

SOUTH BANK ACADEMIES

Freedom of Information Charging Policy

Introduction

The right under the Freedom of Information Act (FOI) and the Environmental Information Regulations (EIR) to request information held by public authorities, known as "the right to know", came into force for Academies on 1st January 2011. South Bank Academies (Trust) is committed to the principles of accountability and the general right of access to information, subject to legal exemptions.

Under the Freedom of Information Act 2000, any person has a legal right to ask for access to information held by the Trust. They are entitled to be told whether the Trust holds the information (duty to confirm or deny), and to receive a copy, subject to certain exemptions.

South Bank Academies has a duty to provide assistance to anyone requesting information.

Whilst the act presumes openness, it recognises the need to protect sensitive information. The information which the Trust routinely makes available is included in the 'Freedom of Information Action Publication Scheme.'

Fee Regulations

The method of calculating charges within this policy is in accordance with the Freedom of Information and Data Protection (appropriate limits and fees) Regulations 2004.

When estimating the cost of complying with a written request for Information, the Trust will take into account any disbursements costs and the prescribed costs (staff time involved in the following activities):

- Determining whether the information is held.
- Locating the information or a document that may contain the information.
- Retrieving and extracting the information, or a document that may contain the information.

The cost of the above activities will be calculated by applying an hourly rate of £25 per person. When calculating the costs to process requests, the Trust cannot take account of the time taken to consider whether information is exempt under the Act.

Where the cost of complying with a written request for information is estimated to be below £450, written notice (the "fees notice") will be given to the enquirer with an estimate of the total costs of complying. Where a fees notice has been given to the enquirer, the Trust does not need to comply with the request unless the fee is paid within three months of the notice being received.

The Trust will not charge for any requests with an estimated total cost of under £50.

Where the cost to process a request exceeds £450, in accordance with the Freedom of Information and Data Protection (appropriate Limits and Fees) Regulations 2004, the Trust is not obliged to respond to a written request for information, where it estimates that the cost of complying with the request would be in excess of £450 (which equates to 18 hours of work at £25 per hour).

- Staff costs (£25 per hour) involved in determining whether the Trust holds the information.
- Staff costs (£25 per hour) of locating, retrieving and extracting the information.
- Disbursement and staff costs (£25 per hour) incurred in informing the applicant that the information is held.
- Disbursement and staff costs (£25 per hour) incurred in communicating the information to the applicant.
- In all cases the costs must be 'reasonable'.

If the Trust does choose to comply with a request where the estimated cost exceeds the threshold, the charge will be calculated as follows:

- 10% of the prescribed costs for the first £450;
- The prescribed costs over £450.

Campaign Requests

If the Trust receives two or more related requests within a period of 60 consecutive working days, from a person or different persons who appear to be acting in concert or in pursuance of a campaign, the costs of complying with the individual requests will be aggregated.

Disbursements

Photocopies

- Black and white 50p per sheet (additional cost for producing A3)
- Colour 80p per sheet (additional cost for producing A3)

Prints from a device (PC, Laptop etc.)

- Black and white 50p per page (additional cost for producing A3)
- Colour 80p per page (additional cost for producing A3)

Postage

- Actual cost of Royal Mail standard 2nd class

The Trust will not charge for providing information in an alternative format if the Disability Discrimination Act (DDA) covers the person requesting it, unless the original document was a priced

publication. In this case, the charge for the alternative format will not exceed the cost of original publication.

Notifying Charges

- Where charges apply, the Trust will notify the estimated charge to the applicant before doing any charged work.
- Where there is a significant difference between the estimated and the actual charge, the Trust will notify the applicant.
- Where charges apply, the Trust will require payment before compiling and supplying information.
- If a charge is not paid within the specified time limit of 3 months, the information will not be supplied.

Subject Access Requests

Under the Data Protection Act 1998, the Trust will charge an individual the sum of £10 for requesting personal information held by the Trust about the individual. These requests for information are referred to as subject access requests.

The South Bank Academies will not process the subject access request until the £10 fee has been received.

Review of Charging Policy

This policy will be reviewed annually.