

COLLINGHAM *Parish Council*

Adopted November 2025, next review due November 2026

Vexatious Requests Policy

Whilst Collingham Parish Council wishes to be open and transparent and to provide as much information as possible about the work it does there are occasions when it might be necessary to decide that a request is “vexatious” within the meaning of the legislation.

There have been a number of legal cases which have helped to set out what is meant, legally, by “vexatious” and which have confirmed that parish councils have limited resources and that their obligations under the legislation must be proportionate to those resources.

Public authorities do not have to comply with vexatious requests. There is no requirement to carry out a public interest test or to confirm or deny whether the requested information is held.

The key question is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress. There is no exhaustive list of circumstances. Every case is unique and judged within the context and history of the specific situation.

“Vexatious” Indicators

- Abusive or aggressive language
- Burden on the authority
- Personal grudges
- Unreasonable persistence
- Unfounded accusations
- Intransigence
- Frequent/overlapping requests.
- Deliberate intention to cause annoyance.
- Scattergun approach
- No obvious intent to obtain information.
- Futile requests

Process we will follow to determine if a request is vexatious

The Clerk deals with all requests for information on behalf of Collingham Parish Council. If a request is considered to be potentially vexatious the clerk will prepare a summary setting out the context and history to the request. This summary will be reviewed by the Council.

The review

The following will be considered:

- The purpose and value of the request
- Whether the purpose and value justify the impact on the public authority
- The context and history so, for example, if there has been a long and frequent series of requests the most recent request, though not obviously vexatious in itself, will contribute to the aggregated burden.
- Have there been numerous follow-up enquiries no matter what is supplied? This will be balanced against how clear our responses have been, has contradictory or inconsistent information been supplied or is a legitimate grievance being pursued?
- Whether there are alternatives to the vexatious route. If it is too expensive then section 12 (costs in excess of £450) will be used. The Information Commissioner permits the total costs for all requests from one person (or several acting in concert) to be aggregated during a period of sixty days so long as they are requests for similar information.
- Is this a round robin, a “fishing” expedition or part of an orchestrated campaign

None of these make it vexatious but are factors.

Final Warning

If, having considered all of the above, the Council thinks there is a case for treating the request as vexatious then consideration will be given to a “final warning”. This is a letter, or email, to the person making the request explaining the impact the request(s) are having and asking that their behaviour be moderated. This “final” warning will not be appropriate in all cases but, if it is possible that the person making the request has not appreciated the impact of what they are doing, then it may assist.

Advice and Assistance

In addition, the Council may want to ask the person making the request whether advice and assistance would help in clarifying what exactly they wish the organisation to provide. Again, this may not be appropriate in every circumstance but will be considered.

Report to the Council

The history of the matter will go forward as part of a report to the Council setting out the evidence and reasoning behind the recommendation to propose that the request be treated as vexatious.

The decision to declare a request vexatious will be taken by the Council. This decision should be taken at the next Council meeting following receipt of the request.

Under section 14(1) of the Freedom of Information Act the refusal notice will set out our internal review procedure (if one is available) and the right of appeal to the Information Commissioner's Office. However, under section 17(6) if the authority has issued a previous refusal notice for a vexatious request (and it would be unreasonable to provide another one) it is not necessary to do so. This will be done where the complainant has already been warned that further requests on the same, or similar topics, will not receive any response.

Please note that if a request is found to be vexatious and further requests are received on the same topic no response will be provided.