

FOI DOF/2025-0666

Request

1. How many staff in the prison service in uniform grade have a flexible working pattern per grade?
2. How many staff in the prison service in non-uniform grade have a flexible working pattern?
3. How many staff in HMP Maghaberry in uniform grade have a flexible working pattern per grade?
4. How many staff in HMP Maghaberry in non-uniform grade have a flexible working pattern?

DoF response

I can confirm the department holds the information requested, however where the numbers are less than ten, the exact figure cannot be provided as it may identify specific individuals. This is being withheld as it is exempt under Section 40(2) of the Freedom of Information Act due to the low number individuals involved. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would contravene one of the data protection principles in the General Data Protection Regulations (GDPR) (or certain other provisions of the Data Protection Act 2018).

In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed lawfully and fairly. Having considered all the information contained within the Legitimate Interest Test – lawful, fairness and transparency test (attached as a separate document – Annex C), the department has established that, on balance, there is no lawful basis for the disclosure of third-party personal data falling within the scope of the request of which the requester is not the data subject.

The responses to Q.1 & Q.3 are contained in the Table below.

Grade	NIPS Uniform Grades with a flexible working pattern	HMP Maghaberry Uniform Grades with a flexible working pattern
Custody Prison Officer/Main Grade Officer	122	78
Night Custody Officer	10	Sec 40(2)

Operational Support Grade	Sec 40(2)	Sec 40(2)
PECCS Grades	31	N/A
Senior Officer	10	Sec 40(2)

2. The number of staff in the prison service in non-uniform grade that have a flexible working pattern is 50.

4. The number of staff in HMP Maghaberry in non-uniform grade that have a flexible working pattern is 19.

Notes for Q2 and Q4: The most recent data held is at 1 April 2025. Analysis is based on NICS data held on HR Connect. Agency staff, staff on career breaks or on secondment outside the NICS are excluded.

Annex B - Internal Reviews

An Internal Review request examines the response based on applied exemptions, search adequacy, or response timeliness.

It is not the following, which will be treated as specified:

- Questions asking for clarification on information provided: Will be treated as part of the original FOI request.
- Additional questions about the information in the response: Will be treated as a new FOI request.
- Questions about the subject not related to the original request: Will be treated as new FOI request.
- Questions regarding how a service operates or why a decision was made: Will be treated as normal business and responded to accordingly.
- Complaints or concerns raised in response to information provided: Will be treated in line with relevant complaints procedure.

To make an Internal Review request:

- **Clearly state:** That you want an internal review of a previous FOI response and provide the necessary details.
- **Follow the timeline:** Be sure to submit your request within 40 working days of receiving the original response. If the Department has not responded at all, you have 40 working days after the original 20-day response period has passed.
- **Wait for a response:** The review is typically completed within 20 working days but can take up to 40 working days in exceptional circumstances. The Department should inform you of any delays.

What the review includes

- A fresh decision based on a reconsideration of all relevant factors.
- An assessment of whether the request was handled correctly and if exemptions were applied appropriately.
- The review will be conducted by someone who was not involved in the original decision.

If you wish to request an internal review, please email foi@finance-ni.gov.uk or write to FOI/EIR Team, Department of Finance, 2nd Floor, Craigantlet Buildings, Stoney Road, Belfast, BT4 3SX.