



Freedom of Information Charging Policy

This Policy is based on the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 and may be regarded as an important step in creating a simple system for the exchange of information between Stockton Borough Council ("the Council") and the public under the Freedom of Information Act 2000, which took full effect on 1 January 2005.

The Council is entitled to refuse to answer a request on the grounds of cost if it would amount to more than £450 to do so. This is equivalent to about two and half days of work (or 18 hours at the rate of £25 per hour of each officer's search time as prescribed in the Regulations).

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

- Determining whether it holds the information,
- Locating and retrieving the information, or a document which may contain the information, and
- Extracting the information from document(s) containing it (including editing).

In applying fees and charges the Council can take account of neither the costs of considering whether information is exempt under the Act nor possible expenses incurred in the issuing of Fees Notices.

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 the specified costs of postage, printing and photocopying, referred to as 'disbursement costs' i.e. the costs of:

- Informing the applicant whether the Council holds the information,
- Reproducing any document containing the information, and
- Communicating the information to the applicant.

An estimate of the level of these 'disbursement' costs is indicated below (plus postage at standard Royal Mail rates):-

Photocopies:	
A4 Black and White A3 Black and White A4 Colour A3 Colour	10p per printed side 20p per printed side £1.00 per printed side £1.50 per printed side (and other sheet sizes pro rata)
Fax:	
To UK and Ireland To Europe To Rest of the World	£1.00 per printed side £1.75 per printed side £2.00 per printed side
Print-Outs from a PC:	
Black and White Colour Photo Quality Paper Prints	10p per printed side 50p per printed side £1.00 per printed side
Electronic Media	
CD-R Disc Floppy Disc (1.44MB) Scanning of A4 Paper Records Scanning of A3 Paper Records E-mail Attachment (if data already in electronic format)	£1.00 £1.00 £1.40 per image £2.10 per image No charge
Postage	At the prevailing Royal Mail rates

The Council, at its own discretion, will determine to waive all costs under £5 in respect of a single request made under the Freedom of Information Act 2000; however, above this sum full disbursement costs will be charged. This decision may be reviewed periodically within the terms set out in this policy.

If the Council chooses to answer a request that will cost more than the £450 threshold, the applicant will be contacted and advised what information will be available below that limit i.e. it will be discussed with the applicant whether he/she would prefer to modify the request to reduce the cost in terms of officers' time.

If an applicant still wishes to proceed with the original request the maximum fee that may be charged is equivalent to the total estimated costs of:

- Determining whether the Council holds the information, locating and retrieving the information, and extracting the information from a document containing it (prescribed cost of officers' time), and
- Informing the applicant whether the Council holds the data and communicating the information to the person making the request (disbursement costs).

If the applicant does not agree with the proposed fee, they can appeal through the Council's complaints procedure in the first instance.

Consecutive or Campaign Requests:

1. These are where two or more requests for information are made to the Council by one person or by different persons who appear to be acting in concert or in pursuance of a campaign.
2. The rule is that the estimated cost of complying with these requests is deemed to be the total cost of complying with them all i.e. where the cumulative cost becomes £450 or over, the Council could refuse to answer the particular request or charge for officers' time involved in servicing all of the requests. However, for this rule to apply the requests would need to relate to the same or similar information and be received within any period of 60 consecutive working days.

Publication Scheme

Nothing contained within this Policy supersedes or invalidates any charges or fees for the supply of information identified within the Council's approved Publication Scheme.

Environmental Information Regulations 2004

Please refer to the EIR charging policy for requests made under Environmental Information Regulations 2004.

Data Protection Act 1998

The Council will, however, apply the fully prescribed fee of £10 per request made under the Data Protection Act's Subject-Access provisions, with requests for personal information from the Council's employees and members remaining free-of charge.

Reviewing the Policy

This policy will be reviewed annually to take account of the de minimis level (£5) for waiving charges and to incorporate increases in postal charges, printing, or other costs and any subsequent revisions to statutory fees regulations.