



Bob Buckley

Via email: foi+request-12667-ccbc16fc@righttoknow.org.au

Dear Mr Buckley

Freedom of Information Request LEX 52542 – Notice of intention to refuse

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 communication with the NDIA from the 2nd half of 2023 that mentions 'mild autism'.

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

Practical refusal reason

To identify documents in scope, we asked the IT team to conduct a search for all correspondence from 1 July to 31 December 2023 that contains the phrase 'mild autism'. The IT team has identified 6,142 emails that meet this description.

Assuming that half of these emails are duplicated documents, we estimate that a minimum of 3,071 documents fall within the scope of the request. If these emails are an average of 2 pages each, it would take an officer of the Department approximately 307 hours or 41 working days to review the documents at a rate of 3 minutes a page to assess each for sensitivities and mark them up with redactions accordingly.

I consider that the Department has limited capacity to process a request of this size. For this reason, the work involved in processing the request would substantially and unreasonably divert the resources of the Department from its other operations.

In accordance with s 24(1) of the FOI Act, I consider that a practical refusal reason exists in relation to the request for access to documents.

Request consultation process

Under section 24(1)(b) of the FOI Act, the Department is required to provide you with the opportunity to revise the scope of your request so that a 'practical refusal reason' no longer exists. One way you could achieve this is to refine the scope of your request, for example by limiting the date range and/or providing more key words to narrow the search parameters. You may also consider providing more information about the specific information you are seeking.

Please note that refining the scope of the request may remove the practical refusal reason but does not necessarily mean that any documents subject to the request will be released in part or in full.

Next steps

Should you wish to revise the request, you must do so **within 14 days** after the day you are sent this notice. The 14-day deadline ends at **11:59pm on 21 January 2025** by which time you are required to take one of the below actions. If you are unable to meet this deadline and require an extension of time to discuss ways to revise the scope of your request, please contact the FOI Section by email at foi@dss.gov.au.

In accordance with subsection 24AB(6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request;
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB(7), the request is taken to have been withdrawn at the end of the 14 day consultation period if:

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

In accordance with subsection 24AB(8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request.

Yours sincerely

Heather D
Authorised FOI Decision Maker
07 January 2025