

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 17 October 2022

Public Authority: City, University of London
Address: Northampton Square
London
EC1V 0HB

Decision (including any steps ordered)

1. The complainant requested information from City, University of London relating to award transcripts issued by the public authority. City, University of London refused the request under section 14(1) of FOIA (vexatious requests).
2. The Commissioner's decision is that the request was vexatious and therefore City, University of London was entitled to rely upon section 14(1) of FOIA to refuse it.
3. The Commissioner does not require any steps.

Request and response

4. On 7 September 2021, the complainant made the following request for information to City, University of London:

"The number of transcripts, broken down by name of award, issued by City that refer to "NQF Level" issued in each of the academic years: 2015/16, 2016/17, 2017/18, 2018/19 and 2019/20. To facilitate your timely reply, I limit this request to awards taught by The City Law School."
5. On 4 October 2021, City, University of London responded and said the request was being refused because it was vexatious under section 14(1) of FOIA, a position it upheld at internal review.

Reasons for decision

6. The following analysis explains why the Commissioner is satisfied that the public authority was entitled to neither confirm nor deny holding the information that had been requested.
7. Section 14 of FOIA allows a public authority to which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.
8. The greater the number of requests a public authority receives from a single individual, the more likely it is the latest request will be vexatious. This request represents part of a large volume of correspondence between the public authority and the individual about the same matter, including multiple FOI requests, subject access requests, and complaints to various regulatory bodies. Considered as a whole, this represents a significant burden on the university.
9. When considering if a request is vexatious, public authorities are entitled to consider the motive of the requester. In the Commissioner's view, it is clear from the case history and the wider picture of the complainant's interaction with the university that they are pursuing a personal grievance against them.
10. This request appears to reiterate one of the complainant's earlier requests which has already been answered in full. As such, it does not appear the value and purpose of the request justifies the burden it places on the university and its staff.
11. In its submissions, the university has provided examples of the complainant's correspondence, in which he has repeatedly accused them of administrative errors, incompetence, and wilful flouting of the legislation. It is the Commissioner's view that this is likely to harass and distress university employees.
12. In the circumstances of the case, and on the basis of evidence provided, the Commissioner is satisfied that the Council was entitled to rely on Section 14(1) of the FOIA to refuse this request as vexatious.

Right of appeal

13. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

14. 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.
15. 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

**Phillip Angell
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**