[Insert agency letterhead]

[Date]

Ref: [agency reference]

[Applicant name]

**By email: [insert email]**

Dear [Name]

**Notice of intention to refuse your freedom of information request and invitation to consult**

You must notify an applicant of your intention to refuse access to documents in accordance with a request under section 25A(1) of the FOI Act within 21 days of receiving a valid request (*Professional Standard 5.1*).

We refer to your request under the *Freedom of Information Act 1982* (Vic) (**FOI Act**) which we received on [insert date].

You requested access to:

*[Insert the terms of the request]*

**Your request would substantially and unreasonably divert our resources**

We assessed your request and our view is the work involved to process it in its current form would substantially and unreasonably divert the resources of this agency from its other operations.

[Insert reasons to support your view]

Explain why you believe the request would substantially and unreasonably divert the resources of your agency from its other operations (*Professional Standard 5.2*). Consider the time and resources that would reasonably be involved in processing the request and provide evidence to show how the applicant’s request would generate a large or unreasonable workload for your agency. Consider the nature of the request (for example, has the applicant stated a date range? Are the terms broad?) and the resources of your agency in locating and assessing the documents.

As such, in accordance with section 25A(6)(i) of the FOI Act, we intend to refuse access to the documents you requested unless you sufficiently narrow the terms of the request.

**Invitation to consult with us to narrow the scope of your request**

We invite you to consult with us to narrow the scope of your request, so that processing it would no longer be a substantial and unreasonable diversion of this agency’s resources from its other operations.

To assist you in narrowing the scope of your request, you may wish to consider [insert suggestions, for example:

* nominating or reducing a time period covered by the request;
* specifying or reducing the number of categories of documents you are requesting;
* specifying or reducing the types or formats of documents you are requesting; or
* other appropriate suggestions depending on the terms of the request.]

Please note, accepting our suggestion[s] means the ground for refusal under section 25A(1) of the FOI Act may be removed, but it does not necessarily mean you will receive access to those document[s]. We would still need to assess each document to determine whether an exemption applies to it in full or in part.

**What you need to do**

To proceed with your request, please consider our suggestions above and provide an amended, narrowed, request by [insert date, which must be no shorter than 21 days].

Under *Professional Standard 5.2(b)*, when providing a notice to an applicant under section 25A(6) of the FOI Act, in addition to the requirements of that section, an agency must provide a minimum of 21 days from the date of the agency’s notice for the applicant to respond.

Please let us know if you require more time to narrow the scope of your request. Please be aware that the time for processing your request is suspended until a narrowed request is confirmed. The time in which we must process your request will resume if we receive a request we can process or if you tell us you wish to continue with your original request.

If we do not hear from you, or you do not sufficiently narrow your request by the date above, we may provide you with a final decision to refuse access to the requested documents under section 25A(1) of the FOI Act.

We have provided the name and contact details of a staff member who can assist you with narrowing the scope of your request. Please contact them to consult on the scope of your request.

[Insert contact details of person with whom the applicant may consult]

Under section 25A(6)(a)(ii) of the FOI Act, an agency must identify an officer of the agency with whom the applicant may consult with a view of making the request in a form that would remove the ground for refusal.

If you have any questions about this letter, please also contact us on [insert telephone number] or [insert email address] and quote [agency reference].

Yours sincerely

[Name of officer]
[Position title]

Where an agency consults with an applicant under section 25A(6) of the FOI Act, it must ensure it keeps a record of consulting, including any responses received from the applicant and, if amended, the final terms of the request (*Professional Standard 5.3*).