

Freedom of Information Act 2000 (Section 50)

Decision Notice

Date: 8 October 2007

Public Authority: London Borough of Camden
Address: Camden Town Hall
Judd Street
London
WC1H 9JE

Summary

The complainant made a series of requests to the London Borough of Camden ("the Council") about the work of its Central Complaints Unit ("the CCU"). The Council refused some of the requests under section 12 of the Freedom of Information Act 2000 ("the Act") on the basis that to respond would exceed the cost limit and also under section 14 of the Act on the basis that the requests were considered by the Council to be repeated and vexatious. The Commissioner investigated and was satisfied that the Council had provided sufficient evidence to demonstrate that the requests had been correctly refused as vexatious under section 14(1) of the Act and he therefore did not consider the other exclusions.

The Commissioner's Role

1. The Commissioner's duty is to decide whether a request for information made to a public authority has been dealt with in accordance with the requirements of Part 1 of the Act. This Notice sets out his decision.

The Request

2. The complainant began making requests to the Council about the CCU in April 2005. The Council responded to the requests until it decided to refuse the following requests:
 - Request 1 on 8 September 2005
 - Requests 2 to 7 on 19 October 2005 which comprised the separated elements of an earlier request on 6 October 2005
 - Requests 8 and 9 on 31 October 2005 and
 - Request 10 on 1 November 2005.

3. The details of the refused requests have been set out in Annex A at the end of this Notice. The details of the requests made by the complainant previous to these requests concerning the work of the CCU are set out in Annex B.
4. The Council initially responded to request 1 on 11 October 2005 and refused the request under section 14(1) of the Act. It explained that it had applied the exclusion because it considered that, taken alongside the other requests made by the complainant about the CCU, the request formed evidence of a pattern of obsessive requests. The Council referred the complainant to its internal review procedure if he was dissatisfied with the refusal.
5. On 10 October 2005, the Council responded to the complainant's request on 6 October 2005. The Council advised the complainant that it had refused the request under section 12 of the Act on the basis that to comply with the request would mean exceeding the "appropriate limit" of £450 set out in Statutory Instrument 2004 No. 3244 "The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004". In accordance with its obligations under section 16 of the Act to offer advice and assistance, the Council invited the complainant to contact it to discuss the possibility of refining the request. The complainant responded on 19 October 2005 and in effect resubmitted his original request as six separate requests forming requests 2 to 7 which he stated should "negate" the Council's decision that to comply with the request would exceed the cost limit.
6. The Council refused requests 2 to 7 in a further refusal notice on 8 November 2005. It explained that by separating out his original request, the complainant had not avoided the appropriate limit. The Council also added that it now considered that these requests, along with requests 1, 8 and 9 were repeated and vexatious and it was refusing them all under section 14 as well as section 12 of the Act because it had aggregated the compliance costs. Request 10 was also refused in the notice and the Council has clarified in correspondence to the Commissioner that this request was refused under section 14.
7. Referring to the Commissioner's Awareness Guidance No. 22 on vexatious and repeated requests, the Council stated that it considered that the requests met the Commissioner's criteria for deeming a request vexatious and repeated. The reasons it gave were that the requests were the latest in a series of requests made about the CCU beginning in April 2005 and imposed a significant burden on the Council as the requests caused disproportionate inconvenience and expense. The Council stated that the requests were vexatious because they (a) clearly do not have any serious purpose or value (b) are designed to cause annoyance and disruption to the Council in general and CCU in particular (c) have the effect of harassing the Council and its employees and (d) can otherwise fairly be characterised as obsessive.
8. The refusal notice on 8 November 2005 advised the complainant to complain directly to the Commissioner, despite the fact that the Council does operate an internal review procedure, because the internal review would have been completed by the CCU.

Validity of the complaint

9. The Commissioner would usually expect a public authority to complete an internal review before complaints are referred to his office for further consideration under section 50 of the Act. Regarding the Council's initial refusal of request 1 on 11 October 2005, the Council advised the Commissioner that it had not found any record that the complainant asked for an internal review in response to this letter or that it completed one. The Commissioner considered this and the further refusal notice issued on 8 November 2005. In this refusal (which made further reference to request 1), the Council advised the complainant to complain directly to the Commissioner. In view of the advice offered to the complainant by the Council, the Commissioner has deemed it appropriate in this instance to consider the complaint without an internal review.

