

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 23 January 2018

**Public Authority:** Kettering General Hospital NHS Trust  
**Address:** Rothwell Road  
Kettering  
Northamptonshire  
NN16 8UZ

#### Decision (including any steps ordered)

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1. The complainant has requested information from Kettering General Hospital NHS Trust ("the Trust") relating to the public selection and recruitment process for the Senior ICT Trainer role including how many candidates applied for the position and the shortlist criteria and scores.
2. The Commissioner's decision is that the Trust has breached section 10(1) of the FOIA in that it failed to provide a valid response to the request within 20 working days of receipt.
3. As a response has now been provided, the Commissioner does not require the Trust to take any steps.

#### Request and response

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4. On 5 May 2017, the complainant wrote to Kettering General Hospital NHS Trust and requested information in the following terms:

*"Under the Freedom of Information act, I am requesting the following information relating to the public selection and recruitment process surrounded the recent Senior ICT Trainer role that took place during April/May 2017. There is a clear public interest in ensuring the selection process is fair, balanced, open and transparent*

*1. During the interview process each person was given a score for each question and then an overall score, I want to see the RANGE of scores for each question asked.*

2. *AND the RANGE of scores for the overall result.*
  3. *How many candidates applied*
  4. *How many candidates were shortlisted and interviewed*
  5. *How many internal and external candidates were shortlisted and interviewed.*
  6. *How many had people who was interview had "AS"*
  7. *The interview scoresheets for all candidates removing/redacting all personal identifying marks to comply with the act.*
  8. *All information to be sorted into the two interview panel members and internal and external candidates.*
  9. *How many interview candidates have a full 2 year certificate of further education teaching and how many had a training certificate*
  10. *How many interview candidates had a bachelor of science in a IT subject*
  11. *How many interview candidates had experience of the teaching/training of students covering ages 16-84*
  12. *Number of interview candidates had experience of Clinical systems training within KGH*
  13. *How many interview candidates had teaching/training experience of at least 3 separate jobs?*
  14. *Which days did interviews take place, broken down into internal and external candidates."*
5. The Trust has now responded to the request.

### **Scope of the case**

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6. The complainant contacted the Commissioner on 14 July 2017 to complain about the way his request for information had been handled.
7. The Commissioner contacted the Trust on 7 November 2017 to query the non-response. She asked for a full response to be sent to the complainant within 10 working days.
8. The complainant wrote to the Commissioner on 14 November 2017 requesting a Decision Notice be issued to the Trust in respect of its late response to the information request.

9. The Commissioner has therefore had to consider whether the Trust has handled the request in accordance with section 10 of the FOIA.

## **Reasons for decision**

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### **Section 10 of the FOIA - time for compliance**

10. Section 10(1) of the FOIA requires a public authority to respond to an information request, either providing the information or issuing a valid refusal, within 20 working days following receipt of the request.
11. From the information provided to the Commissioner in this case it is evident that the Trust did not deal with the request for information in accordance with the FOIA. In this case the Trust has breached section 10(1) by failing to respond to the request within 20 working days.
12. As the response has been received by the complainant, the Commissioner does not require the Trust to take any steps in respect of this notice.

## Right of appeal

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13. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504  
Fax: 0870 739 5836  
Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)  
Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

14. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
15. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Alun Johnson**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**