

our ref **FOI 2721, 2723, 2740 and 2748**

W Hunter

Sent by email only: request-415158-c7248483@whatdotheyknow.com

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

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

7 July 2017

Dear W Hunter

your request for information

Thank you for your two emails of 20 June and your email of 29 June, in which you asked for the following information:

'1. Please provide any and all information held which if combined would constitute a full organisational chart showing all positions held within the organisation, i.e. the current version of the full list of job titles previously disclosed, combined with a full list of departments within the FOS showing their staffing levels by job title.

To assist you in this request, although I do not believe section 16 of the FOIA applies to the requester, I should like to assist by pointing out that your Payroll / finances department must have a full record of every employee, the department they work in or for in order to allocate costs and budgetary requirements etc.

2. Please provide the names of all employees, the position they hold and their email and telephone contact details for that position.

Again the Payroll / Finances department will have every employees name, job title or position and contact details already to hand.

As a final point, whilst I know it may be tempting to issue the standard section 40 exemption response in an attempt to claim that an employees name is personal and therefore exempt from disclosure I must specify that the section 40 exemption applies to personal and Private information i.e information not associated with their employment such as home address and contact details'.

and

'7. Please identify any policy or procedure which details how an employee is to make themselves aware of any policy or procedure applicable to their duties within the FOS, detailing where any such policies may be found and how to access them.'

and

'1. Please provide any policy or procedure within the FOS which allows any member of FOS staff to make a ruling on what they think a regulation should state rather than enforcing what it does state.

2. Please provide any policy or procedure which would allow an applicant to raise the issue of an ombudsman reaching a perverse decision in breach of the regulations specified, stating how this process is undertaken and who it needs to be addressed to.

3. Please provide any documentation in existence within the FOS which shows any attempt or indeed any application to have the provisions of DISP 2.7.2. of the FCA handbook re written to comply with Ombudsman McCarthys interpretation and or when that re written portion came into effect.

4. Please specify any disciplinary procedure or administrative action which can be applied to address the actions of an Ombudsman which are shown to be perverse and in breach of the requirements of their position.

5. Please provide a copy of the contract of employment which would have been and/or is the current terms of reference for Ms McCarthys employment withholding only those portions applying to financial remuneration if different from any other ombudsmans standard employment terms.

6. Please provide any policy or procedure which details the process for a member of the public to speak directly to the Chief Ombudsman Ms Wayman regarding the actions of the staff and indeed the organisation that she heads or indeed any means of bringing untoward behaviour by staff to the head of the FOS.'

and

'7. Please provide any details of any policy or procedure on how complaints regarding Ms Somal's handling of this matter can be raised and to whom they need to be addressed.'

response

I've carefully considered your request, but we won't be sharing with you the information you've asked for.

When a request for information is made to us, our service aims to be as transparent and open as possible. We also appreciate that each request will, to some degree, place a level of burden on our resources. But, we need to be careful that they're not too burdensome. This is so we're able to continue with our duties, including helping those who submit reasonable requests.

A public authority can refuse a request, as vexatious, under section 14(1) of the Freedom of Information Act. And, in doing so, we have to carefully think about whether the purpose and value of what's been requested is enough to justify the impact and disruption on our organisation.

So we've thought about what you've asked for and in considering your requests, we have weighed up their purpose and value with the impact and disruption they are causing. We have also taken into account the other communications you have had with our service. And it's clear from your emails and phone calls that your requests for information stem from your unhappiness with the service.

As you know, we wrote to you in May to explain that we'd no longer be able to correspond with you about one of your complaints. Despite this, you've continued to send us numerous emails, expressing your dissatisfaction with the service and you've made five freedom of information requests. Having taken this into account, we think that your

requests are borne out of a personal grievance against this service, rather than using the Freedom of Information Act 2000 in the spirit for which it was intended.

We appreciate it's important to provide people with information about how we work which is why we publish a wealth of information on our website, but we don't consider that your request for a list of every member of staff, along with their email address and their telephone number or for the personal data of an individual ombudsman has any purpose or value.

Taking the above into account, we don't consider the public interest lies in allocating considerable resources away from our statutory functions in order to disclose the information you've requested, nor do we believe that the purpose of this request justifies the impact on our service.

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

Yours sincerely



Liam Parkin
Stakeholder team

email information.rights@financial-ombudsman.org.uk

if you're not satisfied with our response

If you're unhappy with our response you can contact the Information Commissioner's Office within three months. You can contact them at:

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