

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 28 November 2023

**Public Authority:** Northern Health and Social Care Trust

**Address:** Bretten Hall  
Bush Road  
Antrim  
Northern Ireland  
BT41 2RL

### Decision (including any steps ordered)

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1. The complainant requested information from Northern Health and Social Care Trust (the public authority). By the date of this notice the public authority had not issued a substantive response to this request.
2. The Commissioner's decision is that the public authority 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 public authority to take the following step to ensure compliance with the legislation.
  - The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.<sup>1</sup>
4. The public authority must take this step within 35 calendar days of the date of this decision notice. Failure to comply may result in the

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<sup>1</sup> The Commissioner expects the public authority to take appropriate precautions to protect any personal data when disclosing information in a spreadsheet or similar format; [Information Commissioner's Office - Advisory note to public authorities | ICO](#)

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 8 August 2023 the complainant wrote to the public authority and requested information in the following terms:

"In accordance with the Freedom of Information Act, I wish to request the following information:

-The number of expectant mothers whose inductions in Antrim Area Hospital were deferred and for how many days they were deferred from the original planned date, each week for the past fifteen weeks.

-The number of expectant mothers whose planned C-sections in Antrim Area Hospital were deferred and for how many days they were deferred from the original planned date, each week for the past fifteen weeks.

-The number of deliveries planned for Antrim Area Hospital which were transferred to another hospital (before or after arrival) each week for the past fifteen weeks.

-The number of deliveries in Causeway Hospital each week for the past fifteen weeks and method of delivery.

-The number of admissions to paediatric ward in Antrim Area Hospital each year for the past ten years and also each month for the past two years.

-The number of admissions to paediatric ward in Causeway Hospital each year for the past ten years and each month for the past two years."

## **Reasons for decision**

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6. 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.”

7. 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”.
8. On 7 November 2023 the Commissioner wrote to the public authority, reminding it of its responsibilities and asking it to provide a substantive response to the complainant’s request within 10 working days.
9. Despite this intervention the public authority has failed to respond to the complainant.
10. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority 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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11. 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-regulatorychamber](http://www.justice.gov.uk/tribunals/general-regulatorychamber)

12. 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.
13. 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 .....**

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