

Nicola Hesketh  
Project and Information CoOrdinator

**Our Ref: FOI3942**  
**Please ask for: Nicola Hesketh**  
**Direct dial: 01827 709 587**  
**E-mail: foimailbox@tamworth.gov.uk**

12<sup>th</sup> May 2016

Dear [Email Redacted]

### **Freedom of Information – Invalid Request**

At this moment in time your request for information received on 18<sup>th</sup> May 2016 is considered invalid for the following reason:

No applicant name.

Section 8(1) of the FOIA sets out the requirements of a valid request for information and says that a request must, amongst other things, “state the name of the applicant and an address for correspondence”.

The definition of “applicant” in section 84 of the FOIA adds weight to this as the phrase in section 8(1)(b) should be read as “ the name of the person making the request”. This also suggests that the use of a false or fictitious name is not acceptable.

Therefore, where Tamworth Borough Council receives a request from a person using an obvious pseudonym, or a name which is considered incomplete there is no obligation to comply with the request.

Section 16 places a duty on Tamworth Borough Council to advise you that we require a complete name or one it considers not to be a pseudonym to be provided.

Although one of the underlying principles of the FOIA is that the identity of the applicant is not taken into account, it can be relevant in certain circumstances. For example, when:

- a request is being made by the applicant for his/her own personal data and so would be exempt under section 40(1) of the FOIA (and would comprise a subject access request under the Data Protection Act 1998);
- a public authority has good reason to believe a requester is using a pseudonym to shield his/her identity in order to avoid the possibility of the request being considered as vexatious or repeated; or
- determining whether to aggregate costs for two or more requests in accordance with the Fees Regulations.

Therefore please resubmit your request with the additional information for us to consider.

Yours Sincerely

Nicola Hesketh  
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