



9 September 2022

Email: [request-872149-185df6e9@whatdotheyknow.com](mailto:request-872149-185df6e9@whatdotheyknow.com)

Dear Mr Gerner

**FREEDOM OF INFORMATION REQUEST**

**Request No:** AD-IG-01(2)-3211-22

**Subject:** Consultation with Service Providers re Private/Voluntary Ambulance Services

**Request:**

<b>Date received:</b>	26/05/2022
<b>Date of Monitoring:</b>	27/05/2022
<b>Date of Response:</b>	11/07/2022
<b>Internal Review Request:</b>	13/07/2022
<b>Internal Review Decision:</b>	17/08/2022
<b>Date of Revised Response:</b>	09/09/2022

Thank you for your correspondence received on 13 July 2022. In relation to same, I would further provide the following.

The Northern Ireland Ambulance Service (NIAS) would fully apologise for the delay in the provision of the response and for your patience with this. I would further advise that under the legislation an internal review process is not legally required however we adopted this good practice approach to fully assist requestors. You now have a right to complain to the Information Commissioners Office as you have clearly stated that you are unhappy with the response and we have provided these details at the end of correspondence.

**Question 1**

Regarding the next procurement exercise for private / voluntary ambulance services via BSO PaLS: please provide information held on the level of consultation that takes place with the industry and if any is planned in advance of the procurement.

**Original Answer Provided**

The above is a regional framework managed by the Business Services Organisation (BSO) Procurement and Logistics Services (PaLS) which is utilised by all Health & Social Care Trust's within Northern Ireland. Your request should therefore be forwarded to BSO as they will hold the information requested. Their email address is [foi.bso@hscni.net](mailto:foi.bso@hscni.net)

### **Review Issue Raised**

Mr Gerner has made a complaint in relation to the response he has received from NIAS on 22 July 2022, the basis of his complaint is " My request was refused on the grounds that BSO PaLS holds the information. But (a) my request relates to a contract run by NIAS and (b) my request relates to consultation plans BEFORE the procurement is started (only then does BSO PaLS have responsibility). As such, I believe NIAS has the information requested."

I am also troubled to note the time period it took for NIAS to respond to my FOI request with a statement that NIAS does not have the information. The legislation states "a public authority must comply with section 1(1) <PROMPTLY> and in any event not later than the twentieth working day following the date of receipt." (<EMPHASIS> Emphasis mine). Does it really take more than a month to decide to direct me to another agency? Why was there this untoward delay? It is manifestly not a prompt response and hence is a breach of the legislation.

### **Panel Considerations**

The Panel have reviewed the initial FOI request and the Trust's initial response dated 11 July 2022 and noted the following:

- NIAS do not have the information requested.
- The procurement of Voluntary Ambulance Service and Private Ambulance Services is managed by BSO PaLS, following their procurement protocols and procedures.
- Having engaged with BSO there will be a pre engagement consultation with industry as is best practice.
- BSO PaLS do have responsibility for "going out to market" through consultation pre tender. BSO were not able to confirm the date and plans for this consultation. Provision of information in this regard will be held by BSO.

### **Panel Decision**

**UPHELD.** The NIAS response of 22 July 2022 is upheld on the grounds that the procurement is being managed by BSO PaLS and therefore enquires should be directed to them.

In terms of the time taken to process your original request and this review the Trust would fully apologise for the delay due to current ongoing pressures faced by NIAS.

I hope this fully assists you. If you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the Trust has complied with the terms of the Freedom of Information Act.

You can write to the Information Commissioner at:

**Website:** [ni@ico.org.uk](mailto:ni@ico.org.uk)

**Post:** Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF

**Telephone:** 028 9027 8757 or 0303 123 1114 (Belfast based Office)

Please be advised that NIAS replies under Freedom of Information may be released into the public domain via our website @ <http://www.niamb.co.uk>. Personal details in respect of your request will have, where applicable, been removed to protect confidentiality.

Yours sincerely

*Not signed (issued via email)*

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