

EIR Request (received 01 December 2022) - Reference: DFI/2022-0421

I am getting in touch to make a Freedom of Information request to the Department of Infrastructure.

I was seeking to get the following information:

- 1. A record of each reported attack on traffic attendants in Northern Ireland between the dates of January 1, 2022, and November 30, 2022. The records should include details of what form the attack involved and the location of the attack.*
- 2. A copy of each complaint about a traffic attendant in Northern Ireland which was sent by the Department of Infrastructure to NSL Services Group between the dates of January 1, 2022, and November 30, 2022. The record should include details of the complaint made.*

Response (issued 23 December 2022)

I refer to your email of 1st December 2022 requesting information under the Freedom of Information on reported attacks on Traffic Attendants (TAs) and details of complaints about TA behaviour between 1st January 2022 and 30th November 2022.

In considering your request on behalf of the Department, I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004, as opposed to the FOI Act 2000.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/whatare-the-eir/>.

I can confirm that the Department does hold information related to your information request. As EIR relates to public rights of access to information, I must consider whether the information held is suitable for release to the world at large, and not solely to the applicant. I have examined the information you requested and carried out a public interest test to determine whether this information is suitable for release to the public.

I will address each of your requests in turn:

- 1. A record of each reported attack on traffic attendants in Northern Ireland between the dates of January 1, 2022, and November 30, 2022. The records should include details of what form the attack involved and the location of the attack.*

Following consideration of the public interest in this case, I have determined that some of the information requested is not suitable for release under the Environmental Information Regulations 2004.

The information being withheld, because it will allow for the identification of individual Traffic Attendants, constitutes third party personal data within the meaning of the Data Protection Act 2018 (DPA). A public authority may only release third party personal data if to do so would be fair, lawful and would meet the conditions in Schedule 2, 3 or 4 of the DPA. The Department may not disclose personal information to the public in contravention of any of the data protection principles (Article 5(1) UK General Data Protection Regulation or sections 34(1) and 85(1) DPA) and must consider all consequences of disclosure in each case.

The requested information is therefore withheld under the exception provided under EIR by Regulations 12(3) & 13: personal information. I am satisfied that the public interest is best served by withholding this information.

I am satisfied that the Department may only safely disclose the information contained within the table below in relation to attacks on TAs:

TA Attacks 1/1/2022 - 30/11/2022		
Date	Location (Town)	Nature of Incident
11/01/2022	Belfast	Physical
31/01/2022	Ballymena	Verbal
18/02/2022	Magherafelt	Verbal
19/03/2022	Carrickfergus	Physical
06/04/2022	Newry	Verbal
26/04/2022	Ballymena	Verbal
29/04/2022	Enniskillen	Physical
14/05/2022	Ballymena	Verbal
10/06/2022	Belfast	Physical
02/07/2022	Lisburn	Physical
09/07/2022	Belfast	Verbal
07/09/2022	Portrush	Verbal
20/09/2022	Ballymena	Verbal
09/11/2022	Belfast	Physical
09/11/2022	Belfast	Verbally
16/11/2022	Belfast	Physical

2. *A copy of each complaint about a traffic attendant in Northern Ireland which was sent by the Department of Infrastructure to NSL Services Group between the dates of January 1, 2022, and November 30, 2022. The record should include details of the complaint made.*

Following consideration of the public interest in this case, I have determined that some of the information requested is not suitable for release under the Environmental Information Regulations 2004. This information is again withheld under the exception provided by Reg. 12(3) & 13 of the Environmental Information Regulations 2004.

I am satisfied that the Department may only safely disclose the information contained within the table below in relation to complaints about TAs:

Complaints about TAs (1/1/2022 - 30/11/2022)		
Date	Location	Nature of complaint*
11/01/2022	Ballymoney	Discrimination by TA
25/01/2022	Dungannon	Harassment by TA
20/01/2022	Ballymena	Harassment by TA
09/03/2022	Ballymena	Harassment by TA
24/03/2022	Lisburn	Rude behaviour by TA
28/03/2022	Ballyclare	Rude behaviour by TA
25/04/2022	Newcastle	Rude behaviour by TA
26/04/2022	Lisburn	Harassment by TA
03/05/2022	Bangor	Rude behaviour by TA
29/04/2022	Belfast	Assault by TA
10/05/2022	Belfast	Discrimination by TA
31/05/2022	Lisburn	Misinformation by TA
15/06/2022	Lisburn	Harassment by TA
21/06/2022	Enniskillen	Rude behaviour by TA
29/06/2022	Limavady	Poor attitude by TA
30/06/2022	Belfast	Rude behaviour by TA
01/08/2022	Ballymoney	Harassment by TA
02/08/2022	Belfast	Rude behaviour by TA
13/09/2022	Belfast	Harassment by TA
06/10/2022	Carrickfergus	Dishonesty by TA
12/10/2022	Belfast	GDPR Breach by TA
27/10/2022	Newtownards	Rude behaviour by TA
31/10/2022	Newry	Harassment by TA
02/11/2022	Belfast	Dishonesty by TA
01/11/2022	Cookstown	Harassment by TA
11/11/2022	Coleraine	Harassment by TA
17/11/2022	Belleek	Harassment by TA
29/11/2022	Belfast	Harassment by TA
30/11/2022	Belfast	Entry to premises by TA without permission

*This is a list of all complaints received, however, in some cases the complaint may not have been upheld or is still under investigation.

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