

FREEDOM OF INFORMATION AND DATA PROTECTION DOCUMENT CHARGING POLICY

Introduction

1. The Freedom of Information Act 2000, is intended to promote a culture of openness and accountability amongst public authorities by providing people with rights of access to the information held by them. It is hoped that these rights will encourage better understanding of how public authorities carry out their duties, why they make the decisions they do and how they spend public money.

The Act creates two principal obligations for the Council:

2. The Council must adopt and maintain a Publication Scheme setting out details of information it will routinely make available, how the information can be obtained and whether a charge may be made. The Council's Publication Scheme is available on the Council's website (www.sevenoaks.gov.uk).
3. From 1st January 2005 the Council has complied with requests for the information that it holds unless an exemption from disclosure applies. The Council will normally have a maximum of twenty working days to respond to the request. However, there are circumstances when this time limit can be extended.
4. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations) allows public authorities to charge for the provision of information requested under the Freedom of Information Act 2000 and Data Protection Act 1998. The Council has decided that, where it is able to do so, it will make a charge for the provision of information sought under such legislation.
5. This document sets out how the Council intends to charge for information under the Regulations.

Information Included in the Publication Scheme

6. As mentioned above there is a legislative requirement placed on the Council to produce a Publication Scheme (the Scheme).
7. The Scheme is intended as a directory of "classes", categories and sub-categories of information routinely available to the public and how to obtain further information. It is not a list of all the publications produced or held by the Council. The classes of information have been chosen on the basis of services most commonly called for and used by the public.
8. The majority of information produced by the Council is available free of charge. All publications on the Council's website may be freely downloaded. Payment for documents for which a charge is made will be requested in advance. Charging rates will be determined in accordance with the charges set out in the Policy, apart from information that is charged for under other

regulatory fees.

Information Subject to Fees Regulations

9. If the information the applicant is requesting is normally made available by way of a regulatory or statutory process or as a consequence of a professional code of conduct, the applicant will be asked to direct their enquiry through the relevant process. Where a regulatory or statutory charge applies to such a service, the applicant will be expected to meet that charge. A Freedom of Information request does not override the need to meet regulatory charges.
10. Examples of such services include planning and development control enquiries; register of electors and associated electoral information; searches and land charges. This is only a sample list. If a charge applies, the applicant will be informed before the information is provided.

General Information Arising from a Freedom of Information Request or a Data Protection Request for Unstructured Personal Data

11. The effect of the Regulations is that with the exception of central Government departments, a public body will not have to respond to requests for information if the costs of locating, retrieving and extracting the information, together with the cost of determining whether it holds the information, exceeds £450. In calculating this cost the Council is entitled to calculate staff costs at the rate of £25 per person per hour.
12. Where the cost of locating, retrieving and extracting the information, together with the cost of determining whether it holds the information is less than £450 the Council is entitled to charge a fee in relation to disbursements incurred in informing the person making the request whether the information is held and in communicating the information. In calculating the costs of disbursements the Council may take into account a number of costs including:
 - The cost of disbursement
 - The cost of staff time involved in informing the applicant as to whether the information is held
 - The cost of staff time in communicating the information to the applicant
 - The cost of staff time in determining whether the information is held by the public body

Payment of Fees

13. You will be provided with an estimate of the likely cost of pursuing the request for information broken down into its constituent parts before any work commences. If you choose to pursue the request you will be expected to pay the estimated sum before the information is released to you.

Photocopying, Film Prints and Microfilm Enlargement Charges

14. The costs of reproducing any document containing the information requested is set out in the attached Schedule.

Availability in Other Formats

15. The Council will consider reasonable requests for the provision of information in a particular format.
16. If the Council is satisfied there is a genuine need to provide the information in the form requested, there will be no additional charge for the transfer of the information into that format. However, if the Council feels the information can be provided to the applicant in its usual format, a charge will be applied for the transfer of the information into the requested format should the applicant still wish it to be provided in the form requested. The applicant will be informed of the charge on making the request. If the request is pursued the applicant will be expected to pay the estimated sum for the transfer of the information before the work commences.

Complaints

17. If the applicant is dissatisfied with the charge being applied to their request for information, the applicant may make a complaint using Sevenoaks District Council's Corporate Complaints Procedure – details are available on the website (www.sevenoaks.gov.uk) or by contacting:

The Complaints and Reporting Officer
Sevenoaks District Council Offices
Argyle Road. Sevenoaks
Kent TN13 1HG

Tel: 01732 227125
e-mail: feedback@sevenoaks.gov.uk

Review of Policy

18. The Policy may be reviewed and amended in the light of future legislation.

SCHEDULE OF CHARGES

Material to be Charged	Charge Rate
Any materials up to a total of £2.00 (cumulative)	No charge
Any information supplied by e-mail	No charge
Any materials totalling in excess of £2.00	See below
Photocopy	
AO	£2.00 per side
A1	£1.40 per side
A2	£1.00 per side
A3	40p per side
A4	10p per side
Film Print	
AO	£14.00
A1	£7.00
A2	£4.00
A3	£2.50
A4 (or smaller)	£1.50
Microfilm Enlargements	
AO	£8.00
A1	£6.00
A2	£4.00
A3	£3.00
A4 (or smaller)	£2.00
CD Rom	£2.50 per disc
Ordnance Survey map extract	£22.00 per set