The Investigation

Scope of the case

10. On 24 January 2006 the complainant contacted the Commissioner to complain about the way his requests for information had been handled. The complainant specifically asked the Commissioner to consider whether the Council had correctly refused to respond to his requests in the refusal notice on 8 November 2005.

Chronology

11. The Commissioner wrote to the complainant and the Council on 28 February 2007. In his letter to the complainant, the Commissioner set out his understanding of the complaint. In his letter to the Council, the Commissioner asked for further information about the Council's refusal of the requests in the refusal notice on 8 November 2005. In particular, the Commissioner asked the Council for copies of the refused requests and other correspondence relevant to the requests. Focusing on the Council's application of section 14(1), the Commissioner also asked for the full rationale behind the Council's decision to refuse the requests as vexatious.
12. The Council responded on 29 March 2007 and enclosed copies of relevant correspondence. It proposed arguments in the letter and also provided a list of all the requests which had been submitted by the complainant to the Council since April 2005. The Council asked the Commissioner to note that it had provided information to the complaint about the CCU. It stated that the requests which had been refused related to individual officers, mainly the head of the CCU, and that the requests question the work of the officers and ask questions about their home and family lives. It referred the Commissioner to request 10 in particular and stated that this request had been distressing for the officer involved.
13. The Council also pointed towards the context in which it considered the requests had been made and explained that the complainant has a history of making

- complaints against the Council. It referred to correspondence sent by the Council's Director of Law and Administration to the complainant on 9 December 2005 as an illustration of the nature of its ongoing difficulties in dealing with the complainant's correspondence. The letter advises the complainant that as a result of his numerous emails and letters, many of which comprise complaints about individual members of staff, the Council had taken the decision to block emails from the complainant because many staff felt personally threatened by the complainant's behaviour.
14. The Commissioner wrote to the Council on 24 April 2007 and asked for further clarification regarding the details of the requests. The Commissioner also highlighted that of the list of requests provided by the Council not all of these requests appeared to relate to the CCU or individual members of staff. The Commissioner also referred to the Awareness Guidance and asked for some further information from the Council to support its arguments that in this case, the criteria for vexatious requests had been met.
 15. The Council telephoned the Commissioner on 15 May 2007 to discuss the Commissioner's letter on 24 April 2007 prior to sending a response. During the conversation, the Council explained to the Commissioner that although it recognised that not all of the requests it had refused related to individual members of staff, some of the requests did relate to the Council's staff and some posed questions relating to the personal life of staff within the department. The Council explained that it believed this represented a continuation of behaviour which it had already identified as vexatious and harassing when dealing with the complainant's numerous complaints, many of which had focused on individual members of staff. It went on to explain that it had also been particularly concerned about the further burden on its resources caused by the thematic requests.
 16. The Council wrote to the Commissioner on 31 May 2007. It clarified that it had provided a full list of all the requests made by the complainant since April 2005 (including requests which did not relate to the CCU) as background material in order to demonstrate that it had already provided a significant amount of information to the complainant. The Council also provided further clarification concerning the details of the requests and elaborated on the rationale for refusing the requests as vexatious in line with the Awareness Guidance. The arguments proposed are detailed in the Analysis section of this Notice.
 17. On 5 June 2007, the Council supplied to the Commissioner a CD-ROM which contained copies of correspondence referred to in its letter on 31 May 2007 in support of its application of section 14 of the Act. These documents comprised a number of items of correspondence between the Council and the complainant relating to the complainant's various complaints about the Council's staff. The Council also included a copy of a letter from the Local Government Ombudsman to the complainant who had considered a complaint from the complainant regarding the actions of the Council which had not been upheld.
 18. The Commissioner sent a letter to the Council on 11 June 2007 in which he asked for further clarification regarding the requests which the Council wished him to take into consideration. The Council provided this on 21 June 2007.

