



**Information Governance Team**

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Dear Sir/Madam.

**Freedom of Information Act 2000 (FOIA)  
Request ID: REQ04932**

Thank you for your request for information relating to procurement

You have requested the following information:

**I am writing to you under the Freedom of Information Act 2000 to request the following information from your Accounts Payable department:**

**Invoice payment data for all supplier invoices paid from April 1 2015 – September 30 2018 to include the following:**

**Invoice number (your system reference)  
Supplier invoice number  
Supplier number (your system reference)  
Supplier name  
Supplier address (or postcode or postal town)  
Invoice date (date on invoice)  
Date invoice was paid  
Invoice net value  
Invoice VAT value  
Invoice gross value**

**Please provide the information in electronic form in a CSV or TXT file, alternatively an excel format would be acceptable. The columns can be in any order providing they are headed / titled accordingly.**

**Can you send the file as a mail attachment to the address listed below.**

**This information should be readily available from your finance systems but if there are any difficulties in producing or sending the data, e.g. file size, please advise and**

**I will provide any assistance necessary.**

We confirm that the information requested is held but the Council is applying a Section 14 Refusal Notice due to the burden that complying with your request will impose on the Council, as well as the impact on Council resources that will be utilised when responding to your request.

### **Refusal Notice – Section 14(1) of the Freedom of Information Act 2000**

The right of access to information is not without exception and is subject to a number of exemptions and other provisions under the Act, including section 14(1) of the FOIA which provides:

#### *"14. Vexatious and repeated requests*

*(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious."*

In ICO Decision Notice FS50493150, the ICO clarified that the term vexatious is not defined in the FOIA.

The Upper Tribunal also considered the issue of vexatious requests in the case of the *Information Commissioner v Devon County Council & Dransfield* (Upper Tribunal Case No. GIA/3037/2011).

The Tribunal commented that vexatious could be defined as the 'manifestly unjustified, in appropriate or improper use of a formal procedure'. The Tribunal's definition clearly establishes that the concepts of proportionality and justification are relevant to any consideration of whether a request is vexatious.

We believe that the current request is vexatious because it will be burdensome to the Council, by virtue of S14(1) of the FOIA. There is no public interest test so we have not gone on to consider the same.

The Information Commissioner's Office (ICO) has provided guidance on dealing with vexatious requests and states 'The Freedom of Information Act was designed to give individuals a greater right of access to official information with the intention of making public bodies more transparent and accountable. Whilst most people exercise this right responsibly, a few may misuse or abuse the Act by submitting requests which are intended to be annoying or disruptive or which have a disproportionate impact on a public authority.'

The ICO further recognises that 'dealing with unreasonable requests can place a strain on resources and get in the way of delivering mainstream services or answering legitimate requests. Furthermore, these requests can also damage the reputation of the legislation itself.

ICO guidance reminds public authorities that S14(1) is designed to protect public authorities by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress. The ICO also states

the emphasis on protecting public authorities' resources from unreasonable requests was acknowledged by the Upper Tribunal when it defined the purpose of S14 as 'section 14.....is concerned with the nature of the request and has the effect of disapplying the citizen's right under section 1(1).....the purpose of section 14.....must be to protect the resources (in the broadest sense of that word) of the public authority from being squandered on disproportionate use of FOIA.....'

To assist public authorities, the ICO guidance has provided a number of indicators as typical key features of a vexatious request. These are:

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

Having reviewed your request, we have determined that the following two factors are relevant in deeming your request vexatious:

- Burden on the authority
- Disproportionate effort

Although we understand that you may believe there to be serious purpose and value behind your request, we must consider whether the impact on the Council is justified.

To provide you with the information requested which spans three years would involve extensive reading and checking of approximately 450,000 lines of data. In addition to this, the redaction of the personal data contained within the information requested would also take officers several days to complete. To determine what information can be discounted, as having already been reviewed, would require the creation of information by way of a spreadsheet in order to perform searches on dates, times and individuals to avoid duplication of efforts. The creation of this document alone would take an extraordinary amount of logging before any assessment of the information can begin. Further with the sheer volume of information requested there is a risk that some of it could be missed and / or personal data left unredacted, due to human error. Following a sampling exercise, it is estimated, conservatively, that to process all of the information would take an officer at least 5 working weeks to complete.

In coming to this conclusion, we have considered the Information Commissioner's latest published guidance, 'dealing with vexatious requests (s14)', particularly taking into account the volume of information to be considered for redaction and the resulting burden to the Council in reviewing and preparing the information for possible disclosure.

We are not alleging that you deliberately made your request burdensome, or drafted it with the intent of making it otherwise overwhelming or oppressive. The Council cannot reasonably comply with its obligations under s1(1) of the Act without incurring significant encumbrance and impact on its day-to-day activities.

Although you may be disappointed by this approach, we would stress that such protection

exists within the legislation in order to ensure that applicants use their rights to seek information responsibly and public authorities are not overwhelmed by over burdensome requests.

For the reasons outlined above, we are refusing this request under s14(1) of the Act. You have the right to appeal this decision as per the details below.

To advise and assist, please use the following web link which provides data for- spending over £500:

[http://www.coventry.gov.uk/info/2/budgets\\_and\\_spending/651/transparency](http://www.coventry.gov.uk/info/2/budgets_and_spending/651/transparency)

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: [infogov@coventry.gov.uk](mailto:infogov@coventry.gov.uk)

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email [casework@ico.org.uk](mailto:casework@ico.org.uk).

Please remember to quote the reference number above in your response.

Yours sincerely

**Information Governance**