

Work sheet for dealing with potentially frivolous or vexatious requests

 **Important note**

This summary work sheet will help you to decide whether there is a proper basis for refusing a request for official information under section 18(f) of the OIA / 17(f) of the LGOIMA, because the request is frivolous or vexatious. Detailed guidance on this refusal ground, and tips for dealing with difficult requesters, can be found in our guide: [Frivolous vexatious or trivial](#).

<p>1. Are any other provisions relevant?</p>	<ul style="list-style-type: none"> • Before deciding to refuse a request as frivolous or vexatious consider whether any other provisions are relevant, including: <ul style="list-style-type: none"> - Substantial collation or research (section 18(f) OIA / 17(f) LGOIMA) - Information not held (section 18(g) OIA / 17(g) LGOIMA) - Protection for staff (sections 9(2)(a) and 9(2)(g)(ii) OIA / 7(2)(a) and 7(2)(f)(ii) LGOIMA)
<p>2. Is the request frivolous or vexatious?</p>	<ul style="list-style-type: none"> • Consider the nature of the request in light of the surrounding circumstances, including: <ul style="list-style-type: none"> - The burden of the request - The purpose or value of the request - The intention behind the request - The effect of the request on staff - The language or tone of the request - The history and context of the request - Whether the same information has been supplied previously and there is no good reason for it to be supplied again • Based on this and any other relevant considerations, would it be plain and obvious to a reasonable person that the request amounts to an abuse of the right to access official information?

3. Making the decision

- Ask someone else who isn't familiar with the background to consider whether the request meets the high threshold for being frivolous or vexatious.
- Ensure an appropriately senior person makes the decision.
- Document the evidence and reasoning for the decision.
- Use our [Template letter 16: Refusal—Frivolous or vexatious request](#) as a starting point. Add details of the agency's evidence and reasoning to demonstrate that it has taken a carefully considered approach to refusing the request.