



Bob Buckley
By email: foi+request-12666-9341f430@righttoknow.org.au

Dear Mr Buckley

Freedom of Information Request LEX 52541 – Decision on access

I refer to the *Freedom of Information Act 1982 (FOI Act)* request made to the Department of Social Services (**the Department**) on 27 December 2024. The request seeks access to:

All information and communication from the 2nd half of 2023 that mention "mild autism" and was sent from DSS officials or representatives to a media organisation/representative.

I am authorised to make decisions in respect of FOI requests under subsection 23(1) of the FOI Act.

Decision – No documents exist

Section 24A of the FOI Act provides in part that an agency may refuse a request for access to a document if all responsible steps have been taken to find it and the agency is satisfied that it does not exist.

The FOI request seeks all information and communications from the Department to a member of the media between 1 July and 31 December 2023 inclusive, that contains the phrase 'mild autism'. The Department has taken all reasonable steps to locate the documents you seek but none were found relevant to the scope of the request. This is likely because although the phrase 'mild autism' is known by the Department, is not a phrase used for media purposes.

As a result, we do not have possession of the documents sought by this request and have decided to refuse it under section 24A of the FOI Act.

Review rights and complaints

Information concerning how you may seek a review of this decision or make a complaint about the handling of this request is at **Attachment A**.

Contact

If you would like to discuss any aspect of my decision, please contact me at foi@dss.gov.au.

Yours sincerely

Heather D
Authorised FOI Decision Maker

23 January 2025

Attachments

A – Review Rights

INFORMATION ON REVIEW RIGHTS

You may seek review of this decision via:

- (a) an internal review; or
- (b) the Australian Information Commissioner (**Information Commissioner**).

Internal review

If you apply for internal review, a fresh decision will be made by a different decision-maker within the Department. An application for internal review must be:

- (a) made in writing;
- (b) made within 30 days of receiving this letter; and
- (c) sent to foi@dss.gov.au.

The application should also include the reasons why you think this decision should be reviewed.

If the internal review decision results in you not being provided access to all of the documents to which you have requested access, you have the right to seek a further review by the Information Commissioner.

Information Commissioner review

You can apply for the Information Commissioner to review this decision either immediately or following an internal review decision. You must apply to the Information Commissioner within 60 days of the receipt of this decision letter.

Further details on this process can be found on the Information Commissioner's website at <https://www.oaic.gov.au/>.

COMPLAINTS TO THE INFORMATION COMMISSIONER

You may also make a complaint to the Information Commissioner concerning actions taken by the Department while exercising its powers or performing its functions under the FOI Act.

Further details on this process can be found on the Information Commissioner's website at <https://www.oaic.gov.au/>.