

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 17 August 2022

Public Authority: Dunchurch Parish Council
Address: Dunchuch Community Library
School Street
Dunchurch
Rugby
CV22 6PA

Decision

1. The complainant requested information from Dunchurch Parish Council ("the Council") relating to job descriptions. The Commissioner's decision is that the Council is entitled to rely on section 14(1) (vexatious request) of the FOIA to refuse to provide the requested information.

Request and response

2. The complainant made the following information request to the Council on 5 April 2022:

"In reference to Dunchurch Parish Council, please supply the job descriptions in force between november 2019 and present:

Clerk

Responsible Finance Officer

Any contractors – ie. 'handyman'

I am not aware that any of the above has been published as information for consideration at meetings nor available as

contract information during annual period for public to inspection accounts.”

3. The Council refused to provide the requested information. Whilst the Council has not stated which section of the FOIA it is relying on to refuse to provide the requested information, in its internal review response, the Council did state that it considers the request to be vexatious. The Commissioner therefore considers that the Council is relying on section 14(1) of the FOIA to refuse to provide the requested information.

Reasons for decision

4. This reasoning covers whether the Council is entitled to rely on section 14(1) of the FOIA to refuse to provide the requested information.
5. The position of the Council is that the request is vexatious. The Council explained that the complainant has made multiple requests for information to the Council. The Council considers that the complainant has made an unreasonable and unmanageable number of requests which are placing a strain on the Council's resources. The complainant does not consider their request to be vexatious.
6. From viewing the website www.whatdotheyknow.com, the Commissioner is aware that the complainant is a prolific requestor and has submitted a large number of requests to the Council. The Commissioner recognises that the Council is a small public authority with limited resources. Therefore, he considers that the complainant is submitting an unreasonable number of requests to the Council which is placing a burden on the Council's resources.
7. The Commissioner considers that if the Council was to the comply with this request, the complainant would be likely to continue to submit further requests for information to the Council.
8. The Commissioner's decision is that the request is vexatious and therefore, the Council is entitled to rely on section 14(1) of the FOIA to refuse to provide the requested information. The Council is not required to take any further action in relation to this request.

Right of appeal

9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Ben Tomes
Group Manager
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Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF