

APPENDIX 2

CURRENT CHARGING SCHEME FOR FREEDOM OF INFORMATION REQUESTS

Although the Act allows a nominal fee to be levied for particularly complex or lengthy enquiries, the Council has decided not to charge for Freedom of Information requests at present. We will review this decision on a regular basis.

However, requests can be refused if the estimated costs for complying with it exceed £600. This cost is calculated by considering:-

- direct or indirect costs incurred in locating, retrieving, and providing the information requested; and
- the cost of providing the information in the format preferred by the applicant (i.e. CD-ROM, photocopying).

However, the following costs **can not** be included:-

- costs incurred in deciding whether or not to release the information;
- costs incurred in determining whether we actually hold the information. If we have difficulty finding the information because of poor records management, we cannot pass on these costs to the applicant; and
- providing the information in an alternative format as per our duty under the Disability Discrimination Act 1995.

If a decision is taken to refuse a request on the basis of excessive costs, the refusal notice must contain a detailed calculation of projected/estimated costs.

RECOMMENDED CHARGING POLICY FOR FREEDOM OF INFORMATION REQUESTS

(As recommended by the Office of the Scottish Information Commissioner,
November 2008)

Unless a charge is otherwise indicated in Section 13 – Classes of Information, all information contained within our scheme is available from us free of charge where it can be downloaded from our website or where it can be sent to you electronically by email.

Each class of information described in Section 13 will clearly show if a charge may apply to information within that class. Unless otherwise stated in the 'Charges' column in section 13, the charges which apply will be based on the charging policy set out below. In the event that a payment is required for the information you want, you will be advised of the charge and how it has been calculated. Information will not be provided to you until payment has been received.

[For those authorities who impose charges for reproduction or postage, insert details below. Suggested wording follows, and you should amend as appropriate. Insert any other standard charges in the table as required – for example, the cost of reproducing a plan

We reserve the right to impose charges for providing information in paper copy or computer disc / alternative formats. West Dunbartonshire Council is mindful of its obligations under equality and anti-discrimination legislation when setting charges for alternative formats. Charges will reflect the actual costs of reproduction and postage to the authority, as set out below.

Reproduction costs (amend charges if required)	
<i>Black and white copy</i>	<i>10p per A4 sheet</i>
<i>Colour copy</i>	<i>30p per A4 sheet</i>
Alternative formats (amend charges if required)	
<i>Computer discs</i>	<i>£1 per CD-Rom / DVD</i>
<i>(Insert others if required)</i>	
Postage	
<i>Charged at the cost to the Council of sending the information by first class post</i>	

RECOMMENDED CHARGING POLICY FOR ENVIRONMENTAL INFORMATION REGULATIONS (EIR) REQUESTS

**(As recommended by the Office of the Scottish Information Commissioner,
November 2008)**

*The charges for information which **is** available under this scheme are set out under Section 6 – Our Charging Policy. If you submit a request to us for information which **is not** available under the scheme the charges will be based on the following calculations:*

General information requests under FOISA:

- *There will be no charge for information requests which cost us £100 or less to process.*
- *Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, that calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.*
- *We are not obliged to respond to requests which will cost us over £600 to process.*
- *In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.*
- *We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.*
- *In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.*

Charges for environmental information under the EIRs:

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.

In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you. Charges are calculated on the basis of the actual cost to the authority of providing the information.

- *Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.*
- *Postage is charged at actual rate for first class mail.*
- *Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.*

The first £100 worth of information will be provided to you without charge.

Where information costs between £100 and £600 to provide you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, that calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.]