

Your ref:  
Our ref: SG  
Please ask for: Miss S Grisbrook  
Direct dial no: 01424 787716  
Date: 7 August 2008



Resources Directorate  
Malcolm Johnston MBA MSc BSc(Hons) MCIEH  
Director

Town Hall  
Bexhill-on-Sea  
TN39 3JX

Dear Mr Jackson,

## COMPLAINT RE FREEDOM OF INFORMATION REQUEST

In order to put matters in perspective, in an e-mail to Mr Edwards on 5 August you said: *"Although I am happy that the information requested has now been provided, I am still unhappy at the manner in which my request was handled, and as such I would like my complaint to stand, and look forward to Anne's response."*

It is common ground that section 8 (1) (b) of the Freedom of Information Act 2000 requires a person making a request to *"state the name of the applicant and an address for correspondence"*. Section 8 (2) makes it clear that a request can be made by e-mail, but it doesn't say that the address for correspondence can be electronic and so we have always asked for a postal address.

The web site "WhatDoTheyKnow" enables anonymous (or strictly speaking pseudonymous) requests with the information being sent back to the web site. The information is then posted on the web site for all to see. From the site, I see that you are familiar with its usage and so you do not need me to explain to you how the system operates; but to us it was new. In accordance with our usual procedure we asked for a postal address, which you declined to supply.

Mr Edwards was genuinely concerned that if we do not have a postal address for correspondence, there was an increased possibility of vexatious requests for information without any serious purpose or value being made, imposing a significant burden on the authority in terms of expense or distraction. Such requests can be refused under section 14.

Last week Mr Edwards wrote to the Information Commissioner, on his own initiative, seeking clarification on the interpretation of section 8 (1). Guidance has now been received from the Information Commissioner that an e-mail address should be accepted and that any reference to section 14 in the Council's responses should be relevant and specific. This Council intends to act on that guidance in relation to future requests.



I hope that this information now answers your complaint. However, if you are still not happy that you have received an acceptable reply the next stage is for you to write to the Chief Executive setting out the reasons why you feel that the reply is unsatisfactory. The Chief Executive will then review the matter and reply with his conclusion as quickly as possible.

Yours sincerely

*S. Grisbrook.*

Suzanne Grisbrook  
Head of Audit and Business Improvement