

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: **12 August 2025**

Public Authority: **North East Ambulance Service NHS Foundation Trust**

Address: **Bernicia House
The Waterfront,
Goldcrest Way
Newcastle Upon Tyne
NE15 8NY**

1. Request and Response:

The complainant requested the following information from North East Ambulance Service NHS Foundation Trust (the Trust) on 21 May 2025:

"Under the Freedom of Information Act 2000, I request the following information related to the "Final Report Review of NEAS Coroners Cases August 2019" (Ref: FOI.25.100) and your response to FOI.25.137:

Concerns Raised by County Durham and Darlington Coroner's Office:
Identify the specific staff members (by role or title, not personal names, to avoid Section 40 exemptions) at the County Durham and Darlington coroner's office who raised concerns about NEAS, as referenced in the 2019 report.

Provide a detailed summary of the nature of these concerns, including the issues raised, any specific cases referenced (using anonymized case identifiers if necessary), and the dates these concerns were communicated to NEAS.

Rationale for Not Sharing the 2019 Report with Coroners:
Your response to FOI.25.137 confirms that the "Final Report Review of NEAS Coroners Cases August 2019" was not shared with the coroners involved in the four cases referenced. Given the report's clear relevance to

these cases, provide:

Copies of any internal NEAS discussions, correspondence, or minutes (redacted if necessary) regarding the decision not to share the report with the coroners.

A detailed explanation of the rationale for not disclosing the report, including any policies, legal considerations, or other factors influencing this decision.

Rationale for Sharing the 2019 Report with Only One Family:

Your response confirms that a redacted version of the 2019 report was shared with one family but not the other three families of the deceased patients referenced in the report.

Provide:

Copies of any internal NEAS discussions, correspondence, or minutes (redacted if necessary) regarding the decision to share the report with only one family.

A detailed explanation of the rationale for not disclosing the report to all four families, including any policies, legal considerations, or case-specific factors influencing this decision.

Classification of Staff Member's Grievance vs. Freedom to Speak Up (FTSU) Matter:

Your response to FOI.25.137 states that the team member referenced in the 2019 report raised a "grievance" rather than a formal complaint.

Given the 2023 Griffiths review's criticism of NEAS's handling of whistleblowing and staff concerns, confirm whether this grievance was formally recorded and treated as a grievance rather than a Freedom to Speak Up (FTSU) matter.

Provide a detailed explanation of why this matter was classified as a grievance rather than an FTSU concern, including:
The criteria or policies used to distinguish between a grievance and an FTSU matter.

Any internal discussions or correspondence (redacted if necessary) regarding the classification of this matter.

Confirmation of whether the staff member was informed of the option to raise their concerns under NEAS's FTSU policy, and if not, why not.

I assert a strong public interest in the disclosure of this information, given its relevance to systemic issues at NEAS, including patient safety, transparency, and staff treatment.

The 2023 Griffiths review highlighted NEAS's failures in candour, underreporting of serious incidents, and mishandling of whistleblowing concerns, which are directly relevant to the classification of the staff member's grievance and the non-disclosure of the 2019 report to coroners and families. Transparency is essential for accountability, public trust, and ensuring improvements in a critical public service.

If any requested information cannot be disclosed due to FOIA exemptions (e.g., Section 40 for personal data), please provide anonymized or redacted versions where possible, along with a detailed explanation of the specific exemption applied to each withheld section and the public interest test conducted. I contend that the public interest outlined above outweighs many potential exemptions."

The Trust provided a response to the request on 24 June 2025.

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, the public authority did not provide a response within the statutory time frame. Therefore, the Commissioner finds a breach of section 10. As a response was provided no steps are required, however, he would remind the Trust of its obligation to respond to requests within the required timeframe under section 10 of FOIA.

3. Right of Appeal:

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)
General Regulatory Chamber
PO Box 11230
Leicester
LE1 8FQ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Reference: IC-398225-Q9S3



**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**