National
Redress Scheme
For people who have experienced institutional child sexual abuse

Drafting the Section 25 notice

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V1.1	20/05/2021	s 47F	Minor update for Document Classification in Case Manager and converting section notice to PDF.
V1.1	3/06/2021	s 47F	Update date requirement on section 25 notice.

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Purpose

This document outlines the process for completing the section 25 notice. The section 25 notice will be included in the Request for Information package that is issued through case manager.

Operational Policy Overview

Section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) requires the Scheme to request information from a participating institution in relation to an application.

Under section 25(1) of the Act, if an application for redress either:

- Identifies a particular institution as being involved in the abuse of a person; or
- There are reasonable grounds to believe that a participating institution may be responsible for the abuse of a person;

Then the delegate of the Operator must issue a request for information to this participating institution.

Section 25(2) of the Act denotes that the delegate of the Operator may also request information from an institution if there are reasonable grounds to believe that the institution that may be relevant to determining the application.

Note: Section 25 refers to abuse; this includes sexual and non-sexual abuse. Therefore, section 25 must be adhered to for institutions where the applicant has mentioned non-sexual abuse only.

Note: the Scheme may send a Request for Further Information (RFFI) to the same institution. **A RFFI** will also require a **separate section 25 notice** through the Institutional Portal.

Process overview

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Task description

Each Request for Information (RFI) package to a participating or defunct institution will be accompanied by a section 25 notice. The notice does not need to specify which institution it is for. Once the RFI has been issued through case manager, a RFI Alert Email will be issued to the representative to notify them that a request for information has been issued through the Portal.

RFI Steps

Step one: open section 25 template

- Open section 25 template from Sharepoint.

Step two: enter RA number and name of recipient.

- Fill in the **RA number** and **name of the representative** to whom the RFI will be sent.
  - The name of the representative can be found on extranet on the under 'RFI Contact' for each institutional listing.
  - Ensure the text is black.

Step three: select variables from drop down boxes

- There are **four** drop down boxes that must be completed for this notice.
  These are:
  - **Production period** – a RFI will either have a 4 week or 8 week production period, this is based of the priority status of the application. The priority status can be determined in case manager. Select case view > Overview > Priority Level.

  - **Child Safe Reporting** – the institution needs to be informed if a child safe report has been made or not and whether the report was de-identified.
    - **Report detail** (if applicable) – if a report has been made, please fill in the **date** of the report.
      - If a report has not been made, delete textbox contents by highlighting text and pressing space.

  - **Prior payments** – select whether the application includes prior payment information that is relevant to the institution receiving the RFI.
    - A prior payment will be relevant to the institution receiving the RFI if the payment was made by or on behalf of that institution.

  - **Child applicants** – please select whether this RFI relates to a child applicant.

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Step four: create alert notice

- Open RFI alert email template from Sharepoint.
  - There is a separate Alert email for a Request for Further Information (RFFI).
- Fill in the **RA number** and the **name of the representative**.
- Leave the due date blank for now, this will depend on the day the RFI is sent.
- Complete red sections of the template according to the RFIs for the group.
- Download email draft to your desktop.

Step five: upload notice and alert email to case manager for quality assurance

- Upload section 25 notice draft(s) and RFI alert email(s) into the **RFI QA** folder on case manager.
- Select Add > Add Document from Local System
  - Class: **Institution Notification**

Step six: Quality Assurance

Once you have completed the below steps, you are ready to send the application to Quality Assurance:

- The RFI packages have been created in line with the *Request info from institution - Step 1 - Draft RFI* and *Information Sharing Framework* task cards.
- All section 25 notices and RFI alert emails are drafted.
- The PDF package(s), section 25 notice(s) and RFI alter email(s) are saved into the **RFI QA** folder on case manager.

Step seven: Add date to Section 25 notice and convert the Section 25 notice into a PDF

- Once quality assurance have confirmed the RFI/RFFI is ready to be sent, add a date to the top of the Section 25 notice on the day it is sent.
  - XX Month 20XX.

The section 25 notice **must** be converted to a PDF to be sent through the institutional portal. Please convert the document by:

- File > Save As > **PDF**

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Extending a RFI or RFFI due date

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V.1	26/09/2022	s 47F	New task card
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Purpose

This document outlines the policy and procedure for extending the due date of a Request for Information (RFI) or Request for Further Information (RFFI) and the circumstances in which an extension may be given.

Operational Policy Overview

The Scheme and participating institutions have agreed to work together to progress applications as quickly as possible.

As part of the application process, institutions may receive a request for information under section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act).

When a RFI or RFFI is issued to an institution under section 25 of the Act, the institution is formally notified of the due date for response in the Section 25 Notice. The due date is also displayed in the Institution Portal and the 'Section 25 notification email'.

Section 25(5) of the Act outlines the statutory timeframe (the production period) for an institution to respond to a RFI or RFFI. The production period (beginning on the date of the Notice) must be at least:

- four weeks, for a priority (i.e. urgent) application; or
- eight weeks for a non-priority (i.e. normal) application.

Section 25(6) and 25(7) of the Act outlines that the Scheme can grant extensions to the RFI production period for institutions, if it is appropriate to do so. An extension may be given on the initiative of a Scheme officer. An institution can also request an extension; however, this must occur before the end of the production period as stated in section 25(8).

Operationally, for **non-priority applications**, an institution can request the first extension via the Institution Portal, provided the production period has not expired. An institution may request a second extension by contacting the Scheme, but it is only granted in extenuating circumstances. This means that, **for non-priority cases, an institution may be granted two <u>four-week</u> extensions**.

For **priority applications**, the institution must contact the Scheme to request an extension. One **extension of <u>four weeks only</u>** is to be granted in **extenuating circumstances.**

These guidelines also apply to RFIs issued through the review and reassessment processes (for more information please refer to each individual task card).

Note: *Case Manager automatically generates the RFI/RFFI due date based on the above rules.*

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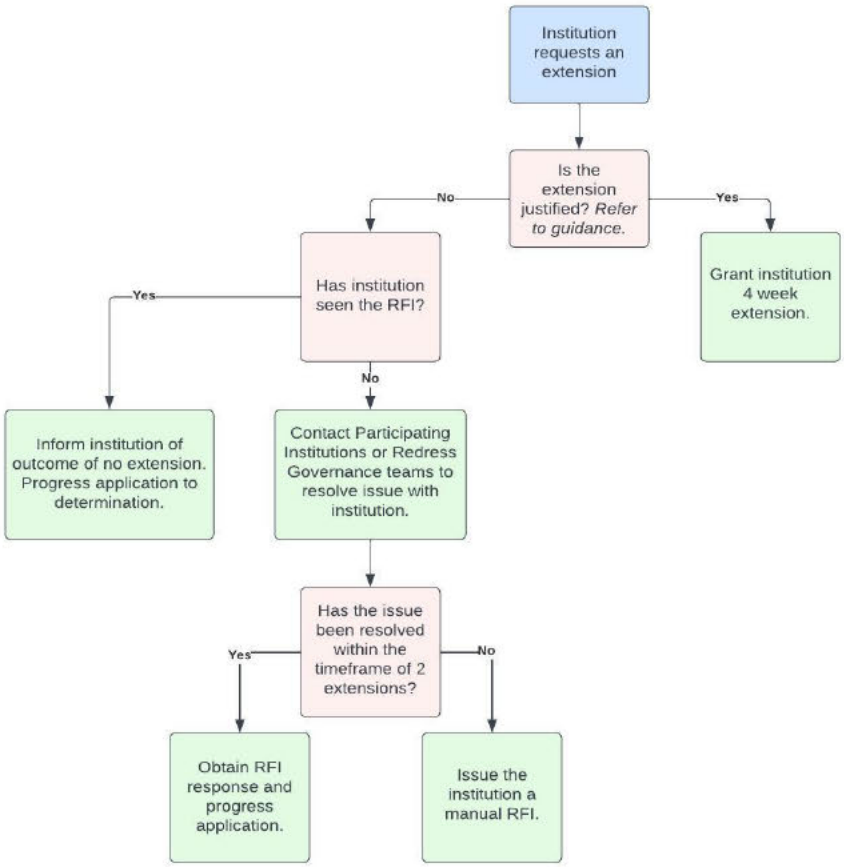
Process



Extension Guidelines

What is an extension?

- An extension of four weeks may be granted to an institution when, for various reasons, they are unable to respond to a RFI/RFFI within the production period.
- Scheme policy requires all RFI extensions to be a **four weeks** per extension.

  This is to ensure that applications progress as quickly as possible, and that all institutions receive the same extension period.

  If an institution is not able to provide the RFI information within the specified timeframes, the application should continue to be progressed. The institution should be advised that they can still provide information to the Scheme regarding the application up until the application is progressed to an IDM for determination by emailing s 47E(c) @dss.gov.au.
- Extensions are assessed on a **case-by-case basis** by the Institution Coordination and Operational Support (ICOS) team.

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Note: *Bulk extension requests are common practice by some institutions (i.e. multiple applications in one email often with a shared justification). All extension requests must be considered on a case-by-case basis; not all applications in a bulk request will necessarily be approved for extension.*

When is an institution granted an extension?

- An institution can only request an extension within the production period of the RFI/RFFI in question (under section 25(8) of the Act). Once the RFI/RFFI production period has lapsed, it is at the Scheme's discretion as to whether it is appropriate to grant an extension.
- For non-priority applications, an institution can grant itself an automatic, four-week extension through the Institution Portal, with justification as to why the extension is required.
- As per Scheme policy for **non-priority applications**, an institution can only be granted **two** extensions in **total** per application before the application must be considered for progression to determination.

Determining if an extension request is justified

- When assessing extension requests, the Scheme must consider the validity of the justification provided. See the tabled guidance below outlining what may or may not constitute sufficient justification:

s 47E(d)

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s 47E(d)

- Where an extension request is **declined**, ICOS will notify the institution that the extension has not been granted. In such circumstances, the institution should be encouraged to return the RFI/RFFI with any information they have on hand. The institution should be advised that they can still provide information to the Scheme regarding the application / allegation of abuse, up until the application is progressed to an IDM for determination by emailing s 47E(c) @dss.gov.au

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When an institution cannot view the contents of the RFI/RFFI

- There is an expectation that institutions will notify the Scheme when they are having technical difficulties viewing a RFI in the Portal. However, the Scheme must also ensure the institution has had the opportunity to respond to the application's allegations, for procedural fairness purposes. Therefore, the reminder email and reminder call processes capture most instances where an institution may be having these difficulties.
- It is anticipated that any issues identified will be resolved within the timeframe of two extensions for non-priority applications, with the assistance of the Participating Institutions or Redress Governance teams.
- Where two extensions have been granted and institutions still cannot view the RFI/RFFI, a manual RFI should be issued. This ensures the application is not delayed indefinitely and that issues are resolved in a timely manner. See Issuing Manual RFI task card.
- The institution should continue to liaise with the Participating Institutions team to resolve the access issues for the next application.

When an institution can view the contents of the RFI/RFFI and has not responded

- Two four-week extensions for non-priority applications should be sufficient time for an institution to address any issues that they are experiencing in responding to a RFI/RFFI.
- Where the institution claims they cannot respond to the RFI/RFFI due to insufficient information in the RFI, the institution should respond to the best of their ability with the information they have.

  Note: *It is not appropriate for the Scheme to contact an applicant for further information at the request of an institution. If the IDM requires further information from an applicant, they may request an Additional Information call.*
- If the institution has not responded to the RFI/RFFI and two extensions have been granted, the non-priority application should be assessed for progression to determination under section 26 of the Act. See Overdue RFI Process task card.

What is an 'administrative change of due date', and when is it required?

- An administrative date change is **not** a RFI/RFFI extension. It is applicable in instances where:
  a. a Scheme error meant the institution did not have the required information at the commencement date specified in the Section 25 Notice (e.g. corrupt RFI package); or

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b. the institution has specifically requested a due date adjustment because it falls on a weekend or holiday.

Example 3.

An institution is issued a RFI through the Institution Portal on 10 March 2023. The institution is issued a Section 25 Notice, however, it cites the beginning of the production period as 12 March 2023, which is inconsistent with the production period in the system.

In this case, an 'administrative due date change' is required to align the Institution Portal date with that on the Notice (12 March 2023) due to Scheme error.

- A due date may fall on a weekend or a day where the office or place where the action is required is closed for the whole day (i.e. a public holiday). Under the *Acts Interpretation Act 1901* the due date may be considered the next day, that is not a Saturday, Sunday or holiday (section 36(3)) (i.e. end of the next business day).

- The **'Record RFI extension request'** task is used to record an administrative date change, with the reason 'Original due date was not a business day' or 'Institution did not have required information from commencement of RFI'. See *Process 2: Administrative Due Date Change in Case Manager*.

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Task Description

Process 1: Record RFI/RFFI extension request and notify outcome

Step	Action required
1	**Request received for extension for priority application** ICOS is responsible for determining extensions for these due dates in line with the Extension Guidelines above. **Is the extension justified?** If **Yes**, go to **Step 2**. If **No**, do not extend the due date and inform the institution that their request has been declined and why. ***Note:*** *Where an institution requests an extension due to Portal/Proda access issues, OR where an institution has already received an extension, ICOS* ***must*** *consult with the Partnerships and Support Services (for government), or Participating Institutions (for non-government) teams.*
2	**Add a new discretionary task** Add a '**Record RFI extension request**' task. This will open the task. Extensions for both RFIs and RFFIs are recorded through this task. It also allows extensions to be implemented on multiple RFIs at once. Please note that, if a selected package has received a RFFI, the task will replace references to 'RFI' with 'RFFI'. Process for recording an extension for a RFFI is the same as for a RFI.
3	**Identify the relevant RFI package(s)** When the task opens, each institution will be displayed along with a twisty for each RP packages. The twisty can be used to display details about the most recent RFI or RFFI for that RP package. Review the displayed packages to identify which one(s) the extension request relates to. If the institution hasn't responded to the most recent RFI or RFFI request, a question will appear at the end of the RFI details asking the following: * Do you want to record an RFI extension request? ○ Yes ◉ No

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Step	Action required
	Note: if the question doesn't appear, please check whether the correct RP has been identified and if the institution has submitted a response. The Scheme is unable to record extension requests where the response has been submitted.
4	**Record the extension request** In the field, 'Do you want to record an RFI extension request?' select the **Yes** radio button. From the **Extension request source** drop down menu, select **Extension request**. Use the date picker to insert the date of request (this must be before the end of the RFI's production period). From the **Extension request reason** drop down menu, select the most appropriate reason based on information provided by the institution. Where none are appropriate, select '**other reason/other extenuating circumstance'**. Free text must be used to record the institution's reason for requesting an extension. **If granting an extension, go to step 5.** **If denying an extension, go to step 8.**
5	**Granting an extension** Select **Granted** from the **Extension request outcome** drop down menu. The new due date field presents where the extension request outcome is **Granted**. Use the date picker to enter the new due date. The new due date must be 4 weeks after the last due date. An error message will present if the new due date falls on a weekend. ***Note:*** *The* ***Date of Deadline*** *and* ***Is Deadline Due*** *fields on the RFI Request Tracker are automatically updated to the new due date recorded in the RFI extension request task.* Use the **Comments** field to record the reason for the extension and the new due date. **Has the RFI deadline passed while this task is being finalised?** If **Yes**, 'Validate response from institution' task will require updating. Go to **Step 5**. If **No**, process ends.
6	**Update 'Validate response from institution' task** If the RFI deadline has passed while completing this task, the 'Validate response from institution' task will have triggered. This must be updated. Identify the correct request package by clicking on the '**Validate response from institution task**' and checking the RP number.

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Step	Action required
	Click **Wait for other responses**. For more information, see Validate Institution Response Task Card.pdf
7	**Notify the institution that the extension is granted** Send a courtesy email to the institution via the s 47E(c) @dss.gov.au mailbox, alerting them to the amended due date in the Portal. **Email subject:** Request to extend RFI due date for <insert RA number> due <insert RFI due date> **Email text:** Dear <insert RFI contact> Your request for an extension to the RFI due date for <insert RA number> has been granted. The new due date of <insert date> has been updated in the portal. <IF APPLICABLE, EITHER: I note that this is the second extension granted for this application. Any further extension requests will not be considered. OR Noting the priority status of this application, please be aware that additional extension requests will not be granted.> Yours sincerely <INSERT First name Last name> ***Process ends here.***
8	**Denying an extension** Select **Denied** from the **Extension request outcome** drop-down menu. The **Extension request denial reason** field will appear. Select a reason from the drop-down menu. Use the **Comments** field to record the reason for the extension and the new due date. **Go to step 9.**

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Step	Action required
9	**Notify the institution that the request for extension is NOT granted** Send an email to the institution to advise the request to extend the RFI due date has been considered but cannot be extended. Reconfirm the RFI due date. **Email subject:** Request to extend RFI due date for <insert RA number> due <insert RFI due date> **Email text:** Dear <insert RFI contact> Your request for an extension to the RFI due date for <insert RA number> has not been granted. After considering your justification for this extension, we are unable to extend the production period on this occasion. Please use the Portal to include any information you are able to provide in response to the RFI by the due date. The application will continue to progress to the assessment stage and a determination will be made based on the available information. If you have additional information that you would like to add after responding to this RFI, please provide it via email to s 47E(c) @dss.gov.au. Yours sincerely <INSERT First name Last name> ***Process ends here.***
10	**If a manual RFI extension request has been granted** See the Issuing a manual Request for Information (RFI) task card.

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Process 2: Administrative due date change in Case Manager

Step	Action required
1	**Identify an administrative change to due date required** ***Note:*** *If an institution has had issues accessing the Portal due to their own staffing, training or access expiry, this does not qualify for an administrative change. In these cases, the institution can request an extension as per usual process.* **Is an administrative change required?** If **Yes**, go to **Step 2**. If **No**, assess application for progression to IDM at the end of the production period.
2	**ICOS conducts 'Record RFI extension request' task** Add a '**Record RFI extension request**' discretionary task. Identify the relevant twisty (see steps 2 and 3 of Process 1 for further assistance). If the institution hasn't responded to the most recent RFI or RFFI request, a question will appear at the end of the RFI details asking the following: * Do you want to record an RFI extension request? ○ Yes ◉ No
3	**Record an administrative change** In the field, 'Do you want to record a RFI extension request?' select the **Yes** radio button. From the **Extension request source** drop down menu, select **Administrative change**. Use the date picker to insert the date of request. This is the date the institution has requested, i.e. the next business day, or when the institution gained access to the RFI package. From the **Extension request reason** drop down menu, select either: • 'Original due date was not a business day'; OR • 'Institution did not have required information from commencement of RFI'. From the **Extension request outcome** drop down menu, select **Granted**. When the **New due date** field presents, enter the new due date.

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Step	Action required
	Note: *an error message will present if the selected date is a weekend.* Record any additional information to support the administrative change in the **Comments**. ***Note:*** *The 'Date of Deadline' and 'Is Deadline Due' fields on the RFI Request Tracker are automatically updated based on the new due date recorded. The administrative change will not be included as a RFI extension request and will not affect the institution using the Portal to request an initial extension for a non-priority case.*
4	**Send email to the institution** Send a courtesy email to the institution via the s 47E(c) @dss.gov.au mailbox alerting them to the amended due date in the Portal OR advising that their administrative change request has been declined. See email template below: **Email subject:** Request for administrative date change to RFI due date for <insert RA number> due <insert RFI due date> **Email text:** Dear <insert RFI contact> Your request for an administrative date change to the RFI due date for <insert RA number> has been approved. The new due date of <insert date> has been updated in the portal. Yours sincerely <INSERT First name Last name> ***Process ends here.***

Links

- Task Card – Overdue RFI Process
- Task Card – Validate Institution Response
- Task Card – Issuing a manual Request for Information (RFI)
- Task Card – Policy Helpdesk
- Task Card - Redress Policy Helpdesk Task Card
- Scheme's guiding principles (section 10)
- Policy Advice No.14 of 2019: RFI due dates and extensions

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Filing RFI documents in Case Manager

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Date Approved	15 September 2022

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V1.0	15/09/2022	s 47F	Publish new Task Card

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Purpose

This document describes how to file Request for Information (RFI) documents in Case Manager.

Following this task card will ensure sensitive documents not intended for an institution are not sent, and that only correct documents are provided when required.

Operational Policy Overview

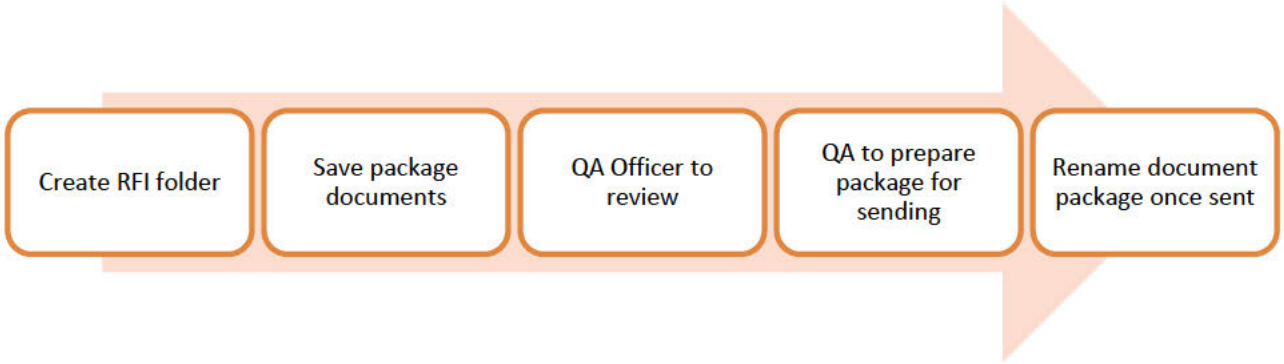
Section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) requires the Scheme to request information from a participating institution in relation to an application.

Under section 25(1) of the Act, if an application for redress either:

a) identifies a particular institution as being involved in the abuse of a person; or
b) there are reasonable grounds to believe that a participating institution may be responsible for the abuse of a person

then the delegate of the National Redress Scheme Operator **must** issue a request for information to this participating institution.

Process overview



Task description

Throughout an application's RFI process, documents sent and received **must** be filed both promptly and correctly in Case Manager, to ensure the correct institution recipients receive the required information and RFI requests are not duplicated.

When preparing and filing RFI documents in Case Manager, please follow the naming conventions found later in this document at:

Attachment A – Request for Information document naming conventions

Attachment B – Email Subject Reference (for RFI Drafting)

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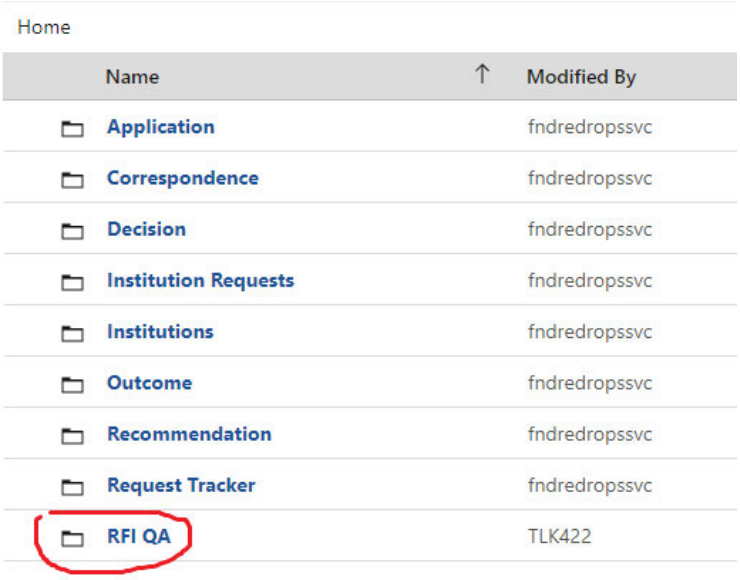
Step 1 Create a 'Request for Information QA' (RFI QA) folder in Case Manager

1. Create a folder in Case Manager for the case called 'RFI QA'.

2. To create a new folder, select 'add', then 'add folder' on the right hand side of Case Manager for the relevant application.

Note: Never change the name of the 'RFI QA folder'. This folder will act as an **overarching** RFI QA folder that contains all RFI QAs.



3. For RFIs to be quality assured (QA), **inside the RFI QA folder**, create a subfolder named 'RFI QA [DATE]'. Add the date you started drafting the packages in its title. This will make it easier for Quality Leads (QLs) to tell which packages need QA. See example below.

Step 2 Save RFI documents in the 'RFI QA' folder in Case Manager

1. Once created, save your draft packages into the 'RFI QA [DATE]' folder. Each folder should represent a package. Each package should indicate whether it is an RFI or Request for Further Information (RFFI), an Independent Decision Maker (IDM) request, a revocation, the institution name, and the institution ID.

Note: Include the name of the institution that the package is being sent to in the folder name. **Do not use 'site' names**. The folder should represent the institution we want the files inside them to go to through the portal. See Attachment A - Request for Information document naming conventions.

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Home / RFI QA / RFI QA 07.06.2021

Name	Modified By
IDM RQT Institution A [ID number]	TLK422
REV Institution B [ID number]	TLK422
RFFI Institution D [ID number]	TLK422
RFI Institution E [ID number]	TLK422

Note: Include the s25 ALERT email into the representative institution folder. If the s25 ALERT email is being directed to a representative receiving RFIs for more than one institution, the s25 ALERT email should go in the 'RFI QA [DATE]' folder. In these circumstances, DO NOT save in the 'RFI Institution [ID number]' folders.

Note: Add any procedural documents, such as the 'Validate Application checklist' under the 'RFI QA [DATE]' folder. DO NOT add these to 'RFI Institution [ID number]' folders.

Home / RFI QA / RFI QA 07.06.2021

Name	Modified By
IDM RQT Institution A [ID number]	TLK422
REV Institution B [ID number]	TLK422
RFFI Institution D [ID number]	TLK422
RFI Institution E [ID number]	TLK422
Validate Application Checklist RV123456766.docx	TLK422

Step 3 Finalising quality assurance of RFI documents in Case Manager (QA Officer only)

1. When QA is complete, **rename** the 'RFI QA [DATE]' folder to 'RFIs to send [DATE]'. Add the date you completed the QA. See example below.

RFIs to send 9.06.2021	TLK422

2. Change any RFI Case File Notes into **pdfs**.

3. Apply **all** redactions.

4. **Add** any **procedural documents**, such as the 'Validate Application checklist', the critical reviews etc in the 'RFI QA [DATE]' folder. **DO NOT** add these to 'RFI

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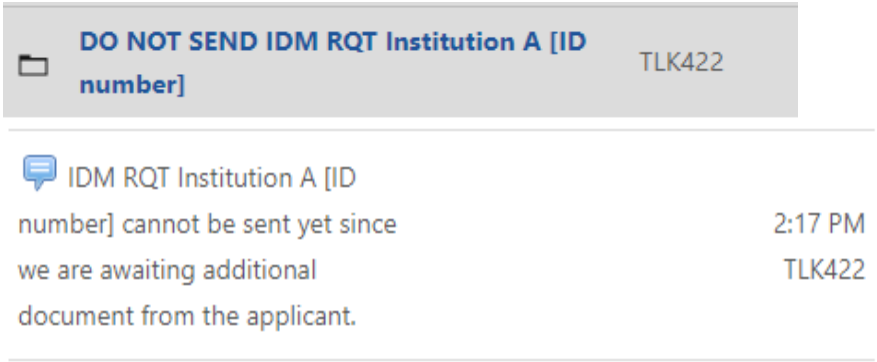
Institution [ID number]' folders.

5. If there are any packages that cannot be sent yet but some that can be in the 'RFIs to send [DATE]' folder (eg. institution not participating yet, awaiting information, unique circumstances), put 'DO NOT SEND' in front of the package name that cannot be sent. Once renamed, add a case comment as to why the RFI package cannot be sent. See example and case comment screen shot below.

   Note: You do not need to put 'RFIs to send [Date]' at the start of each institution, just change the name of the 'RFI QA [Date]' folder.



Step 4 Finalising RFI documents in Case Manager following quality assurance

1. Only send what is in the 'RFI Institution [ID number]' folders. Any documents outside of those folders are internal QA or drafter documents, except where the s25 ALERT email is being directed to a representative receiving RFIs for more than one institution, and the s25 ALERT email then goes in the 'RFI QA [DATE]' folder but *outside* the 'RFI Institution [ID number]' folders.

   Note: RFFI free text documents are not sent through the portal. The contents of the RFI free text document is copy and pasted into the dialogue box in the RFFI task ('Manage further information to institution' task).

   Note: S25 alert emails are not sent through the portal. Download them and send off the email, then copy into the comments field. See also Attachment B - Email Subject Reference.

   Note: Only send packages in accordance to the ID number on the folder. If there are any discrepancies between what's on the folder and associated on Case Manager, push it back.

2. When packages are all sent, **rename** the 'RFIs to send [DATE]' folder to 'SENT [DATE]'. Put in the date you sent the RFI. See example below.

   Note: If you are not able to send all packages in the one folder, add 'SENT' in the front of each institution folder you have sent. This way we can keep track of which packages have been sent and which have not.

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	Name	Modified By
	DO NOT SEND IDM RQT Institution A [ID number]	TLK422
	SENT REV Institution B [ID number]	TLK422
	SENT RFFI Institution D [ID number]	TLK422
	Validate Application Checklist RV123456766.docx	TLK422

Links

- Drafting the S25 Notice
- Issuing an RFI package through Case Manager

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Attachment A: Request for Information document naming conventions

Naming conventions for documents included in Request for Information packages, as well as the S25 Alert email.

Document to be filed in CM	*Naming Convention*
Section 25 Notice Document (RFI):	*RFI – RAXXXXX— **s25 Notice** – Institution Name*
Section 25 Notice Document (RFFI):	*RFFI – RAXXXXX— **s25 Notice** – Institution Name*
RFI Case File Note:	*RFI – RAXXXXX – Case File Note - Institution Name*
RFFI Free text:	*RFFI – RAXXXXX – Free Text - Institution Name*
Online application only (no redactions required):	*RFI – RAXXXXX - Online Application Plan – Institution Name* *RFFI – RAXXXXX – Online Application Plan – Institution Name*
Institutional Abuse (pdf):	*RFI - RAXXXX – Institutional Abuse – Institution Name* *RFFI – RAXXXXX – Institutional Abuse – Institution Name*
Additional Information:	*RFI - RAXXXXX – Additional Information – Institution Name* *RFFI – RAXXXXX – Additional Information – Institution Name*
Other (pdf):	*RFI - RAXXXX – [Best fitting description of the type of information being sent] – Institution Name* *RFFI – RAXXXX – [Best fitting description of the type of information being sent] – Institution Name*
Section 25 Alert Email (RFI):	*RFI – RAXXXXX – **s25 Alert** – Institution Name*
Section 25 Alert Email (RFFI)	*RFFI – RAXXXXX – **s25 Alert** – Institution Name*

Internal Process Documents

QA Critical Review Document:	*RVXXXXXX – RFI QA Critical Review*
Validation Check form:	*RVXXXXXX – Validation Check Part C*
RFI Reasoning (Validate Institution Response task):	*RVXXXXX - RFI Reasoning*

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Attachment B: Email Subject Reference Sheet (for RFI Drafting)

When sending an email to the Redress Steady RFI inbox to advise a task has been completed, please use the below naming conventions in the **subject line of the email** for easy identification and filing.

RFI Sent

Subject: RFI/RFFI SENT – RVXXXXXXXXX Due XXXXXXXXX

RFI/RFFI Sent to QA

Subject: RFI/RFFI Sent to QA – RVXXXXXXXXX

Validation of Institution Response Complete – NO further work required

Subject: VIR Sent to CC – RVXXXXXXXXX

Validation of Institution Response Complete – Further work required

Subject: VIR – RVXXXXXXXXX – Further work needed

Please outline the work required in the body of the email.

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Information Sharing Framework - Requests for Information

Document Details	
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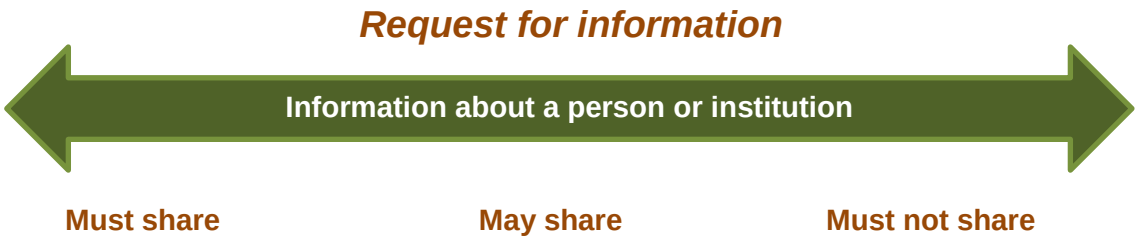
Purpose

This document outlines the Scheme's authority to share protected information and personal information in the Request for Information (RFI) process, including:

- the information the Scheme **must** share
- the circumstances in which it **may** or **must** be disclosed
- the information that **must not be shared** and **must be redacted**



Operational Policy Overview

Once a person has applied for redress, section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) requires the Scheme to request information (RFI) from participating or partly-participating institution(s):

- in relation to any abuse involving that particular institution
- who may have information relevent to determining the application in relation to the abuse at a particular institution.

This requires the Scheme to share information from an application or RFI response with the particular institution to which it relates. While this information is protected under section 92, section 93 of the Act provides authority to share this information:

- for the purpose of the Scheme
- with the consent of the person or information the institution relates to
- to reduce or prevent a serious threat of harm.

Protected information applies to information collected **under the Redress Act** about:

- a person
- an institution
- information that is declared as protected.

Section 93(2) of the Act requires the Scheme to **remove** or **redact information** so as not to disclose, either directly or indirectly, information about a particular person or institution or specifically protected information.

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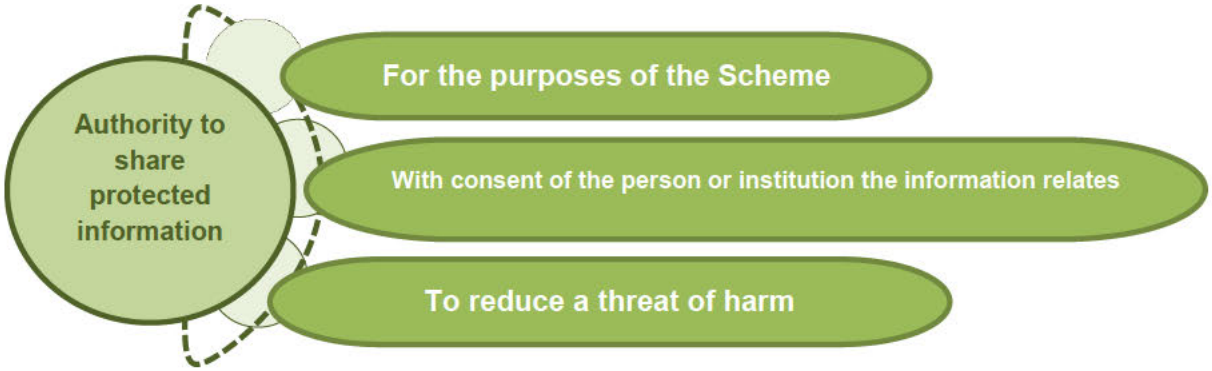


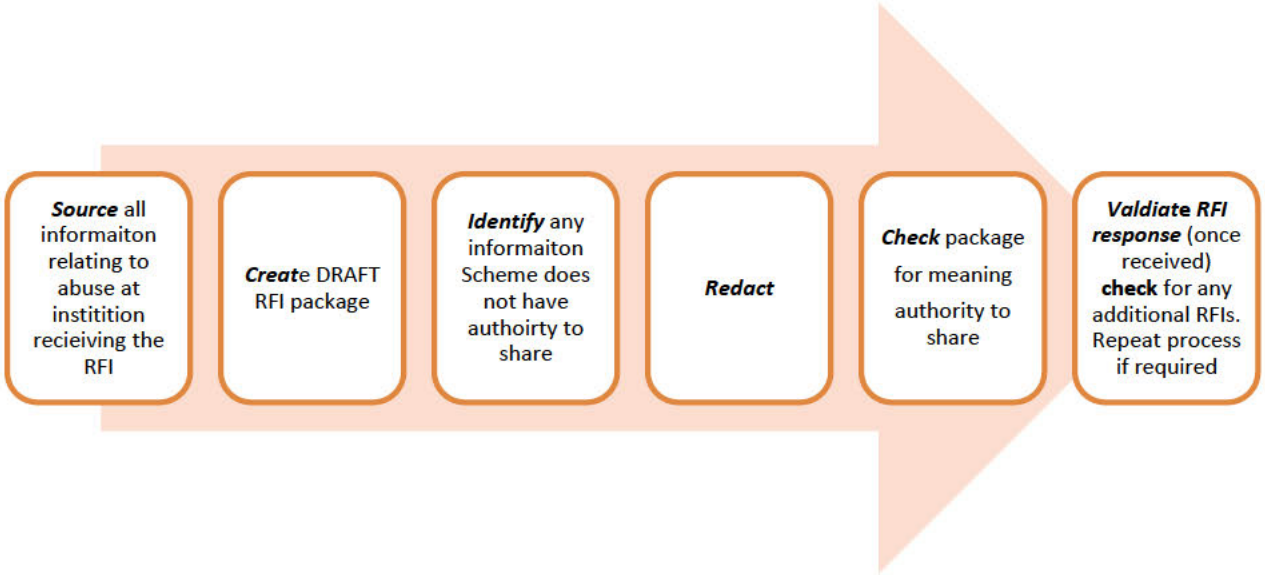
Under section 98(2) of the Act, participating and partly-participating institutions are authorised to use protected information for the following purposes, to:

- comply with a RFI
- provide a direct personal response
- undertake internal investigation or disciplinary procedures.

In the case of participating institutions only – they are also authorised to disclose information to facilitate an insurance claim

Under section 99 of the Act, unauthorised use of protected information is an offence. This applies to institutions as well as the Scheme.

Process overview



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Before you start – essential concepts

Your authority to share information
Officers must understand the Scheme's s authority to share protected information in the RFI package.

- **Scheme officers are obligated to share <u>relevant information</u> associated with any abuse related to the institution receiving the RFI. This information must:**
  - be used for the purpose of the Scheme
  - does not reveal current circumstances of the applicant or others named in relation to the abuse
  - to reduce the risk of harm

Relevant Information for the purpose of the Scheme
For the purposes of a RFI, relevant information is information

- Relating to an experience of any abuse at the particular participating or partly-participating institution to which the RFI is being sent.

Relevant information may be sourced from:

- ✓ the Application for Redress, including attachments,
- ✓ case note files
- ✓ Case Manager comments that note interactions with the applicant or their nominee
- ✓ RFI responses
- ✓ other sources of additional information provided to or obtained by the Scheme, including by third parties such as support services, nominees.

'Relevant information' is any information used for the purposes of the Scheme, including:

By an institution to:

- ✓ respond to the RFI
- ✓ understand any liability they may incur under the Scheme
- ✓ participate in a direct personal response
- ✓ conduct an internal investigation, make a child safe report or review

By an IDM to:

- ✓ To determine the application.

To determine relevance you must:

- ✓ be familiar with the intent and limitations of the 13 questions contained within the RFI Master RFI Form
- ✓ recognise institutions, historically, have diverse record keeping practices.

  We **must** share information with the institution where we have authority to do so. This is because we cannot know what information, provided in the application, may assist them in responding to the RFI.
  - A receipt. Financial records may be the only record type an institution has retained. It may not appear to be related to abuse, but may help

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the institution establish the presence of the child in relation at the institution. (this does not include documents relating to prior payments and legal fees)

- ✓ Understand institutions may have created, but no longer have access to, documents provided in an application.
- ✓ Respect the consent and intent of the applicant in providing the information to the Scheme.

Authority to redacting or removing information

The purpose of redacting information is to insure the participating institution only receives information relevant to them and that they are authorised to have.

Authority to remove or redact information extends only to information

- ✗ Unrelated to the experience of abuse for the institution receiving the RFI,
- ✗ That may reveal current circumstances of the applicant, or other person named in relation to the abuse. Current circumstances would include details that reveal where the person lives, works, studies, who they spend time with, leisure activities, support and professional services. It is also information that details their family life and circumstances.
- ✗ The applicant has not consented to share.

This means Scheme officers **do not** have authority to remove or redact

- ✓ Swear words
- ✓ Experiences or activities they may find ethically, morally or socially challenging
- ✓ Sentiments expressed by the applicant that may be regarded as offensive, including those that are sexist or racist.

Where the applicant has consented to sharing impact, you must share this in full. This includes experiences and activities you may find morally, socially or ethically challenging. Examples include

s 38

Sets of abuse and determining relevant information

A set of abuse is abuse for which the same institution or institution(s) are responsible. Only an IDM can determine responsibility. This means, at the point of RFI, you can only consider

The information relating to the experience of <u>ANY</u> abuse at the particular participating institution to which the RFI will be sent.

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It is not the role of a Scheme Officer to determine sets of abuse. This may lead to procedural errors if information is shared according to a predetermined set structure that does not mirror the IDM's determination.

For information on the requirements for RFI packages for jurisdictions see Request for Information (RFI) to States and Territories.

High Level Principles - Authority to Share

	About the information shared through the RFI Package	
1.	The applicant has consented to the information being shared • Their name and date of birth • Information part 2 • Impact of abuse	**True**
2.	The information provided **could not be used** to identify the current circumstances of the applicant or other people in the life of the applicant. .	**True**
3.	The information provided **could not be used** to identify the current circumstances of other people named in relation to the experience of abuse.	**True**
4.	This information is relevant to any experience of abuse relating to the institution receiving the RFI • Including names of others who knew of the abuse, attended the institution, or experienced abuse themselves.	**True**
5.	The information is necessary for the purposes of the Scheme • It may be used by the participating institution receiving the RFI to assist them to locate records/ respond to the RFI	**True**
6.	The information is necessary for the institution to understand the determination/ their liability under the Scheme	**True**
7.	The information is a supporting document that clarifies information about a question asked in part 2	**True**
8.	The IDM may use this information about this institution to make the determination	**True**
9.	Removing the information will affect the ability of the reader to understand the experience of abuse as told by the applicant. • Retaining the heading 'Psychologist Report' to contextualise content that follows • That the person transferred from A to institution B, contextualises the timeline.	**True**

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High Level Principles - Protected information

The purpose of redacting information is to insure the participating institution only receives information relevant to them and that they are authorised to have.

	Information redacted from the RFI	
1.	The applicant has not provided consent to share the redacted information • Impact of abuse • Information about their current circumstances	**True**
2.	The redacted information could be used to identify the current circumstances of the applicant, or other people in the life of the applicant.	**True**
3.	The redacted information may be used to identify the current circumstances of other people named in relation to the abuse • s 38	**True**
4.	The redacted information is not relevant to the experience of abuse relating to the institution receiving the RFI. • Is an experience of abuse that can not be related to the institution receiving the RFI	**True**
5.	The information is not necessary for purpose of the Scheme • Obtain information about and respond to information provided in an applicant or RFI response • Making or Understanding a determination	**True**
6.	The information has been removed in a way that does not undermine the integrity of the remaining information.	**True**

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Step 1 Guide to Sourcing relevant information

From the Application for Redress		
Information Source	**Detail**	**Authority to share**
Applicant identity (Part 1)	Current name Q1 and date of birth Q3 **Do not copy Part 1 into the package. Applicant's name and date of birth will appear automatically in the portal.**	(93) (e) (ii) applicant has provided express or implied consent to share
Experience of Abuse (Part 2) Q31 – 77 Supporting documents	The applicant's previous names or alias - as they were known at the particular participating institution in relation to the abuse. For example Q32	Yes, when the information relates to the set of abuse at the particular institution receiving the RFI (93) (e) (i) Required for the purposes of redress (93) (e) (ii) applicant has provided express or implied consent to share
	Applicant's address at the time the abuse happened (if provided)	
	Names of other people around at the time of the abuse For example ✓ others who knew about the abuse, ✓ names (or images) of others who attended the institution with the person ✓ Names of parents, family or friends	
	Name(s) of others abused at the particular institution	
	Details of other institutions that relate to the set of abuse	
	Information about prior payments	
	Relating to the set of abuse ✓ Question 61 and attachments	
Impact of Abuse	This may be found in part 2, Part 3 or supporting documents. ✓ s 38 ✓	Where the applicant has consented to share impact this **must** be shared where applicant has provided consent to do so. (See OAC and Validation outcomes) See Privacy statement
Threat of harm to the institution, alleged abuser or those who work at the institution.	May appear anywhere in the application or supporting documentation The applicant says they would	Yes, when the information relates to the particular institution receiving the RFI (93) (e) (i) Required for the purposes of redress (93) (e) (ii) applicant has provided express or implied consent to share
Supporting documents Supplied at Q61	Documents initially created by the institution now receiving the RFI, for example a ward file being sent to the contemporary state jurisdiction.	Yes, when the information relates to the set of abuse at the particular institution receiving the RFI

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	Names and signatures of officials on historical documents and reports.	(93) (e) (i) Required for the purposes of redress (93) (e) (ii) applicant has provided express or implied consent to share
	Information that is part of the public record.	
	Information that does not identity the current circumstances of the applicant.	
Additional information		
Documents	Any information collected by the Scheme, subsequent to receipt of application, relating to the experience of abuse at the particular institution. This may include information received ✓ By the applicant ✓ By a third party ✓ By a participating	Yes, when the information relates to the set of abuse at the particular institution receiving the RFI (93) (e) (i) Required for the purposes of redress
Case file notes	Additional or clarifying information about an experience of abuse at the institution	Yes, when the information relates to the set of abuse at the particular institution receiving the RFI (93) (e) (i) Required for the purposes of redress (93) (e) (ii) applicant has provided express or implied consent to share
	Where information in an RFI response from institution A would help institution B respond to the RFI. The information must relate to the experience of abuse at institution B	Yes, when the information relates to the set of abuse at the particular institution receiving the RFI (93) (e) (i) Required for the purposes of redress
Child safe report		
Email to Institution – child safe report made	Where the Scheme's reporting requirements have been trigger and the report has made	Yes(93) (f) to prevent or reduce harm

Step 2 Draft the package

See Creating Request for Information (RFI) Packages

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Step 3 Identify information that must be redacted from the package

You will now have a PDF that has all sourced information relevant to the institution receiving the RFI. You must review the contents to identify any information within the documents that the Scheme does not have authority to share.

This information must be removed or redacted.

- ✘ Information that is not related to the purpose of the Scheme
- ✘ Personal and private information that may reveal the current circumstances of the applicant, including information about their family and friends
- ✘ Content from the application or an RFI response that does not relate to the set of abuse at the particular institution.
- ✘ Part 3 or any details of the impact of the abuse no matter where in the documents it occurs, if the applicant has not provided consent to do so

You do not have authority to share

Information relating to	Detail	Rule
Applicant Current Circumstances	✘ Address(es) ✘ Suburb of residence or work	Redact information that may identify the applicant in their **current circumstances**
	✘ Any information found in or relating to Q2, Q4 – Q30 of the application for redress	
	✘ Phone number(s)	
	✘ Email (s)	
	✘ Profession or place of employment	
	✘ Places or activities the applicant attends ✘ Of service providers	
Family, friends, colleagues of the applicant that were not present at the time of abuse	✘ Current names and contact of family and friends	Redact information that may identify the person in their **current circumstances**
	✘ Profession or place of work of families and friends	
	✘ May identity another person named in the application in relation to the abuse in their current circumstances	
Names of professional and support services disclosed by the applicant	✘ The name and the location of the applicant's General Practitioner. ✘ Details of the Redress Support Service who assisted the applicant to apply (Q 59, Q60). ✘ The name of the applicant's nominee	Redact information that may identify the person in their **current circumstances**
Information about impact where the applicant has **not consented** to share impact	✘ DO NOT INCLUDE PART 3 Redact any information about the impact of abuse from ✘ Part 2 of the application ✘ Supporting documentation ✘ Including where the impact relates to another person's experience if abuse	The Scheme does not have the consent of the applicant to share this information.

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Any information about an unrelated set of abuse	✗ Information that an applicant experienced abuse at another institution ✗ Details of that abuse ✗ Names of others related to that abuse	**No authority to disclose**
The names of other people in circumstances not relevant to the abuse associated with the receiving the RFI	✗ s 38	**No authority to disclose**
The fact that an RFI has been issued to another institution unrelated to the abuse at the institution receiving the RFI		**No authority to disclose**
Statutory Declaration	Contains information including current address, occupation, witness	**No authority to disclose (do not share document)**

You do not need to redact

Any information that will help the institution respond including

- Applicant's previous names or nicknames (as they were known at the institution)
- Names of others around at the time of the abuse
- Abuse of other children described in relation into the applicant's experience of abuse at this institution.

It is not the role of the Scheme Officer to curate an application based upon their own morals, ethics or values. Scheme Officers must share information that the applicant has chosen to share and has consented to share.

Step 4 Redact

When redacting you must ensure the package

- Makes sense
- Provides **all** information the Scheme is authorised to share
- Does not contain any information you are not authorised to share
- Respects the intent and experience of the applicant as they have shared it in their application and supporting documents
- Follows the consent of the applicant
- Is consistent in treatment as all other packages the Scheme sends

Use Adobe Pro to redact the draft RFI package. If you do not have this package, you can request it – Request the Adobe Pro DC resource.

Refer to Redacting using the Adobe Pro for how to use this resource.

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Standards for redacting

Standard	Treatment	Adobe redaction tool
Remove information the Scheme lacks authority to share **Or** The participating institution only receives information about abuse relevant to it. **Or** People do not receive information they are not authorised to have.	Redact words and sentences and paragraphs and pages.	Redact
	When removing multiple pages of a document rather than redact each page. You **must add a comment**: "*Pages 2 -5 and page 9 of this document contain protected or private information and have been removed*".	Comment
The reader must be able to make sense of the documents	Order the pages logically ensuring they accurately reflect the intent of the applicant	Organize Pages
	Retain headings or other general information provide contextual information and need to be maintained where possible. s 38 [redacted]	Redact
	Where it is not possible to contextualising information, convey content **using a comment**.	Comment Applicant Diary Entry June 2008
	When removing a name insert a comment to describe the relationship the person has to the applicant to assist in maintaining meaning. s 38 [redacted]	Comment Sister's name
	Retain contextual information that assists in understanding the timeline. s 38 [redacted] at Institution A then I was transferred to Institution B.	Redact
Documents must be redacted in a consistent manner	Use the tools and guidelines above to create consistent packages.	

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Step 5 Check Package
Checking for meaning

Read over the package, it **must**

- Make sense so that others can read it
- Reflect the intent of the applicant

Double check authority to share the information provide and that it conforms to the NRS Privacy Policy.

Step 6 Send the package
Follow the Issue Request for Information Package

Step 7 Validate RFI Response from institution
Follow to validate the institution's RFI response.

Links

- CRM Literature
  - Operational Fact Sheet 1 of 2019 - Protected Information Guidelines for Engaging with Applicants and Institutions
  - Policy Advice 13/2019 - RFI Redactions
  - Policy Advice 20/2019 - Disclosing protected and personal information following threats of harm
- Master RFI Form
- National Redress Scheme Privacy Policy
- Redacting using the Adobe Pro
- Request the Adobe Pro DC software.
- RFIs for State and Territory Departments
- Validating RFI Response

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Institution requires additional information to respond to a RFI

Version 1.2

Document details	
Content Owner	Director, Redress External Engagement Team
Version	V1.2
Version Cleared	31 January 2020 s 47F cting Director, Redress External Engagement Team
Location	R:\NAT\CHILDSUPREDR\NAT-RED\Redress\External Engagement Team\Taskcards

REVISION HISTORY

Version	Date	Created by	Comments
V0.1	19/02/2019	s 47F	Initial draft
V1.0	17/09/19	s 47F	Comments from Redress Operations Team inserted.
V1.1	31/01/20	s 47F	Updated to support MOG changes
V1.2	28/05/26	Process Improvement	Updated to remove on hold reference

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Contents

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Background

Institutions may request additional information where this would assist an institution to respond to, or provide a more meaningful response to, a Request for Information (RFI).

Institutions have been advised that where it is not possible for them to respond to a Request for Information (RFI) without additional information, they can use Question 13 of the RFI ("*Do you have any further information that may be relevant to the applicant's application?*") to indicate that they would like the Scheme to request additional information from an applicant or other institution.

To assist the Scheme process applications in a timely manner, some institutions may also email requests for clarification or additional information during the RFI period prior to submitting an RFI response.

Roles and responsibilities

Case Coordinators	Case Coordinators have responsibility for: • reviewing institutions' requests for additional information, • escalating institutions' requests to their Team Leader and Assistant Director for decision, and • actioning institutions' requests based on Assistant Director's decision.
Redress Operations Team - Assistant Directors	Assistant Directors have responsibility for determining whether: • it is appropriate to request additional information from the applicant, or issue an RFI to another participating institution who is likely to hold information, and • additional information provided by an applicant or institution after an initial RFI has been issued would assist an institution to respond, or provide a more meaningful response, to an RFI.

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Process: Institution requests additional information to inform RFI response

Step	Action
1	**Identify additional information requested by institution** Institutions requests additional information to conduct records searches or provide meaningful RFI response: • in an email, during the RFI production period, or • at question 13, when they submit a RFI response. When Case Coordinators action the Validate Response from institution task, they must check RFI responses to identify if the institution has requested additional information. **Has the institution requested additional information to assist with responding to the RFI?** • If **yes**, go to Step 2 • If **no**, continue with Validate Response from Institution task. Procedure ends here.
2	**Determine if additional information will be requested** Case Coordinators review the institutions' requests for additional information and escalate these requests to their Team Leader and Assistant Director. The Assistant Director is responsible for determining if it is appropriate to request additional information. This decision is made within the framework of the Scheme's guiding principles, including being survivor-focused, the timely and sensitive processing of applications, and protecting applicant and institution information. Consider the following factors: • Does the information relate to the set of abuse relevant to that institution? • Has the institution asked for additional information to assist them in providing their RFI response? • Would the additional information assist the institution respond to the RFI? • Does the Scheme have the additional information? • If the Scheme does not have this information, is it necessary or appropriate for the Scheme to ask the applicant or another institution for this information? Is it likely to traumatise or harm the applicant to ask for this information? • Do the protected information provisions allow this information to be shared? • Does the IDM have enough information to make a determination? **After considering the guiding principles and above factors, if:** • additional information will be requested from the applicant, go to Step 3 • a RFI will be issued to another participating institution, go to Step 4 • the Scheme already has the additional information, go to Step 6 • additional information will not be requested, go to Step 8

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3	**Contact the applicant or, where appropriate, their nominee.** **Before contacting the applicant:** • consider the additional information required, and • identify the most appropriate method for collecting this information. Note: Where an outgoing call is made and the additional information required relates to the experience of sexual abuse or there are any particular vulnerabilities, ensure that a clinically trained member of staff manages the call. **During the call:** • Explain additional information is being sought to assist with their application. • Assure the applicant that they do not have to complete another application form or statutory declaration to support this information. • Let the applicant know you will make a written record of the conversation, what they are telling you is important to their application. • Explain that the Independent Decision Maker will be able to take this information into account (along with the information they have in the application form and RFI response) to make a determination • Reassure the applicant that this information will be treated with the same level of confidentiality as their application. • Where additional information is provided verbally, use the Case File Note template saved in SharePoint to accurately record this. Read your record of the information back to the applicant and check in with them that you have recorded it accurately. Ensure the case file note is saved in the Application Folder in Case Manager. • Where applicants require time to respond to the request, provide four weeks to respond to requests for additional information in priority cases, eight weeks in non-priority cases. Ensure the applicant is aware an extension to these timeframes may be requested, if required. • Answer any other questions or concerns raised by the applicant. Prior to making the call, see Obtaining Additional Information Relevant to an Assessment taskcard **Has the institution already submitted their RFI response?** • If **yes,** go to Step 6 • If **no**, go to Step 5

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4	**Collect additional information from another participating institution** Where the Scheme have reasonable grounds to believe another participating institution may have information that may be relevant to determining an application this may be requested under Section 25 of the Act. If the additional information is required from a participating institution: • that has not been associated to the case, use the Associate Institution discretionary task to add the institution and then issue an RFI. For further information, see Issuing an RFI. • that has already been issued an initial RFI and the RFI response did not contain the additional information, issue a Request for Further Information (RFFI). **Has the institution who requested the additional information already submitted their RFI response?** • If **yes,** go to Step 6 • If **no**, go to Step 5
5	**Advise institution additional information has been requested** Acknowledge institution's request for additional information, using the email template: Request for additional information - Actioned
6	**Determine if additional information will be shared** Where an applicant or institution provides additional information the Assistant Director must determine whether this information will be shared, with consideration given the factors outlined at Step 2. **Is it appropriate to share additional information received by the Scheme with the participating institution?** • If **yes,** go to Step 7 • If **no**, go to Step 8
7	**Issue Request for Further Information (RFFI)** Save an appropriately redacted version of the additional information in the relevant RFI Package. For further information, see: Redaction Guidelines. Issue a Request for Further Information. For further information, see the Issuing a Request for Further Information (RFFI) Taskcard Process ends here.
8	**Advise institution that additional information will not be requested/provided** • Use email template: Request for additional information – Declined to inform institution • Send the email from Redress.RFI mailbox to the Institution's RFI contact.

