

My Ref: IGO/10-6770
Your Ref:
Contact: Andrew Goodfellow
Email: information.governance@nottinghamcity.gov.uk



Nottingham
City Council

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Mr. J. Moore

XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXXX

27th April 2010

Dear Mr. Moore

Re: Your request for information

Thank you for your email dated 5th March 2010. As the information you requested is not personal or environmental it has been processed in accordance with the Freedom of Information Act 2000.

Initially, I would like to take this opportunity to apologise for the delay in responding to your request. Please be assured we are currently carrying out a thorough review of all our office procedures to minimise the possibility of any future delays.

With regards your questions 1 and 2, as detailed below, the attached documents address your questions.

1. *Please explain Nottingham City Council's policy and framework on assessing extended family members as suitable carers for children.*
2. *Please explain the policy and framework on viability assessments of extended family members as suitable carers.*

With regards questions 3, 4 & 5, as detailed below, we have now formally considered these questions and believe them to be vexatious in accordance with section 14 of the Act.

3. *Please list the appropriate Common Law (as codified in Magna Carta 1297 and the British Constitution incorporating the Rights of the Subject 1689 and any other appropriate declarations of private citizens' rights before and since), any appropriate child protection Statutes (eg the Children And Young Persons Act 1989), and any other appropriate local byelaws and Statutes that question 1 applies to.*
4. *Please list the reasons Nottingham City Council would knowingly mislead the Family Courts by knowingly filing inaccurate reports to court.*
5. *What steps are taken by NCC when the filing of inaccurate reports to court occurs to ensure those involved are reprimanded/disciplined and what steps are taken to ensure this matter is rectified?*



In applying section 14 the Council has considered a significant number of factors including, in no particular order,

- The substantially similar nature of these requests to previous requests you have made.
- The fact that your requests ask for information that is clearly not in the realm of a local authority.
- The apparent lack of a serious and proper purpose to many of your questions.
- The fact that you appear to be acting as part of a campaign.
- The repeated use of fractious, contentious and plainly defamatory language in your requests.
- Your continued use of leading questions.
- The unreasonable burden placed upon the Authority by the need to respond to your requests.

After consideration of the above we are of the opinion that your enquiries can be fairly classified as obsessive and are having the effect of harassing this Authority and, in line with the aforementioned section of the Freedom of Information Act 2000 and available guidance from the Information Commissioners Office, it is our opinion that your requests are vexatious.

In light of this decision, we will not be issuing you with a response to your queries 3,4 and 5 as listed above. In addition, all future enquiries of a similar nature will also be deemed to fall within section 14 unless or until a reasonable interval has elapsed period since your previous request. In this particular case and in light of the nature of the information being requested we have determined that this 'reasonable interval' shall be 60 working days from the date of this letter.

Please note that this notice currently only covers the following;

Any further requests for information relating to;

1. this Authority's care of children,
2. our actions in the Courts in relation to children,
3. requests for legal advice.

Further requests for information on different subjects will be judged on their own merits and in accordance with the relevant legislation. This, of course, would include the possibility that section 14 may also be applicable to those further requests.

This Authority takes its responsibility under the various pieces of information rights legislation very seriously and it is only due to the fact that your continued requests have become harassing, obsessive and divert resources from services to a level which can reasonably be deemed detrimental to the functioning of the Council that we have been forced to take this action.

In light of the fact that your request for information is vexatious, in accordance with section 14(1) of the Act we are not obliged to comply with your request.

Owing to the fact that this authority is applying an exemption to part of the information requested, please accept this letter as a refusal notice issued in accordance with section 17 of this Act.

Most of the information that we provide in response to Freedom of Information Act 2000 requests will be subject to copyright protection. In most cases the copyright will be owned by Nottingham City Council. The copyright in other information may be owned by another person or organisation, as indicated in the information itself.

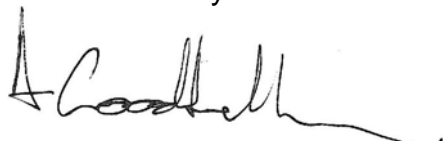
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If you should have any questions please do not hesitate to contact me on the above number quoting your personal case reference which is **IGO/10-6770**.

If you are not satisfied with the response provided or any exemptions applied you should write in the first instance to **Stephanie Pearson, Information Governance, The Guildhall, Burton Street, Nottingham, NG1 4BT** stating the reasons for your dissatisfaction. If you remain dissatisfied after receiving a response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF**. You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at xxxx@xxx.xxx.xxx.xx.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Coakley', written over a light blue horizontal line.

Senior Information Governance Officer