



## LETTER SENT BY E-MAIL ONLY

11 August 2023

2023/24-025

### **Freedom of Information (Scotland) Act 2002**

#### **Request**

Please find below our response to your correspondence dated 23 July, in which you made the following request under the Freedom of Information (Scotland) Act 2002:

please send me a transcript of the questions asked by the final interview panel to and answers given by Jo Farrell.

#### **Response**

Your request for information has been considered and the Scottish Police Authority is able to provide the following.

In relation to your request for the questions asked by the final interview panel to Jo Farrell, we can confirm that information is held by the Authority. Whilst we aim to provide information wherever possible, in some instances, information is exempt in terms of the Freedom of Information (Scotland) Act 2002. In this instance, the information is considered exempt, and this is a notice in terms of Section 30(c) of the Freedom of Information (Scotland) Act 2002 - Substantial prejudice to effective conduct of public affairs. This is a non-absolute exemption and requires application of the public interest test.

#### **Public Interest Test**

The public interest factor in favour of disclosure:

- Disclosure would allow greater scrutiny of the recruitment and selection process for the role of Chief Constable.

The public interest factor in favour of maintaining the exemption:

- Maintaining an effective and fair recruitment and selection process for the role of Chief Constable, one of the most important public leadership roles in Scotland. It cannot be in the public interest to release information that would prejudice this process. There is a limited question set that can be used with a role at the level of Chief Constable to ensure a thorough assessment and demonstration of the behaviours and competencies required for the role. To disclose this information would prejudice this process as an element of the behaviours and competencies being assessed at final interview stage rely upon the question set being unknown to candidates.

The public interest lies in protecting the ability of the Authority to recommend to Scottish Ministers the most suitable candidate for the position of Chief Constable. Therefore, our conclusion is that maintaining the exemption outweighs that of disclosure.

In relation to your request for the answers given by Jo Farrell, we can confirm that the Authority does not hold the information you have requested. Therefore, this represents a notice in terms of Section 17 of the Freedom of Information (Scotland) Act 2002 - Information not held.

To explain, interviews for the role of Chief Constable are not recorded or transcribed.

To assist, information about [Chief Constable recruitment](#) is available on our website. The [Information Pack](#) and [Guidance Notes](#) provide information on the person specification, key competencies, salary, conditions of appointment and the recruitment process.

### **Right to Review**

If you are dissatisfied with the outcome of your request, you can ask for a review. You must specify the reason for your dissatisfaction and submit your request by email to [foi@spa.police.uk](mailto:foi@spa.police.uk) or by letter to Scottish Police Authority, 1 Pacific Quay, Glasgow, G51 1DZ.

After review, if you remain dissatisfied, you can appeal to the Scottish Information Commissioner within six months. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by letter to Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Commissioner's decision, you can appeal to the Court of Session, only if you think the law has not been applied correctly.

An anonymised version of this response will be posted to our [Disclosure Log](#) in seven days' time.

