

Schedule of Fees

There are two separate charging schemes for releasing information. One is under the Freedom of Information (Scotland) Act 2002 ("FOISA") and the other is the Environmental Information (Scotland) Regulations 2004 ("EIRs").

How charges are worked out under FOISA

The Council is entitled to charge for making information available in response to requests under Section 12 of FOISA. The charges are based on the:

- estimated costs of staff time to find information
- any costs associated with putting information into a particular format
- copying and postage costs.

We do not charge for the time taken to determine whether we hold the information requested, or the time it takes to decide whether the information can be released. The charge for supplying information is

- free, if the costs are less than £100, but you may be asked to pay copying charges
- 10% of our costs and copying charges, if the costs are more than £100 but less than £600.
- Please note we may not supply information if it costs more than £600 to do so.

In working out the charge, staff time will be calculated to a maximum £15 per person per hour. The standard charge for photocopying is 10p per A4 sheet. Any specialist copying or printing will be charged at cost to the Council.

All charges are to be paid in advance. Officers will issue a fees notice to the applicant explaining how the charge has been worked out. The Council is not obliged to provide any information until the fee is paid.

How charges are worked out under EIRs

The Council is entitled to charge for making information available in response to requests under EIRs as per Regulation 8 (1) of the EIRs.

- estimated costs of staff time to find information
- any costs associated with putting information into a particular format or storage device such as a USB drive
- copying and postage costs.

We do not charge for the time taken to determine whether we hold the information requested, or the time it takes to decide whether the information can be released. But, we will recover the cost of supplying the relevant information.

Any charge must be a reasonable amount and cannot exceed the costs of producing the information requested. A fees notice will be issued to explain how the costs have been calculated. In working out the charge, staff time will be calculated to a maximum £15 per person per hour. The standard charge for photocopying is 10p per A4 sheet.

Whilst there is no upper limit to the cost that may be applied, if the cost is estimated to exceed £600 then we may view the request as manifestly unreasonable and will look to apply the exception Regulation 10 (4) (b) of the EIRS.

There may also be times when we will waive a charge to supply you with the information that you have requested. These include:

- If we are satisfied that there is an genuine and widespread public interest in the information being made available. This is would not be the case where a request appears to be driven by commercial interests or is specific in terms of focus or geographical area.
- We may elect to waive the fee if satisfied that it would be uneconomical to issue a fees notice and process payment.
- The Council may elect to waive the fee where information requested consists of a mixture of environmental and non-environmental information, and the non-environmental information would not be subject to a fee under FOISA.

Officers will issue a fees notice to the applicant explaining how the charge has been worked out. Thereafter an invoice will be sent to the applicant. The Council is not obliged to provide any information until the fee is paid.