



Freedom of Information Act 2000 Fees Guidance

Adopted February 2011

FREEDOM OF INFORMATION ACT 2000

Ashcroft Technology Academy Fees Guidance

Introduction

This Fees Guidance notice is the Academy's guide as to the fees it charges for responding to a Request for Information under the Freedom of Information Act 2000. The Guidance complies with the Government's Fees Regulations (Statutory Instrument 2004, No 3244) issued under the Act.

Costs of Preparation

In responding to a request for information, the Academy is allowed to take into account the estimated costs of preparation. These consist of the estimated expenditure on:

- Determining whether the Academy holds the information requested by you.
- Locating and retrieving the information.
- Extracting the information from a document containing it (including the first time an individual working in that authority reads information for this purpose, but any subsequent reading, or if the information is passed to others to read, is not included), and including the time taken to summarise information, or to edit information, e.g. if the information needs to be separated from information which has not been requested.

The Academy cannot charge the costs of preparation if it estimates that they will be under £450 (excluding VAT, where this is chargeable). In the Act this amount is referred to as the '**appropriate limit**'. In estimating the costs of preparation, the Academy will take into account staff costs at the rate of £25 per person per hour. In other words, the Government considers that £450 is equivalent to about 2.5 days of one person's time. However, the Academy is not allowed to include the estimated cost of staff time taken in deciding whether any exemptions apply to the disclosure of information.

If the Academy estimates that the £450 limit for the costs of preparation would be exceeded by complying with your request for information, then: (a) the Academy is not obliged to communicate the information; and (b) if the Academy does communicate it, it is allowed to charge the costs in full (costs of preparation and of disbursement). If the Academy decided not to comply with the request, it would also ask you if you would like to reframe your request so that it did not exceed the limit. If you did not wish to reframe your request, the Academy would normally either refuse to comply with the request or charge you the costs in full.

If complying with a request (in communicating the information itself) which it is estimated exceeds the appropriate limit, the Academy does not have to do so within the terms of the Act, e.g. it does not have to comply within the 20 working days response time. But the Academy would normally try to do so.

Duty to confirm or deny whether we hold the information

If the Academy refuses to comply with your request because it estimates that the £450 limit for the costs of preparation would be exceeded, the Academy must nevertheless confirm or deny whether it holds the information you have requested, so long as an exemption to this does not apply, and so long as the estimated cost of complying with this alone would not exceed £450.

Costs of Disbursement

The Academy is allowed to charge in full for what are called the 'disbursement' costs. These are separate costs to the costs of preparation. The disbursement costs are the costs of:

- Informing you that information is or is not held.
- Communicating the information to you.

They cover the cost of the medium of communication, e.g. of the paper on which the Academy writes to tell you that it does not hold the information; or, if holding the information, the cost of printing out or photocopying the information, or transferring the information to whatever format is requested, and of sending it to you. The Academy charges (excluding postage and packing) for various ways of communicating the information to you are:

Copying or Printing out (black & white)

A4 sheet 5p per written page

A3 sheet 10p per written page

Larger sizes depend on costs charged to the Academy

Copying or Printing out (colour)

A4 30p per written page

A3 50p per written page

Larger sizes depend on costs charged to the Academy

CDs (if the information is already held electronically)

10p per CD.

Microfiche / Microfilm

10p per frame.

Converting to electronic format

Depends on costs charged to the Academy

Converting to microfiche or microfilm

Depends on costs charged to the Academy

It is Academy policy to start charging disbursement costs only when they reach or exceed £2 in total charges.

The Academy is not allowed to include the cost of staff time in its estimate of disbursement costs, unless the costs of preparation exceed £450. Also, with regard to any preference you express as to the format (eg electronic or paper) in which you would like to receive information, the Academy must comply "so far as this is reasonably practical". However, if the staff costs involved are too high, the Academy can either refuse to communicate the information in your preferred format or include the staff costs in its charge.

Where the Academy is required by other legislation to provide information in a particular form or language at no additional cost, for example on audio tape to comply with the Disability Discrimination Act 1995, the Academy would accordingly make no charge for providing the information in this way.

VAT

The Government's rules with regard to the charging of VAT are as follows:

- If the Academy is asked for information, and the information is only available from us or another public authority, any fees charged will not attract VAT.
- If the Academy is asked for information that is available from another source, any fees will attract VAT at the standard rate prevailing at the time.

Please note, too, that the fee charged for any information that is provided in accordance with the Academy's Publication Scheme is also subject to VAT.

Payment

If a charge is appropriate, the Academy will notify you in a **Fees Notice**. In most circumstances the Academy is required to comply with your request for information within 20 working days. However, the time which passes from the day a Fees Notice is issued to the day the Academy receives your payment is not counted towards the 20 working days. The remaining number of working days in which to fulfil your request is therefore calculated from the first working day after the Academy receives your payment. If after three calendar months, payment has not been received from you, then your request lapses.

Repeated requests or requests in pursuance of a campaign

Where two or more requests for information, relating to any extent to the same or similar information, are made by one person or by different persons who appear to be acting in concert or in pursuance of a campaign, and the requests are received within any period of 60 working days, the estimated cost in complying with any one of the requests can be taken to be the estimated total cost of complying with all of them. However, if the estimated aggregated total cost of preparation for all the enquiries exceeds the £450 limit, and the Academy decides nevertheless to respond to all the requests, we are not permitted to charge the aggregate cost when responding to each of the requests.

Vexatious requests for information

The Academy is not obliged to respond to vexatious requests for information. Vexatious requests are requests which cause disproportionate inconvenience or expense to the work of the Academy.

Review of costs

The Academy reserves the right to keep under review its rates of calculating costs where the Fees Regulations allow and where the information requested lies outside the scope of the Act. The Academy will endeavour to keep its costs reasonable, in order to assist public access to information in accordance with the spirit of the Act.