



FREEDOM OF INFORMATION REQUEST

Please note the text of this request has been reproduced exactly as received.

FOI Reference number: FOI 51/2024

Date: 16 July 2024

Request:

Please supply the following details under the Freedom of Information Act, covering the following years for each question:

2019/20

1. How many persons have lodged appeals against their Selected Medical Practitioners Certificate?
2. How many of these reviews have been conducted?
3. How many persons have lodged appeals against their Independent Medical Review Certificate?
4. How many of these reviews have been conducted?
5. What's the average time between IMR appeals being lodged and reviews conducted?
6. How many Retrospective IHR and/or IOD's have been lodged and conducted?

Answer:

I can confirm that the Board holds information falling within the description specified in your request.

This information is being withheld under section 12 (1) (of the Freedom of Information Act) as we estimate that the cost of complying with your request would exceed the appropriate limit.

The Board has received a number of requests for information that are similar to your request. It is the Board's view that your request has been made in concert with others as there is a common theme running between the requests.

When a public authority is estimating whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests.

Section 12 (4) of the Freedom of Information Act 2000 states –

Where two or more requests for information are made to a public authority -

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

The estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

The appropriate limit has been specified in regulations and for the Board it is set at £450. This represents the estimated cost of one person spending 18 hours in determining whether the Board holds the information, locating, retrieving and extracting the information. The estimated cost of complying with your request is taken to be the estimated total cost of complying with all requests made under the same subject matter.

Guidance published by the Information Commissioner's Office (ICO) states that where a public authority claims that section 12 of the FOIA is engaged, as in this case, the public authority should, where reasonable, provide advice and assistance to help the requestor refine their request so that it can be dealt with under the appropriate limit. Unfortunately in the specific circumstances of your request it is difficult for us to suggest how you could narrow your request.

If you have queries about this request or the decision please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should contact the Board's Chief Executive -

Via Email: foi@nipolicingboard.org.uk

Or in writing at the following address:

Northern Ireland Policing Board
James House
Block D
2 – 4 Cromac Avenue
The Gasworks
Belfast
BT7 2JA

You should contact the Board within 40 working days of this response.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. The Information Commissioner can be contacted at the following web link –

www.ico.org.uk/foicomplaints

or in writing at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: - 0303 1231114

Email: - ni@ico.org.uk

Please be advised that Policing Board replies under Freedom of Information may be released into the public domain via our website @ www.nipolicingboard.org.uk.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.