

John Fullbrook

From: John Fullbrook
Sent: 31 January 2022 10:36
To: Paul Campbell
Subject: FOI Request dated 13th October - Health and Safety re Adult Gym Equipment Fol Request

Dear Cllr Campbell

Thank you for your FOI request noted below.

Clearly, it has been more than 20 working days since your initial FOI request dated 13th October and I therefore apologise for the tardiness of this response.

While I do not find your request unworthy of discussion at Steyning Parish Council Committee level, and indeed plan to do so at our next Community Committee meeting on the 8th February, I do find this request as being the latest in a very long line of Freedom of information requests over many years to be vexatious under Section 14 of the Freedom of Information Act, and by way of further explanation I reference the letter you received from the Information Commissioners Office dated 7th June 2018 which stated the following – *'The Commissioner will expect the Council to take a more robust and pro-active approach with regard to its processing and managing of requests in future, as the wholly unsatisfactory situation which has persisted for the last several years cannot be allowed to continue'*

In terms of this response, you have the right to ask the Council to review any refusals.

In these circumstances however I anticipate you asking for a review request, and so to expedite this process, because it has taken so long to get this initial response to you I will be asking our Council's FOI review panel to consider this as a review request at a meeting today at 3pm.

If you want the panel to consider any further information relating to your review then please send in writing to me (including by email) and give reasons.

I do understand in normal circumstances this would give you very little time to bring other matters to the attention of the Review panel, however I believe you have already sent a great deal of additional relevant material in support of your case. If you feel there is anything else in addition to this information that the FOI panel will need to see then please feel free to send in to me and I will pass on directly to them.

I will also be suggesting that any decision made by the Review Request members today would be subject to the panel receiving and considering any further information received after today's meeting and a final decision therefore relating to this request would only be presented to you after all matters are dealt with in that eventuality.

If you are unhappy with how this request has been dealt with then you can also apply to the Information Commissioner at the ICO – The link being

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-informationconcern/>

Once again apologies for the delay in sending this response to you

Yours Sincerely
John

John Fullbrook
Clerk to the Council
01903 812042

John Fullbrook

Subject:

FW: Fol re Adult Gym Maintenance Logs IC reference -138598

From: Paul Campbell <Sent: 21 January 2022 08:39

To: John Fullbrook <Cc: Personnel Committee <

Subject: Misinformation to ICO re Case No 138598?

Mr Fullbrook

The ICO wrote to me yesterday re Case Number 138598.

This ongoing case relates to my requests of 21 September and 13 October 2021 for the four maintenance logs covering one year re the adult gym equipment which you are withholding and which I am therefore increasingly convinced do not exist. Why else would you create all this unnecessary work for yourself and the Fol panel? And indeed, me.

To remind you and others, this is what I asked: -

" On 21 September I also asked you for the four maintenance logs covering the last year because it is a condition of the guarantee that these are available. I do not wish to deal with these things under the Fol regime as we should get them without hassle as councillors but as this is yet another issue where you are withholding information, you will be aware that a request for info should be treated as an Fol if that is what in reality it amounts to. In the circumstances please treat the 20 working day time limit for providing these simple documents as having been running and so compliance is due by 20 October 2021. I hope you will wish to respond voluntarily before that."

The ICO reports that you have told her that you responded to this request on 3 December 2021. I have no record that you did so. Accordingly, this appears to be untrue. Please could you urgently clarify?

Thank you

Cllr Campbell

From: Paul Campbell **Sent:** 13 October 2021 05:08 PM

To: John Fullbrook <

Subject: RE: Health and Safety re Adult Gym Equipment Fol Request

Mr Fullbrook

Three matters, including an Fol

1 According to the spreadsheet you distributed, the spinner at Fletchers Croft play area was to be repaired on 7 October. It is still taped up. May we know what the problem is and the revised timescale for repair/replacement, please?

2 Please see below: -

"Our contractor who checks the Play grounds each month for us has also been checking and where appropriate lubricating machines or touching up paint work for well over a year now, as I asked him to do this at the same time as we initially discussed PPM – because it is after all a play park and he said he would include this as part of his checks for the same amount of money.

You have ignored my point that one of the machines is squeaking and that there are other clear signs of a lack of PPM"

I happened to walk past today, 13 October 2021. Two adult gym machines were being used by school children. They were both squeaking very loudly. I expect you can hear them in your office as they can be heard well beyond the church. One was the cross-trainer I reported to you on 21 September 2021 and the other is the exercise bike next to it.

You said you would be arranging a site visit by the installer. Is that in hand, please? Is there a date?

3 On 21 September I also asked you for the four maintenance logs covering the last year because it is a condition of the guarantee that these are available. I do not wish to deal with these things under the Fol regime as we should get them without hassle as councillors but as this is yet another issue where you are withholding information, you will be aware that a request for info should be treated as an Fol if that is what in reality it amounts to. In the circumstances please treat the 20 working day time limit for providing these simple documents as having been running and so compliance is due by 20 October 2021. I hope you will wish to respond voluntarily before that.

Cllr Campbell

From: Paul Campbell <Sent: 21 September 2021 09:15 AM

To: Full Council <**Subject:** Adult Gym Equipment and TGO Maintenance Manual

All

I have sourced the attached maintenance manual for the adult play equipment. I was curious to know what was involved in getting the lights working again. I see it is a "low cost" non-warranty item.

I also see that the completion of quarterly maintenance schedule sheets is a compulsory element of the warranty being maintained.

Is this being done, please? May we see, say, the last four?