

# FREEDOM OF INFORMATION ACT 2000 FEE POLICY

## **Introduction**

The right to access information needs to be balanced by the need of public authorities to continue to carry out their other duties. For this reason, the Freedom of Information Act 2000 (the Act) allows us to charge a fee for access to our information or to decline requests on the grounds of cost.

Any fees charged or refusal to comply on grounds of cost must comply with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

This policy explains how we will charge for requests made under the Act.

## **Information Requests calculated below the appropriate limit**

Under section 12(1) of the Act, we do not have to comply with a request for information if the cost of complying would exceed the “appropriate limit” which is currently £450.

Requests for information that fall below the £450 limit are free of charge but we can still charge for the cost of reproducing the information, postage or other forms of transmitting the information.

[We will not charge any of these expenses where the cost of providing the information is less than £450.]

## **Information requests calculated above the appropriate limit**

If the cost of complying with a request costs more than £450 then we may:

- a. Turn the request down
- b. Answer and charge the full cost of compliance
- c. Answer and waive the fee

We will assess the cost of compliance by taking into account the costs we reasonably expect to incur in

- determining whether we hold the information
- locating the information, or a document which may contain the information
- retrieving the information, or a document which may contain the information, and

- extracting the information from a document containing it.

We shall use the prescribed rate of £25 per person per hour. So for example if the request takes 25 hours to collate:

25 hours x £25 = £625 plus reproduction, postage or transmission costs.

In the first instance, we will try to respond and waive the fee for information requests calculated above the £450 appropriate limit. However, if the cost and time implications of dealing with a request adversely affect our business activities we reserve the right to turn the request down and will issue a refusal notice giving our reasons. We will give advice and assistance to see if the request can be amended in a way that would enable us to provide some of the information.

Should the applicant be willing to pay the charges then we will decide, based on our business needs, whether to accept payment and provide the information.

We acknowledge that the appropriate limit does not exempt us from complying with our obligation to inform the applicant whether the information exists (the duty to confirm or deny).

### **Aggregating costs**

If we receive two or more related requests within a period of 60 consecutive working days either from an individual or from two or more people who appear to be acting in concert or in pursuance of a campaign, the costs of complying with the requests will be aggregated. Where the estimated cost of complying with all the requests added together is more than £450 we will treat them as if they were one request and apply this policy. The exception to this is for repeated requests from applicants for the same or similar information within the 60-day timescale.

### **Notification of charges**

If we charge a fee for an information request we will let the applicant know the cost by issuing a fees notice. The applicant then has a period of three months to provide payment, beginning with the day on which the notice is given. Where possible, we will also advise the applicant of any free or cheaper alternatives that might meet their needs.

### **Review of policy**

This policy will be kept under review. Any changes made to the policy will be dependent upon the number and cost of information requests processed and

also to take into account any amendments made to the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.