

our ref **FOI 1460**
your ref

'Mr Lee'

Sent by email only: request-271496-7b18ffde@whatdotheyknow.com

please write to **Financial Ombudsman Service**
PO Box 73208
London
E14 1QQ

dx 141280 Isle of Dogs 3
website www.financial-ombudsman.org.uk

30 June 2015

Dear Mr Lee

your request for information

I am writing in response to your email of 2 June 2015. In your email you requested the following information:

*"Dear Financial Ombudsman Service Limited,
Case fee disputes and appeals documents."*

Response

I have carefully considered your request and unfortunately I am unable to provide you with the information that you have requested. This is because we consider this request to be vexatious.

Section 14(1) of the Freedom of Information Act 2000 ('the Act') addresses vexatious requests and states:

"14.—(1) Section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious."

I have set out our reasons below so you can see how we arrived at our decision.

1. Would complying with the requests be likely to cause disproportionate or unjustified level of disruption, irritation or distress?

You have made a request for a copy of information for our staff about disputes over the case fee chargeable to a business, and documents relevant to this process. This information is displayed on our intranet page under the heading 'C'. This follows your last request for information under the 'C' heading made on the same day.

Since March 2015 you have submitted 8 requests for information for separate items listed under one heading on our intranet A-Z page which was sent to a requestor via 'whatdotheyknow.com'.

We are concerned that we are seeing a number of linked information requests from a group of individuals who appear to be acting in concert. In particular, we are currently seeing a number of requests relating to information displayed on our intranet A-Z page. We have seen a pattern in the language being used and often the requests for information refer to a previous request made by a different and purportedly separate individual. We also have reason to suspect that pseudonyms have been used to impede our ability to identify the requestor

We are also aware that we previously explained to a separate requestor that we considered a repeated request for various sections of our A-Z to be vexatious as per section 14(1) of the Act and explained why this was. Since then, we have noted an increase in requests for similar information from separate requestors, which appears to be a campaign against the ombudsman service.

We consider that the concerted effort by a number of different requestors asking for information of the same type is designed to impede our ability to respond to requests in compliance with the Act, whilst also trying to avoid allowing us to apply any relevant exemptions, such as the cost and time limits, as set out in the Act.

Taking your previous requests into context, we have genuine concerns that your primary reason for making these requests is disruption and annoyance to the ombudsman service, as opposed to seeking a particular piece of information for a genuine reason.

Whilst we appreciate that the Act was intended to provide the public with access to information held by public authorities we are concerned that your requests are aiding a campaign against our service with the intention of causing disruption.

We also have reason to suspect that pseudonyms have been used to impede our ability to identify the requestor. This type of behaviour makes it difficult for us to manage requests and appears to be designed to cause unwarranted irritation and disruption, as well as placing a considerable burden on our resources. The persistence of this behaviour also appears to suggest that it is borne out of a personal grievance against the ombudsman service.

The information rights team at this service has a duty to process requests within the statutory timeframe and if this is not possible, to inform a requestor of any delays. We have to ensure that we manage our time and resources properly and we do not consider that responding to this request as you have asked to, would be a good use of our time.

We have taken into account the impact this request would have on our organisation and members of intranet and IT departments and we are satisfied that handling this request would cause unjustified disruption and irritation to the ombudsman.

2. does the purpose and value of the requests justify the impact on the public authority

The Financial Ombudsman Service was established under the Financial Services and Markets Act 2000 (FSMA). It has a statutory function to resolve disputes between consumers and financial businesses quickly and informally. We have limited resources and we need to think carefully about where these are best deployed.

We have considered the purpose and value of your request and it appears to be limited to an attempt to 'test' the ombudsman service and place a burden on our resources. This particular request for information is for information which is relevant to our case handling staff ion dealing with disputes over case fees.

Having reviewed your previous requests for information, there is no other apparent link between the intranet pages you have asked for, other than going through a list of already published information, nor is there evidence that you are after a particular piece of information. This request indicates that your request is not to obtain useful information, rather to fish for topics and information which you and other individuals could use to make future requests

Because of this we do not consider that the public interest lies in diverting considerable resources away from our statutory functions in order to disclose the information you have requested, nor do we believe that the level of disruption and irritation would be justified or warranted by the limited purpose and value of your request.

As per section 17(6) of the Act, we will not now be entering into any further correspondence or responding to future requests on the same or similar topics.

I hope that my response addresses your request; however, if you do not consider that we have fully complied with the Freedom of Information Act, there is further information overleaf.

Yours sincerely

Saadia Sajid
Information Rights Officer

email informationrightsofficer@financial-ombudsman.org.uk
if you are not satisfied with our response

If you remain unhappy with this response, you can contact the Information Commissioner's Office within six months:

First Contact Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

phone: 0303 123 1113
email: casework@ico.org.uk
website: www.ico.org.uk/complaints