



Hartlebury Parish Council

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POLICY FOR DEALING WITH VEXATIOUS OR REPEATED REQUESTS FOR INFORMATION

The Freedom of Information Act 2000 gives the public a right of access to information held by public authorities.

Hartlebury Parish Council (the Council) is committed to dealing with genuine enquiries and request for information appropriately and in accordance with our other policies. Whilst the Council aims to be open and transparent, it is aware of the need to ensure that its time is not taken up pursuing vexatious or repeated requests and that staff and councillors are protected from such enquiries. The Council also has a responsibility to ensure the effective use of its resources, which are funded by the council taxpayers of the parish of Hartlebury.

Our policy is to follow the latest guidance from the Information Commissioner's Office to ensure that requests that are deemed to be repeated or vexatious are dealt with fairly.

FREEDOM OF INFORMATION ACT 2000 – SECTION 14

14. Vexatious or Repeated Requests

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious.

(2) Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

Indicators for Identifying Vexatious Requests

Abusive or aggressive language – The tone or language of the requester's correspondence goes beyond the level of criticism that a public authority or its employees should reasonably expect to receive.

Burden on the Authority – The effort required to meet the request will be so grossly oppressive in terms of the strain on time and resources, that the authority cannot reasonably be expected to comply, no matter how legitimate the subject matter or valid the intentions of the requester.

Personal grudges – The requester is targeting their correspondence towards a particular employee or office holder against whom they have some personal enmity.

Unreasonable persistence – The requester is attempting to reopen an issue which has already been comprehensively addressed by the public authority or otherwise subjected to some form of independent scrutiny.

Unfounded accusations – The request makes completely unsubstantiated accusations against the public authority or specific employees.

Intransigence – The requester takes an unreasonably entrenched position, rejecting attempts to assist and advise out of hand and shows no willingness to engage with the authority.

Frequent or overlapping requests – The requester submits frequent correspondence about the same issue or sends in new requests before the public authority has had an opportunity to address their earlier enquiries.

Deliberate intention to cause annoyance – The requester has explicitly stated that it is their intention to cause disruption to the public authority or is a member of a campaign group whose stated aim is to disrupt the authority.

Scattergun approach – The request appears to be part of a completely random approach, lacks any clear focus, or seems to have been solely designed for the purpose of 'fishing' for information without any idea of what might be revealed.

No obvious intent to obtain information – The requester is abusing their rights of access to information by using the legislation as a means to vent their anger at a particular decision, or to harass and annoy the authority, for example, by requesting information which the authority knows them to possess already.

Futile request – The issue at hand individually affects the requester and has already been conclusively resolved by the authority or subjected to some form of independent investigation.

Frivolous requests – The subject matter is inane or extremely trivial and the request appears to lack any serious purpose. The request is made for the sole purpose of amusement.