

S6a Access to Information – Fees Policy



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ACCESS TO INFORMATION – FEES POLICY

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1. Introduction

- 1.1. This policy sets out the changes that Mill Ford School will make in relation to requests for access to information in accordance with:
 - The Freedom of Information Act 2000 (FOIA)
 - The Data Protection Act 1998 (DPA)
 - The Environmental Information Regulations (EIR)
 - Any other statutory access legislation.
- 1.2. Mill Ford School has determined that changes will be made requesting information as allowed for by Legislation and any subsequent Regulations or national guidance in respect of charging for supplying information in accordance with and legislation.
- 1.3. Should there be a change in Legislation, Regulations or national guidance that affects the level of fees, then the changes will be implemented on the date that is prescribed or at the beginning of the next financial year.
- 1.4. The set rates detailed in this policy will be used from one financial year to the next and will be reviewed annually.
- 1.5. This policy is modelled on the Plymouth City Council Access to Information Fees Policy, which has been recommended as guidance to all school governing bodies.

2. Copyright

- 2.1. The supply of any information, whether a fee is paid for the material or not, does not give the person who received the information an automatic right to re-use the material in a way that would infringe copyright. Brief extracts of the material may only be reproduced for the purposes of research, private study, criticism and news reporting.
- 2.2. However, any leaflets or publications produced by Mill Ford School or in partnership with others can be further distributed or quoted in other material, provided Mill Ford School is attributed as the source of information.
- 2.3. All other information supplied by Mill Ford School must have the express permission of Mill Ford School or the copyright holder, in order to be further used, or transmitted in any format or medium.

3. Licensing

- 3.1. Where information is proactively disseminated, including through commercial print publications or database products for which users would be expected to pay a purchase price, then the reuse of the information will be subject to licensing terms.

4. *Translations and accessibility versions for those who cannot access information in its usual format*

4.1. Mill Ford School will investigate and consider whether it is reasonably possible to provide translations into other languages or into accessible versions of documents. If Mill Ford School can provide the requested versions of information at a reasonable cost then there will be no extra charge. Otherwise the full estimated cost of meeting the request in the format the requestor has specified, will be payable in advance.

5. *Request for information to be made available in a format other than the one in which it was originally published*

5.1. Mill Ford School will normally charge for all costs incurred in providing information in an alternative media or format to the original publication.

6. *More than one document or copy*

6.1. Multiple copies of publications, documents or other material can be provided where copyright, licensing arrangements or patents would not be infringed. The charge for supplying multiple copies is the multiple of the single rate plus the cost of any additional staff time, unless other arrangements apply.

7. *Information available through Mill Ford School Internet website*

7.1. Web pages or material that is available to download from Mill Ford School website can be downloaded by the viewer free of charge. Mill Ford School will not be responsible for any associated costs, such as the cost of connecting to the website or any printing costs.

7.2. Unless specified on the web site the material that can be downloaded is available for re-use without requiring a specific copyright licence. However the school must be attributed as the source of the information.

8. *Fees Notice for the provision of Information*

8.1. A fees notice will be issued to the person requesting the information. The fees notice is based on the FOIA Fees Regulations 2004. The charges that Mill Ford School will make are explained in the following sections.

8.2. A standard form for the Fees Notice is available at Appendix 1 and should be used with all requestors where a charge is to be made, except when requestors are photocopying the material themselves and are using a pre-pay photocopier.

8.3. When a Fees Notice is issued no further action will be taken until the fee is received. Should the fee not be paid within the appropriate timescale then access to the information request will lapse and a new request will need to be submitted by the applicant.

9. Estimating Costs

- 9.1. Where Mill Ford School is required to estimate the cost of staff time and/or disbursements, this will be on the basis of the school's estimate of staff time required and the expected disbursements to fulfil the request.

10. Aggregation of Costs

- 10.1. Where Mill Ford School considers that requests have been made which can be aggregated according to the FOIA Fees Regulations, then Mill Ford School will combine the costs of the requests and act as though they were one request.

11. Reimbursement of Estimated Fees

- 11.1. Where Mill Ford School is permitted to estimate costs before supplying the information, then Mill Ford School will not usually reimburse the fee that is paid to the requestor.

12. Suggestions, Compliments or Complaints

- 12.1. Any suggestions, compliments or complaints about the operation of this policy should be sent to the Head teacher/Principal and will be dealt with, if appropriate according to Mill Ford School complaints procedure.

13. Freedom of Information Act (FOIA)

The FOIA does not require charges to be made but schools have discretion to charge requestors a fee in accordance with the Fees Regulations. This section explains the charges that Mill Ford School will make under the Regulations.

13.1. Publication Scheme

- The FOIA requires schools to maintain a Publication Scheme that identifies the information that is routinely published by schools. The Publication Scheme should be made freely available to enquirers for example by placing it on the school's website or a copy being available at the school's reception area.
- Information available through the Publication Scheme will be provided free of charge unless there is a £ sign which indicates that a charge will be made due to the size, complexity or format of the material.
- If the Publication Scheme refers to material that is available to download from Mill Ford School web site then no charge will be made for downloading. Mill Ford School will not be responsible for any associated costs, such as the cost of connecting to the web site or printing costs.
- Single copies of the material referred to in the school's Publication Scheme that do not have a charge £ sign can be

provided free of charge on request from the School Business Manager.

- Copies of material for which a charge will be made can be requested from the School Business Manager. The material will be supplied once the charge has been paid.
- Multiple copies of charged publications will cost the requestor a multiple of the single rate.

13.2. FOIA Fees Regulations

The Regulations prescribe the basis for charges that can be applied in responding to FOIA requests. This section explains the charges that Mill Ford School will make under the regulations:

- All fees are payable in advance before the information is obtained and provided.
- Mill Ford School will take the following into account when calculating the estimated cost of complying with a request for information:
 - (i) The **disbursements**, these are any costs directly and reasonably incurred by Mill Ford School in:
 - Informing the applicant whether we hold information of the description specified in the request;
 - Communicating the information to the requestor.
 - (ii) The **prescribed costs**, these are any costs reasonably incurred by Mill Ford School:
 - In determining whether we hold information of the description in the request;
 - In locating and retrieving the information and in meeting the requestor's preference for communicating the information;
 - The cost of associated staff time. This includes the amount of staff time involved in editing documents but it does not include the cost of staff time incurred in determining whether the school is obliged to comply with the request for information.
 - In calculating the cost of staff time Mill Ford School will use the rate of £25 per person per hour.
- **If the cost of dealing with the request is less than £450** the charge Mill Ford School can make for responding to a request is limited to the estimated cost of the disbursements, putting the information into the requestors preferred format, so far as is reasonably practicable, photocopying or printing, postage and other forms of communicating the information (Appendix 4 and 5). The cost of staff time cannot be charged.

- **If the cost of dealing with the request is more than £450** Mill Ford School may consider responding to the request, although we are not obliged to do so. As an application to provide information that exceeds the £450 limit will require the use of Mill Ford School resources to provide a service that it is not obliged to provide by statute, then Mill Ford School will not normally provide this service unless Mill Ford School determines that it would be in the 'public interest' to meet the request. Each request will be considered on a case-by-case basis. The charge for complying with such a request will be the combined cost of the disbursements and the full staff time involved in meeting the request. In calculating the cost of staff time Mill Ford School will use the rate of £25 per person per hour.

14. Data Protection Act (DPA)

- 14.1. Schools do not charge a fee for a request for information in accordance with the Subject Access Provisions of the Act. However, a charge is made for supplying a copy of the records (Appendix 2).
- 14.2. In addition to the subject access right that can be exercised by pupils or parents acting on behalf of pupils, parents have their independent right to inspect the official educational records of their children under the Education (Pupil Information) (England) Regulations 2000. If the applicant requests a copy of the record to take away then a fee covering the cost of supplying the information, may be charged. Appendix 2 gives the current statutory charges for supplying paper copies.

15. Environmental Information Regulations (EIR)

- 15.1. The Environmental Information Regulations 2004 provide a discretionary power to make an appropriate charge for supplying information to a requestor, provided that this charge does not exceed the costs reasonably attributable to the supply of information.
- 15.2. Mill Ford School will charge the cost of staff time associated with supplying the information; this includes locating, retrieving and collating information that has been requested. The Regulations do not specify an appropriate limit before the cost of staff time can be charged. Mill Ford School will charge for the cost of staff time after the initial 15 minutes of staff time has been provided. The standard charge for staff time will be at the rate of £25 per person per hour (Appendix 3).
- 15.3. No charge for environmental information will be made if the information requested can be supplied verbally at the time of the request, within 15 minutes. Staff will not dictate an excessive amount of information. If staff consider that the amount of time required to

convey the information is beyond 15 minutes they will supply a Fees Notice (Appendix 1).

16. Other Access to Information Requirements

- 16.1. If specific charges exist under other statutory access regimes, those charges will apply.
- 16.2. Where no statutory charges exist Mill Ford School will charge the full cost of staff time exceeding 15 minutes and disbursements incurred in supplying the information requested, plus any costs associated with providing the information in a format that is not usually used by the Council.
- 16.3. The charges will be calculated according to the relevant Appendices.

