

**Request**

For each of the Department of Justice four directorates, i.e. Access to Justice, Safer Communities, Justice Delivery, Reducing Offending, please provide a breakdown of the reasons for sickness for each of the previous three reported years—for example: mental ill-health, musculoskeletal system, respiratory system, etc. Please use whichever categories your HR system uses.

Furthermore, please provide a breakdown to identify the reasons for sickness for each of the business areas within each of the four directorates, again using NICS HR categories

**DoF response**

I can confirm the department holds some of the information requested.

The information requested for the Reducing Offending Directorate is currently not held by the Department. The information for the other three Directorates is presented in **Annex C** (attached as a separate document).

Please note therefore that some personal information has been withheld because it is exempt under Section 40(2) of the Freedom of Information Act. 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 schedule 1 of the Data Protection Act.

Having considered all the information contained within the Legitimate Interest Test – also known as a Lawful, Fairness and Transparency Test - (attached as a separate document **Annex D**), 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. Making an unrestricted disclosure of personal data for private interests could constitute a disproportionate and unwarranted level of interference with the individuals' rights and freedoms – particularly their right to privacy and family life under the Human Rights Act 1998.

## 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](mailto:foi@finance-ni.gov.uk) or write to FOI/EIR Team, Department of Finance, 2nd Floor, Craigantlet Buildings, Stoney Road, Belfast, BT4 3SX.**