



31 January 2025

Our reference: LEX 83089

Mr Joseph Butts

Only by email: [foi+request-12675-e32f31fa@righttoknow.org.au](mailto:foi+request-12675-e32f31fa@righttoknow.org.au)

Dear Mr Butts

### **Decision on your Freedom of Information request**

I refer to your request, received by Services Australia (the Agency) on 1 January 2025, for access under the *Freedom of Information Act 1982* (the FOI Act) to the following document:

Title: "Commencing or returning to work or self-employment Disability Support Pension (DSP)"

Document ID: 008-03100010.

#### **My decision**

The Agency holds one document (totalling 46 pages) that relate to your request.

I have decided to grant you **part access** to one document (Document 1) with some of the content removed.

I have decided parts of Document 1 are exempt under the FOI Act because they contain operational information, the disclosure of which would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Agency and release is contrary to the public interest.

Please see the schedule at Attachment A to this letter for a detailed list of the document and the reasons for my decision, including the relevant sections of the FOI Act.

#### **How we will send the document to you**

The document is attached to the decision email.

#### **You can ask for a review of our decision**

If you disagree with any part of 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 [FOI.LEGAL.TEAM@servicesaustralia.gov.au](mailto:FOI.LEGAL.TEAM@servicesaustralia.gov.au).

Yours sincerely

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



**SCHEDULE OF DOCUMENTS FOR RELEASE**  
**BUTTS, Joseph - LEX 83091**

<b>Document Number</b>	<b>Pages</b>	<b>Description</b>	<b>Decision</b>	<b>FOI Act Exemption</b>	<b>Comments</b>
1.	1-46	Commencing or returning to work or self-employment Disability Support Pension (DSP) (Operational Blueprint 008-03100010)	Release in part	s47E(d)	Information that would have a substantial adverse effect on the proper and efficient conduct of the operations of the Agency deleted under s47E(d).



## REASONS FOR DECISION

### What you requested

On 1 January 2025, you sought access under the FOI Act, to the following document:

Title: "Commencing or returning to work or self-employment Disability Support Pension (DSP)"

Document ID: 008-03100010.

### What I took into account

In reaching my decision I took into account:

- your original request dated 1 January 2025
- the document that falls within the scope of your request
- whether the release of the requested document is in the public interest
- consultations with Agency officers about:
  - the nature of the document
  - 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.

I have decided that certain parts of the document you requested are exempt under the FOI Act. My findings of fact and reasons for deciding that the exemption applies to the document are discussed below.

#### Operations of the Agency

I have applied the exemption in section 47E(d) of the FOI Act to parts of the document.

This section of the FOI Act allows the Agency to redact material from a document if its disclosure would have a serious or significant effect on the Agency's ability to conduct its operations efficiently and properly.

In respect of your request, the document contains policy, process, and discretionary decision-making guidance for Agency employees. I am satisfied this information is relevant to the implementation, delivery and management of a process administered by the Agency, and therefore is relevant to the conduct of the Agency's operations.

I consider providing the exempt material to you, which is not publicly available, would negatively affect the conduct of the operations of the Agency because it would enable

customers to circumvent processes in securing a favourable outcome with their payment as they return to work or commence self-employment. Furthermore, it is reasonably likely that disclosure of the exempt information would allow individuals to circumvent elements of the Agency's processes and arrange their affairs in a manner that would allow them to manipulate the Agency's processes to their own advantage.

The document also contains screen names and file paths used to navigate Agency systems. I am satisfied this information is relevant to the implementation, delivery and management of processes administered by the Agency, and therefore is relevant to the conduct of the Agency's operations.

I consider that providing this material to you, which is not publicly available, would negatively affect the conduct of the Agency's operations as it would provide insight to malicious users about navigating the Agency's internal systems.

While I have no reason to believe you would misuse the exempt materials in any way, the FOI Act does not control or restrict use or dissemination of the information once released in response to an FOI request, so I must consider actions that any member of the public might take once the information enters the public domain.

Accordingly, I am satisfied the release of the redacted material could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the Agency's operations.

#### *Public interest considerations*

Access to conditionally exempt material must be given unless I am satisfied it would not be in the public interest to do so.

I consider the disclosure of the material would generally promote the objects of the FOI Act, which is in the public interest. It may also increase the public participation in Government processes.

However, I also consider disclosure would increase the likelihood that individuals would use process information to circumvent or manipulate steps in securing a favourable outcome for DSP claims.

I also consider some of the exempt material containing detailed system coding instructions for staff could be used as a 'how to' guide by a malicious user to navigate the Agency's system, and therefore presents a cyber security risk. Considering the Agency holds the personal and protected information of millions of Australians, it also creates a risk to the privacy of these individuals.

As such, I find the public interest factors in favour of disclosing the material is outweighed by the public interest factors against disclosure.

I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act in making this decision.



**Attachment B**

**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 a 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; 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 Services Australia 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](mailto: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 Services Australia 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](http://www.oaic.gov.au)  
Post: Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001  
Email: [FOIDR@oaic.gov.au](mailto: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](http://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](http://www.ombudsman.gov.au)

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