

FOI CHARGING POLICY

Role Responsible:	Assistant Principal (MIS)
Author:	Head of MIS
Approved by:	Full Corporation
Date Approved:	<p>Approved by the Corporation:</p> <p>5 July 2010</p> <p>13 December 2018</p> <p>8 February 2024</p> <p>6 February 2025</p> <p>12 February 2026</p> <p>Revised and approved by the Corporation 12th February 2026. The powers of delegation powers be given to the Resources & Personnel Committee.</p>
Next Review Date:	Three yearly (Next Review February 2029 by the Resources & Personnel Committee)
Publication:	Website and teams
<p><i>This policy reflects legislation at the time it was last reviewed. If there is a conflict between legislation and the policy, legislation will take precedence over anything printed in the policy</i></p>	
Changes made since the last review:	<ul style="list-style-type: none"> • Updated website link to Information Commissioner's Office in para 1 & 10 • Added 'Subject Access Request for clarity in para 2 • Amended Section 7 wording to 'reviewed and delegated by the Resources & Personnel Committee every three years unless there are any statutory changes in which case it will be reviewed at that time'
Version	1.5

Charging Policy for requests falling under the Data Protection Act, the Freedom of Information Act, the College's Publication Scheme, and the Environmental Information Regulations

1. Preamble

This Policy has been set taking into account the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (as amended by the Data Protection Act 2018), the Freedom of Information (Release of Datasets for Re-use) (Fees) Regulations 2013 and relevant guidance provided by the Information Commissioner's Office (ICO).

Technical guidance included below at Sections 3-5 and Appendix B of this policy consists of extracts from guidance provided in the following ICO documents, summarised or adapted where appropriate:

- Fees that may be charged when the cost of compliance exceeds the appropriate limit. Freedom of Information Act
- Charging for environmental information (section 8). Environmental Information Regulations
- Datasets (section 11, 19 & 45). Freedom of Information Act

Further guidance is available on the website of the Information Commissioner's Office at [Information Commissioner's Office](#)

2. Data Protection Act 2018

Where the information requested is personal information and the applicant is the subject of the information (Subject Access Request), access to the information is dealt with under the Data Protection Act 2018, which implements the General Data Protection Regulation (GDPR) and replaces the UK Data Protection Act 1998.

Staff, students and other users of the College have the right to access any personal data that is being kept about them either on computer or in certain files.

Information provided shall be free of charge. Where requests from a data subject are manifestly unfounded or excessive, in particular because of their repetitive character, the College may, however, either: (a) charge a reasonable fee taking into account the administrative costs of providing the information or communication or taking the action requested; or (b) refuse to act on the request. Reasonable fees may also be charged for provision of further copies.

3. Freedom of Information Act 2000

The Freedom of Information Act 2000 (FOIA) gives rights of public access to information held by public authorities. Section 9 of the FOIA allows a public authority to charge a fee for providing information in response to a request. Such a fee must be determined in accordance with the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Fees Regulations) (as amended by the Data Protection Act 2018)

3.1 The "appropriate limit"

Section 12 of the FOIA allows public authorities to refuse to answer requests for information if the cost of complying would exceed the 'appropriate limit' stated in the Fees Regulations. The appropriate limit applicable in the case of the College is £450.

In estimating whether the cost of complying with the request would exceed the appropriate limit, section 4 (3) of The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, states that the College can only take into account the costs it reasonably expects to incur in:

- determining whether it holds the information;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

The College may take into account the costs attributable to the time that staff or external contractors would be expected to spend on the above activities on behalf of the College. In order to achieve consistency, all public authorities use the same hourly rate when estimating staff-time costs, regardless of the actual costs. The hourly rate is set at £25 per person per hour by section 4(4) of the Fees Regulations, which means that the appropriate limit will be exceeded if these activities exceed 18 hours.