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Email Template – Request for additional information - Actioned

From: Redress.RFI.Notice
To: <RFI Contact>
Subject: Request for Additional Information <RA Number> – Actioned

Dear <RFI Contact from Extranet>,

Your request for additional information relating to <RA Number> has been reviewed and actioned.

{Insert if additional information has been added to RFI Package}
The following information has been loaded in the Portal:

- <insert description of content>

{Add additional dot points as required.}

{Insert if information is not available}<The following information has been requested from another participating institution:

- <insert description of content>

{Add additional dot points as required.}

Please respond to the RFI by <RFI due date>, noting any outstanding requests for additional information at Question 13 of the RFI response. Alternatively, please request an extension.

If additional relevant information is returned after the RFI Response is submitted, the Scheme will issue a Request for Further Information (RFFI), and allow 28 days for you to respond.

[INSERT First name Last name]
Delegate of the National Redress Scheme Operator

False or misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

Offence to access, record, use or disclose protected information without authorisation
The RFI includes information which has been obtained for the purpose of the National Redress Scheme and which is protected information under the Act. It is a criminal offence to access, record, use or disclose protected information except as authorised by the Act. The penalty for this offence is 2 years imprisonment or 120 penalty units, or both. *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act).

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Email Template – Request for additional information - Declined

From: Redress.RFI.Notice
To: < RFI Contact from Extranet>
Subject: Request for Additional Information <RA Number> – Declined

Dear <RFI Contact>,
Your request for additional information relating to <RA Number> has been reviewed and declined, as the additional relevant information is not available.

If the additional information will assist in providing a more meaningful response, please note this at Question 13 of the RFI Response.

Please respond to the RFI by <due date>. Alternatively, please request an extension.

[INSERT First name Last name]
Delegate of the National Redress Scheme Operator

False or misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

Offence to access, record, use or disclose protected information without authorisation
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For people who have experienced institutional child sexual abuse

VALIDATING RFI RESPONSES

Version 1.1

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Version	Date	Updated by	Comments
V0.1	02/09/2019	s 47F	Initial Draft
V0.2	14/10/14	s 47F	Update draft based on comments from Operations
V1.0	15/11/2019	s 47F	Final updates and hyperlinks
V1.1	02/03/2020	s 47F	Updated RO role in line with system release.

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1. Background

Section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act), defines the minimum period (the "production period") that the Scheme must provide institution to respond to the RFI:

- 4 weeks, for a priority (urgent) application, and
- 8 weeks for a non-priority application.

The s.25 notice that is sent to the participating institution's RFI contact to issue the RFI must include the RFI due date and how the institution is required to respond to the RFI. For further information, see Issuing a RFI.

Where the RFI due date is a weekend or holiday, application of the *Acts Interpretation Act 1901,* extends the due date to close of business on the next ("business") day, regardless of whether the due date in Case Manager displays as a Saturday, Sunday or holiday.

The Act allows a due date to be extended if the institution requires additional time to prepare a response. The policy outlines the circumstances in which an extension may be granted. For further information, see Extending a RFI due date.

Institutions respond to an RFI by:

- recording their responses to the RFI questions in the Portal
- submitting their RFI Response in the fillable-PDF or supporting documents via the Portal,
- via email to the Redress.RFI mailbox, which the Case Coordinator needs to upload into Case Manager, or
- requesting an extension prior to the RFI due date.

Note: It is not mandatory for a participating institution to respond to an RFI. Where a RFI response is provided it is not mandatory for the institution to respond to all 13 questions.

Case Manager automatically generates a 'Validate response from institution' task when:

- the status of an RFI updates to 'Responded', or
- the due date for an RFI is reached

This task prompts the Case Coordinator to:

- validate the response by changing the RFI status to 'Validated' or 'Invalidate'
- upload an institution's RFI Response (if provided by email)
- associate and issue RFIs to other identified institutions
- make a Child Safe Report
- wait until responses are received from all RFIs, or
- proceed to assessment.

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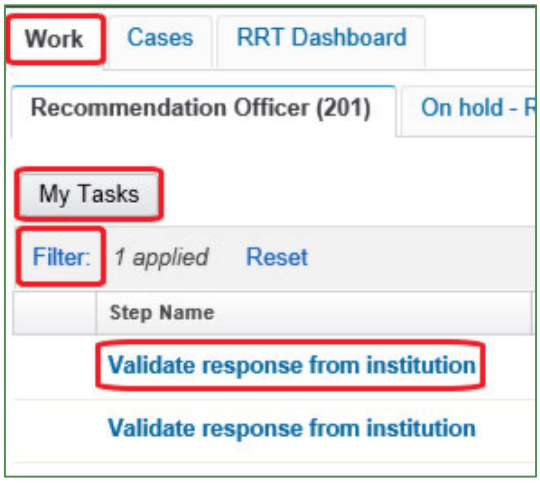
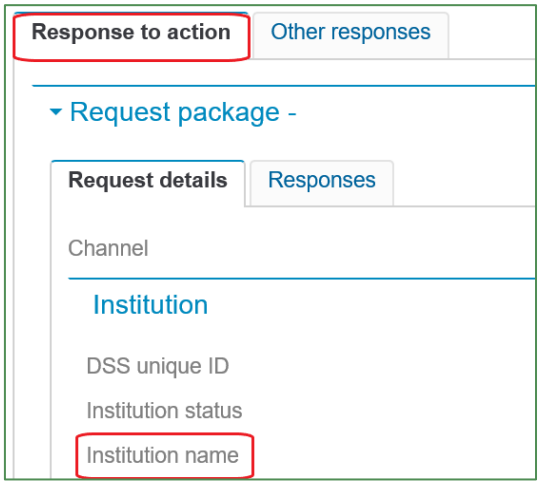
If an institution does not respond to a RFI, or request an extension by the due date, the application can be progressed to the assessment stage under s.26 of the Act, provided that a valid s.25 notice was issued.

Where the RFI due date has passed without response, a courtesy reminder may be sent to the institution. The approved email template must be used. See **Overdue RFI Process** for more information. Any further information provided by the institution prior to an IDM decision must be considered.

2. Process

Table 1: Validate Institution Response Task

Step	Action	
1		**Identify an RFI Response that requires action** Select 'Case Coordinator' User Role and navigate to the **Work** tab. Locate and open the **Validate response from institution** task. Hints: • Use the Filter to search by "step name" - 'Validate response from institution' • Use the Filter to search by "case coordinator ID". • Click "My tasks" to identify validation tasks assigned to your cases
2		In the **Response to action** tab, check **Institution Name**.

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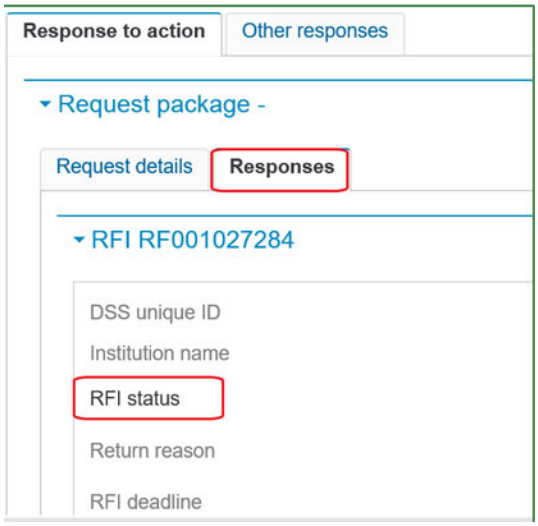
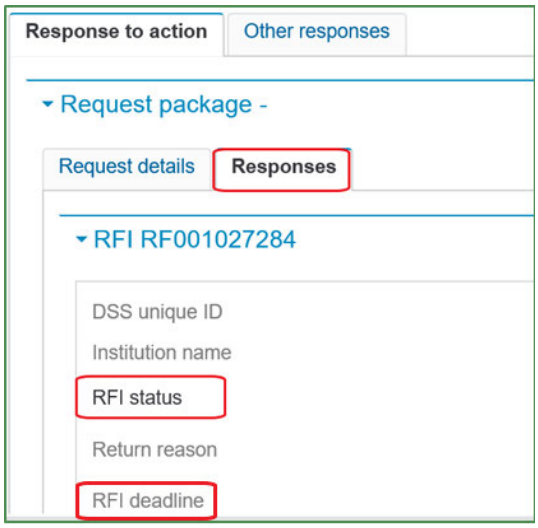
3		Navigate to the **Responses** tab and check the **RFI Status**. Note: See RFI Status Table for description of RFI status. **Is the RFI status 'Responded':** • If **Yes**, go to Step 8 • If **No**, go to Step 4
4		**Confirm if RFI due date passed** Where the RFI due date was a weekend or public holiday, the *Acts Interpretation Act 1901* extends the due date until close of business on the next business day. **Has the due date passed:** • If **Yes**, go to Step 5 • If **No**, wait until after close of business on the due date or the next business day. Process ends here.
5	**Confirm if RFI Response was sent via email** Institutions may respond to an RFI via secure email. Check the Redress.RFI mailbox to identify if the institution has manually responded to the RFI. Tip: Search using the RA number. **Was a response to the RFI received via email:** • If **Yes**, go to Step 7 • If **No**, got to Step 6	

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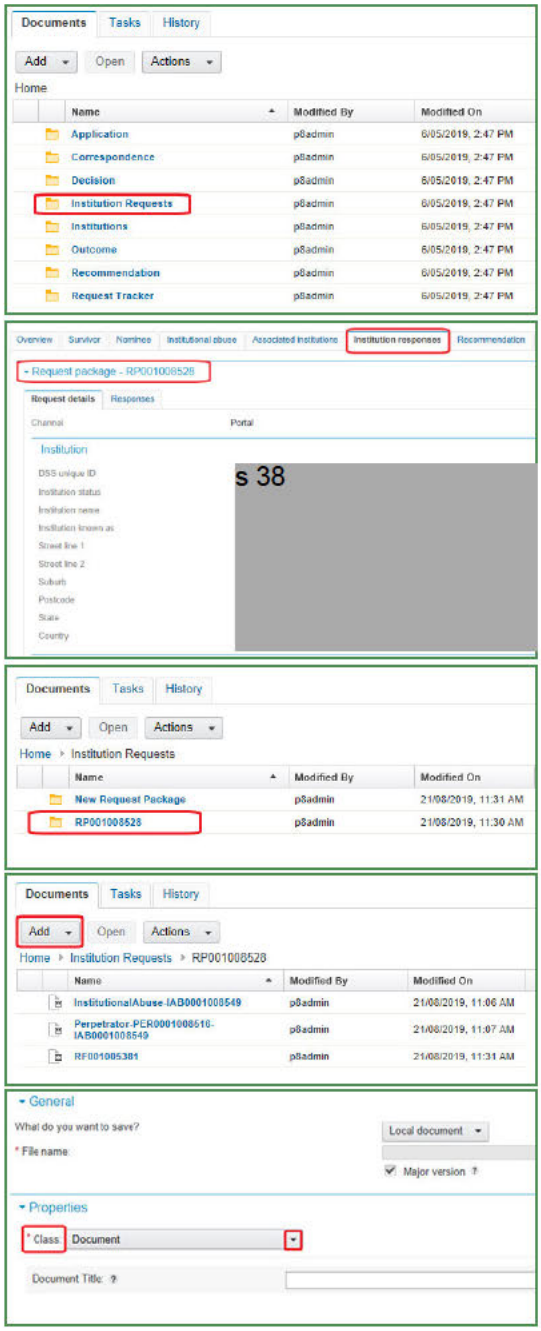
6	**Confirm if the institution requested an extension** Institutions may request an extension via email. Check the Redress.RFI mailbox to identify if there is a request for extension that has not been actioned. **Does a request for extension need to be actioned?** • **If Yes, see** Extending a RFI due date. • **If No, go to** Step 9
7	 	**Upload relevant documents to Case Manager** Information that has been provided by the institution via email must be converted to PDF and uploaded to the relevant Request Package in Case Manager. *Identify the relevant package* In Case Manager, navigate to the **Institution Reponses** tab and identify the **Request Package** number (RP0000000) for the relevant institution. Open the **Institution Requests** folder and locate the relevant Request Package. Ensure that the RP number listed on the **Institution Responses** tab matches the RP number in the **Institution Requests** folder. *Upload the additional information* • Open the relevant Request Package, and click **Add** • Select **Add document from Local System** • Click **Browse** to locate and attach the manual RFI response. • Expand the drop down menu to update the **Class to Institution response supporting document** and click **Ok.** • Expand the **Original Document** type menu and select **Application Supporting Document.** Click **Ok.** • Click **Add** The document will now be visible in the Request Package. **Note:** The document is also visible to the participating institution

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8	**Review RFI Response** Additional action will be required where the institution's response: • identifies an additional institution that will need to be sent a RFI under s.25 of the Act. Add an 'Associate institution' discretionary task and issue an RFI. For further information see Issuing a RFI. • contains information that requires clarification or more information is required. For further information, see Issue Request for Further Information. • requests additional information in order to provide a more meaningful response. For further information, see Institution requires additional information to respond to a RFI. • identifies mandatory child safe reporting triggers the Scheme was not already aware of. For further information see Child Safe reporting taskcard. • indicates that the RFI was incorrectly issued to the institution. The Case Coordinator must discuss with their team leader if a privacy breach needs to be reported. Update the RFI status to 'invalidated' if the institution will not have an ongoing need to view the request package and status of the application. **NOTE: Complete any additional tasks before proceeding to Step 11**
9	**Send courtesy email** A courtesy email should be sent to the institution's RFI contact. The approved email template must be used • Ensure that the **From** field is 'Redress.RFI.Notice' • Confirm the participating institution's current RFI contact details via Extranet and enter into the **To** field • Update **Subject** field to: *National Redress Scheme RFI –<RA Number> - PRIORITY/Non Priority –Due Date<Due Date>: REMINDER - DUE DATE Lapsed* • Complete the email template and **Send** • Save the email to your desk top

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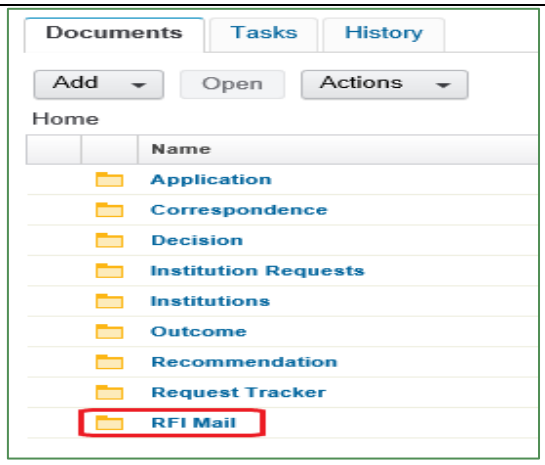
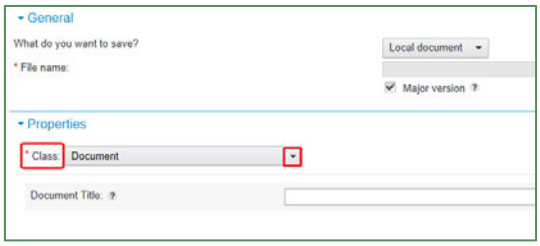
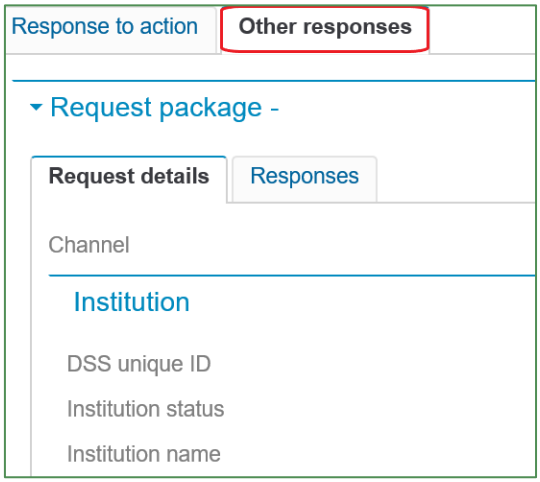
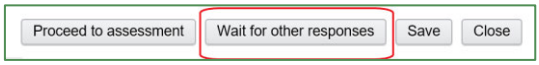
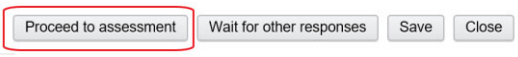
10	 	**Upload the courtesy email to Case Manager** • Locate and open the **RFI mail** folder in Case Manager • Click **Add** and select **Add document from local system** • Select **Browse** to locate and attach the email from your desktop. • Expand the drop down menu to update the Document Class to **Email** • Click **Add** The email will now be visible in the RFI Mail folder
11	  	**Finalise the Validate institution response task** If RFI or RFFI responses from other institutions are outstanding, select **Wait for other responses** to complete the task. Where all RFI and RFFI responses have been responded to or a courtesy email has been sent for overdue responses, select **Proceed to assessment** to complete the task. **Note:** This will automatically trigger Case Manager to generate a Prepare Recommendation task.
12	**Delete documents from your desktop** Delete any relevant documents from your desktop and the recycle bin, namely: • Courtesy email • Manual RFI response	

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3. Resources

RFI Status Table

RFI Status	What does the status indicate
Unassigned	Institution has not accepted the RFI (yet) in the Institution Portal
Accepted	Institution has accepted the RFI in the Institution Portal
Reassigned	Group representative has assigned the RFI to a different participating institution within their participating group
Returned	Participating institution has returned the RFI to their group representative because it was assigned to them in error, or is ready for the group representative to undertake a quality check.
Responded	Institution has provided a response to the RFI through the Institution Portal
Invalidated	Institution is not required to respond to the RFI because the package was issued in error. Where this status is used, institution will not be able to view any supporting documents that are saved in the RFI Package.

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For people who have experienced institutional child sexual abuse

Validating a RFFI Response

V1.1

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V0.1	30/06/2020	s 47F	Created as a result of System Upgrade
V0.2	24/07/2020	s 47F	Amended per comments from EET
V0.3	26/08/2020	s 47F	Updated post system release – RFFIs now issued through Case Manager
V1.0	07/09/2020	s 47F	Cleared for publish
V1.1	25/09/2020	s 47F	Updated process for extending an RFFI due date

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Validating a RFFI Response

Overview

A Request for Further Information (RFFI) is issued when a participating institution has responded to a Request for Information (RFI) but more information or clarification is needed. An RFFI can only be issued where the Institution has responded to the original RFI.

An RFFI is issued under s.25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act, 2018*.

Where the Scheme is seeking further information from an institution, the Scheme issues RFFIs via the 'Manage institution further information' task in Case Manager. This task is either auto-populated from the 'Validate institution response' task or created manually through the 'Add task' function.

Institutions have 28 days to respond to an RFFI.

The RFFI due date is calculated based on the following:

- 28 calendar days commencing from the day on which the task was opened
- If the due date falls on a weekend or public holiday, institutions must be given until close of business the following working day to respond.

Institutions respond to an RFFI by:

- Recording the answers to the questions in the Portal
- Uploading PDF responses or supporting documents to the Portal, or
- Email to the s 47E(c) mailbox, which the Case Coordinator uploads manually into Case Manager.

If the response is submitted through the Portal, the information will appear in an 'RFFI responses' tab under the 'Institution Responses' tab in the case view.

Case Manager automatically generates a 'Validate response from institution' task when:

- the status of an RFFI changes to 'Responded'
- the due date for an RFFI is reached, or
- Case Coordinator manually triggers the task from the 'Manage institution further information' task.

The task is used to:

- Validate the Institution response
- Decide to associate another institution
- Proceed to assessment, or
- Wait until all requests are responded to before proceeding to assessment.

It is possible for Institutions to request an extension of time to respond to the RFFI. The following parameters must be considered where a request for an extension is received:

s 47E(d)

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s 47E(d)

It is not mandatory for an institution to respond to an RFFI. If a response is not received by the due date, a courtesy email should be sent to the institution.

Process

Response received through the Portal

Step	Action required
1	**Validate response from institution task** Where an Institution responds via the Portal, the system will generate a **Validate response from institution** task. To open the work item: • From the **Case Coordinator** User Role, navigate to the **Work** tab • Use the **Filter** to search for the relevant **Survivor ID (RV)** or **Step Name** • Click on the relevant work item from the search results to open the **Validate response from institution** task Proceed to Step 2.

2	**Response to action tab**
	
	The task will default to the **Response to action** tab, navigate to the relevant **Request package** twisty and open the **RFFI responses** tab.
	
	• Navigate to the **RFFIs to action** twisty
	• Each individual question issued using the **Manage institution further information** task will be assigned an **RFFI RM** Number (i.e. RFFI RM001106055)
	• Under each **RFFI RM** twisty, the following information is available:
	  ○ **RFFI status:** Where the institution has responded this field will appear as **Responded**
	  ○ **RFFI deadline:** This is the date set when the RFFI was issued
	  ○ **Question:** This is the question/request which was entered as free text in the **Manage institution further** information task
	  ○ **Answer:** This field will show the answer the Institution entered into the Portal
	  ○ **RFFI response date:** This is a system populated date and will reflect the date on which the institution changed the RFFI status to **Responded**
	  ○ **Set or change responding institution:** This field shows the name of the responding institution . Where the response is received through the portal, the responding institution will be set by default.

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	Is the RFFI status Responded? • Yes, proceed to Step 3 • No, go to the process for **No response received**
3	**Review RFFI Response** Additional action will be required where the institution's response: • identifies an additional institution that will need to be sent an RFI under s.25 of the Act. Add an **Associate institution** discretionary task and issue an RFI. For further information see Issuing a RFI Task Card. • contains information that requires clarification or more information is required. For further information, see Issuing a RFFI Task Card. • requests additional information in order to provide a more meaningful response. For further information, see Institution requests additional information. • identifies mandatory child safe reporting triggers the Scheme was not already aware of. For further information see Child Safe Reporting Task Card. **Are any of the above actions required?** • Yes, complete the required action before proceeding to Step 4. **Note:** if a further RFI or RFFI is required, Case Coordinator should not proceed to Step 4 until these have cleared QA and been issued. • No, proceed to Step 4.
4	**Finalise the Validate institution response task** • If RFI or RFFI responses from other institutions are outstanding, click the **Wait for other responses** button to complete the task. • Where all RFI and RFFI responses have been responded to or a courtesy email has been sent for overdue responses (see **No response received** process for further information), click the **Proceed to assessment** button to complete the task. **Note:** This will automatically trigger Case Manager to generate a **Completeness Check** task. Process ends here.

Response received by email

Step	Action required
1	**Validate response from institution task** Where an Institution responds via the Portal, the system will generate a **Validate response from institution** task.

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	To open the work item: • From the **Case Coordinator** User Role, navigate to the **Work** tab • Use the **Filter** to search for the relevant **Survivor ID (RV)** or **Step Name** • Click on the relevant work item from the search results to open the **Validate response from institution** task Proceed to Step 2.

2	**Response to action tab**
	
	The task will default to the **Response to action** tab, navigate to the relevant **Request package** twisty and open the **RFFI responses** tab.
	
	• Navigate to the **RFFIs to action** twisty
	• Each individual question issued using the **Manage institution further information** task will be assigned an **RFFI RM** Number (i.e. RFFI RM001106055)
	• Under each **RFFI RM** twisty, the following information is available:
	  ○ **RFFI status:** Where the institution has responded this field will appear as **Responded**
	  ○ **RFFI deadline:** This is the date set when the RFFI was issued
	  ○ **Question:** This is the question/request which was entered as free text in the **Manage institution further** information task
	  ○ **Answer:** This field will show the answer the Institution entered into the Portal
	  ○ **RFFI response date:** This is a system populated date and will reflect the date on which the institution changed the RFFI status to **Responded**
	  ○ **Set or change responding institution:** This field shows the name of the responding institution . Where the response is received through the portal, the responding institution will be set by default.
	
	Is the RFFI status Responded?
	
	• Yes, proceed to Step 3
	• No, go to the process for **No response received**

3	**Review RFFI Response** Additional action will be required where the institution's response: • identifies an additional institution that will need to be sent an RFI under s.25 of the Act. Add an **Associate institution** discretionary task and issue an RFI. For further information see Issuing a RFI Task Card. • contains information that requires clarification or more information is required. For further information, see Issuing a RFFI Task Card. • requests additional information in order to provide a more meaningful response. For further information, see Institution requests additional information.

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	• identifies mandatory child safe reporting triggers the Scheme was not already aware of. For further information see Child Safe Reporting Task Card. **Are any of the above actions required?** • Yes, complete the required action before proceeding to Step 4. **Note:** if a further RFI or RFFI is required, Case Coordinator should not proceed to Step 4 until these have cleared QA and been issued. • No, proceed to Step 4.
4	**Finalise the Validate institution response task** • If RFI or RFFI responses from other institutions are outstanding, click the **Wait for other responses** button to complete the task. • Where all RFI and RFFI responses have been responded to or a courtesy email has been sent for overdue responses (see **No response received** process for further information), click the **Proceed to assessment** button to complete the task. **Note:** This will automatically trigger Case Manager to generate a **Completeness Check** task. Process ends here.
Step	**Action required**
1	**Was the RFFI issued through Case Manager** • No, proceed to Step 2 • Yes, Proceed to Step 3

2	**For RFFIs issued and responded to manually (by email)**
	
	• If the response is in the body of the email, save the **original** email as a PDF to desktop.
	
	• If the response is in an attachment:
	• Open the attachment and save to desktop.
	  ○ If the attachment is a Word document, save as a PDF and ensure any security is removed (see below)
	  ○ If you required a password, contact the s 47E(c) mailbox
	  ○ Once opened, remove the password before saving to desktop by:
	  • Select 'File' then 'Properties'
	  • Open Security tab and ensure Security Method shows 'No Security'

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	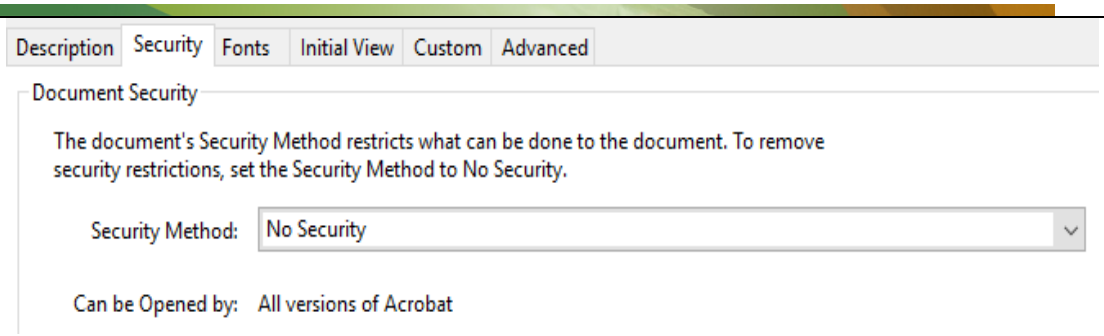
	• **Save**
	
	Once saved
	
	• Open the relevant package and add by selecting 'Add document from local system'
	  ○ Change **Class** to 'Institution Response Supporting Document'
	  ○ Save
	• Original email can be saved in RFI Mail folder

3	**For RFFIs issued through Case Manager - Has the response timeframe lapsed?** • No, proceed to Step 4. • Yes, proceed to Step 5.
4	**Initiate the Manage institution further information task through the Add task function** • Either in the case or work view, under **Tasks** tab, click the **Add Task** button or in the case view, click on the **Add Task** button in the top left of screen • In the discretionary task pop-up, select **Manage institution further information** from the **Select a type** drop down menu and click **OK** • A **Manage institution further information** task will generate in Case Manager • Click the **Select institution request package** button. A window will populate with a list of all RFIs with the responded or validated status • From the list select the relevant **Request package**. It is important that the correct **request package ID** is selected in this task to ensure the email response is uploaded for the correct institution, then click the **Select** button • In the **Select action** field, select **Validate or manually enter existing RFFIs** • The following message will populate, **Information:** A validate response from institution task will be created for the currently issued RFFIs • To trigger the task, click the **Update** button in the top right corner of the task. Proceed to Step 3.

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5	**Validate response from institution task** Where the response timeframe lapses or the Case Coordinator follows Step 2, the system will generate a **Validate response from institution** task. To open the work item: • From the **Case Coordinator** User Role, navigate to the **Work** tab • Use the **Filter** to search for the relevant **Survivor ID (RV)** or **Step Name** • Click on the relevant work item from the search results to open the **Validate response from institution** task Proceed to Step 4.

6	**Response to action tab**
	
	The task will default to the **Response to action** tab, navigate to the relevant **Request package** twisty and open the **RFFI responses** tab.
	
	• Navigate to the **RFFIs to action** twisty
	• Each individual question issued using the **Manage institution further information** task will be assigned a **RFFI RM** Number (i.e. RFFI RM001122333)
	• Under each **RFFI RM** twisty, the following information is available:
	  ○ **RFFI status:** Where the institution has not responded through the Portal, this field will remain as **Issued**
	  ○ **RFFI deadline:** This is the date set when the RFFI was issued
	  ○ **Question:** This is the question/request which was entered as free text in the **Manage institution further information** task
	  ○ **Answer:** This field will show the answer the institution entered into the Portal, where the institution has not responded through the Portal it will be blank
	  ○ **RFFI response date:** Where the institution has not responded through the Portal this field will be blank
	  ○ **Set or change responding institution:** This field shows the responding institution. Where the response is not received through the Portal, there will be no information.
	
	Where this institution has replied by email, the **RFFI status** will remain at **Issued**. The **Answer** and **RFFI response date** fields will be blank and there will be no **Responding Institution** listed. The Case Coordinator must manually code the information.
	
	Proceed to Step 5.

7	**Manually Code the RFFI Response in the Validate response from institution task** Update the following fields: • **RFFI status:** Update to **Validated** • **RFFI response date:** This is the date on which the email response was received by the Scheme

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	• **Set or change responding institution:** This field can be manually entered by clicking on the button, selecting the relevant institution from the list and clicking the **Select** button. **Note:** the only institutions that will be available for selection will be the institution to which the RFI/RFFI is currently assigned and their Representative • **Answer:** Enter the following text in this field; *RFFI response received by email, copy of response uploaded to the relevant request package (RP000001234)*. Complete this process for each individual question (**RFFI RM Number**), noting that the email response may cover multiple questions which were issued as part of the same RFFI. Proceed to Step 6.

8	**Upload Documents to Case Manager**
	
	All information that has been provided by the institution via email must be converted to PDF and uploaded to the relevant Request Package in Case Manager, this includes the email response itself.
	
	• Save a PDF version of the email and any attachments to your desktop
	• Identify the relevant **Request package**
	  ○ In Case Manager, navigate to the **Institution Reponses** tab and identify the **Request Package** number (RP0000000) for the relevant institution.
	  ○ Open the **Institution Requests** folder under the **Documents** tab and locate the relevant Request Package folder.
	  ○ Ensure that the RP number listed on the **Institution Responses** tab matches the RP number in the **Institution Requests** folder.
	• Upload the additional information to the **Request package**
	  ○ Open the relevant **Request package** folder, and click **Add**
	  ○ Select **Add document from Local System**
	  ○ Click **Browse** to locate and attach the PDF copy of the RFFI response email
	  ○ Expand the drop down menu to update the **Class** to **Institution Response Supporting Document** and click **Ok**
	  ○ Click **Add**
	  ○ Repeat the process for any attachments
	• Delete the PDF version of the email and any attachments from your desktop
	
	The document will now be visible in the **Request package** folder. **Note:** The document is also now visible to the participating institution through the Portal.
	
	Proceed to Step 7.

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9	**Finalise the Validate institution response task** • If RFI or RFFI responses from other institutions are outstanding, click the **Wait for other responses** button to complete the task. • Where all RFI and RFFI responses have been responded to or a courtesy email has been sent for each overdue response, click the **Proceed to assessment** button to complete the task. **Note:** This will automatically trigger Case Manager to generate a **Completeness Check** task. Process ends here.

No response received

Step	Action required
1	**Validate response from institution task** Where an institution does not respond to the request within the allocated timeframe the system will generate a **Validate response from institution** task. To open the work item: • From the **Case Coordinator** User Role, navigate to the **Work** tab • Use the **Filter** to search for the relevant **Survivor ID (RV)** or **Step Name** • Click on the relevant work item from the search results to open the **Validate response from institution** task. Proceed to Step 2.

2	**Response to action tab**
	
	The task will default to the **Response to action** tab, navigate to the relevant **Request package** twisty and open the **RFFI responses** tab.
	
	• Navigate to the **RFFIs to action** twisty
	• Each individual question issued using the **Manage institution further information** task will be assigned a **RFFI RM** Number (i.e. RFFI RM001106055)
	• Under each **RFFI RM** twisty, the following information is available:
	  ○ **RFFI status:** Where the institution has not responded, this field will remain as **Issued**
	  ○ **RFFI deadline:** This is the date set when the RFFI was issued
	  ○ **Question:** This is the question/request which was entered as free text in the **Manage institution further information** task
	  ○ **Answer: W**here the institution has not responded to the RFFI this field will be blank
	  ○ **RFFI response date:** Where the institution has not responded to the RFFI this field will be blank

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	○ **Set or change responding institution:** This field shows the name of the responding institution. Where a response is not received there will be no information. Proceed to Step 3.
3	**Confirm if RFFI Response was sent via email** Institutions may respond to an RFFI via secure email. Check the NATIONALREDRESS.RFI.NOTICE mailbox to identify if the institution has manually responded to the RFI. **Tip:** Search the mailbox using the **RA** number. **Was a response to the RFFI received by email?** • Yes, go to the process for **Response received by email**. • No, proceed to Step 4.
4	**Confirm if the institution requested an extension** Institutions may request an extension via email. Check the s 47E(c) mailbox to identify if there is a request for extension that has not been actioned. **Tip:** Search the mailbox using the RA number. **Does a request for extension need to be actioned?** • Yes proceed to the **RFFI Extension of Time** section. • No, proceed to Step 5.
5	**Send courtesy email** A courtesy email should be sent to the institution's RFI contact. The approved email template must be used • Ensure that the **From** field is s 47E(c) @dss.gov.au • Confirm the participating institution's current RFI contact details via CRM Institution Database and enter into the **To** field • Update **Subject** field to include RA number and original due date: *National Redress Scheme RFFI - <RA Number> - Due Date: <Insert RFFI Due Date> REMINDER - DUE DATE Lapsed* • Complete the email template and **Send** • Save the sent email to your desktop Proceed to Step 6.
6	**Upload the courtesy email to Case Manager** • Locate and open the **RFI Mail** folder in Case Manager • Click **Add** and select **Add document from local system** • Select **Browse** to locate and attach the email from your desktop.

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	• Expand the drop down menu to update the **Document Class** to **Email** • Update the relevant details • Click **Add** The email will now be visible in the **RFI Mail** folder and should be deleted from your desktop. Leave a **Comment** in Case Manager, e.g. *'RFFI to [Institution] due date lapsed, no response received. Courtesy email sent to Institution on [date]. Application to proceed per section 26 of the Act. '* Proceed to Step 7.
7	**Finalise the Validate institution response task** • If RFI or RFFI responses from other institutions are outstanding, click the **Wait for other responses** button to complete the task. • Where all RFI and RFFI responses have been responded to or a courtesy email has been sent for each overdue response, click the **Proceed to assessment** button to complete the task. **Note:** This will automatically trigger Case Manager to generate a **Completeness Check** task. Process ends here.

RFFI Extension of Time

1	**Review request for extension** The Case Coordinator or the Application Processing RFI Support team has responsibility for determining requests for extensions. The following will need to be considered: s 47E(d) If any of the above apply, an extension of up to four weeks can be granted. **Note:** Where an extension has already been granted for a priority application and a further request for extension is received due to exceptional circumstances, Case Coordinators must consult with the Application Processing RFI Support Team. **Has the request for extension been granted?**

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	• Yes, proceed to Step 2. • No, consult with Application Processing RFI Support Team to confirm the decision and where applicable notify the institution by responding to their email request. For further information, see Extending an RFI due date task card.
2	**Action the extension request** To extend the due date of an RFFI, please contact the Application Processing RFI Support Team (s 47E(c) [redacted]) who will action the task and respond to the institution in writing with the new due date. Process ends here.

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Validating a Request for Information response – when is more information required?

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Purpose

This document outlines the process for validating a Request for Information (RFI) response from an institution or applicant where the response contains new information.

Examples of this include:

- Information about prior payments
- Additional abuse information
- Information about abuse at a new institution
- Information that is contradictory to the information included in the application.

Please refer to *validating a request for information task card* for step-by-step case manager guidance.

- Section 25 of the Act enables the Scheme to obtain information in order for a determination to be made on an application. The Scheme may share protected information with a RFI in order for the institution to provide a meaningful response.
- The jurisdictions are named in a large number of redress applications, many of which list multiple participating institutions from the same group. This document outlines the process agreed to between the Scheme and states and territories to streamline RFIs for applications that involve state-based institutions.

Validating a Request for Information response

- An institution will provide answers to the 13 questions on the Master RFI Form in the Institutional Portal.
- When a RFI response is received, you **must** undertake a comprehensive review of the institutions response.
- A RFI response may reveal additional information that will indicate additional RFIs may need to be sent, or further information (RFFI) is required from the applicant.
- It is critical to read the RFI response when validating the task in case manager. This will ensure the Scheme has complied with all obligations under the Act, and that an Independent Decision Maker has sufficient information to make a determination.

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Where a RFI response reveals information that was not previously included in the application:

Information about a prior payment

- If a RFI response reveals a prior payment that was not included in the application, the applicant **must** be contacted about the details of the payment and any documentation they may have. Please refer to *policy advice 24/2018* to understand the kinds of documentation needed.

- If the RFI response reveals information about a prior payment that is inconsistent with what has been declared in the application form and there is no other documentation, this indicates the Scheme **may** need to contact the applicant for further information about their prior payment.

- If the information in the RFI is the **same** as what was declared in the application form the Scheme **does not** need to contact the applicant. The Scheme has sufficient information about the payment, contact should only be made where there are sufficient grounds to believe a portion of the payment is non-relevant.

- If the RFI response indicates a different prior payment amount to what the applicant has stated in their application, however the applicant has already provided sufficient documentation with their application to support an IDM to make a determination, it is **not necessary** to contact the applicant again.

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Examples: prior payment documentation	
State redress payment	1. *Applicant **does not declare** a prior payment in the application, the RFI response indicates the applicant received a relevant prior payment for abuse at the institution listed in the application.* The applicant **will need** to be contacted to confirm they received this payment and to let them know it may be taken into account.
	2. *Applicant declares a $7,000 payment in their application. The RFI response confirms the applicant received $7,000 payment through the Forde Scheme.* The applicant **will not need** to be contacted about the prior payment.
Civil settlement	1. *The applicant **states they have not received a prior payment** in their application. The RFI response indicates they received a payment of $100,000 through an out of court settlement for the abuse listed in the application.* The applicant **will need** to be contacted to confirm whether any portions of this payment was paid for legal fees. The Scheme **will need to obtain documentation** from the applicant to indicate this amount, it is insufficient for the applicant to provide an oral or written statement about the amount they paid in fees.
	2. The applicant states they received $76,000 through a civil settlement in their application. The RFI response indicates the applicant received a payment of $100,000 for the relevant abuse. However, the applicant has supplied supporting documentation with their application that indicates they paid $24,000 in legal fees. The applicant **will not need** to be contacted and no further clarification will need to be sought from the institution.
Victims of Crime	1. The applicant declared a $10,000 payment through victims of crime. The RFI Response indicates the applicant was paid $10,000 and that $3,000 of this payment was paid for psychological care. The applicant **will not need** to be contacted, there is sufficient information to make a determination with respect to the payment.

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Information about abuse at a new institution

Is an additional RFI required?

Where the Scheme has received information in a RFI response from, or about, an institution from the same government group (who did not received a RFI directly) then the Scheme may use the information received and provide it to an IDM to make a determination on an application for redress without issue another RFI.

It is **not necessary** to issue another RFI to the government institution if you believe that relevant necessary information has already been obtained (for example, where the new institution is defunct government institution).

- If a RFI response includes information about a new instance of abuse, the Scheme is obligated under section 25 to issue a new request for information to the relevant participating institution(s).
- However, there are certain circumstances an additional RFI is **not required**. These arise where the institution that has responded to the initial RFI, institution A, has already given the information about the other institution, institution B, there is no practical reason to re-issue a RFI to institution B.
- This advice applies to government institutions only. For example, where the request was issued to one department, however, another responds because they hold the information. You do not need to issue another RFI. This applies to any institution within the same state/territory/commonwealth group. See also *Policy Advice 26/2019*.
- While it would be technically correct to have issued the RFI to other institution when dealing with the application in the first instance, the Scheme now has all the relevant information from the representative of the group and an additional request is not required.
- Therefore, where a RFI response from the representative of a government group reveals abuse in another government institution in that group that has not directly received a RFI itself, the Scheme can be satisfied the representative has provided all relevant information there is no need to re-issue a RFI.

Ask yourself – has the representative for this government institution already provided all the information about this institution in another RFI response? **If yes**, the additional RFI is **not required.**

Check on extranet whether the institution belongs to **the same government group** as the institution that has provided the response.

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Examples: is an additional RFI required?	*RFI*
1. s 38 [redacted] The representative has already provided all the relevant information – therefore, it is not necessary to delay the application processing time where all the information has already been received.	**NO**
2. s 38 [redacted] The relevant s 38 [redacted] **must** be associated in Case Manager and issued a RFI. The applicant **must** be contacted about the new information. The RFI may be accompanied by redacted information from the RFI, and/or additional information from the applicant they may wish to include.	**YES**
3. s 38 [redacted] s 38 [redacted] does not need to receive an additional RFI. s 38 [redacted] has provided a consolidated response and sending a further RFI will not gather any additional information.	**NO**
4. s 38 [redacted] The s 38 [redacted] does not need to receive an additional RFI, this is because it is an institution from the same responding Commonwealth Government group and the Department has already provided all the relevant information.	**NO**

Does the Scheme need to contact the applicant about the new information?

- Familiarise yourself with *policy advice 21/2019* Part Withdrawals as it may apply in these circumstances. If a RFI reveals additional information a set of abuse at a new institution that was not included in the application form, the Scheme will need to provide the applicant the opportunity to comment on the additional information.

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Additional information about the abuse listed in the application

Calling an applicant

- In certain circumstances an applicant may need to be contacted and given the opportunity to respond to information provided in a RFI response. If you are unsure whether information needs to be confirmed with the applicant, it is recommended you provide all information to the IDM to decide whether they require additional information from the applicant. It is important to keep in mind that only an IDM can make a determination on an application and therefore only an IDM can decide what information is required to satisfy reasonable likelihood.

- These circumstances need to be assessed on a case-by-case basis and in line with the Scheme's trauma-informed approach.

Issuing a RFFI

- It is not appropriate to issue a RFFI to an institution if you think they have not responded adequately, or have provided information that is in conflict with your own ethical or moral framework.

- If you are unsure how to proceed with a particular RFI response, please consult with your team leader, or raise a Policy Helpdesk through the extranet.

Key questions to consider:

- *Is the RFI required under the Act?*
- *Could an additional RFI be considered fishing for information?*
- *Is the application best to be referred to an IDM to decide whether additional information is required for a determination?*

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In what circumstances should the Scheme provide information received in a RFI response to another institution?

All information received at the Scheme is protected information under section 92 of the Act. The NRS Act permits the sharing of protected information for certain specific purposes, including for the purposes of the Scheme. In some instances, it may be appropriate to share information obtained in a RFI response with another institution. These circumstances are explored below.

However, it is generally not required for the Scheme to share information between institutions through the RFI process. This is because issuing additional RFIs delays application processing times and generally the Scheme has already obtained sufficient information for a determination during the initial RFI process.

When the RFI is the only source of the abuse information.

If a RFI response reveals information that would require an additional RFI under section 25 of the Act, the Scheme may provide this information from the RFI response in a case file note. Please refer to section 0 *Information about abuse at a new institution* above for where this does not apply.

s 38

Where the institution does not require the additional information in order to comply with their obligations under section 25.

The Scheme would **not** provide additional information to an institution where they are able to comply with their obligations under section 25 of the Act without that information. This includes providing government records to non-government institutions (NGI) where the application contains all information relating to the abuse experienced. It is not necessary for the Scheme to provide all information it has in relation to the application to every participating institution that is named.

***Example**: If a NGI no longer holds records, it is sufficient for the NGI to respond to the RFI stating where the records are kept. The Scheme can then issue a RFI under section 25(2) of the Act to the record holders. The Scheme does not need to provide these records to the NGI.*

This is because the provisions of these documents is not an authorised purpose under the NRS Act and the institution has already told the Scheme they do not hold any information that could be used to verify any information in the government records. The institution has been provided all the information from the application that relates to the applicant's experience.

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Where new information is revealed about the level of abuse experienced by the applicant.

If the Scheme receives information through a RFI response that directly relates to an institutions liability or responsibility, this information may need to be provided to the relevant institution.

s 38

RFI responses that relate to pre self-government applications.

The Scheme will share the RFI response from the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development with the Territories about pre self-government applications. This is an agreement the Scheme has reached with the Territories and Commonwealth and applies to applications of this kind only.

s 38

Links

- Information Sharing Framework
- Expanded FOLR Task Card
- Request Information From Institution QRG
- Drafting the Section 25 notice Task Card
- RFIs for State and Territory Departments
- Issuing a manual Request for Information (RFI) - Task Card
- Issuing an RFFI - Task Card

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Issuing a manual Request for Information (RFI)

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V1.1	12/09/2022	s 47F	Publish new task card
V.1.2	16/02/2023	s 47F	Document updated to include manual RFI/RFFI test email template
V.1.3	20/09/2023	s 47F	Updates to policy, process & procedure
V1.4	23/10/2024	s 47F	Minor amendments to templates.
V1.5	2/05/2025	s 47F	Processes updated due to Case Manager changes

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Template 7: Manual [RFI/RFFI] response received – institution response 17
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Purpose

This document outlines the process for sending a manual Request for Information (RFI) to institutions where it is impracticable or inappropriate to do so via the Institutional Portal.

This document includes information and guidance on:

- key reasons for issuing a manual RFI and the associated risks;
- internal controls for approving a manual RFI; and
- how to send a manual RFI.

This document should be used in conjunction with the following task cards and fact sheets:

- Information Sharing Framework – Request for Information
- Expanded FOLR TaskCard
- Request Information From Institution QRG
- Drafting the Section 25 notice Task Card
- Institutions CRM - User Guide.pdf
- RFIs for State and Territory Departments.pdf
- Protected Information Guideline for Engaging with Institutions and Applicants.pdf

Operational Policy Overview

Under section 25(1) of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act), the Scheme **must** request information from a participating or partly-participating institution if an application for redress either:

- identifies a particular institution as being involved in the abuse of a person; or
- there are reasonable grounds to believe that a participating institution may be responsible for the abuse of a person.

Under section 25(2) of the Act, the Scheme **may** also request information from a participating or partly-participating institution if there are reasonable grounds to believe it has information that may be relevant to determining the application.

Note: Section 25(1) of the Act prescribes that a RFI must be issued for **any abuse** identified in the application, noting that abuse encompasses both **sexual** and **non-sexual** acts under section 6.

- *This means a RFI **must** be issued for **all types of abuse** related to an application and subsequent RFI responses, provided that the Scheme has not facilitated an*

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applicant's request for a particular instance of abuse to be withdrawn from their application under section 22 of the Act.

When is a manual RFI necessary?

A manual RFI is required when the Scheme deems an institution unable to provide a response via the Institutional Portal in any of the following circumstances:

- **Inability:** The institution does not have, or no longer has, access to the Institutional Portal.
  - For example, the institution is unable to register a PRODA organisation account, required to gain access to the Institutional Portal, in the timeframe provided by the Scheme. This may be due to difficulties with the Australian Business Register authority or changes in key personnel at the institution.
- **Conflict of interest (COI):** It has been deemed inappropriate for the Scheme to upload a RFI to the Institutional Portal because of an identified institutional conflict of interest.
  - For example, a member of the institution with access to the Institutional Portal has a conflict of interest, resulting in the institution's appointment of an alternate contact person to respond to the RFI / facilitate a DPR.
  - See the Institution Conflict of Interest for further information.

Key roles and responsibilities

The issuing of a manual RFI is conducted by the Institutional Coordination and Operational Support (ICOS) team, though the preparation and quality checking of manual RFIs is conducted by the same teams who do so for standard RFIs.

However, a manual RFI should only be prepared on the advice from the Participating Institutions or ICOS teams. This advice could take several forms:

- Case-specific advice from the Participating Institutions team advising that a manual RFI is an appropriate measure to manage a conflict of interest
- Current advice from ICOS that all RFIs for a particular institution or participating group must be issued manually due to known issues with Portal access

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- Case-specific advice from the ICOS team that a manual RFI is required, for example advising that a standard RFI will need to be reissued manually due to newly identified Portal issues

The ICOS team is responsible for obtaining relevant approvals and confirmations. This includes obtaining Branch Manager approval and confirming associated support arrangements for the institution with the with the relevant team in the External Engagement Branch, as follows:

Team	Role and responsibilities
Participating Institutions s 47E(c) @dss.gov.au External Engagement Branch	Manages the COI process for *all institutions*.
	Manages relationships with *non-government institutions*, including Institutional Portal access issues.
Institutions Onboarding RedressInstitutions@dss.gov.au External Engagement Branch	Supports newly declared institutions during the onboarding process, including Provider Digital Access (PRODA) and Institutional Portal access.
Partnerships and Support Services s 47E(c) @dss.gov.au External Engagement Branch	Manages relationships with *government institutions*, including Institutional Portal access issues.

Once relevant approvals have been obtained, ICOS is then responsible for following the process of issuing the RFI manually.

Associated risks

For a manual RFI, the Scheme collates all relevant information from the Case Manager RFI package and sends it to the institution via DSS secure email.

Issuing a manual RFI, with the protected information it contains, is **high risk**. The use of DSS secure email instead of the Provider Digital Access (PRODA) system and the Institutional Portal increases the risk of privacy breaches. For example:

- The manual RFI is sent to the wrong email address (i.e. the incorrect organisation/group); and/or

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- The wrong attachment is sent in the manual RFI (e.g. an institution receives information pertaining to a different application causing a privacy breach).

The manual RFI process is only to be used when **all other avenues** for obtaining the institution's response via the Institutional Portal have been exhausted.

NOTE: *The correct institution(s) must be associated to the application in Case Manager.*

Manual RFIs in Case Manager

From May 2025, RFI packages being prepared through the 'Request Information From Institution' tasks can be marked as 'manual'.

Packages with this marking remain in the relevant Case Manager tasks and, upon completion of the 'Issue Request For Information' task, an RP package is created with the relevant RFI documents.

Manual RP packages are not connected to the Institution Portal and are not visible to institutions. These packages cannot be switched to a standard RFI once issued, and any Requests For Further Information (RFFIs) on these packages will also be manual,

Process Overview

**Institution Inquiries (drafters) and Quality Leads (QA)*

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Task Description

Step	Action required
1	**Confirm a relevant team has advised that RFI should be issued manually** If a potential manual RFI is identified while preparing RFIs, the staff member preparing the RFI should confirm if there is advice from ICOS or the Participating Institutions team that the RFI should be issued manually. If there is no such advice, it should be obtained as per the 'Key Roles and Responsibilities' section. Once the advice is received, proceed to **Step 2**.
2	**Draft and quality assure the relevant RFI package** The Institutional Inquiries (or MDT) team draft the relevant RFI package **including the applicant's name and date of birth** as per relevant task cards and procedures. This includes: • Drafting a Case File Note with the applicant's full name, any names the applicant was known as at the time of the abuse, and their date of birth. This information is usually available in the Institution Portal and therefore must be provided to institutions receiving a manual RFI. • Ensuring there is no reference to the Institution Portal in any Case File Notes (as the institution will not have access to the Portal and this may lead to confusion) ➢ Using the '**Manual RFI - alert email**' (available in SharePoint – Operational Task Cards – Request for Information [RFI] folder – Manual RFI Email Templates folder). See Template 3: Manual [RFI/RFFI] – alert email below. • RFFI questions must be included in the Case File Note, as RFFI questions entered in the 'Request for Information' task are intended for display in the Institution Portal The Quality Leads team review the RFI package for quality assurance (QA). When the Quality Lead is satisfied that the RFIs (including any manual RFIs) are ready for issuing, they will send a QA Pass email to the Institutional Inquiries and ICOS teams.

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Step	Action required
	Email will include instruction for Institution Inquiries team to not issue standard RFIs or complete the 'Issue Request for Information' task until the manual RFI has been sent. Proceed to **Step 3**.
3	**ICOS to confirm appropriate contact for manual RFI** ICOS will contact the most appropriate External Engagement team to confirm the appropriate contact for the manual RFI. The most appropriate team will depend on the circumstances requiring a manual RFI. For example: ➢ Conflicts of interest (government or non-government institutions) = Participating Institutions team. ➢ Government institutions = Partnerships and Support Services team. ➢ Non-government institutions = Participating Institutions team. When the contact for the manual RFI has been confirmed, **create a folder** in Case Manager called 'Manual RFI Mail', if there is not already one created. **Create a subfolder** titled [Manual RFI/RFFI(s) – [date] – [institution(s)]. If there is an existing subfolder, create a new one to separate the new manual RFI/RFFI(s) from those previously sent. **Save the email** confirming the contact for the manual RFI to all applicable subfolders in Manual RFI Mail and proceed to **Step 4**. **If RFI no longer needs to be issued manually** (for example, if Portal access has been restored), ICOS will inform Institution Inquiries if RFI no longer needs to be issued manually (for example, if Portal access has been restored). If that's the case, manual issuing process ends here.
4	**Seek approval to commence the manual RFI process** Draft the 'Manual [RFI or RFFI] - request for BM approval' using the approved email template (available in SharePoint – Operational Task Cards – Request for Information [RFI] folder – Manual RFI Email Templates folder). See Template 1: Manual [RFI/RFFI] – request for BM approval below. Send the email to the Branch Manager, cc'ing the relevant EL1/EL2.

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Step	Action required
	Upon receiving a response from the Branch Manager, save a copy of the approval from the Branch Manager into all applicable subfolders of Manual RFI Mail. The response should be saved regardless of whether approval was granted or refused. ➢ If approval is refused, the manual RFI process ends here. ➢ If approval is granted, proceed to **Step 3**.
5	**Send test email to institution contact** This email is to ensure the institution has access to the secure mailbox system. The email **must** be sent using the **OFFICIAL: Sensitive** classification. See Template 2: Manual [RFI/RFFI] – test email below. Once confirmation is received from the institution, upload the successful test response to the 'Manual RFI Mail' subfolders. Proceed to **Step 6**.
6	**Separate the information into PDFs** Download all relevant documents from the '**RFI QA**' folder in Case Manager. Save each document as a PDF – these documents generally include: ➢ Institutional Abuse document (Part 2); ➢ Relevant case file note (CFN) (optional) – CFNs may have been attached to the Institutional Abuse document or left as a stand-alone document. Either is acceptable for the purposes of a manual RFI. ➢ Manual RFI – section 25 notice (PDF); ➢ Manual RFI form (Master RFI form). Proceed to **Step 7.**
7	**Password protect each document** 1. Open ARC: **ICM21/1000145** 'Redress Service Delivery – ICOS Team'. 2. Expand **ICM21/1000018** 'Redress Service Delivery – ICOS Team – Institution Information – IT – PRODA.

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Step	Action required
	3. Expand subfolder **EF21/1002306** 'Redress Service Delivery – ICOS Team – Institution Information – Passwords'. 4. Open document: **D21/10019029** 'Institution passwords 2022'. 5. Find the institution's already agreed upon password. • Should the institution not have an agreed password, scroll through to find the last password and create a new password for the institution, ensuring that the institution list is in alphabetical order. Passwords should follow this formula: Redress (with a capital R), the year (e.g. 2023) and then subsequent symbols beginning with !,@,#,$ etc. • The first new manual RFI of 2023 would have the following password – Redress2023. 6. Save the document with the institution's new password. 7. Open each PDF one at a time. 8. Scroll to tools on the right-hand side of Adobe and select: Protect 9. Select: Protect Using Password. 10. Type the new password twice and select '**Apply**' 11. Save the PDF. 12. Close and re-open the PDF to ensure the password is typed correctly. Repeat this process for **every PDF**, including the manual RFI form. Proceed to **Step 8**.
8	**Update the manual RFI section 25 and alert notice** Update: ➢ The **issue date, due date and contact name** for both the '**Manual RFI – Section 25 Notice**' (template available in SharePoint – Operational Task Cards – Request for Information [RFI] folder); and ➢ The '**Manual RFI - alert email**' (available in SharePoint – Operational Task Cards – Request for Information [RFI] folder – Manual RFI Email Templates folder). See Template 3: Manual [RFI/RFFI] – alert email below. Proceed to **Step 9**.

