

s 22

---

**From:** BLUNCK,Tracey <Tracey.Blunck@education.gov.au>  
**Sent:** Tuesday, February 7, 2023 8:49 AM  
**To:** Anderson, Tina <sup>s 47F</sup> @servicesaustralia.gov.au>  
**Subject:** RE: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589)  
– Due 7 February 2023 [SEC=OFFICIAL]

Thanks for the heads up <sup>s 22</sup>

---

**From:** Anderson, Tina <<sup>s 47F</sup> @servicesaustralia.gov.au>  
**Sent:** Monday, 6 February 2023 8:34 PM  
**To:** BLUNCK,Tracey <Tracey.Blunck@education.gov.au>  
**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589)  
– Due 7 February 2023 [SEC=OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Tracey

I just wanted to give you visibility of this FOI request, regarding one section of leg in the CC Bill. I meant to mention at our catch up today, but we got distracted by other more interesting topics!

Happy to discuss.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: <sup>s 47F</sup>  
Families and Child Care Branch  
Families, Children and Targeted Services Division

<sup>s 47F</sup>





s 22

---

**From:** BLUNCK,Tracey <Tracey.Blunck@education.gov.au>

**Sent:** Tuesday, February 7, 2023 9:30 AM

**To:** s 22 @education.gov.au; s 22

s 22 @education.gov.au; s 22 @education.gov.au

**Cc:** ARCARO,Michele <Michele.Arcaro@education.gov.au>

**Subject:** RE: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Just an FYI, if we thought there were major sensitivities we might want to give MO/our FOI a heads up, but it doesn't sound like it?

---

**From:** s 22 @education.gov.au>

**Sent:** Tuesday, 7 February 2023 9:26 AM

**To:** BLUNCK,Tracey <Tracey.Blunck@education.gov.au>, s 22

s 22 @education.gov.au; s 22 @education.gov.au

**Cc:** ARCARO,Michele <Michele.Arcaro@education.gov.au>

**Subject:** RE: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Does SA need anything from us or is this just an FYI?

---

**From:** BLUNCK,Tracey <Tracey.Blunck@education.gov.au>

**Sent:** Tuesday, 7 February 2023 9:19 AM

**To:** s 22 @education.gov.au; s 22

s 22 @education.gov.au; s 22 @education.gov.au

**Cc:** ARCARO,Michele <Michele.Arcaro@education.gov.au>

**Subject:** RE: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Yeah right, such a bizarre thing to FOI.

s 22

---

**From:** BLUNCK,Tracey <[Tracey.Blunck@education.gov.au](mailto:Tracey.Blunck@education.gov.au)>

**Sent:** Tuesday, 7 February 2023 7:53 AM

**To:** s 22 <[s22@education.gov.au](mailto:s22@education.gov.au)>; s 22 <[s22@education.gov.au](mailto:s22@education.gov.au)>; s 22 <[s22@education.gov.au](mailto:s22@education.gov.au)>

**Cc:** ARCARO,Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Hi all

s 22 SA has received an FOI request that relates to this amendment on the Cheaper Child Care Bill – s 22

FOI?

Seems like a v specific thing to

## 1 Part 2—Other amendments

### 2 *A New Tax System (Family Assistance) (Administration) Act* 3 *1999*

#### 4 **23 Paragraph 67CC(2)(d)**

5 After “session of care”, insert “in relation to which the individual is the  
6 claimant”.

#### 7 **24 Application of amendments**

8 Paragraph 67CC(2)(d) of the *A New Tax System (Family Assistance)*  
9 *(Administration) Act 1999*, as amended by this Part, applies in relation  
10 to a week for which a report described in that paragraph has not been  
11 given to the Secretary, whether the week started before, on or after the  
12 commencement of this item.

#### Item 23: Paragraph 67CC(2)(d)

71. Item 23 amends paragraph 67CC(2)(d) to the Family Assistance Administration Act.
72. Previously, paragraph 67CC(2)(d) permitted the Secretary to cease an individual’s determination of eligibility under subsection 67CC(1) if a session report had not been given to the Secretary for the child for at least 26 consecutive weeks. A determination of eligibility is necessary to qualify for CCS payments.
73. This amendment adds “in relation to which the individual is the claimant” after “session of care”, which has the effect that, when the Secretary is considering ceasing a determination of eligibility under subsection 67CC(2), the Secretary will only look at whether the child has received sessions of care for which that relevant individual is the claimant. It would not matter whether or not the child received care for which another individual was receiving CCS.
74. This clarifies the policy intent and aligns the legislation with the administration of this provision within the CCS system.

**From:** Anderson, Tina <sup>s 47F</sup> <[@servicesaustralia.gov.au](mailto:Tina.Anderson@servicesaustralia.gov.au)>

**Sent:** Monday, 6 February 2023 8:34 PM

**To:** BLUNCK, Tracey <[Tracey.Blunck@education.gov.au](mailto:Tracey.Blunck@education.gov.au)>

**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Tracey

I just wanted to give you visibility of this FOI request, regarding one section of leg in the CC Bill. I meant to mention at our catch up today, but we got distracted by other more interesting topics!

Happy to discuss.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: <sup>s</sup>  
47F  
Families and Child Care Branch  
Families, Children and Targeted Services Division

**SERVICES AUSTRALIA**  
[servicesaustralia.gov.au](http://servicesaustralia.gov.au)

s 47F

---

s 22





---

**From:** s 22  
**Sent:** Thursday, February 9, 2023 3:04 PM  
**To:** s 22 @Education.gov.au>  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments

Hi s 22

I refer to the courtesy consultation request from Services Australia (LEX 573). Please find below initial notification emails.

