

FOI 2525

20<sup>th</sup> August 2024

**RE: FOI 2525 – PHLEBOTOMY DRIVE THROUGH SERVICE**

**REQUEST**

Dear Sir / Madam,

I am writing in relation to the Trust's decision to end the drive through blood testing system at St Luke's Armagh.

I am making a FOI request for the following information:

All e-mails to Mrs Eileen Mullan, Chair of the Trust, in relation to the closure

Minutes of meeting that recommended the closure of this service

All reports, that were produced, in order to arrive at the conclusion that the service should be ended.

Thanks

**RESPONSE**

I have considered your Freedom of Information request dated 23rd June and believe some of the requested information is exempt from disclosure under section 36 of Freedom of Information Act 2000.

In accordance with section 36(2) (b) (i) and (ii), notably the free and frank provision of advice and the free and frank exchange of views for the purposes of deliberation, I believe the release of some of the requested information at this time would be likely to prejudice the conduct of public affairs.

In reaching this decision I have taken account of the fact that while the decision to pause the drive through blood testing system at St Luke's Armagh has already been made, the overall context in which this decision has been taken is very much a live and ongoing issue.

In keeping with the Information Commissioner's Office guidance in relation to section 36 (2) (b) (ii) I consider this exemption to be engaged at the current point in time because a 'safe space' is required to allow key decision makers to develop ideas, debate live issues, both internally and with external organisations, and reach decisions about ongoing issues away from external interference and distraction.

In addition, the I consider that section 36(2)(b)(i) and s36(2)(b)(ii) is engaged because disclosure of the requested information at this time would be likely to inhibit decision makers from expressing their views openly and honestly when debating, deliberating and providing advice in relation to the wider ongoing issues that lead to the decision to pause the drive through blood testing system at St Luke's Armagh. Section 36 is a qualified exemption subject to a public interest test. In applying this exemption the Trust has balanced the public interest in withholding the information against the public interest in disclosing the information. On balance, the public interest test favours withholding the information for the following reason(s):

**Considerations in favour withholding the information:**

- In line with guidance from the Information Commissioner's Office 'There is a public interest inherent in prejudice-based exemptions, to avoid the harm specified in that exemption.... The fact that a prejudice-based exemption is engaged means that there is automatically some public interest in maintaining it. You should take this into account in the public interest test'.
- The need to allow a 'safe space' to allow key decision makers to develop ideas, debate live issues, both internally and with external organisations, and reach decisions about ongoing issues away from external interference and distraction.
- Disclosure of the requested information at this time would be likely to inhibit decision makers from expressing their views openly and honestly when debating, deliberating and providing advice in relation to the wider ongoing issues that lead to the decision to pause the drive through blood testing system at St Luke's Armagh.

**Considerations in favour of disclosing the information:**

- General interest in public transparency about decisions made by public authorities.
- Public interest in the accountability of decision makers in public authorities,

The public interest in maintaining section 36 (2) (b) (i) and (ii) may diminish over time when the ongoing issues have been addressed and at that stage the Trust may reconsider your request.

In the interests of openness and transparency I have considered if any information held could be disclosed at this time. As a result, please find enclosed email communications held by the Trust in relation to your request. Please note that some information has been redacted in keeping with section 40(2) of the Freedom of Information Act which exempts third party personal information from disclosure. Direct contact details for staff members have been redacted in accordance with section 36 of the Freedom of Information Act. This is because release of direct contact details for staff members into the public domain could cause an increase in nuisance or misdirected calls which would distract staff from their ability to carry out their day-to-day work. The contact details for central points in Trust facilities and departments can be found on the Southern Health and Social Care website.

In the context of your overall request, I thought it may be useful to provide some additional information in relation to the position of the phlebotomy drive through service. I can confirm that the service was established in response to the COVID-19 pandemic, to promote social distancing and to support the move

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to 'virtual' out-patient activity. At this time the service was temporarily funded in the Trust and across all other Trusts in Northern Ireland.

Unfortunately, this temporary funding ceased on 31st March 2023 and while other Trusts stopped their drive through service, at this time, we continued to run our service.

Regrettably, due to financial pressures, right across health and social care in Northern Ireland, we are no longer able to fund this service which has been paused in the absence of dedicated funding.

If you are dissatisfied with this response you may contact us using one of the below contact methods outlined in the footnote and quote the above reference number. Alternatively, you may request an independent internal review of our handling of your request by submitting a complaint within two months. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response. Thereafter, should you not be satisfied with the outcome you may apply directly to the Information Commissioner who can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

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