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Step	Action required
9	**Prepare and send the manual RFI email** In the presence of a witness, to ensure accuracy in process, complete the following steps: 1. Attach each of the password-protected documents and the Master RFI Form to the Manual RFI Section 25 Alert. 2. Ensure the highest level of security is applied to the email, **'OFFICIAL: Sensitive'**, to ensure its arrival in the institution's/contact person's secure mailbox. 3. Double check that the recipient email address and contact details are correctly entered, and that the email is sent from the s 47E(c) @dss.gov.au mailbox. 4. Send the email containing the password-protected documents. 5. The password can now be entered in a separate email using the 'Manual RFI - protected password' email template (available in SharePoint – Operational Task Cards – Request for Information [RFI] folder – Manual RFI Email Templates folder). See Template 4: Manual [RFI/RFFI] – protected password. 6. Ensure the protected password email is sent from s 47E(c) @dss.gov.au to the same contact. 7. Send the email. Proceed to **Step 10.**
10	**Document the issued manual RFI in Case Manager** Complete the following: 1. Upload a copy of the RFI alert email and the password email to the current subfolder in the Manual RFI Mail folder. These emails should be exactly as they were sent, including the password protection on the email attachments. 2. Add a case comment outlining the RFI/RFFI(s) that were sent manually and the due date. Add a brief note on the reason for the manual RFI (e.g. 'RFI sent manually due to a potential conflict of interest', 'RFI sent manually due to institution experiencing issues accessing Institution Portal'). 3. Email the Steady team (s 22 @dss.gov.au) to advise that the RFI has been issued. See Template 5: Manual [RFI/RFFI] –

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Step	Action required
	email to send to Steady team. There is no need to upload this notification email to the Manual RFI Mail folder. ***NOTE:*** *If the case is a suppressed case, notify the Suppressed team (s 22 @dss.gov.au) instead of the Steady team.* Proceed to **Step 11.**
11	**Institution Inquiries to complete Case Manager task** Upon receiving confirmation the manual RFI has been sent, Institution Inquiries will issue any standard RFIs and complete the 'Issuing Request for Information' task as per usual process. This must occur the same day as the manual RFI is sent, to ensure due dates in Case Manager are correct. **The manual RFI issuing process is now complete.**
10	**If additional information needs to be added i.e. CFN or RFFI** Email the Steady team (s 22 @dss.gov.au) requesting them to draft the document. Once the document has been uploaded to Case Manager, follow **Steps 5-10** again.
11	**Response received: Upload the response to Case Manager** Once the institution has responded, complete the following: 1. Upload the response to the RP folder. The document should have 'RFI response –' at the front of the document title. 2. If the received documents include a password, remove the password prior to uploading to a RP folder. Mark the response as complete in Case Manager a. Click into the 'Request Tracker' folder b. Right click on the file corresponding to the manual RFI or RFFI. The correct file can be identified from the RP and RF (for RFIs) or RM numbers (for RFFIs). The relevant numbers can be found in the Institution Responses tab on Case Manager. c. Click 'Properties' and switch the 'Is Response Complete?" drop down to 'true'.

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Step	Action required
	d. Click 'save' 3. Add the response date and mark as responded to Case Manager a. Click into the Institution Request folder. b. Select the RP package. c. Right click on the relevant RF or RM system file. d. Click 'Properties' e. Add the date to the 'date of submission' field. f. Change the Portal Assignment Status to 'Responded'. g. Click 'save'. 4. Add a brief case comment noting that the manual RFI/RFFI has been received and the institution it was received from. If there are any manual RFIs that have not been responded to yet, include this in the case comment. Respond to the institution by copying the test from **Template 7** into the email providing the response. Proceed to **Step 12.**
13	**Inform the relevant team** Once all steps are complete, inform the Steady team (s 22 @dss.gov.au) that the response has been received, along with the location of the response in Case Manager. See Template 6 below. ***Note**: If the application is a suppressed case, notify the suppressed team (s 22 @dss.gov.au) instead of the Steady team.* There is no need to upload the notification email to the Steady team to Case Manager. **Process ends here.**

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Templates

Template 1: Manual [RFI/RFFI] – request for BM approval

Subject: Manual [RFI / RFFI] - Request for BM approval [SEC=OFFICIAL:Sensitive]

Good [morning/afternoon] [Branch Manager name]

I am seeking your approval to issue a [RFI/RFFI] manually through secure mail to [Institution] regarding [RAXXXXXXXXX].

[Institution] requires a manual [RFI/RFFI] as [list all relevant facts and circumstances for issuing the manual RFI/RFFI].

Prior to sending the manual [RFI/RFFI], the team will send and receive an email from the institution's RFI contact to ensure the correct allocated address. Emails will be sent at the highest classification, and attached documents will be password protected (the password for each document will be sent separately to the RFI contact). Two Scheme Officers will be involved in the process to ensure the manual [RFI/RFFI] is issued correctly.

Please do not hesitate to contact me should you require any further information.

Kind regards
[First name – Last name]

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Template 2: Manual [RFI/RFFI] – test email

Subject: Manual [RFI / RFFI] - Test email [SEC=OFFICIAL:Sensitive]

Dear [RFI/RFFI contact title and name from CRM]

This is a test email to ensure you that you have access to the secure mailbox system before a manual [RFI/RFFI] is issued.

On receipt of this email, can you please confirm that you have access to the secure mailbox system associated with this email address?

We will endeavour to issue the manual [RFI/RFFI] as soon as possible once confirmation is received.

If you have any questions or concerns, please do not hesitate to reach out.

[First name – Last name]
Delegate of the National Redress Scheme Operator

False or misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

Offence to access, record, use or disclose protected information without authorisation
The RFI/RFFI includes information which has been obtained for the purpose of the National Redress Scheme and which is protected information under the Act. It is a criminal offence to access, record, use or disclose protected information except as authorised by the Act. The penalty for this offence is 2 years imprisonment or 120 penalty units, or both.

National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (the Act.)

Template 3: Manual [RFI/RFFI] – alert email

Subject: National Redress Scheme Request for Information - RA<XXXXXXXXX> - <Priority level> - Date due <day, month, year>

Dear [RFI/RFFI contact title and name from CRM]

I am writing to you, the [IF INSTITUTION IS PART OF A GROUP: representative for [the] <<insert group name>>] [IF LONE INSTITUTION: RFI contact for <<insert lone institution name>>], to alert you that the National Redress Scheme (the Scheme) has issued you a [RFI/RFFI] via secure email.

[INSERT BELOW IF THIS NOTICE INCLUDES MORE THAN ONE RFI/RFFI FOR THE GROUP]
Number of requests
Please note you have been issued [RFIs/RFFIs] for Participating Institutions in your Group.

Production period
Please note that you have [4 weeks OR 8 weeks] to respond to this [RFI/RFFI].

[FOR NON-COMMONWEALTH INSTITUTIONS] Please note that mail in the Securemail system is only visible for 30 days. Please ensure you retain a copy of this Request For Information outside of the Securemail system if you are unable to respond within 30 days.

[First name – Last name]
Delegate of the National Redress Scheme Operator

False or misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

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National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (the Act.)

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Template 4: Manual [RFI/RFFI] – protected password

Subject: Manual [RFI / RFFI] - Protected password [SEC=OFFICIAL:Sensitive]

Dear [RFI/RFFI contact title and name from CRM]

The agreed upon password for the Manual RFI/RFFI process is: [Password]

Please reply to this email to confirm receipt, noting you agree to securely destroy and dispose of all confidential information and documents as soon as practicable.

[First name – Last name]
Delegate of the National Redress Scheme Operator

False of misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

Offence to access, record, use or disclose protected information without authorisation
The RFI/RFFI includes information which has been obtained for the purpose of the National Redress Scheme and which is protected information under the Act. It is a criminal offence to access, record, use or disclose protected information except as authorised by the Act. The penalty for this offence is 2 years imprisonment or 120 penalty units, or both.

National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (the Act.)

Template 5: Manual [RFI/RFFI] issued – email to send Steady team

Subject: Manual [RFI / RFFI] sent - RVXXXXXXXXX / RAXXXXXXXXX - due <<insert due date>>

Good [morning/afternoon]

We have issued a manual [RFI/RFFI] to <<insert institution name>> for RVXXXXXXXXX / RAXXXXXXXXX - <<insert number>> [RFI/RFIs] sent, due <<insert due date>>.

The document(s) sent to the institution [has/have] been uploaded into Case Manager and can be found in the Institution Requests and RFI Mail folders.

If you require further assistance from ICOS, please do not hesitate to reach out.

Kind regards
[First name – email signature]

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Template 6: Manual [RFI/RFFI] received – email to Steady team

Subject Manual [RFI / RFFI] received from <<insert institution name>> - RVXXXXXXXXXX / RAXXXXXXXXXX [SEC=OFFICIAL:Sensitive]

Good [morning/afternoon]

We have received a manual [RFI/RFFI] from <<insert institution name>> for RVXXXXXXXXXX / RAXXXXXXXXXX.

[This/These] document(s) [has/have] been uploaded into Case Manager and can be found in the Institution Requests folder.

If you require further assistance from ICOS, please do not hesitate to reach out.

Kind regards
[First name – email signature]

Template 7: Manual [RFI/RFFI] response received – institution response

Subject Manual [RFI / RFFI] response received - RAXXXXXXXXX [SEC=OFFICIAL:Sensitive]

Dear [RFI/RFFI contact title and name from CRM]

Thank you for your email and prompt [RFI/RFFI] response for RAXXXXXXXXX.

We have uploaded the manual [RFI/RFFI] documents to the Institutional Portal and informed the relevant team.

Please do not hesitate to reach out if you have any questions or concerns.

[First name – Last name]
Delegate of the National Redress Scheme Operator

False or misleading information, documents or statements provision
Section 28 of the Act states, a person must not give information, produce a document or make a statement to an officer of the scheme if the person knows, or is reckless as to whether the information, document or statement is false or misleading in a material particular. This carries a civil penalty of 60 penalty units.

Offence to access, record, use or disclose protected information without authorisation
The RFI/RFFI includes information which has been obtained for the purpose of the National Redress Scheme and which is protected information under the Act. It is a criminal offence to access, record, use or disclose protected information except as authorised by the Act. The penalty for this offence is 2 years imprisonment or 120 penalty units, or both.

National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (the Act.)

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Links

- RFIs for State and Territory Departments.pdf
- Protected Information Guideline for Engaging with Institutions and Applicants.pdf
- Institutions CRM - User Guide.pdf
- Drafting the Section 25 notice Task Card
- Request Information From Institution QRG
- Institution Conflict of Interest.pdf

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National
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Issuing RFIs for applications undergoing a reassessment

Document Details	
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Version	Date	Created by	Amendment Description
V1.0	23/10/2024	Application Progression	RFI process for applications undergoing reassessment process

Contents

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Process overview 3
Task description 3
RFI Pre-Drafting Checks 4
Draft RFIs 6
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Purpose

This document outlines the process for Redress officers responsible to prepare requests for information (RFI) for institutions, identified as part of a finalised application undergoing a reassessment of redress where:

- the relevant institution (either identified in the application or during the application process) has joined the Scheme, or
- abuse is advised in connection to another relevant institution.

Operational Policy Overview

From 29 September 2024, finalised applications made to the National Redress Scheme (the Scheme), can be reassessed when:

- the applicant has either accepted or declined their redress outcome, and
- one or more non-participating institutions named in their application or identified during the application process, have since joined the Scheme, and
- the Scheme receives the applicant's completed and signed Reassessment Agreement Form on or before 30 June 2027.

Section 71D of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) outlines that the institution/s identified in the finalised application that have since joined the Scheme, will be issued a request for information (RFI) in the same way as outlined under section 25 the Act.

However, the RFI package will be created in the new linked Case Record created (identified by a FR number) for the reassessment process. The allocation of creating RFI packages for a reassessment will be managed by Independent Decision Maker (IDM) support team.

As part of the reassessment, an IDM may also request further information from either the applicant (Section 24) or previous determined responsible institutions (if there is connection to the abuse disclosed by the new institution) to make their reassessment determination. An RFI for the institution will be issued under section 25 of the Act.

- **Section 25(1)** of the Act outlines that an RFI **must** be issued to the participating or partly-participating institution named in the application for any abuse, whether it be sexual or non-sexual abuse. This means that a RFI must be issued to all instances of abuse related to the application and subsequent RFI responses.
- **Section 25(2)** of the Act denotes that the delegate of the Operator **may** also request information from an institution if there are reasonable grounds to believe that the information may be relevant to determining the application.

Note: Section 6 of the Act abuse defines **abuse** as **sexual** or **non-sexual abuse**.
This means a RFI must be issued for all instances of abuse related to the application and subsequent RFI responses.

Note: If information is received from an institution as part of the reassessment that is relevant to another institution that was previously determined as a responsible institution, the

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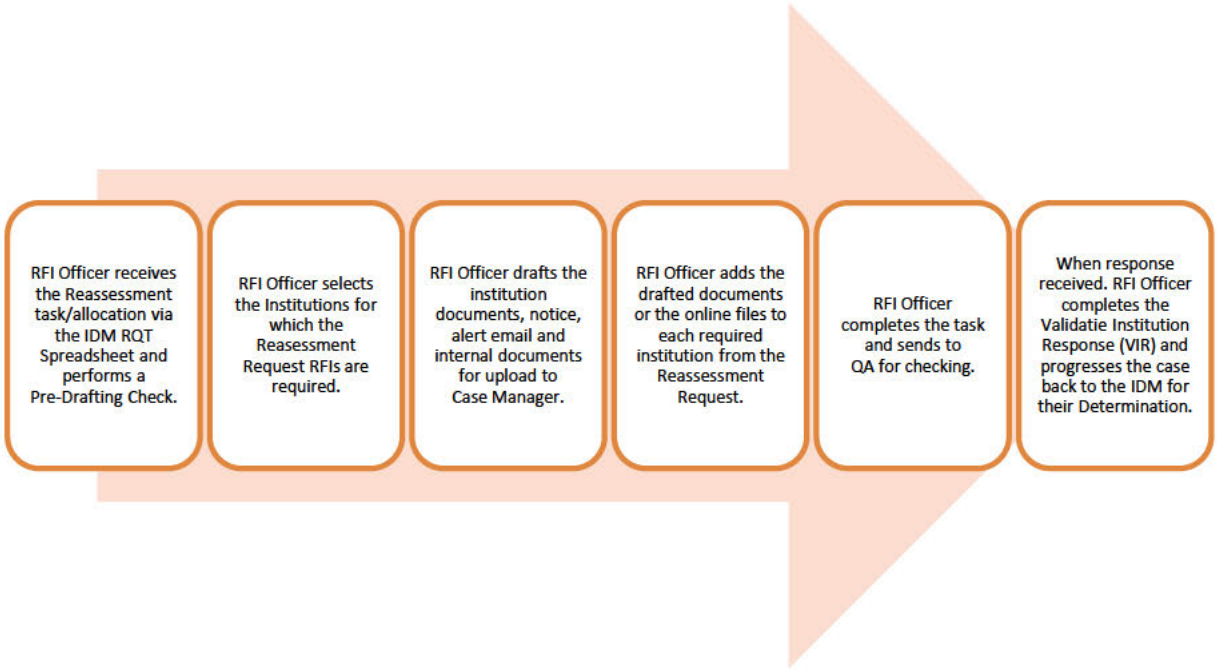
relevant information must be provided to that institution as per BAU RFI processes for procedural fairness.

Process overview



Task description

Reassessment process can only be made on certain finalised applications, where a redress outcome was delivered to the applicant and they either accepted or declined their outcome and after the application was finalised, one or more Non-Participating Institution/s (NPIs) have since onboarded with the Scheme (or were listed through FOLR arrangements).

The Scheme will invite applicants to undergo a reassessment where their application meets the criteria. A reassessment cannot commence until the Scheme receives the applicant's written agreement to start the process.

The applicant's Reassessment Engagement Letter uploaded to the original case record (RA number), identifies the new joined institution that allows a reassessment of the finalised application to occur.

As described above, the Scheme has either identified, or the IDM has determined that additional RFI/RFFIs are required to be issued to the newly joined or listed institution and if required, the original responsible participating or partly-participating institution to assist making a reassessed determination for redress.

The RFI Team will issue and then validate the institution response to complete the RFI Reassessment Request and progress back to the IDM for their determination.

The steps outlined for this process are on the next page.

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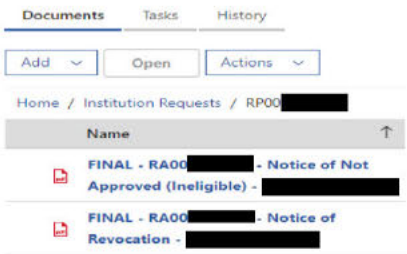
RFI Pre-Drafting Checks:

Step	Action
1	**Locate the Reassessment Request** Select the allocation RV## from the Master Spreadsheet and search the RedressSteadyRFI Inbox for the Reassessment Request. This request is provided by the Assistant Director who has triggered the Reassessment Task with the subject line clearly indicating it is a Reassessment. Please scan all succeeding emails in the Steady Inbox for the case to ensure no adjustments (e.g. privacy breach) to the Reassessment case record (FR##) have been made before the Reassessment Request. **TIP**: It is useful to review any preceding emails from the Institutional Coordination and Operational Support Team (ICOS) related to the NPI.
2	**Check Final Notices to Institutions** Check that Notices to Institutions (if other Institutions were issued with an RFI/RFFI prior to the NPI having been onboarded), located in the 'Institution Request' Folder in Case Manager, have all been issued with the 'Final Notice' – if not **you must escalate** and reach out to the Team Leader to contact Outcome Letters and Notices team as a priority. The case **cannot progress** until all Institutions have received the Final Notice.  Ensure the Reassessment Request Email (located in the RedressSteadyRFI Inbox) and Reassessment Task in Case Manager are aligned and contain identical information. **Please note:** If the request is not identical and there is a requirement for clarification, seek guidance from the Team Leader.
3	**Identify the Institution/s CRM record** Identify in CRM that the Institution (which is now participating or listed under FOLR arrangements) has the correct Institution Unique ID details and operational dates, as per the Reassessment Request Task. (Need to identify if the NPI coding has been removed prior to the request, and which area, or would need to be removed by the Drafter at this stage)

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4	**Confirm whether newly participating institution is ready for RFIs** Review Declaration email, list of applications affected by a declaration and list of institutions with Portal issues provided by ICOS on the occasion of a new declaration to ascertain readiness of institution for RFIs. Please email ICOS at s 47E(c) @dss.gov.au if: • If an institution's readiness for RFIs cannot be ascertained from the above documents • If it is unclear if the information in the above documents is current • An institution isn't ready for RFIs but there is a reason RFIs must be issued urgently (for example, if the applicant is terminally ill and responses must be expeditated). **Please note:** It is possible that one or more original determined responsible institution's participation in the Scheme may have been revoked since the application was finalised, if so please follow above instructions and contact ICOS.
5	**Identify any unstated difference in existing RFIs** Identify if there are any differences from any previous RFI/RFFI's issued, prior to the reassessment, to other Institutions in Case Manager, and not stated in the Reassessment Request. For any details that do require further clarification, please escalate and reach out to the Team Leader for guidance and how to progress. The Team Leader has a specific process/protocol that needs to be followed when requesting additional information from the Assistant Director who triggered the initial Task. **Once the request details have been verified, drafting may begin.**

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Draft RFIs

Step	Action
1	**<u>Locate the information that triggered a reassessment</u>** When in Case Manager, open the Reassessment Determination tab. This tab will tell you where the new information is located that triggered the reassessment (see below). – **New information after a decision - Received 30 September 2023** Who provided the new information? Applicant Date new information was received? 30 September 2023 How new information was received? Postal Where is the new information located? Inbound Correspondence folder Decision to be revoked? Yes Previous decision document Download document Ensure that the 'REASSESSMENT' keyword has been actioned on Case Manager.
2	**<u>Prepare the RFI/RFFI Reassessment Request</u>** Prepare the RFI/RFFI Reassessment Request ensuring that if there are any additional questions that these are prepared in a Case File Note. Ensure your RFI Planner has the correct Naming Convention and captured any information required for the RFI. Prepare the RFI/s as per normal Drafting Procedures and in consultation with the relevant task cards (see Links section).
3	**<u>Change keywords and alert Quality team</u>** When the Reassessment Request has been drafted and the package/s is ready to be sent to QA change keywords to RFI/RFFI IP + QA READY. Remove any redundant keywords including CC IP, RFI/RFFI SENT, CALL CMPL. • **Do not remove any keywords** such as AO CMPL, IDM RQT, ADV, REASSESSMENT. Forward the Reassessment Request email utilising the Sent to QA Email Template to the RedressQA Leads Inbox and ensure that the RedressRFISteady Inbox has been included. Please see template below.

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	Send To: RedressQALeads; Cc: RedressSteadyRFI; Subject: RFI/RFFI REASSESSMENT - Sent to QA - RVXXXXXXXXX/RAXXXXXXXXX Hi Team RFI (X) – New Process has been prepared and sent to QA as per the below Reassessment Request. Kind regards

QA RFI for reassessment

Step	Action
1	**<u>The QA officer will undertake Quality Assurance checks of the RFI as per usual.</u>** The process for RFI QA is the same as outlined under Redress officer performing the RFI QA - Request info from institution - Step 3 - Issue RFI - Task Card.pdf. However, when ready to be issued, the RFI will be uploaded to the FR Case Manager record Institution Request package (RP). Any previous RFIs from the original determination will be migrated across from the RC to FR case manually using the following naming conventions: • ORIG RFI – RAXXXXXXX – [DD-MM-YYYY DATE ISSUED] • ORIG RFI INSTITUTION RESPONSE – RAXXXX – [DD-MM-YYYY DATE RESPONDED] • ORIG RFFI – RAXXXXXXXX - [DD-MM-YYYY DATE ISSUED] • ORIG RFI INSTITUTION RESPONSE – RAXXXXXXXX - [DD-MM-YYYY DATE RESPONDED] **IMPORTANT:** All original documents will be rechecked by a quality assurance officer to ensure they align with Privacy legislation. For complex cases, please escalate to your team leader to submit a Policy Helpdesk. Policy helpdesk responses **must** be actioned and uploaded to the FR case record. When ready to send the RFIs for the reassessment case, the RFI Officer will download the S25 –Alert email - Reassessment and update with the date of issue.

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Validating the Institution Response

Step	Action
1	When the RFI has passed the Quality Assurance process, the RFI package will be issued to the Institution When the Scheme receives the Institutions response the Validate Institution Response task will need to be completed (this will be advised on the RFI Spreadsheet with the Status 'Ready to VIR') and appear in Case Manager in the Outstanding Information Section, as per the below examples. RFI Spreadsheet: Date Received | Packag | Staff member Allocation | Date Allocated | Status: 23 July 2024 | | | | Ready to VIR 12 July 2024 | 1 | | | Ready to VIR 25 July 2024 | 1 | | | Ready to VIR Case Manager Outstanding Information Section: **Outstanding information (1 RFI request, 1 RFFI request, 0 Applicant requests, 0 Applicant documents)** Type | Status | Information RFFI | Awaiting validation | 00[redacted]
2	Complete the RFI Reasoning Document as per the normal Validating Institution Response Task Card. If further RFFI's have been identified from the Institution Response, indicate on the RFI Reasoning Document before uploading to Case Manager: • Possible further RFI/RFFI's to be determined by the IDM. Send | To: s 47E(c) | Cc: Subject: RFI/RFFI REASSESSMENT - Complete (X/X) - progress to IDM - RVXXXXXXXXX/RAXXXXXXXXX Hi Team The RFI (X) response to the Reassessment Request has been validated and no further work is required. This application is ready to progress to the IDM for assessment. Institution **INSTITUTION [ID:XXXXXXX]** Responding Institution: INSTITUTION [ID:XXXXXXX] Kind regards

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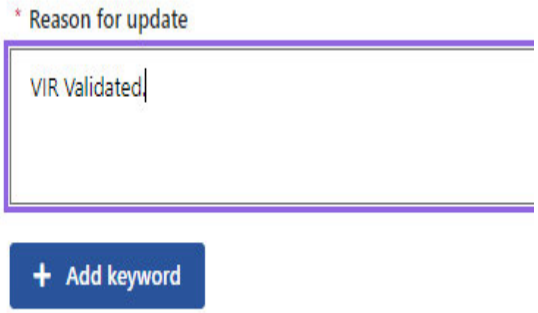
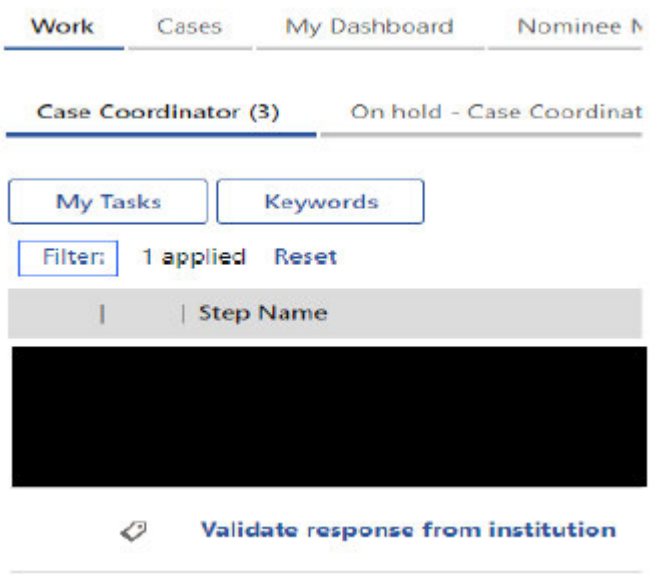
3	Upload the RFI Reasoning Document to Case Manager in the Recommendation Folder, then remove the keyword RFI/RFFI SENT with a comment of 'VIR Validated' being inserted. 
4	**Validating the Work Task** Access the work tasks from the Work Tab on Case Manager.  Select: Validate response from institution and complete the task. Select: Validate response from institution and complete the task. Select: Action Request (only if it is Request that appears with the subject line 'Additional information request: Institution) and then select Complete. This will update the Outstanding Information Tab in Case Manager and will progress the Application to the next stage. **The process is now complete.**

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Links

- Issuing a manual Request for Information (RFI) - Task Card
- Issuing an RFFI - Task Card
- Request Additional Information for Decision Task Card
- Redress Policy Helpdesk Task Card
- Drafting the Section 25 notice Task Card
- Validate Institution Response Task Card
- Request Information From Institution QRG
- RFIs for State and Territory Departments
- Protected Information Guideline for Engaging with Institutions and Applicants
- Information Sharing Framework
- Request for Information (RFI) – All Documents
- Request for Further Information (RFFI) – All Documents

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Overdue RFI Process

Document Details	
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Version	Date	Created by	Amendment Description
V1.0	30/05/2024	s 47F	New task card

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Purpose

This document describes the process and the circumstances in which an application may progress to determination if a participating or partly-participating institution does not respond to a request for information (RFI), as made under section 25 of the Act within the production period specified.

Operational Policy Overview

Legislation and policy

- Under section 25(4)(c) of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act), a written request for information notice must specify the period (the production period) within which the institution is requested to give the information to the Operator.
  - Under section 25(5) of the Act, this must be at least 4 or 8 weeks depending on the priority status of the application.

- Once the production period has lapsed, an institution is not permitted to request an extension of the due date, under section 25(8) of the Act.
  - If the production period has not lapsed, the Operator may provide an extension in appropriate circumstances under section 25(6) of the Act. Please refer to Policy Advice 14 of 2019: RFI due dates and extensions.

- Under section 26(2) of the Act, the Scheme may progress an application to determination if the institution has not responded to the RFI/RFFI within the production period.

- It is not mandatory for a participating or partly-participating institution to respond to a RFI/RFFI or provide a response to all 13 questions.

- The Department has entered into a Memorandum of Understanding (MOU) with each participating non-government institution that sets out how we work in partnership. All parties to the MOU have agreed to:
  - work collaboratively to deliver redress from participating institutions to people who experienced institutional child sexual abuse who are entitled to redress under the Scheme, and do so in as timely a manner as is practicable; and
  - identify and seek to resolve issues in a timely manner where Scheme arrangements are having unintended impacts.

- The Scheme is subject to administrative law principles, as well as its own legislation. This means that the Scheme is obligated to share information with an institution where it may contribute to an adverse outcome (such as a finding of institutional liability).
  - **The Scheme must ensure that a institution has had the opportunity to access and respond to a RFI or RFFI.**

  Note: *The institution does not have to respond to the RFI or RFFI to have been afforded procedural fairness. It is sufficient that the institution had a reasonable opportunity to respond.*

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Reminding the institution of the RFI

- Under section 29(1) of the Act, the Scheme is obligated to progress applications to determination as soon as practicable.

- When an institution does not respond to the RFI/RFFI, the Scheme's Institutional Cooperation and Institutional Support (**ICOS**) team in the RFI and Operational Support (ROS) section will issue a 'Reminder Email' to the institution to prompt a response to the RFI. This reminder will grant the institution a **two-week grace period** under s25(6) of the Act.

  Note: *This 'grace period' is not recorded as a formal extension in Case Manager.*

- If the institution does not respond to this email, and the grace period expires, **ICOS** will conduct a 'Reminder Call' to the institution's RFI Contact to identify whether the institution is experiencing issues accessing or responding to the RFI.
  - If the institution is aware of the RFI and is not experiencing any issues, the institution has been afforded procedural fairness and the application can be assessed for progression to an IDM.
  - **ICOS** are responsible for resolving issues relating to manual RFIs or individual RFI packages.
  - Where an institution notifies the Scheme that they are experiencing issues, e.g. a Redress Contact change, conflict of interest or Institutional Portal issues, the institution is referred:
    - For non-government institutions, to the **Participating Institutions** team (s 47E(c) @dss.gov.au); and
    - For government institutions, **ICOS** will contact the institution directly.

  Note: *This referral also occurs where **ICOS** cannot get in contact with the institution through both the Reminder Email and Reminder Call.*

- These reminders afford institutions procedural fairness. They provide institutions with a further opportunity to respond to a RFI, forewarn institutions that an application may progress to a final determination under section 26, and ensure that the Scheme is complying with obligations under the MOU.

When to progress an application to the IDM

- If the institution does not reply to the Reminder Email **within the two-week grace period**, and the Reminder Call does not identify any issues preventing the institution responding to the RFI, the Scheme will assess whether the application can progress to an IDM for determination without the institution's RFI response.

- If the application can progress to an IDM, a Section 26 Email will be issued to the institution advising that the application has progressed to the IDM.

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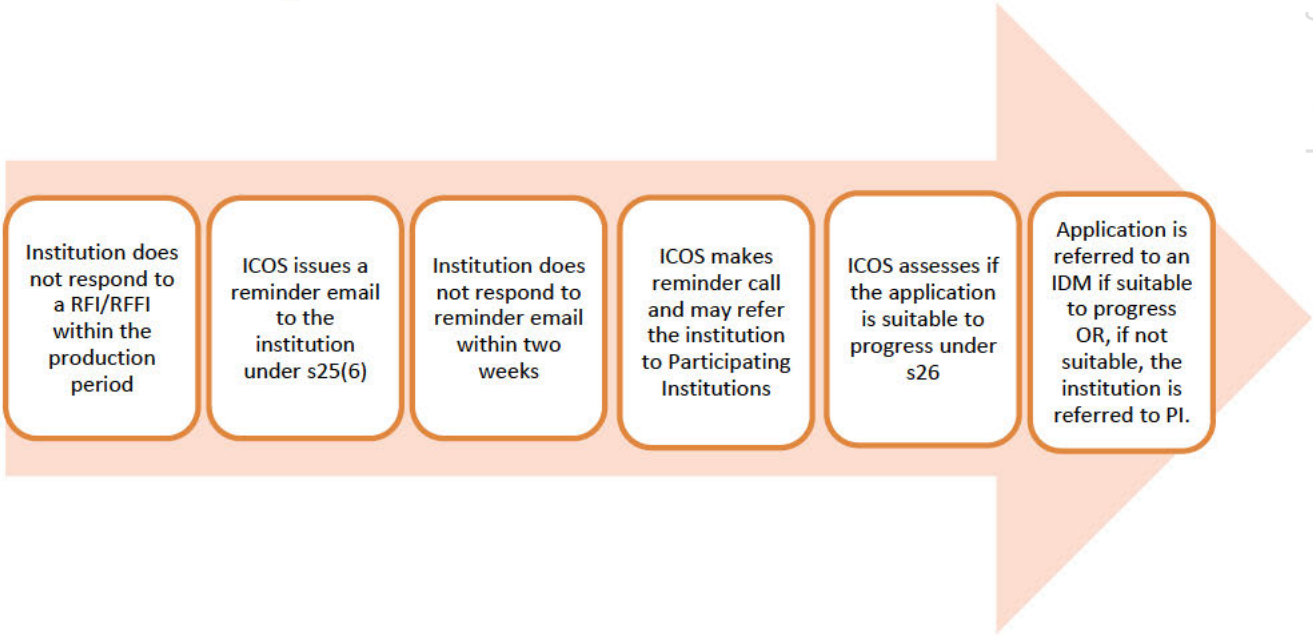
Note: *this email will generally be sent three weeks after the Reminder Email, accounting for the two-week grace period and time taken to assess the application for progression to an IDM.*

- The email will advise the institution that they can provide information to the Scheme through **ICOS** up until the IDM makes their final determination.

- **Policy Advice 08 of 2020** outlines when to progress to IDM without a response. This is an assessment of whether the applicant is best served by continuing to seek information from the institution or by having their application progressed without the RFI response.

- If the application cannot progress to determination, the matter will be referred to the **Participating Institutions** team (if the institution is an NGI), or **ICOS** will work with the relevant government institution to obtain a response.

Process summary



For a detailed process map, please refer to Page 12 of this task card.

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Task Description

Part 1: RFI reminders and institution support process

Step	Action required
	Institution does not respond to RFI or RFFI within the production period. ICOS checks CRM for any changes to the RFI contact and Research Notes for any known relationship management issues i.e. access to the Institution Portal.
1	**ICOS sends Reminder Email** to institution if institution fails to respond to RFI within production period and the Scheme has not received a request for an extension. ICOS sends the email as soon as a **RFI due date has lapsed**. See Templates 1 and 2 below.
2	**ICOS records the sent email** in a folder named **'Overdue RFI'** in Case Manager.
	If the institution **does not respond** to the Reminder Email within the two-week period, **refer to Step 3.** If the institution **responds** to the Reminder Email but does not submit a RFI response before the due date lapses, **refer to Task Description: Assessing an application for progression to an IDM**.
3	**ICOS makes the Reminder Call** to the institution's RFI contact. The contact details for the relevant institution's RFI contact can be found in CRM. See Templates 3 below for talking points when making this call. Please note the purpose of this call is to determine whether the institution is **aware that a RFI has been issued and, if necessary, to identify any issues with accessing the RFI.** If **contact with the institution is unsuccessful**, make a referral to **Participating Institutions**. **ICOS** must concurrently assess the application for progression to an IDM. Ensure that the referral email to **Participating Institutions** includes: • A summary of any communication with the institution so far; • Any relevant information regarding the issue, institution or application; • Information about the contact attempts, • A request for PI to liaise with the institution so that the institution can be contacted for this application and in the future.

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	If **contact with the institution is successful, and the institution is aware of the RFI**, identify whether the institution intends to respond to the RFI and any issues that may require a referral to **Participating Institutions**. Inform the institution that the Scheme will assess the application for progression to an IDM and that the institution can submit a RFI response to the Scheme until the IDM makes their determination and the applicant has accepted their redress outcome. If **contact with the institution is successful and the institution cannot access or has not yet accessed the RFI**, determine whether the reason for this requires referral to the **Participating Institutions** team: • If required, refer the issue to **Participating Institutions** for relationship management (e.g. RFI contact changes, Institution Portal access issues, etc). • If the issue can be resolved by **ICOS**, do not refer to **Participating Institutions** (e.g. RFI contact had not checked secure email or Portal but is able to, or RFI package is corrupt). • If required, consider whether to grant the institution an extension. If this occurs, and the extension lapses without a RFI being provided, assess the application for progression to an IDM.

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Part 2: assessing an application for progression to an IDM

- The **ICOS** team in the ROS section is responsible for assessing an application for progression to an IDM. All applications must be assessed on a case-by-case basis.

- In this assessment, Scheme officers MUST reference *Policy Advice No. 08 of 2020: Processing applications without receiving a RFI response*. Assessors should keep in mind the Scheme's guiding principles under section 10 of the Act and the shared responsibilities under the Department's MOU with participating NGIs.

- The following should be considered when assessing an application for progression:
  - The Operator's obligation under section 29(1) of the Act;
  - The information already available in the application or other RFI responses (if applicable);
  - The priority status of the application;
  - Any advice provided by the institution as to why they have not yet provided a response.

- Where the outcome of the assessment is uncertain or ambiguous, cases should be referred to the Policy Helpdesk for advice.

The following table outlines circumstances that may influence whether an application may or may not be able to progress to an IDM.

s 47E(d)

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Task Process

Step	Action required
4	**ICOS assesses the application for progression to an IDM.** Refer to the assessment guidance above. **Note:** If the non-responsive institution is a non-government institution, assessors must liaise with the **Participating Institutions** team to ascertain if the RFI contact is *able to access the RFI*. As per the guidance table above, if an institution cannot access the RFI, they have not been afforded procedural fairness. As a result, the application is less likely to be able to progress to determination. **Is the outcome of the assessment *ambiguous or uncertain*?** If **Yes**, submit a Policy Helpdesk request. If **No**, progress to **Step 5**.
5	**ICOS makes a comment in Case Manager with the outcome of the assessment.** The comment must include the justification for the assessment (why/why not the application is suitable to progress). See Adding a Case Comment task card. **Is the application deemed suitable to progress to determination?** If **Yes**, progress to **Step 6**. If **No**, email the case to the relevant team with the necessary information to contact the institution: o For non-government institutions, the **Participating Institutions** team (s 47E(c) @dss.gov.au); and o For government institutions, **ICOS** will contact the institution directly.
6	**ICOS issues the Section 26 Email to the institution.** The email notifies the institution that the application is being progressed to the IDM for determination. See Templates 4 below for the email template. **ICOS** records the sent email in a folder named **'Overdue RFI'** in Case Manager. **Note:** *If the institution in question is a non-government institution, **ICOS must inform Participating Institutions** of the overdue RFI and relationship issue for resolution.*
7	**ICOS completes the 'Validate Response from Institution' task.** Finalise the 'Validate Response from Institution' task in Case Manager' (see Validate Instituton Response Task Card).

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	Select **Proceed to assessment** to complete the task. **Note:** *Once the 'Validate Response from Institution' task has been completed, the institution cannot submit a response via the Institution Portal. If the institution provides information before a determination is made, this additional information must be manually uploaded into the RFI package by Scheme staff.*
8	**The application progresses to an IDM for determination.** The institution has the option to provide information to the Scheme up until the IDM makes their determination and the offer is accepted. <u>Any emails from the institution that contain additional information from an institution must be treated as a matter of priority.</u> The revocation process allows IDMs to revise their determination prior to acceptance should any new information become available that is likely to change the determination. The IDM **must be made aware t**hat the institution did not respond to the RFI within the production period and any information provided by the institution. **Institution Inquiries** must email s 47E(c) @dss.gov.au, using the following template: Dear IDM Support team, **[RA number]** is being progressed to determination under section 26 of the Act. **[Institution/s]** (**[Unique ID/s]**) has/have not responded to the Request for Information/Request for Further Information. **<IF institution provided any relevant information:** The institution informed the Scheme that **[insert relevant advice].>** Regards, [Team name].

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Templates

1. **Reminder Email Template – Government Institutions**

Dear **[INSERT RFI CONTACT: {TITLE} {LAST NAME} FROM EXTRANET]**

I am writing to advise that the **due date** for responding to the <Request for Information (RFI) OR Request for Further Information (RFFI)> for <RA Number> **has lapsed**.

Under section 26 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018,* the Operator may progress an application and make a determination if information requested from an institution is not provided within the production period.

This application will be assessed to progress to determination in two weeks on <DUE DATE>. Please take action prior to this date if you wish to submit a response to the <RFI or RFFI>.

If you intend to submit a response to the <RFI or RFFI> we ask that you:

1. Advise us of your intention to submit a response by return email, and
2. Submit your response to the <RFI or RFFI> through the Institution Portal, or if you have received a manual <RFI or RFFI>, through secure email, as a matter of priority.

If you believe your circumstances justify an extension, please respond to this email and provide reasonable justification.

Should you have any questions or be experiencing any difficulties responding through the Institution Portal, please contact the Redress Governance team by emailing s 47E(c) @dss.gov.au.

[INSERT First name Last name]

Delegate of the National Redress Scheme Operator

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2. Reminder Email Template – Non-Government Institutions

Dear **[INSERT RFI CONTACT: {TITLE} {LAST NAME} FROM EXTRANET]**

I am writing to advise that the **due date** for responding to the <Request for Information (RFI) OR Request for Further Information (RFFI)> for < RA Number> **has lapsed**.

Under section 26 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018,* the Operator may progress an application and make a determination of eligibility if information requested from an institution is not provided within the production period.

This application will be assessed to progress to determination in two weeks on <DUE DATE>. Please take action prior to this date if you wish to submit a response to the <RFI or RFFI>.

If you intend to submit a response to the <RFI or RFFI> we ask that you:

1. Advise us of your intention to submit a response by return email, and
2. Upload any information in the Institution Portal, or if you have received a manual RFI, through secure email, as a matter of priority.

If you believe your circumstances justify an extension, please respond to this email and provide reasonable justification.

Should you have any questions or be experiencing any difficulties responding through the Institution Portal, please contact the Participating Institutions team by emailing s 47E(c) @dss.gov.au.

[INSERT First name Last name]

Delegate of the National Redress Scheme Operator

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3. Reminder Call: Talking Points

- "Hello [INSERT RFI CONTACT NAME]"
- "This is [INSERT NAME OF SCHEME OFFICER] from the National Redress Scheme."
- "I am calling to follow up on a Request for Information that was issued to <INSTITUTION NAME> on <DATE RFI WAS ISSUED TO THE INSTITUTION>. The due date for this RFI was <DUE DATE> and a reminder email was sent to your institution via the secure email portal on <DATE REMINDER EMAIL WAS SENT>."
- "This concerns application <RA Number>. **Are you aware of this Request for Information?**"
    - ***If RFI contact advises that they are experiencing issues accessing the Institution Portal or the RFI contact has changed****, refer their issue to the Participating Institutions Team for relationship management.*
    - ***If RFI contact does not have access issues****, check if the institution is intending to provide a response and identify what is causing the delay.*
- "The production period for providing a response has now expired. The Scheme may progress this application to an Independent Decision Maker for determination without your response. This is permitted under as section 26 of the Scheme's Act. If this occurs; the Scheme will inform you via the secure email portal."
- "You can submit information to the Scheme about this application until the Independent Decision Maker makes their determination and the applicant accepts their outcome. Any additional information provided will need to be emailed to s 47E(c) @dss.gov.au."
- "Thank you for your time."

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4. Section 26 Email

Dear **[INSERT RFI CONTACT: {TITLE} {LAST NAME} FROM EXTRANET]**

I am writing to notify you that the application for redress for {Survivor salutation} {First Name} {Last Name} (**RA00#######**) has now progressed to the Independent Decision Maker for determination. This is because the production period to respond to the Request for Information (RFI) issued to [institution name] has lapsed.

The Scheme issued a RFI to [institution name] on [DD Month YYYY of RFI]. The RFI production period <was extended and> ended on [RFI response due date]. <A reminder email, providing [institution name] an additional two weeks to respond, was sent on [DD Month YYYY of reminder email].>

The Scheme Operator considers there is sufficient information to progress the application to determination as permitted under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act).

Under section 26 of the Act, the Scheme Operator may progress an application an institution fails to comply with a section 25 request within the production period.

You are welcome to submit any information you would like considered by the Independent Decision Maker until a determination is made and the applicant's offer is accepted. Please contact s 47E(c) @dss.gov.au if you have information that you would like to provide to make arrangements for this to be uploaded to the Institution Portal. Please note that a determination cannot be revoked if an offer of redress is made and accepted in writing.

[INSERT First name Last name]

Delegate of the National Redress Scheme Operator

Links

- Policy Advice No. 08 of 2020: Processing applications without receiving an RFI response
- Policy Advice 14 of 2019: RFI due dates and extensions
- Task Card – Adding a Case Comment
- Task Card – Extending a RFI or RFFI Due Date
- Task Card – Policy Helpdesk
- Task Card – Validate Instituton Response

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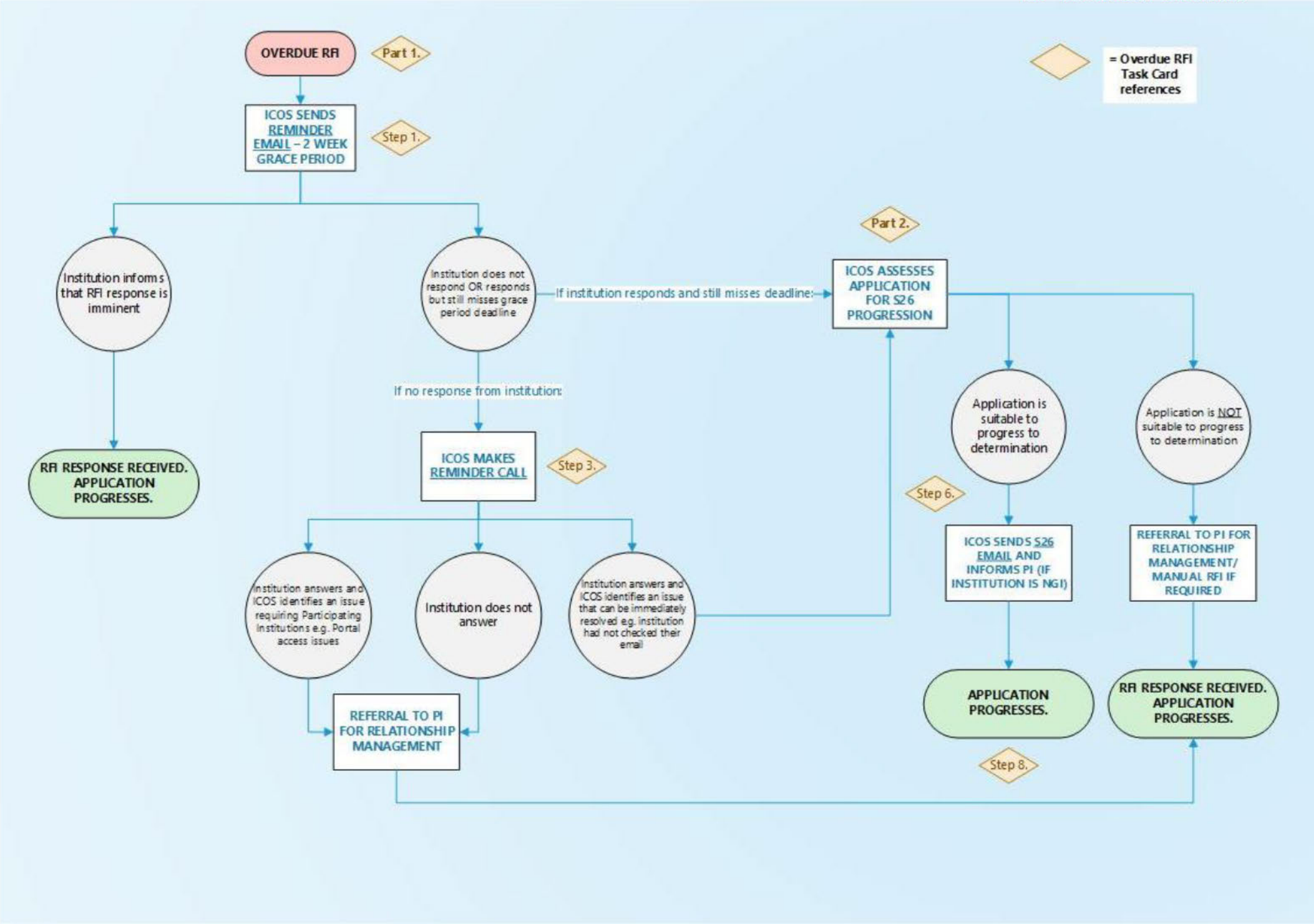

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DSS - FOI LEX 56662 - Document 12

National
Redress Scheme
For people who have experienced institutional child sexual abuse

Request for Information (RFI) from Institution Step 1: Draft RFI

Document Details	
Content Owner	Director Institution Inquiries and Quality Review
Created by	s 47F
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Approved by	Director Policy Strategy and Design
Date Approved	05/06/2025

Version History			
Version	**Date**	**Created by**	**Amendment Description**
V1.0	25/05/2023	s 47F	Policy reference and layout
V1.1	23/05/2023	s 47F	Draft finalised
V2.0	05/06/2025	s 47F	Updated to reflect ICT Systems release of May 2025

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DRAFT

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Purpose

This document operationalises Step 1 of the new 'Request information from institution' task in Case Manager.

The **'Request Information from institution'** task has been created to limit the number of manual off-system tasks and reduce the risk of data privacy breaches.

- The '**Contact institution' task** has been updated so that the 'Request information from institution' button now launches the new 'Request information from institution' task.

  A new 'Request information from institution' task has been added to the discretionary task list and the existing 'Request information from institution' task has been renamed to '[Superseded] Request information from institution'.

N.B: for details on how to draft requests for further information (RFFIs), please refer to a separate Request info from institution - Step 1 - Draft RFFI - Task Card

Operational Policy Overview

Section 25 of the Act requires the Scheme to issue a request for information (RFI) to a participating or partly-participating institution if an application identifies a particular institution as being involved in the abuse of a person, or there are reasonable grounds to believe that an institution may be responsible for the abuse of a person.

Under section 25 of the Act a RFI must be issued for **any abuse**, whether it be sexual or non-sexual abuse. This means that a RFI **must** be issued for **all instances** of abuse related to the application and subsequent RFI responses.

The '**Request information from institution' task** is a discretionary task that is launched by the RFI Support Officer for the purposes of drafting, quality checking and issuing requests for information (RFIs).

The 'Request information from institution' task is comprised of three steps, as follows:

1. ***Draft request for information*** – accessible within the Case Coordinator role
   - The content of the RFI is prepared and uploaded to the task by a RFI Support Officer in the Institution Inquiries team.
2. ***Validate request for information*** – accessible within the Quality Assurer role
   - The content prepared by the RFI officer is checked and verified by a Quality Lead in the Quality Assurance team.

   Note: In Step 2 the Quality Lead will be able to send the task back to Step 1 if issues are identified that require correction.

3. ***Issue request for information*** – accessible within the Case Coordinator role
   - Final verification checks are performed and the RFI is sent to the institution portal by a RFI Support Officer in the Institution Inquiries team.

   Note: In Step 3 the RFI Support Officer will be able to send the task back to Step 2 if issues are identified that require correction.

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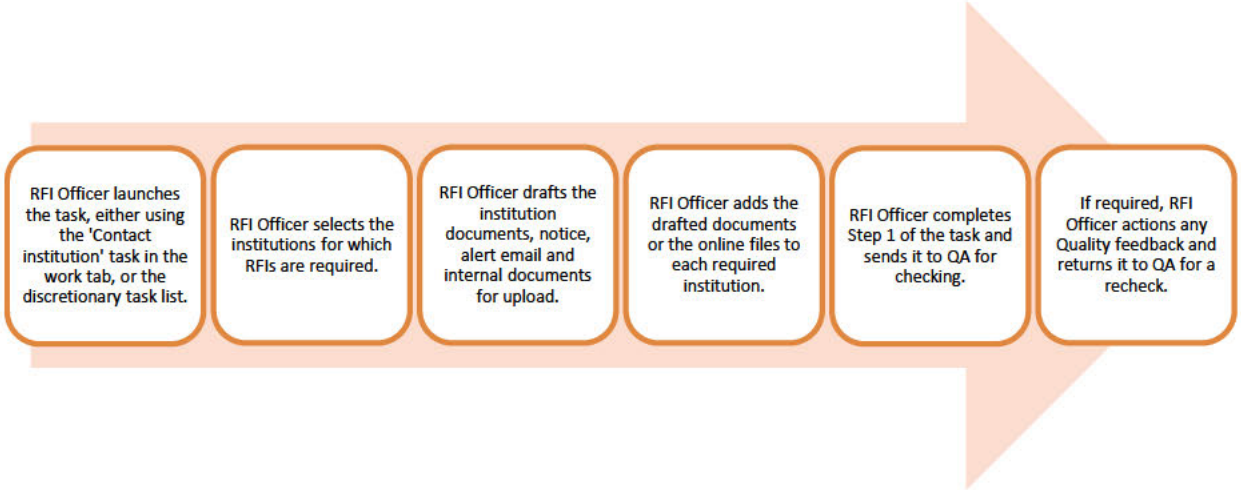
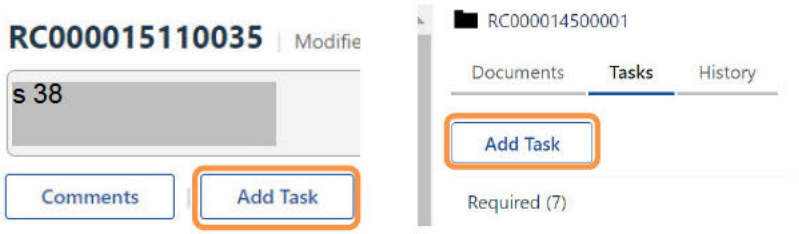
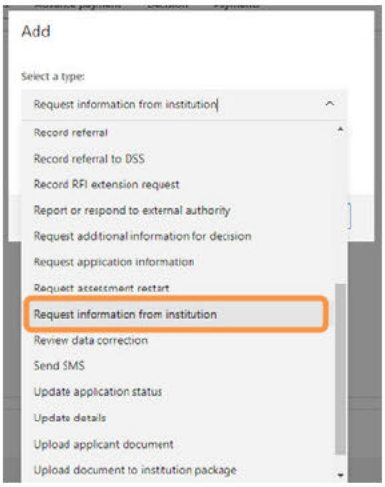
Process overview



Task description

Task 1: Launching the 'Request information from institution' task

Step	Action
1	To launch the task, 1 of 3 options can be used. **Option 1:** • Click the **Add task** button, either in the top left next to the **Comments** button or from the 'Tasks' tab in the folder screen.  • Select **Request information from institution** from the drop down menu and click **OK.** 

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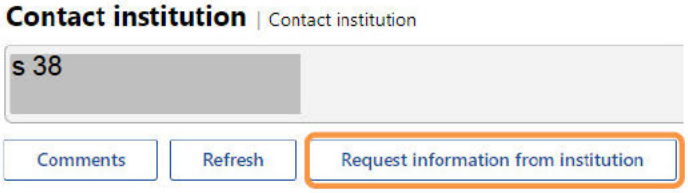
Step	Action
	Option 2: • Navigate to the work tab and filter the search criteria using the survivor ID. • Launch the **Contact institution** task. • Click on the **Request information from institution** button within the **Contact institution** task.  **Option 3:** • Navigate to the work tab and filter the search criteria using the survivor ID. • Launch the **Contact additional institution** task. • Click on the **Request information from institution** button within the **Contact additional institution** task. ***Note:*** *The* ***Contact institution*** *and* ***Contact additional institution*** *tasks may not always be available. If RFIs have already been issued for an application, the* ***Contact institution*** *task will no longer be available and the discretionary task will need to be used.*
2	After selecting the **Request information from institution** task, an information alert will display. This is to highlight if previous RFIs have been issued for the application or not. Click on **continue** to proceed to the next stage of the task. ***Note:*** *Only 1* ***Request information from institution*** *task can be launched at a time. If there is already a* ***Request information from institution*** *task in progress an error message will appear notifying the user. The existing task must be completed or cancelled before a new task can be launched.* ***Note 2:*** *If the task does not automatically open, navigate to the work to find the task in the in-basket.* Proceed to Task 2.

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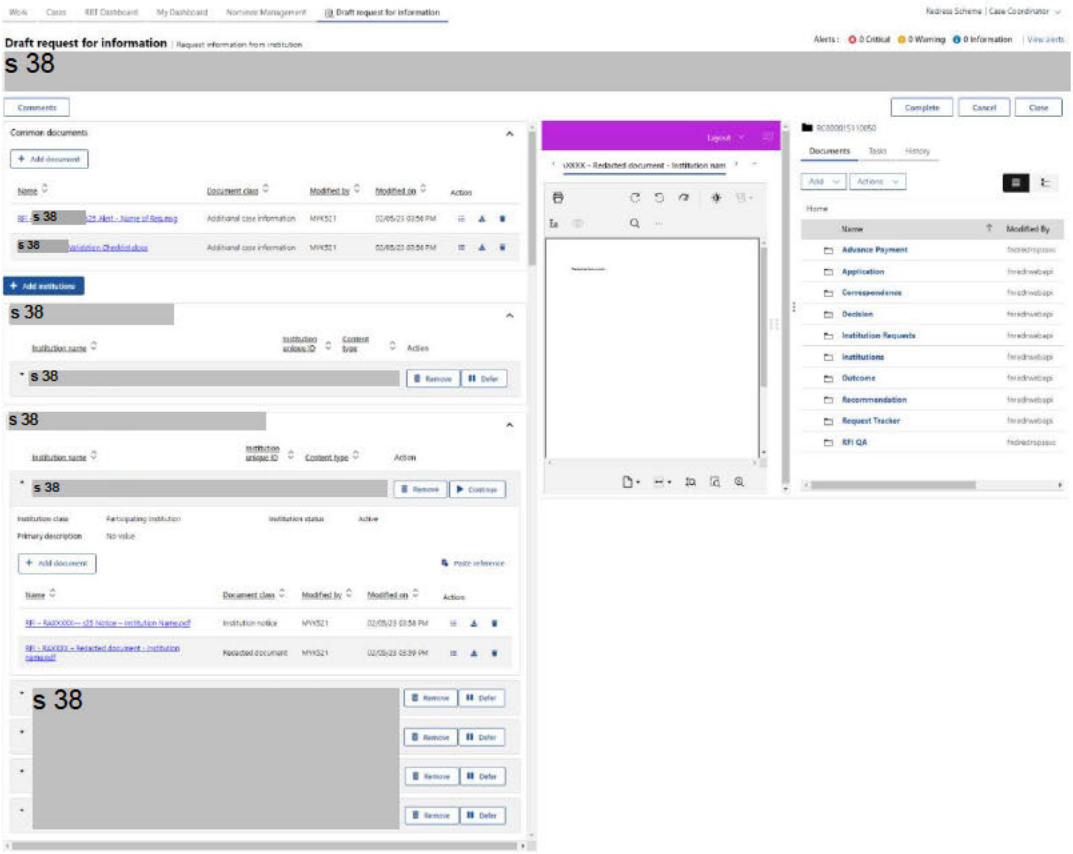
Task 2: Add/Remove institutions

Step	Action
1	**<u>Add Institutions</u>** Upon launching of the task the below screen will appear if there are no institutions or documents added to the task. If institutions and documents have been added to the task they will be identifiable on the screen as per the below example. 
2	To add institutions: • Click the **Add institutions** button.

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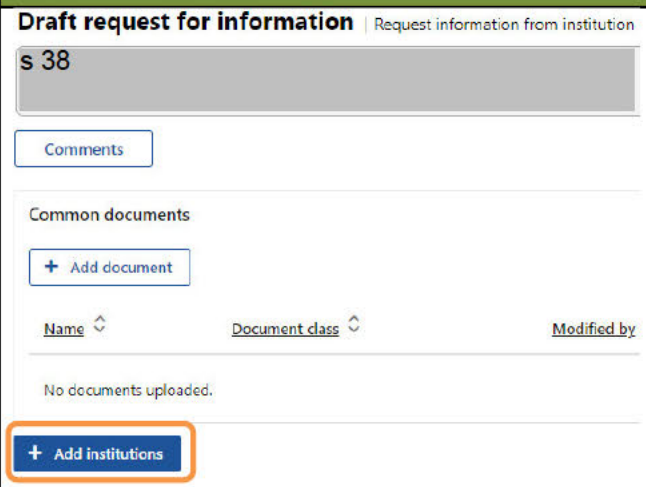
Step	Action
	 • Select the correct institution from the associated institution menu by ticking the box to the left and then clicking **Select.** • Repeat this step for all the institutions that require RFIs at that time. As they are added, they will appear in the main screen as shown in Step 1. ***Note:*** *Institutions that are part of the same Participating Group will be grouped under the Participating Group name. For example, all the NSW state institutions will be grouped under the NSW Government Participating Group.*
3	**<u>Remove Institutions</u>** At any time during Step 1, the RFI Officer can remove an institution from the task. This will remove all documents associated with the institution within the task.

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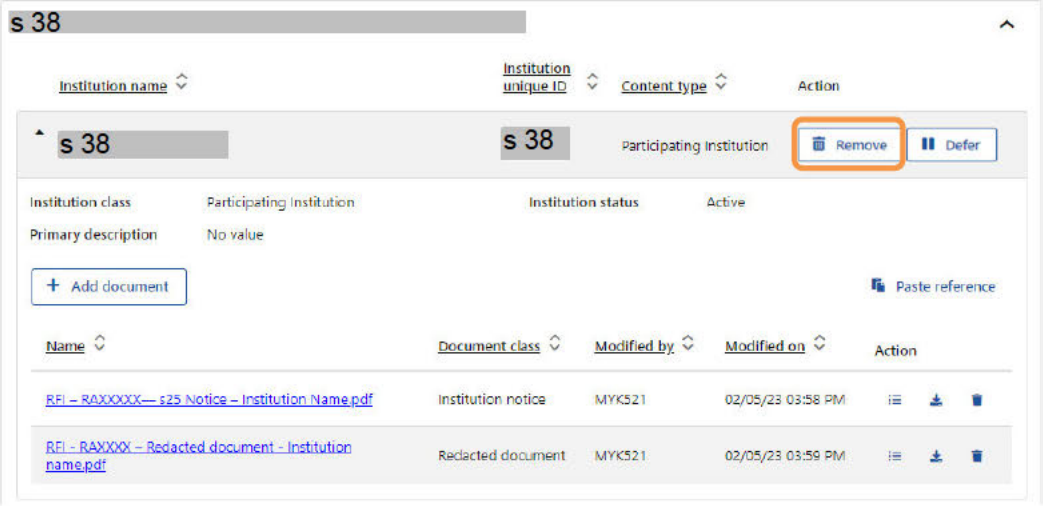
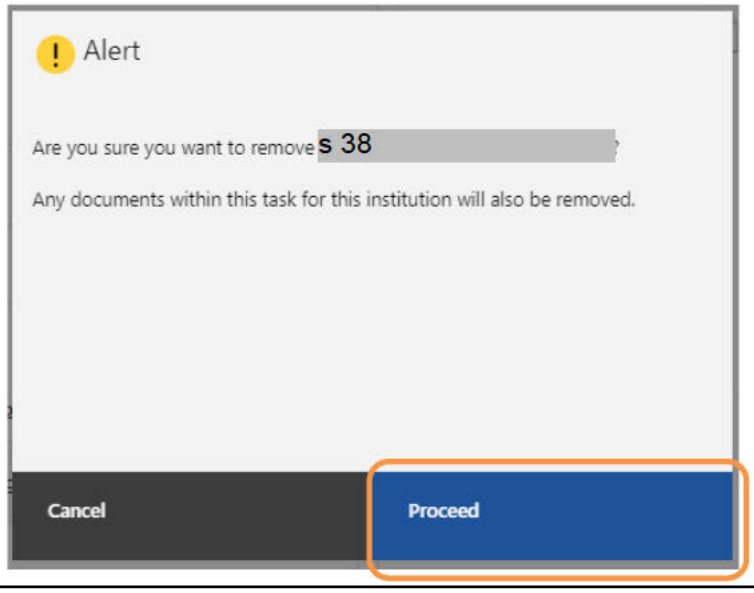
Step	Action
	• To remove an institution click on **Remove** to the right of the relevant institution.  • Click **Proceed** on the alert window to confirm that all associated documents will be removed. 

Manual RFI process

Step	Action
1	**Manual RFI process** In the 'Request information from institution' task: After an institution has been added using the 'Add institution' button, the 'Manual RFI' button will appear next to 'Defer' and 'Remove'

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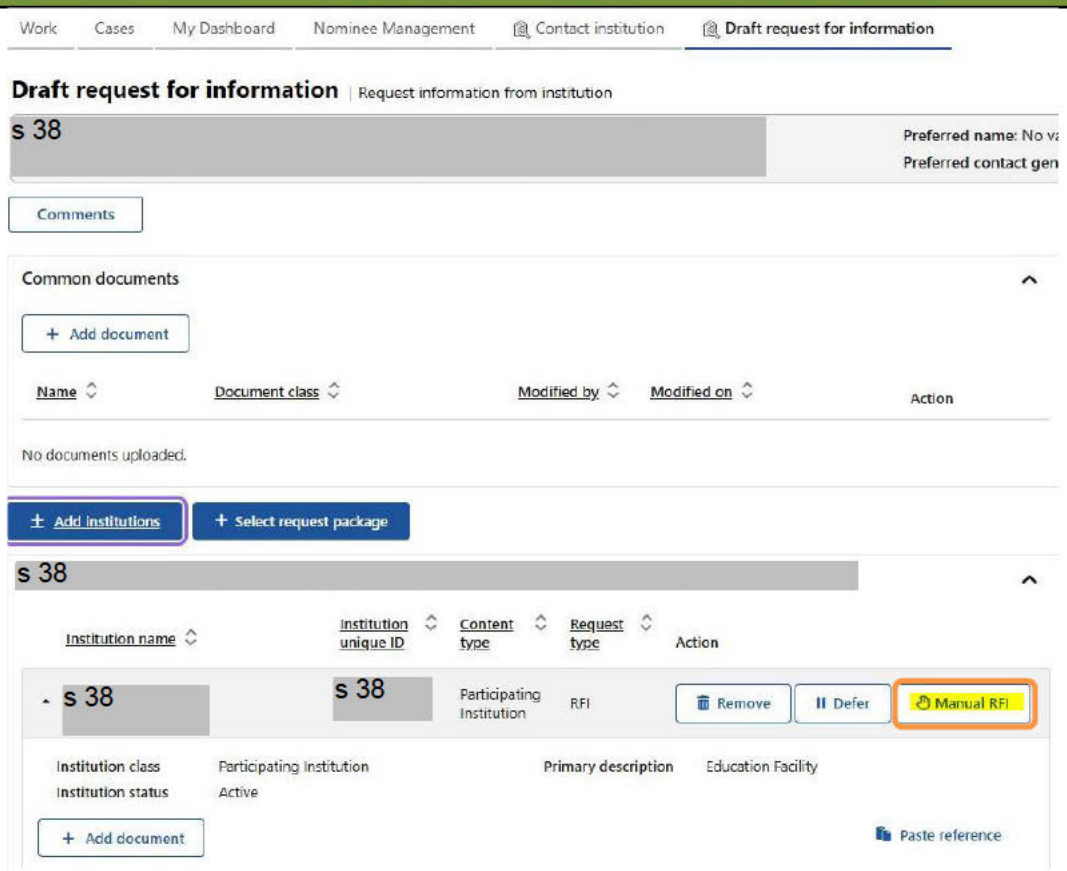
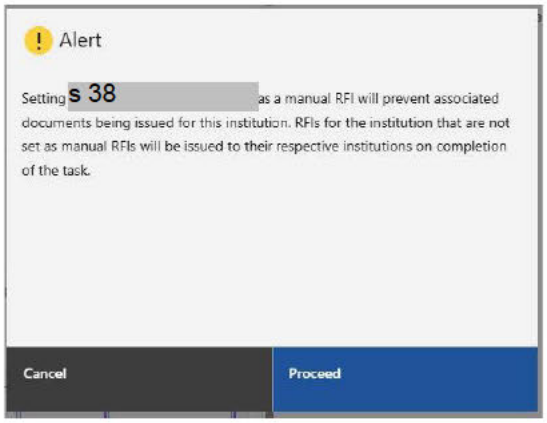
Step	Action



If it is required that the RFI should be a manual RFI:

- select the 'Manual RFI' button next to 'Defer' and 'Remove'.

An alert message will appear. By selecting proceed the RFI will be changed to a manual RFI.



After clicking 'Proceed' an orange 'Manual' flag will appear next to the Institution's name. The 'Manual RFI' button will also change to 'Standard RFI'. This is indication that the RFI is now a manual RFI.

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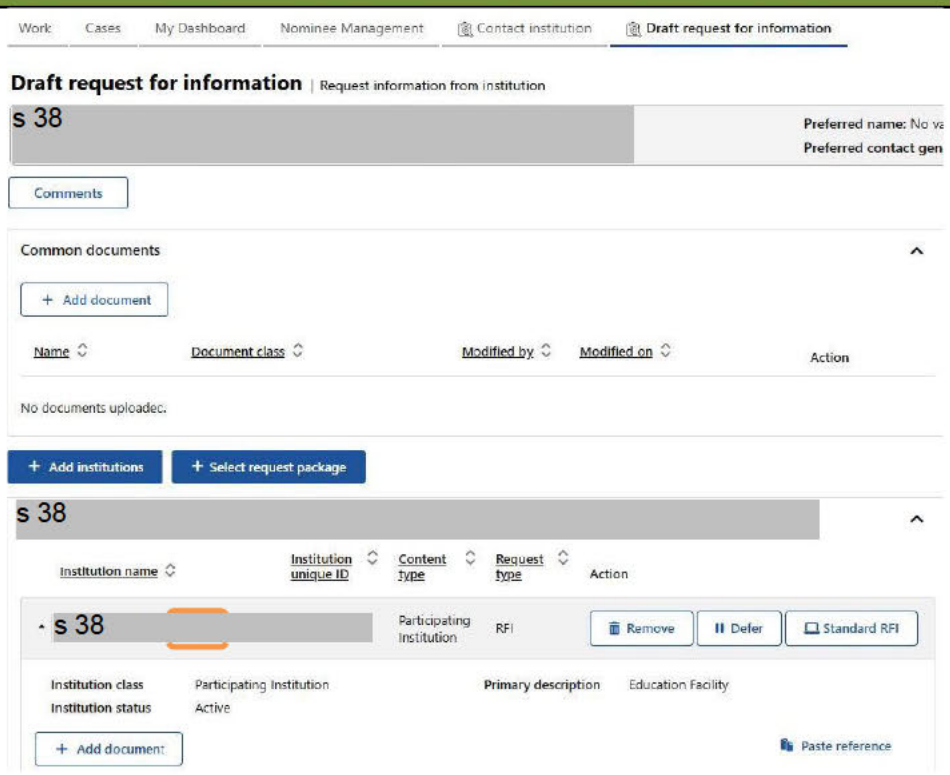
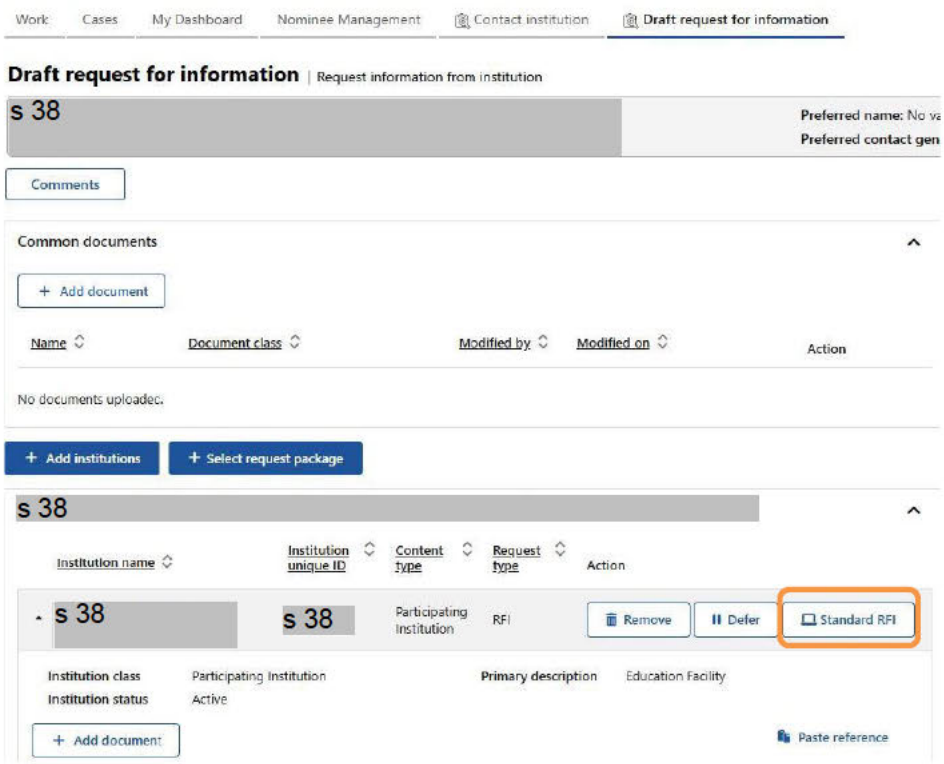
Step	Action



If the RFI needs to be reverted back to a standard RFI:

- select 'Standard RFI' next to 'Defer' and 'Remove'.



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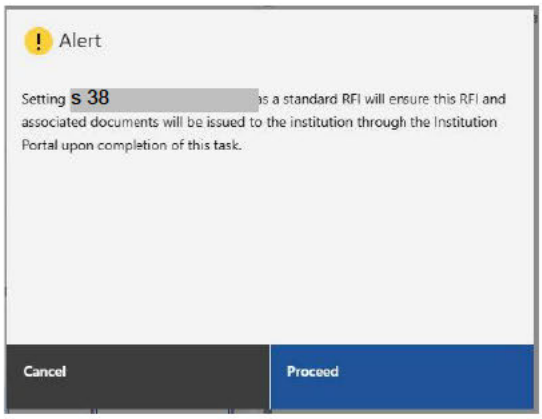
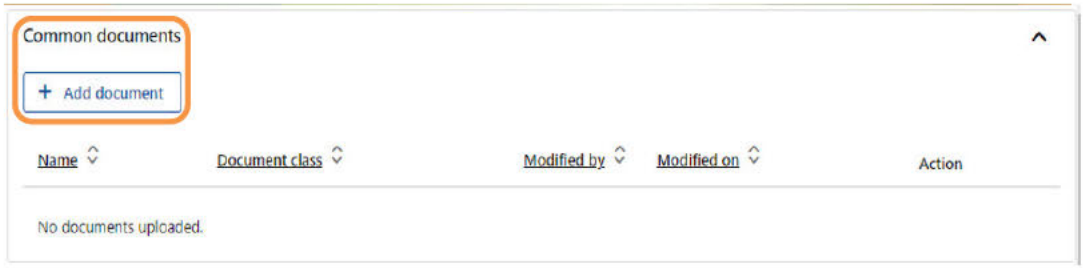
Step	Action
	On selecting the 'Standard RFI' button an alert message will appear.  By clicking 'Proceed' the 'Standard RFI' button will revert back to the 'Manual RFI' button and the orange 'Manual' tag will be removed **Note:** *the 'Manual RFI'/'Standard RFI' button can be used in Step 1 (Draft) and Step 2 (QA) of the 'Request information from institution' task but not Step 3 (Issue). This is consistent with the availability of the 'Defer'/'Continue' button.*

Task 3: Add documents

Step	Action
1	Once all institutions have been added, the RFI documents can now be uploaded. There are two areas available to upload documents. **<u>Common documents</u>** This section is to be used for the s25 alert email and the validation checklist. Documents uploaded via this option will NOT be issued to the institution via the online portal. • Click on **Add document**  • Select the document type from the prompt box

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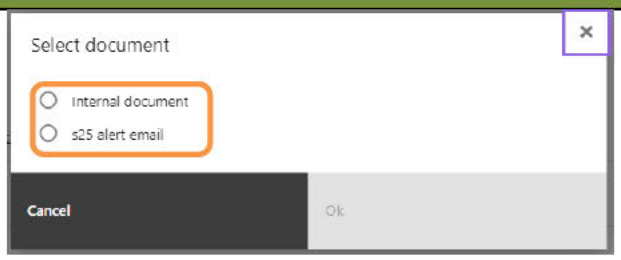
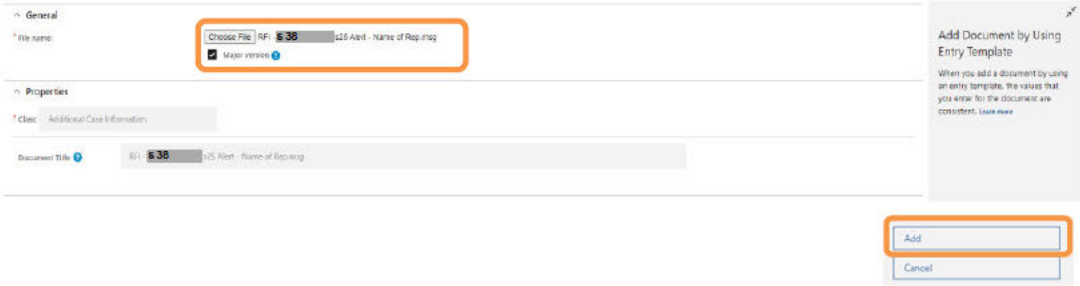
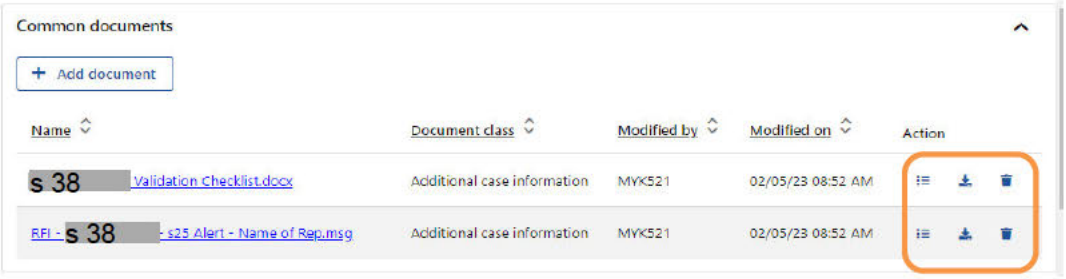
Step	Action
	 • Click on **Choose File** and select the document you wish to upload from your computer. Then click **Add.**  The documents you have uploaded will appear in the **Common documents** section. You can download, view properties or remove them using the menu options to the right of each document. 
2	**<u>Institution documents</u>** There are two options for adding application information for the purposes of a RFI. **Option 1: Adding pdf or word documents** This section is to be used for the documents that will be issued to the institutions via the online portal. There will be an **Add document** button for each institution added to the task in Stage 2. • Navigate to the institution for which the document applies and click **Add document.**

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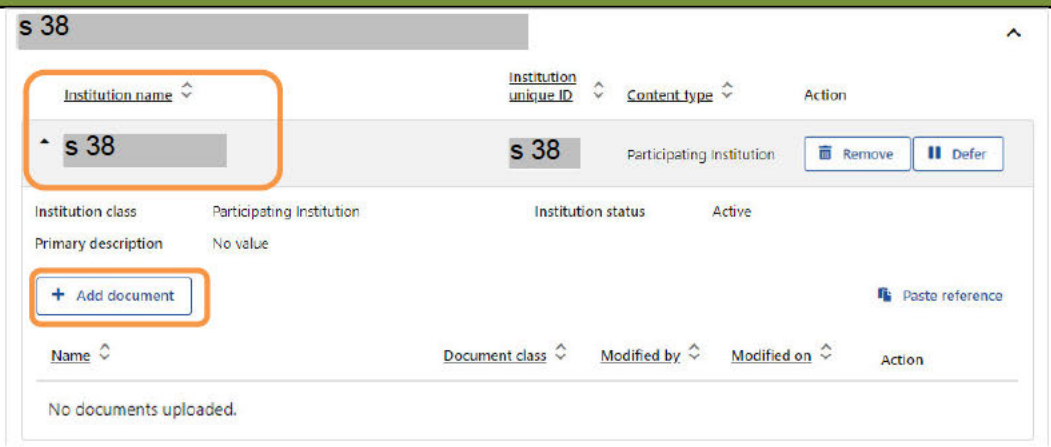
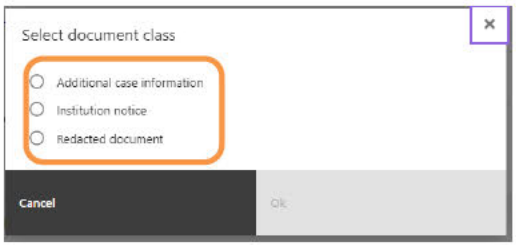
Step	Action

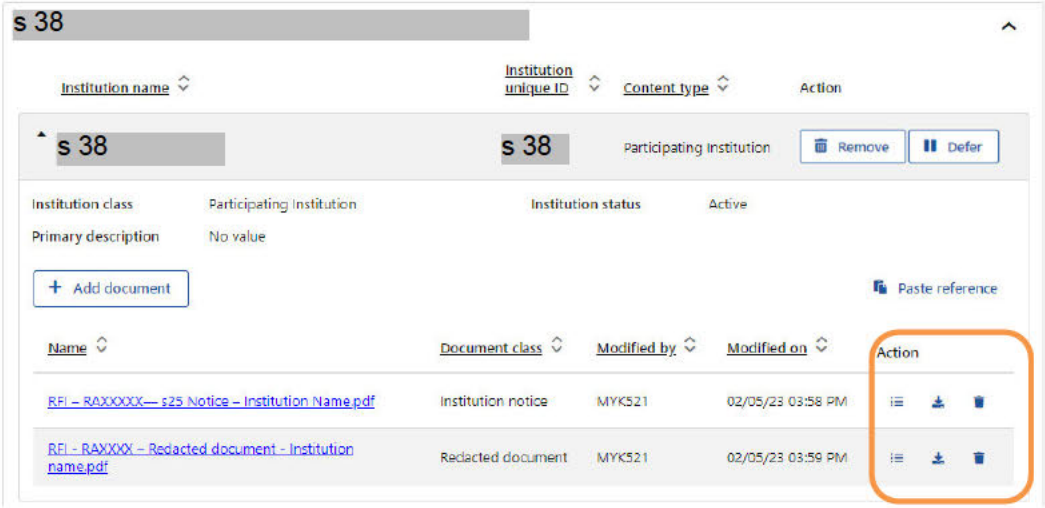


- Select the document class from the prompt box, and click **OK.**



- Click on **Choose File** and select the document you wish to upload from your computer. Then click **Add.**

The documents you have uploaded will appear in the **Institution documents** section. You can download, view properties or remove them using the menu options to the right of each document.



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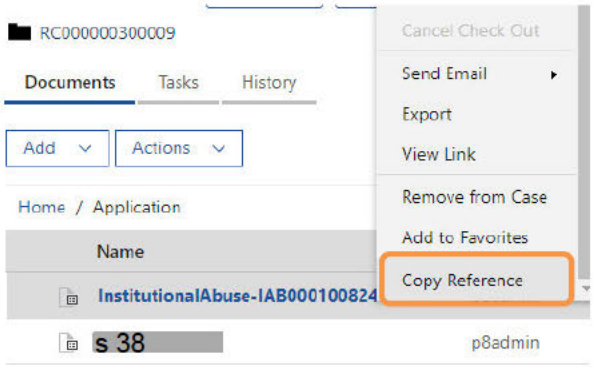
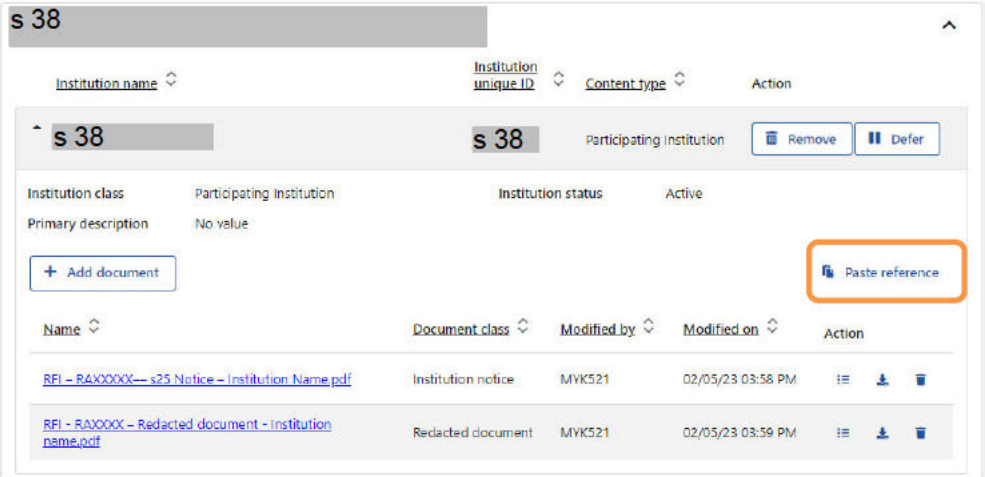
Step	Action
	Option 2: Adding online application data files The copy reference/paste reference function can be used to include online application files in the RFI if there are no redactions required. These files will be issued to the institution via the online portal. • Navigate to the **Application folder** in the folder menu. • Right click on the online data file to be included in the RFI and select **Copy reference.**



➢ Navigate to the institution that requires the data file and click **Paste reference.**



The online application data file will now be visible in the list of documents to be issued to the institution.

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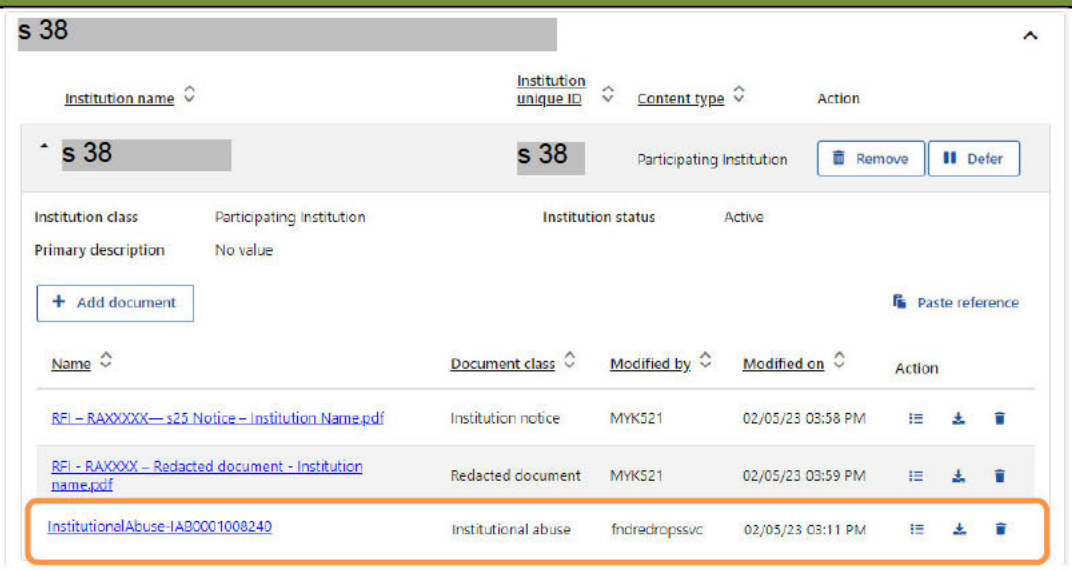
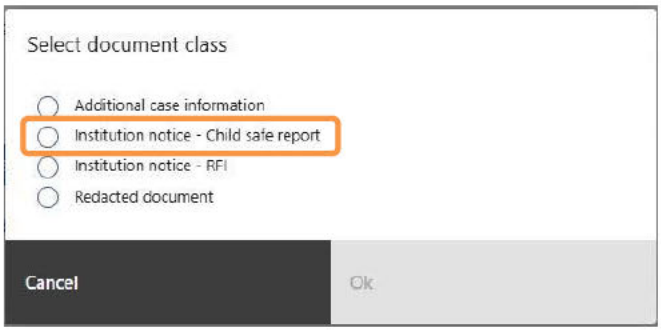
Step	Action
	 ***Note:*** *All documents uploaded to the institutions within the task* ***will be issued*** *to the institutions via the online portal. Documents that should not be issued via the portal or internal documents must be uploaded within the* ***Common documents*** *section instead. Refer to Task 3, step 1.*

CSR Summary

Step	Action
1	If the application you are working on has a CSRJ keyword, the RFI drafter should include the CSR Summary to the RFI package as an independent document. The CSR summary can be found and downloaded from the CSR folder. While in the 'Request information from institution' task: The '**Add document**' button for RFIs has an option to include an Institution notice – Child safe report. ➢ Select **'Institution notice – Child safe report'.** 

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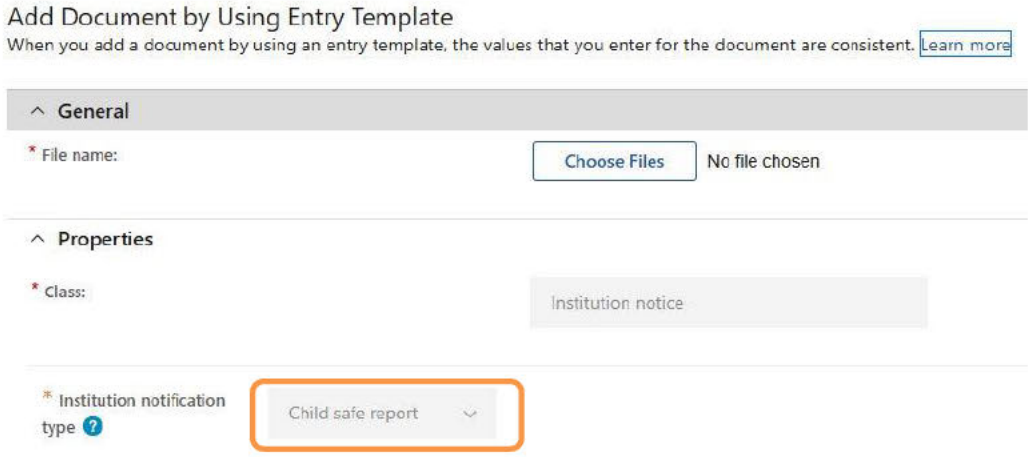
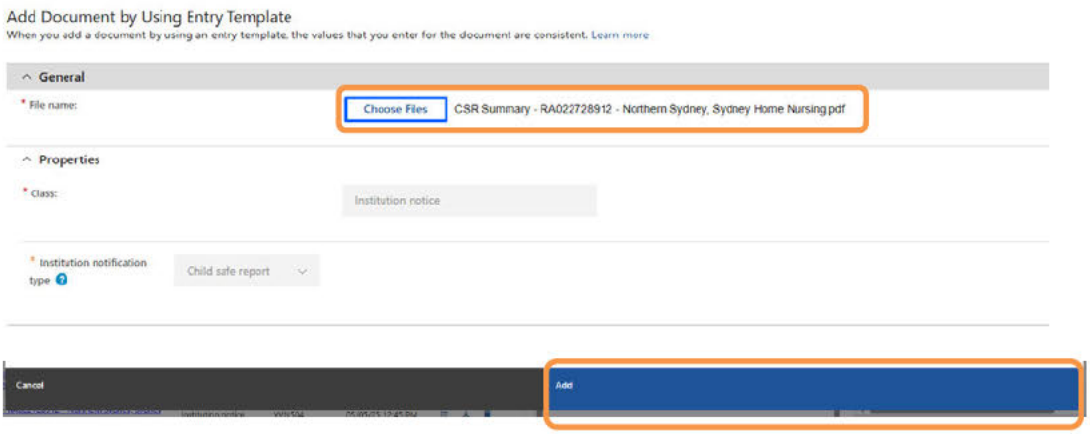
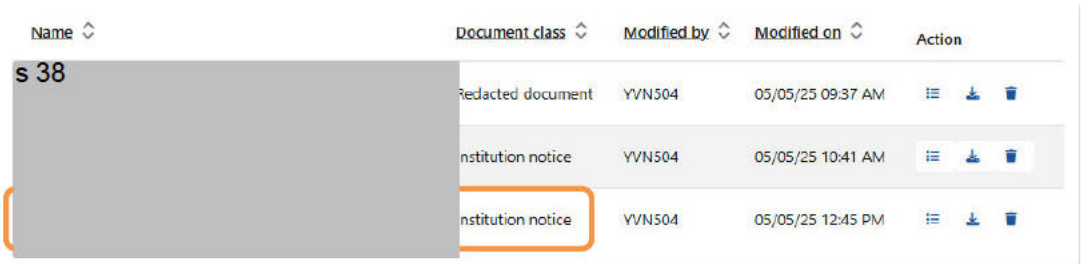
Step	Action
	On selecting **'Institution notice – Child safe report'** and clicking **'Ok'**, the add document entry template will appear with 'Institution notification type' set to 'Child safe report'.  ➢ Select the CSR Summary from your downloads folder and click '**Add**'.  The CSR summary should be uploaded as an independent document. 

Task 4: Complete the Draft request for information task and send to Quality Assurance for checking

Step	Action
1	When all the institutions requiring RFIs have been added and all associated documents to be issued have been uploaded to each institution, the task must now be sent to the Quality Assurance team for checking. • Click on **Complete** to send the task to the Quality Assurance team.

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- Update the keywords to **RFI/RFFI IP, QA Ready.**

This will complete the **Draft request for information** task and create the **Validate request for information** task used by the Quality Lead.

Note: *Completing this step of the task does NOT issue the documents to the institution portal.*

Task 5: Action feedback from Quality Lead

Step	Action
1	This task is required if the Quality Lead identifies a need for rework and returns the task to the RFI Officer to action. The Quality Lead will notify the RFI Officer of rework required via email. • Navigate to the work tab and filter the search criteria using the survivor ID. • Launch the **Draft request for information** task • The rework required will be listed at the top of the task overview page. **Draft request for information** | Request information from institution s 38 Comments Notes 02 May 2023 02:35 PM — **Returned from Validate request for information by Quality Assurer** (TSTMEMO) **Comments** — Free text comment. Issue: Over redaction — Subissue: Set of abuse that needs to be sent has been redacted/removed — Critical: Yes — Rework: Back to person to fix Issue: Additional information required — Subissue: Level of abuse information insufficient (Q44) — Critical: Yes — Rework: Back to person to fix Show more • Once the rework has been actioned, click on **Complete** to return the application to the **Validate request for information** step. • Update the keyword to **RFFI/RFFI IP, QA Ready**. Draft request for information | Request information from institution s 38 Comments Complete Cancel Close

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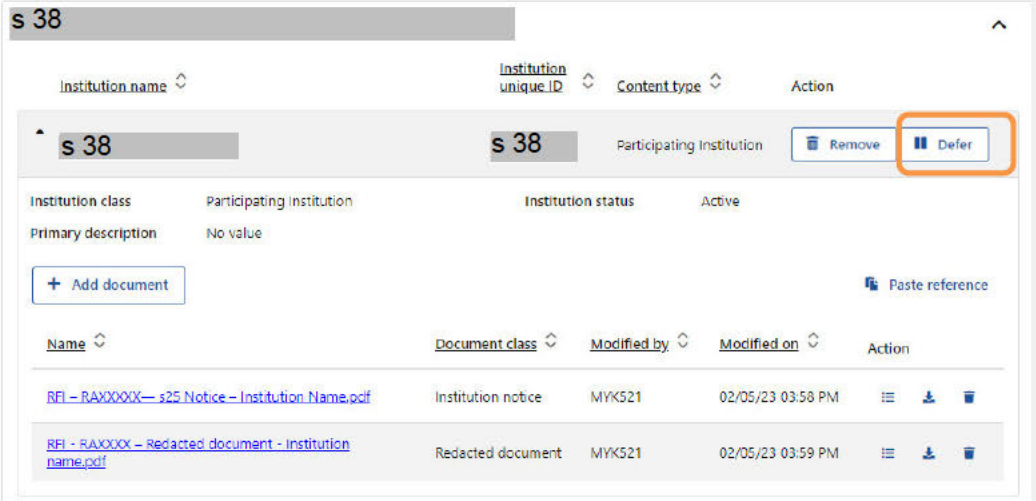
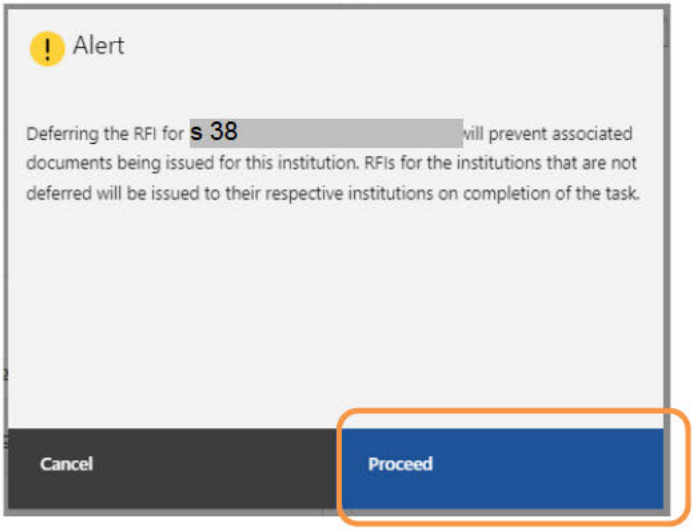
Additional Functions

Defer/Continue an Institution

	Action
1	**Defer Institution** An institution can be deferred at any time during Step 1 or Step 2. Deferring an institution will prevent the documents uploaded within the task to that institution being issued upon completion of the **Issue request for information** task. • To defer an institution, click on the **Defer** button.  • A confirmation window will appear requesting acknowledgement that by deferring the institution the RFIs will not be issued. Click on **Proceed** to continue, or **Cancel** to cancel the deferral.  • The deferred status will be flagged on the institution in the overview window and will also be visible to the Quality Lead in the **Validate request for information** task.

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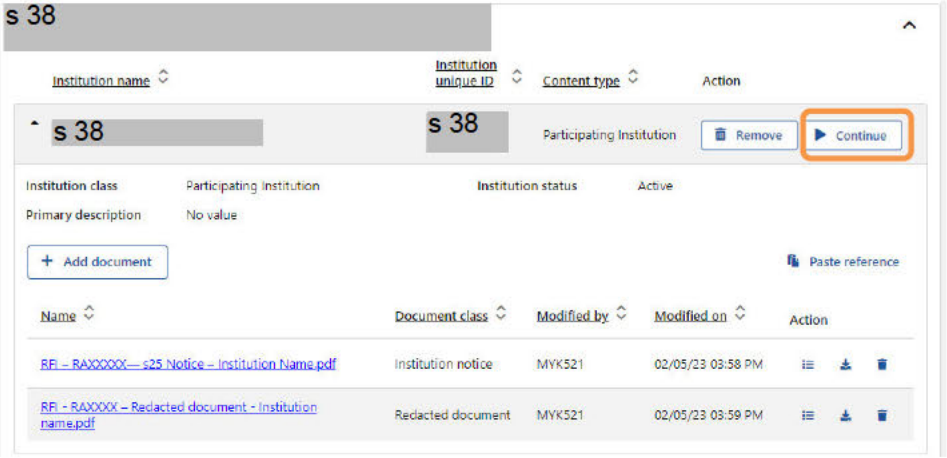
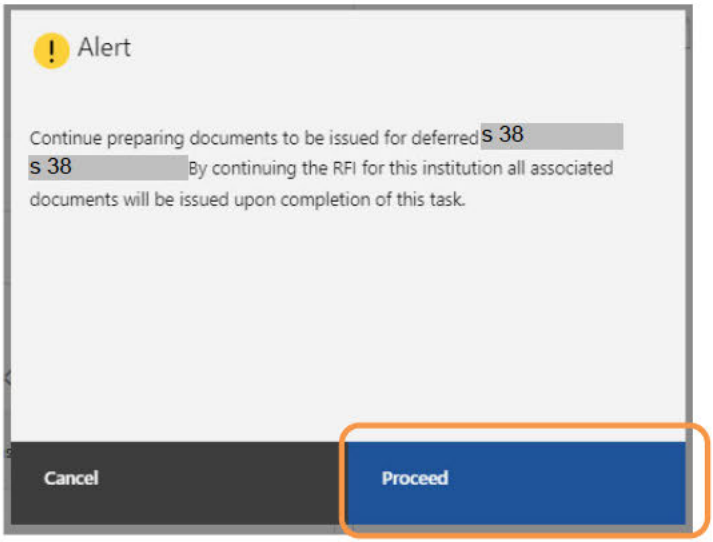
	Action
2	**Continue institution** In the event the RFI Officer or Quality Lead has deferred an institution, it can be **continued** for issuing at any time within Step 1 or Step 2. This will undo the **Defer** function and allow the RFI documents to be issued to the institution. • To continue a deferred institution, click on **Continue** next to the institution name.  • An alert box will appear requesting confirmation that all associated documents for that institution will be issued. Click **Proceed** to continue.  • The deferred flag will no longer be visible against that institution in the overview screen.

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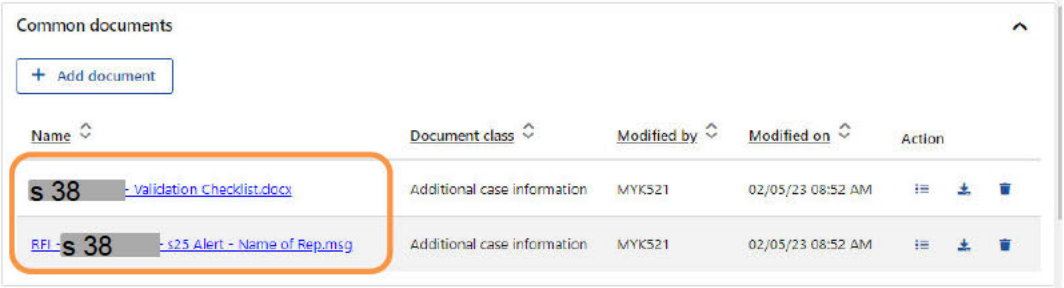
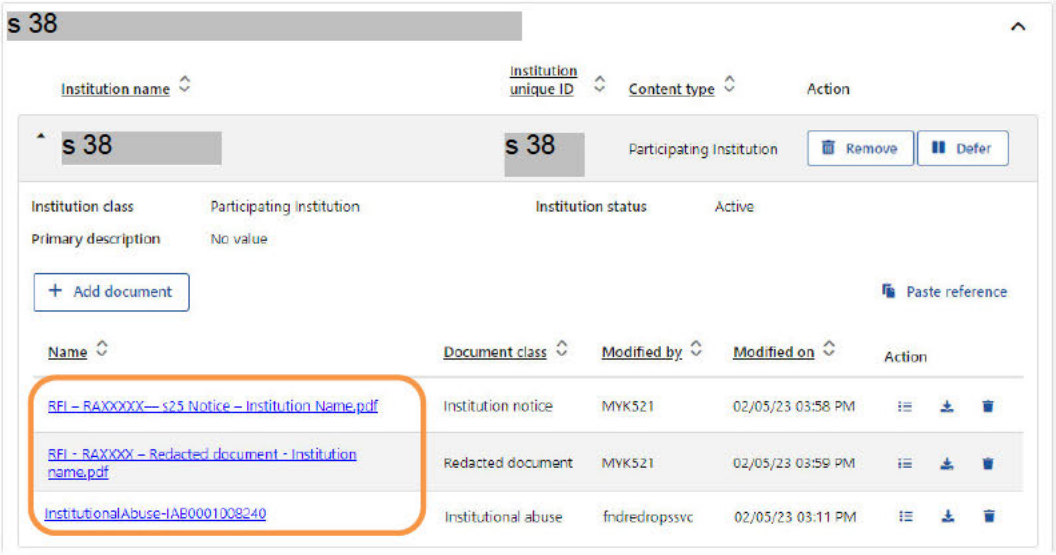
	Action

Document previewer

	Action
1	Within the **Draft request for information** task, the **Document previewer** is available. All pdf and word documents can be previewed using the **Document previewer** window within the task. The **Document previewer** can be used to preview both **Common documents** and **Institution documents.** • To view an uploaded document, click on the document name and it will appear in the document preview. **Common documents**  **Institution documents** 

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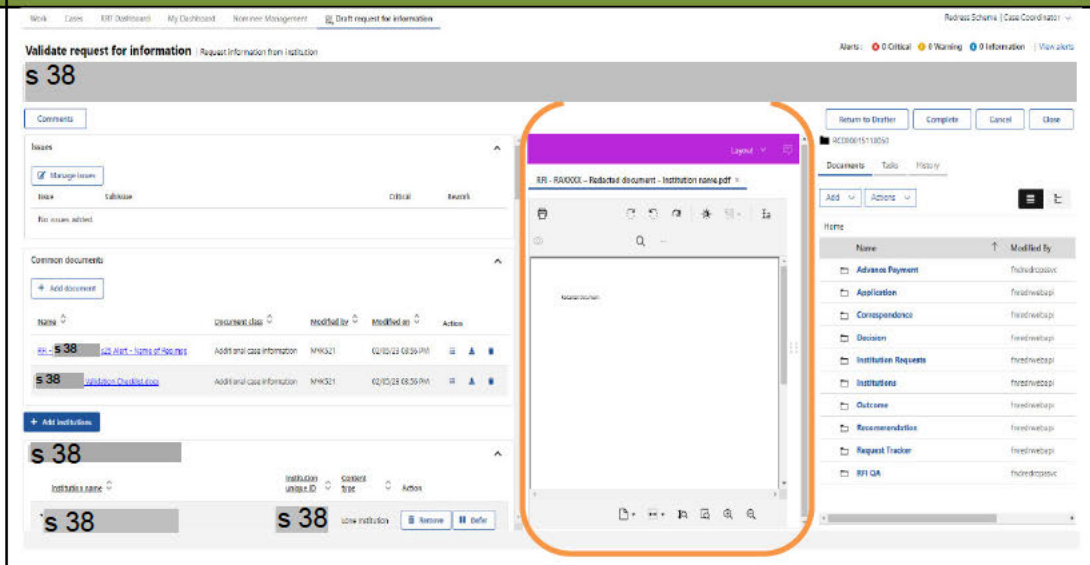
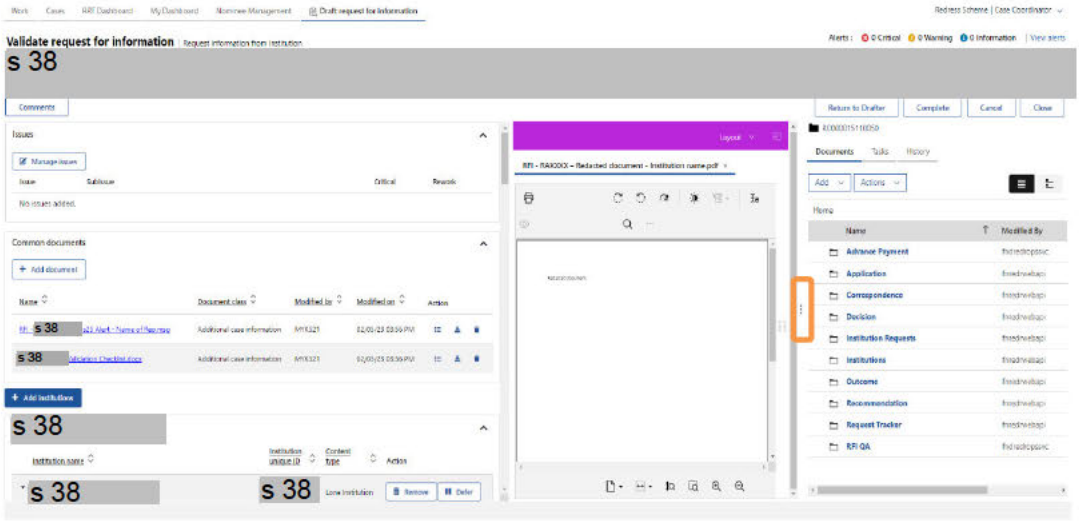
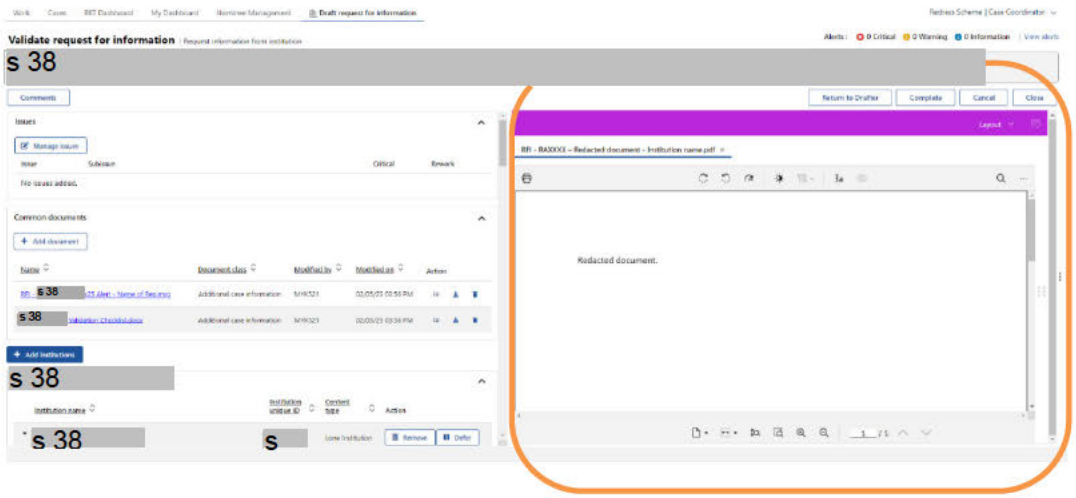
Action



- To expand the **Document previewer window** click on the three dots to the right of the window to collapse the folder window.



Document previewer expanded view



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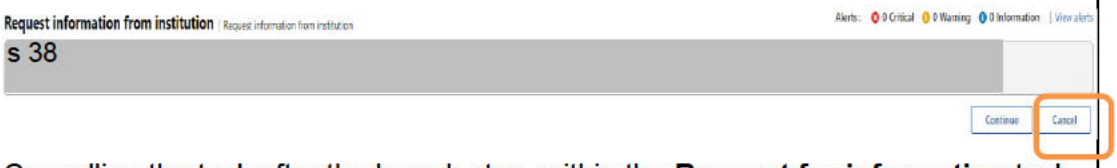
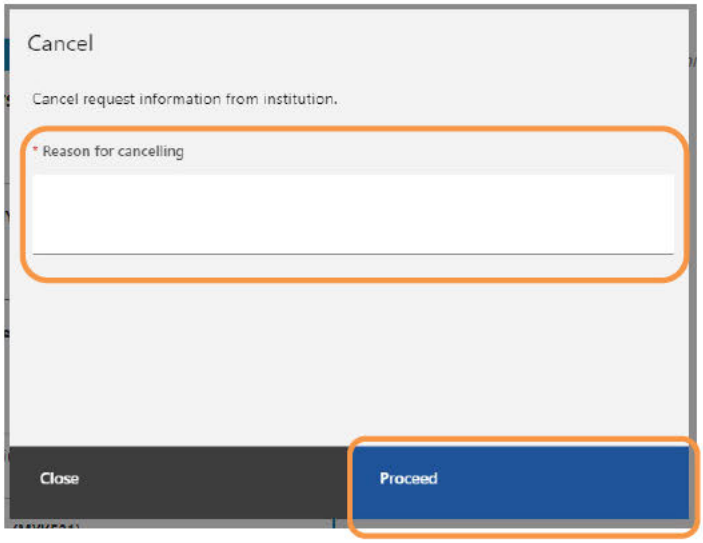
Closing and cancelling the task

	Action
1	**Closing the task** At any time during Step 1, Step 2 or Step 3, the user can **close** the task and all work actioned within the task will be retained. • To close the task click **Close**
2	**Cancelling the task** At any time during Step 1, Step 2 or Step 3, the user can cancel the task. Cancelling the task within the launch step (refer to Task 1) will cancel the creation of the **Request for information** task. This will not appear in the case history. • To cancel the task click **Cancel** within the launch step.  Cancelling the task after the launch step, within the **Request for information** task will cancel the task and delete all documents associated with the task. • To cancel the task click **Cancel** after the launch step. • Enter a reason for the cancellation into the prompt box and click **Proceed.** This will be visible as a note in the case history. 

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Links

- Draft RFFI – Task Card
- Information Sharing Framework – NRS092-280922
- RFIs for State and Territory Departments
- RFI – Section 25 Notice – LOCKED TEMPLATE
- RFI email to institution
- RFI – Case File Note TEMPLATE - Updated
- Application Workload Management Policy
- Add a Case Comment
- Search Case Comments – NRS290922
- Keywork Glossary

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Request for Information (RFI) from Institution – Step 2: Validate RFI

Document Details	
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Date Created	25/05/2023
Version	2.0
Approved by	Director Policy Strategy and Design
Date Approved	04/06/2025

Version History			
Version	Date	Created by	Amendment Description
V0.1	23/05/2023	s 47F	Draft finalised
V1.0	25/05/2023	s 47F	Policy reference and layout
V2.0	04/06/2025	s 47F	System release enhancements - May 2025

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Operational Policy Overview 2
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DRAFT

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Purpose

This document operationalises Step 2 of the enhanced 'Request information from institution' task in Case Manager which has been implemented to ensure a Request for Further Information (RFFI) is consistent with the on-system RFI process.

The enhanced 'Request Information from institution' task has been created to limit the number of manual off-system tasks and reduce the risk of data privacy breaches.

- The enhanced 'Contact institution' task has been updated so that the 'Request information from institution' button now launches the new 'Request information from institution' task for both RFIs and RFFIs.
- An enhanced 'Request information from institution' task has been added to the discretionary task list and the existing 'Request information from institution' task has been renamed to '[Superseded] Request information from institution'.