3.2 What happens if the “appropriate limit” is exceeded?

The College has no obligation to comply with a request where it estimates that the appropriate limit will be exceeded. Where the College refuses a request, it will, however, provide the applicant with advice as to how the request could be refined or limited to come within the cost limit. If the College chooses to comply with the request, the charges at Appendix B to the policy will apply.

3.3 What happens if the “appropriate limit” is not exceeded?

Where the cost of compliance does not exceed the appropriate limit, the request must be complied with and the information disclosed, unless it falls within an exemption specified in the FOIA.

Regulation 6 of The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 sets out the activities that can be charged for in complying with a request. It should be noted that these differ from the activities used in calculating the estimate of whether the appropriate limit has been reached (see 3.1 above).

The costs the College is permitted to charge under section 6 of The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, when complying with a request are referred to as ‘communication costs’ and are limited to expenses actually incurred. This means that the College can recover the reasonable costs incurred in:

- contacting the applicant to inform them the information is held, and
- communicating the information to the applicant e.g.
- reproducing any document containing the information ;
- postage and other forms of transmitting the information; and
- complying, where this is reasonably practicable, where the applicant has expressed a preference for a particular means of communication.

The College may not, however, charge for the cost of staff time taken to carry out these activities

See Appendix A for details of applicable charges under the College’s Charging Policy.

3.4 Aggregation of costs

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 state that two or more requests for information can be aggregated by the College for the purposes of calculating costs if they are:

- by one person, or by different persons who appear to the College to be acting in concert or in pursuance of a campaign;
- for the same or similar information; and
- the subsequent request is received by the College within 60 working days of the previous request.

The intention of this provision is to prevent individuals or organisations evading the “appropriate limit” by dividing a request into smaller parts.

4. College Publication Scheme

The College's Publication Scheme conforms to the ICO's model scheme and provides a list of the information routinely published by the College. The ICO's model publication scheme allows for fees to be charged where they can be justified, where they are published, and where the basis for the charge is made clear.

Information requested under the College's Publication Scheme will normally be provided free of charge but the charges set out in Appendix A to this Policy may apply where the material requested has to be printed or copied specifically for the applicant or where information is requested in an alternative format. Where a charge is made, however, it will not exceed the total costs of printing, copying, and postage.

5. Publication Scheme: charging for re-use of datasets

Under section 19(2A) of the FOIA, the College's publication scheme must include a requirement to publish any dataset that has been requested, and any updated version that it holds, unless it is satisfied that it is not appropriate to publish it. The College is required to publish the dataset in a re-usable form, where reasonably practicable.

If the information in the dataset is a relevant copyright work of which the College is the only owner, then the College is required to make it available for re-use under the terms of a specified licence. The College may charge a fee for allowing re-use of a dataset. If the College has a power to do this under an enactment other than FOIA, it may charge under that power. If not, the Freedom of Information (Release of Datasets for Re-use) (Fees) Regulations 2013 applies and states that the total fee 'shall not exceed the sum of (a) the cost of collection, production, reproduction and dissemination of the relevant copyright work, and (b) a reasonable return on investment'. The applicant will be informed of the expected fee on application. The College will specify in writing the factors that will be taken into account in determining the fee, if requested to do so by the applicant.

The fee for allowing the re-use of a dataset is in addition to any charges for making the information available.

6. Environmental Information Regulations 2004

Section 39 of the Freedom of Information Act 2000 exempts environmental information from being dealt with under the Freedom of Information Act. Such requests should instead be dealt with under the Environmental Information Regulations 2004 (as amended by the Data Protection Act 2018).

See Appendix A for details of applicable charges under the College's Charging Policy. It should be noted that the College cannot charge an applicant to inspect information 'on site' or for providing access to any registers or lists of environmental information.

7. Reviewing the Policy

This policy will be reviewed and delegated powers to approve by the Resources & Personnel Committee every three years unless there are any statutory changes in which case it will be reviewed at that time.

