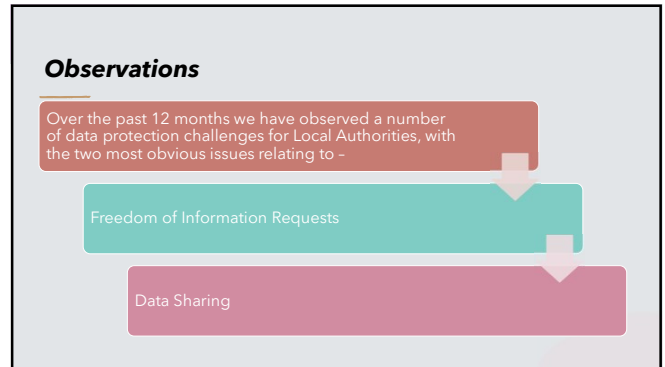
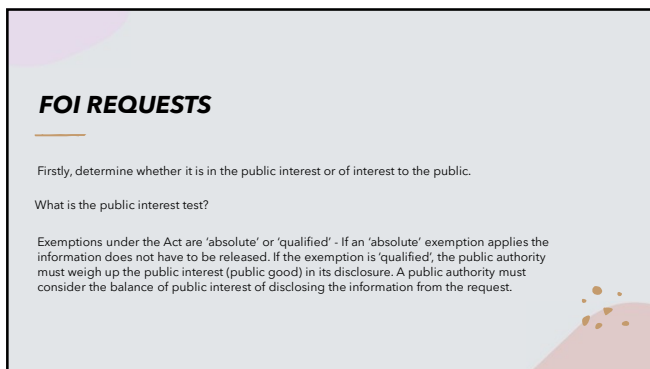


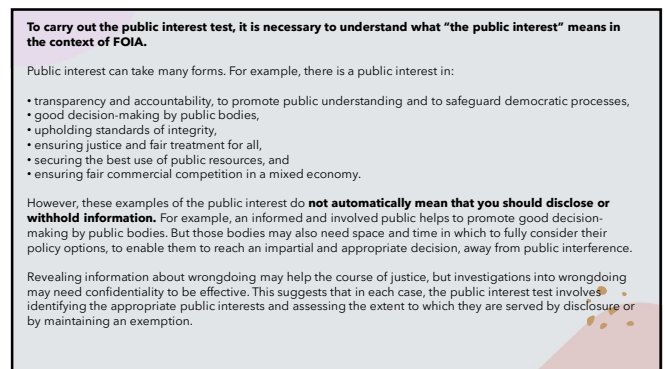
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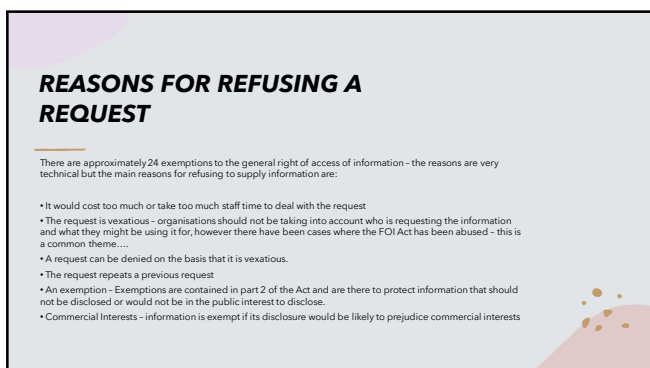
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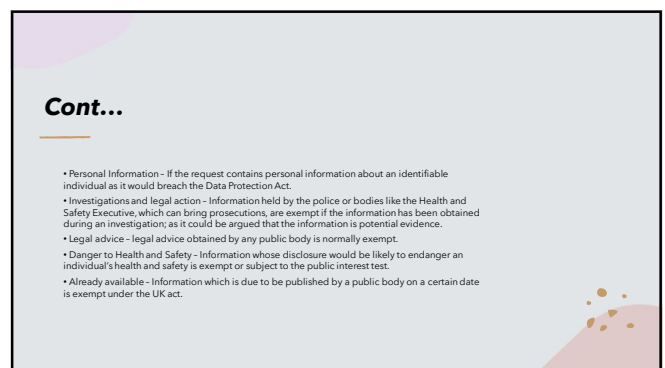
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What is a vexatious request under the Act?

This is where you are allowed to take into account the context, history and identity of the requester, but the organisation would need to prove that the request (not the requester) is causing a disproportionate level of distress and disruption.

A vexatious request is 'if it is made in order to disrupt the authority's work or is part of an obsessive pattern of requests'.

The Information Commissioner states 'the key question to ask yourself is whether the request is likely to cause a disproportionate or unjustifiable level of distress, disruption or irritation' - if this is the case then it is likely to be refused.

Bear in mind that it is **the request** that is considered vexatious, **not the requester**. If after having a request refused as vexatious you send in a subsequent request, it can only be refused if it also meets the criteria for being vexatious.

Key Indicators that a request is vexatious

- Abusive or aggressive language used in the request - the tone of the request goes beyond mere criticism
- 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
- Personal grudges - For whatever reason, the requester is targeting their correspondence towards a particular employee
- Unreasonable persistence - The requester is attempting to reopen an issue which has already been comprehensively addressed by the public
- Unfounded accusations - The request makes completely unsubstantiated accusations against the public authority or specific employees.*
- 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

7

TO SUMMARISE...

Check whether the request falls under the DPA or FOIA

Is the request asking for information in the public interest.... Or is it of interest to the public

If unsure carry out a public interest test

Do any exemptions apply

Is the request vexatious

8

DATA SHARING BETWEEN LA'S AND COUNCILLORS



Councillors, as a member of the council, for example, as a cabinet member or a member of a committee. In this circumstance the council is the registered data controller. Personal information held by the council will not be used for political purposes unless both the council and the individuals concerned agree.

As a representative of residents of their ward, for example, in dealing with complaints, in this circumstance, the Councillor is the data controller.

It is often the case that these lines are blurred when dealing with personal data that is shared between the two parties.

It would make sense and be in line with regulatory requirements to put in place appropriate data sharing arrangements between the parties.

This will set out each party's roles and responsibilities when sharing data and dealing with rights requests, including FOI requests.

9

QUESTIONS....

10

Thank You



11