Operational Policy Overview

Section 25 of the Act requires the Scheme to issue a request for information (RFI) to a participating or partly-participating institution if an application identifies a particular institution as being involved in the abuse of a person, or there are reasonable grounds to believe that an institution may be responsible for the abuse of a person.

Under section 25 of the Act a RFI must be issued for **any abuse**, whether it be sexual or non-sexual abuse. This means that a RFI **must** be issued for **all instances** of abuse related to the application and subsequent RFI responses.

The 'Request information from institution' task is a discretionary task that is launched by the RFI Support Officer for the purposes of drafting, quality checking and issuing requests for information (RFIs).

The 'Request information from institution' task is comprised of three steps, as follows:

1. ***Draft request for information*** – accessible within the Case Coordinator role
   - The content of the RFI is prepared and uploaded to the task by a RFI Support Officer in the ROS RFI and Operational Support team.

2. ***Validate request for information*** – accessible within the Quality Assurer role
   - The content prepared by the RFI officer is checked and verified by a Quality Lead in the Quality Assurance team.

   Note*: In Step 2 the Quality Lead will be able to send the task back to Step 1 (to the drafter) if issues are identified that require correction.*

3. ***Issue request for information*** – accessible within the Case Coordinator role
   - Final verification checks are performed and the RFI is sent to the institution portal by a RFI Support Officer in the ROS RFI and Operational Support team.

   Note*: In Step 3 the RFI Support Officer will be able to send the task back to Step 2 (to the Quality Lead) if issues are identified that require correction.*

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Process overview

Task description

Task 1: Launch the 'Validate request for information' task

Step	Action
1	➢ To launch the task, navigate to the **Work** tab in Case Manager. ➢ Filter the search criteria using the Survivor ID. ➢ Click the **Validate request for information** task.
2	Once launched the overview screen for the task displays. ***Note:*** *If the task hasn't displayed, the drafting officer may not have completed the 'Draft request for information' task. You can check this by switching from Quality Assurer mode to Case Coordinator mode in the top right of your screen.* The task displays in three separate sections: 1. **Issues:** Any issues identified during the Quality Assurance process will be recorded here by the Quality Lead. 2. **Common documents:** Documents uploaded in this section **will not** automatically issue to the institution via the Portal; for example, internal process documents. 3. **Institution documents:** Documents uploaded in this section **will** automatically issue to the institution/s via the Portal; for example, redacted Institutional Abuse documents, Case File Notes, Additional Information, Free Text, s25 Notices and CSR Summary Reports.

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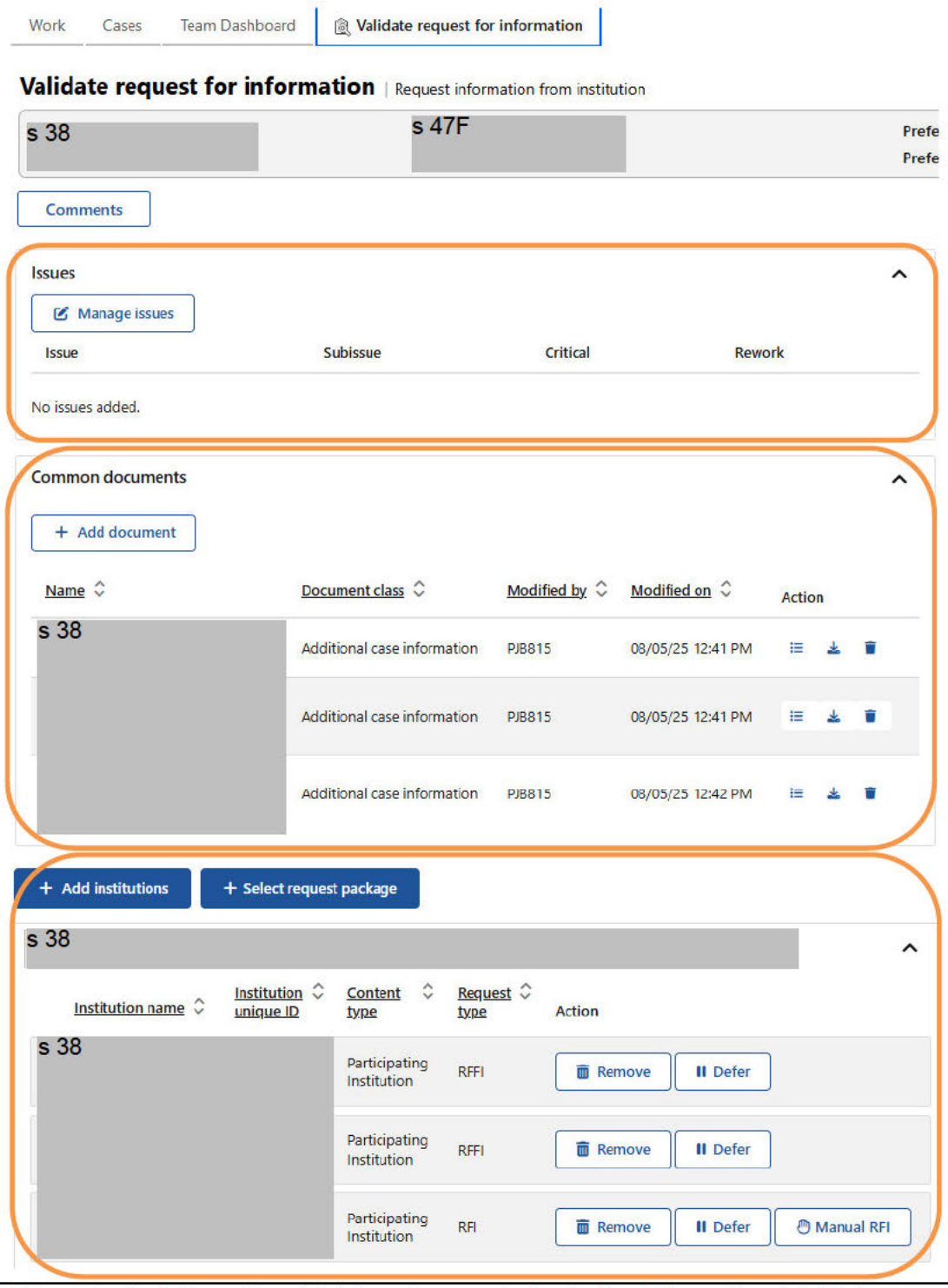

3	Requests for information (RFIs) and requests for further information (RFFIs) are now co-located in the task and are identifiable under the new **Request type** heading.

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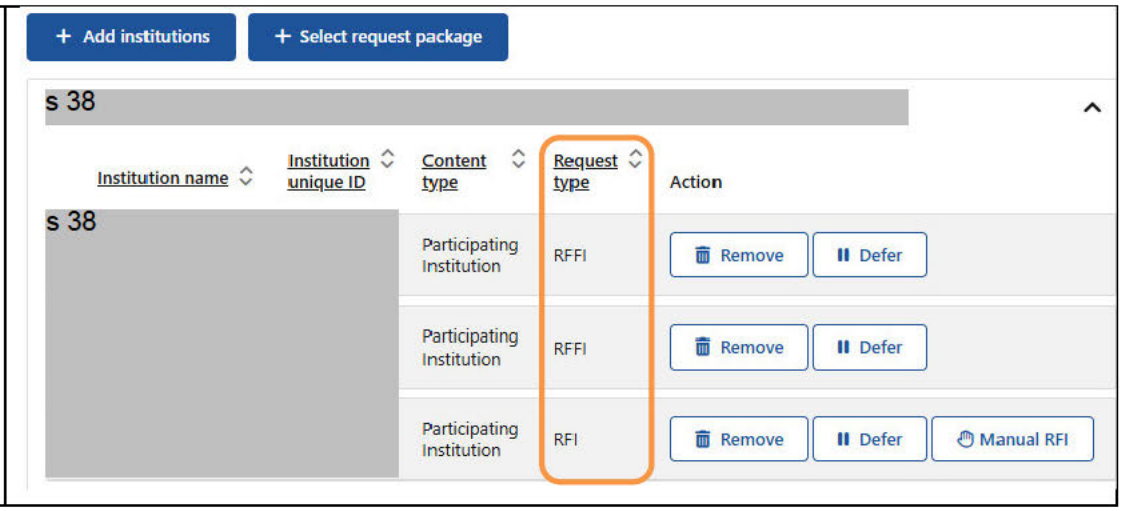
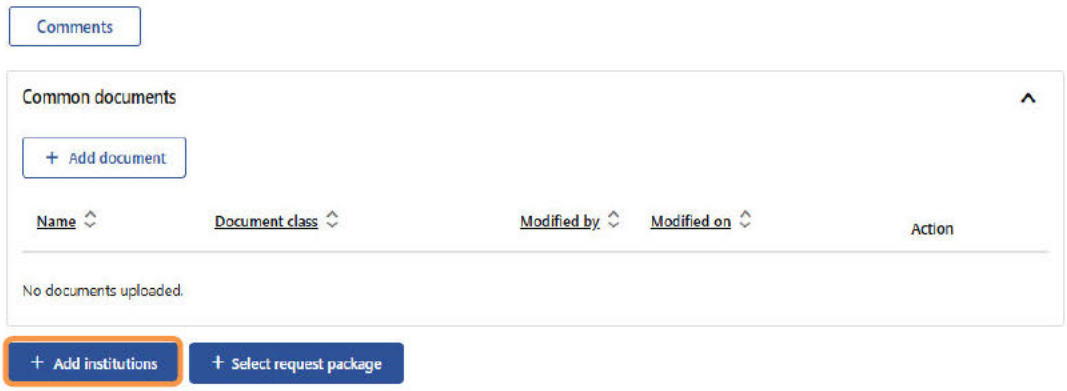


Task 2: Quality Assurance Review

Step	Action
1	➢ Download the relevant documents and commence Quality Assurance review. At any time during the review, the Quality Lead can add, remove, defer or continue an institution from the task. If the Quality Lead needs to: o add an institution, proceed to step 2 in this table. o remove an institution, go to step 3 in this table. o defer an institution, go to step 4 in this table. o continue an institution, go to step 5 in this table.
2	➢ To add an institution, click the **+ Add institutions** button.  ➢ Select the correct institution from the **Available institutions** menu by checking the box to the left and then clicking the **Select** button.

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Add institutions

s 38

Cancel | Select

- Repeat this step for all the institutions that require RFIs at that time. As they are added, they will appear in the main screen as shown in Task 1, Step 3.

Note: *Institutions that are part of the same Participating Group will be grouped under the Participating Group name. For example, all the NSW state institutions will be grouped under the NSW Government Participating Group.*

3

- To remove an institution, click the **Remove** button to the right of the relevant institution.

Note: *This will remove all documents associated with the institution within the task.*

s 38

s 38

Content type	Request type	Action
Participating Institution	RFFI	Remove, Defer
Participating Institution	RFFI	Remove, Defer
Participating Institution	RFI	Remove, Defer, Manual RFI

4

- To defer an institution, click the **Defer** button to the right of the relevant institution.

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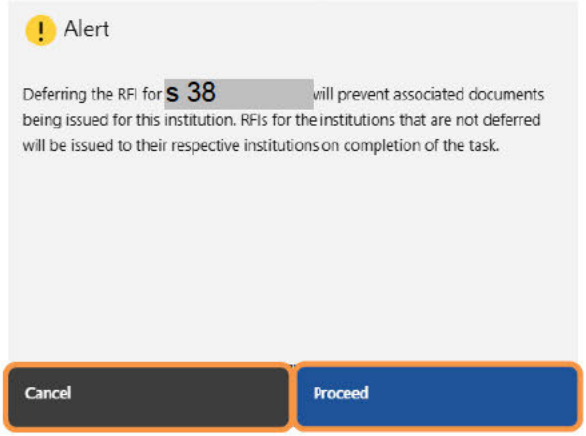
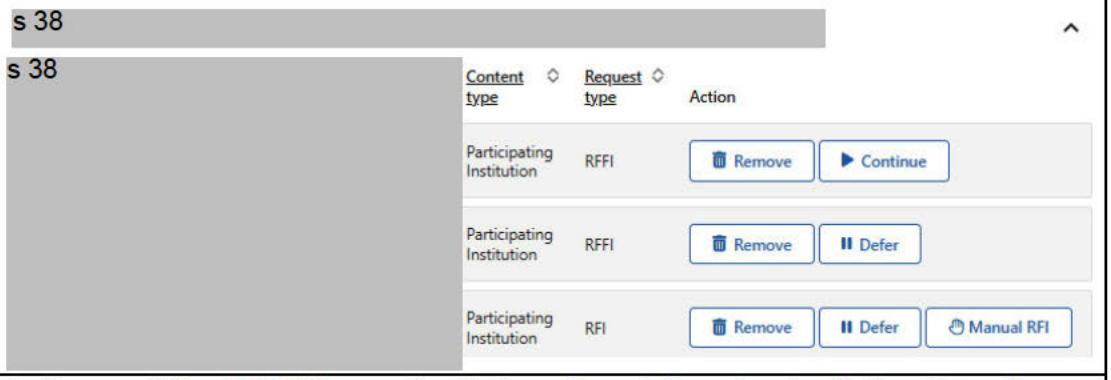
Content type	Request type	Action
Participating Institution	RFFI	Remove, Defer
Participating Institution	RFFI	Remove, Defer
Participating Institution	RFI	Remove, Defer, Manual RFI

Note: *Deferring an institution will prevent the documents uploaded for that institution being issued on completion of the* ***Issue request for information*** *task.*

- An Alert message displays requesting acknowledgement that by deferring the institution the RFIs will not be issued. Click the **Proceed** to continue, or the **Cancel** button to cancel the deferral.

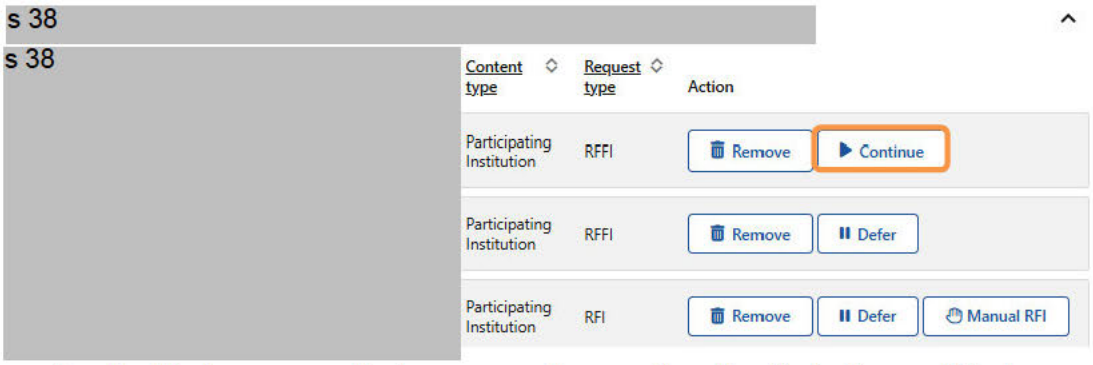


***Note**: The deferred status will be flagged on the institution in the overview window.*



5 In the event the RFI Officer or Quality Lead has deferred an institution, it can be **continued** for issuing at any time within Step 1 or Step 2. This will undo the **Defer** function and allow the RFI documents to be issued to the institution.

- To continue a deferred institution, click the **Continue** button next to the institution name.



- An Alert message displays requesting confirmation that all associated documents for that institution will be issued. Click **Proceed** to continue.
- The deferred flag will no longer be visible against that institution in the overview screen.

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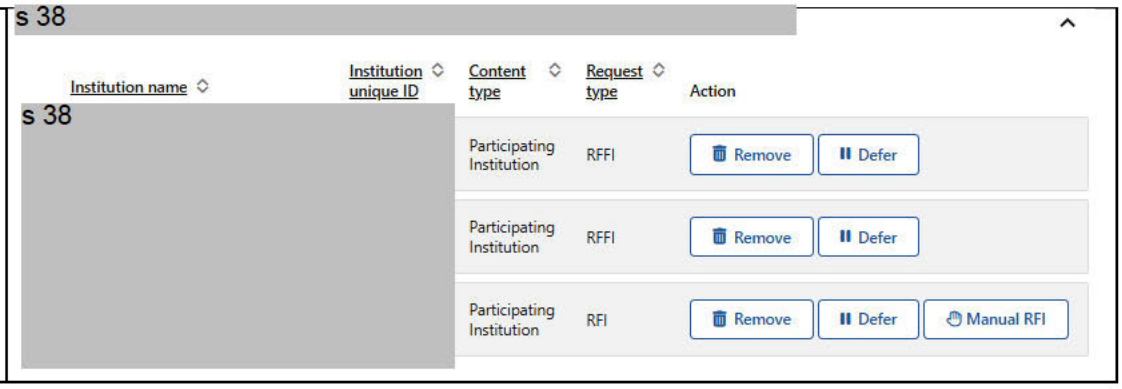
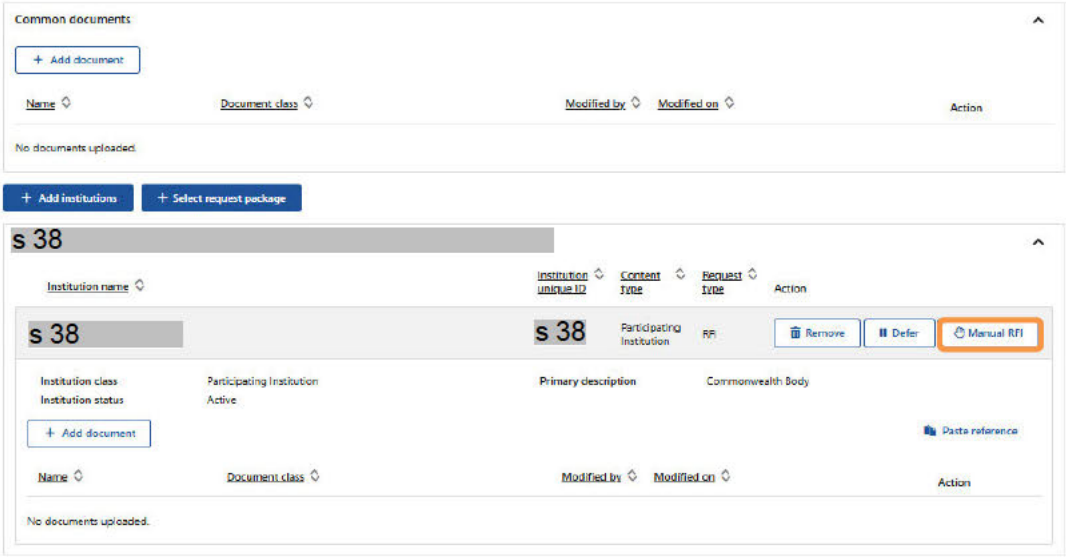


Task 3: Manual RFIs

Step	Action
1	This is a new feature which categorises an RFI as either manual or standard. Standard RFIs will issue automatically via the Portal when the **Issue request for information** task is completed. Manual RFIs will be issued via ICOS.



- When you click the **Manual RFI** button, an Alert message displays advising that any documents associated for the institution will not automatically issue via the Portal. If you click the **Proceed** button and categorise the RFI as 'Manual' you will need to liaise with ICOS to arrange the manual issue of the RFI.

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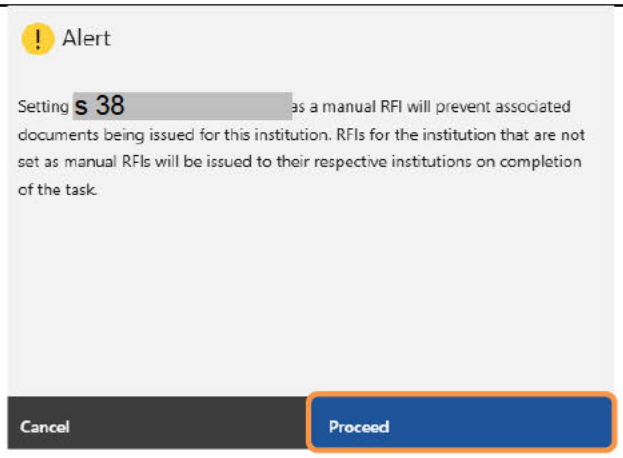
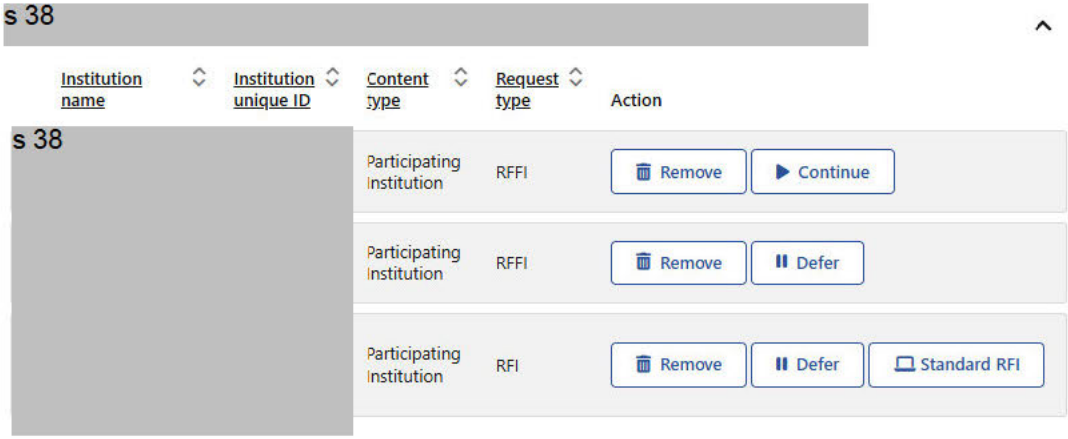


Note: *Once an RFI has been issued to an institution manually, any RFFIs for that institution will also need to be issued manually.*

You can change the RFI back to 'Standard' if you accidentally select Manual (and the RFI hasn't been issued), or you receive advice from ICOS that the RFI can be issued via the Portal.

When you have selected to issue an RFI manually, the manual status will be flagged on the institution in the overview window.



Task 4: Add documents

Step	Action
1	Once all institutions have been added, the RFI documents can now be uploaded. There are two areas available to upload documents in the task view. **Common documents** This section is to be used for the s25 alert email and the validation checklist. Documents uploaded via this option will NOT be issued to the institution via the online portal. ➢ Click the **+ Add document** button.

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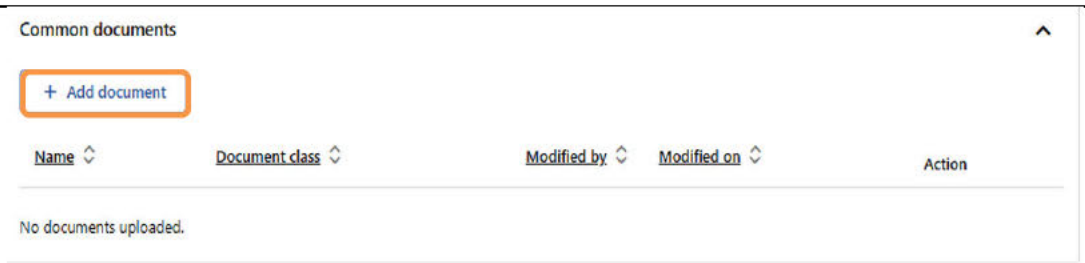
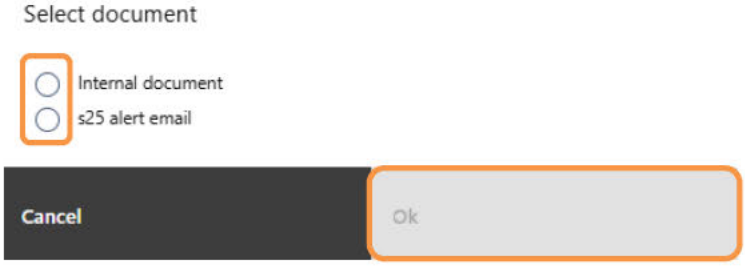
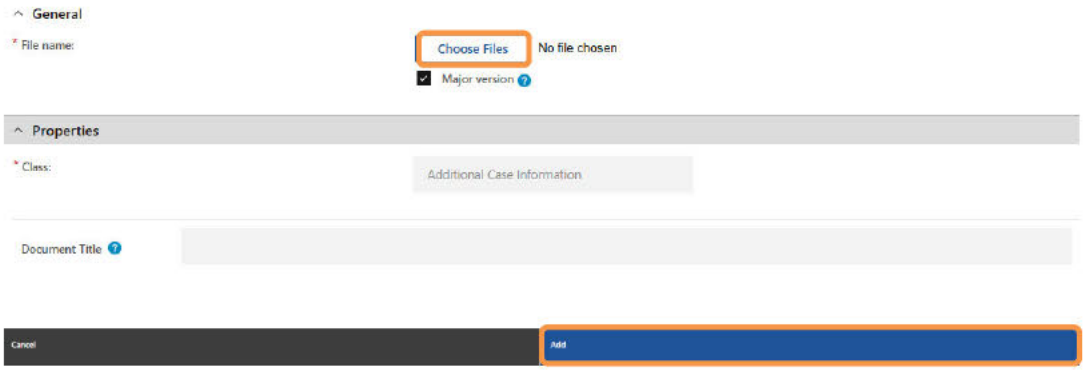


➢ Select the document type from the prompt box and click the **Ok** button.



➢ Click the **Choose Files** button and select the document you wish to upload from your computer. Then click the **Add** button.



The documents you have uploaded will appear in the **Common documents** section. You can download, view properties or remove them using the **Action** menu options to the right of each document.

2 **Institution documents**

This section is to be used for the documents that will be issued to the institutions via the online portal. There will be an **+ Add document** button for each institution added to the task.

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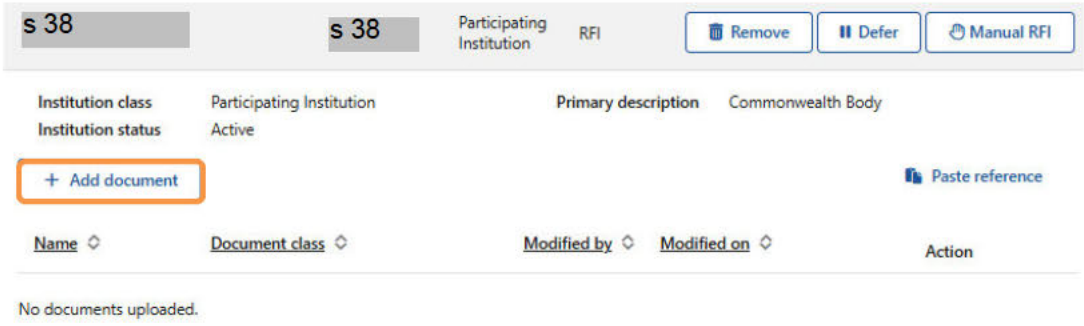
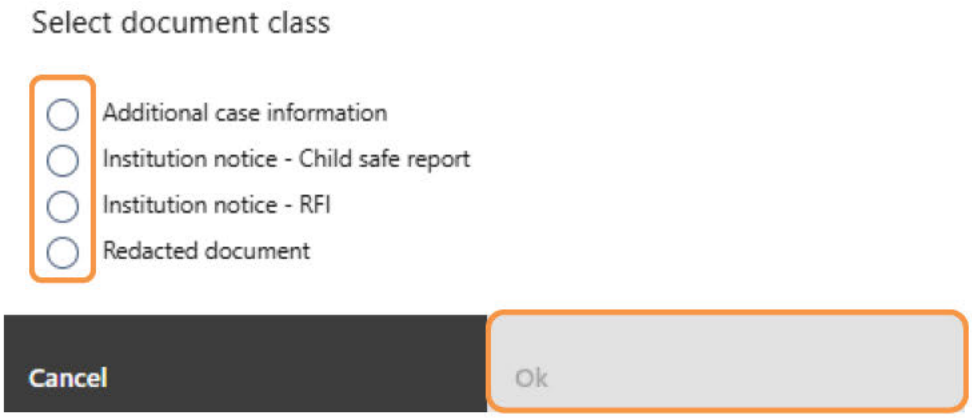
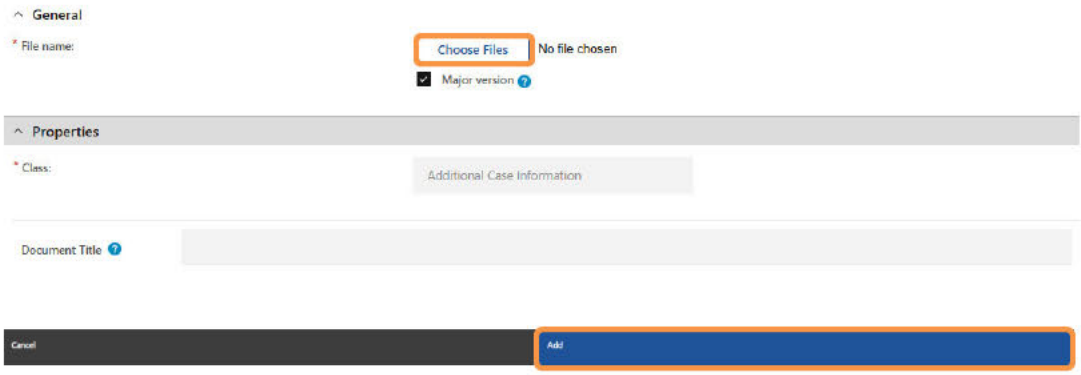
- Navigate to the institution for which the document applies and click the **+ Add document** button.



- Select the document class from the prompt box, and click the **Ok** button.



- Click the **Choose Files** button and select the document you wish to upload from your computer. Then click the **Add** button.



The documents you have uploaded will appear in the **Institution documents** section. You can download, view properties or remove them using the **Action** menu options to the right of each document.

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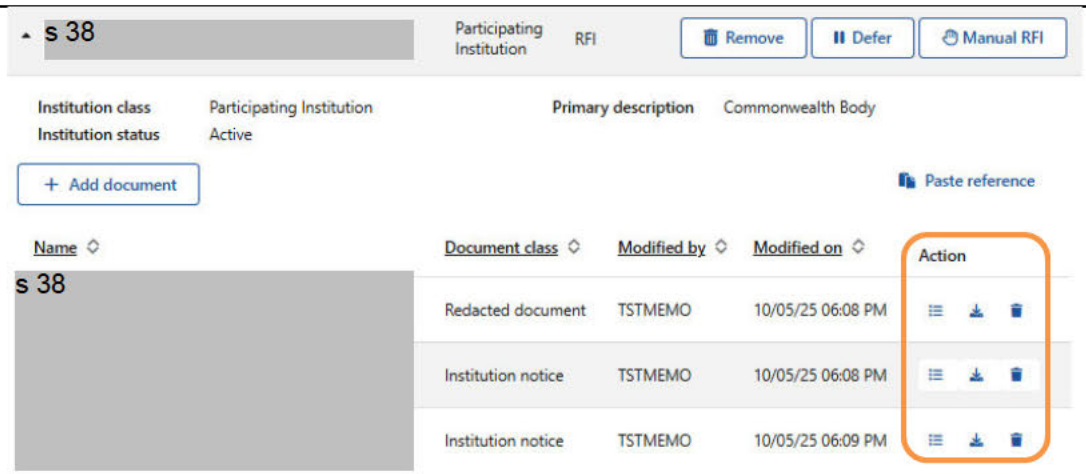
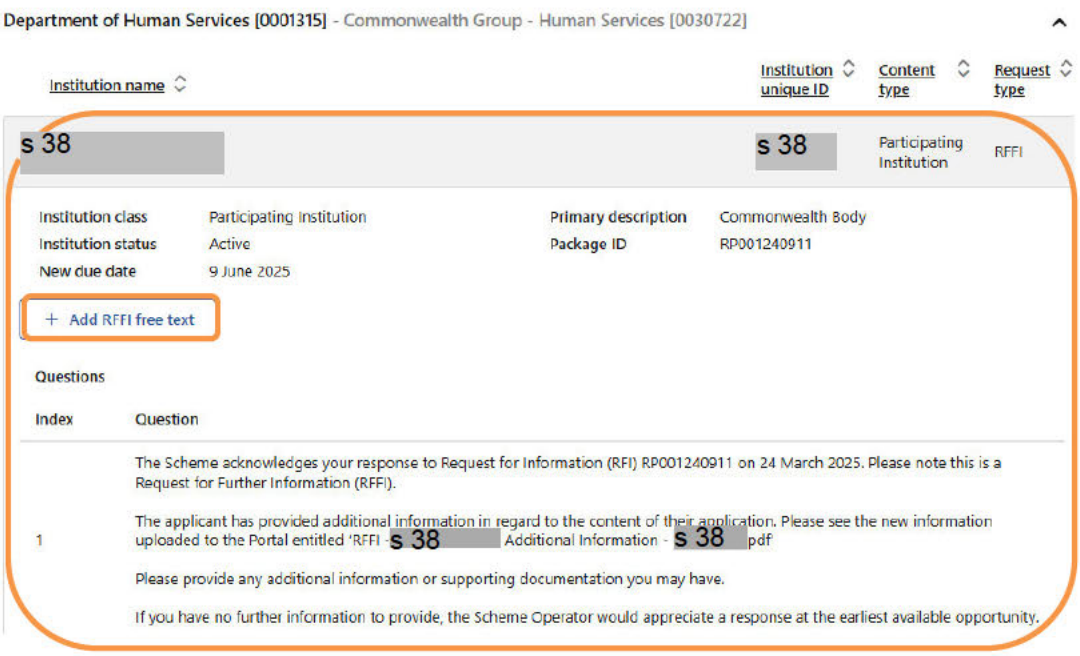
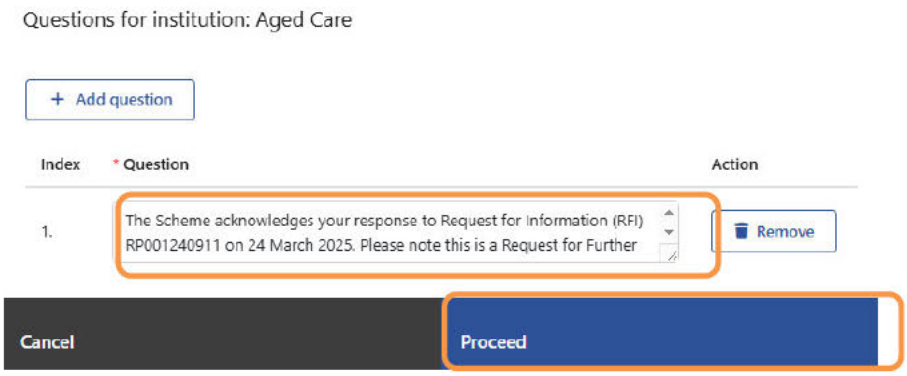


3 Free text for RFFIs is now uploaded directly into the task by the drafter. The free text will appear in the Institution documents section as a Question.



If the Quality Lead needs to edit any of the text, they can do it directly in the task.

- To edit free text, click the **+ Add RFFI free text** box.



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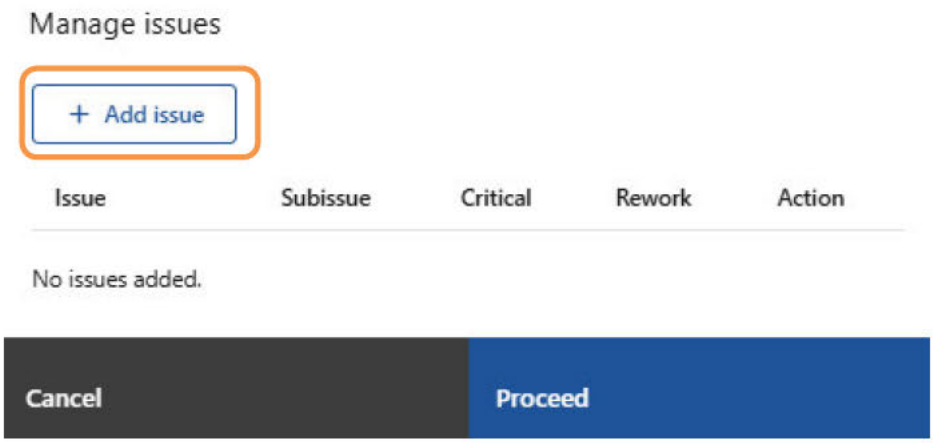
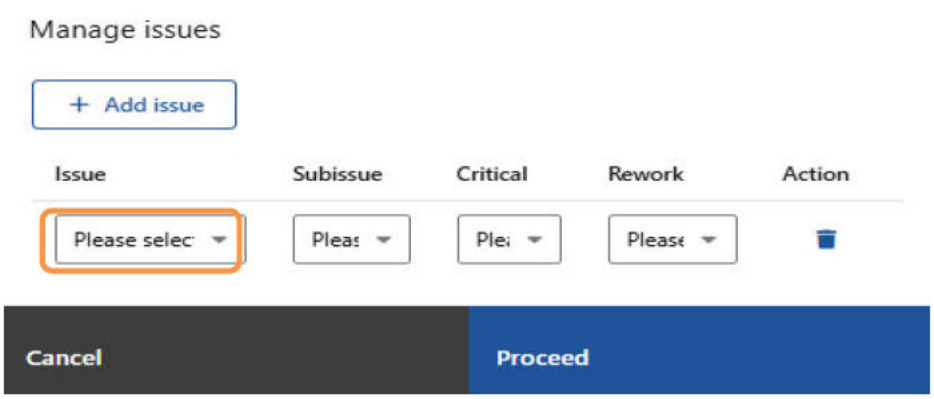
	➢ The text can be amended directly in the Question field or you can click the **Remove** button and paste new text into the field. ➢ Once the text is finalised, click the **Proceed** button. ***Note**: Do not click the '+ Add question' button to add multiple questions. This creates multiple RM files that the institution will have to respond to. All text and questions must be copied into the first box only.*

Task 5: Embedded quality tool, managing issues and returning to the drafter

Step	Action
1	If issues are identified, the Quality Lead can add them using the **Manage issues** button in the 'Issues' section at the top of the overview screen. ➢ To add an issue, click the **Manage issues** button. ➢ Click the **+ Add issue** button.  ➢ Click the **Issue** dropdown menu. 

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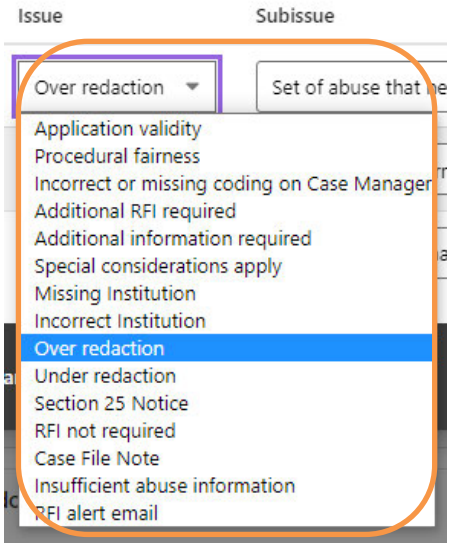
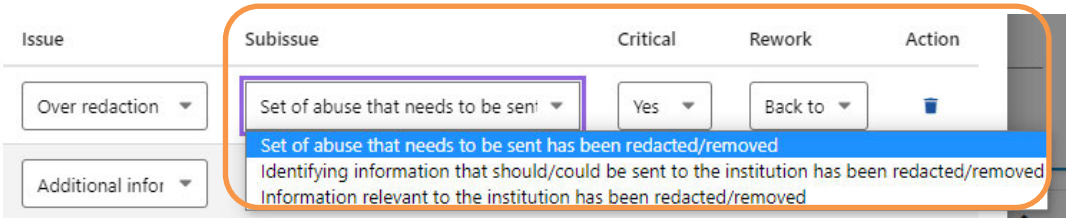
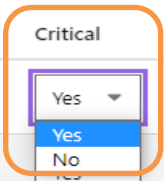
- Select the issue from the first dropdown menu.



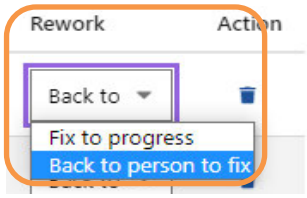
- Select the **Subissue** from the second dropdown menu



- Select **Yes** or **No** depending on whether the issue is critical or not from the third dropdown menu.



- Select the type of rework that is required from the fourth dropdown menu.



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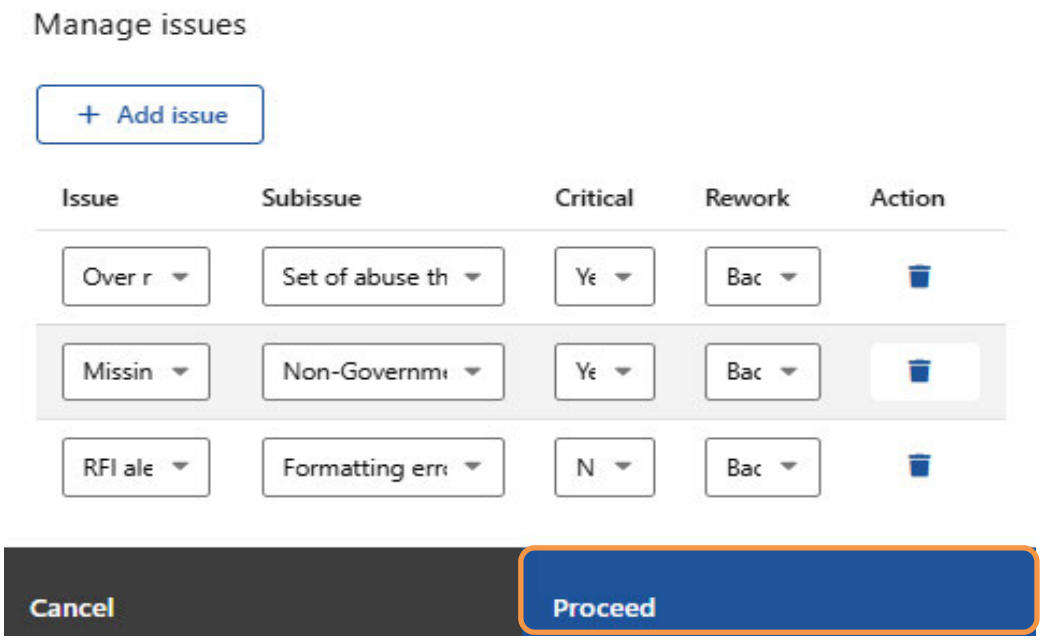
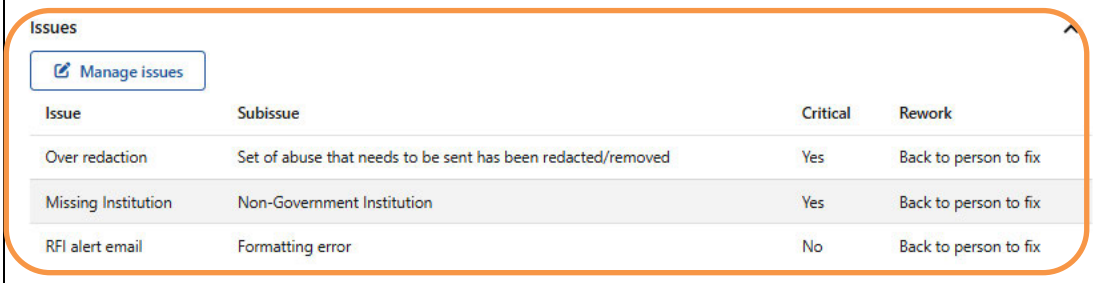
2	When all issues have been recorded, click the **Proceed** to add them to the task. 
3	Added issues will be visible in the 'Issues' section of the overview screen.  Issues can be edited or deleted by clicking the **Manage issues** button. ***Note**: A maximum of five (5) issues can be added to the task.*
4	Once all the issues have been recorded, the task can either be returned to the drafter or completed. ➢ To return the task to the drafter for rework, click the **Return to drafter** button. ➢ Enter a comment in the pop-up box and click the **Proceed** button.

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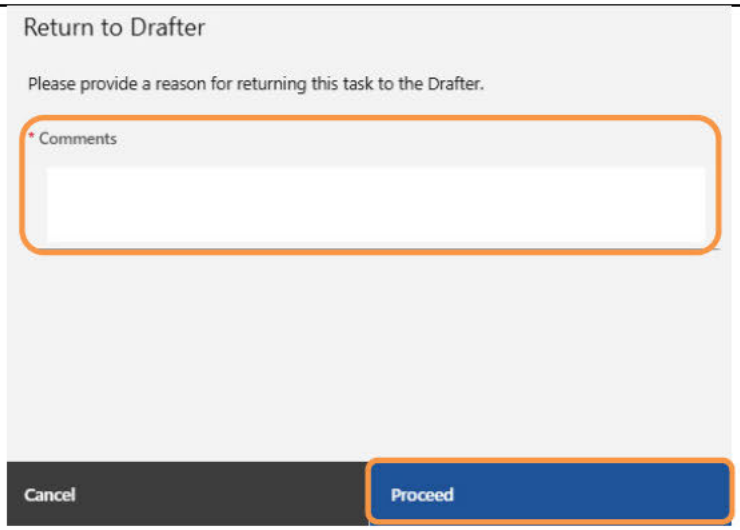
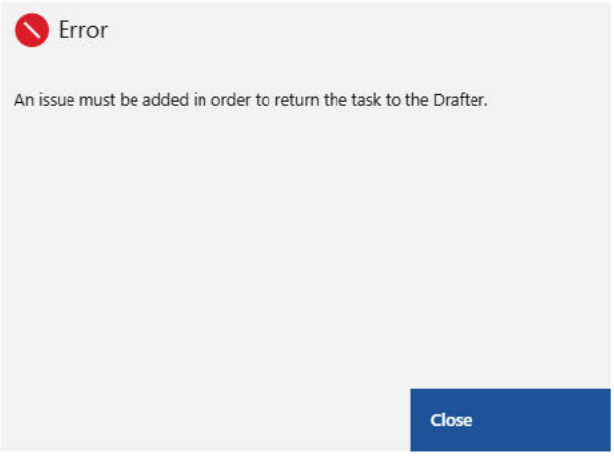
	 ➢ Complete the Quality feedback email and send it to the drafter, their team leader and the RedressSteadyRFI mailbox. Keywords = RFI/RFFI IP, QA Ready, RTN
5	If no issues have been entered and **Return to Drafter** button is selected an error message will appear advising that an issue must be added in order to return the task.  Click the **Close** button and go to Task 5, Step 1 to manage issues.

Task 6: Completing the task

Step	Action
1	If there are no issues to record, or the issues recorded are Fixed to Progress, the **Validate request for information** task can be completed. This will create the **Issue request for information** task. ➢ Click the **Complete** button.

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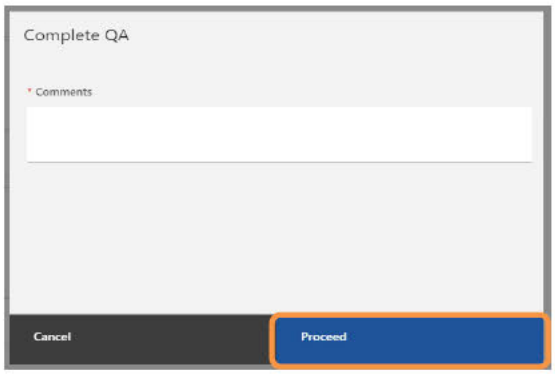
- Add a comment into the prompt box and click the **Proceed** button.



- Complete the Quality Pass or Quality Fixed to Progress email and send it to the drafter, their team leader and the RedressSteadyRFI mailbox.

  Keywords = RFI/RFFI IP, QA CMPL

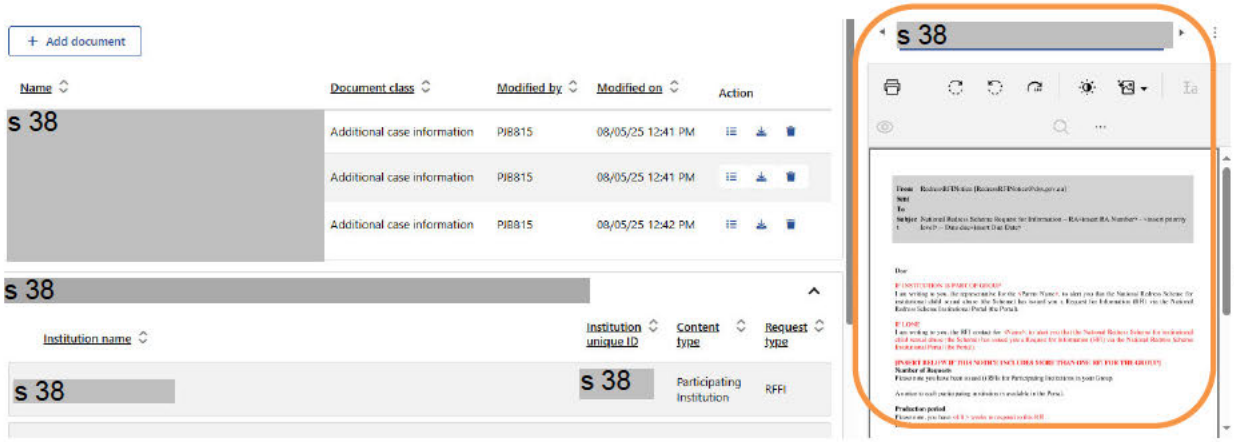
Additional Function: Document previewer

Within the **Validate request for information** task, the **Document previewer** is available. All pdf and word documents can be previewed using the **Document previewer** window within the task.

The **Document previewer** can be used to preview both **Common documents** and **Institution documents.**

- To view an uploaded document, click the document name and it will appear in the document preview window.

Common documents



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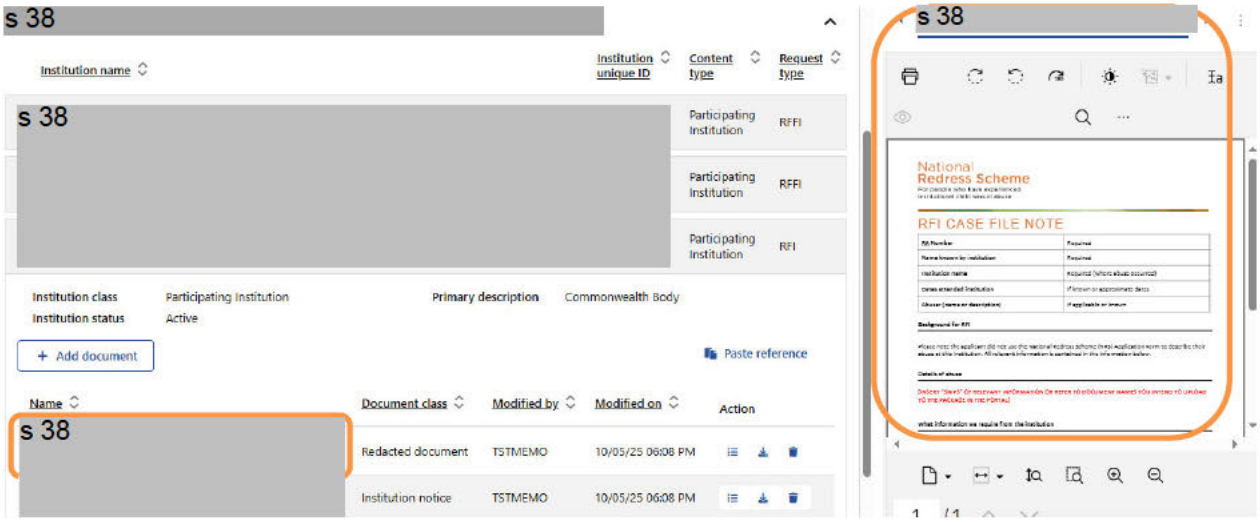
Institution documents



Links

- Information Sharing Framework – NRS092-280922
- RFIs for State and Territory Departments
- RFI – Section 25 Notice – LOCKED TEMPLATE
- RFI email to institution
- RFFI email to institution
- RFI – Case File Note TEMPLATE - Updated
- Application Workload Management Policy
- Add and Remove a Case Comment
- Search Case Comments – NRS290922
- Keyword Glossary

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Request for Information (RFI) from Institution Step 3: Issue RFI

Document Details	
Content Owner	Director Institution Inquiries and Quality Review
Created by	s 47F
Date Created	25/05/2023
Version	2.0
Approved by	Director Policy Strategy and Design
Date Approved	04/06/2025

Version History			
Version	Date	Created by	Amendment Description
V0.1	23/05/2023	s 47F	Draft finalised
V1.0	23/05/2023	s 47F	Policy reference and layout
V2.0	04/06/2025	s 47F	Process for issuing and updating the due date of an RFFI

Contents

Request for Information (RFI) from Institution – Step 3: Issue RFI 1
Purpose 2
Operational Policy Overview 2
Process overview 3
Task description 3
Links 19

DRAFT

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Purpose

This document operationalises **Step 3** of the new 'Request information from institution' task in Case Manager.

The 'Request Information from institution' task has been created to limit the number of manual off-system tasks and reduce the risk of data privacy breaches.

- The 'Contact institution' task has been updated so that the 'Request information from institution' button now launches the new 'Request information from institution' task.

- A new 'Request information from institution' task has been added to the discretionary task list and the existing 'Request information from institution' task has been renamed to '[Superseded] Request information from institution'.

Operational Policy Overview

Section 25 of the Act requires the Scheme to issue a request for information (RFI) to a participating or partly-participating institution if an application identifies a particular institution as being involved in the abuse of a person, or there are reasonable grounds to believe that an institution may be responsible for the abuse of a person.

Under section 25 of the Act a RFI must be issued for **any abuse**, whether it be sexual or non-sexual abuse. This means that a RFI **must** be issued for **all instances** of abuse related to the application and subsequent RFI responses.

The 'Request information from institution' task is a discretionary task that is launched by the RFI Support Officer for the purposes of drafting, quality checking and issuing requests for information (RFIs).

The 'Request information from institution' task is comprised of three steps, as follows:

1. ***Draft request for information*** – accessible within the Case Coordinator role
   - The content of the RFI is prepared and uploaded to the task by a RFI Support Officer in the Institution Inquiries team.

2. ***Validate request for information*** – accessible within the Quality Assurer role
   - The content prepared by the RFI officer is checked and verified by a Quality Lead in the Quality Assurance team.

   Note: In Step 2 the Quality Lead will be able to send the task back to Step 1 if issues are identified that require correction.

3. ***Issue request for information*** – accessible within the Case Coordinator role
   - Final verification checks are performed and the RFI is sent to the institution portal by a RFI Support Officer in the Institution Inquiries team.

   Note: In Step 3 the RFI Support Officer will be able to send the task back to Step 2 if issues are identified that require correction.

