

Laceby Village Council

Charging Policy for Information Requests

Introduction

Laceby Village Council is committed to proactively publishing information and to providing information on request in accordance with the relevant legislation.

In some instances, the council can make a charge for the information that is requested. The information in this document sets out our charges for providing you with information under:

- The Freedom of Information Act (2000)
- The Environmental Information Regulations (2004)
- The Data Protection Act (2018) (i.e. Subject Access Requests)

This policy sets out how charges will be calculated, the procedures that will be followed, when the Council will levy charges and or decline to respond to a request. This policy does not apply to information which is otherwise available either:

- Under Statute, or
- Through the Council's Publication Scheme,
- Openly available on the Council's website

If charges apply, we will make this clear and explain how they have been calculated prior to the supply of information.

Fees Regulations

Under the Freedom of Information Act, the Council is entitled to refuse a request if the cost of complying with it exceeds the 'appropriate limit'.

The Regulations set the appropriate limit at £450, or the equivalent of 18 hours Officer's search time.

When calculating whether answering the request would exceed this threshold, the council will take into account the costs involved in the following activities:

- Determining whether it holds the information
- Locating and retrieving the information
- Extracting the releasable information from any exempt information

In applying fees and charges the council cannot take into account the costs of considering whether the information is exempt under the Act nor possible expenses incurred in the issuing of fee notices.

If your request exceeds the £450 limit, we will write to inform you of this, and offer advice about how to revise and resubmit the request where possible so that some information can be released without exceeding the £450 limit.

If a request is estimated to cost less than the prescribed £450 limit, and there is no other basis on which it may be refused or otherwise dealt with, the Council will answer the request. The maximum fee that can be charged in these cases is limited to any disbursement costs that may arise.

Disbursements

Any disbursements associated with processing requests under the Freedom of Information Act and the Environmental Information Regulations are payable in all cases. Examples of disbursements include the costs of postage, reproducing any document containing the information and printing. Please see the Disbursement Charges table later in this document.

Making more than one request

For the purpose of calculating the statutory limit, where we received two or more requests within 60 days of each other, from an individual or group of individuals who appear to be acting together or in pursuance of a campaign, we may be entitled to aggregate / add together the costs of processing those requests to estimate if the £450 limit is exceeded.

Laceby Village Council may also refuse repetitious or vexatious requests as defined by the Freedom of Information Act (section 14).

Requests for Environmental Information

The Environmental Information Regulations (EIR) (2004) permits a public authority to make a 'reasonable charge' for providing environmental information (excluding providing access to information which is available to inspect 'on site' or providing any registers or lists of environmental information).

Laceby Village Council will follow the same costs under the Freedom of Information Act (i.e £25 per hour for officer time).

It is estimated that the EIR request will take less than 18 hours to complete and there is no reason to withhold the information, the request will be dealt with free of charge (save any disbursement that may apply).

If it is estimated that the EIR will take more than 18 hours to complete, a fee notice will be issued estimating the full cost of providing the information requested, calculated at £25 per hour. We will also offer advice and assistance on how to revise a request so that information can be released without exceeding the limit. Once the charges in the fee notice are paid, the request will be processed further,

Requests for Personal Data

The information is provided free of charge for Subject Access Requests (SAR's) processed under the Data Protection Act 2018, however the council charges a fee for further copies of the same information provided based on a standard charge per page (see Appendix A - Disbursements). Further information on how to make a SAR is available on our website.

Laceby Village Council will provide information in electronic format such as secure email unless otherwise agreed with the requester.

Review

This policy will be reviewed to take into account any increases in postal charges, printing and other costs.

Appendix A - Disbursement Costs

Requested information will be sent to the requester via email, free of charge. If information is required in a hard copy or other formats, the council can charge the requester for the costs of printing, photocopying, postage and supplying the information in a particular format. These disbursement charges are designed to recoup the expenditure incurred by the Council in responding to your request, and do not include any profit element.

Photocopies / prints from a PC:	Cost
A4 Black and White	20p per printed page
A3 Black and White	30p per printed page
A4 Colour	50p per printed page
A3 Colour	£1.50 per printed page
Scanning of Images:	Cost
A4 paper records	£1.40 per image
A3 paper records	£2.10 per image
Telephone:	Cost
Telephone Calls	May be charged at the discretion of the Council following discussion with the enquirer. Standard call rates will be applied.
Email:	Cost
Email attachment	No charge – if the data is already held in electronic format
Binding:	Cost
A4 Ring Binders	£2 per binder
Postage:	Cost
Postage	Standard Royal Mail rates will apply. Unless otherwise specified, all documents will be sent by second class post.
Packaging	£1.50 per parcel irrespective of size or weight

Payment can be made to Laceby Village Council via cheque or Bacs payment.

If a charge is not paid within 3 months of the notification being issued, then Laceby Village Council will consider the request closed and take no further action.

If you wish to challenge the charges, this should be raised with the Chair of the Village Council who has the final decision.