



19 December 2024

Our reference: LEX 82950

Nosey Rosey

Only by email: foi+request-12619-f9901e1e@righttoknow.org.au

Dear Nosey Rosey,

Your Freedom of Information Request

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

Currently your request does not sufficiently identify the documents you require.

This letter is giving you an opportunity to provide us with specific information about the documents you need. Providing this additional information will assist the Agency in processing your request.

If you decide not to provide further information or revise your request, I will have to refuse your freedom of information (FOI) request as a 'practical refusal reason' exists. For a more detailed explanation of what this means, please see **Attachment A**.

How to send us a 'revised request'

Before I make a final decision on your request, you can submit a revised request.

Within the next 14 days (consultation period) you must do one of the following, in writing:

- withdraw the request
- make a revised request, or
- tell us you do not want to revise your request.

Your response will be expected by **2 January 2025**. If you do not contact us during the consultation period, your matter will be taken as withdrawn by operation of the FOI Act. See **Attachment A** for relevant sections of the FOI Act.

If you decide to make a revised request you should be specific about what documents you actually want. This could help the Agency find the documents.

Note: You may want to access the Agency's online services at www.servicesaustralia.gov.au to immediately find some of the personal information and documents included in your original request.

We have 30 days to give you a decision about your request, however the time taken to consult with you now is not included in this 30 day time period.

Contact officer

I am the contact officer for your request. During the consultation period you are welcome to ask for my help in revising your request. You can contact me:

- via email to arrange a phone call, by providing a contact number and advising of a suitable time
- in writing to the address at the top of this letter, or
- via email to freedomofinformation@servicesaustralia.gov.au

Note: When you contact us please quote the reference number **FOI LEX 82950**

Further assistance

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

Yours sincerely

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

What I took into account

You requested access under the FOI Act to the following documents:

I seek access to any and all documents, records, data, and supporting material held by [Name of Agency] concerning the sharing of personal information originating from the Department of Veterans' Affairs (DVA) over the last ten years. This includes any data transfers from or to the DVA, whether they were one-off exchanges or ongoing, systematic transfers of DVA client information, including personal, medical, financial, or service-related details concerning veterans or their dependents.

I am interested in obtaining a comprehensive understanding of what DVA client information [Authority name] has received or accessed and for what purposes. Specifically, I request:

All records of data sharing arrangements between DVA and [Authority name], including but not limited to memoranda of understanding, service-level agreements, emails, letters, meeting minutes, file transfer logs, internal reports, and instructions that outline what data was shared, when it was shared, and the format or system used for the transfer.

Any policies, procedures, guidelines, or frameworks that govern how [Authority name] requests, obtains, stores, handles, or uses DVA client information. This includes documents that detail the criteria for approving access to such data, any consent or authorization processes, security controls, and retention or destruction policies.

Copies of any ethics committee approvals, privacy impact assessments, internal review board decisions, or other documents that reflect deliberations or authorizations for obtaining DVA client information. This includes records that show the agency considered the ethical, legal, or privacy implications of receiving or using DVA client data.

Documents that outline the intended uses or practical applications of the DVA client data, such as project proposals, business cases, internal strategy papers, or briefings that explain why [Authority name] sought access to this information, how it was intended to be integrated into the agency's operations, and any expected outcomes or benefits.

A representative sample (in a suitably de-identified or redacted form) of the data or data fields received, so long as providing this sample does not breach any exemption under the FOI Act. The purpose is to understand the nature and granularity of the information shared, without disclosing identifiable personal details.

If the only data [Authority name] received pertains solely to data linked to the Centrelink Confirmation eServices (CCeS) arrangements as described 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%7C77172b43527c44b2327608dd1bf7356d%7C627250e63e294861a084aad68ccfcccc%7C0%7C0%7C638697470910559739%7CUnknown%7CTWfPbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUslYiOiwlLjAuMDAwMCIsIIAiOiJXaW4zMilslkFOIjoiTWfPbClslldUljoyfQ%3D%3D%7C60000%7C%7C%7C&sdata=rmyz8%2F4IpxP2ntRuBzf9QqrjUXqBfz>

[cyHAZZIVFDjnc%3D&reserved=0](#), and there were no other forms of DVA data shared, then no CCeS-related data needs to be provided under this request.

I emphasize that I am not authorizing the transfer of this FOI request to the Department of Veterans' Affairs or any other agency. If [Authority name] holds the requested information, it should provide it directly. If there are parts of this request that [Name of Agency] does not understand or believes are not held, I invite you to contact me to clarify or refine the scope under section 24AB of the FOI Act, rather than initiating a transfer. However, I do not consent to the transfer of this request to another entity. The FOI Act places the onus on agencies to process requests for documents they hold, and I expect [Authority name] to meet its responsibilities in this regard.

I note that the statutory timeframe for processing FOI requests is 30 days from the date of receipt. I do not consent to any extension of time due to internal reduced activity periods, holiday stand-down periods, or other internal operational issues. If [Authority name] considers that it cannot meet the 30-day timeframe, it may seek an extension from the Office of the Australian Information Commissioner as provided under section 15AB of the FOI Act. I request to be notified if such an application is made.

As your request currently stands, I am unable to identify the documents you require.

I require further specific information regarding the following terminology used:

'any and all documents' and 'including but not limited to'

Please provide further specific information regarding the type, subject matter, description, author or authoring business area of the documents you are seeking. The description you have provided is broad and further information will assist us to conduct targeted searches.

'[Name of Agency]' and '[Authority Name]' references

Please clarify this terminology, it is unclear at this stage what these references refer to.

If you do not revise your request, I intend to refuse your FOI request as a 'practical refusal reason' exists under sections 24AA(1)(b) and 24 of the FOI Act. Under the FOI Act, the practical refusal reason is your request does not satisfy the requirements in section 15(2)(b) of the FOI Act (identification of documents).

Relevant sections of the *Freedom of Information Act 1982*

Section 24AA(1)(b) of the FOI Act provides a practical refusal reason exists in relation to a request for a document if the request does not satisfy the requirement in section 15(2)(b) of the FOI Act.

Section 15(2)(b) of the FOI Act provides a request must provide such information as is reasonably necessary to enable the Agency to identify the documents are being requested.

Section 24AB(6) provides the applicant must, before the end of the consultation period, do one of the following, by written notice to the Agency:

- withdraw the request
- make a revised request, or

- indicate that the applicant does not wish to revise the request.

Section 24AB(7) of the FOI Act provides the request is taken to have been withdrawn at the end of the consultation period if:

- the applicant does not consult the contact person during the consultation period in accordance with the notice, or
- the applicant does not do one of the things mentioned in subsection (6) before the end of the consultation period.