I've spoken to s 22 who is the s 22 and confirmed this is one for her team. She said she s 47F and has asked we copy in s 22 who will be acting for her.

Thanks  
s 22

To: [Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)  
CC: s 22 @education.gov.au ; s 22 @education.gov.au , s 22 @education.gov.au ;  
s 22 @education.gov.au

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

**Action required**

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or <sup>s 22</sup> , ext. <sup>s 22</sup> should you wish to discuss this matter or the FOI process more broadly.

Thanks

<sup>s 22</sup>

\*\*

**TO:** [Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au); [Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au); [Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au);  
<sup>s 47E</sup> [@education.gov.au](mailto: @education.gov.au)

**CC:** [Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au);  
<sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au); <sup>s 47E</sup> [@education.gov.au](mailto: @education.gov.au);  
<sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au); <sup>s 47E</sup> [@education.gov.au](mailto: @education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto: @education.gov.au)

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth).

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

<sup>s 22</sup>

---

**From:** s 22 @education.gov.au  
**Sent:** Thursday, February 9, 2023 3:19 PM  
**To:** s 22 @education.gov.au; s 22 @education.gov.au  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Interesting, assuming the team will need to provide some advice to Michele.

---

**From:** s 22 @Education.gov.au  
**Sent:** Thursday, 9 February 2023 3:14 PM  
**To:** ARCARO,Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au; s 22 @education.gov.au;  
 s 22 @education.gov.au; s 22 @education.gov.au  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

#### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22, ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

Thanks

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**PROTECTED//CABINET**

**From:** s 22 @education.gov.au>  
**Sent:** Thursday, February 9, 2023 4:20 PM  
**To:** s 22 @education.gov.au>  
**Cc:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22  
s 34

We consulted with SA on the draft amendments in late July (per the email chain), s 34  
, noting compressed timeframes for passage in 2022.

s 47C(1)

s 22

---

**From:** s 22 @education.gov.au>  
**Sent:** Thursday, 9 February 2023 3:20 PM  
**To:** s 22 @education.gov.au>  
**Cc:** s 22 @education.gov.au>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

FYI

---

**From:** s 22 @Education.gov.au>  
**Sent:** Thursday, 9 February 2023 3:18 PM  
**To:** DAVIN,Genevieve <Genevieve.Davin@education.gov.au>; KIMBER,Geoff <Geoff.Kimber@education.gov.au>; HILL,Emma <Emma.Hill@education.gov.au>; s 47E e@education.gov.au>  
**Cc:** ARCARO,Michele <Michele.Arcaro@education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 47E @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 47E @education.gov.au>; s 22 @education.gov.au>  
 s 22 @education.gov.au>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

s 22

Phone: s 22 | Mobile: s 22

---

**From:** s 22  
**Sent:** Thursday, 9 February 2023 3:14 PM  
**To:** ARCARO,Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department’s views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or <sup>s 22</sup> , ext. <sup>s 22</sup> should you wish to discuss this matter or the FOI process more broadly.

Thanks

<sup>s 22</sup>

Corporate and Information Law Team | Corporate and Child Care Legal Branch

Australian Government Department of Education

Phone: <sup>s 22</sup> | Mobile: <sup>s 22</sup>

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**From:** s 22  
**Sent:** Thursday, February 9, 2023 5:29 PM  
**To:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au; s 22 @education.gov.au  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

s 22 and I didn't think we had gone back to SA on this yet (at least, we haven't seen anything).

I'll give it a read and ask s 22 to review as well over the coming days. We'll come back to you with our advice on how to handle (please let us know if you want to discuss first though).

Cheers,

s 22  
Child Care Reform | Child Care Markets and Reform  
Phone: s 22 | Mobile: s 22

---

**From:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Sent:** Thursday, 9 February 2023 4:11 PM  
**To:** s 22 @education.gov.au; s 22 @education.gov.au  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

I think we've already done this directly with SA?

---

**From:** s 22 @Education.gov.au  
**Sent:** Thursday, 9 February 2023 3:14 PM  
**To:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.



**Action required**

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22, ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

Thanks

s 22

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

s 22

s 22

Chat Files Organisation Activity +

10/02 1:41 pm

Hi s 22 I'm in Michele Arcaro's branch and contacting you in relation to an FOI courtesy consult email you sent. Do you perhaps have time this afternoon for a quick chat with me and my EL2 s 22 ?

A screenshot of a chat application interface. The top bar contains navigation options: 'Chat', 'Files', 'Organisation', 'Activity', and a plus sign. On the right side of the top bar are icons for video call, voice call, a plus sign, a group of people, and a document. The main chat area is light gray and contains a single message in a light blue bubble. The message text is: 'Hi s 22 I'm in Michele Arcaro's branch and contacting you in relation to an FOI courtesy consult email you sent. Do you perhaps have time this afternoon for a quick chat with me and my EL2 s 22 ?'. The message is timestamped '10/02 1:41 pm' in the top right corner of the bubble. A small circular icon with a checkmark is visible at the bottom right of the message bubble.



