



Freedom of Information Team
Department for Digital, Culture, Media & Sport
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Jay Richardson
request-868425-a74f24bb@whatdotheyknow.com

FOI2022/07981
10 June 2022

Dear Jay Richardson,

Thank you for your correspondence of 7 June, in which you made the following request for information:

Please provide a list of individuals who have been shortlisted for the position of Chair of the Charity Commission since the Charities Act 2006, along with the year in which they were shortlisted.

We have dealt with your request under the Freedom of Information Act 2000 (the Act). I can confirm that the Department for Digital, Culture, Media and Sport (DCMS) does have information within scope of your request.

However, this information is withheld under section 40(2) (personal information) of the Act. Section 40(2) is an 'absolute' exemption and the department is not obliged to consider whether the public interest favours disclosing the information.

Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of the information would, amongst other things, contravene one of the data protection principles in schedule 1 of the Data Protection Act. In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed fairly and lawfully.

In this instance, a list of individuals who have been shortlisted would be classified as personally identifiable data which should not be made public. Additionally, applicants did not consent to their information being made publicly available as part of this process.

Yours sincerely,

Freedom of Information Team
Department for Digital, Culture, Media and Sport

Complaints and comments

As is customary in our replies, I should explain that if you are dissatisfied with any aspect of our response to your request for information, and/or wish to appeal against information being withheld from you, please send full details within two calendar months of the date of



this response to: foi@dcms.gov.uk. You have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. Please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning an investigation.