

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 2 May 2023

**Public Authority:** Northern Ireland Ambulance Service

**Address:** Suite 30  
Knockbracken Healthcare Park  
Saintfield Road  
Clontonkelly  
BT8 8SG

#### **Decision (including any steps ordered)**

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1. The complainant requested information relating to staff and waiting times for calls. By the date of this notice the Northern Ireland Ambulance Service ("the NIAS") had not issued a substantive response to this request.
2. The Commissioner's decision is that the NIAS has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the NIAS to take the following step to ensure compliance with the legislation.
  - The NIAS must provide a substantive response to the request in accordance with its obligations under FOIA.
4. The NIAS must take this step within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

## Request and response

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5. On 20 December 2022, the complainant wrote to the NIAS and requested information in the following words:
- “1. How many staff does currently NIAS employ, broken down by type:  
- ambulance staff  
- office and managing staff  
- medical dispatchers  
Apologies don't know exact titles.  
2. How many medical dispatchers work per 12 hour shift. Happy to get answer in any format you record it including average.  
3. How many calls did Nias receive in last year broken down month by month. If within cost I would be grateful for breakdown by category of incident:1, etc  
4. What are statutory waiting times to respond to calls  
5. What are current waiting times to respond to calls by category.  
6.How many members of staff per type (job title as per q1) has been off sick due to wither mental health or stress related matter since 1<sup>st</sup> Jan 2022.”
6. The NIAS acknowledged the request on 23 December 2023. To date, a substantive response has not been issued.

## Reasons for decision

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7. Section 1(1) of FOIA states that:
- “Any person making a request for information to a public authority is entitled –
- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him.”
8. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.
9. On 30 March 2023, the Commissioner wrote to the NIAS, reminding it of its responsibilities and asking it to provide a substantive response to the complainant's request within 10 working days.

10. Despite this intervention the NIAS has failed to respond to the complainant.
11. From the evidence provided to the Commissioner in this case, it is clear that the NIAS did not deal with the request for information in accordance with FOIA. The Commissioner finds that the NIAS has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

## Right of appeal

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12. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963  
Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

13. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
14. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**