Minutes of the Meeting of the VEXATIOUS CORRESPONDENCE AND COMPLAINTS POLICY SUB-COMMITTEE held at the Town Hall, Swanage on MONDAY 14th APRIL 2025 at 4.15 p.m.

Present: Councillor C. Moreton - Chairman

Councillor D. Monkhouse Councillor W. Trite

Also in attendance: Dr. M. Ayres Town Clerk

Mrs E. Evans Democratic Services Officer

Public Participation Time

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

1) Apologies

There were no apologies to record.

2) 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.

3) To approve as a correct record Minutes of the Meeting of the Vexatious Correspondence and Complaints Policy Sub-Committee held on 24th March 2025

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

That the Minutes of the Vexatious Correspondence and Complaints Policy Sub-Committee meeting held on 24th March 2025 be approved as a correct record.

4) Items of Information and Matters for Forthcoming Agendas

Further to Minute No. 5 of the Vexatious Correspondence and Complaints Policy Sub-Committee meeting held on 24th March 2025, it was noted that the Sub-Committee had been unable to meet to further consider a request for information contained in correspondence dated 13th March 2025 prior to the statutory deadline for a response. A meeting of the Sub-Committee scheduled for 28th March 2025 had not been quorate.

It was noted that in order to meet the deadline, council officers had issued a response on 8th April. Although at the meeting held on 24th March the Sub-Committee had considered this request to be potentially vexatious, part of the request had been complied with and part had been the subject of a refusal notice under section 22 of the Freedom of Information Act, relating to information intended for future publication. Members of the Sub-Committee had informally approved this approach to the matter prior to the response being issued.

Further to Minute No. 4 of the Sub-Committee meeting held on 24th March 2025, it was noted that only one response suggesting amendments to the policy had been received by the Town Clerk. A discussion followed, during which it was agreed that further input from councillors would be beneficial before consideration was given to the adoption of a revised policy. As the proposed amendments were due to be considered by the Finance and Governance Committee, scheduled to meet prior to the Annual Council Meeting, it was agreed that a meeting of this Sub-Committee would be held on 7th May 2025 to review the policy and consider its implementation.

EXCLUSION OF PRESS AND PUBLIC

Proposed by Councillor Moreton, seconded by Councillor Trite 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 and consider response

Further to Minute No. 5 of the Vexatious Correspondence and Complaints Policy Sub-Committee meeting held on 24th March 2025, Members reviewed a draft response to the requests for information received on 15th and 21st March. Members considered the matter in light of the Information Commissioner's Office (ICO) guidance on factors that can be taken into account when determining vexatious complaints, specifically:

- 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).

Attention was drawn to further ICO guidance on handling potentially vexatious correspondence, which stated that 'we strongly recommend that if your main concern is the cost of finding and extracting the information, you should consider the request under section 12 of the Act, where possible'.

The draft response clearly explained reasons for addressing both requests together, as they were related. It outlined the steps taken to review the volume of material held on the matter and proposed that the requests should be refused under Section 12 of the Freedom of Information Act, as it was estimated that the cost of compliance with the requests in full would exceed the statutory cost limit. It was noted that under the Act, each staff hour is costed at £25, and requests estimated to cost more than £450 may be refused.

The draft response highlighted that some relevant information could be made available within the cost limit. Following further discussion it was AGREED:-

That the grounds for refusal to supply the information, as outlined in the draft response to the Freedom of Information requests received on 15th and 21st March 2025, be approved and that the draft response be issued accordingly.

6) <u>Date of Next Meeting</u>
It was agreed that the next meeting would be held on Wednesday 7th May 2025 at 1.15 p.m.

The Meeting closed at 4.45 p.m.