

**FREEDOM OF INFORMATION ACT 2000  
ENVIRONMENTAL INFORMATION REGULATIONS 2004**

**ISLINGTON COUNCIL'S FEES & CHARGES POLICY**

**Introduction**

This Fees & Charges Policy sets out the fees the Council charges for responding to a request for information under the Freedom of Information Act 2000 (“the Act”) and the Environmental Information Regulations 2004. The policy complies with The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 SI 3244. We normally charge for disbursements in every case unless the cost of disbursements is below £25. In the case of a Freedom of Information request, if the costs of preparation are over £450 we will either not supply the information or we will charge for the costs of preparation in addition to the cost of disbursements. In the case of a request under the Environmental Information Regulations 2004, if the costs of preparation are over £450 we will charge for the costs of preparation in addition to the cost of disbursements. This Fees and Charges Policy does not apply to material available under the Council’s Publication Scheme, information which is reasonably accessible by other means and information provided under an enactment which provides for the fee payable.

**Costs of Preparation**

In responding to a request for information, we take into account the estimated costs of preparation, ie:

- Determining whether we hold the information requested.
- Locating and retrieving the information.
- Extracting the information from a document containing it (including the first time an individual reads the 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, eg if exemptions apply to part of the information contained in a record.

We only charge the costs of preparation if we estimate that they will be over £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, we take into account staff costs at the rate of £25 per person per hour (£450 is equivalent to about 2.5 days of one person’s time). However, we do not include the estimated cost of staff time taken in deciding whether any exemptions apply to the disclosure of information.

If we estimate that the £450 limit for the costs of preparation would be exceeded by complying with your request for information, then under the Act : (a) we are not obliged to communicate the information; and (b) if we do communicate it, we charge the costs of preparation in full. If we decide not to comply with the request under the Act, we may ask you if you would like to reframe your request so that it did not exceed the limit. If you do not wish to reframe your request, we will normally either refuse to comply with the request or charge you the costs in full.

In the case of a request under the Environmental Information Regulations 2004, if the costs of preparation are over £450 we will charge for the costs of preparation in addition to the cost of disbursements.

If we do comply with a request which we estimate exceeds the appropriate limit, we will not necessarily comply within the normal 20 working days response time, or communicate the information in your preferred format.

### **Duty to confirm or deny whether we hold the information**

If we refuse to comply with your request because we estimate that the £450 limit for the costs of preparation would be exceeded, we will nevertheless confirm or deny whether we hold 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**

We charge for disbursements whether the costs of preparation are above or below £450. We charge in full for disbursements. Where the costs of preparation are above £450, we charge for both the costs of preparation and disbursements. 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, eg the paper on which we write to tell you we do not hold the information; or, if we do hold the information, of printing out or photocopying the information, or transferring the information to whatever format is requested, and of sending it to you.

Our charges for various ways of communicating the information to you are:

- **Photocopying (black & white):** 10p a sheet (any size)
- **Printing out (black & white):** 10p a sheet (any size)
- **Photocopying (colour):** 30p a sheet (any size)
- **Printing out (colour):** 30p (any size)
- **CDs (if the information is already held electronically):** £5 per CD
- **Microfiche / Microfilm:** 5p per frame
- **Converting to electronic format:** Depends on costs charged to the Council
- **Converting to microfiche or microfilm:** Depends on costs charged to the Council

NB Postal costs will be charged in addition and will be based on current Royal Mail costs (which are subject to variation).

**It is our policy to charge disbursement costs only when they reach £25 or over.**

With regard to any preference you express as to the format (eg electronic or paper) in which you would like to receive information, we will so far as this is reasonably practicable give effect to that preference (unless the costs of preparation are over £450).

## **VAT**

- If we are asked for information, and the information is only available from us or another public authority, any fees charged will not attract VAT.
- If we are asked for information that is available from another source, any fees will attract VAT.

However, the fee charged for any information that is provided in accordance with our Publication Scheme is subject to VAT.

## **Payment**

If we consider that a charge is appropriate, we will notify you in a **Fees Notice**. Where we comply with your request we will normally do so within 20 working days. However, the period after the fees notice is issued does not count towards the 20 working days unless and until payment has been received in full. If after three calendar months we have not received payment from you, then your request lapses.

## **Requests which appear to be part of an organised campaign**

Where requests appear to be part of an organised campaign, the related requests will be considered together in deciding whether the costs exceed £450. In such circumstances, the Council will consider whether the information should be disclosed at all and, if it is appropriate to disclose it, whether it can be disclosed in a more cost-effective manner, eg on the Council's website (with each requester being notified of the website reference).

## **Vexatious requests**

The Council will not comply with a request for information which is vexatious or which is identical or substantially similar to a request from the requester.

## **Review of costs**

The Council reserves the right to keep this policy under review in light of the Fees Regulations. We will endeavour to keep our costs reasonable, in order to assist public access to information in accordance with the spirit of the Act.