



FREEDOM OF INFORMATION/ DATA PROTECTION CHARGING POLICY

Approved by :	Trustees Finance & Audit Committee
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Approval Date:	
Review Date:	

Associated documentation	
Name	Version



SCHOOLS IN PARTNERSHIP
STEPHENSON
MULTI ACADEMY TRUST

CHARGING POLICY

1. The Scope and Purpose of the Policy

1.2 The School may levy a charge in response to requests for information in accordance with the following legislation:

- a) Data Protection Act 1998
- b) Freedom of Information Act 2000

1.3 The purpose of this policy is to clarify the legislative restrictions on charging, the internal allocation of responsibilities and duties and to provide a public framework as to the likely charges applicable.

2. Relationship with Existing Policies

This policy should be read in conjunction with the:

- a) Public Access to Information Policy
- b) Data Protection Policy
- c) Records Management Policy

3. Responsibilities

3.1 The School is required to have a charging policy with respect to the Freedom of Information and Data Protection and to publicise this policy.

3.2 The Senior Officer responsible for compliance with the legislation and collection of any related charges is the Headteacher.

3.3 In accordance with the Data Protection Policy and the Public Access to Information Policy the Headteacher shall nominate the Business Manager who shall be responsible for the administration of the relevant charges.

4. Data Protection Act 1998

4.1 Under the Data Protection Act the standard fee is £10 per request and this is unconnected to the volume or complexity of the request. Currently the School does not have an 'open-file' policy in respect of staff or student personal files. All requests from individuals for access to their personal file(s) for their own purposes should normally be channeled through a formal subject access request procedure. The standard fee will be payable.

An invoice for the fee payable in relation to Data Protection requests will be issued within 10 working days of the request being received receipt is only confirmed upon written notification from the recipient or a read receipt having successfully been received by the sender).

5. Freedom of Information Act 2000

5.1 Under the Freedom of Information Act the School may charge for the costs of searching for and extracting information. Where this is estimated to exceed the appropriate limit. The appropriate limit is defined in the supporting fees regulations and is currently £450, or 18 hours based on a flat rate of £25 per hour per member of staff. Where it is estimated that it will take longer than 18 hours to locate and/or retrieve all the information requested, the School providing the estimate may be asked to supply evidence or provide a detailed breakdown of search costs to the Freedom of Information Officer.

5.2 Where a request under the Freedom of Information Act exceeds the appropriate limit the Freedom of Information Officer shall either issue a fees notice and/or, having consulted with the Headteacher, refuse the request under Section 12 and advise the requester as to what is available under the threshold.

5.3 In all instances, within 5 working days of a Freedom of Information (FOI) request having been received by the school (receipt is only confirmed upon written notification from the recipient or a read receipt having successfully been received by the sender) a notification will be sent outlining any applicable charges. The sender then has 5 days from this point to confirm that they still wish to proceed with the FOI request; it should be noted that a notice to proceed is acceptance of outlined charges. If no response is received it shall be assumed that the FOI request has been withdrawn.

6. Disbursements

6.1 The School may not charge for the costs of photocopying, formatting, postage etc (disbursements) in connection with subject access requests under the Data Protection Act, however, it is not obliged to comply with such a request where these activities comprise 'disproportionate effort'. The Headteacher shall advise as to what constitutes disproportionate effort in any particular case.

6.2 In relation to requests made under the Freedom of Information Act may charge a reasonable sum for disbursements. For administrative simplicity and cost effectiveness the School will not charge for disbursements where these total under £10.

8. Summary of Charging Regimes

Italics indicate statutory

	Freedom of Information	Data Protection
Standard charge	<i>n/a</i>	<i>£10</i>
Threshold charge for searching/retrieving information:	<i>>£450</i>	<i>None</i>
Hourly rate for estimating costs of searching/ retrieving information	<i>£25</i>	<i>n/a</i>
Disbursements threshold charge	<i>£0.01</i> £10	<i>Disproportionate effort</i>
Disbursements – photocopying/scanning rate	<i>Reasonable</i> As per current Reprographics, service charges: 45p per page/ per side.	<i>n/a</i>