

Minutes of the Meeting of the **VEXATIOUS
CORRESPONDENCE AND COMPLAINTS POLICY
SUB-COMMITTEE** held at the Town Hall, Swanage on
MONDAY 24th MARCH 2025 at 4.30 p.m.

Present: Councillor C. Moreton - Chairman

Councillor D. Monkhouse
Councillor W. Trite

Also in attendance: Councillor S Brookes

Dr. M. Ayres
Mrs E. Evans

Town Clerk
Democratic Services Officer

Public Participation Time

There were no members of the public present at the meeting.

1) Election of Sub-Committee chairman

It was proposed by Councillor Trite seconded by Councillor Monkhouse and
RESOLVED UNANIMOUSLY:-

That Councillor Moreton be elected Chairman of the
Vexatious Correspondence and Complaints Policy
Sub-committee for 2024/25.

Councillor Moreton assumed the chair.

2) Apologies

There were no apologies to record.

3) Declarations of Interest

Members were invited to declare their interests and consider any requests for
Grants of Dispensations in accordance with section 9 and Appendix B of the
Council's Code of Conduct.

There were no declarations of interest to record.

**4) To review the Vexatious Correspondence and Complaints Policy and to consider
its implementation**

Members reviewed the Vexatious Correspondence and Complaints Policy,
adopted on 29th April 2024. Observations were made regarding the language used in
the document and the process for determining whether correspondence and
complaints were vexatious in nature. Suggestions were made for improvements, but
Sub-Committee Members agreed that if significant changes were required to the
document additional time would be needed for a full review. It was **AGREED:**

That suggestions for amendments to the Vexatious
Correspondence and Complaints Policy be submitted
to the Town Clerk for consideration at a future
meeting of the Sub-Committee.

It was acknowledged that the procedures that the committee would use in determining whether correspondence was vexatious would depend in part as to whether or not it contained enquiries under the Freedom of Information Act. Where that was the case particular attention would be given to the Information Commissioner's Office (ICO) guidance on the subject. Indeed, it was noted that Section 1 of the policy document included guidance from the ICO outlining four broad themes for assessing whether a request for information is vexatious. Consequently, it was agreed that a review of existing freedom of information requests could proceed at this meeting.

EXCLUSION OF PRESS AND PUBLIC

Proposed by Councillor Trite, seconded by Councillor Monkhouse and AGREED:-

That, under Standing Order No. 1 c), in the public interest, the press and public be excluded from the Meeting in view of the confidential nature of the business to be transacted under agenda item 5 for reasons of legal confidentiality and data protection considerations.

5) To review current Freedom of Information requests

Members reviewed copies of recent correspondence received containing FOI requests from a local resident, along with a list of other requests for information submitted by the same requester since January 2024. Concerns were raised about the significant amount of officer time that was consumed in answering such requests and the Council's obligation to allocate its resources fairly and effectively to address the concerns of all residents was noted.

Attention was drawn to the content of an email sent from the Town Clerk to the requester dated December 2022 which had clearly explained the burden imposed by such frequent requests. Members noted that the Vexatious Correspondence and Complaints Policy Sub-Committee had been established in response to councillors' concerns about the amount of time Town Council staff spent addressing such requests.

In accordance with ICO guidance, it was acknowledged that each request for information had to be assessed on its own merits, and that it was the requests that could be deemed as vexatious rather than the requester. The amount of time required to assess whether or not requests met the criteria to be declared vexatious was also highlighted.

During the ensuing discussion, the three most recent requests for information, dated 13th, 15th and 21st March were assessed against the four broad themes outlined in the ICO guidance and set out in Section 1 of the Council's Policy.

1. the burden (on the public authority and its staff);
2. the motive (of the requester);
3. the value or serious purpose (of the request); and
4. any harassment or distress (of and to staff and councillors).

Further to discussion it was proposed by Councillor Trite seconded by Councillor Monkhouse and RESOLVED UNANIMOUSLY:-

That the correspondence dated 13th March 2025 be deemed potentially vexatious, further consideration to be

given to the matter at the next meeting of this Sub-Committee.

It was FURTHER AGREED:

That additional consideration be given to the nature of the correspondence dated 15th March 2025 prior to discussion at the next meeting of this Sub-Committee.

It was proposed by Councillor Moreton, seconded by Councillor Trite and RESOLVED UNANIMOUSLY:-

That the correspondence dated 21st March 2025 be considered as potentially vexatious and further consideration should be given to the matter at the next meeting of this Sub-Committee.

6) **To consider Terms of Reference for the Vexatious Correspondence and Complaints Policy Sub-Committee, including whether meetings of the Sub-Committee should be open to the public**

It was agreed that this item be deferred to a future meeting for consideration.

7) **Items of Information and Matters for Forthcoming Agendas**

No items of information or matters for forthcoming agendas were raised.

8) **Date of Next Meeting**

It was agreed that the next meeting would be held on Friday 28th March 2025 at 4.00 p.m.

The Meeting closed at 5.45 p.m.