

# Freedom of Information Act 2000 (FOIA)

## Decision notice

**Date:** 1 July 2024

**Public Authority:** The Council of the University of Hull  
**Address:** Cottingham Road  
Hull  
HU6 7RX

### Decision (including any steps ordered)

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1. The complainant requested information relating to exam papers for specified modules. The University of Hull ("the University") relied on section 14(1) of FOIA (vexatious requests) to refuse the request.
2. The Commissioner's decision is that the request was vexatious and therefore the University was entitled to rely upon section 14(1) of FOIA to refuse it.
3. The Commissioner does not require any steps.

### Request and response

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4. On 5 March 2024, the complainant wrote to the public authority and requested information in the following terms:  
  
"I would like to request copies of the available exam papers for the following modules under the FOI Act: - twentieth century American women's writing - modern American women's writing - women in American literature - twentieth century American literature survey - modern Americas literature survey."
5. The University responded to the request on 24 March 2024. It refused to disclose the requested information, citing section 14 of FOIA.
6. The complainant sought an internal review of the University's handling of the request on 28 March 2024. A response to this was provided on 24 April 2024. The reviewer upheld the original decision.

## Reasons for decision

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### Section 14 – vexatious requests

7. This decision notice concerns section 14 of FOIA. Details of this section of FOIA can be found in the Commissioner’s [decision notice support materials](#).

### The University’s view

8. The University confirms that the applicant has made numerous FOI requests to the University which are the same or similar in nature. The University records show that the requests commenced in 2018 and on receipt of 15 such requests, the University applied section 14(1) of FOIA due to the volume of requests, the similarity in nature and the burden it was placing on resources to collate relevant information.
9. The complainant continued to submit requests in 2019 and was reminded of the University’s previous application of section 14 of FOIA due to the indicators in the ICO guidelines linked in paragraph 7 above.
10. In 2021 requests received were handled as new requests with full or partial responses provided. Further requests continued in 2022/23 which were identified as requests for information previously requested. A response was still provided to an additional 14 requests before the issuing of a section 14 notice. The section 14 notice also provided advice and the University attempted to work with the requestor to establish the purpose of such requests and try to refine them. Any requests that were not around the same subject matter were handled as normal under FOIA and responses provided.
11. The University continues to receive such requests and has applied section 14(1) of FOIA based on the burdensome nature of the requests.

### The Commissioner’s decision

12. In cases where a public authority is relying on section 14(1), it is for the public authority to demonstrate why it considers that a request is a disproportionate, manifestly unjustified, inappropriate or improper use of FOIA.
13. All information requests impose some burden and public authorities have to recognise and accept that in order to comply with their FOIA obligations. However, in some cases a request will impose a burden upon a public authority which will outweigh any serious purpose or value of the request.

14. In this case, the Commissioner is mindful that the complainant has sent over 20 requests to the University. The University has provided the Commissioner with the dates and summaries of the requests, which were for the same or similar material as the request which is the subject of this notice. The University has provided responses to these and the University has worked with the complainant to try and reach a solution. As the complainant continues to submit these requests, the Commissioner accepts that dealing with these creates a burden on the University's resources.
15. Having considered the particular circumstances of this case, the Commissioner is satisfied that, given the volume of the requested information and the context and history of the requests, the time required to prepare the information for disclosure would impose a significant burden which outweighs the value or serious purpose of the request.
16. Therefore, the Commissioner believes that the University was entitled to rely on section 14(1) of FOIA to refuse the request because it was vexatious.

## Right of appeal

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17. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

18. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Deirdre Collins**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**