

**My Ref:** IG-14781  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
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Requester

At contact address specified for request number above

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[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)

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12 April 2021

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

The Council has considered your request which was received on 15 March 2021 and our response to your questions is shown below.

- 1. Please inform me what questions were used in the interview for the Monitoring Officer/Head of Legal/Deputy Head of Legal roles?*
- 2. Please inform me of the guided/model answers for the above interview?*

In accordance with section 1(1) of the Freedom of Information Act 2000 (the Act) the Council has a duty to confirm whether it holds the information of the description specified in the request, and if that is the case, to have the information communicated to the requester.

The Council can confirm it holds information falling in the scope of your request. Regarding questions 1 and 2, the Council is withholding this information, in accordance with section 36(2)(c) of the Act. This exemption states that: "information is exempt if, in the reasonable opinion of a qualified person, disclosure of the information would otherwise prejudice, or would be likely to prejudice, the effective conduct of public affairs".

The Council has considered the following prejudice in its determination to apply the section 36(2)(c) exemption for this information. The Council considers that providing you with the interview questions and guided/model answers for the posts of Director of Legal and Governance and Head of Service Legal and Governance would otherwise prejudice the effective conduct of public affairs by hindering the Council's ability to offer a fair recruitment process to all future candidates for these posts, and prejudice the Council's ability to select and recruit the right candidates for these roles in the future. Interview questions and guided/model answers are not provided in any circumstances as part of the recruitment process, therefore disclosure of this information would create an 'uneven playing field' in any future recruitment for these roles and also set a precedent to disclose this information for any positions being advertised by the Council currently or in the future. Interview questions are developed



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over time. Disclosure of this information would prejudice the Council's ability to provide an effective and efficient Legal service as disclosure of this information would undermine any future recruitment process for these positions. If this information was disclosed, the recruitment process for these roles in the future would have to be completely overhauled to ensure that no candidate would have an unfair advantage over another, this would cause a significant disruption to the Council's recruitment process, the Council would also incur additional costs as a result of senior officers having to rewrite the interview process for these roles. The Council considers that the above prejudice would be likely to occur, the prejudice claimed is real, actual and of substance and there is an underlying link between disclosure of the information and the prejudice occurring. In order to reach this conclusion the Council has also considered similar requests for the same category of information, which can be found at the following webpages:

[https://www.whatdotheyknow.com/request/interview\\_questions#outgoing-538583](https://www.whatdotheyknow.com/request/interview_questions#outgoing-538583)

<https://icosearch.ico.org.uk/s/search.html?collection=ico-meta&profile=decisions&query&query=FS50737357>

As per the requirements of this exemption, when considering your request, the Freedom of Information team has also sought the opinion of the qualified person. The qualified person has considered your request, the withheld information, and the exemption and has agreed the exemption is engaged and the above prejudice is likely to occur if the requested information was disclosed to you in response to a Freedom of Information request.

As the Council have relied on section 36(2)(c) of the Act, we are required to carry out a Public Interest Test. This is a test to see whether the public interest in withholding the information is greater than releasing it.

The Council recognises disclosure would allow you a better understanding of our candidate selection process, and could assist the general public by being open and transparent with how we recruit for these type of roles. However, recruitment at the Council is an ongoing process. Whilst the release of this information could theoretically be in effect 'to the world at large', the Council recognises that some candidates would have an unfair advantage over those candidates who have not seen this disclosed information. Additionally, one purpose of the recruitment process is to test candidates on their quick thinking ability during the interview – yet disclosure would allow candidates for these roles to rehearse their answers prior to the interview. There is an overwhelming public interest that the Council is able to offer a fair recruitment process for all candidates.

The Council has demonstrated the combined weight of factors favouring non-disclosure strongly outweigh the combined weight of those favouring disclosure. We feel it is appropriate in this case to maintain the exemption and withhold the requested information.

As the Council is withholding the requested information as detailed above under section 36(2)(c) please accept this letter as a partial refusal notice issued in accordance with section 17 of the Act.

*3. Please inform me about what the interview comprised i.e. interview and presentation? psychometric testing?*

The interviews for these roles comprised of a role-play scenario with the Corporate Leadership Team, a scenario based discussion, a presentation and an interview.

*4. Was an external organisation instructed to carry out the above process?*

The recruitment was an internal process only.

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If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the Council within forty working days of the date of this letter. Please quote reference IG-14781 in all communications.

You can contact the Freedom of Information Team either by email: [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.** You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Freedom of Information Team  
Legal & Governance  
Nottingham City Council