---

**From:** s 22 <@Education.gov.au>  
**Sent:** Friday, February 10, 2023 4:04 PM  
**To:** s 22 <@education.gov.au>  
**Subject:** RE: s 22 sent a message [SEC=OFFICIAL]

Thanks s 22 😊

---

**From:** s 22 <@education.gov.au>  
**Sent:** Friday, 10 February 2023 3:56 PM  
**To:** s 22 <@Education.gov.au>  
**Subject:** RE: s 22 sent a message [SEC=OFFICIAL]

Thanks s 22 , I've spoken to s 22 and it's under control.

---

**From:** s 22 <@Education.gov.au>  
**Sent:** Friday, 10 February 2023 3:22 PM  
**To:** s 22 <@education.gov.au>  
**Subject:** FW: s 22 sent a message [SEC=OFFICIAL]

Hi s 22

Would you be able to contact s 22 about this FOI matter please (it's that Services Australia consult matter from yesterday)? Happy to be involved if that seems necessary.

Thanks  
s 22

---

**From:** s 22 in Teams <noreply@email.teams.microsoft.com>  
**Sent:** Friday, 10 February 2023 2:48 PM  
**To:** s 22 <@Education.gov.au>  
**Subject:** s 22 sent a message

You don't often get email from [noreply@email.teams.microsoft.com](mailto:noreply@email.teams.microsoft.com). [Learn why this is important](#)

**Hi,**

Your teammates are trying to reach you in **Microsoft Teams**.

s 22

[sent a message in chat](#)

Hi <sup>s 22</sup> I'm in Michele Arcaro's branch and contacting you in relation to an FOI courtesy consult email you sent....

Reply in Teams

### Install Microsoft Teams now



This email was sent from an unmonitored mailbox. Update your email preferences in Teams. Activity > Settings (Gear Icon) > Notifications.

© 2019 Microsoft Corporation, One Microsoft Way, Redmond WA 98052-7329  
Read our [privacy policy](#)



s 22









s 22

**PROTECTED//CABINET****From:** s 22**Sent:** Monday, February 13, 2023 3:18 PM**To:** s 22 @education.gov.au>**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Thanks s 22

A couple of minor additions in red, plus one to the sentence on s 22  
s 22

Once you've reviewed again I'm happy for this to go to Michele.

Cheers,

s 22

Child Care Reform | Child Care Markets and Reform  
Phone: s 22 | Mobile: s 22

**From:** s 22 @education.gov.au>**Sent:** Monday, 13 February 2023 2:32 PM**To:** s 22 @education.gov.au>**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hey s 22 – here is a draft run down for Michele. s 22  
s 22

Hi Michele

Upon consideration and discussion with Legals, we suggest that it is reasonable to allow access to the documents in accordance with the request. This is provided that the personal references to Edu staff is redacted (in line with FOI exemption s47F).

A brief summary of the document and relevant considerations is below, for your information.

Schedule of documents

The attached document which SA propose to release as part of this FOI includes the following (in order, but not always in time sequence):

- 2 x emails 28 July 2022 with Edu consulting SA on the wording of a draft amendment in the Cheaper Child Care Bill to remove the follow the child requirement from the 26 week rule
- 1 x email 12 September 2022 with Edu providing SA a copy of the final version of the Bill, including the draft amendment to remove the follow the child requirement from the 26 week rule
  - Copy of the Final Bill is provided at page 11 of the document (noting this is already available online)
- 2 x email 24 August 2022 where SA was confirming that subsequent changes to the Minister's rules would be progressed, as a result of the amendments provided by the Cheaper Child Care Bill. Edu confirmed but noted that timing for these changes would be later on.

s 22

- 1 x email SA 23 August with SA providing Edu comments to a version of the exposure draft (ED) and layperson explanation

s 22

- 2 x email correspondence between Edu and SA 22 August with SA seeking additional time to review the ED
- 2 x email correspondence between Edu and SA 18 August 2022 providing the ED for SA's comment, noting that among other amendments, the amendment to remove the follow the child requirement from the 26 week rule was not included.
- 1 x extract of 2 pages from the Explanatory Memorandum for the Bill (noting this is already available online)

#### Criteria for FOI exemption

s 42

s 42

s 34

We consulted with SA on the draft amendments s 34

noting the compressed timeframes for passage in 2022.

However, [the exemptions around Cabinet material](#) do not cover a document by which a Cabinet decision is officially published (such as a media release). Furthermore, the Bill and all supporting documents are now in the public domain. No other FOI exemptions are relevant.

s 22

---

**From:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>  
**Sent:** Thursday, 9 February 2023 3:20 PM  
**To:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>  
**Cc:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

FYI

---

**From:** s 22 <[s 22@Education.gov.au](mailto:s 22@Education.gov.au)>  
**Sent:** Thursday, 9 February 2023 3:18 PM  
**To:** DAVIN,Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>; KIMBER,Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>; HILL,Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; s 47E <[s 47E@education.gov.au](mailto:s 47E@education.gov.au)>  
**Cc:** ARCARO,Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 47E <[s 47E@education.gov.au](mailto:s 47E@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; h <[h@education.gov.au](mailto:h@education.gov.au)>  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

s 22

Phone: s 22 | Mobile: s 22

---

**From:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>  
**Sent:** Thursday, 9 February 2023 3:14 PM  
**To:** ARCARO,Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>  
**Cc:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or <sup>s 22</sup> , ext. <sup>s 22</sup> should you wish to discuss this matter or the FOI process more broadly.

Thanks

<sup>s 22</sup>

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: <sup>s 22</sup> | Mobile: <sup>s 22</sup>

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**From:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Sent:** Tuesday, February 14, 2023 9:57 AM  
**To:** s 22 @education.gov.au>  
**Cc:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Thanks s 22 . Agree that it is reasonable to provide access to the docs.