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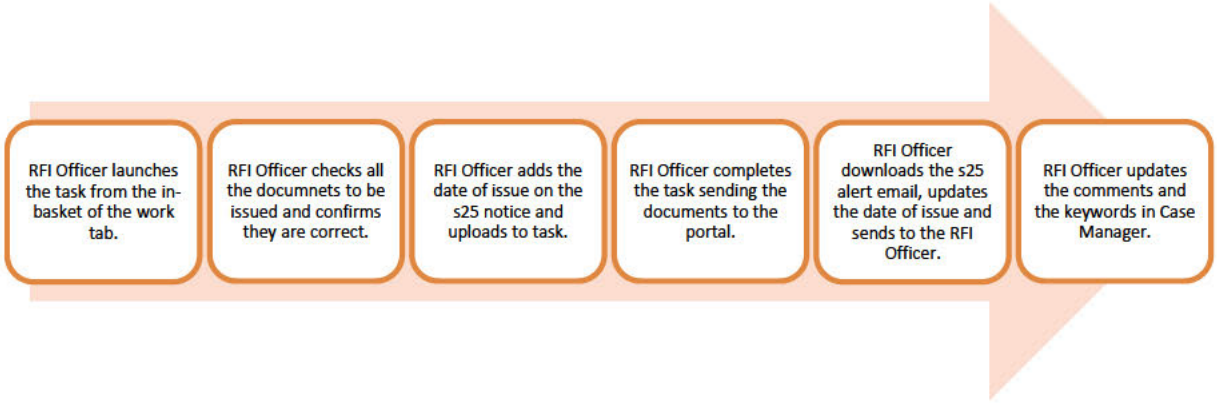
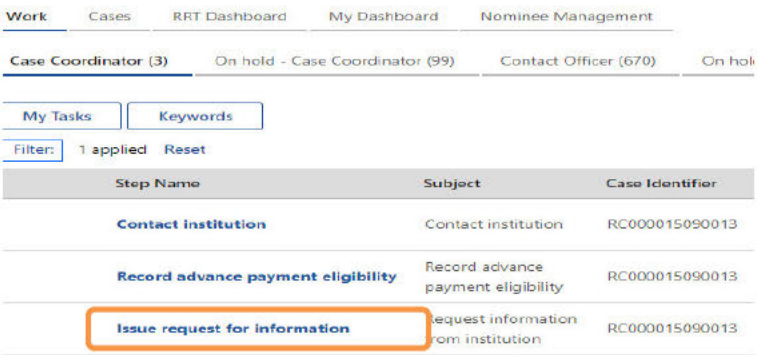
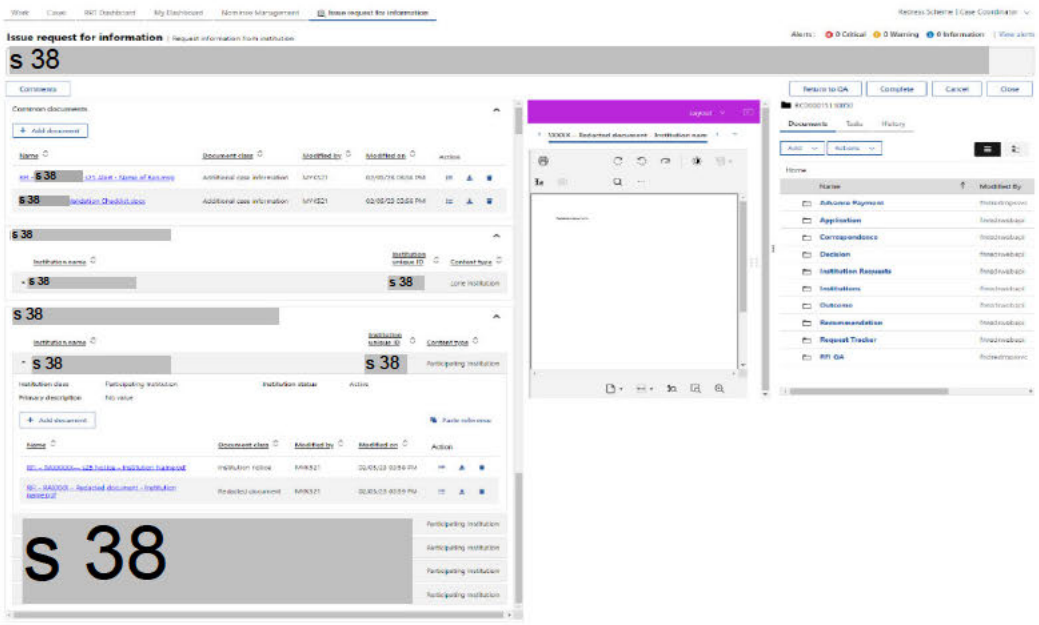
Process overview



Task description

Task 1: Launching and actioning the 'Issue request for information' task

Step	Action
1	To launch the task, navigate to the work tab in-basket and filter by Survivor ID. ➢ Select the **Issue request from institution** task  Launching the task will open the overview screen. 

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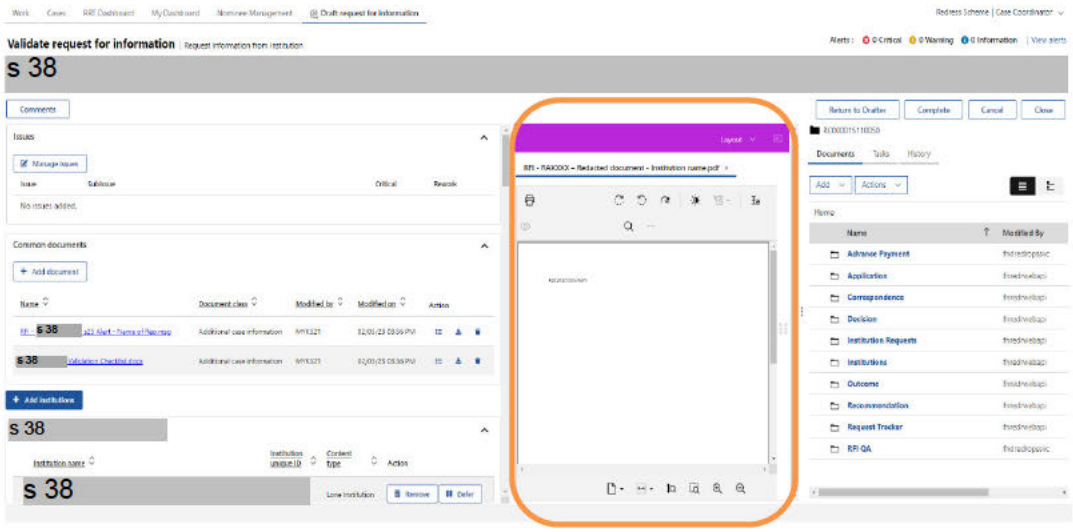
2 Using the **Document previewer**, preview each institution document to check the following:

- Redactions have been applied
- Impact has been redacted if required

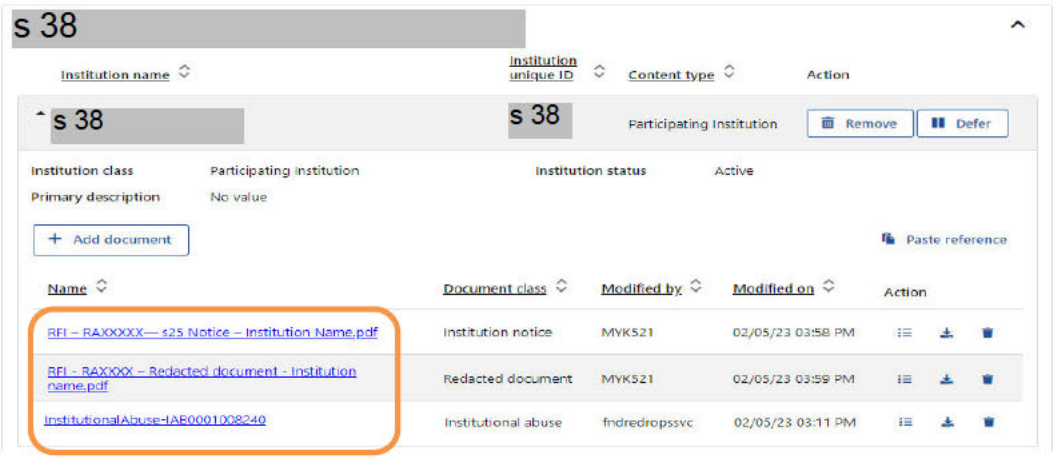


The **Document previewer** can be used to preview both **Common documents** and **Institution documents.**

- To view an uploaded document, click on the document name and it will appear in the document preview.

Common documents

Institution documents



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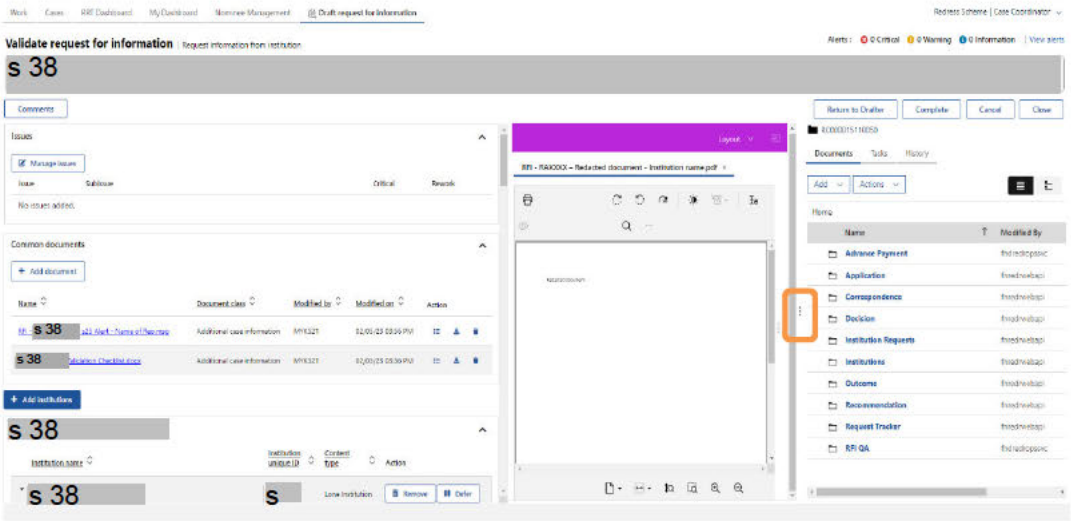
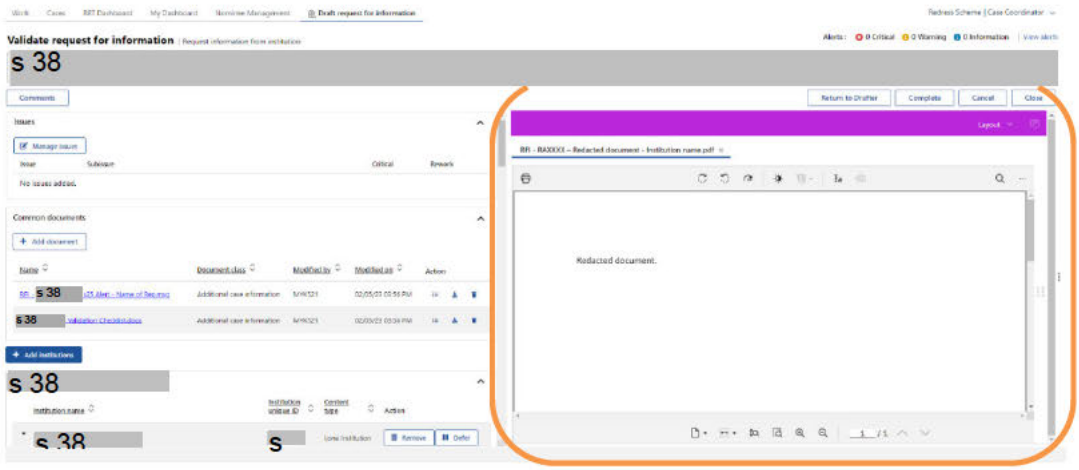
- To expand the **Document previewer window** click on the three dots to the right of the window to collapse the folder window.



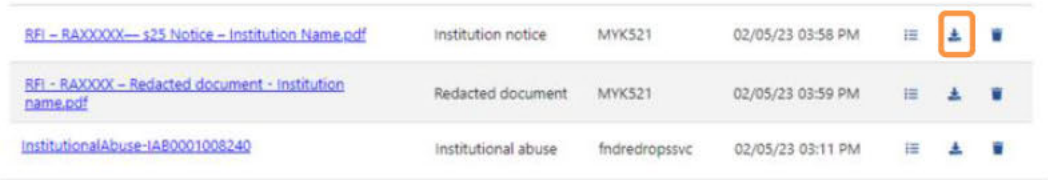
Document previewer expanded view



Note: *The **Document previewer** cannot be used to preview online files. To view the online files, navigate to the Case tab to view the application details.*

3 Update the Section 25 notice.

- Using the **arrow icon** in the activity menu next to the s25 notice in the institution documents, download the **s25 notice**.



RFI – RAXXXXX— s25 Notice – Institution Name.pdf	Institution notice	MYK521	02/05/23 03:58 PM
RFI - RAXXXX – Redacted document - Institution name.pdf	Redacted document	MYK521	02/05/23 03:59 PM
InstitutionalAbuse-IAB0001008240	Institutional abuse	fndredropssvc	02/05/23 03:11 PM

- Check the **RA number** is correct
- Check the **prefix** for the RFI contact is correct.
- Remove the faded out section of the template if required.
- Add the **date of issue**.
- Save the s25 notice as a **pdf.**

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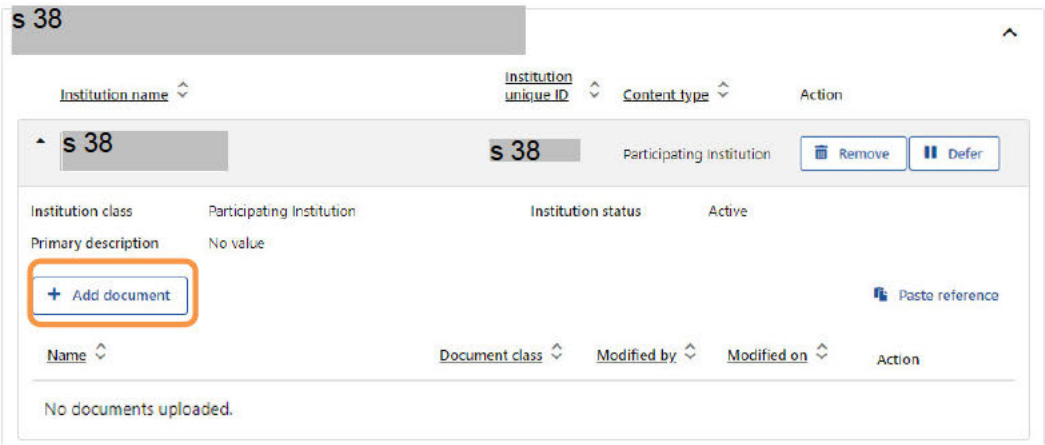
Remove the word version from the **Institution documents**.

- Navigate to the word copy s25 notice in the **Institution documents**.
- Click on the **bin icon** in the **Action menu** to remove the document.

Upload the new pdf version into the **Institution documents**.

- Navigate to the institution for which the document applies and click **Add document.**



- Select the **institution notice** document class from the prompt box, and click **OK**

- Click on **Choose File** and select the document you wish to upload from your computer. Then click **Add.**

The s25 notice you have uploaded will appear in the **Institution documents** section. You can download, view properties or remove it using the action menu to the right of each document.

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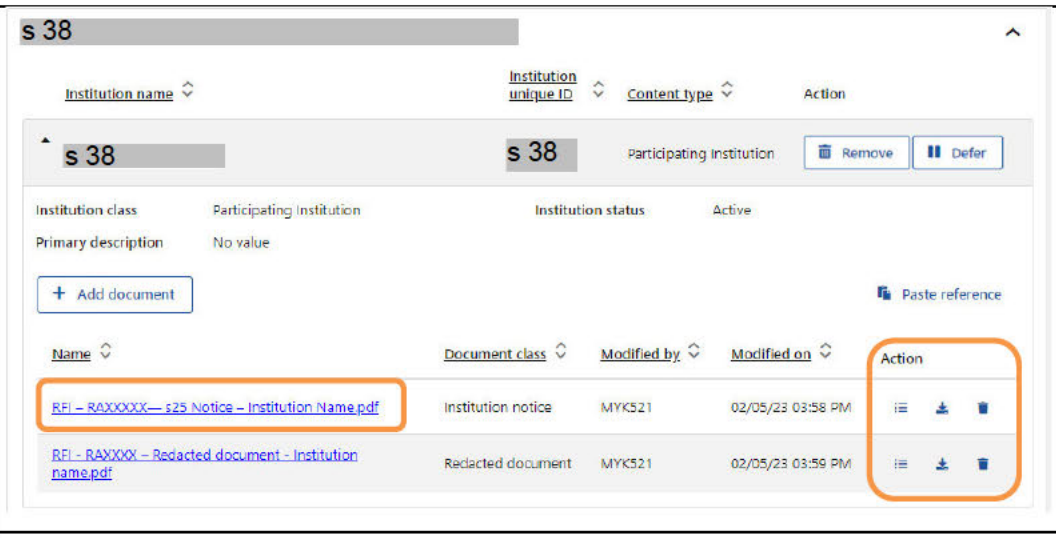
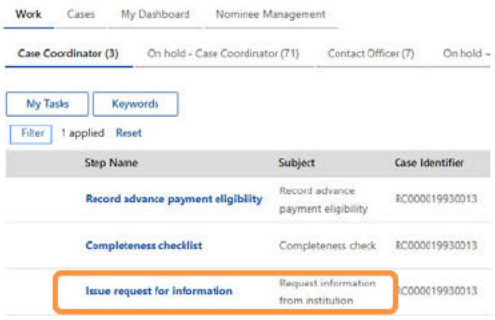
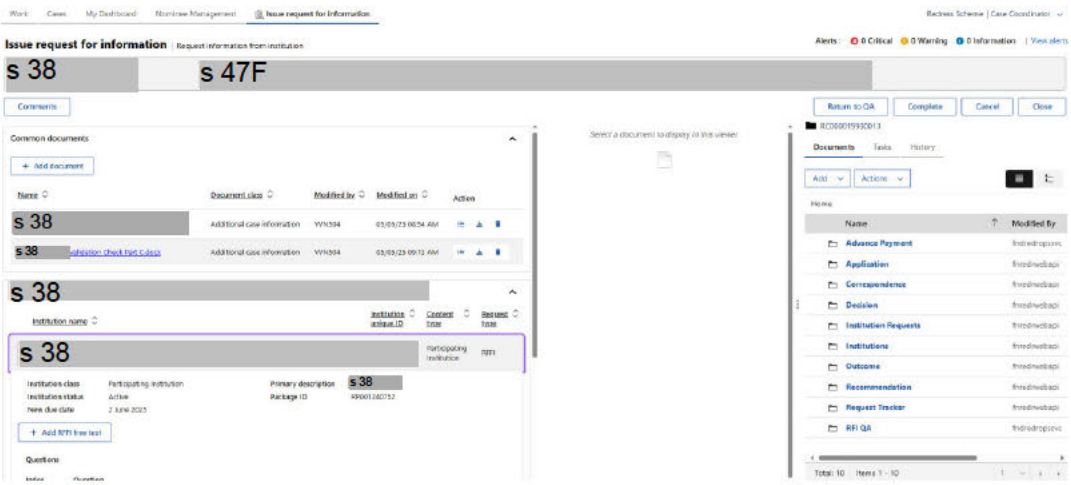


Issuing an RFFI

Step	Action
1	To launch the task, navigate to the work tab in-basket and filter by Survivor ID. ➢ Select the '**Issue request from institution**' task.  Launching the task will open the overview screen.  ***Note**: A new column called 'Request type' will be displayed. This will indicate to the user if the request package relates to a RFI or a RFFI.*

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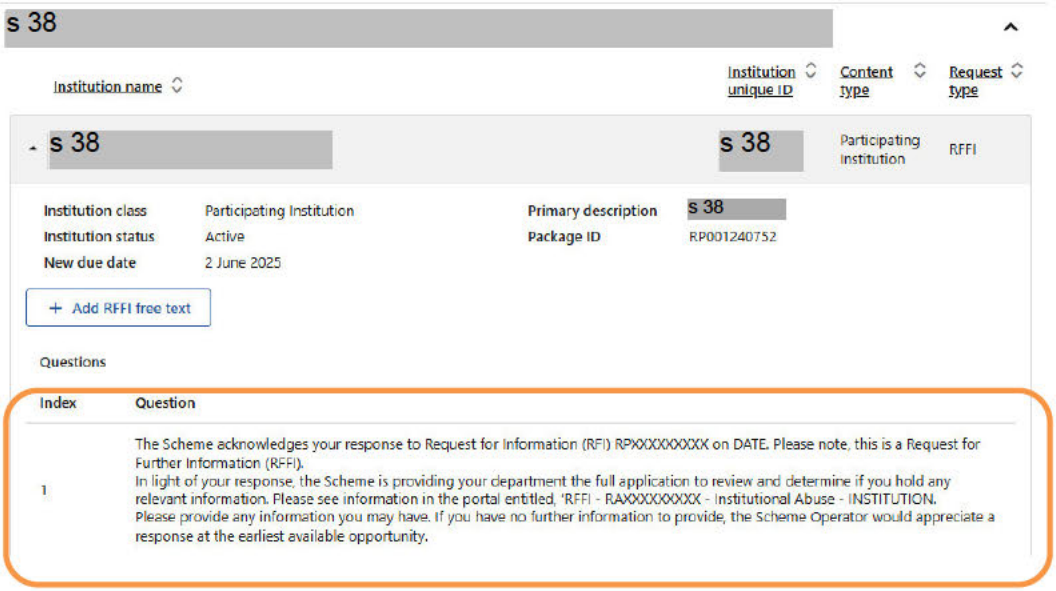
- Ensure that the Request type is displaying as RFFI.

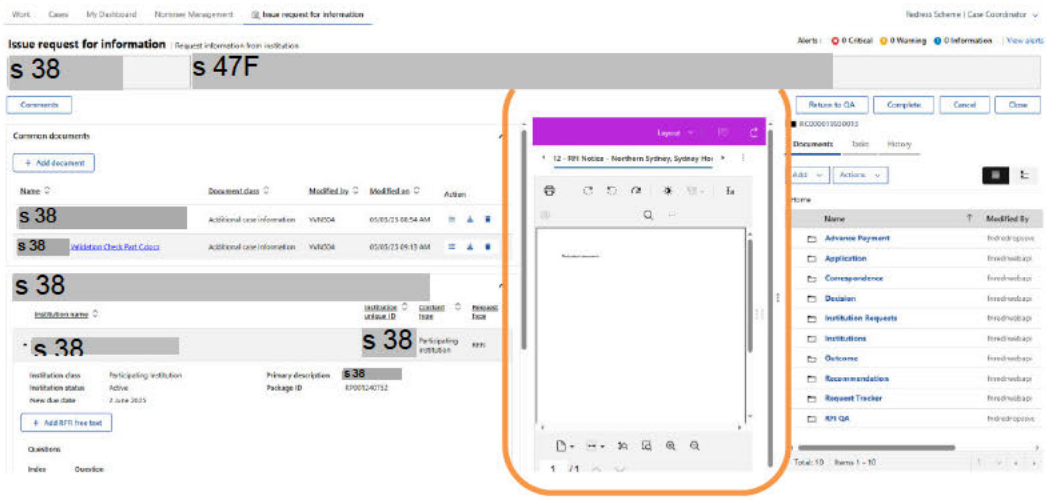
2 The RFFI free text box will be prefilled from the RFI drafting and RFI QA stages.

- Ensure that a question/information had been added to the RFFI free text box.



Using the **Document previewer**, preview each institution document to check the following:

- Redactions have been applied
- Impact has been redacted if required



The **Document previewer** can be used to preview both **Common documents** and **Institution documents.**

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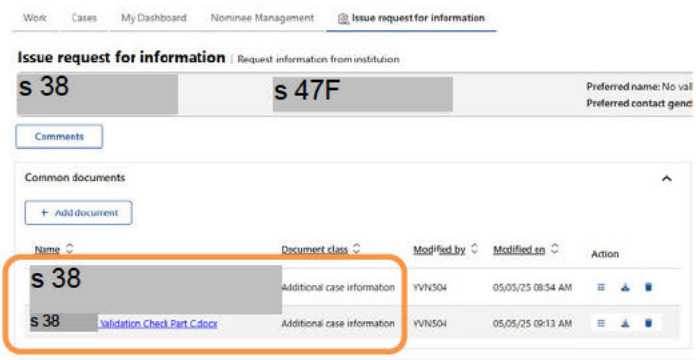
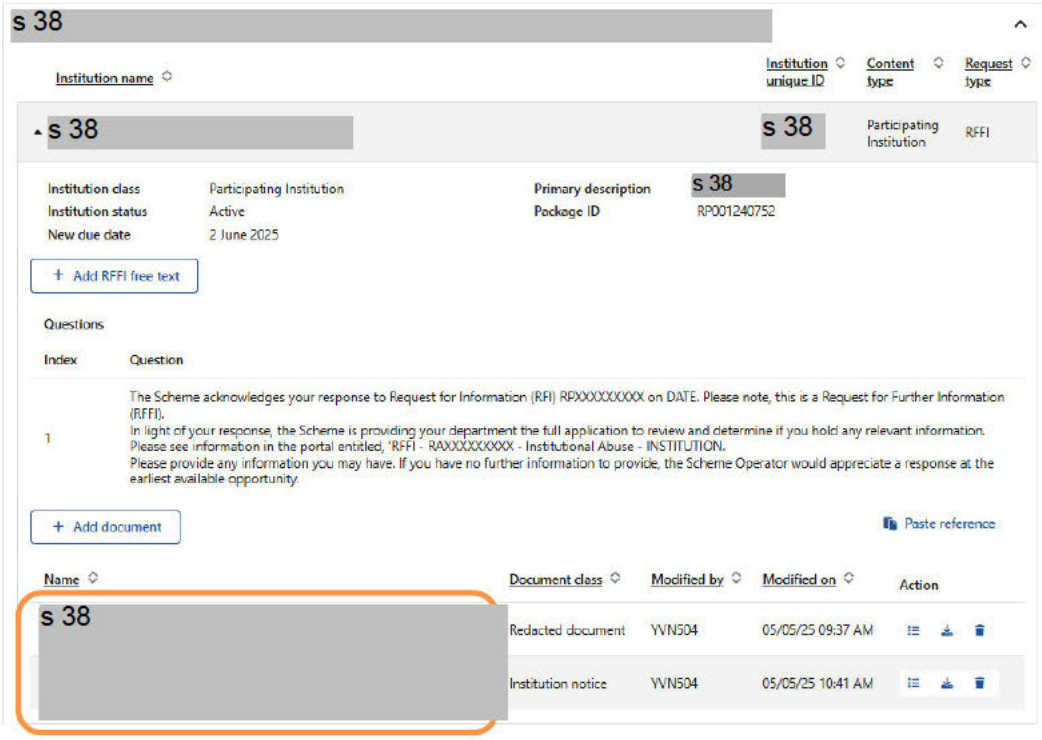
- To view an uploaded document, click on the document name and it will appear in the document preview.

Common documents



Institution documents



- To expand the **Document previewer window** click on the three dots to the right of the window to collapse the folder window.

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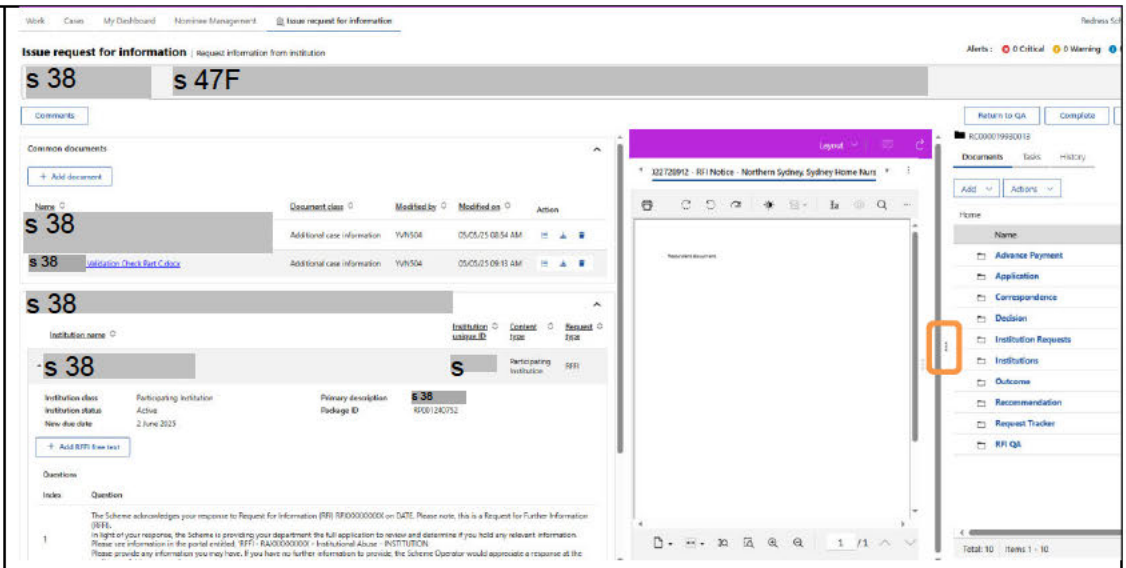
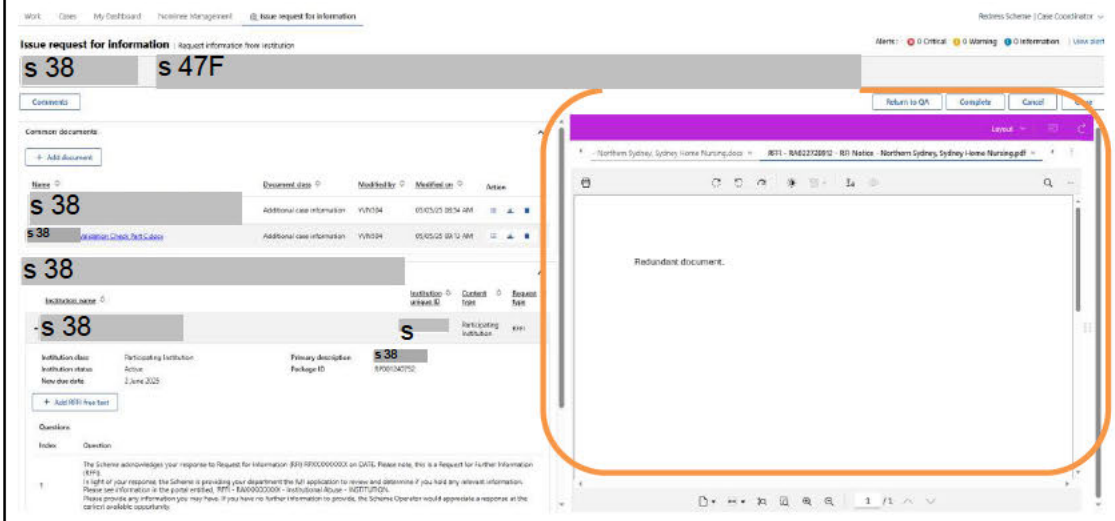


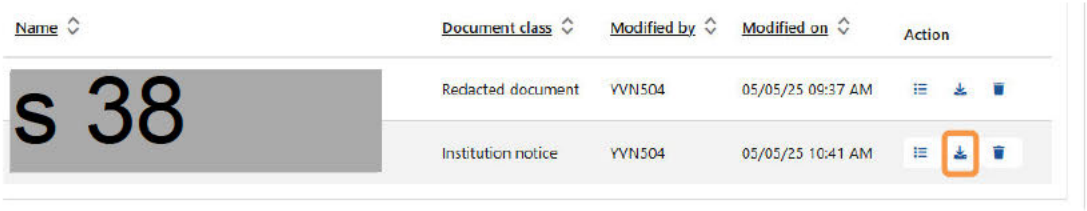
Document previewer expanded view



Note: *The* ***Document previewer*** *cannot be used to preview online files. To view the online files, navigate to the Case tab to view the application details.*

3 Update the Section 25 notice.

- Using the **arrow icon** in the activity menu next to the s25 notice in the institution documents, download the **s25 notice**.

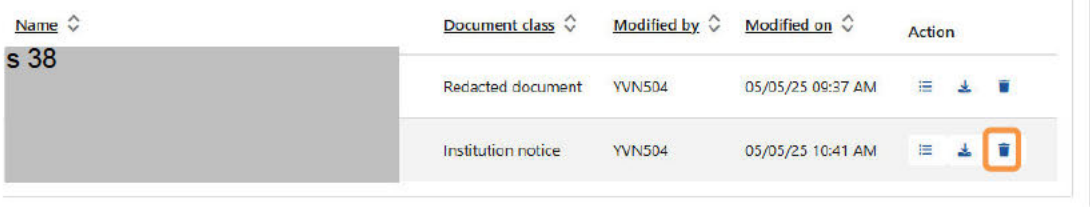


- Check the **RA number** is correct
- Check the **prefix** for the RFI contact is correct.
- Remove the faded out section of the template if required.
- Add the **date of issue**.
- Save the s25 notice as a **pdf.**

Document released under the Freedom of Information Act 1982 (Cth) by the Department of Social Services

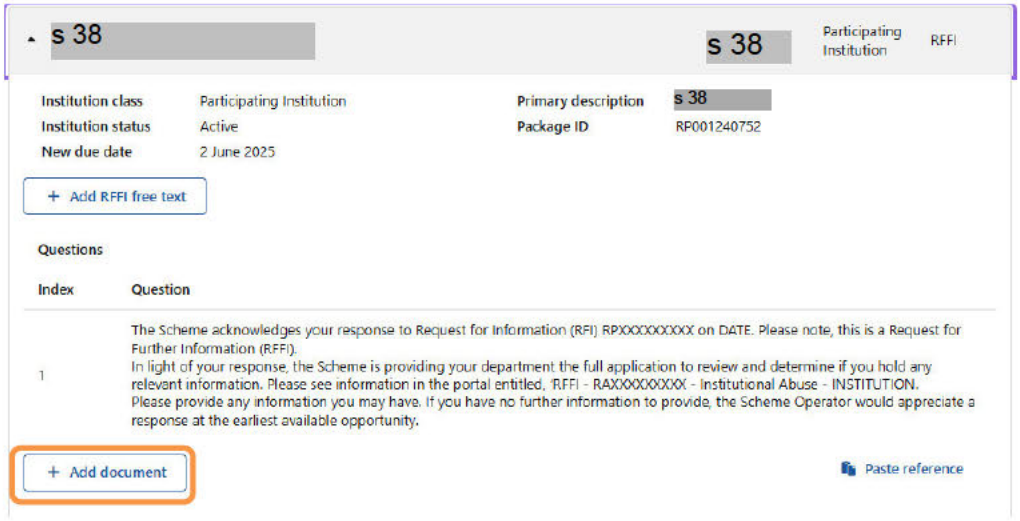
Remove the word version from the **Institution documents**.

- Navigate to the word copy s25 notice in the **Institution documents**.
- Click on the **bin icon** in the **Action menu** to remove the document.

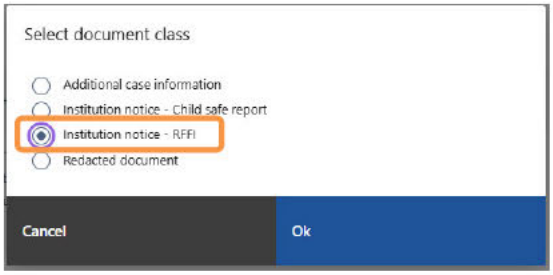


Upload the new pdf version into the **Institution documents**.

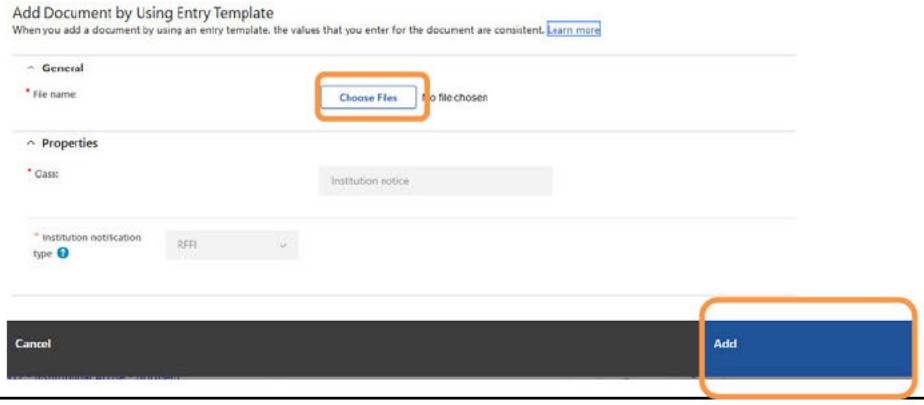
- Navigate to the institution for which the document applies and click **Add document.**



- Select the **Institution notice - RFFI** document class from the prompt box, and click **OK**



- Click on **Choose File** and select the document you wish to upload from your computer. Then click **Add.**



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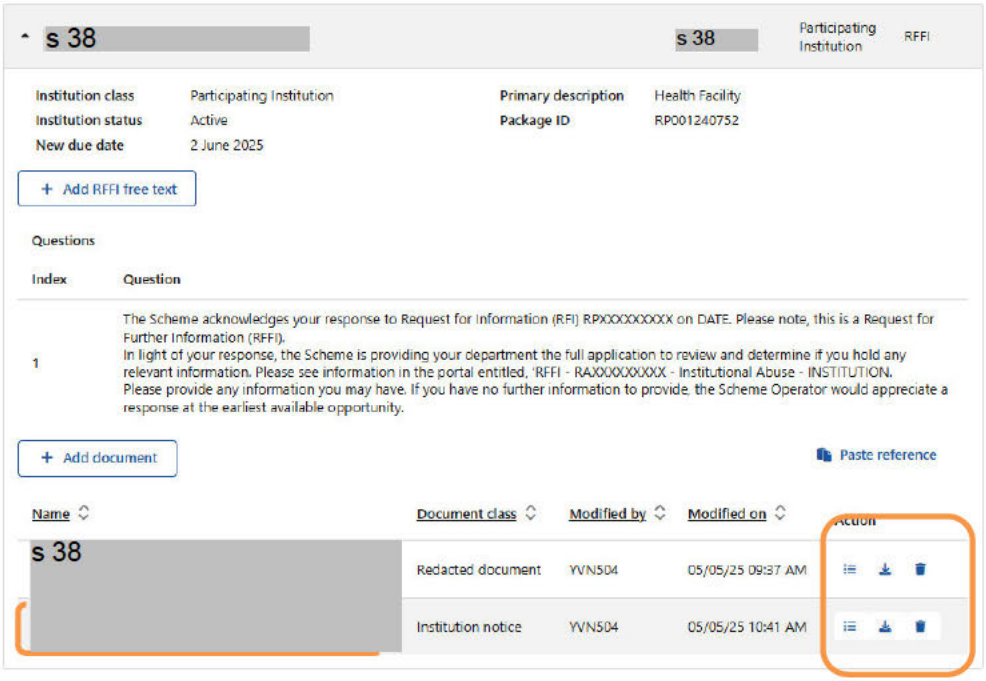
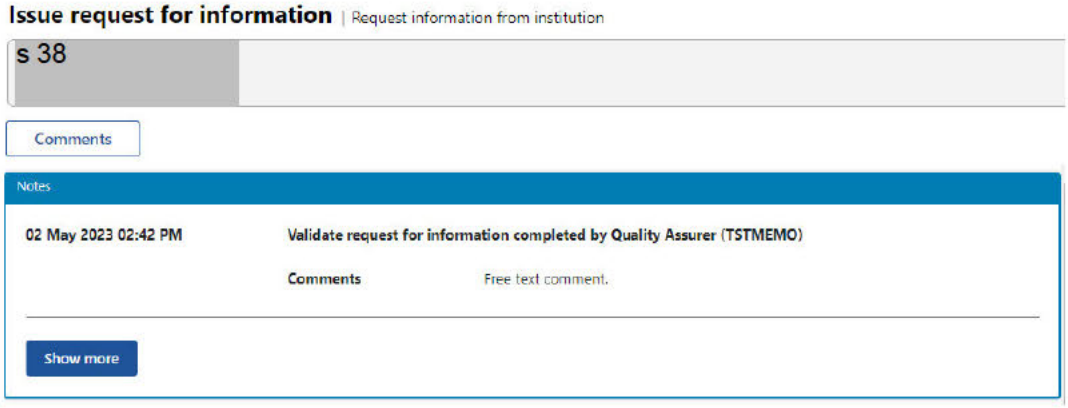
The s25 notice you have uploaded will appear in the **Institution documents** section. You can download, view properties or remove it using the action menu to the right of each document.



Task 2: Completing the 'Issue request for information' task

Step	Action
1	After all final checks have been completed, the RFI/RFFI packages can now been issued to the institution(s). The Quality lead result and comments will be visible in the overview window of the task for reference.  • Click on **Complete** to create the institution request packages and send the documents to the portal.

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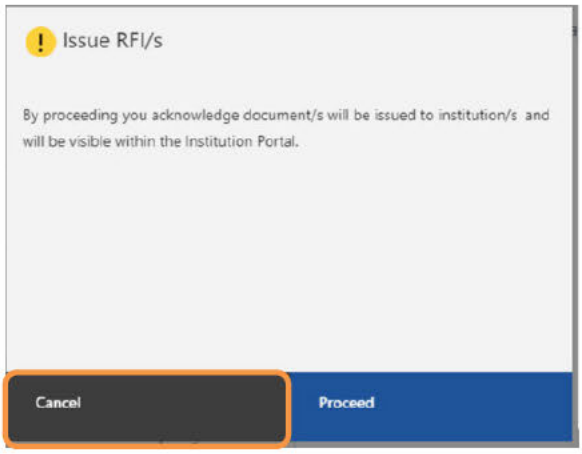
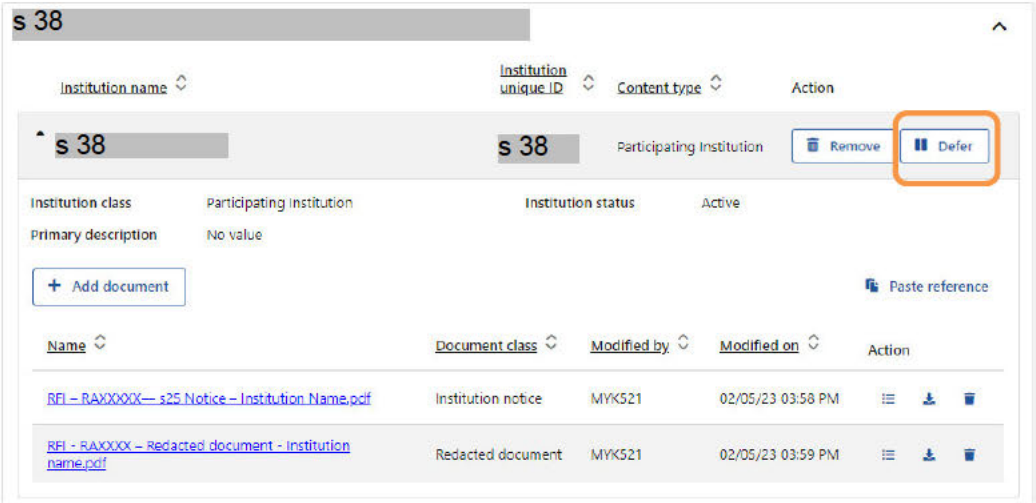
- A confirmation box will appear that requires an acknowledgment that the documents will now be issued. Click on **Proceed** to continue issuing the RFIs.



- If you clicked **Complete** in error, click on **Cancel** in the acknowledgement box to cancel issuing the RFIs.

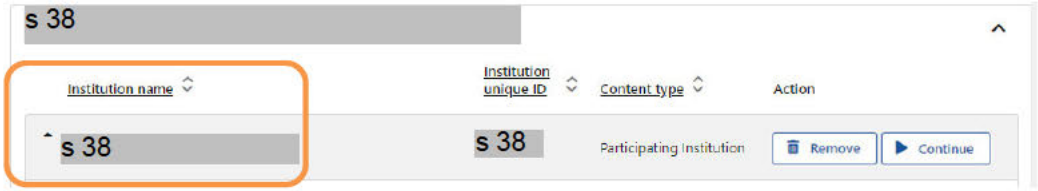
Deferred Institutions

At any time during Step 1 or Step 2, a RFI Officer or Quality Lead can opt to Defer the issuing of RFIs to an institution by clicking on the **Defer** button for that institution.



Once an institution has been deferred, the documents uploaded for that institution will **not be issued** on completion of the **Issue request for information** task.

Deferred institutions will be visible in the overview screen and flagged with **Deferred.**



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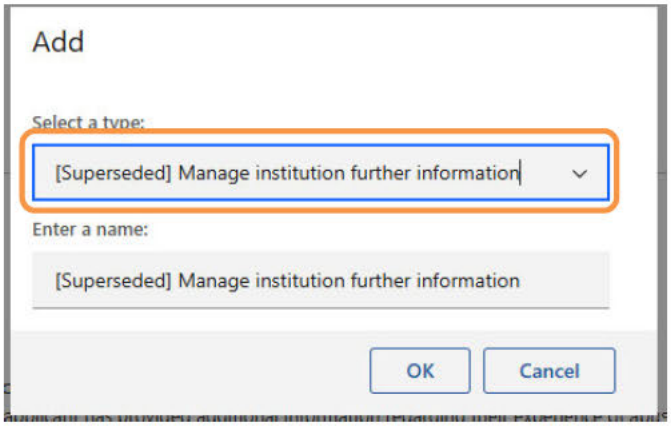
Updating the RFFI due date

Step	Action
1	To update RFFI deadlines; ➢ Select '**Add Task**'. ➢ Select '**[Superseded] Manage Institution Further Information**'.  ➢ Select '**Select Institution request package**'. ➢ Select the correct request package (RP Number, Institution and Unique ID). ➢ Select '**Issue new RFFIs**'. At this stage you can adjust the due date of the RFFI. ➢ Add 'Setting due date' to the *New questions text box.

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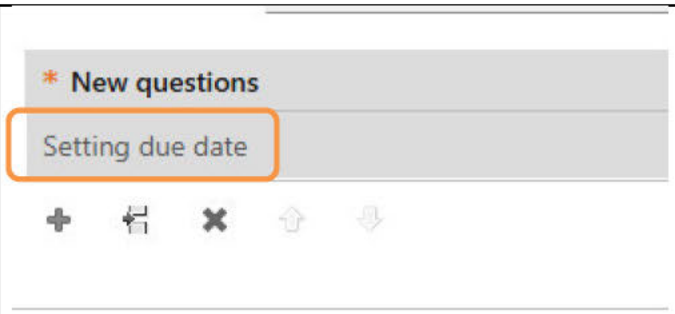
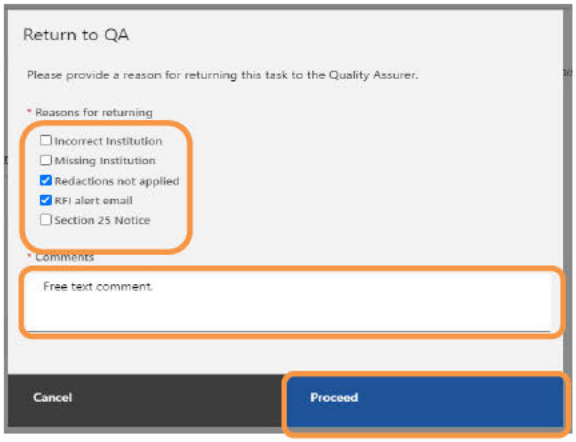


***Note**: Case manager will not let you update the **'[Superseded] Manage Institution Further Information'** task unless there is information in the question text box.*

Returning to Quality Assurer role for rework

Step	Action
1	If there are significant issues that require correction before issuing can proceed, the RFI Support Officer can return the RFIs to the Quality Assurer for rework. • Click on **Return to QA** to return the task back to **Validate request for information.** • This will remove the **Issue request for information task** from the in-basket and create the **Validate request for information** under the Quality Assurer role. • Select the issue(s) from the pop up window and add comments as required. These will be made visible in the task. • Click **Proceed** to return the task. 

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2	When the issue(s) have been actioned and the task is returned to **Issue request for information**, the history of issue(s) and comments will be visible in the task for reference.

Notes

02 May 2023 02:42 PM — **Validate request for information completed by Quality Assurer (TSTMEMO)**

Comments Free text comment.

02 May 2023 02:41 PM — **Returned from Issue request for information by Case Coordinator (MYK521)**

Reasons for returning Redactions not applied
RFI alert email

Comments Free text comment.

02 May 2023 02:40 PM — **Validate request for information completed by Quality Assurer (TSTMEMO)**

Comments Free text comment.

Issue	Subissue	Critical	Rework
Under redaction	Impact/Part 3 not redacted (privacy incident)	No	Fix to progress

02 May 2023 02:39 PM — **Draft request for information completed by Case Coordinator (MYK521)**

Comments Work completed

Show less

System auto-issue of RFIs

Step	Action
1	When the **Issue request for information** task is completed the system will auto-issue all the RFIs that have not been deferred within the task.

RC000015110050

Documents Tasks History

Add Open Actions

Home

Name	Modified By	Modified On
Advance Payment	fndredropssvc	2/05/2023, 1:53 I
Application	fnredrwebapi	2/05/2023, 1:45 I
Correspondence	fnredrwebapi	2/05/2023, 1:45 I
Decision	fnredrwebapi	2/05/2023, 1:45 I
Institution Requests	fnredrwebapi	2/05/2023, 1:45 I
Institutions	fnredrwebapi	2/05/2023, 1:45 I
Outcome	fnredrwebapi	2/05/2023, 1:45 I
Recommendation	fnredrwebapi	2/05/2023, 1:45 I
Request Tracker	fnredrwebapi	2/05/2023, 1:45 I
RFI QA	fndredropssvc	2/05/2023, 2:33 I

The RP request packages will be created for each institution added to the task and all documents added to each institution will be uploaded to the RP packages.

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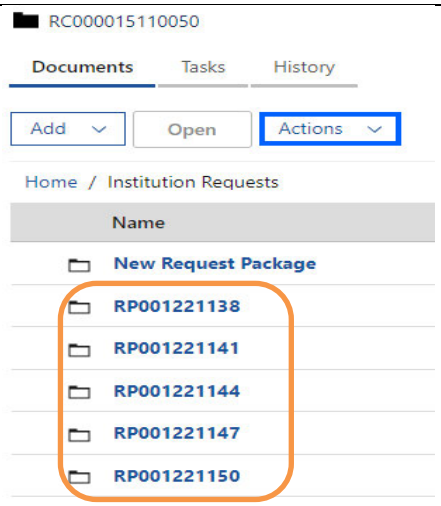
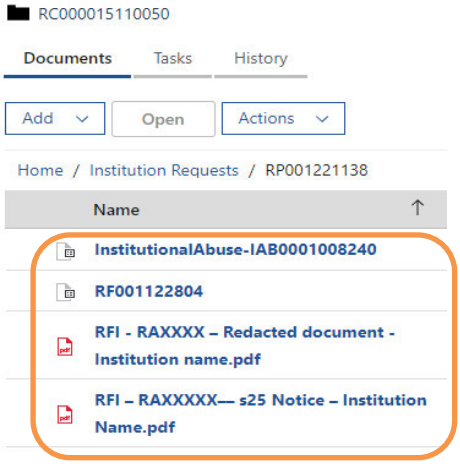
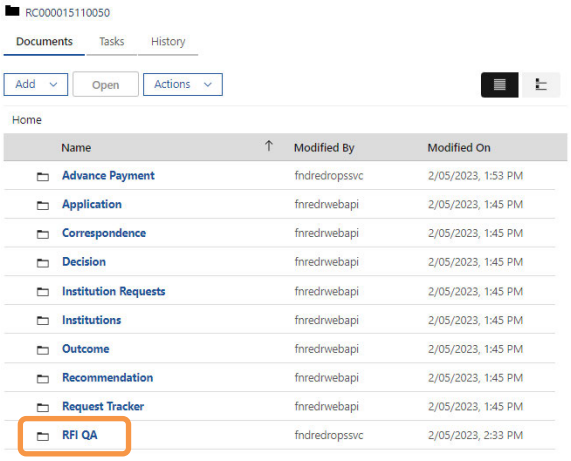


Once the task has been completed the documents, including online data files, will be visible within each of the RP packages.



2 In addition to the RP request packages, the completion of the **Issue request for information** task will also auto-create the RFI QA storage folders within Case Manager.



Within the RFI QA folder, each sub-folder will also be created and named according to the Filing RFI documents in Case Manager task card.

Both **Institution documents** and **Common documents** will be filed accordingly.

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RC000015110050

Documents Tasks History

Add Open Actions

Home / RFI QA

Name	Modified By	Modified On
SENT 03.05.2023	fndredropssvc	3/05/2023, 8:26 AM

RC000015110050

Documents Tasks History

Add Open Actions

Home / RFI QA / SENT 03.05.2023

Name
s 38 [redacted]
s 38 [redacted] s25 Alert - Name of Rep.msg
s 38 [redacted] Validation Checklist.docx

RC000015110050

Documents Tasks History

Add Open Actions

Home / RFI QA / SENT 03.05.2023 / SENT RFI Manilla District Hospital [0006414]

Name	Modified By
InstitutionalAbuse-IAB0001008240	fndredropssvc
RFI - RAXXXX – Redacted document - Institution name.pdf	fndredropssvc
RFI – RAXXXXX— s25 Notice – Institution Name.pdf	fndredropssvc

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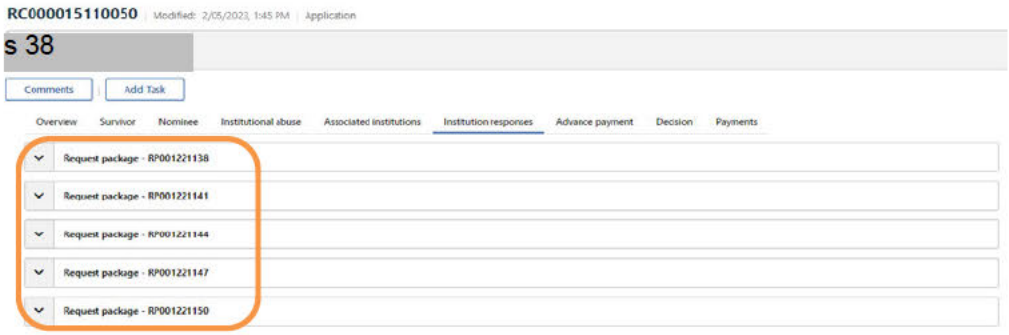
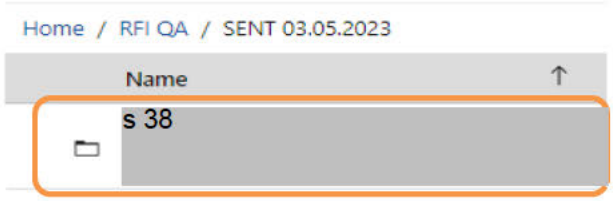
3	The system generated RP packages will also be visible in case view. 
4	Institutions that were **Deferred** in Step 1 or Step 2 will also be filed in Case Manager and will be identified as DO NOT SEND.  The Institution documents will be filed in the folder for later use and/or reference if required. ***Note:*** *A deferred institution cannot be reinstated in Step 3. To issue packages for a deferred institution the task must be* ***Returned to QA*** *for rework.*

Links

Task Cards

- Request info from institution - Step 1 - Draft RFI
- Request info from institution - Step 1 - Draft RFFI
- Request info from institution - Step 2 - Validate RFI
- Request info from institution - Step 3 - Issue RFI
- Filing RFI documents in Case Manager
- Add and Remove a Case Comment
- Issuing a manual Request for Information (RFI)
- Drafting the Section 25 notice

Resources

- Information Sharing Framework
- Institutions CRM - User Guide
- Institution Content Types Expanded FOLR

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Sending a Request for Information (RFI) to State and Territory governments

Document Details	
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Approved by	Director RFI and Enquiries
Date Approved	12/05/2026

Version History			
Version	Date	Created by	Amendment Description
V1.5	17/12/2024	s 47F	Contextual information updated
V1.6	2/02/2026	s 47F	Updated jurisdictional information
V1.7	12/05/2026	s 47F	Minor edits to clarify WA Youth Detention RFIs

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Purpose

This document outlines the process for sending a Request for Information (RFI) to state and territory government institutions.

This includes guidance on:

- How to identify the correct government department to issue an RFI; and
- How to create RFI packages for applications that list multiple institutions.

This document is to be used in conjunction with the following task cards:

- Request info from institution - Step 1 - Draft RFI - Task Card
- Request info from institution - Step 1 - Draft RFFI - Task Card
- Request info from institution - Step 2 - Validate RFI - Task Card
- Request info from institution - Step 3 - Issue RFI - Task Card
- Information Sharing Framework

Section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) authorises the Scheme to obtain information from participating institutions to make a determination on an application for redress. The Scheme may share protected information through the RFI process for the institution to provide a meaningful response.

Jurisdictions (Commonwealth, state and territory governments) are named in a large number of redress applications, many of which list multiple participating institutions from the same group. This document outlines the process agreed to between states and territories to streamline RFIs for applications that involve state and territory-based institutions.

To determine the correct institution to issue an RFI, Service Delivery must refer to the Scheme's Institutions CRM database (CRM) in the first instance. This includes any information contained under the 'Notes' tab for a listed entity. See the Institutions CRM - User Guide.

Operational Policy Overview

Under section 25(1) of the Act, the Scheme **must** request information from a participating or partly-participating institution if an application for redress either:

- identifies a particular institution as being involved in the abuse of a person; or
- there are reasonable grounds to believe that a participating institution may be responsible for the abuse of a person;

Under section 25(2) of the Act, the Scheme **may** also request information from a participating or partly-participating institution if there are reasonable grounds to believe it has information that may be relevant to determining the application.

Note: Section 25(1) of the Act prescribes that an RFI must be issued for **any abuse** identified in the application, noting that abuse encompasses both **sexual** and **non-sexual** acts under section 6.

- *This means an RFI **must** be issued for **all types of abuse** related to an application and subsequent RFI responses, provided that the Scheme has not facilitated an applicant's request for a particular instance of abuse to be withdrawn from their application under section 22 of the Act.*

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Creating single packages for State and Territory governments

The Scheme has reached an agreement with the jurisdictions to streamline the process for how they receive information that relates to multiple institutions from the same group. This process **must be followed** when sending RFIs to multiple state and territory government institutions.

Please also refer to Policy Advice 26 of 2019 (found in the Policy Advice Library or in CRM under 'Literature').

- For RFIs that relate to multiple state-based institutions, the application information will be collated into **one package**.
- The same **one package** will be issued through the Institutional Portal to each participating institution that the application identifies from the same jurisdictional group.
- Each participating institution will still require a separate RFI package through Case Manager. These packages will have the same information and will not require institution-specific markings/highlights or redaction.
- A section 25 notice for each participating institution must also accompany the package.
- This process must be followed for **all** state and territory jurisdictions.

The package should include all information that is relevant to the jurisdiction.

