

**Freedom of Information (Scotland) Act 2002 & Environmental Information (Scotland)  
Regulations 2004**

**Charging Guidance**

**Charging Basis**

The Charges that the University can make for responding to requests for information are defined in law (Freedom of Information (Scotland) Act 2002, Environmental Information (Scotland) Regulations 2004 and the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004).

**General information requests:**

- Charges can not be made for information which is available under the Publication Scheme.
- There will be no charge for information requests which cost the University £100 or less to process.
- Where information costs between £100 and £600 to provide the applicant may be asked to pay 10% of the cost. Thus, if the applicant asked for information that costs the University £600 to provide, they would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost the University over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.
- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to the applicant.
- In the event that we decide to impose a charge, we will issue the applicant with notification of the charge (a fees notice) and how it has been calculated. The applicant will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to the applicant on payment of the charge. If the applicant decides not to proceed with the request there will be no charge to them.

**Charges for environmental information:**

We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to the applicant.

In the event that we decide to impose a charge we will issue the applicant with notification of the charge and how it has been calculated. The information will be provided to the applicant on payment of the charge. If the applicant decides not to proceed with the request there will be no charge to them.

Charges are calculated on the basis of the actual cost to the authority of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 30p per A4 sheet for colour copying.
- Postage is charged at actual rate for first class mail.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to the applicant without charge.

Where information costs between £100 and £600 to provide the applicant will be asked to pay 10% of the cost. Thus, if the applicant asked for information that costs the University £600 to provide, they would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to the applicant, however, we will ask the applicant to pay the full cost of providing the information, with no waiver for any portion of the cost.

It should also be noted that we cannot charge for additional costs arising from provision of information in a special format as required by the Disability Discrimination Act 1995.

### **Procedure for Estimating Cost**

The Excel spreadsheet “**Freedom of Information Estimated Costs/Fee Charging Sheet**” should be used to calculate estimated costs and charges for FOI & EIR requests. It incorporates formula which automatically perform all the necessary calculations and will indicate what (if any) fee should be charged. The spreadsheet has some example figures in it which should be deleted before entering the correct figures. This is available on the FOI website at:

<http://www.stir.ac.uk/policyandplanning/legalcompliance/freedomofinformation/>.

**Please Note:** Where it appears a fee is chargeable you must refer to the FOI Unit who will ratify the fee and issue a fees notice to the applicant.

No work will be done towards providing information until the fee has been received.

1. Where you suspect the time and materials involved in responding to an FOI request (based on actual cost of staff time at a maximum £15 per hour and copying/postage/materials at cost) will be substantive and may exceed £100, download a copy of the “**Freedom of Information Estimated Costs/Fee Charging Sheet**” (see link above).
2. Complete the sheet as appropriate.

For staff cost you must:

- specify each task involved
- specify the staff type & grade performing it
- estimate the number of hours for each.
- calculate the actual staff cost per hour (up to a maximum £15 p/h)

For non-staff costs you must include:

- costs for photocopying based on likely number of copies based on the rates above
- actual cost of postage/packaging/delivery for first class mail.

Calculations for staff costs will be performed automatically when clicking on the “total” cells on the far right of the sheet. Totals for non-staff costs must be calculated and entered manually. Remember to click on the “Fee to be Requested” cell to get the final figure.

3. Having completed the sheet (and clicked on the “Fee to be Requested” cell) please ensure the following steps are followed:
  - Where the Fee to be Requested is £0 then you should respond to the request and provide the information within the 20 working day timescale, without charge. You should keep a copy of the charge sheet along with other records relating to the request.
  - Where the Fee to be Requested is between £10 and £50 you should refer the request to the FOI Unit ([foiunit@stir.ac.uk](mailto:foiunit@stir.ac.uk) x6446). Send a copy of the charge sheet and details of the request to the Unit, who will ratify the estimate and issue a fees notice to the requestor. The applicant has three months from the date of issue of the notice to pay the fee. Once the fee has been received the Unit will inform you and the information should then be provided direct to the requestor within the remainder of the 20 day period.<sup>1</sup>
  - Where the Fee to be Requested exceeds £50 (i.e the Total Estimated Cost exceeds £600) you should refer the request to the FOI Unit. Please send a copy of the charge sheet and details of the request to the Unit. The Unit will ratify the estimate and respond as appropriate to the requestor.

For further guidance on this matter please contact:

FOI Unit

Tel: x6446

Email: [foiunit@stir.ac.uk](mailto:foiunit@stir.ac.uk)

Web: <https://www.stir.ac.uk/about/faculties-and-services/policy-and-planning/legal-compliance/freedom-of-information/>

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<sup>1</sup> Note: The clock starts ticking on the 20 working days when the request is first received. It stops at the point when we issue a fees notice and starts again at the point when payment is received. Therefore, if we respond four days after receiving a request with a fees notice, we have a further 16 days to respond once payment has been received.