

FOI DOF/2026-0061

Request

Re: IRC320097

1. Can you please provide the scoring of the merit list and respective positions for full transparency

DoF response

I can confirm the department holds the information requested. However the information you have requested is being withheld because it is exempt under section 40(2) of the Freedom of Information Act. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would, amongst other things, contravene one of the data protection principles 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 lawfully and fairly. Section 40(2) is an absolute exemption and the Department is not obliged to consider whether the public interest favours disclosing the information.

Having considered all the information contained within the Legitimate Interest Test – lawful, fairness and transparency test (attached as a separate document – Annex C), the department has established that, on balance, there is no lawful basis for the disclosure of the remaining third-party personal data falling within the scope of the request of which the requester is not the data subject.