

## **Elvaston Parish Council**

### **Vexatious or repeated requests for information policy**

This policy covers vexatious demands and/or repeated requests for information including Freedom of Information Act requests.

The Freedom of Information Act 2000 (FOIA) gives the public a right of access to information held by public authorities. Elvaston Parish Council (The Council) is committed to dealing with genuine enquiries and requests 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 tax payers of the parish of Elvaston. Our policy is to follow the latest guidance from the Information Commissioners Office to ensure that requests that are deemed to be repeated or vexatious are dealt with fairly.

Dealing with vexatious requests – Section 14 Freedom of Information Act  
Dealing with repeat requests – Section 14 (2) Freedom of Information Act

Therefore under this policy, The Council or the Clerk to Council will consider repeated requests for information or variations of the same request, on a single issue, to be vexatious and unacceptable where The Council has already answered the request. Where excessive use of the Council's, or Clerk to The Council's time is being made in dealing with such requests no response will be made except to inform the person making such request that the requirement is unreasonable.

Taking into consideration the context and history of a request, a decision as to whether it is vexatious will be made on one or more of the following criteria:

- Can the request be fairly seen as obsessive?
- Is the request harassing The Council?
- Would complying with the request impose a significant burden?

- Is the request designed to cause disruption or annoyance?
- Does the request lack serious purpose or value?

Where the communication of the requester is considered vexatious, he/she will be informed and given the grounds for such decision.

If the conduct or correspondence of the requester or group of persons acting together is considered vexatious, The Council may refuse to respond to communications from that person or group of persons for a specified period of time or limit the amount of correspondence from them that will be dealt with. Where known persons are repeating requests the Clerk in consultation with the Chairman or Vice Chairman may impose timescales.

Such timescales will be at the discretion of the Council and Clerk to The Council

Minute Reference: