took into account:

- your request dated 14 December 2024
- your response to the consultation notice received on 9 January 2025
- the information requested and documents that fall within the scope of your request
- consultations with Agency officers about:
 - the nature of the documents
 - the Agency's operating environment and functions
- guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines), and
- the FOI Act.

Reasons for my decisions

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

Following the request consultation process outlined above, in accordance with section 24AB of the FOI Act, I am satisfied that a practical refusal reason still exists in that the work involved in processing your request would substantially and unreasonably divert the resources of the Agency from its other operations. The reasons for my decision, including consideration of the factors I am required to take into account in section 24AA(2), are outlined below.

Practical refusal reason

Section 24AA of the FOI Act provides that a practical refusal reason exists in relation to a request for a document if the work involved in processing the request would:

'substantially and unreasonably divert the resources of the agency from its other operations'.

The word 'substantial' has previously been interpreted to mean severe, of some gravity, large or weighty or of considerable amount, real or of substance and not insubstantial or of nominal consequence. The use of the word 'unreasonable' has been interpreted to mean that a weighing of all relevant considerations is needed, including the extent of the resources needed to meet the request.

In determining whether processing the request would substantially and unreasonably divert the Agency's resources, section 24AA(2) requires me to have regard to the resources that would have to be used for the following:

- identifying, locating or collating the documents within the filing system of the Agency
- deciding whether to grant, refuse or defer access to a document including resources used for examining the document and consulting with any person or body in relation to the request
- making a copy or an edited copy of the document, and
- notifying of any decision on the request.

In accordance with section 24AA(3), I did not consider your reasons for requesting access to the documents.

Why your request is substantial

In making my decision I estimate that Part 1 of your request alone would require more than 2,000 hours of processing time (excluding the time required to review the documents, mark the documents with redactions (i.e. sensitive material that meets an exemption reason under the FOI Act) and decision-making. This calculation is based on the time and resources required to produce a document with the information you requested (500 hours), in addition to conducting third party consultations with more than 3,000 organisations / businesses (1,500 hours).

Please note: The names of organisations / businesses who are approved for CCeS are not publicly available. Given the risk that the Agency's operations may be prejudiced if full and proper consultations were not undertaken, I am satisfied that consultation is required with all of those parties prior to releasing material related to them.

Why your request is unreasonable

For the purposes of deciding whether your request would unreasonably divert the resources of the Agency from its other operations, I considered whether the substantial resource burden would be unreasonable having regard to the following:

- one individual would be required to spend over 2,000 hours processing your request (this is a conservative estimate that excludes the time required to process Part 2 of your request, reviewing all documents, redacting sensitive material and decision-making), and
- the Agency has provided you with some publicly available information that would address some aspects of Part 2 of your request.

As discussed above, I have estimated that your request would take approximately 2,000 hours to process. The Agency receives more than 4,500 FOI requests per year, the majority of which are requests from people seeking their own information. I am satisfied that the processing of your request would divert Agency resources from the processing of these other requests, as well as business-as-usual activities providing services to the Australian public.

Conclusion

In summary I am satisfied that the work involved in processing your request would substantially and unreasonably divert the resources of the Agency from its other operations, namely the processing of other FOI requests and the delivery of social services to all Australians more broadly.

I have found that a practical refusal reason exists in relation to your request for access to the documents. Accordingly, I have decided to refuse your request under section 24(1) of the FOI Act.



INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Asking for a full explanation of a freedom of information (FOI) decision

Before you ask for a formal review of a FOI decision, you can contact us to discuss your request. We will explain the decision to you. This gives you a chance to correct misunderstandings.

Asking for a formal review of an FOI decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

1. an Internal Review Officer in Services Australia (the Agency), and/or
2. the Australian Information Commissioner.

Applying for an internal review by an Internal Review Officer

If you apply for internal review, a different decision maker to the Agency delegate who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be:

- made in writing
- made within 30 days of receiving this letter
- sent to the address at the top of the first page of this letter, or by email to freedomofinformation@servicesaustralia.gov.au

Note: You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

If you do not receive a decision from an Internal Review Officer in the Agency within 30 days of applying, you can ask the Australian Information Commissioner for a review of the original FOI decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can lodge your application:

Online: www.oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Email: foidr@oaic.gov.au

Note: The Office of the Australian Information Commissioner generally prefers FOI applicants to seek internal review before applying for external review by the Australian Information Commissioner.

Important:

- If you are applying online, the application form the 'FOI Review Form' is available at [Information Commissioner Review Application form](#)
- If you have one, you should include with your application a copy of the Agency's decision on your FOI request
- Include your contact details
- Set out your reasons for objecting to the Agency's decision.

Complaints to the Australian Information Commissioner and Commonwealth Ombudsman

Australian Information Commissioner

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act, There is no fee for making a complaint. A complaint to the Australian Information Commissioner must be made in writing. The Australian Information Commissioner's contact details are:

Telephone: 1300 363 992

Website: www.oaic.gov.au

Smart Form: [FOI Complaint Form](#)

Commonwealth Ombudsman

You may also complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Commonwealth Ombudsman may be made in person, by telephone or in writing. The Commonwealth Ombudsman's contact details are:

Phone: 1300 362 072

Website: www.ombudsman.gov.au

The Commonwealth Ombudsman generally prefers applicants to seek review before complaining about a decision.