19. The Commissioner telephoned the Council on 25 June 2007 to ask for more information concerning the nature of the complainant's complaints to the Council and clarification on the involvement of the CCU in handling those complaints. The Commissioner also sent a letter on 28 June 2007 in order to set out his enquiries in this regard.
20. The Council provided a response on 23 July 2007 and summarised the nature of the complaints received. It pointed out that many of the complaints had been in connection with a dispute which had arisen between the education service and the complainant concerning the complainant's daughter's education. It explained that although a variety of officers had been involved in handling the complaints at different stages, most of the complaints had at one time or another been handled by the CCU as the head of the CCU is authorised by the Council to rule whether a complaint is vexatious or repetitious according to its own internal procedures. The Council also supplied to the Commissioner copies of correspondence between the complainant and the CCU relating to the complainant's complaints from which it was apparent that many of the complaints had been considered to be vexatious or repetitious. Further, the Council stated that this correspondence represented only a small part of its previous correspondence with the complainant regarding complaints against the Council. To illustrate this point, it advised the Commissioner that it has three box files containing correspondence between the Council and the complainant in connection with complaints made by the complainant.
21. As a number of points had been raised throughout the investigation in an attempt to clarify the chronology of the requests, the Commissioner sent a letter to the Council on 15 August 2007 to check that his understanding was correct. The Council provided clarification in a letter on 3 September 2007. The Commissioner also sent a further email to the Council on 7 September 2007 to clarify the details of one of the complainant's requests and the details of any earlier telephone conversation in which the Council had advised the Commissioner that the complainant had made further requests about the CCU following the referral of the matter to the Commissioner's office. The Council responded in emails on 7 and 10 September 2007.
22. Finally, the Commissioner telephoned the Council on 24 September 2007 to discuss in more detail the Council's position at the time when request 1 was refused.

Analysis

Procedural matters

Exclusion

23. The Council applied section 14(1) and 14(2) to the refused requests which indicates that the Council considered the requests to be both vexatious and repeated. It also applied section 12 of the Act. The Commissioner has focused

the investigation upon whether the requests are vexatious according to section 14(1) and has not therefore found it necessary to investigate in detail whether the other exclusions have been correctly applied.

24. In considering this case, the Commissioner has had regard to the Awareness Guidance which states that:

“While giving maximum support to individuals genuinely seeking to exercise the right to know, the Commissioner’s general approach is that a request (which may be the latest in a series of requests) can be treated as vexatious where:

- it would impose a significant burden on the public authority in terms of expense or distraction and meets one of the following criteria:
- it clearly does not have a serious purpose or value
- it is designed to cause disruption or annoyance
- it has the effect of harassing the public authority
- it can otherwise fairly be characterised as obsessive or manifestly unreasonable”.

Significant burden or distraction

25. In considering whether this element of the criteria had been met, the Commissioner considered the manner in which the exclusion under section 14(1) had been applied by the Council. The Council drew the Commissioner’s attention to the fact that it had not applied the exclusion immediately but had done so when the nature of the requests and the pattern of requests became clear. The complainant began making requests for information about the work of the CCU in April 2005 and it is clear that this theme continued until the refusal on 8 November 2005 and, after an interlude, has resumed again following the referral of this matter to the Commissioner.
26. The Commissioner considered the refused requests in order to assess whether at the time when the requests were refused there was sufficient evidence that the requests imposed a significant burden.
27. At the time when request 1 was refused on 11 October 2005, the Council had received in total seven separate requests for information making a wide range of enquiries relating to the CCU. It stated in its refusal that it considered that the requests formed evidence of a pattern of obsessive requests. From the information provided by the Council however, the Commissioner understands that the Council responded to all of the requests with the exception of request 1 which it refused under section 14 and the request on 6 October 2005 which it refused under section 12 of the Act. The Commissioner’s view is that by responding to some of the requests and refusing one under section 12 rather than section 14, the Council acted inconsistently which the Commissioner has addressed in the “Other matters” section of this Notice.
28. Putting aside the inconsistency between the Council’s actions and its refusal notice on 11 October 2005, the Commissioner considered the requests made at the time of the first refusal. He notes that the Council has argued that responding to the request on 6 October 2005 alone would have exceeded the cost limit under

section 12 but as the Commissioner's investigation has focused on section 14(1), he has not specifically considered whether this request or any of the requests made at the time of the initial refusal would have exceeded the cost limit under the Act.