8. Related College documents

- Data Protection Policy
- Publication Scheme

9. Relevant Legislation

- The Data Protection Act 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (as amended by the Data Protection Act 2018)
- The Environmental Information Regulations 2004
- The [Freedom of Information \(Release of Datasets for Re-use\) \(Fees\) Regulations 2013 No. 1977](#)

10. Relevant Guidance

Relevant guidance can be found on the website of the Information Commissioner's Office at [Information Commissioner's Office](#)

Technical guidance included at sections 3-5 and Appendix B of this policy consists of extracts from relevant regulations and guidance provided in the following ICO documents:

Readers are referred to the full guidance available in these documents.

- Fees that may be charged when the cost of compliance exceeds the appropriate limit. Freedom of Information Act
- Charging for environmental information (section 8). Environmental Information Regulations
- Datasets (section 11, 19 & 45). Freedom of Information Act

Appendix A

The following charges are applicable where information is requested under:

- The Freedom of Information Act 2000 and the total cost of complying with the request is under the “appropriate limit” (currently £450)
- The Environmental Information Regulations (EIR) 2004
- The Freedom of Information (Release of Datasets for Re-use) (Fees) Regulations 2013

Information requested under the College’s Publication Scheme will normally be free of charge but the following charges may apply where the material requested has to be printed or copied specifically for the applicant or where it is requested in an alternative format.

Electronic copies:	
Where a document can be accessed via a website or is in an electronic format and can be sent as an e-mail attachment	No charge
Photocopies or computer printout:	
A4 Black and White A3 Black and White A4 Colour A3 Colour	10p per printed side 20p per printed side 25p per printed side 50p per printed side
Other formats:	Where the cost of providing the information in another format is reasonably practicable, the cost of transferring the information to the requested format
Postage:	At relevant Royal Mail rates
Viewing information on site:	No charge
Access to registers or lists of environmental information:	No charge where the request is made under the Environmental Information Regulations 2004.
Application for re-use of datasets	The applicant will be informed of the expected fee on application

Where the College determines that a charge applies, the College will inform the applicant of the charge and that payment must be made in full before the information can be sent to them.

The College may waive the charges shown in the above table at its discretion. The College will normally consider waiving the charges shown in the above table in the following cases:

- where the total cost of responding to a single request is less than £10.00,
- in responding to a single request from a disabled applicant who has requested information in an alternative format solely for a reason connected with their disability.

Appendix B

The maximum fee that the College can charge for a request under the Freedom of Information Act where the appropriate limit of £450 is exceeded is described in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, and is the sum of:

- the costs which the College may take into account in calculating that the appropriate limit has been exceeded (see 3.1 above);
 - the communication costs (see 3.3 above); and
- staff time, at £25 per hour per person, spent on the activities included under communication costs.

The cost of copying or printing documents, postage and supplying the information in other formats will be as detailed at Appendix A above.

EQUALITY IMPACT ASSESSMENT

Policy, procedure, practice or strategy:	FOI Charging Policy		
Person responsible:	Head of MIS	Date:	Feb 2026
Briefly describe the aims, objectives & purpose of this policy, procedure, practice or strategy.	To outline the costs and procedures for FOI requests.		
	<p>Please ensure the following characteristics are considered when assessing the questions below along with any others you feel to be relevant: Gender, Sexuality, Transgenderism, Age, Race, Religion/belief, Disability, Marital/Civil partnership status, Pregnancy or maternity.</p> <p>Responses may be based on learner and staff data, complaints, feedback, research, student/staff surveys and/or professional judgement.</p>		
Is there potential, or opportunity that the proposed policy, procedure, practice or strategy will affect any groups adversely (including possible discrimination) or positively?	Appendix A - alternative formats for reasons connected with a disability.		
If any action is required as a result of this screening exercise please note them, along with any mechanisms for reviewing the impact of the policy, procedure or practice.	Those handling FOI requests should be aware of the above and respond accordingly.		