Michele

---

**From:** s 22 @education.gov.au>  
**Sent:** Monday, 13 February 2023 4:37 PM  
**To:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi Michele

Upon consideration and discussion with Legals, we suggest that it is reasonable to allow access to the documents in accordance with this FOI request. This is provided that the personal references to Edu staff are redacted (in line with FOI exemption s47F).

A brief summary of the document and relevant considerations is below, for your information. Please let us know if you'd like to discuss or are happy with this suggested approach.

s 22

#### Schedule of documents

The attached document which SA propose to release as part of this FOI includes the following (in order of the PDF, but not always in time sequence):

- 2 x emails 28 July 2022 with Edu consulting SA on the wording of a draft amendment in the Cheaper Child Care Bill to remove the follow the child requirement from the 26 week rule
- 1 x email 12 September 2022 with Edu providing SA a copy of the final version of the Bill, including the draft amendment to remove the follow the child requirement from the 26 week rule
  - Copy of the Final Bill is provided at page 11 of the document (noting this is already available online)
- 2 x email 24 August 2022 where SA was confirming that subsequent changes to the Minister's rules would be progressed, as a result of the amendments provided by the Cheaper Child Care Bill. Edu confirmed but noted that timing for these changes would be later on.

s 22

- 1 x email SA 23 August with SA providing Edu comments to a version of the exposure draft (ED) and layperson explanation

- 2 x emails 22 August with SA seeking additional time to review the ED. Edu agreed to the request.
- 2 x emails 18 August 2022 with Edu providing the ED for SA's comment, noting that among other amendments, the amendment to remove the follow the child requirement from the 26 week rule was not included.
- 1 x extract of 2 pages from the Explanatory Memorandum for the Bill (noting this is already available online)

Criteria for FOI exemption

s 42

s 42

s 34

We consulted with SA on the draft amendments s 34, noting the compressed timeframes for passage in 2022. However, [the exemptions around Cabinet material](#) do not cover a document by which a Cabinet decision is officially published (such as a media release). Furthermore, the Bill and all supporting documents are now in the public domain. No other FOI exemptions are relevant.

s 34

s 22

---

**From:** s 22 <[@education.gov.au](mailto:education.gov.au)>

**Sent:** Thursday, 9 February 2023 3:20 PM

**To:** s 22 <[@education.gov.au](mailto:education.gov.au)>

**Cc:** s 22 <[@education.gov.au](mailto:education.gov.au)>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

FYI

---

**From:** s 22 <[@Education.gov.au](mailto:Education.gov.au)>

**Sent:** Thursday, 9 February 2023 3:18 PM

**To:** DAVIN, Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>; KIMBER, Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>; HILL, Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; s 47E  
s 47E @education.gov.au>

**Cc:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 47E @education.gov.au>; s 47E @education.gov.au>; s 22 @education.gov.au>; s 47E @education.gov.au>; s 22 @education.gov.au>

s 22 @education.gov.au>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

s 22

Phone: s 22 | Mobile: s 22

---

**From:** s 22

**Sent:** Thursday, 9 February 2023 3:14 PM

**To:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>; s 22 @education.gov.au>

**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22, ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

s 22 Thanks

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.



---

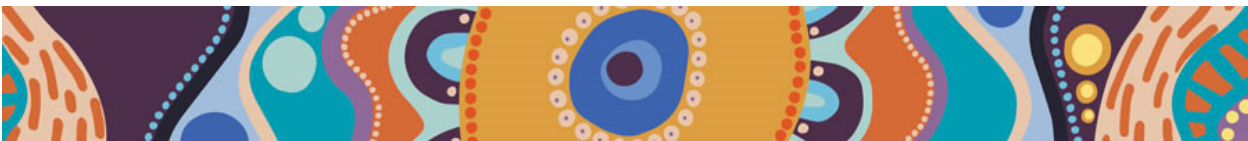
**From:** s 22  
**Sent:** Tuesday, February 14, 2023 2:58 PM  
**To:** s 22 @education.gov.au>  
**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>;  
ARCARO,Michele <Michele.Arcaro@education.gov.au>; s 22 @Education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22

Thank you for your comments. We will respond to Services Australia on the basis that the department has no objections to the release of the material, other than to the names and contact details of departmental staff (which we will request Services Australia redact under section 47F).

Thanks  
s 47F

Corporate and Information Law Team | Corporate and Childcare Branch  
Legal Division  
Australian Government Department of Education  
Phone s 22 | Extension s 22  
[education.gov.au](http://education.gov.au)



The Department of Education acknowledges the traditional owners and custodians of country throughout Australia and their continuing connection to land, waters and community. We pay our respects to them and their cultures, and Elders past, present and emerging.

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**From:** s 22 @education.gov.au>  
**Sent:** Tuesday, 14 February 2023 2:25 PM  
**To:** s 22 @Education.gov.au>  
**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>;  
s 22 @education.gov.au>; ARCARO,Michele  
<Michele.Arcaro@education.gov.au>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi <sup>s 22</sup> and <sup>s 22</sup>

Thank you for consulting with Child Care Markets and Reform on this FOI.

Upon consideration and confirmation with our AS Michele Arcaro, we suggest that it is reasonable for SA to allow access to the PDF'd documents in accordance with this FOI request. This is provided that the personal references to Edu staff are redacted (in line with FOI exemption s47F).