29. The Council's second refusal regarding the remainder of the requests was on 8 September 2005. By this time, the complainant had submitted a further 9 requests for information, 6 of which comprised the separated elements of the earlier request on 6 October 2005, and the Council had decided to aggregate the costs under section 12. In considering whether a significant burden was imposed, the Commissioner has taken into account that when the Council made the complainant aware of the burden on its resources and invited him to contact it for advice and assistance, the complainant ignored this and simply resubmitted the separated elements of his original request and stated that this would "negate" the cost limit.
30. In addition to considering the burden of the requests received, the Commissioner has also reviewed a selection of the complaint correspondence between the Council and the complainant. The Awareness Guidance states that:
"...it may be reasonable for the authority to conclude that a particular request represents a continuation of behaviour which it has judged to be vexatious in another context, and therefore to refuse the request as being vexatious...A public authority may therefore take account of correspondence between the requestor and itself (even on other matters) to demonstrate 'previous behaviour' to support a claim of vexatious-ness".
31. The Council advised the Commissioner that the complainant's requests for information only represent part of its ongoing correspondence with the complainant over a long period of time concerning complaints against the Council. It explained that it had deemed many of these complaints vexatious and repetitious according to its own internal procedures on a number of occasions and had informed the complainant of its position. The Commissioner has examined copies of some of this correspondence and copies of letters between the complainant and the CCU. He also notes the fact that the Council states it has three box files containing correspondence between itself and the complainant about his complaints.
32. Taking all of the above into account, the Commissioner is satisfied that the requests imposed a significant burden on the Council both at the time of the first refusal on 11 October 2005 and the subsequent refusal on 8 November 2005.

Clearly has no serious purpose or value

33. In addition to the requests causing a significant burden, the Council has argued that the refused requests have no serious purpose or value. In his letter of complaint to the Commissioner, the complainant stated that he is carrying out some research into the CCU and argued that the Council's subjective opinion that his research is not for legitimate purposes had been used as an excuse to refuse to provide the information. The Commissioner notes that in a letter to the complainant on 16 August 2005, the head of the CCU expressed the following:

“I am not agreeable to meeting with you to discuss your research. I do not consider that your research is bona-fide. You had prejudiced your research by calling in advance for the disbanding of the Unit prior to reviewing evidence and by virtue of your frequently repetitious and vexatious approach to the complaint procedure”.

34. This element of the criteria recognises that occasionally there may be some requests which are so lacking in serious purpose or value that they can only be seen as vexatious. In the Commissioner’s view, applying this would be tantamount to arguing that the requests are frivolous. While the Commissioner accepts that there is much evidence to prove that the complainant is negatively critical of the CCU, the Commissioner explained to the Council that it did not appear that the requests clearly have no serious purpose or value, particularly those requests which ask questions about the more general operations of the CCU. The Council accepted this, but specifically argued that questions about the personal and home lives of its staff have no relevance to the work of the authority and therefore have no serious purpose or value. However, although the Council is clear that any personal relationships there may be between staff have no bearing on the work of the authority, it does appear that the complainant considers that such relationships do, or may have some bearing and is genuinely seeking information in this regard. It is therefore not clear that the request has no serious purpose or value.

Designed to cause disruption and annoyance

35. In making representations to the Commissioner on this point, the Council drew the Commissioner’s attention to a letter from the head of the CCU to the complainant on 21 February 2005 which sets out the view of the head of the CCU that the complainant’s behaviour was contrary to assurances the Council states it received from the complainant at a meeting with the Local Government Ombudsman that he would stop making complaints about individual council officers. The Council pointed out that it had informed the complainant on a number of occasions that it considered that continuing to make complaints about members of staff was unreasonable and vexatious behaviour. Amongst the documents provided by the Council was a letter to the complainant from the Council’s Director of Law and Administration on 9 December 2005. The letter explains that the Council had taken the decision to block all emails from the complainant and had restricted the complainant to sending correspondence to one point of contact only. An extract from the letter reads as follows:

“We have written to you before in relation to your vexatious complaints about staff. These letters and emails are not only numerous and vexatious but many are now intrusive, personal and unpleasant to individual members of staff. There are staff who feel personally threatened by their content.”

36. The Council argued that because the complainant was aware from this previous correspondence that it would regard requests which related to members of staff as a continuation of behaviour which it had previously identified as vexatious, these requests were designed to cause annoyance, if not disruption.

