



Information Commissioner's Office  
Promoting public access to official information  
and protecting your personal information

## ICO Disclosure Log - Response to Request

**Request Ref:** FOI/470  
**Date of Response:** 19 October 2006

### **What is the UK experience with vexatious/repeated requests, e.g. has it previously been or is it currently a problem, and if so what was or is the scale of the problem?**

We are aware that how to deal effectively with vexatious and repeated requests within the provisions of the Freedom of Information Act 2000 (the Act) is a significant issue for most public authorities. A number of authorities raised the issue with us before the Act came into effect – our [awareness guidance on vexatious and repeated requests](#) was published in November 2004 and is available on our website. The Information Commissioner's FOI Good Practice and Enforcement Team continue to respond to enquiries on this issue from all parts of the public sector. The issue is also raised at the majority of external stakeholder meetings and events that the team attend. There is considerable anecdotal evidence from authorities on the scale of vexatious and repeated requests which have the effect of 'tying up' FOI personnel and resources. You may be interested to know that the Department for Constitutional Affairs has recently commissioned a report on the Act and ways to minimise the loss of staff time through handling 'difficult' requests. The report looks at options such as amending the fees regulations and aggregating the cost of different requests from individuals. This is available at <http://www.dca.gov.uk/foi/reference/foi-independent-review.pdf>.

Recent decision notices have provided useful guidance for authorities in that they have assisted authorities in determining for themselves what may constitute a vexatious request and also how to deal with repeated requests.

We do not have statistics on how often public authorities have refused requests as either vexatious or repeated. However, since the Act came into force in January 2005 the ICO has received a total of 50 eligible complaints concerning requests judged as vexatious or repeated. Twenty of these cases are currently open and still under investigation. Eight have resulted in the issuing of a formal decision, and these notices are available on our website via the following links:

[Staffordshire Police](#)  
[Birmingham City Council](#)  
[North Down Borough Council](#)  
[Warwickshire County Council](#)  
[Sussex Police](#)  
[Cabinet Office](#)  
[London Metropolitan University](#)  
[Crown Prosecution Service](#)

Additionally, under s.50(2) of the Act the Commissioner has the right to not make a decision on a complaint that he judges to be frivolous or vexatious. We have applied this to two complaints we judged to be frivolous, and one that we judged to be vexatious. However, it is our policy to generally not issue a decision notice where this would serve no practical purpose, and the ICO is currently looking at redefining our policy on frivolous requests. [Our current complaints policy](#) can again be read on our website.