<sup>s 22</sup> Thanks again and also for <sup>s 22</sup> time talking this through with us on Friday.

| Child Care Reform | Child Care Markets and Reform | Child Care Division | Early Childhood and Youth Group  
| Australian Government Department of Education

**From:** <sup>s 22</sup> [@Education.gov.au](mailto:)

**Sent:** Thursday, 9 February 2023 3:18 PM

**To:** DAVIN, Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>; KIMBER, Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>;

HILL, Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; <sup>s 47E</sup>

<sup>s 47E</sup> [@education.gov.au](mailto:)

**Cc:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>; <sup>s 22</sup> [@education.gov.au](mailto:);

<sup>s 22</sup> [@education.gov.au](mailto:); <sup>s 22</sup>

[@education.gov.au](mailto:);

<sup>s 22</sup> [@education.gov.au](mailto:); <sup>s 47E</sup>

[@education.gov.au](mailto:);

<sup>s 22</sup> [@education.gov.au](mailto:); <sup>s 47E</sup>

[@education.gov.au](mailto:); <sup>s 22</sup>

<sup>s 22</sup> [@education.gov.au](mailto:)

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

<sup>s 22</sup>

Phone: <sup>s 22</sup> | Mobile: <sup>s 22</sup>

**From:** <sup>s 22</sup>

**Sent:** Thursday, 9 February 2023 3:14 PM

**To:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Cc:** <sup>s 22</sup> [@education.gov.au](mailto:); <sup>s 22</sup>

[@education.gov.au](mailto:);

<sup>s 22</sup> [@education.gov.au](mailto:); <sup>s 22</sup>

[@education.gov.au](mailto:)

**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

#### **Action required**

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22, ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

Thanks

s 22

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**From:** s 22 @education.gov.au>  
**Sent:** Tuesday, February 14, 2023 4:34 PM  
**To:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22

Thank you for preparing this. This is a great first attempt and covers pretty much all of the major points (I've just added in a sentence about the department having no objection to the release of the balance of the material). I've marked up some changes below. A lot of these changes are more stylistic in nature and have been made to reflect our usual approach to consultations so don't be disheartened by all the changes!

If you're happy with my suggested changes, please prepare a clean version to send to s 22 for her review. I'm happy to look at the draft email to s 22 before it's sent.

s 22

Thanks

s 22

---

**From:** s 22 @education.gov.au>  
**Sent:** Tuesday, 14 February 2023 4:03 PM  
**To:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hey s 22 ,

Below is my attempt at the response, keen to hear your thoughts! I'm especially unsure on the sentence around the Government Online Directory given these officers are not senior executives like the example was, but hopefully the rest of it has done an ok job at fusing together the parts on s 22 and s 47F.

Thanks, s 22

Dear s 22 ,

*Thank you for your consulting the Department of Education (department) about the possible release of the attached documents.*

*We have consulted with the relevant business area within the department and ~~placing us in the position to~~ make the following comments. ~~about the documents.~~*

***Names and contact details of departmental officers***

*We note that in the attached documents, you have marked the names and contact details of Services Australia staff for redaction under section 22 of the FOI Act. If possible, based on the extent of your agreement with the FOI applicant about section 22 redactions, we request that the full names and direct contact details of departmental officers also be redacted under this provision. Alternatively, we request that ~~On multiple occasions, the attached documents reveal the full names and email addresses of numerous officers employed by the department. Such information is not publicly available, as confirmed by a review of the Government Online Directory. We would therefore appreciate it if these details were be removed from the documents under section 47F of the FOI Act on the basis that given the information is personal in nature, and is not it would be unreasonable to disclose it in these circumstances given it cannot be found via a publicly available source.~~ In relation to the public interest component of this conditional exemption, we consider that while disclosure may promote the objects of the FOI Act to a limited*

*extent, disclosure could reasonably be expected to prejudice the right of these departmental staff members to privacy and harm the interests of numerous individuals. Based on these factors, it is our view that the public interest in disclosing the information is outweighed by the public interest against disclosure. It is the department's practice to claim this personal privacy exemption where an FOI applicant has not agreed to have the names and contact details of departmental officers removed consistent with section 22 of the FOI Act.*

*The department has no concerns about the release of the balance of the material.*

*Thank you again for consulting with the department about this matter. Please feel free to contact me if you have any questions ~~or anything you would like to discuss generally.~~*

*Kind regards,*

s 22

**From:** s 22 <[@education.gov.au](mailto:@education.gov.au)>  
**Sent:** Tuesday, 14 February 2023 2:54 PM  
**To:** s 22 <[@education.gov.au](mailto:@education.gov.au)>  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22

As discussed, could you please have a go at drafting the response to Services Australia?

I'll separately send you two examples of previous responses that you can use as a basis for the response. The first one I'll send contains the wording regarding section 22 and the second one contains wording about section 47F. As discussed, you could borrow the wording from both responses and combine them together.

Please send me your draft response and we'll then send to s 22 for her second counsel.

Happy to discuss if you have any questions.

Thanks

s 22

**From:** s 22 <[@education.gov.au](mailto:@education.gov.au)>  
**Sent:** Tuesday, 14 February 2023 2:25 PM  
**To:** s 22 <[@Education.gov.au](mailto:@Education.gov.au)>  
**Cc:** s 22 <[@education.gov.au](mailto:@education.gov.au)>; s 22 <[@education.gov.au](mailto:@education.gov.au)>;  
 s 22 <[@education.gov.au](mailto:@education.gov.au)>; ARCARO,Michele

<[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22 and s 22

Thank you for consulting with Child Care Markets and Reform on this FOI.