37. Having considered the requests which relate to members of staff, it is the Commissioner's view that although the complainant had clearly been informed of the Council's stance towards his complaints about members of staff, this is not the same thing as understanding that asking for information about members of staff would be viewed in the same way. In addition, it is the Commissioner's view that this element of the criteria suggests that the complainant is not really interested in the information but simply wants to annoy the public authority. In this case, even if the complainant had been aware that asking for this information would have caused annoyance and disruption, it still appears that, on the balance of probabilities, the complainant was genuinely interested in the information he had requested. The Commissioner therefore does not agree that there is sufficient evidence to argue in this case that the requests were designed to cause annoyance or disruption.

Has the effect of harassing the public authority

38. This element of the criteria takes into account the effect requests have had on a public authority regardless of the applicant's intention. It has been apparent from the Council's representations that it particularly feels that the requests which related to members of staff had the effect of harassing the Council. Again, because the previous behaviour was in relation to complaints about members of staff and not information requests about staff, and because such requests only represent one element of the complainant's enquiries about the work of the CCU, the Commissioner does not accept that these requests may be viewed in isolation as requests which had the effect of harassing the Council in this case.
39. The Commissioner went on to consider the wider context in which the Council argued all of the requests concerning the CCU had been made. The Awareness Guidance recognises that information requests often come about as a result of there being some grievance which the complainant has concerning the public authority. The Awareness Guidance also recognises that a request for information connected to a previous grievance may be made in an attempt to reopen a matter which has been resolved and as such, is likely to be an inappropriate use of the Act. Equally, the Commissioner acknowledges that there may be circumstances where a request is made as a result of some matter being dealt with unsatisfactorily. This does not simply mean that the complainant is dissatisfied with the outcome but that the public authority needs to consider whether the disclosure of the information requested would *objectively* make a material difference to the outcome. Having considered the requests, it is not clear that the complainant is seeking to either reopen a previous complaint specifically or that he is seeking information which would make a material difference to the outcome of any previous complaint.
40. The Awareness Guidance also explains that it may also be the case that an applicant wants to obtain information about a complaint process to verify whether their complaint was dealt with properly. The complainant provided some indication of what the possible motivation behind some of the requests may have been in a letter addressed to the Chief Executive of the Council on 18 April 2005 in which he refers to comments made on the letters page of Camden New

Journal. The complainant claims that the comments suggested that the CCU was not “independent” and he went on to recommend that the CCU should be “disbanded” and the work contracted out to private companies on a rotating cycle. The complainant further claims to have proof that the staff working in the CCU are not acting in an independent capacity (although he does not specify what this proof is) and he also states that he has been arguing with the head of the CCU for some time over the independence of the CCU.

41. It appears from the above that the complainant believes that the handling of his complaints by the Council has been flawed in some way as a result of what he perceives to be a lack of independence in the operations of the CCU. It is not apparent on the face of the correspondence that there are any inadequacies in the operations of the CCU of the kind alleged, and none which would have clearly made a material difference to the outcome of any of the complainant's previous complaints. Rather it appears to have been the complainant's intention to conduct a general “audit” of the CCU which lacks any clear focus as a result of his dissatisfaction with the handling of his previous complaints. It is not the Commissioner's view that this is an appropriate use of the Act. Although the requests do not obviously bear any specific relationship to the complainant's previous complaints, it is the Commissioner's view that the requests represent, at least in part, an attempt to continue correspondence with the CCU even though all the matters originally complained about seem to have been closed in an appropriate manner. In addition, it seems that at some point the complainant has involved the Local Government Ombudsman in these matters. The complainant has therefore had suitable opportunity to have his complaints considered by an entirely independent body.
42. The Commissioner has therefore taken the view that the complainant's requests concerning the work of the CCU, when taken together and in the context of his previous behaviour (namely a long history of making complaints to the Council, often criticising the actions of individual officers and the fairness of the complaints procedure), form evidence of a pattern of behaviour which the Council has identified as vexatious and repetitious in another context. In view of these considerations, the Commissioner is satisfied that although it may not have been the complainant's intention to harass the Council through his use of the Act, this is the effect the requests have had on the council's staff working in the CCU.

