



28 January 2025

Our reference: LEX 82950

Nosey Rosey

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

Dear Nosey Rosey,

Decision on your Freedom of Information Request

I refer to your request dated and received by Services Australia on 14 December 2024, and revised on 30 December 2024 for access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

The following documents concerning the sharing of personal information originating from the Department of Veterans Affairs with Services Australia, over the last ten years:

- Formal Agreements: Memoranda of understanding (MOUs), service-level agreements (SLAs), or other agreements formalizing the sharing of personal information originating from the Department of Veterans' Affairs (DVA) with Services Australia.
- Governance Documents: Policies, procedures, guidelines, or frameworks governing how Services Australia requests, stores, handles, or uses DVA client information. This includes approval criteria, security controls, retention policies, and consent processes.
- Privacy Assessments: Privacy impact assessments, internal reviews, or ethical considerations related to handling DVA client information.
- Purpose and Use: Reports, project proposals, or other documents explaining why and how Services Australia uses DVA client information.

Exclusions: I do not seek access to individual-level complaint files, case records, or data linked solely to Centrelink Confirmation eServices (CCeS). Duplicate documents, email chains, or drafts where final versions are available may also be excluded.

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 under section 24AA(1)(b) that your request does not provide sufficient information to enable Services Australia to identify the documents you are seeking, as required by section 15(2)(b) 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 arrange a review.

Further assistance

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

Yours sincerely

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



REASONS FOR DECISION

What you requested

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%7C627250e63e294861a084aad68ccfccc%7C0%7C0%7C638697470910559739%7CUnknown%7CTWfPbGZsb3d8eyJfbXB0eU1hcGkiOnRydWUsIIYiOilwLjAuMDAwMCIsIIAiOiJXaW4zMilslkFOljoitWFpbClldUljoyfQ%3D%3D%7C60000%7C%7C%7C&sdata=rmyz8%2F4lpxP2ntRuBzf9QqrjUXqBfzcyHAZZIVFDjnc%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.

Request consultation process

On 19 December 2024, we wrote to you providing a notice of intention to refuse your request under section 24AB(2) of the FOI Act as your request did not clearly identify the documents you were seeking access to. We gave you an opportunity to consult with the Agency to revise your request so as to remove the practical refusal reason. Specifically, the Agency advised and suggested the following in our correspondence to you:

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.

On 30 December 2024, you revised your request to the scope shown at page 1 of this letter.

On 2 January 2025, we wrote to you advising we understood the scope of request to be for the following documents which you confirmed by reply email on the same day:

The following documents concerning the sharing of personal information originating from the Department of Veterans Affairs with Services Australia, over the last ten years:

- Formal Agreements: Memoranda of understanding (MOUs), service-level agreements (SLAs), or other agreements formalizing the sharing of personal information originating from the Department of Veterans Affairs (DVA) with Services Australia.
- Governance Documents: Policies, procedures, guidelines, or frameworks governing how Services Australia requests, stores, handles, or uses DVA client information. This includes approval criteria, security controls, retention policies, and consent processes.
- Privacy Assessments: Privacy impact assessments, internal reviews, or ethical considerations related to handling DVA client information.
- Purpose and Use: Reports, project proposals, or other documents explaining why and how Services Australia uses DVA client information.

Exclusions: I do not seek access to individual-level complaint files, case records, or data linked solely to Centrelink Confirmation eServices (CCeS).

Duplicate documents, email chains, or drafts where final versions are available may also be excluded.'

What I took into account

In reaching my decision I took into account:

- your original request dated 14 December 2024

- your response to the consultation notice received on 30 December 2024
- confirmation of your revised request received on 2 January 2025
- the information requested
- consultations with Agency officers about:
 - 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 you have not provided sufficient information to identify the requested documents. The reasons for my decision 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 request does not satisfy the requirement in section 15(2)(b) of the FOI Act (identification of documents).

Section 15(2)(b) of the FOI Act provides that a valid FOI request must:

'provide such information concerning the document as is reasonably necessary to enable a responsible officer of the agency, or the Minister, to identify it'.

Why your request does not satisfy the requirement in section 15(2)(b)

The scope of your request remains ambiguous and is not sufficiently clear to enable searches to be conducted. There are multiple bilateral agreements in place between Services Australia and the Department of Veterans Affairs (DVA), many of which include the provisioning of data sharing/exchange. Data originating from DVA can be shared with Services Australia, by customers or other government agencies via many channels. This also extends to the many payments and programs administered by the Agency. As you have not provided specifics of the types of data sharing you are seeking in your request, we are still in a position where we have not received sufficient information to identify the documents sought.

Conclusion

In summary, I am satisfied that your request does not satisfy the requirement in section 15(2)(b) of the FOI Act, in that it does not provide sufficient information to enable Services Australia to identify the documents you are seeking.

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.



Attachment B

INFORMATION ON RIGHTS OF REVIEW

FREEDOM OF INFORMATION ACT 1982

Requesting 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 allows you to correct any misunderstandings.

Requesting a formal review of a FOI decision

If you consider the decision is incorrect, you have the right to apply for a review under sections 54 and 54L of the *Freedom of Information Act 1982* (the FOI Act).

You can apply for:

1. an **internal review** by an Internal Review Officer of Services Australia (the agency), and/or
2. an **external review** by the Australian Information Commissioner.

Applying for an internal review by an Internal Review Officer

In an 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 make a fresh decision on your request and will consider all aspects of the original decision and identify any relevant additional factors.

An application for an 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 disagree with the original or internal review decision, or if you have not received a decision within 30 days of applying for an internal review, you will have 60 days to apply in writing for a review by the Australian Information Commissioner.

Note: The Australian Information Commissioner generally prefers FOI applicants to seek an internal review before applying for an external review.

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

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 original and internal review decisions 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.