Upon consideration and confirmation with our AS Michele Arcaro, we suggest that it is reasonable for SA to allow access to the PDF'd documents in accordance with this FOI request. This is provided that the personal references to Edu staff are redacted (in line with FOI exemption s47F).

Thanks again and also for s 22 time talking this through with us on Friday.

s 22

Child Care Reform | Child Care Markets and Reform | Child Care Division | Early Childhood and Youth Group  
 | Australian Government Department of Education

**From:** s 22 <[@Education.gov.au](mailto:@Education.gov.au)>  
**Sent:** Thursday, 9 February 2023 3:18 PM  
**To:** DAVIN,Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>; KIMBER,Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>;  
 HILL,Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; s 47E <[@education.gov.au](mailto:@education.gov.au)>  
 s 47E <[@education.gov.au](mailto:@education.gov.au)>  
**Cc:** ARCARO,Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>; s 22 <[@education.gov.au](mailto:@education.gov.au)>;  
 s 22 <[@education.gov.au](mailto:@education.gov.au)>; s 22 <[@education.gov.au](mailto:@education.gov.au)>;  
 s 22 <[@education.gov.au](mailto:@education.gov.au)>; s 47E <[@education.gov.au](mailto:@education.gov.au)>;  
 s 22 <[@education.gov.au](mailto:@education.gov.au)>; s 22 <[@education.gov.au](mailto:@education.gov.au)>;  
 s 22 <[@education.gov.au](mailto:@education.gov.au)>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request. Please contact me if you would like to discuss.

Thanks

s 22

Phone: s 22 | Mobile: s 22

**From:** s 22

**Sent:** Thursday, 9 February 2023 3:14 PM

**To:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Cc:** s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>; s 22 <[s 22@education.gov.au](mailto:s 22@education.gov.au)>

**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

#### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22, ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

Thanks

s 22

Corporate and Information Law Team | Corporate and Child Care Legal Branch

Australian Government Department of Education

Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

---

**From:** s 22 @Education.gov.au>  
**Sent:** Wednesday, February 15, 2023 9:38 AM  
**To:** s @education.gov.au>  
**Cc:** s 22 @education.gov.au>  
**Subject:** RE: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi s 22

Thanks very much for this, it looks good (just one minor addition from me in green below).

If possible, it would be good to send this asap this morning just so we can include it in the FOI report (which is currently being finalised – it would just be nice to close it off in the report even though this step is occurring in the next reporting period).

Happy to discuss.

Thanks

s 22

---

**From:** s 22 @education.gov.au>  
**Sent:** Wednesday, 15 February 2023 8:56 AM  
**To:** s 22 @Education.gov.au>  
**Cc:** s 22 @education.gov.au>  
**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear s 22

Our response to the FOI consultation request from Services Australia regarding the attached documents can be found below. The response is due by COB today.

Please let me know if you'd like to discuss further.

Thanks,  
s 22

-----  
Dear s 22

*Thank you for your consulting the Department of Education (department) about the possible release of the attached documents.*

We have consulted with the relevant business area within the department and make the following comments.

### **Names and contact details of departmental officers**

We note that in the attached documents, you have marked the names and contact details of Services Australia staff for redaction under section 22 of the FOI Act. If possible, based on the extent of your agreement with the FOI applicant about section 22 redactions, we request that the full names and direct contact details of departmental officers also be redacted under this provision. Alternatively, we request that these details be removed from the documents under section 47F of the FOI Act on the basis that the information is personal in nature, and is not publicly available. In relation to the public interest component of this conditional exemption, we consider that while disclosure may promote the objects of the FOI Act to a limited extent, disclosure could reasonably be expected to prejudice the right of these departmental staff members to privacy and harm the interests of numerous individuals. Based on these factors, it is our view that the public interest in disclosing the information is outweighed by the public interest against disclosure. It is the department's practice to claim this personal privacy exemption (where appropriate having regard to the request and in scope documents) where an FOI applicant has not agreed to have the names and contact details of departmental officers removed consistent with section 22 of the FOI Act.

The department has no concerns about the release of the balance of the material.

Thank you again for consulting with the department about this matter. Please feel free to contact me if you have any questions.

Kind regards,

---

**From:** <sup>s 2</sup> [@education.gov.au](mailto:@education.gov.au)  
**Sent:** Tuesday, 14 February 2023 2:25 PM  
**To:** <sup>s 22</sup> [@Education.gov.au](mailto:@Education.gov.au)  
**Cc:** <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); [@education.gov.au](mailto:@education.gov.au); [@education.gov.au](mailto:@education.gov.au); ARCARO,Michele  
[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)  
**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Hi <sup>s 22</sup> and <sup>s 22</sup>

Thank you for consulting with Child Care Markets and Reform on this FOI.

Upon consideration and confirmation with our AS Michele Arcaro, we suggest that it is reasonable for SA to allow access to the PDF'd documents in accordance with this FOI request. This is provided that the personal references to Edu staff are redacted (in line with FOI exemption s47F).

