



HARMENY SCHOOL

CHARGING FOR INFORMATION POLICY

1. Introduction

Within Scotland, there are three main statutes which provide the public with the right to information:

- The Freedom of Information (Scotland) Act (FOISA)
- The Environmental Information (Scotland) Regulations (EIR)
- The Data Protection Act (DPA)

FOISA and EIR give everyone the right to request information held by any public authority, of which Harmeny School is one. If requesters wish to access their personal data, however, they must make subject access request under the DPA.

This policy sets out the charges Harmeny School might make for providing access to information held.

2. Published Information

Harmeny has produced a Guide to Information: <https://www.harmeny.org.uk/policies-2/information-policies/> which sets out the information we publish through the Model Publication Scheme.

All the information on Harmeny's website www.harmeny.org.uk is available to download free of charge.

If you would like us to print information from the website, or published information which isn't yet on our website, we may charge you for providing the information, but will not charge you more than it actually costs us to print or send to you.

Where charges are made, they are based on all inclusive costs, and are as follows:

- Photocopying per double-sided sheet at:
 - 10p per black and white A4 sheet
 - 20p per colour A4 sheet
 - 30p per black and white A3 sheet
 - 40p per colour A3 sheet.
- Electronic format: e.g. optical media as appropriate at 50p per item, and memory stick ranging from £5 to £20 depending on the amount of information.
- Postage costs will be recharged at the relevant applicable rate on the day that it costs us to send the information by Royal Mail First Class.

3. Charges for Information Available by Request Only

For the provision of information which we do not routinely publish, charges will not be made for the time taken to determine whether we hold the information will be made for:

- The staff time taken to locate and retrieve the information, and
- For providing it to you.

Staff time is charged at the average hourly rate of pay for the grade(s) of the staff responding to the request, up to a maximum of £15 per hour per member of staff (which is the Fees Regulation cap).

3.1 Charging under the Freedom of Information (Scotland) Act (FOISA)

Harmeny is only allowed to charge if the fee exceeds £100.

Where information costs between £100 and £600 to provide, the fee will be 10% of the difference between £100 and the cost of providing the information.

For example, if the estimated cost is £300 then the fee to the applicant is £20.

£300 minus the first £100 = £200

x 10% of £200

= £20 (the final cost to the applicant).

If the estimated cost is more than £600, then the school does not have to supply the information. However, Harmeny has a duty to provide reasonable advice and assistance to applicants under section 15 of FOISA, which means it is good practice to discuss the request with the applicant to find out if the scope of their request could be narrowed to bring it under the £600.

3.2 Charging under the Environmental Information (Scotland Regulations)

For EIR requests, there is no upper or lower limits to the fees which may be charged. Instead the Regulations state that fees shall not exceed "a reasonable amount" and must not exceed the actual costs of producing the information requested.

Chargeable elements will be included in the calculation in accordance with the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004, but without any disregard for the first £100 and without any discount for the elements above £100.

Staff costs will be charged on the basis of the actual cost to the school of employing the staff in question for the time spent responding to the request. In contrast with FOISA fees, staff time is not capped at £15 per hour but is charged at the actual cost. The lowest grade member(s) of staff available to carry out the task (with the requisite skills and knowledge) will be used.

4. Requests for Your Own Personal Data

For requests made to Harmeny, under the Data Protection Act 1998, for personal data, we may charge a maximum of £10 for processing such requests.

Where the request is small or it is deemed that the £10 fee is excessive, the fee may be waived or reduced accordingly.

5. Requests for Re-use of Our Information

All our information is made available under the Open Government Licence: <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/> which sets out what you can and cannot do with the information.

There is no charge to re-use information downloaded from our website.

If you require information in any other format, we will charge you for the actual cost of providing information in that way, e.g., the cost of printing, optical media item, or USB memory stick.

Staff time is charged at the hourly rate of pay for the grade(s) of the staff responding to the re-use request, as per 3.2, above.

6. Fees Notice

If we intend to make a charge we will contact you before we send any information. We will issue you with a Fees Notice which sets out the charge and how it has been calculated. The notice will tell you how to pay the fee to us. It will also offer advice and assistance to help you narrow your request to reduce or avoid charges altogether.

If you receive a Fees Notice you can decide whether to pay for the information or to take up our offer of advice and assistance.

If we do not hear from you within 20 working days of the issue of a Fees Notice, we will assume that you have withdrawn your request.

7. Complaints

If the applicant does not agree with the proposed fee, they can appeal through Harmeny's complaints procedure.

8. Contact Us

We are pleased to provide advice and assistance to anyone who would like to request information from Harmeny.

For more information, contact:

The Administration Manager
Harmeny School
45 Mansfield Road
Balerno
Midlothian
EH14 7JY
T: 0131 449 3938

admin@harmeny.org.uk

www.harmeny.org.uk