



Dear

Further to your email of 10th February, we are now in a position to provide you with our response.

We handled your request in line with your rights under section 1 of the Freedom of Information Act (FOIA).

On 10th February you asked for the following: 'I would appreciate it if you could furnish me with past interview questions for NIAS Hospital Ambulance Liaison Officer, (HALO), under the Freedom of information act. '

Our response:

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 the exemption at section 36 (2) (c) to this information. 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 be 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 questions 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.

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

Yours sincerely

Information Governance Department, Northern Ireland Ambulance Service

This response has been prepared for disclosure log publication. Only minor editorial or redaction amendments have been made for clarity and compliance with data protection legislation. The substantive content is identical to that provided to the requestor and the original issued version remains the authoritative record.