Chair of the Facilities Committee: **Date:**

Head Teacher **Date:**

Fees Notice

SCHOOL HEADED PAPER

REQUESTOR'S NAME
REQUESTOR'S ADDRESS

DATE

Dear NAME OF REQUESTOR

Fees Notice Ref: ENTER REFERENCE NUMBER

Further to your request dated INSERT DATE, to receive information in connection with DESCRIBE REQUEST.

I am now informing you of the charges that are to be paid in advance, before we will continue to process your request. The total charge will be £INSERT TOTAL CHARGE and this amount has been calculated as follows:

Staff time:	... hrs	Charge per hour:£25	Total £
Photocopying:	... sheets	Cost per sheet: £ ...	Total £
.....			
Computer printout:	... sheets	Cost per sheet: £ ...	
	Total £		
Postage and packing charge for the total number of pages			Total £
.....			
Other: SPECIFY			Total £
		Total Charge	£

If you wish to proceed with your request for information you must pay the total fee to Mill Ford School within three months from the date of this Fees Notice or the request will lapse and a further request will have to be made if you would still like to receive the information.

Payment Methods:

By Post – To Mill Ford School, Rochford Crescent, Ernesettle, Plymouth, PL5 2PY
Please do not send cash in the post. All Cheques and Postal Orders should be made payable to INSERT DETAILS. Post-dated cheques are not acceptable.

In Person – At Mill Ford School Reception.

When the full payment has been received the information that has been requested will be retrieved and you will be contacted regarding the next stage of the process.

If you have any further queries regarding this Notice, please do not hesitate to contact me

Yours sincerely

NAME OF SENDER
JOB TITLE

DATA PROTECTION ACT
SUBJECT ACCESS REQUESTS

Charges That Schools Can Make

Charges are set by the governing body and should conform to the following:

Information Commissioner - Compliance advice Data Protection Act 1998
Subject Access – Right of access to education records in England.

November 2000

Subject Access Fees

No of Pages	Maximum Fee	No of Pages	Maximum Fee
1-19	£1	100-149	£10
20-29	£2	150-199	£15
30-39	£3	200-249	£20
40-49	£4	250-299	£25
50-59	£5	300-349	£30
60-69	£6	350-399	£35
70-79	£7	400-449	£40
80-89	£8	500+	£50
90-99	£9		

CALCULATING THE FIXED HOURLY RATE FOR STAFF TIME

The Department of Constitutional Affairs have advised that the upper limit of the cost for staff time involved in obtaining and providing the requested information is £450, which is equivalent to approximately 2½ days work which = approx 18 hours.

Thus £450/18 hrs= £25 per hour

This is the fixed Central Government determined rate that must be applied when calculating whether the upper limit in obtaining and providing information has been reached.

See the Guidance on the application of the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

Discretionary Rate For Staff Time

Should Mill Ford School decide to provide information even though the cost is in excess of the upper limit then Mill Ford School can apply a reasonable rate.

At present the discretionary rate is agreed as being £25 per hour for staff time.

Calculating Staff Time

The total number of hours will be the total of ¼ hour periods that staff are occupied solely on the relevant task either estimated or actual.

DISBURSEMENTS – PRICE LIST

Photocopying**Self Service**

A4 B & W single side or computer print out	£0.10
A4 Colour single side photocopy or computer print out £1.00	
A3 B & W single side or computer print out	£0.20
A3 Colour single side photocopy or computer print out £1.50	
A2 B & W single side or computer print out	£0.75
A1 B & W single side or computer print out	£1.00
A0 B & W single side or computer print out	£1.25

Staff Assisted on a self-service photocopier

A4 B & W single side	£0.30
A4 Colour single side	£1.20
A3 B & W single side	£0.40
A3 Colour single side	£1.70

Double-sided photocopies will be charged at double the single sided rate.
Multiple copies are charged as a multiple of the single rate.

Computer Printout or a Screen Dump

As for photocopies

Photographs

from a negative	£3.00
from a print	£7.50

From microfiche/microfilm**Single Copies****Multiple copies of the same image**

£1.00 A4/A3 same price as we are unable to print A4 size £0.25	
£2.00 A2	£0.75
£4.00 A1	£1.00
£8.00 A0	£1.25

Cost of a floppy disc £0.75

Cost of CD R £1.20

Cost of a VHS tape £5.00

POSTING AND PACKING CHARGE**Number of Pages**

1 – 10	£1.00
11 – 30	£2.00
31 – 50	£3.00
51 – 70	£4.00
71 – 90	£5.00
91 – 110	£6.00

CD's/disks each considered to be 5 pages

Other media will be assigned a page weighting

Faxing Charge

Transmission within UK	£1.25 + cost of providing the A4 page
Transmission to Europe	£1.50 + cost of providing the A4 page
Transmission to N America	£2.00 + cost of providing the A4 page
Transmission to rest of World	£2.50 + cost of providing the A4 page

