



KING EDWARD VI
SHELDON HEATH ACADEMY

Freedom of Information Policy

Appendix 4 – Charging

Note: Different charges apply for requests under the Data Protection Act.

May we charge a fee?

FOI does not require charges to be made but we have discretion to charge applicants a fee in accordance with the Fees Regulations, available on the ICO website:

http://www.ico.gov.uk/for_organisations/freedom_of_information/guide/receiving_a_request.aspx

What steps will we take in considering whether to charge a fee?

Step 1 – Is the information exempt for the purposes of the FOI Act? – If the information is exempt, then fees do not apply. The Academy would contact the enquirer to inform them that the information is exempt. There will be no charge.

Step 2 – Do we wish to calculate whether the cost of the request would exceed the appropriate limit (currently £450)? – In many cases, it will be obvious that the request would cost less than the appropriate limit, so we would not make the calculation.

Step 3 – We will calculate the appropriate limit – Staff costs are calculated at £25 per hour, regardless of which member of staff gathers the information. When calculating whether the limit is exceeded, we take into account the costs of determining whether the information is held, where it is held, retrieving the information and extracting the information from other documents. As per the guidelines, we do not take into account the costs involved with considering whether information is exempt under the Act.

Step 4 – Does the request cost less than the limit? – If a request costs less than the limit, as per the guidelines, we will only charge for the cost of informing the applicant whether the information is held and communicating the information to the applicant (e.g. photocopying, printing and postage costs).

Step 5 – Does the request exceed the limit? – If a request would cost more than the limit, we can turn the request down, answer and charge a fee, or answer and waive the fee. If we choose to comply with a request where the estimated cost exceeds the threshold we will calculate the charge as per step 3, plus the costs from step 4.

Step 6 – For all requests, we have regard to the following points:

- The duty to provide advice and assistance to applicants. If we plan to turn down a request for cost reasons we will contact the applicant in advance to discuss whether they would prefer the scope of the request to be modified so that it would cost less than the appropriate limit, or
- If we plan to suggest charging the applicant a high fee, we will contact the applicant in advance to discuss the amount of the charge and whether they would prefer the scope of the request to be modified so that it would cost less than the appropriate limit.
- Maximum amount that can be charged. The Regulations set out the maximum amount that can be charged. They do not set out a minimum charge nor prevent the Academy from charging no fee.

May I aggregate the costs where there are multiple requests?

Where two or more requests are made to the Academy by different people who appear to be acting together or as part of a campaign, the estimated costs of complying with any the requests is to be taken to be the estimated total cost of complying with them all, provided that:

- a. The two or more requests referred to in that section are for information which is on the same subject matter or is otherwise related;
- b. The last of the requests is received by the Academy by the twentieth working day following the date of receipt of the first of the requests, and
- c. It appears to the Academy that the requests have been made in an attempt to ensure that the prescribed costs of complying separately with each request would not exceed the appropriate limit.

If we get multiple requests for the same information, we will often decide to include it in our publication scheme.

How will we inform the applicant of the fee?

Where we intend to charge a fee for complying with a request for information, then we will give the person requesting the information notice in writing (the “fees notice”) stating that a fee of the amount specified in the notice is to be charged for complying. The format of the notice can be found in Appendix 5.

We require proof of delivery of a fees notice, either signed for in the post or emailed with a return receipt request. Where a fees notice has been given to the person making a request, we do not comply with the request unless the fee is paid within three months of the notice being received.