Thanks again and also for <sup>s 22</sup> time talking this through with us on Friday.  
<sup>s 22</sup>

<sup>s 22</sup>

| Child Care Reform | Child Care Markets and Reform | Child Care Division | Early Childhood and Youth Group  
 | Australian Government Department of Education

---

**From:** <sup>s 22</sup> [@Education.gov.au](mailto:@Education.gov.au)  
**Sent:** Thursday, 9 February 2023 3:18 PM  
**To:** DAVIN,Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>; KIMBER,Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>; HILL,Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; <sup>s 47E</sup> [@education.gov.au](mailto:@education.gov.au)  
<sup>s 47E</sup> [@education.gov.au](mailto:@education.gov.au)  
**Cc:** ARCARO,Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>; <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 47E</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 47E</sup> [@education.gov.au](mailto:@education.gov.au); <sup>s 22</sup> [@education.gov.au](mailto:@education.gov.au)



s 22 [@education.gov.au](mailto:@education.gov.au)>

**Subject:** FW: FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear all

The department has received the **attached** consultation request from Services Australia. Services Australia is seeking the views of the department regarding the release of the **attached** documents, which have been requested under the *Freedom of Information Act 1982* (Cth). The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

The department will work with the Child Care Markets and Reform Branch to respond to this consultation request.

Please contact me if you would like to discuss.

Thanks

s 22

Phone: s 22 | Mobile: s 22

---

**From:** s 22

**Sent:** Thursday, 9 February 2023 3:14 PM

**To:** ARCARO, Michele <[Michele.Arcaro@education.gov.au](mailto:Michele.Arcaro@education.gov.au)>

**Cc:** s 22 [@education.gov.au](mailto:@education.gov.au); s 22 [@education.gov.au](mailto:@education.gov.au); s 22 [@education.gov.au](mailto:@education.gov.au); s 22 [@education.gov.au](mailto:@education.gov.au)

**Subject:** FOI courtesy consultation - Services Australia - documents relating to the Cheaper Child Care amendments [SEC=OFFICIAL]

Dear Michele

As you may be aware, the department has received the attached courtesy FOI consultation request from Services Australia seeking the department's views regarding the release of documents that have been requested under the *Freedom of Information Act 1982* (the FOI Act).

The documents contain email correspondence between the department and Services Australia and other material relating to the Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022.

#### Action required

Services Australia has asked the department to provide any comments regarding the potential release of the **attached** documents by Wednesday 15 February 2023, explaining the department's reasoning for the application of any exemptions to disclosure under the FOI Act.

As the SES officer in the relevant line area, we ask that you consider the documents and advise of any concerns you may have with the potential release, identifying the nature of any particular sensitivities. If possible, can you please provide your comments **by Tuesday 14 February 2023** in case it is necessary for us to consider whether there are any applicable exemptions to the disclosure.

Please feel free to contact me or s 22 , ext. s 22 should you wish to discuss this matter or the FOI process more broadly.

s 22 Thanks

Corporate and Information Law Team | Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone: s 22 | Mobile: s 22

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify me immediately by telephone and delete copies of this transmission together with any attachments.

s 22

---

**From:** s 22 @Education.gov.au  
**Sent:** Wednesday, February 15, 2023 12:17 PM  
**To:** s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au; s 22 @education.gov.au;  
**Subject:** FW: FOI Report - 25 January to 14 February 2023 [SEC=OFFICIAL]

FYI

---

**From:** DAVIN, Genevieve <[Genevieve.Davin@education.gov.au](mailto:Genevieve.Davin@education.gov.au)>  
**Sent:** Wednesday, 15 February 2023 12:14 PM  
**To:** BRUNIGES, Michele <[Michele.Bruniges@education.gov.au](mailto:Michele.Bruniges@education.gov.au)>  
**Cc:** BIRMINGHAM, Julie <[Julie.Birmingham@education.gov.au](mailto:Julie.Birmingham@education.gov.au)>; s 22 @education.gov.au; s 22 @education.gov.au; COOK, Tony <[Tony.Cook@education.gov.au](mailto:Tony.Cook@education.gov.au)>; HILL, Emma <[Emma.Hill@education.gov.au](mailto:Emma.Hill@education.gov.au)>; MARKOVIC, Marcus <[Marcus.Markovic@education.gov.au](mailto:Marcus.Markovic@education.gov.au)>; PATTIE, David <[David.Pattie@education.gov.au](mailto:David.Pattie@education.gov.au)>; PHILP, Brenton <[Brenton.Philp@education.gov.au](mailto:Brenton.Philp@education.gov.au)>; s 22 @education.gov.au; SEALE, David <[David.Seale@education.gov.au](mailto:David.Seale@education.gov.au)>; s 47E @education.gov.au; s 47E @education.gov.au; s 47E @education.gov.au; s 47E @education.gov.au; KIMBER, Geoff <[Geoff.Kimber@education.gov.au](mailto:Geoff.Kimber@education.gov.au)>; s 22 @Education.gov.au; s 22 @education.gov.au;  
**Subject:** FOI Report - 25 January to 14 February 2023 [SEC=OFFICIAL]

Dear Michele

As you are aware, the Corporate and Child Care Legal Branch manages requests made to the department under the *Freedom of Information Act 1982* (the FOI Act). Please find **attached** the latest FOI Report, covering the period from 25 January to 14 February 2023.

s 22

### **Early Childhood and Child Care**

- On 9 February, the department received a consultation request from Services Australia regarding documents relating to the Cheaper Child Care Bill.

s 22

Please contact me if you have any questions.

Regards

**Genevieve Davin**

Senior Executive Lawyer  
Corporate and Child Care Legal Branch  
Australian Government Department of Education  
Phone s 47F | Mobile s 47F

**Legal in confidence:** This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and delete copies of this transmission together with any attachments.







