

FOI: Calculating Fees

What can I potentially charge for under FOI?

Complying with section 1(1) of the FOI Act:

- To tell applicant if you hold the information requested in writing
- To communicate the information (if held) to the applicant

Basic Rules

Upon receiving a request, if the cost of complying with the request will be:

- Below the Appropriate Limit - you cannot charge anything other than Disbursements:
- Over the Appropriate Limit – you don't have to comply but if choose to then you can only charge the Regulation 4 Costs plus Disbursements

Appropriate Limit:

- Central Government £600
- Others (incl. Local Government) £450

Disbursements:

- Complying with the applicants request for the information in a particular format (e.g. summary, inspection, copy)
- Reproducing any document
- Postage and other forms of transmission e.g. fax

Working out the Appropriate Limit i.e. the £450/600 limit?

Upon receiving the request, estimate how long it's going to take you to do any or all of the following (Regulation 4 Costs) and cost the time at £25 per hour:

- Determining whether you hold the information
- Locating the information or a document which may contain the information
- Retrieving the information, or a document, which may contain the information
- Extracting the information from a document containing it

CANNOT charge for time taken by staff to inform applicant that information is or is not held or for them to communicate it to them.

Cumulative or Campaign Requests:

These are: Two or more requests made by one person or Different persons in concert or in pursuance of a campaign

The Rule: When calculating whether the Appropriate Limit has may be reached in complying with any one request, you aggregate the cost of complying with all of them. However must be:

- two or more requests must relate to same or similar information and
- received within any sixty consecutive working day period