Examples: Sending RFIs to multiple state/territory institutions
An applicant lists abuse at four different institutions that all belong to the NSW Participating Group (a school, hospital, orphanage and detention facility). ➢ One email will be issued to the group representative listing the four institutions that have been issued RFIs with section 25 notices. ➢ The application information will be collated into one package containing information about all four institutions. ➢ This same package will be provided individually to each associated institution through the Institutional Portal.
An applicant identifies as a state ward. They list abuse at a non-government orphanage, two state-based homes and a school. ➢ The application information will be collated into one package and issued to each state-based institution though the Institutional Portal. ➢ A separate package containing information ***about the non-government institution only*** will be issued through the Portal, and a separate notice and email issued to the NGI's representative.

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Identifying the relevant department to issue a Request for Information

Context: In the application form, the Scheme asks applicants for information about where they were abused. However, the applicant may not know the name of the contemporary government department or NGI that is responsible for the abuse they experienced in an institution as a child.

Therefore, there are certain circumstances where an RFI will need to be issued to a state or territory department, as well as the institutions listed in the application, in order to gather all the necessary information about the application. Part 2 of the application form (questions 36 and 37) lists certain circumstances where an additional RFI is required.

These include:

- Where the applicant identifies as a **state ward**
- *Where a government department was involved* in the applicant's removal and/or placement in **out-of-home care** services, including the following:
  - Foster care
  - Kinship or relative care
  - Permanent care
  - Residential care (e.g. hostels or group homes).
- Where the applicant was detained in a **youth justice/juvenile detention** centre
- Where the applicant identifies as an **unaccompanied child migrant**
- **Indigenous** applicants under "protectionist legislation" (e.g. segregation on reserves and missions, as well as forcible removal and placement in mainstream institutions).

Pre self-government

You **must** pay attention to the year the abuse occurred for applications that involve the ACT and NT. This is because the territories only commenced self-governing on 1 June 1989 (ACT) and 1 July 1978 (NT). See Reference Table 1.

If the abuse occurred in the pre self-government era, the Department of Infrastructure, Transport, Cities and Regional Development (Cth) will be responsible, not any ACT or NT department.

This applies to all territory-based institutions for the relevant periods, regardless of whether there is an entry for that institution in CRM or not. For applications that involve abuse in a pre-self-government era, you **must check** which group the institution belongs to in CRM. You can check this by clicking 'Parent ID'.

The Commonwealth must be issued an RFI first. Once their response is received, this is to be provided to the relevant territory with the related application. To avoid duplicate record searches, the Commonwealth and territories have reached an agreement whereby a copy of the Commonwealth response will be provided in full to the territories to enable the provision of any additional information. In order for the territories to conduct searches, a copy of the information that was provided to the Commonwealth will accompany the Commonwealth's response.

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For all applications where the abuse is reported to have occurred in a pre self-government era, the ACT and NT have requested they receive an RFI to notify them of the application **prior to receiving the RFI with the Commonwealth's response**. This will be issued as a Case File Note under section 25(2) stating an RFI response is being sought from DITRDCA. This will enable them to commence relevant searches prior to receiving the RFI with the Commonwealth's response.

The Commonwealth and territory departments hold records that extend beyond the timeframes listed below. Please follow Reference Tables 1 and 2 when processing applications that involve the ACT and NT.

Reference Table 1: Institutional responsibility and pre-self-government

Territory	Period	RFI
Australian Capital Territory	Before 1 June 1989	The Commonwealth
	After 1 June 1989	The Australian Capital Territory
Northern Territory	Before 1 July 1978	The Commonwealth
	After 1 July 1978	The Northern Territory
Department of Education NT (any state-based school)	Before 1 July 1979	The Commonwealth
	After 1 July 1979	The Northern Territory

RFI guide to contemporary departments

The Scheme has reached an agreement with the states and territories to issue an RFI to the contemporary iteration of government departments.

In some instances, these departments are just the record holders (i.e. applications involving abuse in the pre-self-government era). In general, the Independent Decision Maker (IDM) will also find the contemporary department responsible.

Using CRM, you can identify the contemporary iteration of a department by checking whether the department is classified as a **participating institution**. If the department is classified as **defunct**, it is not the contemporary department and an RFI should not be issued there. ***Note:*** *this applies to government departments only.*

Where the application requires an RFI to a government department, the Scheme will issue the RFI to the contemporary iteration of the department, even when an application identifies a historic department as being involved in the abuse. This assists the institution in providing a timely response.

Reference Table 2 below outlines, the government department that must receive an RFI if an applicant identifies they were:

- a **state ward**
- placed in statutory **out-of-home care** or
- placed in a **youth justice/juvenile detention** centre.

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Where an applicant advises they are **Indigenous** or arrived in Australia as an **unaccompanied child migrant**, an additional RFI may be required, as detailed in the table below.

For abuse involving government institutions in circumstances other than those set out in Table 2, the relevant institutions will need to receive an RFI but it is generally not necessary to send a separate RFI to the parent department **if the only connection** to the parent department is that they operated an institution involved in the abuse.

For example, it is not required to send an RFI to the contemporary education department for abuse that occurred within a school/educational facility **if the school/educational facility is identified.** The RFI is only required to the school or educational facility.

Indigenous applicants

Applications from Indigenous applicants subject to "protectionist legislation" require an RFI to be sent to the relevant state government under either section 25(1) or section 25(2) of the Act.

Section 25(1)	For cases where the applicant either references or there is otherwise evidence of state involvement.
Section 25(2)	No reference to state involvement BUT the applicant clearly identifies as Indigenous, and the abuse took place within the timeframes specified for that state or territory in Table 2

Reference Table 2: RFI guide to state/territory departments provides the dates when protectionist legislation was in force for Western Australia, South Australia and Queensland. New South Wales and Victoria have differing requirements as outlined in the table. Protectionist legislation has not been in force in Tasmania or the Australian Capital Territory within timeframes relevant to the Scheme.

Reference Table 2: RFI guide to state/territory departments

Please note this table is a quick reference only. It covers specific circumstances and isn't a comprehensive guide to all situations where government institutions may be involved in abuse.

Please use in conjunction with the other guidance in this task card, the Institutions Declaration, relevant RFI task cards and CRM 'Notes' tab.

Australian Capital Territory			
Circumstance	**Relevant dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care • Youth justice / juvenile detention • Indigenous	Abuse before and including 31 May 1989	**Initial RFIs** Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) and Community Service Directorate ACT under s25(2) with a Case File Note stating: • that an RFI has also been sent to DITRDCSA; and	0001212 . 0008100

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		• all foster parents named in the application/supporting documents. **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will generally be required to the **Community Service Directorate ACT**. If so, it should include both the information sent to DITRDCSA and the RFI response they provided.	
• State ward • Out-of-home care • Youth justice / juvenile detention	Abuse after and including 1 June 1989	Community Service Directorate ACT	0008100
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		**Initial RFIs** Department of Home Affairs (Cth) & Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) & Community Service Directorate ACT under s25(2) with a Case File Note stating: • that an RFI has also been sent to DITRDCSA and DHA; and • all foster parents named in the application/supporting documents. **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will generally be required to the **Community Service Directorate ACT**. If so, it should include both the information sent to DITRDCSA and the RFI response they provide.	0000567 0001212 0008100

New South Wales			
Circumstance	**Relevant Dates**	**Send the RFI to:**	**CRM ID**
• State ward • Out-of-home care • Youth justice / juvenile detention		Department of Communities and Justice	0041757
• Indigenous	Where an application references any of the following: • Placement in care up to and including 2 June 1969.	*Aborigines Welfare Board (AWB)* NSW & Department of Communities and Justice ***Note:*** *Aboriginal Affairs NSW (UID 0011248) hold records on behalf of the defunct*	0030705 0041757

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	• Aborigines Welfare Board (AWB) and/or: - Cootamundra Aboriginal Girls' Training Home; - Kinchela Aboriginal Boys' Training Home. - Non-government institutions oversighted by the AWB (e.g. Bomaderry Aboriginal Children's home and Marella Mission Farm). • Stolen Generations member. • A prior payment in relation to the Stolen Generations. • Living on an AWB station or reserve (commonly called a mission) up to and including 2 June 1969.	*Aborigines Welfare Board (AWB) – UID 0030705 and will respond to RFIs related to that institution. However Aboriginal Affairs NSW is not a direct legacy agency of the AWB and therefore* ***is unlikely to be found responsible for abuse.***	
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Home Affairs & Department of Communities and Justice	0000567 0041757

Northern Territory			
Circumstance	**Relevant dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care • Indigenous	Abuse before and including 30 June 1978 ***Note:*** *Protectionist legislation for* ***Indigenous persons*** *in the Northern Territory was in force until 15 September 1964.*	**Initial RFIs** Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) & Territory Families **under s25(2) with a Case File Note** stating an RFI response is being sought from DITRDCSA. **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will generally be required to **Territory Families**. *If state ward send to* Territory Families If so, it should include both the information sent to DITRDCSA and the RFI response they provided.	0001212 0012722 0012722

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• Youth justice/ and juvenile detention	Abuse before and including 30 June 1978 ***Note:*** *Protectionist legislation for* ***Indigenous persons*** *in the Northern Territory was in force until 15 September 1964.*	**Initial RFIs** Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) & Territory Families under s25(2) with a Case File Note stating an RFI response is being sought from DITRDCSA. & NT Department of Corrections under s25(2) with a Case File Note stating an RFI response is being sought from DITRDCSA. **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will be required to **Territory Families** and **Department of Corrections**. *If state ward send to* Territory Families If so, it should include both the information sent to DITRDCSA and the RFI response they provided.	0001212 0012722 0104385 0012722
• State ward • Out-of-home care	Abuse after and including 1 July 1978	Territory Families	0012722
• Youth justice and juvenile detention	Abuse after and including 1 July 1978	Territory Families & NT Department of Corrections	0012722 0104385
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*	Abuse before 1 July 1978	**Initial RFIs** Department of Home Affairs (Cth) (DHA) & Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) & Territory Families under **s25(2) with a Case File Note** stating an RFI response is being sought from DITRDCSA and DHA **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will generally be required to **Territory Families**. If so, it should include both the information sent to DITRDCSA and the RFI response they provided.	0000567 0001212 0012722
	Abuse after and including 1 July 1978	Department of Home Affairs (Cth) (DHA) & Territory Families.	0000567 0012722

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• Government educational facilities, pre-self-government	Abuse before 1 July 1979	**Initial RFIs** Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (Cth) (DITRDCSA) & The listing for the relevant educational facility (or to Department of Education (NT), if there is no specific listing for the facility) under s25(2) with a Case File Note stating that an RFI response is being sought from DITRDCSA. **Subsequent RFFI** Once a response has been received from DITRDCSA, an RFFI will generally be required to the educational facility or **Department of Education**. If so, it should include both the information sent to DITRDCSA and the RFI response they provided.	0001212 0012697
Please also note that Territory Families (unique ID 0012722) is also known as the Department of Children and Families.			

Queensland			
Circumstance	**Relevant Dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care		Department of Families, Seniors, Disability Services and Child Safety	0103465
• Youth justice / juvenile detention		Department of Youth Justice and Victim Support	0103467
• Indigenous	Abuse occurred before and including 27 April 1966. ***Note:*** *all Aboriginal and/or Torres Strait Islander people in Queensland were considered to have been under the care of the government prior to this date.*	Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturism & Department of Families, Seniors, Disability Services and Child Safety	0103466 0103465
•			
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Home Affairs & Department of Families, Seniors, Disability Services and Child Safety	0000567 0103465

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South Australia			
Circumstance	**Relevant Dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care		Department for Child Protection	0028571
• Youth justice / juvenile detention	Abuse before and including 31 December 2011	Department for Child Protection	0028571
	Abuse after and including 1 January 2012	Department of Human Services	0028575
• Indigenous ***Note:*** *this applies to applicants subject to protectionist legislation alone.*	Born between 1 January 1940 and 31 December 1963 inclusive. ***Note:*** *the abuse must also have occurred within these dates.*	Attorney-General's Department & Department for Child Protection & Aborigines Protection Board	0028219 0028571 0030017
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Home Affairs & Department for Child Protection	0000567 0028571

Tasmania			
Circumstance	**Relevant Dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care • Youth justice / juvenile detention		Department for Education, Children and Young People	0011828
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Home Affairs & Department for Education, Children and Young People	0000567 0011828

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Victoria			
Circumstance	**Relevant dates**	**Send the RFI to:**	**CRM ID**
• State ward • Out-of-home care • Foster care		Department of Families, Fairness and Housing	0102005
• Youth justice / juvenile detention ***Note:*** *Juvenile justice placements included. These refer to the placement of a child in a correctional facility.*	Abuse before and including 31 December 1988	Department of Families, Fairness and Housing	0102005
	Abuse after and including 1 January 1989 ***and*** a "court ordered" placement	Department of Justice and Community Safety & Department of Families, Fairness and Housing	0002129 0102005
	Abuse after and including 1 January 1989	Department of Justice and Community Safety	0002129
• Indigenous	Abuse occurred between 1 January 1957 to 31 December 1968 (the operative dates of the Victorian Aborigines Welfare Board)	Department of Families, Fairness and Housing	0102005
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Families, Fairness and Housing & Department of Home Affairs	0102005 0000567

Western Australia			
Circumstance	**Relevant Dates**	**Send an RFI to:**	**CRM ID**
• State ward • Out-of-home care		Department of Communities	0023472
• Youth justice / juvenile detention - additional RFIs apply (see below) ***Note:*** *A separate RFI to the Department of Communities is not required unless a specific reference is made to being a state ward*		Department of Justice ***and*** the relevant Youth Detention Centre as per below	0022609

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• Riverbank, Longmore, Rangeview & Banksia Hill youth justice / juvenile detention centres	Riverbank	Riverbank	0027003
	Longmore	Longmore Remand and Assessment Centre	0026977
	Rangeview	Rangeview Remand Centre	0027093
	Banksia Hill	Banksia Hill Detention Centre	0023691
• Unaccompanied child migrant ***Note:*** *an applicant is an unaccompanied child migrant only if they meet the criteria under s10 of the NRS Rules 2018.*		Department of Home Affairs & Department of Communities	0000567 0023472
• Indigenous	Born up to and including 31 December 1972	Department of Creative Industries, Tourism and Sport & Department of Communities	0023692 0023472

Applications that involve abuse in a South Australian state-run school

In South Australia, state school or public school records travel with students from school-to-school and are not kept in a central location. To effectively search for records, the South Australian Government has requested the name of the last state-run educational facility the applicant attended. ***Note:*** *this only applies to state-run schools, not to non-government schools (e.g. independent or private schools).*

If the applicant describes abuse in any state-run school (including but not limited to pre-school, primary school, high school), the Outbound Acknowledgement Call (OAC) will determine whether the applicant attended a subsequent public school. **This information must be included in a Case File Note accompanying the RFI to the relevant school.**

Sending a Request for Information to the police

Under section 25(1) of the Act, the police must be sent an RFI if the application identifies the institution as being involved in the abuse of the applicant (e.g. abuse perpetrated by police personnel).

The only other circumstances in which the police should be issued an RFI (section 25(2) of the Act) for obtaining a police report and statement is if the applicant requests it, or the IDM requests it.

It is not necessary to include the whole application in an RFI to the police where the purpose of the RFI is to obtain the statement only. In order to obtain a police report, a Case File Note that includes the following information must accompany the RFI:

- Name of the applicant
- Name of the abuser (if known)
- Date (or approximate date range) on which the abuse was reported to police OR when the victim interacted with police in some relevant way
- Date (or approximate date range) when the abuse took place

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- Police Station where the abuse was reported to police OR suburb where the victim interacted with police in some relevant way (police station name if possible, but suburb may be sufficient) and
- Location where the abuse took place.

Note: For NSW Police Force (UID: 0011245) RFIs relating to abuse prior to 1994 please refer to CRM notes.

Question: Has the application identified the police as being involved in the abuse of the person?

Yes – Issue RFI as per section 25(1) to Police

No – Only issue at the request of an applicant or IDM

FOLR – EFOLR

For FOLR – EFOLR RFIs please refer to Institution Content Types Expanded FOLR task card.

Links

- Request info from institution - Step 1 - Draft RFI - Task Card
- Request info from institution - Step 1 - Draft RFFI - Task Card
- Request info from institution - Step 2 - Validate RFI - Task Card
- Request info from institution - Step 3 - Issue RFI - Task Card
- Information Sharing Framework
- Institutions CRM - User Guide
- Policy Advice 26 of 2019: RFIs and Machinery of Government changes.PDF

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Issuing a Request for Further Information (RFFI)

Document Details	
Content Owner	Director Service and Systems Design
Created by	s 47F
Date Created	25/05/2021
Version	V1
Approved by	Director Policy Strategy and Design
Date Approved	30 June 2021

Version History			
Version	Date	Created by	Amendment Description
V1	30/06/2021	s 47F	This task card replaces Issuing a Request for Further Information V1.3.

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Purpose

This document outlines the process for

- drafting a Request for Further Information (RFFI)
- issuing a RFFI through case manager
- issuing the section 25 Alert email for RFFIs.

Operational Policy Overview

A RFFI can be issued when a participating institution has responded to a Request for Information (RFI) through case manager and the Scheme requires additional information or clarification. A RFFI can only be issued to an institution in response to a previous RFI.

Under the legislation, a RFFI and RFI are the same thing. Operationally, a RFFI is used in case manager as a way of communicating with the institution about a particular response to a RFI. A RFFI will use the same request package as the original RFI to which it relates.

A RFFI is essentially the Scheme's way of responding to the RFI from an institution.

Every RFFI is also issued under section 25 and must also be accompanied by a section 25 notice.

Section 25 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) requires the Scheme to request information from a participating institution in relation to an application.

Under section 25(1) of the Act, if an application for redress either:

- Identifies a particular institution as being involved in the abuse of a person; or
- There are reasonable grounds to believe that a participating institution may be responsible for the abuse of a person;

Then the delegate of the Operator <u>must</u> issue a request for information to this participating institution.

Section 25(2) of the Act prescribes that the delegate of the Operator <u>may</u> also request information from an institution if there are reasonable grounds to believe that the institution may have information that may be relevant to determining the application.

Note: Section 25 of the Act refers to abuse; this includes sexual and non-sexual abuse. Therefore, section 25 must also be adhered to for institutions where the applicant has mentioned non-sexual abuse only.

Institutions will have either 4 or 8 weeks to respond to a RFFI (the **production period**). This will depend upon the priority status of the application, just like RFIs. Scheme officers should check the priority level of the application prior to issuing a RFI or RFFI.

Examples of when to issue a RFFI

- The Scheme received additional information from the applicant about their abuse experience that will assist an institution providing a response, or would have changed their original response significantly.

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- The institution has stated they can provide more information if required in their RFI response, the Scheme can issue a RFFI requesting the institution provide this additional information.
- An Independent Decision Maker (IDM) has requested additional information from an institution to assist in determining a Redress application.

Task description

Before initiating the **Manage Institution Further information** task, the RFFI must be drafted and sent to QA for clearance.

Creating a Request for further information (RFFI)

Step one – create RFFI QA folder in case manager

- Create **RFFI QA** folder in case manager
- To create a new folder select **add** > **add folder** on the right hand side of case manager for the relevant application.

Step two – Draft RFFI

- Identify the information that will be sent with the RFFI, this may include:
  - Case file note
  - Additional application information
  - Supporting documents from another RFI response
- Redact documents in line with *Information Sharing Framework.*
  - Note: do not apply redaction until after QA has approved the package.
- Save a copy of the file in PDF format onto your desktop in line with RFI naming conventions
  - <RAnumber>application <institution>

Step three – RFFI free text

- The **Manage institution further information** task has a free-text section. This section may be used to ask a specific question of the institution in response to their RFI or outline the nature of information included in the RFFI.
- Please use *RFFI free text QA* document to draft the free text you intend to include with the RFFI.
- Save a copy of this document to your desktop RAnumber free text QA.

Step four – draft section 25 notice and alert email

- Open section 25 notice locked template from Sharepoint
- Create section 25 notice in line with *Drafting the Section 25 notice Task Card.*
  - Note: you are required to use the same section 25 notice for RFI and RFFIs.
- Save the document as Word file on to your document as RA_institution_section25
  - Note: this document will not be converted into a PDF until after QA has approved the notice.
- Download RFFI alert email from Sharepoint

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- Fill in name of recipient, RA number and your name, as the delegate of the Scheme Operator.
  - Leave the due date blank for now, this will depend on when the RFFI is sent.
- Download draft email to your desktop.

Step five – Quality Assurance

- Upload the RFFI package to case manager in the RFFI QA folder
  - Add > Add document from local system > select document from desktop.
    - Class document as **Redacted Document.**
- Upload Section 25 notice to RFFI QA folder
  - Add > Add document from local system > select document from desktop.
    - Class document as **Institutional Notice.**
- Upload RFFI alert email to RFFI QA folder
  - Add > Add document from local system > select document from desktop.
    - Class email as **Additional Case Information.**
- Upload the RFFI free text QA to the RFFI QA folder
  - Add > Add document from local system > select document from desktop.
    - Class email as **Additional Case Information.**

Step six: update keywords

- Add task > **Manage or link keywords** > Add keyword **RFI/RFFI QA READY**

Once the RFFI has passed QA, the QA team will **update the Keyword** to **RFI/RFFI QA CMPL.**

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Issuing a Request for further Information (RFFI) through case manager

Step One – initiate Manage institution further information task in case manager

A RFFI can be triggered in two ways, either in the **Validate Institution response** task, or, by initiating **Manage institution further information task**.

a. Initiating RFFI from Validate institution response task

- The RFFI will automatically link to the package and institution to which it relates.
  - Note: this option is only available for responses received prior to 25 July 2020.
- Open **Validate institution response** task, if the response status is responded, underneath Manage institution further information, select **Yes** in response to Do you want to issue new RFFI(s)?
  - This will populate the Manage institution further information task

OR

b. Initiating RFFI from Manage institution further information task

- in case view, select Add Task > **Manage institution further information**
- select **institution request package** and select the relevant request package.
  - Select **issue new RFFIs**.

Step two – Update free text question and due date

- Select **due date**. The due date for the RFFI will depend upon the priority status of the application. Please refer to *Prioritisation Policy* to understand the priority status of an application.
- If the application is a priority, the RFFI will have a production period of **4 weeks**. If the application is of normal priority, the production period is **8 weeks**.
  - Note: this is calculated from the date of notice, including that day.
- Complete **new questions table**. This section is for the question in the RFFI free text QA document.
  - Select plus button to add a new question.
  - Open the RFFI free text QA document from the RFFI QA folder and copy/paste the relevant statement into the free text box.
  - A question can be added between existing questions/requests by selecting a question, and clicking insert.

Step three – place RFFI PDF and Section 25 notice into request package

- Not all RFFIs will be accompanied by additional application information in the Request Package. If the RFFI is accompanied by a RFFI package PDF, copy/paste the PDF from the RFFI QA folder.
  - Refresh the folder to ensure the document has been included in the relevant request package. Actions > refresh.
- Download section 25 notice from RFFI QA folder, update the date on the notice to reflect **today's date** and save word document as PDF onto your desktop.
- Upload Section 25 notice into the request package.

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Step four – Send RFFI

- **Complete the relevant task to send the RFFI to the institution.**
- To complete the task from the **Validate institution response task**, click **the Wait for other responses** button.
- To complete the **Manage institution further information** discretionary task, click the **Update** button.

Step five – send RFFI alert email

- Download RFFI alert email from RFFI QA folder.
- Update due date to reflect **today's date**.
- Send RFFI alert email from RFI notice inbox.

Step five – document RFFI on case manager

- Copy/past RFFI alert email contents into case manager as a comment.
- Update Keyword to **RFI SENT**.

Invalidating a RFFI

A RFFI may be invalidated where it was issued in error or where the request is no longer required.

If you believe a RFFI needs to be invalidated, please contact the RFI Support Team for further guidance.

Links

- Expanded FOLR Task Card
- Request Information From Institution QRG
- Drafting the Section 25 notice - Task Card
- RFIs for State and Territory Departments
- Protected Information Guideline for Engaging with Institutions and Applicants
- Institution Conflict of Interest
- Issuing a manual Request for Information (RFI) - Task Card

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Request for Further Information (RFFI) from Institution
Step 1: Draft RFFI

Document Details	
Content Owner	Director ROS RFI and Operational Support
Created by	s 47F
Date Created	04/06/2025
Version	1.0
Approved by	Director Policy Strategy and Design
Date Approved	04/06/2025

Version History			
Version	Date	Created by	Amendment Description
V1.0	04/06/2025	s 47F	Draft finalised.

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Purpose

This document operationalises Step 2 of the enhanced 'Request information from institution' task in Case Manager which has been implemented to ensure a Request for Further Information (RFFI) is consistent with the on-system RFI process.

The 'Request Information from institution' task was created to limit the number of manual off-system tasks and reduce the risk of data privacy breaches.

- An enhanced 'Request information from institution' task has been added to the discretionary task list and the existing 'Request information from institution' task has been renamed to '[Superseded] Request information from institution'.

N.B: For further details on how to draft requests for information (RFIs) please refer to a separate Request info from institution - Step 1 - Draft RFI - Task Card.

Operational Policy Overview

A RFFI can be issued when a participating institution has responded to a Request for Information (RFI) through Case Manager and the Scheme requires additional information or clarification. A RFFI can only be issued to an institution in response to a previous RFI.

Section 25 of the Act requires the Scheme to issue a request for information (RFI) to a participating or partly-participating institution if an application identifies a particular institution as being involved in the abuse of a person, or there are reasonable grounds to believe that an institution may be responsible for the abuse of a person.

Under section 25 of the Act, a RFI must be issued for **any abuse**, whether it be sexual or non-sexual abuse. This means that a RFI **must** be issued for all **instances** of abuse related to the application and subsequent RFI responses.

The 'Request information from institution' task is a discretionary task that is launched by the RFI Support Officer for the purposes of drafting, quality checking and issuing requests for information (RFIs) or requests for further information (RFFIs).

The 'Request information from institution' task is comprised of three steps, as follows:

1. ***Draft request for information*** – accessible within the Case Coordinator role
   - The content of the RFI or RFFI is prepared and uploaded to the task by a RFI Support Officer in the RFI and Operational Support team.

2. ***Validate request for information*** – accessible within the Quality Assurer role
   - The content prepared by the RFI Officer is checked and verified by a Quality Lead in the Quality Assurance team.

   ***Note**: In Step 2 the Quality Lead will be able to send the task back to Step 1 if issues are identified that require correction.*

3. ***Issue request for information*** – accessible within the Case Coordinator role
   - Final verification checks are performed and the RFI is sent to the institution portal by a RFI Support Officer in the RFI and Operational Support team.

   ***Note**: In Step 3 the RFI Support Officer will be able to send the task back to Step 2 if issues are identified that require correction.*

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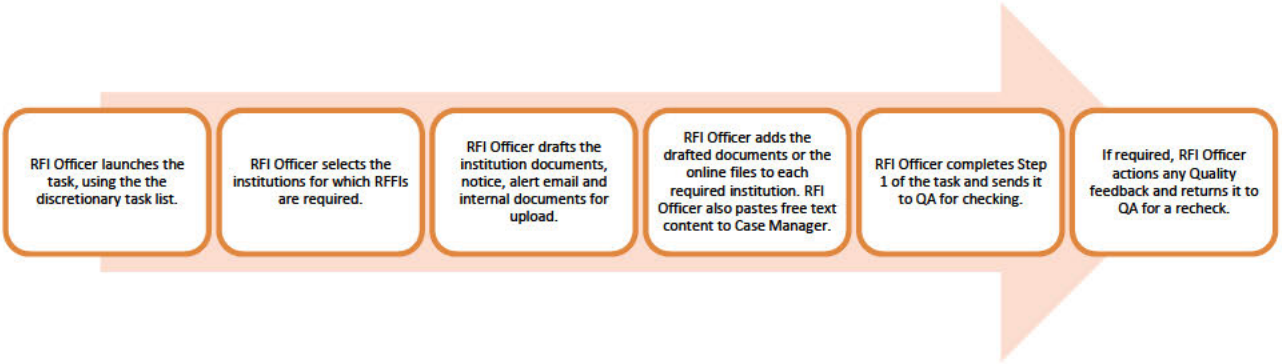
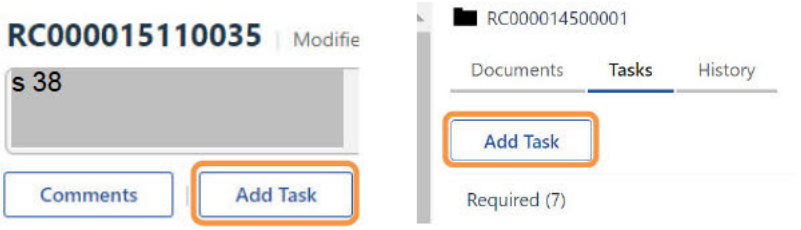
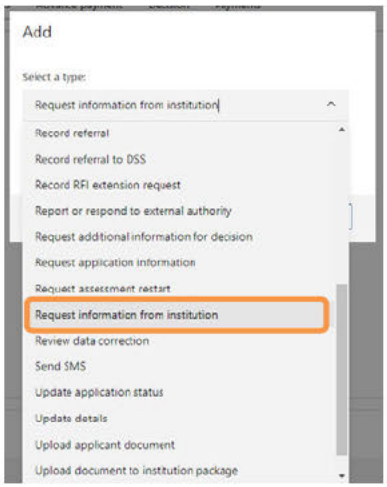
Process overview



Task description

Task 1: Launch the 'Request information from institution' task

Step	Action
1	To launch the task: ➢ Click the **Add Task** button, either in the top left next to the **Comments** button or from the 'Tasks' tab in the folder screen.  ➢ Select **Request information from institution** from the dropdown menu and click the **OK** button.  ***Note**: The 'Manage institution further information' task has been superseded by the Request information from institution task and now appears in the dropdown menu as '[Superseded] Manage institution further information'.*

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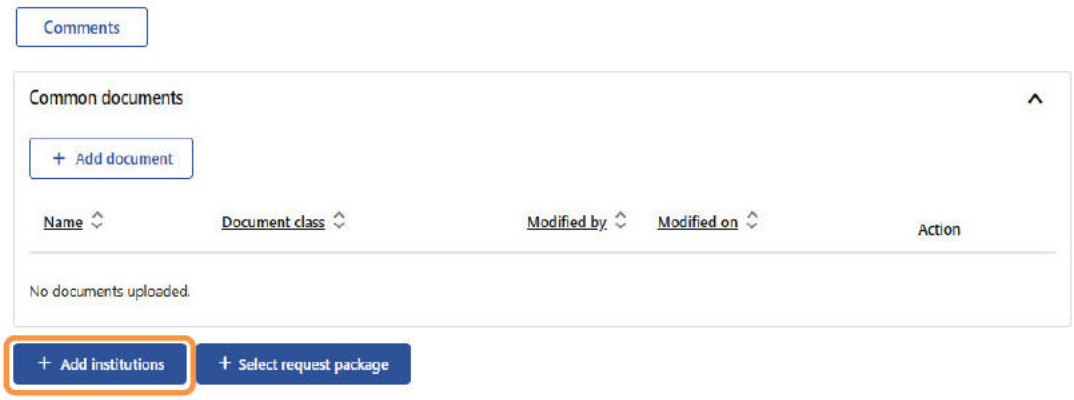
Step	Action
2	After selecting the **Request information from institution** task, an information alert will display. This is to highlight if previous RFIs have been issued for the application or not. ➢ Click the **Continue** button to proceed to the next stage of the task. ***Note:*** • *Only one **Request information from institution** task can be launched at a time. If there is already a **Request information from institution** task in progress an error message will appear notifying the user. The existing task must be completed or cancelled before a new task can be launched.* • *If the task does not automatically open, navigate to the Work tab to find the task in the in-basket.*

Task 2: Add RFI and/or RFFI packages

Step	Action
1	The enhanced feature allows you to add RFI and RFFI documents in the same task. If you need to create: • RFI and RFFI packages proceed to step 2 in this table. • RFFI packages only, go to step 6 in this table.
2	To create RFI package/s: ➢ Click the **Add institutions** button. 
3	A pop-up screen will display a list of institutions that have been associated in Case Manager. ➢ Select the relevant request package/s that require an RFI to be issued by clicking the checkboxes, then clicking the **Select** button.

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Step	Action
	Add institutions *Available institutions s 38 Cancel Select
4	The institution/s selected will display with the **Request type** category of RFI. Common documents + Add document Name Document class Modified by Modified on Action No documents uploaded. + Add institutions + Select request package s 38 Institution name Institution unique ID Content type Request type Action s 38 s 38 Participating institution RFI Remove Defer Manual RFI Institution class Participating institution Primary description Commonwealth Body Institution status Active + Add document Paste reference Name Document class Modified by Modified on Action No documents uploaded.
5	When an institution has been added to the task, the **Manual RFI** button will display. This is a new feature which categorises an RFI as either manual or standard. Standard RFIs will issue automatically via the Portal when the 'Issue request for information' task is completed. Manual RFIs will be issued via ICOS.

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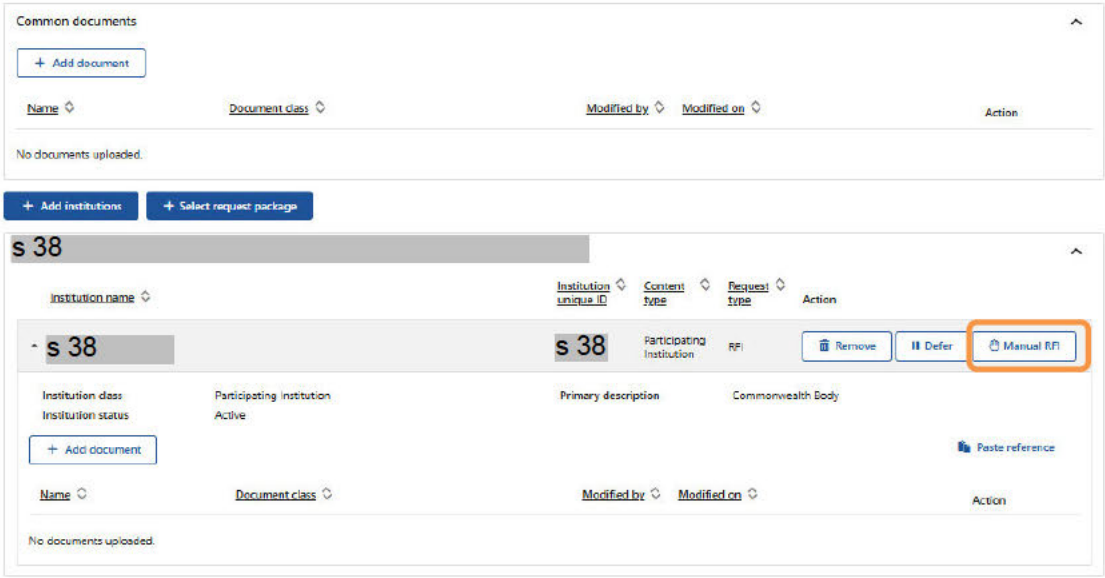
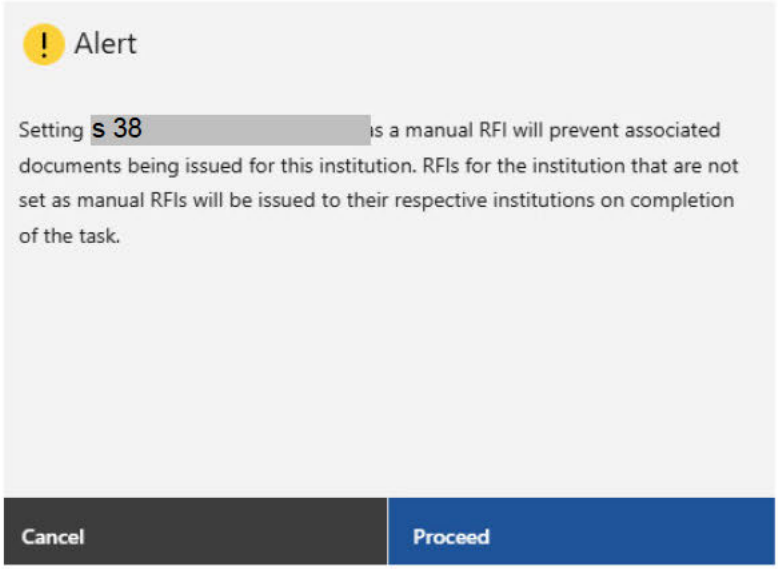
Step	Action
	 When you click the **Manual RFI** button, an 'Alert' message displays advising that any documents associated for the institution will not automatically issue via the Portal. If you click the **Proceed** button and categorise the RFI as 'Manual' you will need to liaise with ICOS to arrange the manual issue of the RFI.  ***Note:*** • *Once an RFI has been issued to an institution manually, any RFFIs for that institution will also need to be issued manually.* • *You can change the RFI back to 'Standard' if you accidentally select Manual (and the RFI hasn't been issued), or you receive advice from ICOS that the RFI can be issued via the Portal.*

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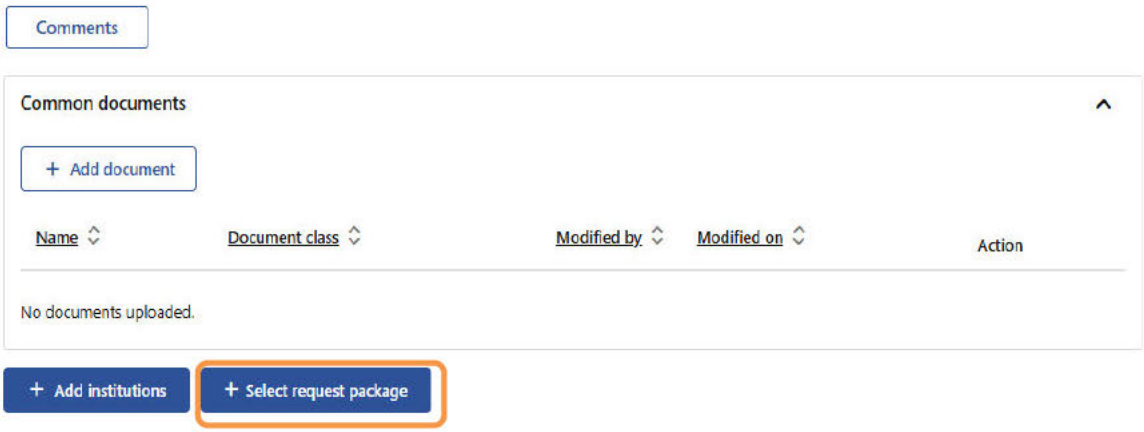
Step	Action
6	To create RFFI package/s: ➢ Click the **Select request package** button. 
6	A pop-up screen will display a list of institutions that have previously been issued an RFI. ***Note:*** • *This screen will only display institutions who have previously been issued and responded to an RFI or have had their RFI validated. Associated institutions who have not been issued an RFI will not display here.* • *Reassigned RFIs can be identified here. The **Original Institution name** column displays the institution the RFI was issued to. If the institution named in the **Institution name** column is different, the RFI was reassigned. RFFIs will need to be issued to the institution identified under the **Institution name** column.*

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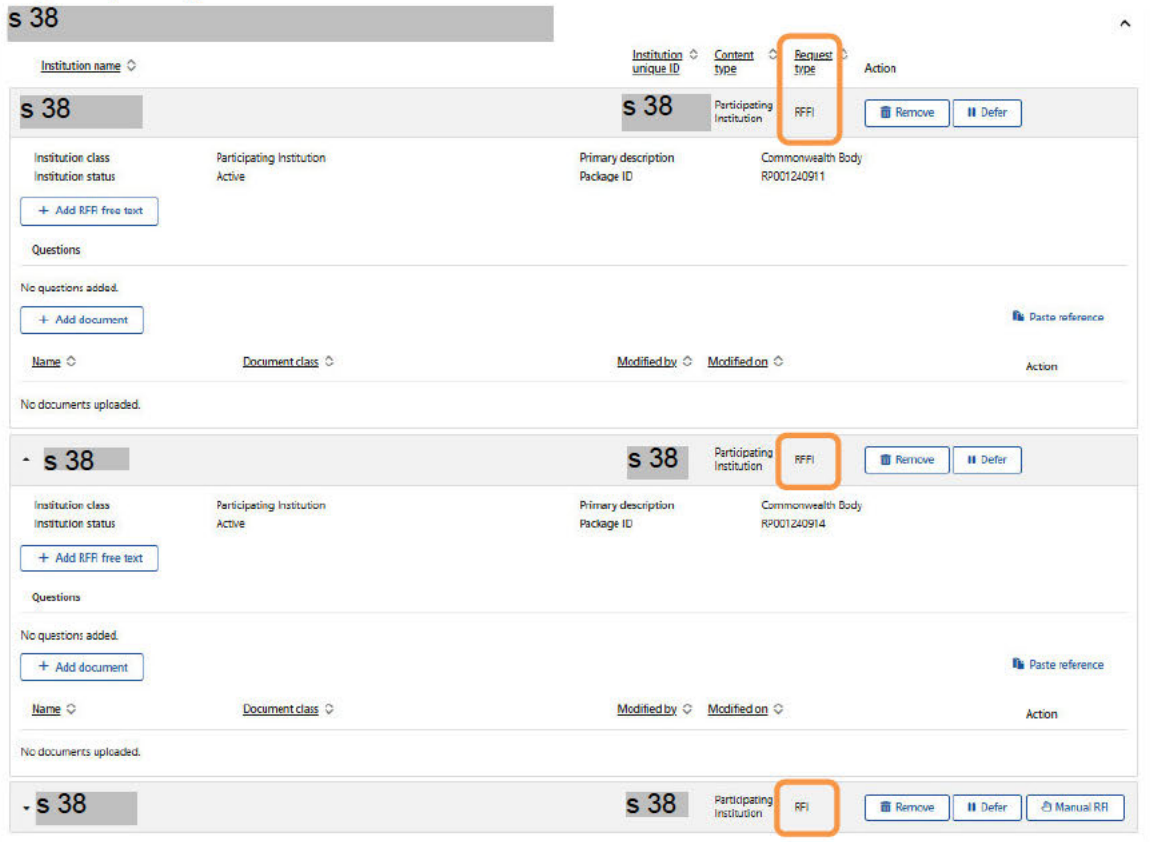
Step	Action
7	➢ Select the relevant request package/s that require an RFFI to be issued by clicking the checkboxes, then clicking the **Select** button.

Task 3: Add documents

Step	Action
1	Once all request packages have been added, the RFI and/or RFFI documents can now be uploaded. ***Note**: A new column displays called 'Request type'. This will indicate to the user if the request package relates to a RFI or a RFFI.* 

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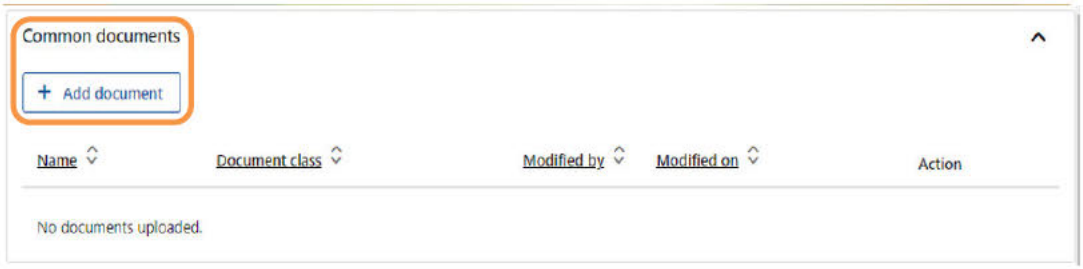
There are two areas available to upload documents – **Common documents** and **Institution documents.**

Common documents

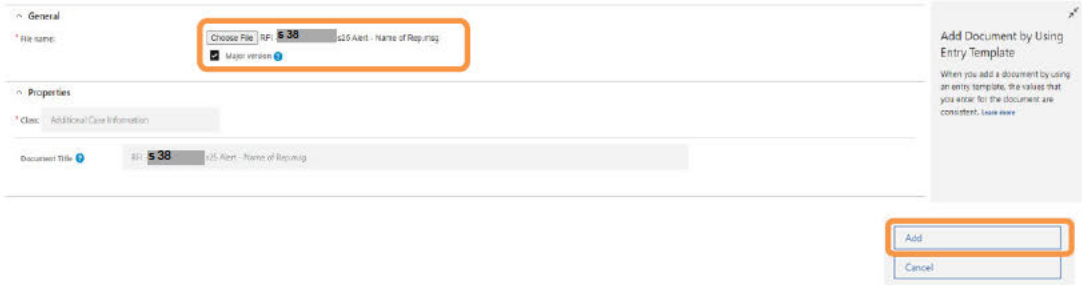
This section is to be used for the s25 alert email and the validation checklist. Documents uploaded via this option will **NOT** be issued to the institution via the online portal.

- Click the **Add document** button.



- Select the 'document type' from the prompt box and click the **Ok** button.

- Click the **Choose Files** button and select the document you wish to upload from your computer. Click the **Open** button, then click the **Add** button.



The documents you have uploaded will appear in the **Common documents** section. You can download, view properties or remove them using the menu options to the right of each document.

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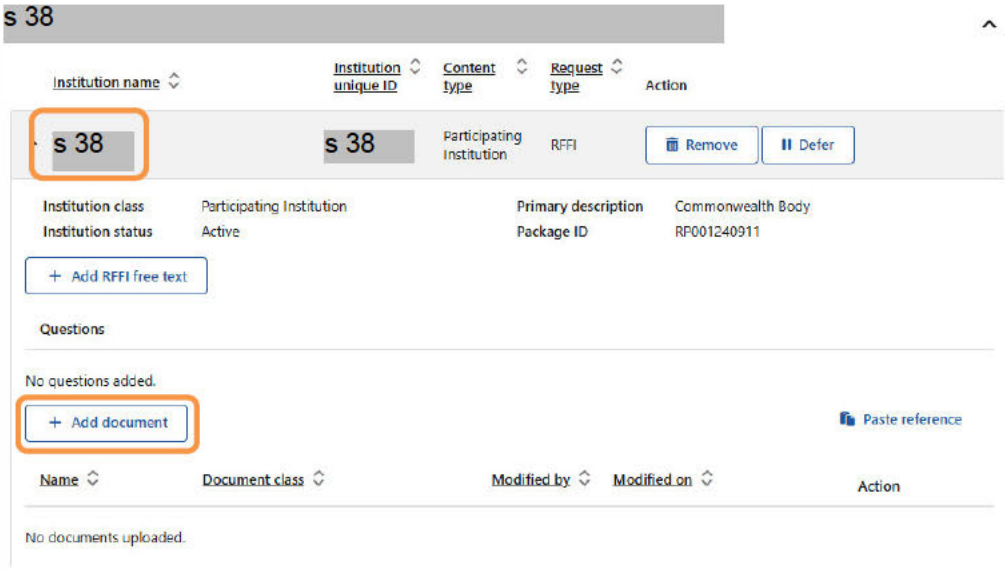
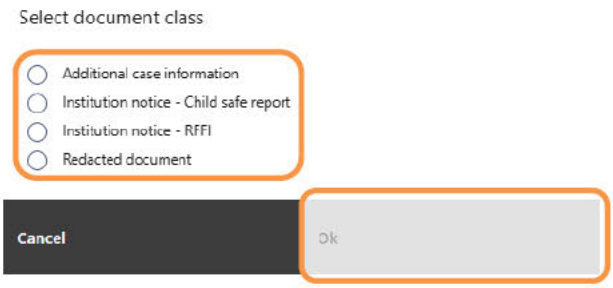
2 **Institution documents**

- Navigate to the institution for which the document applies and click the **Add document** button.



- Select the document class from the prompt box, then click the **Ok** button.

***Note**: There is a new document class for child safe reports. Child safe report summaries must be uploaded with the classification of 'Institution notice – Child safe report'.*



- Click the **Choose Files** button and select the document you wish to upload from your computer. Click the **Open** button, then click the **Add** button.

The documents you have uploaded will appear in the **Institution documents** section. You can download, view properties or remove them using the menu options to the right of each document.

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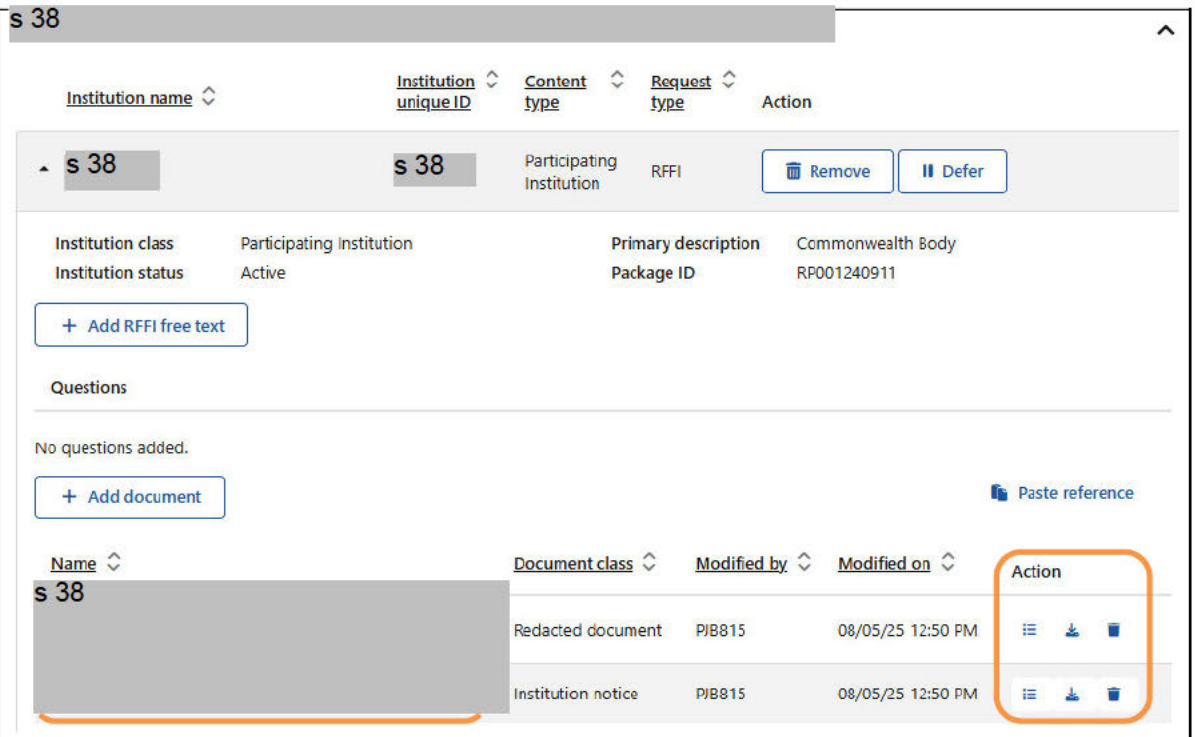
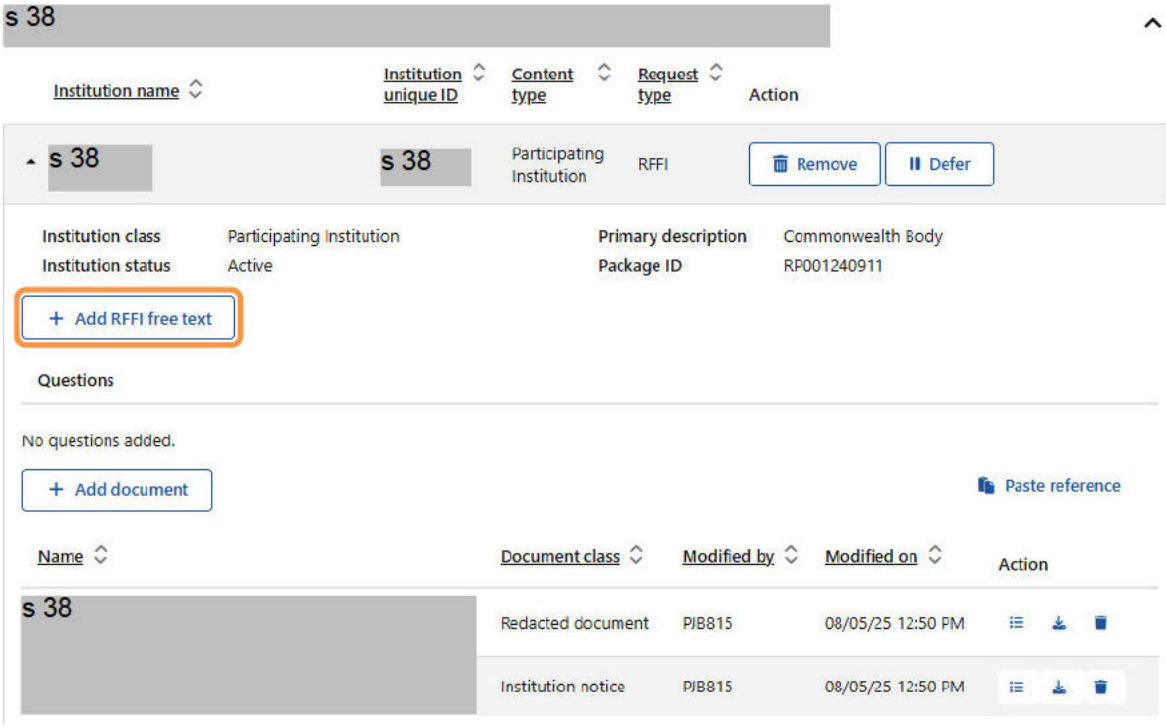


***Note**: All documents uploaded to the institutions within the task **will be issued** to the institutions via the online portal. Documents that should not be issued via the portal or internal documents must be uploaded within the **Common documents** section instead. Refer to Task 3 Step 1.*

3 **Adding RFFI free text**

Free text for RFFIs should still be drafted in a Microsoft Word document; however, this document **must not** be uploaded to Case Manager.

- Click the **Add RFFI free text** button.



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4

- Copy the text you have drafted from your Microsoft Word document and paste it into the **Question** box. Click the **Proceed** button.

Questions for institution: Aged Care

+ Add question

Index	* Question	Action
1.		Remove

Cancel | Proceed

***Note**: Do not click the 'Add question' button to add multiple questions. This creates multiple RM files that the institution will have to respond to. All text and questions must be copied into the first box only.*

If you need to edit your RFFI free text, click the **Add RFFI free text** button again and make your edits.

The RFFI free text will display along with the documents that have been uploaded for each institution.

s 38 | s 38 | Participating Institution | RFFI | Remove | Defer

Institution class	Participating Institution	Primary description	Commonwealth Body
Institution status	Active	Package ID	RP001240911

+ Add RFFI free text

Questions

Index	Question
1	The Scheme acknowledges your response to Request for Information (RFI) RP001240911 on 24 March 2025. Please note this is a Request for Further Information (RFFI). The applicant has provided additional information in regard to the content of their application. Please see the new information uploaded to the Portal entitled 'RFFI - s 38 - Additional Information - s 38 pdf' Please provide any additional information or supporting documentation you may have. If you have no further information to provide, the Scheme Operator would appreciate a response at the earliest available opportunity.

+ Add document | Paste reference

Name	Document class	Modified by	Modified on	Action
s 38	Redacted document	PJB815	08/05/25 12:50 PM	
	Institution notice	PJB815	08/05/25 12:50 PM	

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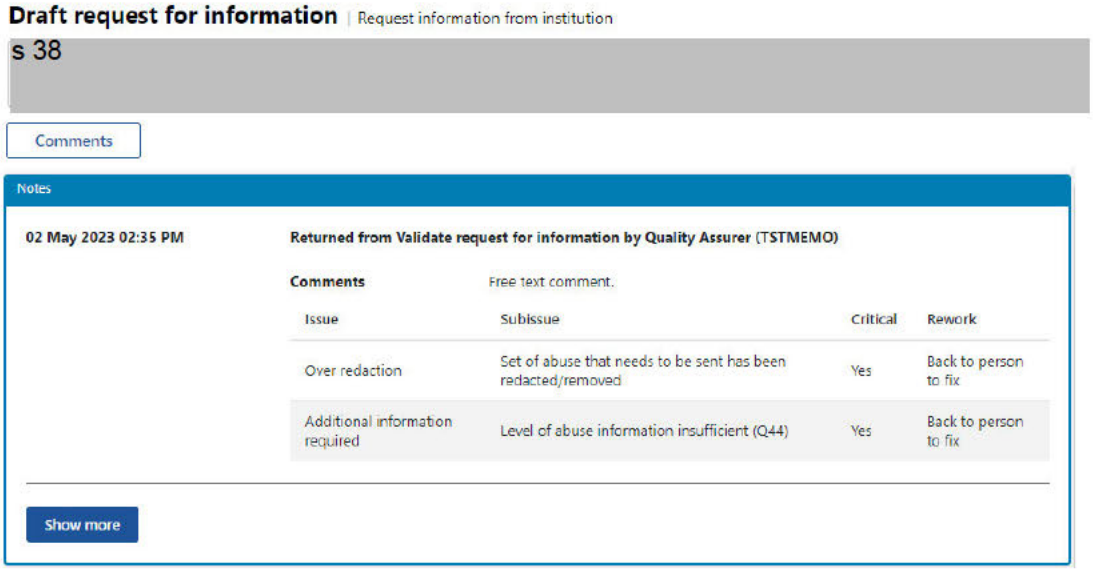
Task 4 - Complete the Draft request for information task and send to Quality Assurance for checking

Step	Action
1	When all the institutions requiring RFFIs have been added and all associated documents to be issued have been uploaded to each institution, the task must now be sent to the Quality Assurance team for checking. ➢ Click the **Complete** button to send the task to the Quality Assurance team. ➢ Update the keywords to **RFI/RFFI IP, QA Ready.** This will complete the **Draft request for information** task and create the **Validate request for information** task used by the Quality Lead. ***Note:*** *Completing this step of the task does NOT issue the documents to the institution portal.*

Task 5: Action feedback from Quality Lead

Step	Action
1	This task is required if the Quality Lead identifies a need for rework and returns the task to the RFI Officer to action. The Quality Lead will notify the RFI Officer of rework required via email. ➢ Navigate to the 'Work tab' and filter the search criteria using the Survivor ID. ➢ Launch the **Draft request for information** task ➢ The rework required will be listed at the top of the task overview page. 