<b>FOI Consultation Request - Services Australia - Documents relating to the Cheaper Child Care Bill</b>	
Client contact	Michele Arcaro
Date request received	9 February 2023
Summary of the request	The department has been consulted by Services Australia regarding documents relating to the Cheaper Child Care Bill.
Status	15/02/23 advised Services Australia that the department objects to the release of names and contact numbers of departmental staff members contained in parts of the document bundle.
Reminders	N/A (Finalised)























---

**From:** BLUNCK, Tracey <Tracey.Blunck@education.gov.au>  
**Sent:** Tuesday, February 21, 2023 2:01 PM  
**To:** ARCARO, Michele <Michele.Arcaro@education.gov.au>; s 22 @education.gov.au>  
**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>  
s 22 @education.gov.au>  
: FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Hi Michele/s 22

**Michele** you might recall a few weeks ago I flagged w you and the team that SA had an FOI relating to one of the legislative amendments you put through in the Cheaper Child Care Bill.

Tina let me know yday that the FOI team has determined one email exchange with your team falls within the scope of the request and will be released (redacted of course).

Email in question is **attached**, will leave w you if you think anything needs flagging w Steve/Tristan/s 22 .

Have also copied in s 22 , if helpful as she seemed to be across the ins and outs last time from memory.

Cheers  
Tracey

---

**From:** Anderson, Tina s 47F @servicesaustralia.gov.au>  
**Sent:** Tuesday, 21 February 2023 11:40 AM  
**To:** BLUNCK, Tracey <Tracey.Blunck@education.gov.au>  
**Cc:** s 22 @servicesaustralia.gov.au>  
**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Tracey

As discussed yesterday, this is the email exchange between the agencies that will be released under FOI. Note, that the sections in red boxes will be redacted.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: s 47F  
Families and Child Care Branch  
Families, Children and Targeted Services Division

SERVICES AUSTRALIA  
servicesaustralia.gov.au

s 47F

---

**From:** Anderson, Tina  
**Sent:** Monday, 6 February 2023 8:34 PM  
**To:** BLUNCK, Tracey <[Tracey.Blunck@education.gov.au](mailto:Tracey.Blunck@education.gov.au)>  
**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Hi Tracey

I just wanted to give you visibility of this FOI request, regarding one section of leg in the CC Bill. I meant to mention at our catch up today, but we got distracted by other more interesting topics!

Happy to discuss.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: s 47F  
Families and Child Care Branch  
Families, Children and Targeted Services Division

SERVICES AUSTRALIA  
servicesaustralia.gov.au

s 47F

---

s 22





---

**From:** BLUNCK, Tracey <Tracey.Blunck@education.gov.au>  
**Sent:** Tuesday, February 21, 2023 2:01 PM  
**To:** Anderson, Tina <sup>s 47F</sup> @servicesaustralia.gov.au>  
**Subject:** RE: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Thanks heaps

---

**From:** Anderson, Tina <sup>s 47F</sup> @servicesaustralia.gov.au>  
**Sent:** Tuesday, 21 February 2023 11:40 AM  
**To:** BLUNCK, Tracey <Tracey.Blunck@education.gov.au>  
**Cc:** <sup>s 22</sup> @servicesaustralia.gov.au>  
**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Tracey

As discussed yesterday, this is the email exchange between the agencies that will be released under FOI. Note, that the sections in red boxes will be redacted.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: <sup>s 47F</sup>  <sup>s 47F</sup>  
Families and Child Care Branch  
Families, Children and Targeted Services Division

**SERVICES AUSTRALIA**  
servicesaustralia.gov.au

<sup>s 47F</sup>

---

**From:** Anderson, Tina  
**Sent:** Monday, 6 February 2023 8:34 PM  
**To:** BLUNCK, Tracey <Tracey.Blunck@education.gov.au>

**Subject:** FW: For action: Significant FOI request search minute – Me (Right to Know) (LEX 71589) – Due 7 February 2023 [SEC=OFFICIAL]

Hi Tracey

I just wanted to give you visibility of this FOI request, regarding one section of leg in the CC Bill. I meant to mention at our catch up today, but we got distracted by other more interesting topics!

Happy to discuss.

Regards,  
Tina

Tina Anderson  
National Manager  
PH: s 47F  
Families and Child Care Branch  
Families, Children and Targeted Services Division

The logo for Services Australia, featuring the text "SERVICES AUSTRALIA" in white uppercase letters above "servicesaustralia.gov.au" in white lowercase letters, set against a dark blue background with a red-to-orange gradient on the right side.

SERVICES AUSTRALIA  
servicesaustralia.gov.au

s 47F

---

s 22





s 22

---

**From:** s 22 @education.gov.au>  
**Sent:** Tuesday, May 16, 2023 11:42 AM  
**To:** ARCARO, Michele <Michele.Arcaro@education.gov.au>  
**Cc:** s 22 @education.gov.au>; s 22 @education.gov.au>  
**Subject:** For AS clearance COB today: FOI courtesy consultation - Services Australia - documents relating to amendments to the Family Assistance Law [SEC=OFFICIAL]

s 22

s 22

fact, a lot of the documents were included in earlier request (LEX71589, also attached) s 22

In

s 22

- On 9 February 2023, Services Australia consulted with the department about the release of documents relating to amendments to the FAL
- On 15 February 2023, the department advised Services Australia that the department did not object to the release of the documents, aside from the names and contact details of departmental staff members contained in parts of the document bundle

s 22