Can otherwise fairly be characterised as obsessive or manifestly unreasonable

43. The Council has been able to provide evidence to the Commissioner concerning the complainant's approach to its complaints procedure over a long period of time. Drawing mainly on the considerations set out in the “harassment” section of this Notice, it appears that although the complainant may have started off with genuine concerns concerning his daughter's education, these concerns developed into a series of complaints about individual members of staff and a generalised suspicion, following the resolution of these complaints, about whether they had been handled appropriately. In view of the volume of complaint correspondence between the Council and the complainant over a period of time and the frequency, scope and overall nature of the requests made by the complainant concerning the work of the CCU, the Commissioner is persuaded

that in this case, the complainant has behaved obsessively towards the Council's complaints procedure and that it would not be appropriate for this to continue through the use of the Act.

The Decision

44. The Commissioner's decision is that the public authority dealt with the requests for information in accordance with the Act because it correctly applied the exclusion under section 14(1).

Steps Required

45. The Commissioner requires no steps to be taken.

Other matters

46. Although these issues do not form part of the Decision Notice, the Commissioner wishes to note the following matters of concern:
- (i) The Commissioner has noted the inconsistency between the Council's refusal notice on 11 October 2005 and its actions. On the face of the correspondence presented, it appears that the Council refused request 1 under section 14(1) because it considered that it formed part of a pattern of obsessive requests but responded to two other requests it received of the same theme, one on the same day as request 1 and one received subsequently. It also refused one other subsequent request of the same theme under section 12 but not section 14. It appears that part of the Council's reasoning for refusing request 1 was that it was a request for the personal data of staff in the CCU but this was not communicated in the Council's refusal notices. The Commissioner's view is that in applying section 14(1) it is important that the Council takes a consistent approach to the requests received in order to leave the applicant in no doubt as to why the requests have been deemed vexatious.
 - (ii) The Commissioner notes that the Council breached section 17(1) by not supplying the complainant with a refusal notice in response to request 1 within the 20 working day limit prescribed by the Act.

Right of Appeal

47. Either party has the right to appeal against this Decision Notice to the Information Tribunal. Information about the appeals process may be obtained from:

Information Tribunal
Arnhem House Support Centre
PO Box 6987
Leicester
LE1 6ZX

Tel: 0845 600 0877
Fax: 0116 249 4253
Email: informationtribunal@dca.gsi.gov.uk

Any Notice of Appeal should be served on the Tribunal within 28 calendar days of the date on which this Decision Notice is served.

Dated the 8th day of October 2007

Signed

**Steve Wood
Assistant Commissioner**

**Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**

Annex A

Request 1

Letter on 8 September 2005

“The officers employed at present in Camden’s Central Complaint’s Unit, I believe to be as follows:

[List of council officers]

Former members of staff, I believe to be:

[List of council officers]

My request is in three parts and should cover the years 1999-2005.

- 1) Does any of the present team in the Central Complaints Unit, have a partner or relative working for Camden Council at this time and if so, what department do they work in?
- 2) Did any of the former team members in the Central Complaints Unit, have a partner or a relative working for Camden Council and if so, what departments do they work in?”
- 3) Do any of the present or former team members of the Central Complaints Unit have a partner or relative who worked for Camden Council, but who no longer does?
- 4) When applying for a position in the Central Complaints Unit, do you have to disclose if a partner or relative works for the council and should a partner or relative begin employment with the Council whilst you are working in the Central Complaints Unit, would you have to disclose this or not?”

Request 2

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year 2000?”

Request 3

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year 2001?”

Request 4

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year 2002?”

Request 5

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year 2003?”

Request 6

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year 2004?”

Request 7

Letter on 19 October 2005

“How many complaints were made against officers in the Central Complaints Unit in the year up until and including the 30 September 2005?”

Request 8

Letter on 31 October 2005

“1. Does Camden Council have documentary evidence that the Central Complaints Unit (CCU) has improved its complaints procedure when recommendations have been made under CMSAS 86:2000; and if they have, may I request this documentary evidence? There should be some from 2001-2005”.

2. When the CCU has received negative feedback from complaints, what do you do to resolve and change what the feedback has highlighted and is there documentary proof of this; and if there is, may I obtain a copy?

3. Camden Council's CCU are registered with the British Standards Institute (BSI); how much did Camden Council pay the BSI for initial registration and how much do they pay for yearly assessment?

4. The BSI issues certificates on their yearly inspection, I would like to obtain copies of these certificates from 2001-2005.”

Request 9

Letter on 31 October 2005

“1. On what dates did [names of three council officers] leave Camden Council's employment?”