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	➢ Once the rework has been actioned, click on **Complete** to return the application to the **Validate request for information** step. ➢ Update the keyword to **RFFI/RFFI IP, QA Ready**.

Closing and cancelling the task

Step	Action
1	**Closing the task** At any time during Step 1, Step 2 or Step 3, the user can **close** the task and all work actioned within the task will be retained. ➢ To close the task click the **Close** button.
2	**Cancelling the task** At any time during Step 1, Step 2 or Step 3, the user can cancel the task. Cancelling the task within the launch step (refer to Task 1) will cancel the creation of the **Request for information** task. This will not appear in the case history. ➢ To cancel the task click **Cancel** within the launch step. Cancelling the task after the launch step, within the **Request for information** task will cancel the task and delete all documents associated with the task. ➢ To cancel the task click **Cancel** after the launch step. ➢ Enter a reason for the cancellation into the prompt box and click **Proceed.** This will be visible as a note in the case history.

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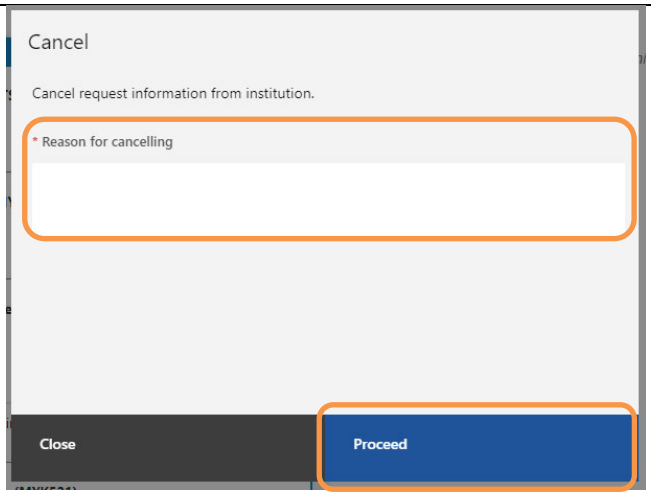

Links

- Drafting RFIs Task Card
- Information Sharing Framework – NRS092-280922
- RFIs for State and Territory Departments
- RFI – Section 25 Notice – LOCKED TEMPLATE
- RFI email to institution
- RFI – Case File Note TEMPLATE - Updated
- Application Workload Management Policy
- Add and Remove Case Comment
- Search Case Comments – NRS290922
- Application Workload Management SOP – Keywords
- Keyword Hub

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Policy Advice No. 3/2024

Authorised	John Riley, Branch Manager, Redress Policy, Strategy and Design
	Alison Hale, Branch Manager, Policy, Institutions & Governance (revisions)
Date:	26 September 2024
	15 December 2025 (revisions)

Reference or Topic

1. National Redress Scheme for Institutional Child Sexual Abuse (**the Scheme**) Officers[1] providing protected information to law enforcement and child protection officials for the purposes of the enforcement of the criminal law or the safety or wellbeing of children.

2. Section 96 of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (**the Act**).

3. Redress (Operator of the Scheme) Delegation 2025 (Instrument Number 8 of 2025)[2].

4. National Redress Scheme for Institutional Child Sexual Abuse Child Safe Reporting Policy.

Issues

5. When can Scheme Officers disclose protected information for the purpose of the enforcement of the criminal law or the safety or wellbeing of children outside of the Scheme's usual child safe reporting policy (for example: at the request of law enforcement officers)?

Analysis / Discussion

6. Protected information is defined in section 92 of the Act as information about a person or an institution, provided to or obtained by a Scheme Officer for the purposes of the Scheme, that is or was held in the records of the Department.

7. Protected information can be disclosed by the Scheme Operator or their delegate under section 96 of the Act if the Operator or delegate is satisfied that it is reasonably necessary for either of the following purposes:
   - the enforcement of the criminal law; or
   - the safety or wellbeing of children.

8. Protected information can only be disclosed under section 96 (2) of the Act to a government institution that has functions that relate to the enforcement of the criminal law or the safety or wellbeing of children.

[1] Reference to Scheme Officers is a reference to the Operator's delegates (see the relevant instrument of delegation)
[2] Correct as at 30/09/2025 – always check the current instrument of delegation.

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9. Section 96 (4) of the Redress Act permits protected information that is disclosed to a government institution, to be used, obtained, made record of or disclosed by employees or officers of the institution.[3]

10. Before disclosing protected information that relates to a person who has applied for redress, the Scheme Officer must have regard to the impact the disclosure might have on the person that has applied for redress.

11. Scheme Officers rely on section 96 of the Act to make a self-initiated child safe report to authorities, consistent with the Scheme's child safe reporting policy.
    - As of 1 January 2026, this child safe reporting process includes concurrent reporting to both state/territory police and Working with Children Check (WWCC) units, where the particular jurisdiction has 'opted in' to this process.

12. The Scheme also often receives requests from state and territory officials to disclose protected information to police and other authorities in response to a child safe report made by Scheme Officers or in response to a participating institution making a report to authorities under state and territory mandatory reporting and reportable conduct laws.

13. This policy advice sets out when a Scheme Officer can disclose protected information to law enforcement and child protection officials under section 96 of the Act, and what considerations apply to that decision.

Advice

14. Section 96 of the Act authorises a Scheme Officer to disclose protected information if the following statutory conditions are complied with:
    - the disclosure is to a government institution that has functions that relate to the enforcement of the criminal law or the safety or wellbeing of children;
    - the Scheme Officer is satisfied that the disclosure of protected information is reasonably necessary for the enforcement of the criminal law or the safety or wellbeing of children; and
    - the Scheme Officer has had regard to the impact the disclosure might have on the person.

15. **Attachment A** provides further guidance on how to assess these three tests.

16. Given the importance of supporting law enforcement and child protection officials to undertake their respective functions of holding perpetrators to account and protecting children, it is the Scheme's position that information requested by these government institutions should be provided where the protected information can be disclosed under section 96 (1) of the Act.

17. Section 96 (3) of the Act requires that before making a disclosure that relates to a person who has applied for redress, a Scheme Officer must have regard to the impact the disclosure might have on the person. If protected information is disclosed to a government institution for the purposes of the enforcement of the criminal law or the safety or wellbeing of children, it is possible that officials from that institution will make contact with a redress applicant(s).

18. To assess this impact, the Scheme Officer should normally contact the relevant applicant before any protected information is disclosed by the Scheme, to obtain information about the impact of the proposed

[3] Note, section 97 of Act also deals with obtaining, recording, using and disclosing protected information by and to government officials

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disclosure for that person, and confirm that if the protected information is disclosed, the person's safety and wellbeing is not at risk.

19. The Scheme Officer should use the information provided by the applicant and other available information to consider the impact of the disclosure on the person who has applied for redress. Consideration of the impact of the disclosure should include consideration of the likely consequences of the information being disclosed (e.g. whether the government institution is able to keep the applicant's identity confidential, or whether the applicant's safety or wellbeing would be at risk).

20. In the case where the Scheme Officer decides not to provide the requested information, **Attachment B** provides standard words that can be used in messaging that the Scheme will not be disclosing protected information to law enforcement or child protection officers.

21. Section 96(5) of the Act authorises the Scheme Operator to impose conditions to be complied with in relation to the protected information disclosed. **Attachment C** provides an example of conditions that can accompany the release of the protected information. These conditions relate to what the government institution can do with the protected information and should be assessed on a case- by- case basis.

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National
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For people who have experienced institutional child sexual abuse

Attachment A

Section 96 disclosure process

When making a disclosure under section 96 of the Act in response to a request from an external government agency, Scheme Officers should follow the following process to arrive at a decision on whether to release the protected information:

Stage	Consideration
Step 1	Is the disclosure of the protected information: a) to a government institution that has functions that relate to the enforcement of the criminal law/the safety or wellbeing of children; and; b) reasonably necessary for the enforcement of the criminal law/the safety or wellbeing of children?
Step 2	Have you considered the impacts of the disclosure for the person who has applied for Redress?
Step 3	**Decision** on whether to release the protected information, with or without the imposition of **additional conditions.**
Step 4	Information release.

Step 1(a) – Is the disclosure to a government institution that has functions that relate to the enforcement of the criminal law or the safety or wellbeing of children?

The government institution must be one that has functions that relate to the enforcement of the criminal law, or the safety or wellbeing of children.

The following table gives examples of institutions or bodies that satisfy one or both of these criteria:

Type of institution	Examples
Commonwealth, state and territory Police	Australian Federal Police, NSW Police, Tasmanian Police, Queensland Police Service
Office of Public Prosecutions	Commonwealth Director of Public Prosecutions, ODPP Victoria, ODPP Queensland
Child Safety institution	NSW Communities and Justice, Victorian Child Protection Service
Working with Children Check units	Blue Card Services, NSW Office of the Children's Guardian

If a Scheme Officer is unsure whether a government institution has functions relating to the enforcement of the criminal law or the safety or wellbeing of children, this can be checked by reference to the institution's governing legislation and can be clarified with the requesting institution if necessary.

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Redress Scheme
For people who have experienced
institutional child sexual abuse

Step 1(b) - Is the disclosure of the protected information reasonably necessary for the enforcement of the criminal law or the safety or wellbeing of children?

The following table sets out examples of what may, or may not, be considered reasonably necessary for the purpose of the enforcement of the criminal law or the safety or wellbeing of children.

Please note this is not an exhaustive list, rather a guide for Scheme Officers.

	Is	Is not
Enforcement of the criminal law	Where an official from a government institution that has functions related to the enforcement of the criminal law has indicated one of the following: • They are intending to commence an investigation and the details in the person's redress application are relevant to that investigation; • An investigation is underway and the details in the person's redress application are relevant to that investigation; • A person has been charged and the details in the person's redress application are relevant to that investigation; or • The matter is being progressed to a criminal court and the details in the person's redress application are relevant to that court proceeding.	• An official from a government institution that has functions related to the enforcement of the criminal law has contacted the Scheme to seek all redress applicants' contact details that attended a particular institution or named the same perpetrator in their application to the Scheme.
Safety or wellbeing of children	Where an official from a government institution that has functions related to the safety or wellbeing of children (e.g. child protection departments and reportable conduct agencies) has indicated one of the following: • They are intending to commence an investigation and the details in the person's redress application are relevant to that investigation; or • An investigation is underway and the details in the person's redress application are relevant to that investigation	• An official from a government institution that has functions related to the safety or wellbeing of children contacts the Scheme and seeks information about whether an institution has made a redress payment to an applicant.

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If Scheme Officers are unsure about whether or not a disclosure of protected information is reasonably necessary, they should contact s 22 dss.gov.au for advice. The team can also assist in advising whether engagement with Legal Services Group is required.

Scheme Officers should also have regard to the nature of the information being disclosed, and whether all of the information is 'reasonably necessary' for the purpose of the enforcement of the criminal law or the safety or wellbeing of children. It is possible that the requesting institution only requires key details, rather than the entirety of the Department of Social Services' relevant information holdings.

2 – Impacts of the disclosure for the person who has applied for Redress
The impacts of the disclosure for the person who made the application must be considered.

To establish these impacts, a Scheme Officer should contact the applicant and explain the nature of the request that has been received and the type of protected information or assistance (if any) that has been sought.

The applicant should be asked to explain how they would feel about their personal information being shared with the relevant institution, and if they have any concerns about being contacted by a staff member of that institution for the purposes of assisting the staff members to perform their functions (e.g. if police were intending to use the information to conduct an investigation).

It should be made clear that if the applicant's name is released, the applicant may be contacted by the institution, but that he/she is not obliged to participate in any follow up activity conducted by the institution.

The applicant should be asked to consider whether they are comfortable with all of their information being shared with the institution, or only some of that information being shared (for example, police may not need the applicant's impact information from their redress application)

A detailed file note (or recording) should be made of all of the applicant's responses.

If the applicant indicates a risk of self-harm, or other serious consequence if their information were to be disclosed, this should be clearly noted in the case file and the call escalated in accordance with the Scheme's internal call escalation options, accessible from the Redress Hub.

Generally, the Scheme will release protected information that is 'reasonably necessary' unless the impacts for the applicant are significant. In some cases, this assessment may require careful assessment and internal consultation.

Step 3 – Decision
A decision to disclose the information may be made if the disclosure is for a permitted purpose, and if the person has not indicated the disclosure will have significant adverse impacts for them.

If the applicant has indicated that the disclosure will have adverse impacts for them, the following options should be considered:

c) Providing more limited information in response to the request.
d) Imposing conditions on the use and disclosure of the information after it has been released (Attachment C provides an example of conditions that can accompany the release of the protected information).
e) Not disclosing any protected information and declining the request.

A record should be made of the reasons for the decision and the nature of any information disclosed.

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Step 4 – Information release

If a decision is made to limit and/or redact the information provided in the response, that fact, and the reason for this decision, should be provided to the institution. Having this detail will help the institution to comply with the applicant's concerns.

If a decision is made to release information under section 96, the following caveat should also be conveyed to the receiving institution:

Responsibilities of the receiving government institution

Section 96(4) of the Redress Act outlines that if information is disclosed to a government institution under section 96(2), then an employee or officer of the institution (the ***government official)*** may:

a) obtain the information; or
b) make a record of the information; or
c) disclose the information to a person; or
d) use the information;

but only if the government official does so for a relevant purpose in the official's capacity as an employee or officer of the government institution.

Section 99 of the Redress Act outlines the offence of unauthorised use of protected information:

1. A person commits an offence if:
   a) the person:
      I. obtains information; or
      II. makes a record of information; or
      III. discloses information to another person; or
      IV. uses information; and
   b) the person is not authorised or required by or under this Act: to obtain information; or
      I. to make the record of the information; or
      II. to disclose the information; or
      III. to use the information; and
   c) the information is protected information.

Penalty: Imprisonment for 2 years or 120 penalty units, or both.

2. Subsection (1) does not apply if:
   a. the person did not obtain the information under, for the purposes of, or in connection with, the scheme; or
   b. the person had already obtained the information before the person obtained the information under, for the purposes of, or in connection with, the scheme.

Note: A defendant bears an evidential burden in relation to the matter in this subsection (see subsection 13.3(3) of the *Criminal Code).*

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Attachment B

Standard words to support messaging to government institutions that the disclosure of protected information is not authorised under section 96 of the Redress Act.

The following standard words may be used when communicating with government institutions in circumstances where the disclosure of protected information is not authorised under section 96 of the Redress Act:

> The *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) provides strict legislative protections on when the Operator or their delegate can disclose protected information. The Act prescribes that protected information can be disclosed by an Operator or delegate to a government institution for the purposes of the enforcement of the criminal law or for the safety or wellbeing of children.
>
> Before disclosing the protected information, the Operator or delegate has to be satisfied that the disclosure is reasonably necessary for the purposes of the enforcement of the criminal law or the safety or wellbeing of children, and that the government institution the information is being disclosed to has functions that relate to the enforcement of the criminal law or the safety or wellbeing of children. In determining whether to disclose protected information about a person, the Operator or their delegate must also have regard to the impact the disclosure might have on the person.
>
> Unfortunately, I am unable to disclose the protected information you requested because [insert reason]. If you have any further information that is relevant to this assessment, I am happy to consider this additional information in the context of your request.

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Attachment C

Standard Conditions to accompany the disclosure of protected information

Section 96(5) of the Act authorises the Scheme Operator to impose conditions to be complied with in relation to protected information that is disclosed under section 96 of the Act. As outlined in this policy advice; in disclosing protected information under section 96 of the Act, conditions may be applied to require contact with the Scheme before government institutions contact an applicant. This is so the Scheme can contact the applicant advising them to expect contact from a government institution.

The following standard words may be used when communicating with government institutions to apply standard conditions to the disclosure of protected information under section 96 of the Redress Act.

This protected information is being disclosed to you under section 96 of the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (the Act). Please be aware that under section 96(4) of the Act, you may only record, disclose and use the protected information for the purpose of the enforcement of the criminal law / the safety or wellbeing of children.

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National
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For people who have experienced
institutional child sexual abuse

Policy Advice No. 4/2018

Authorised	Sharon Stuart, Branch Manager, Redress Legislation and Policy Branch
Date:	8 August 2018

Reference or Topic

1. *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act)
   - Section 25 – Request for information from participating institutions
   - Section 93 – Protected Information

Issue

2. What information should be provided to an institution as part of the Request for Information (RFI)? Should attachments accompanying the application form be provided?

Analysis / Discussion

Protected Information

3. Information provided by the applicant in a claim form is protected information under the Act and should not be shared unless permitted under the Act.
4. Section 25 of the Act requires the Operator to request information from an institution that has been identified in the application or that the Operator has reasonable grounds to believe the institution may be responsible for the abuse. It also provides the option to request information from an institution where the Operator has reasonable grounds to believe the institution has information that may be relevant to determining the application.
5. In requesting this information, the Act allows the Operator to provide information to the institution that has been disclosed by the applicant, or provided by another institution in relation to the application.
6. Disclosure of this information is only permitted under the Act where it is done for the purposes of the Scheme, or with the express or implied consent of the person or institution to which the information relates.
7. Signing of the statutory declaration as part of the application form requires the applicant to verify they have read and understand the Privacy Notice that provides information on how their information may be used and shared.
8. On this basis, information provided by an applicant should only be disclosed to the participating institution to assist the institution with providing further information if it is necessary to do so. For instance, if the witness statement is not relevant, the witness statement should not be provided to the institution.

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9. There are a number of reasons why relevant information in the application form and attachments should be shared with an institution:
   - An institution will require any information relevant to the claim against their institution to be able to meet its obligations under s25 of the Act, respond to the RFI and provide as many factual details as possible to assist the Operator of the Scheme to make a determination on the applicant's claim.
   - The institution may require information about the claim for insurance purposes, that is, to facilitate an insurance claim and assist their insurer to establish liability. This was a key element agreed as part of the consultation process with institutions, and contributed to institution's making the decision to participate in the Scheme. Section 98(2) of the Act allows an institution to disclose information to its insurance company for the purposes of facilitating a claim under an insurance policy.
   - The institution needs to understand the applicant's experience in order to prepare and deliver a meaningful direct personal response. Section 98(2) of the Act also allows the institution to disclose to meet its obligation under section 54 by providing a direct personal response.
   - Section 98(2) also allows the participating institution to disclose information for the purposes of undertaking internal investigation and disciplinary procedures.
   - Sharing information with institutions about abuse that occurred in that institution adds to the transparency of the Scheme and helps institutions and their insurers have confidence in the operation of the Scheme. However, this transparency needs to be carefully balanced with the need to protect the integrity of the Scheme and ensure the disclosure of information does not cause further trauma to survivors.

Application Form

10. Information in the application that is relevant to the institution and should be shared with the institution includes:
    - Part 1 – Question 1 and Question 3 only
    - Part 2 – Whole of Part 2 – Questions 31-57
    - Part 3 – Question 58, and any attachments at Question 61.
11. Copies of documents provided in Question 61 should be included where these documents are relevant to the institution, with the exception where the document relates to a different institution within the one application. These attachments could include photographs, school reports, or police statements. Any information about the person, other than their name and date of birth, should be redacted or removed before providing to the institution.
12. *Examples:*

Attachment should be provided	***Attachment should NOT be provided***
○ *If a person refers to an "attached police report" in their response to Question 44 on the application form, which asks the person to describe the sexual abuse that happened, the police report should be provided to the institution as part of the RFI.*	○ *If a person attached a school report which relates to the person's first experience of abuse at a school, this should not be provided to the church which was the subject of a second separate experience*

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○ *If a person attached a photo of themselves outside a school building to the application form, this photo should be provided to the school as part of the RFI.* ○ *If a person attached a witness statement which indicated the person's involvement with an institution where the abuse occurred, the witness statement should be provided to the institution as part of the RFI.* ○ *If a person attached a medical report which was made after the person turned 18 years old, but which indicated the impact the abuse had on the person, the medical report should be provided to the institution as part of the RFI.* ○ *If a person indicated on their application form that they were a child migrant, and attached a copy of their original visa details, these details should be provided to the relevant institution as part of the RFI.*	*of abuse in the person's application.*

Child Safe Reporting

13. If a child safe report has been made to the relevant jurisdiction, information provided to the institution should include:
    - The jurisdiction where the report was made
    - The date the report was made, and
    - Whether it was a blind report, or whether the survivor was identified.
14. A copy of the report could be provided to the institution as part of the RFI, on request.
15. Given the report is likely to contain large sections copied from the application form, which the institution will already be provided, it seems like it would be an unnecessary administrative burden to provide this report as part of normal process.
16. However, there may be merit in providing this report where requested by an institution. If provided to an institution, the report should be redacted to ensure it does not include additional personal information of the survivor, other than their name and date of birth.
17. A copy of this report may assist jurisdictions to meet their own obligations under mandatory reporting and reportable conduct schemes.

Advice Summary

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18. Any information provided by the applicant that is relevant to that institution, and required for them to meet their obligations under s25 of the Act, should be provided to the institution as part of the RFI.
19. This should include the applicant's name and date of birth from Part 1, Part 2 and Part 3 of the application form about the abuse experienced by the applicant and the impact, and any attachments provided by the applicant that contain information relevant to the institution.
20. Where the application form contains information on multiple institutions, information should not be provided to an institution where it relates to another institution. For example, where there are two separate sets of abuse from two separate institutions, only information relevant to one institution should be provided to that institution.
21. If a child safe report has been made, the institution should be provided with information on the relevant jurisdiction, the date of the report, and whether the report was a blind report or not. A copy of the report can be provided to the institution as part of the RFI, on request.

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Policy Advice No. 9/2020

Authorised	Paul Wyles, A/g Branch Manager, Redress Implementation
Date:	22 April 2020

Reference or Topic

1. *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (NRS Act)
    - Section 10 – General principles guiding actions of officers under the Scheme
    - Section 25 – Power to request information from participating institutions
    - Section 26 – Failure of the applicant or institutions to comply with a request
    - Section 29 – The Operator must make a determination on the application
2. *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (NRS Rules)
    - Section 17 – Circumstances in which determination may or must be revoked
3. *Acts Interpretation Act 1901* (AIAct)
    - Section 36 – Calculating time

Issue

4. How to process applications through the request for information (RFI) stage during the coronavirus pandemic where institutions' ability to respond to RFIs is impacted.

Background

5. Some institutions are unable to respond to RFIs as a result of the impacts of the coronavirus pandemic, due to business closures, government directed social isolation practices and the inability to access records.
6. This advice provides a consistent process to manage applications where an institution has not responded to an RFI within the production period, where an institution has temporarily closed (i.e. is in hibernation) or where an institution is unable to access its records in order to respond to an RFI.

Analysis / Discussion

Legislative requirements

7. Redress should be delivered in a way that is survivor-focussed, recognises the needs of survivors and protects the integrity of the Scheme (s10, NRS Act).
8. Participating institutions remain bound by their obligations under the NRS Act.
9. Before making a determination on an application the Scheme **must** send an RFI to a participating institution where:
    - the application identifies the institution as being involved in the abuse; or
    - there are reasonable grounds to believe the institution may be responsible for the abuse of the person.

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10. The Scheme **may** send an RFI to a participating institution where a Scheme officer has reasonable grounds to believe the institution has information that may be relevant to determining the application (s 25, NRS Act).
11. The AIActt states that when an Act requires a thing to be done on a Saturday, Sunday or holiday then the thing can be done on the next day that is not a Saturday, Sunday or holiday (s 36(2)). A holiday means a public holiday or a day where the office or place where the thing is done is closed for the whole day (s 36(3) of the AIAct).
12. If an institution does not respond to an RFI within the production period, the Scheme can progress the application without the RFI response (s 26(2), NRS Act).
13. Section 29 of the NRS Act calls upon the Scheme to make a determination to approve or not approve a valid application as soon as practicable.
14. The Operator may revoke a determination if the Scheme receives new information that would have resulted in a different determination being made by the Independent Decision Maker (IDM) (s 17, NRS Rules).
15. A policy is needed to ensure applications continue to be progressed during the coronavirus restrictions, to enable sound processes to be in place to reduce the risk of avoidable reviews or revocations as result of RFI limitations, and Scheme operations remain survivor-focussed.

Advice

16. This advice **only** relates to applications processed during the coronavirus pandemic period, starting on 1 March 2020, ending 31 December 2020. Policy advice 8 of 2020 advises on applications processed outside the coronavirus pandemic period.
17. All applications should be progressed through the RFI stage as normal and consistent with policy advice 14 of 2019. Policy advice 14 of 2019 outlines the standard processing and extension timeframes for RFIs for both priority and non-priority applications. Policy advice 16 of 2018 outlines where an application is considered a priority.
18. Where an institution advises that it is not currently operating (i.e. is in hibernation), section 36(2) of the AIAct may apply. This means an RFI cannot be made due on a day where an office is closed. Determining whether the AIAct applies should be done on a case-by-case basis, as responding to an RFI may not require an office to be physically open.
19. If, after receiving a RFI, an institution contacts the Scheme stating it cannot respond due to business closures or the inability to access records as result of coronavirus restrictions, the Scheme may extend the production period until a time the institution can respond. Non-priority applications should not be progressed to IDMs. However, priority applications relating to closed institutions may progress to an IDM, following consideration of factors outlined at point 23.
20. If an institution otherwise fails to respond to an RFI within the production period (i.e. 4 weeks for priority applications and 8 weeks for all other applications) an automatic extension may be granted due to the exceptional circumstances that exists as a result of the coronavirus pandemic. See policy advice 14 of 2019 for guidance on extensions.
21. A notice of the extension must be given to the institution in accordance with section 25(6) of the Act. It is recommended that this notice also outline to the institution that in the absence of a response to the RFI within the extension production period the application may be progressed to an IDM to make a determination. It should also be noted that where an IDM then makes a determination and an applicant accepts an offer of redress there are no

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avenues of recourse (i.e. revocation) for an institution or applicant should further information be made known.

22. If the institution has not responded to the RFI once the extension production period has expired, the application may be progressed to an IDM for decision in accordance with section 26(2) of the NRS Act.
23. Scheme officers need to make a decision on a case-by-case basis as to whether the application should progress to an IDM. In making this decision, Scheme officers should take into consideration the Scheme's guiding principles, the requirements of the Operator under section 29 of the NRS Act, the information already available, the priority status of the application.
24. If it is determined the application should be progressed to an IDM for decision following consideration of the above factors and Scheme quality assurance processes, the IDM should be made aware that the institution has failed to respond to the RFI within the production period as a result of coronavirus restrictions.
25. The institution should also be notified that the application is progressing to an IDM for determination and they can provide any information relating to the application up until the IDM makes a determination on the application.
26. An IDM should make a determination on an application where there is enough information for them to do so. Determinations must uphold the integrity of the Scheme, therefore IDMs should only make final determinations where the IDM is satisfied that it was reasonably likely that the abuse described in the person's application occurred.
27. If the IDM cannot establish that it was reasonably likely that the abuse the person described in their application occurred, the application should be returned to the RFI stage to await for a response from the institution. The applicant should be made aware that their application is awaiting a response to a RFI from an institution as the IDM does not have enough information to make a determination on their application.
28. It would not uphold the Scheme's principles to keep an application in the RFI or determination stage indefinitely, where an institution has declined to respond to an RFI and there is not enough information for an IDM to approve an application.

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Policy Advice No. 8/2020

Authorised	Paul Wyles, A/g Branch Manager, Redress Implementation
Date:	24 April 2020

Reference or Topic

1. *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (NRS Act)
    - Section 10 – General principles guiding actions of officers under the Scheme
    - Section 25 – Power to request information from participating institutions
    - Section 26 – Failure of the applicant or institutions to comply with a request
    - Section 29 – The Operator must make a determination on the application
2. *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (NRS Rules)
    - Section 17 – Circumstances in which determination may or must be revoked

Issue

3. How to process applications through the request for information (RFI) stage where an institution fails to respond to a RFI.

Background

4. This advice provides a consistent process to manage applications where an institution has not responded to an RFI within the production period.

Analysis / Discussion

Legislative requirements

5. Redress should be delivered in a way that is survivor-focussed, recognises the needs of survivors and protects the integrity of the Scheme (s10, NRS Act).
6. Before making a determination on an application the Scheme **must** send an RFI to a participating institution where:
    - the application identifies the institution as being involved in the abuse; or
    - there are reasonable grounds to believe the institution may be responsible for the abuse of the person.
7. The Scheme **may** send an RFI to a participating institution where a Scheme officer has reasonable grounds to believe the institution has information that may be relevant to determining the application (s 25, NRS Act).
8. If an institution does not respond to an RFI within the production period, the Scheme can progress the application without the RFI response (s 26(2), NRS Act).
9. Section 29 of the NRS Act calls upon the Scheme to make a determination to approve or not approve a valid application as soon as practicable.

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10. The Operator may revoke a determination if the Scheme receives new information that would have resulted in a different determination being made by the Independent Decision Maker (IDM) (s 17, NRS Rules) before an applicant accepts an offer of redress.

Advice

11. This advice does not apply to RFIs impacted by the coronavirus restrictions or during business shut down periods. Policy advice 9 of 2020 advises on this specific issue. Policy advice 14 of 2019 applies for business shut downs and blackout periods.
12. All valid applications should be progressed through to the RFI stage, and relevant participating institutions should be sent RFIs.
13. An institution should respond to an RFI request within the production period. If the institution requires more time it can request or be granted extensions, as appropriate. Policy advice 14 of 2019 outlines the standard processing and extension timeframes for RFIs for both priority and non-priority applications. Policy advice 16 of 2018 outlines where an application is considered a priority.
14. If an institution fails to respond to an RFI within the production period, the Scheme would contact the institution to determine if they intend to respond. If the institution does intend to respond, an extension may be granted in line with the timeframes outlined in policy advice 14 of 2019.
15. Where an extension is applied, a notice of the extension must be given to the institution in accordance with section 25(6) of the NRS Act. It is recommended that this notice also outline to the institution that in the absence of an RFI response within the production period the application may be progressed to an IDM to make a determination. It should also be noted that where an IDM then makes a determination and an applicant accepts an offer of redress there are no avenues of recourse (i.e. revocation) for an institution or applicant should further information be made known.
16. Alternatively, if the institution indicates they do not intend to respond to the RFI within the production period, the Scheme officer should advise the institutions of the issues outlined in point 15. If the institution still declines to respond to the RFI within the production period, including potential extension periods, the Scheme may progress the application.
17. If an institution does not respond to an RFI within the production period, the Scheme can progress the application without the RFI response in accordance with (s 26(2), NRS Act).
18. Scheme officers need to make a decision on a case-by-case basis as to whether the application should progress to an IDM or whether a response should continue to be sought from the institution. In making this decision, Scheme officers should take into consideration the Scheme's guiding principles, the requirements of the Operator under section 29 of the NRS Act, the information already available, the priority status of the application and any advice provided by the institution as to why they haven't provided a response to date. This is not an assessment of reasonable likelihood, but rather an assessment of whether the applicant is best served by continuing to seek information from the institution or by having their application progressed without the RFI response.
19. If it is determined the application should be progressed to an IDM for decision following consideration of the above factors and Scheme quality assurance processes, the IDM should be made aware that the institution has failed to respond to the RFI within the production period and any relevant advice provided by the institution on why they have not responded to the RFI.

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- The institution should also be notified that the application is progressing to an IDM for determination and they can provide any information relating to the application up until the IDM makes a determination on the application.
- It should be reiterated that where an applicant accepts an offer of redress there are **no** avenues of recourse should further information be made known.

20. An IDM should make a determination on an application where there is enough information for them to do so. Determinations must uphold the integrity of the Scheme, therefore IDMs should only make final determinations where the IDM is satisfied that it was reasonably likely that the abuse described in the person's application occurred.
21. If the IDM cannot establish that it was reasonably likely that the abuse the person described in their application occurred, the IDM should seek advice from the department on how to proceed.
22. It would not uphold the Scheme's principles to keep an application in the RFI or determination stage indefinitely, where an institution has declined to respond to an RFI and there is not enough information for an IDM to approve an application.

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National
Redress Scheme
For people who have experienced institutional child sexual abuse

Policy Advice No. 14/2019

Authorised	Peter Arnaudo, Branch Manager – Redress Implementation branch	
Date:	V1: 3 May 2019 V2: 29 January 2020 V3: 3 April 2020	V4: 14 April 2022

Reference or Topic

1. *National Redress Scheme for Child Sexual Abuse Act 2018* (the Act):
    - Section 10 - General principles guiding actions of officers under the Scheme
    - Section 25 - Power to request information from participating institutions; and
    - Section 26 - Failure of the applicant or institutions to comply with a request.
2. *Acts Interpretation Act 1901* (AIAct):
    - Section 36 - Calculating time.

Issue

3. What is the policy on approving requests for information (RFI) extensions because of extenuating and genuinely exceptional circumstances?
    - In particular, where institutions are unable to respond to RFIs within the production period due to the impacts of COVID-19.
4. What are the processing timeframes for RFIs?
5. How should Scheme officers manage RFIs that are due on a public holiday or weekend, such as the Easter long weekend?

Analysis / Discussion

Legislative interpretation

6. Subsection 25(1) of the of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) outlines that the Scheme Operator **must** request an institution to give any information that may be relevant to an application if:
    - the application identifies a particular participating institution as being involved in the abuse of the person; or
    - the Operator has reasonable grounds to believe that a participating institution may be responsible for the abuse of the person.
7. Section 25(5) of the Act provides that where the Scheme issues an RFI to a participating institution, the institution must respond within the production period which must be **at least**:
    - four weeks, if the application is considered urgent, or
    - eight weeks, if the application is not urgent.
8. The Act does not distinguish between an initial RFI and any follow up RFIs (requests for further information). Sections 25 and 26 apply to all RFIs to institutions.
9. Section 25(6) and 25(7) of the Act outline that the Scheme can grant extensions to the RFI production period for institutions, if it is appropriate to do so. An extension may be given on the initiative of a Scheme officer. An institution can also request an extension, however this

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must occur **before** the end of the production period (s 25(8)).

10. If an institution does not respond to an RFI within the production period, the Scheme can *progress the application without the RFI response* (s 26(2)).
11. The AIAct states that when an Act requires a thing to be done on a Saturday, Sunday or holiday then the thing can be done on the **next day** that is not a Saturday, Sunday or holiday (s 36(2)).
12. A holiday means a public holiday or a day where the office or place where the thing is done is closed for the whole day (s 36(3) of the AIAct).

Advice

RFI extensions

COVID-19

13. Institutions being unable to respond to RFIs due to the impacts of COVID-19, such as business closures, government directed social isolation practices and the inability to access records, would constitute exceptional circumstances.
14. Where extensions are granted in these cases, the advice relating to exceptional circumstances at points 21 to 25 applies.
15. As for all extensions, Scheme officers will need to balance the extension against the Scheme principles (s 10). Given the unique impacts of COVID-19, in addition to the Scheme's guiding principles, Scheme officers should also consider the priority status of the application, the condition of the applicant, the institution's capacity to respond to the RFI in the foreseeable future, and whether the Scheme has gathered enough information for an Independent Decision Maker to make a determination that would uphold the integrity of the Scheme.
16. The Scheme should not continuously offer extensions to institutions where they are closed or unable to respond to RFIs for an extended period.

Extension guidelines

17. Further extensions for non-priority applications and all extensions for priority applications will be decided on a case-by-case basis. A Scheme officer should only approve an extension if the basis for the request is sound, e.g. applicant's records are in a remote location, applicant's records are located across multiple locations, or RFI timeframe for response crosses into an institution's 'blackout period' such as school holidays.
18. Scheme officers must balance extension requests against the Scheme principles (s 10), in particular processing applications in a timely and sensitive manner and recognising the impact an extension could have on the applicant.
19. The Scheme can only accept a request for an extension from an institution if it is made **before** the end of the production period.
20. The Act does not place time restrictions on when extensions given by the Operator, or her delegate, on their initiative, can be made.
21. If an institution does not respond to an RFI within the production period, the Scheme officer should progress the application to the assessment stage.

Exceptional circumstances

22. The legislation does not prevent the RFI production period from being extended beyond the standard eight/sixteen week production/extension period (s 25).
23. In genuinely exceptional circumstances, a Scheme officer is able to extend the RFI production period beyond eight/sixteen weeks. This should only be done in exceptional

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circumstances, where the Scheme officer considers the basis for the request is sound, and the extension will not negatively impact the applicant.

24. When determining whether to extend an RFI period beyond the standard production/extension period Scheme officers must balance the extension request against the Scheme principles, in particular processing applications in a timely and sensitive manner and recognising the impact an extension could have on the applicant.
25. It is up to Scheme officers to determine what constitutes exceptional circumstances. Examples include where an institution must review extremely large amounts of information for the RFI, or the institution must consider a significant number of instances of abuse.
26. The Scheme can only accept a request for an extension if it is made **before** the end of the production period.

Standard processing times for RFIs

27. The following table outlines the standard processing timeframes for applications, including extensions:

Type of application	Production period	General extension	Further extension	Expected time an RFI is with an institution
Priority	At least 4 weeks	N/A	Up to 4 weeks only for extenuating circumstances (requested via email)	Up to 8 weeks
Non-priority	At least 8 weeks	Up to 4 weeks with reason (requested through Institutional Portal)	Up to 4 weeks only for extenuating circumstances (requested via email)	Up to 16 weeks

28. For **non-priority** matters, institutions can request a 4 week extension via the Institutional Portal. Institutions are required to provide a reason for the extension. This extension provision recognises that in some circumstances it may be not be practicable for an institution to respond within eight weeks, e.g. if the records are stored in a remote location. Any extension request by an institution must be received before the end of the production period.
29. Institutions can request a further extension in addition to the 4 weeks. This further extension can be up to a period of 4 weeks, but no longer. This extension requires Scheme officer approval and should only be approved in extenuating circumstances, if the Scheme officer considers basis for the extension sound.
30. For **priority** matters, all extension requests require Scheme officer approval and should only be provided in extenuating circumstances. Policy advice 16 of 2018 provides guidance on identifying priority applications.
31. It is important that Scheme officers and institutions consider the impact an extension could have on an applicant and the timely processing of their application.

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RFI due dates

32. The due date for RFIs due on Saturdays, Sundays or public holidays should be set as the next business day, e.g. RFIs due during the 2019 Easter break (19-22 April) should be made due on 23 April 2019 (s36(2)(3) AIAct).
33. As the production period must be **at least** four or eight weeks, depending on the urgency, Scheme officers should consider the due date when sending an RFI and adjust the production period accordingly to ensure it does not fall on a Saturday, Sunday or holiday.
34. This adjustment is not an extension and should not be recorded as an extension.

Background

35. In 2019, the Department of Human Services (now Services Australia) requested advice on how to manage the blackout period over Christmas. The due date for all applications due during the Christmas blackout period should moved to the next business day.
36. In March 2020, the Redress Operations branch requested advice on how to manage requests for further information to institutions and extensions relating to the impacts of COVID-19.

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Policy Advice No. 26/2019

Authorised	Sharon Stuart, Branch Manager – Redress Policy and Engagement branch
Date:	11 October 2019 (updated 3 June 2021 – MOG) (updated 14 April 2022)

Reference or Topic

1. *National Redress Scheme for Child Sexual Abuse Act 2018* (the NRS Act) Issue
   - Section 25 – Power to requestion information from participating institutions
   - Section 26 – Failure of the applicant or institutions to comply with a request
   - Section 99 – Offence – unauthorised access, recording, disclosure or use of protected information

Issue

2. Under section 25(1) of the of the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) the Scheme Operator **must** request an institution to give any information that may be relevant to an application if:
   - the application identifies a particular participating institution as being involved in the abuse of the person; or
   - the Operator has reasonable grounds to believe that a participating institution may be responsible for the abuse of the person.
3. The Act is not clear as to what should be done if after an RFI is issued there is a change in the function of a department due to machinery of government (MOG) changes.
4. A MOG change refers to the interconnected structures and processes of government and the way functions can move between departments.
5. In the event that the Scheme does not receive any response from the requesting department or the Scheme receives information sought from a government institution other than the one that the RFI was issued to, this advice provides guidance on how to manage these scenarios.

Advice

Where function remains with the same institution but there has been a change of name

6. If, as part of a MOG, a department has been renamed and given new functions but continues its existence and retains responsibilities to which the RFI related, it will likely remain the same institution for the purposes of the Act and is the institution/department responsible for meeting its obligations under section 25 of the Act. The Scheme can accept information from the department responding in its new form.

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Example - If the NSW Department of Child Services is renamed the Department of Families and Children and its responsibilities remain substantially unchanged then an RFI does not need to be reissued and the Scheme can accept the response provided by the Department of Families and Children.

Where function moves to a new institution

7. Where a function of a department which is relevant to responding to a RFI moves to another department but both departments remain unchanged as a whole then a new RFI should be generated to the other department. In this instance, a written notice should be sent to the department that was originally issued the RFI informing them that they no longer need to comply with the RFI.

Example - If an RFI has been issued to the Attorney General's Department for information on national security and that function has been transferred to the Department of Home Affairs before a response has been received, the Attorney General's Department should be sent a written notice that it is no longer required to comply with the RFI; and, a new RFI should be sent to the Department of Home Affairs.

8. When the department where an RFI is sent is abolished and the functions of that department are redistributed to other departments, the Scheme should issue a new RFI to any relevant departments. For the purposes of the Act the abolished department which relates to the RFI is considered defunct. In this situation the RFI to the abolished department is no longer relevant. An RFI should be issued to another relevant department and that department will have the full production period (4 or 8 weeks) to respond under section 25(5) of the Act as if the first RFI was not issued.

Example – the Scheme sends an RFI to the Department of Child and Maternal Welfare to obtain information they may have about an application for redress. A week after the RFI is sent the Department of Child and Maternal Welfare has been affected by machinery of government changes and the functions relevant to the RFI have been transferred. The Department of Welfare has been established. Four weeks after the RFI was sent to the Department of Child and Maternal Health, a response to the RFI is received from the Department of Welfare. An Independent Decision Maker (IDM) can use the information provided in making their decision.

9. Where the Scheme has received information answering an RFI under the Act from a department other than the one that the RFI was sent to, then the Scheme may use the information received and provide it to an IDM to make a determination on an application for redress. The Scheme does not have to issue another RFI to the government institution if they believe that relevant necessary information has been obtained in order for the IDM to make a determination on an application for redress.

10. Under section 26(2) of the Act if an RFI has been issued and the institution **has not responded**, then the Scheme may progress the application to the IDM to assess the application with the information that it has. Technically, if a department does not respond because its function has transferred to another department, and the time allowed under the notice has lapsed, the Scheme may progress the application if it believes that there is sufficient information for an IDM to make a determination. This should only be done in extraordinary cases such as an applicant being severely ill and expected to pass away. In all

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other situations, the Scheme should issue a new RFI to whichever relevant government departments that it believes holds relevant and necessary information.

11. Where a government institution passes on an RFI to another relevant department then the Scheme needs to consider relevant privacy laws.

12. If the Scheme believes that there has been a breach of privacy or breach of protected information for the purposes of the *Privacy Act* or the Act then the Scheme must follow protocols to report the suspected breach.

Summary of actions

Type of MOG Change	RFI process
Department is renamed	RFI does not have to be reissued
Function moves from one Department to another Department	RFI needs to be reissued
Department is abolished and functions distributed to other Departments	RFIs need to be reissued to any relevant Department

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National
Redress Scheme
For people who have experienced
institutional child sexual abuse

Policy Advice No. 3/2019

Authorised	Sharon Stuart, Branch Manager – Redress Policy and Legislation
Date:	19 February 2019 (updated 3 June 2021 – MOG)

Reference or Topic

1. The request for information (RFI) process for pre self-government cases in the Northern Territory (NT) and Australian Capital Territory (ACT), including RFI provisions under section 25 of the *National Redress Scheme into Child Sexual Abuse Act* (the Act) and protected information usage under Part 4-3 of the Act.

Issue

2. Which institution(s) can be sent an RFI for different types of pre self-government cases.

Analysis / Discussion

Request for information (RFI) provisions

3. Under subsection 25(1) of the Act, if an application identifies a participating institution as being involved in the abuse of a person, or the Operator has reasonable grounds to believe a participating institution may be responsible, the Operator must send an RFI to the institution, asking for information that may be relevant to determining the application.
4. Under subsection 25(2) of the Act, the Operator may also send an RFI to any other participating institution, where they have reasonable grounds to believe that the institution has information that may be relevant to determining the application. This might occur where:
   - it is indicated in an application that the institution could have relevant information;
   - the first institution(s) RFI response (as a result of potential responsibility) indicates that the institution could have relevant information; or
   - it is ascertained that the institution could have relevant information due to the nature of the case or other publicly available information.

Protected information provisions

5. Under section 92 of the Act, protected information is:
   - information about a person or an institution that was provided to, or obtained by, an officer of the scheme for the purposes of the scheme, and is or was held in the records of the Department of Social Services (DSS) or Services Australia (previously the Department of Human Services) ; or

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- information to the effect that there is no information about a person or an institution held in the records of either Department.

6. Information contained in an RFI (for example, parts of a person's application form) will generally constitute 'protected information'.

7. Under paragraph 93(1)(e)(i) of the Act, a person may obtain, record, disclose or use protected information for the purposes of the Scheme. Under paragraph 98(2)(a) of the Act, a participating institution may also obtain, record, disclose or use protected information for the purposes of complying with a request for information.

8. If an RFI containing protected information is sent to an institution incorrectly, this may be an unauthorised disclosure of that information and an offence (see section 99 of the Act).

Pre self-government in the Territories

9. The NT became self-governing from 1 July 1978.

10. The ACT became self-governing from 11 May 1989.

Commonwealth institutions

11. Under section 108 of the Act, all Commonwealth institutions are participating in the Scheme.

12. Under section 109 of the Act, an institution is a Commonwealth institution if: it is or was part of the Commonwealth; it is or was a Commonwealth entity (within the meaning of the *Public Governance, Performance and Accountability Act 2013*); it is or was a wholly-owned Commonwealth company; it is or was a body (whether or not incorporated) established by or under a law of the Commonwealth, or it is prescribed in the Rules.

13. Institutions operated by the Commonwealth in a Territory before self-government, where the institution transferred to Territory control after self-government, will generally constitute 'Commonwealth institutions' for the period they were operated by the Commonwealth.

Representative arrangements

14. Where an institution, including a defunct institution or an institution in a participating group, has a representative, any notice (including an RFI) that the Operator is required or authorised by the Act to give to the institution must be given to the representative, and any act that may be done by the institution (including responding to an RFI) can instead be done by its representative (see sections 121-122 and sections 139-140 of the Act).

15. Under section 118 of the Act, the representative for a defunct Commonwealth institution is 'the Commonwealth', and the representative for a defunct participating Territory institution is 'the participating Territory'. Similarly, under section 136 of the Act, the representative for a participating group of Commonwealth institutions is 'the Commonwealth', and the representative for a participating group of Territory institutions is 'the participating Territory'.

16. The ACT and the NT have each formed a participating group, as per section 13 of the *National Redress Scheme for Institutional Child Sexual Abuse Declaration 2018* (the Declaration). Both jurisdictions have nominated a single point of contact to act as the 'Territory representative'.

17. Following agreement by the Prime Minister, the Hon Scott Morrison MP, a Commonwealth participating group was also declared by the Minister for Families and Social Services, the Hon Paul Fletcher MP, and came into effect on 13 December 2018.

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19. To operationalise this, DSS proposes to restructure the list of Commonwealth institutions on the Extranet, so that they are grouped according to portfolio, or in relation to pre self-government cases, 'ACT pre-self government institutions' and 'NT pre self-government institutions' (both with DITRDC as the representative of the Commonwealth).

Responsibility provisions

20. An institution can be found primarily or equally responsible for the abuse of a person under the Act. The circumstances that may be relevant for determining responsibility are listed under subsection 15(4) of the Act and are:
    - whether the institution was responsible for the day-to-day care or custody of the person when the abuse occurred;
    - whether the institution was the legal guardian of the person when the abuse occurred;
    - whether the institution was responsible for placing the person into the institution in which the abuse occurred;
    - whether the abuser was an official of the institution when the abuse occurred;
    - whether the abuse occurred on the premises of the institution, or where the activities of the institution took place; and
    - whether the abuse occurred in connection with the activities of the institution.
21. Section 12 of the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018* (the Rules) sets out that a government authority will not be responsible for abuse in a non-government institution, where their only connection to the abuse is that they regulated, funded or established under legislation the non-government institution.
22. Section 10 of the Rules also sets out the automatic deeming of Commonwealth and State/Territory responsibility in child migrant cases.

Advice

23. Before an RFI is sent to participating institution(s), it must first be ascertained whether the case is in fact a 'pre self-government case'.
24. A case will be a pre self-government case where it involves a government institution that operated in a Territory prior to that Territory's self-government (therefore being a Commonwealth institution), and the institution eventually transferred to the control of the relevant Territory government after the Territory's self-government.
25. This institutional information will generally be obtainable through the Institution database record which is also publicly available via nationalredress.gov.au .

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26. Where there is a pre self-government case, the RFI should go to DITRDC for initial input. If they are unable to access all the relevant records or details required, DITRDC will send the RFI back to the Scheme identifying that another RFI needs to be sent to another participating institution(s).
27. An RFI may be issued through the portal or via secure email depending on the institution.
28. Below sets out a number of common scenarios to illustrate this policy.
29. Complex pre self-government cases can be escalated to the Redress Policy Helpdesk for advice, including where it is necessary to establish the relevant responsible institution(s).

Scenarios

Summary of scenarios

Scenario	PSG case?	RFI sent to
1. Government institution in a Territory before self-government, which transfers to Territory control after self-government	Yes	• DITRDC • Any other participating institution with relevant information (only **after** DITRDC RFI)
2. Government institution in a Territory before self-government, which remains under Commonwealth control	No	• Relevant Commonwealth portfolio Department • Any other participating institution with relevant information
3. Government institution in a Territory after self-government	No	• If Commonwealth institution – relevant Commonwealth portfolio Department • If Territory institution – Territory representative • Any other participating institution with relevant information
4. Government institution in a Territory before self-government, which transfers to Territory control after self-government – but abuse spans pre and post self-government	Partially	• For abuse before self-government – DITRDC • For abuse after self-government – Territory representative • Any other participating institution with relevant information (only after DIRDC RFI)
5. Non-government institution in a Territory, prior to that Territory's self-government	Maybe	• Participating non-government institutions(s) • If government institution is equally responsible: DITRDC or relevant Commonwealth portfolio Department (depending on institution transfer) • If child migrant – Department of Home Affairs • Any other participating institution with relevant information (only after DITRDC RFI)

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Scenario 1 – Abuse occurred in a Government institution in a Territory before self-government (institution transfers to Territory control after self-government)

30. As the potentially responsible institution is a government institution operating in a Territory before that Territory's self-government (i.e. under Commonwealth control), and the institution later transferred to a Territory government's control, the case is a 'pre self-government' case.

31. In this scenario, the RFI **must** be sent to DITRDC, as the Department representing the Commonwealth for pre self-government cases.

32. The RFI can also be sent to any other participating institution that may have information that may be relevant to determining the application, after DITRDC has completed an initial RFI. For example, this could be a Territory institution (through the Territory representative).

33. **Example:** A hospital in the NT was a Commonwealth institution at the time of the abuse in 1970 (later becoming a NT government institution after self-government). The RFI must go to DITRDC, as the Department representing the Commonwealth in relation to the institution. DITRDC indicate that a NT government institution has information relevant to determining the application, so the NT representative can also be issued an RFI.

Scenario 2 – Abuse occurred in a Government institution in a Territory before self-government, which remains under Commonwealth control

34. As the potentially responsible institution is a government institution operating in a Territory before that Territory's self-government, but the institution remained under Commonwealth control after the Territory's self-government, the case is not a 'pre self-government' case.

35. The RFI **must** therefore be sent to the **relevant** Commonwealth Department representing the institution in their portfolio.

36. The RFI can also go to any other institution that has information that may be relevant to determining the application.

37. **Example:** A person was abused at a military base (a Commonwealth institution) in the NT in 1950. The military base remained under the control of the Commonwealth after the NT's self-government. The RFI **must** be sent to the Department of Defence, as the Department representing the Commonwealth in relation to the institution (per its portfolio responsibility).

Scenario 3 – Abuse occurred in a Government institution in a Territory after self-government

38. As the potentially responsible institution is a government institution operating in a Territory after that Territory's self-government, the case is not a 'pre self-government' case.

39. The Scheme must therefore examine whether the institution is a Territory institution (for example, a Territory school) or a Commonwealth institution (for example, a Defence base).

40. If the institution is a Commonwealth institution, the RFI must be sent to the relevant Commonwealth Department representing the institution in their portfolio.

41. If the institution is a Territory institution, the RFI must be sent to the Territory representative.

42. The RFI can also go to any other institution that has information that may be relevant to determining the application.

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43. **Example:** A person was abused at Aboriginal Hostels Limited (a Commonwealth institution) in the ACT in 1990 (after ACT's self-government commenced). The RFI must be sent to the Department of the Prime Minister and Cabinet, as the Department representing the Commonwealth in relation to the institution (per its portfolio responsibility).

Scenario 4 – Abuse in a Government institution in a Territory before self-government, which transfers to Territory control after self-government – abuse spans pre and post self-government

44. As the potentially responsible institution is a government institution operating in a Territory before that Territory's self-government, and the institution later transferred to a Territory government's control, the case is partially a 'pre self-government' case.

45. In relation to abuse that occurred before the Territory's self-government, an RFI must be sent to DITRDC, as the Department representing the Commonwealth for pre self-government cases.

46. In relation to abuse that occurred after the Territory's self-government, an RFI must be sent to the Territory representative.

47. The RFI can also go to any other institution that has information that may be relevant to determining the application. However, this should only be done after DIRDC has completed the initial RFI (in relation to the abuse that occurred before the Territory's self-government).

48. **Example:** A person was abused at a public school in the ACT between 1987 and 1990. The school is a Commonwealth institution before 11 May 1989 and an ACT institution after that. The RFI must be sent to DITRDC, as the Department representing the Commonwealth in relation to the school at the time it was a Commonwealth institution, and the ACT government representative, in relation to the school now that it is an ACT institution.

Scenario 5 – Non-government institution in a Territory, prior to that Territory's self-government

49. In this scenario, which participating institution(s) the RFI must go to will depend on the case and which institution(s) are likely to be responsible.

50. If the case has no likelihood of government responsibility (for example, if the abuse occurred in a church that had no links to government) then the RFI is only sent to the relevant participating non-government institution(s).

51. If the case could result in equal responsibility between a non-government institution and a Commonwealth government institution(s), then the RFI must go to the relevant participating non-government institution(s) as well as:

- DITRDC, as the Department representing the Commonwealth for pre self-government cases:
  - if the institution transferred to Territory control after self-government; or
  - if the child was under the guardianship or parental responsibility of the Commonwealth at the time of the abuse (for example, as a state ward); or
- the relevant Commonwealth Department representing the institution in their portfolio – if the institution remained under Commonwealth control after self-government.

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52. The RFI can also go to any other participating institution that has information that may be relevant to determining the application. Again, this should only be done after DITRDC has completed the initial RFI (where applicable).

53. As above, a Commonwealth government institution (and other government institutions) cannot be found responsible where the only link(s) between them and a responsible non-government institution are of funding, establishing or regulating nature.

54. Additionally, if the child was a child migrant, the automatic deeming of Commonwealth responsibility (section 10 of the *National Redress Scheme for Institutional Child Sexual Abuse Rules 2018*) may apply, so an RFI must also be sent to the Department of Home Affairs.

55. **Example:** A child in the NT was sent to a children's home run by a non-government institution in 1970, where they were abused. At the time, the child was a ward of the Commonwealth. The RFI must go to DITRDC, as the Department representing the Commonwealth in relation to the institution holding wardship, and the relevant participating non-government institution.

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