



22 December 2022

Email:

Dear

FREEDOM OF INFORMATION REQUEST

Request No: AD/IG/01(2)/0435-22

Subject: NIAS Control Training and Quality Assurance Officer (band 7)

Request:	Date Received:	16/12/2022
	Date of Monitoring:	19/12/2022
	Date of Response:	22/12/2022

Thank you for your request for information received on 16 December 2022 which was dealt with under the terms of the Freedom of Information Act 2000. The Northern Ireland Ambulance Service (NIAS) Health and Social Care Trust has now completed its search for the information you requested and a Trust response is detailed below.

Question 1

Under the freedom of information act, could I get a copy of previous interview questions for the post of NIAS Control Training and Quality Assurance Officer (band 7).

Answer 1

We handled your request in line with your rights under section 1 of the Freedom of Information Act (FOIA). We confirm that we hold information falling within the scope of your request. However, we are not able to disclose it and the reasoning for this has been outlined below.

For your information, interview competencies can relate to areas including communication, organisational skills, time management, relevant qualities and skills. These will be detailed in associated job description/specification or HSC Leadership Framework document.

Information withheld

Section 36(2) – prejudice to the effective conduct of public affairs

Unfortunately, we are unable to disclose the interview questions to you. We have applied exemption section 36 (2) (c) to this information.

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This exemption states that: information is exempt information if, in the reasonable opinion of a qualified person, disclosure under the legislation.

- (b) would, or would likely to inhibit –
 - (i) the free and frank provision of advice, or
 - (ii) the free and frank exchange of views for the purposes of deliberation, or
- (c) would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs

Unlike other exemptions in FOIA, an exemption in section 36(2) can only be applied where a public authority has consulted with a qualified person, as defined in the legislation, and it is the qualified person's opinion that the harm stated in the exemption would, or would be likely to, arise through disclosure.

The opinion of the qualified person was sought. For our purposes, the qualified person is the Chief Executive of the Northern Ireland Ambulance Service.

On this occasion, we consider that prejudice to the conduct of public affairs refers to our ability to offer an effective service through selecting and recruiting the right candidates and our ability to offer a fair recruitment process.

However, the exemption under s36 (2) (c) is qualified. This means that we need to carry out a public interest test to determine whether the balance lies with or against disclosure.

The public interest arguments in favour of disclosing the information:

- The general principles of transparency and openness
- The public interest in increasing openness, transparency and understanding of the candidate selection process, of which interview questions are part.

The public interest arguments in favour of maintaining the exemption:

- The public interest in us maintaining a position from which we can run an effective recruitment and selection campaign. This can be adversely affected if we are unable to run interviews where all candidates did not know the interview questions, or know the specific type and nature of questions we are likely to ask. Knowing too much about questions is likely to remove the element of quick thinking from the assessment process and can lead to schooled answers. There is also a risk that candidates could ask others to prepare answers for them which can lead to us choosing the wrong candidates.
- We also need to be able to offer a fair recruitment process. Were we to disclose the information you have requested, it seems likely that this would advantage those candidates who are aware of the disclosure. This might be internal candidates, those who check our disclosure log or who are in regular contact with us in some way.

Short of giving all the questions as part of the application process, to disclose the above under FOIA may lead to advantages for some and disadvantages for others.

We could of course write new questions but there is little public interest in causing unnecessary work and further, the disclosure of this set of questions we think, would give enough away about the nature, type and focus of our questions so as to disrupt our recruitment process. We would likely be in a position where we had to rethink the process which would take time and effort.

On this occasion we have decided that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Based on the above it my decision to exempt the information currently held by NIAS in line with Section 36(2)(c) of the FOIA.

We appreciate this may be a disappointing response but I hope our reasoning provided above is clear.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter.

Please note that, under the Re-use of Public Sector Information Regulations, if you wish to publish or otherwise use this information besides for your own means, you will need to seek our permission to do so.

In the event that you require a review to be undertaken, you can do so by writing to the Director of Planning, Performance and Corporate Services, Northern Ireland Ambulance Service (NIAS) HSC Trust, Site 30, Knockbracken Healthcare Park, Saintfield Road, Belfast, BT8 8SG.

If following an internal review, carried out by an independent decision maker, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the Trust has complied with the terms of the Freedom of Information Act.

You can write to the Information Commissioner at:

Website: ni@ico.org.uk
Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF
Telephone: 028 9027 8757 or 0303 123 1114 (Belfast based Office)

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Please be advised that NIAS replies under Freedom of Information may be released into the public domain via our website @ <http://www.niamb.co.uk>. Personal details in respect of your request will have, where applicable, been removed to protect confidentiality.

Yours sincerely

CHIEF EXECUTIVE