2. Has Camden Council, from the years 2001-2005, consulted and paid for, any outside agency or consultancy in relation to their complaints departments?

3. If Camden Council has consulted and paid for, any outside agency or consultancy in relation to their complaints departments, what dates did this occur and how much was paid to these outside agencies and consultancies?

4. How many training sessions did the CCU give to other boroughs and any other agencies, from 2001-2005; and how much was generated from these sessions?"

Request 10

Email on 1 November 2005

"Dear [name of council officer], I have been reliably informed that you are the partner of [name of the head of the CCU], is this correct?"

Annex B

Request made on 18 April 2005

"...I request under the Freedom of Information Act 2001 [sic] (FOI) that Camden Council furnish me with the total cost of running the Central Complaints Unit per year and that includes the staff's salary and all revenue to keep it operating".

Request on 18 May 2005

"...under the Freedom of Information Act 2000, I am requesting the following information:

1. How many complainants that have returned your satisfaction sheet were pleased with the outcome of their complaint and how many were not?
2. Can I please have a copy of the collated information in relation to your satisfaction sheet from 2000-2004?
3. How many councillors have said they have appreciated the robustness of the CCU and do you have objective evidence of this?
4. How many voluntary organisations have said they have appreciated the robustness of the CCU and do you have objective evidence of this?
5. When were awarded [sic] the 'Charter Mark' and when does it expire?"

Request made to the head of the CCU on 8 September 2005

"...you say that you have various other duties; can I request under the Freedom of Information Act 2000, what all your duties are in your employment for Camden Council and this includes any panels that you are a member of".

Request on 27 September 2005

"I have some questions, which I would like responded to under the Freedom of Information Act 2000. All the questions relate to Camden's Central Complaints Unit. My request is as follows:

1. When did the Central Complaints Unit come into being?
2. Were the staffing levels as they are now or have they increased or decreased?
3. What working backgrounds have the officers, past and present, come from?
4. How long has [name of the head of the CCU] been head of the CCU?
5. Did [name of the head of the CCU] work for the Council in another position before joining the CCU?
6. How long has the three-stage system been in operation in Camden and what was in place before this?
7. Are Customer Satisfaction Forms sent to all complainants or just those that reach stage 3?
8. Does every complainant that reaches stage 3 received a Customer Satisfaction Form or is it just a sample of complainants?
9. Does every complainant receive the offer to meet with the investigator at stage 3, or are there any exceptions?
10. Is the CCU independent of the Council or are they only independent in respect that they are another department of the Council, for example, the housing department would be independent from the environment department?
11. Does any officer of the CCU fraternise with any other officer of the council, except when talking to them formally during an investigation; I refer to working hours only?
12. Has there ever been a quality audit of the CCU and if so, when was this and if there was one, can I obtain a copy of the findings?
13. Did Camden Council take part in the Ombudsman's study of the local authority complaints systems in 1998/9?
14. Do you believe the CCU to be adequately resourced?
15. What does the CCU do with the Customer Satisfaction Forms, once the information has been taken from them?
16. Are the Customer Satisfaction Forms anonymous or does the CCU know which complaint they refer to?
17. Do you believe that Camden's complaints systems works effectively or can improvements be made?
18. How many children have used Camden's complaints procedure and what were the outcomes of these complaints?
19. Does a note taker attend every interview a complainant have [sic] with the CCU or is this only offered to certain people?
20. Does the Council keep records of all complaints they are vexatious [sic] and repetitious and if they do, how many complaints received were vexatious and repetitious between 2002-2005?

Request on 6 October 2005

“Under the Freedom of Information Act 2000, I would like to know how many complaints were made against members of the team in the Central Complaints Unit, including [name of head of the CCU]?”

How many of these complaints were upheld (either fully or partially) and how many were not upheld?

I require this information from the years 2000-2005”.

Legal Annex

Exemption where cost of compliance exceeds appropriate limit

Section 12(1) provides that –

“Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.”

Vexatious or Repeated Requests

Section 14(1) provides that –

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

Section 14(2) provides that –

“Where a public authority has previously complied with a request for information which was made by any person, it is not obliged to comply with a subsequent identical or substantially similar request from that person unless a reasonable interval has elapsed between compliance with a previous request and the making of the current request.”