



Rutland County Council

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FREEDOM OF INFORMATION REQUEST – 1483/17

Dear Sir/Madam

Your request for information has now been considered and the information requested is provided below.

Request:

Please see attached “1483/17 – Bibliography”.

Response:

Thank you for your request for information about the above, which has been dealt with under the terms of the Freedom of Information Act 2000. Your request and our response are set out below. In the hope of saving some public funds from being squandered, please note that my response will apply to all the Councils you have sent this request to, and whilst they may choose to respond individually, they will not be able to provide any information either. Reading through 70 pages has taken me quite some time and I don't want them to waste their valuable yet limited resource by doing the same.

1. You have not specified what information you specifically require. Simply stating:

“I would like to place a request for information that pertains, in any recorded format, to any entity cited bibliography and reference list, which constitutes a contravention of any constitution, statute, treaty, or convention, or crime by any criminal and penal code cited in the bibliography, and in the alleged assertion of ‘acting as an accessory, accomplice, or perpetrator’ in the specific alleged assertions of practicing any act, information, or data cited in the bibliography”

It is a clear fishing exercise because you are unsure of what information you want or require. The Information Commissioner's Office (ICO) advises the public against misusing the Act in such a way and abusing your ‘right to know’. The ICO also advises the public to not:

‘Deliberately ‘fish’ for information by submitting very broad or random requests in the hope it will catch something noteworthy or otherwise useful. Requests should be directed towards obtaining information on a particular issue, rather than relying on pot luck to see if anything of interest is revealed.

Send ‘catch-all’ requests for information (such as ‘please provide me with everything you hold about ‘x’) when you aren't sure what specific documents to ask for. If in doubt, try



searching on the authority's website or enquiring whether any indexes and file lists are available. Alternatively, ask the authority for some advice and assistance in framing your request.'

You are welcome to read about some extremely helpful advice they do provide the public on how to frame information requests on the following link:

<https://ico.org.uk/for-the-public/official-information/>

2. I am refusing your request because it would take more than 18 hours to gather all the information. The FOIA provides that a public authority is not obliged to comply with a request for information if it estimates that meeting the request would exceed the appropriate cost limit. This 'appropriate limit' is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The 'appropriate limit' for non-Central Government public authorities is currently set at £450. In relation to staff time, this is calculated at a rate of £25 per member of staff per hour. This effectively equates to a time limit of 18 staff hours.

Where a public authority estimates that responding to the request would exceed the appropriate limit, there is no obligation on the public authority to carry out searches up to the 18 hour limit. Section 12 effectively removes the information from the scope of the duty to disclose altogether.

3. I am further refusing your request under section 14(1) of the Act. I am firmly of the opinion that your request is patently unreasonable, furthermore, it would cause a disproportionate and unjustified level of disruption to any public authority to deal with your request. Section 14 has the effect of disapplying a citizen's right under Section 1(1) of the Act where the sentence above is satisfied. As information officers, we have a duty to protect the resources (in the broadest sense of the word) of the public authority from being squandered on disproportionate use of the Act, your request is manifestly unjustified and an improper use of formal procedure.

If you feel that this particular request has not been complied with fully under the terms of the Act then please put your grounds in writing and email us back. Stating exactly why our interpretation of the Act and guidance has been incorrect.

Please quote the FOI reference number in any communication regarding this particular request.

You have the right to apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the County Council's internal review procedure as described in the previous paragraph. The Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. www.ico.org.uk

Yours faithfully

FOI Administrator
Corporate Support Team, Rutland County Council