TEMPLATE FOR APPLYING FOI SECTION 40(2)

DOF/2026-0600

The lawfulness, fairness and transparency test

Business areas are required to carry out a "lawfulness, fairness and transparency test" when considering the disclosure of third party personal data falling within the scope of a FOI or EIR request. **In most cases**, neither of the lawful basis outlined below will apply, however the business area must complete the test as evidence as having considered.

The steps are as follows:-

1. Consider the Personal Data falling within the scope of the request

ICO guidance states that, personal data only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

The request is for:

I am writing to request information held by the Department of Finance concerning the approved business case for the consolidation of Northern Ireland Civil Service accommodation in Ballymena and the proposed future disposal of County Hall, 182 Galgorm Road, Ballymena.

I note that the Minister of Finance confirmed in an Assembly answer dated 3 February 2026 that the business case for consolidation has been approved, with a fully refurbished Academy House identified as the preferred option, and that County Hall is intended to be disposed of following completion of the project.

I would be grateful if the Department could provide the following information:

1. Approved business case

A copy of the final approved business case, including its appendices, supporting financial appraisal and options appraisal, concerning the consolidation of Civil Service accommodation in Ballymena at Academy House.

2. Options considered

Details of all substantive accommodation options considered within the business case, including, where applicable:

- retention and refurbishment of County Hall, to include the cost of creating the hub at county hall.
- continued occupation of both County Hall and Academy House;
- consolidation at County Hall rather than Academy House;
- consolidation at Academy House;
- alternative public-sector uses or shared occupation of County Hall.

- Please include the assessed advantages, disadvantages, costs and scoring attributed to each option where this information is held.

3. County Hall condition and refurbishment

Copies of, or the principal findings and estimated costs contained within, any building condition surveys, feasibility studies or assessments undertaken or relied upon since 2020 concerning the condition, refurbishment or continued occupation of County Hall.

4. Academy House refurbishment

The current estimated total capital cost of the proposed refurbishment of Academy House, including, where separately recorded:

- construction/refurbishment costs;
- professional and consultancy fees;
- ICT and fit-out costs;
- costs associated with temporarily relocating staff;
- contingency; and
- the overall approved project budget.

5. Comparative running costs

The annual property/operating costs used in the approved business case for:

- County Hall;
- Academy House in its existing condition; and
- Academy House following the proposed refurbishment.

6. County Hall valuation

The most recent valuation of County Hall and the surrounding government-owned site, together with the date of that valuation.

If the Department considers that disclosure of the precise valuation could prejudice a future disposal or the Department's commercial interests, please provide, at minimum, the date of the valuation and confirm whether the anticipated disposal receipt was included in the financial appraisal/business case and, if so, the amount used for appraisal purposes, insofar as it can lawfully be disclosed.

7. Staff numbers and building capacity

The number of NICS staff currently accommodated at County Hall and Academy House, together with the planned maximum/workstation capacity of the refurbished Academy House and the number of staff it is expected to accommodate following consolidation.

8. Car parking

The number of staff and visitor parking spaces currently available at County Hall and Academy House and the anticipated number of spaces available to staff at Academy House following refurbishment.

9. Wider public-sector occupation

A list of public-sector organisations, excluding individual employees, currently occupying County Hall and any documents or assessments concerning the possibility of County Hall being retained as shared public-sector accommodation following the relocation of NICS staff.

10. Disposal process

Please confirm:

a. whether County Hall has yet been formally declared surplus;

b. whether a D1 disposal form has been submitted to the Strategic Asset Management Unit (SAMU); c.

if submitted, the date of submission;

d. if not submitted, the anticipated date or stage at which the Department currently expects this to occur; and

e. whether County Hall has yet been entered, or is intended to be entered, on the D1 Register.

11. Consultation

Copies of any final reports, minutes or formal records of consultation with recognised Trade Union Side concerning the proposed consolidation and its implications for employees currently based at County Hall, subject to appropriate redaction of personal information.

12. Equality, sustainability and environmental assessment

Copies of any final:

- equality screening or Equality Impact Assessment;
- sustainability assessment;
- carbon/environmental assessment; and
- travel or transport assessment prepared in connection with the decision to consolidate accommodation at Academy House and ultimately dispose of County Hall.

Brief description:

The data held is in relation to where people could be identified which is considered personal, third party data.

Release of the requested information risks identification of individuals due to the low numbers. As Data Controller, The Department cannot assume that the requester or the wider public does not hold other information which could be used in conjunction with this to further identify individuals.

2. Lawfulness

Do either of the two lawful bases below which allow for the disclosure of personal data apply? **No**

☐ **Consent:** We do not have the consent of individual(s) to share their information. Therefore, to release the requested information would risk identifying the individuals and would therefore contravene the data protection principles.

☐ **Legitimate interests:** Disclosure is not necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy. The data subjects involved would have a reasonable expectation that this information would not be shared with the public at large.

The DoF Privacy notice states that we may process personal information for the purposes of detection and investigation of suspected or actual fraud, loss or crime, data matching under the National Fraud Initiative, staff monitoring and as required by other legislation. This request is based solely on the requester's private concerns as opposed to a pressing public interest that would necessitate transparency and disclosure of the information.

Consequently, if the Department was to comply with the request, it would, in effect, be making an unrestricted disclosure of personal data to the general public on the strength of the requester's private interests. This 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.

Conclusion

Having considered all the information contained within the Lawfulness, Fairness and Transparency Test, 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).