

21 August 2023

IC-252101-J1M0

Request

On 16 August 2023 you made a request for the following information in relation to the recent recruitment for the position 'Paralegal – Policy and Advice':

- *Could you please confirm how many panel members were involved throughout the application process?*
- *Could you please confirm how many internal candidates applied for the role?*
- *Could you please confirm whether any internal candidates were invited to the interview stage? If yes, how many?*
- *Could you also confirm whether all the internal candidates were asked to complete the additional personal statement and submission/resubmission of their CV's?*
- *Could you please confirm whether the successful candidate for the role was an internal candidate?*
- *Could you please confirm whether all applicants were subject to the same scoring criteria, i.e., 1-5?*
- *Could you please confirm whether any of the shortlisted applicants declared a disability as part of their application?*

On 21 August 2023 you added the following points to your request:

- *Could you please confirm whether any candidates successful to the interview stage held a law degree? If yes, how many?*
- *Could you please confirm whether any candidates successful to the interview stage held the LPC? If yes, how many?*
- *Could you please confirm whether any of the candidates successful to the interview stage scored a 3 on any of the selection criteria?*
- *Could you please confirm whether any of the candidates successful to the interview stage scored a 2 or below on any of the selection criteria?*

We have dealt with your request in accordance with the Freedom of Information Act (2000).

Response

We have responded to each point individually below.

Could you please confirm how many panel members were involved throughout the application process?

2 for shortlisting, 3 for interview.

Could you please confirm how many internal candidates applied for the role?

8.

Could you please confirm whether any internal candidates were invited to the interview stage? If yes, how many?

Yes. The exact figure has been withheld in accordance with Section 40(2), and more information about this exemption has been provided below.

Could you also confirm whether all the internal candidates were asked to complete the additional personal statement and submission/resubmission of their CV's?

Yes. All internal applicants were invited to submit a supporting statement to be reviewed alongside experience. This was because the ICO were made aware of issues experienced by internal applicants in relation to their initial application submissions. Candidates were also advised that they could submit a full CV if they wished to do so.

Could you please confirm whether the successful candidate for the role was an internal candidate?

This information has been withheld in accordance with Section 40(2).

Could you please confirm whether all applicants were subject to the same scoring criteria, i.e., 1-5?

Yes. All applicants were subject to the same scoring criteria.

Could you please confirm whether any of the shortlisted applicants declared a disability as part of their application

We hold information about whether or not each shortlisted applicant declared a disability as part of their application, but this information has been withheld in accordance with Section 40(2).

Could you please confirm whether any candidates successful to the interview stage held a law degree? If yes, how many?

10.

Could you please confirm whether any candidates successful to the interview stage held the LPC? If yes, how many?

Yes. The figure has been withheld in accordance with Section 40(2).

Could you please confirm whether any of the candidates successful to the interview stage scored a 3 on any of the selection criteria?

Yes.

Could you please confirm whether any of the candidates successful to the interview stage scored a 2 or below on any of the selection criteria

None. All candidates who were shortlisted scored 3 or more on each of the initial selection criteria.

Information withheld – Section 40(2)

Some of the information you have requested has been withheld in accordance with Section 40(2). This exempts information if it is personal data belonging to an individual other than the requester and it satisfies one of the conditions listed in the legislation.

We find that the condition at section 40(3A)(a) applies in this instance: that disclosure would breach one of the data protection principles. The principles are outlined in the General Data Protection Regulation (GDPR) with the relevant principle on this occasion being the first principle as provided by Article 5(1): that personal data shall be processed lawfully, fairly and in a transparent manner.

We do not consider that disclosing this information into the public domain is necessary or justified. There is no strong legitimate interest that would override the prejudice to the rights and freedoms of the relevant data subjects. We have therefore taken the decision that disclosing this information would be unlawful, triggering the exemption at section 40(2) of the FOIA.

Although the withheld information may not enable every member of the general public to identify individuals, the ICO's [draft anonymisation guidance](#) notes that *"You should also consider whether the specific knowledge of others, such as doctors, family members, friends and colleagues could be sufficient additional information that may allow inferences to be drawn."*

Only 10 applicants were shortlisted for the role your request refers to. While we hold information about their qualifications, whether or not they were offered the position, declared a disability, were external or internal etc., this information is in some cases specific to a very small number of candidates. Those with knowledge of this particular recruitment campaign (including applicants) or of the candidates (such as their family, friends, colleagues and current employers) may be able to use the requested details in conjunction with other information to identify individuals.

Our position is that candidates would have a strong expectation that details relating to their application would be held in confidence and would only be used in connection with the recruitment process where relevant. They were not notified about processing for any purpose other than for the job application itself.

Advice and assistance

Please note that while we can consider subject access requests from candidates for their own personal data in relation to recruitment campaigns, requests for details relating to the applications of other candidates may involve exempt information, particularly if this relates to details that could be used to identify individuals.

Also, in relation to your interest in protected characteristics and recruitment, we publish some information about this area in [our annual reports](#).

This concludes our response to your request.

Next steps

Please come back to us in the first instance if you would like a clarification or a review of the way your request has been handled. If you remain dissatisfied you can then request a review of our decision under the FOIA or make a complaint about how your request has been handled by writing to the Information Access Team at the address below or email icoaccessinformation@ico.org.uk.

Your request for internal review should be submitted to us within 40 working days of receipt by you of this response. Any such request received after this time will only be considered at the discretion of the Commissioner.

If having exhausted the review process you are not content that your request or review has been dealt with correctly, you have a further right of appeal to this office in our capacity as the statutory complaint handler under the legislation. To make such an application, please write to our FOI Complaints & Appeals Department at the address below or visit our website if you wish to make a complaint under the Freedom of Information Act.

A copy of our review procedure can be accessed from our website [here](#).

Your rights

Our [privacy notice](#) explains what we do with the personal data you provide to us and what your rights are, with a specific entry, for example, for [an information requester](#). Our retention policy can be found [here](#).

Yours sincerely,



Information Access Team
Risk and Governance Department, Corporate Strategy and
Planning Service
Information Commissioner's Office, Wycliffe House, Water
Lane, Wilmslow, Cheshire SK9 5AF
ico.org.uk twitter.com/iconews

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