

Our Reference: FOIA-2018-SarahL

9th July 2018

Via email: Sarah L <request-485326-1ad8e029@whatdotheyknow.com>

Dear Sarah L

I am write in response to your Freedom of Information Act 2000 request dated 26th June 2018. I note from your request that you seek the following information:

Please can you provide me with your total agency spend so far in the 2017/2018 academic year along with a breakdown of which agencies that have been used and how much has been spent per agency.

Please also provide the total spend for permanent recruitment at the college, including the split between advertising, agency fees (including which agencies) and transfer fees etc.

Decision

There does not appear to be any public interest to your request. Your request appears to be of a commercial nature (sale of services) which does not meet the transparency objectives of the Freedom of Information Act 2000 ("FOIA"). Unfortunately, your request does not relate to any specific information held by Barnfield College but is instead a general enquiry to provide information relating to computing applications and software used by the College. The current form of your request does not indicate what, if any, public interest there is in disclosing this information. Without clear public interest the College considers commercial requests vexatious in line with the Upper Tribunal ruling upheld by the Court of appeal: <http://www.bailii.org/uk/cases/UKUT/AAC/2013/440.html>.

In this case, Judge Wikeley indicates in paragraph 35 and 38 that improper use of FOIA (such as no public interest) is a valid consideration to make when considering if a request is vexatious. Using FOIA to gain a commercial advantage or seek opportunity over another can be included within this definition.

Your attention is drawn to the complaint rights provided on the Information Commissioner's Office Website <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>

Yours sincerely

Data Protection Office
Barfield College