

FOI DOF/2024-0330

Request

1. How many staff have received a sick warning, that have had no return to work done, and their appeal has been turned down?
2. Could I have the figures separately for HMP Maghaberry, HMP Magilligan and Hydebank Wood for the last 5 years.

DoF Response

I can confirm the department holds the information requested.

1. 10 Staff.
2. Please note, regarding your request for the figures separately for HMP Maghaberry, HMP Magilligan and Hydebank Wood for the last 5 years – This information is 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 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 B), 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.