

8 August 2023

IC-245698-K4Q5

## Request

On 18 July 2023 you made a request for the following information in relation to the recent recruitment for the position 'Paralegal – Policy and Advice JR59':

- *Scoring for the candidates that were shortlisted*
- *Confirmation as to whether this position was only open to internal candidates (as the response from Workday reads like it was open to external candidates also).*
- *How many applicants were there for this position (breakdown between internal/external candidates).*
- *How many applicants were shortlisted for the position (breakdown between internal/external candidates).*
- *How many of the applicants had a law degree.*
- *How many of the applicants with a law degree were shortlisted.*
- *What date were applicants advised they had been shortlisted.*
- *With regard to those not shortlisted, please confirm what date(s) they were each informed of this.*
- *Was the particular role advertised already in existence before the successful candidate takes up the position on a permanent basis – eg was it a permanent role where someone is leaving/left and so a replacement is required or was there a temporary holder in situ, eg on secondment?*

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

## **Response**

We hold information that falls within scope of your request.

### *Scoring for the candidates that were shortlisted*

Candidates who were shortlisted scored 12 or above and a minimum of 3 in each of the following categories:

- Good intellectual and analytical ability. Demonstrable ability to apply knowledge of relevant legislation in variety of circumstances.
- Law Degree / ILEX level 3 Professional Diploma in Law or equivalent is desirable. Or Successful completion of Legal Practice Course. Or relevant work experience at a level demonstrating graduate ability
- Excellent time management skills and the ability to cope with tight deadlines, work flexibly and manage multiple tasks simultaneously
- Very good written and verbal communication together with strong interpersonal skills.

Applicants could score up to 5 for each criteria (see scoring guide below):

- 1 = no evidence
- 2 = poor evidence
- 3 = satisfactory evidence
- 4 = good evidence
- 5 = exemplary evidence

We can confirm that all ten shortlisted candidates scored in the 12-14 range overall. Detailed breakdowns by individual score (including scores associated with each of the criteria) have been withheld in accordance with Section 40(2). This is because in some cases only a single person achieved a particular score.

*Confirmation as to whether this position was only open to internal candidates (as the response from Workday reads like it was open to external candidates also)*

The position was open to internal and external candidates.

*How many applicants were there for this position (breakdown between internal/external candidates)*

There were 104 applications, and eight of these came from internal candidates.

*How many applicants were shortlisted for the position (breakdown between internal/external candidates)*

10 applicants were shortlisted for the position, and this includes both internal and external candidates. The exact breakdown has been withheld in accordance with Section 40(2), due to the small numbers of people involved, although we can confirm that less than five of those shortlisted were internal applicants.

*How many of the applicants had a law degree*

86.

*How many of the applicants with a law degree were shortlisted*

10.

*What date were applicants advised they had been shortlisted*

17 July 2023.

*With regard to those not shortlisted, please confirm what date(s) they were each informed of this*

18 July 2023.

*Was the particular role advertised already in existence before the successful candidate takes up the position on a permanent basis – eg was it a permanent role where someone is leaving/left and so a replacement is required or was there a temporary holder in situ, eg on secondment*

This was a new role created as part of ICO25. There was not a previous post holder.

### **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."*

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. This is particularly relevant for internal candidates, who make up a smaller proportion of those shortlisted.

Our position is that candidates would have a strong expectation that details of their application (including whether or not they were shortlisted, whether they were internal or external and what they scored during shortlisting, including detailed breakdowns by criteria) would be held in confidence and would only be used in connection with the recruitment process. They were not notified about processing for any purpose other than for the job application itself.

We have provided some information about the shortlisting to assist with understanding the outcome but where the details requested are personal to individual applicants (or a small number) these have been withheld.

### **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 (including feedback relating to their application), requests for details relating to the applications of other candidates may involve exempt information.

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](mailto: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  
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