

**Malvern Hills District Council**  
**Schedule of Charges for Provision of Information under**  
**Freedom of Information Act 2000**  
**Environmental information Regulations 2004 and**  
**Data Protection Act 1998**

The information below sets out our charges for providing you with information under the Freedom of Information Act, the Environmental Information Regulations and the Data Protection Act. Our charges reflect current statutory requirements and guidance.

**The Data Protection Act 1998**

When processing a Subject Access Request under the Data Protection Act 1998, we may charge a standard administration fee of £10.00 which is payable in advance of your request being processed. Please contact the Council's Information and Risk Management Officer at the address shown below for further details.

In rare cases, where the information requested is held in an unstructured filing system, we will apply the charges applicable for dealing with requests under the Freedom of Information Act 2000 (see below).

Details about how to make a Subject Access Request and application forms are available on our website at [www.malvern hills.gov.uk](http://www.malvern hills.gov.uk)

Alternatively write to:

The Information and Risk Management Officer  
Legal Services  
Malvern Hills District Council  
The Council House  
Avenue Road  
Malvern  
Worcestershire  
WR14 2NH

## **The Freedom of Information Act 2000**

We do not charge for processing requests under the Freedom of Information Act, providing that the cost of processing does not exceed the statutory limit of £450.00. This allows for 18 hours (two and-a-half-days) of time at a rate of £25.00 per hour. When estimating how long it will take to process a request, we take into account the time it will take us to locate, retrieve and extract the information requested.

We reserve the right to refuse a request where the estimated cost of processing exceeds £450.00. However, before refusing a request on this basis, we will always work with you to look at other ways of providing the information so that your request does not exceed the statutory limit.

Where we agree to process a request which exceeds the statutory limit of £450.00, you will be asked to pay our processing costs at a rate of £25.00 per hour.

## **Disbursements**

Any disbursements associated with the processing of your request are payable in advance. Examples of disbursements include the costs of postage, reproducing the information and printing. See the table below for our Disbursements Charges.

## **Making More than One Request**

For the purpose of calculating the statutory limit, where we receive two or more requests, within 60 days of each other, from an individual or group of individuals who appear to us to be acting together or in pursuance of a campaign, we may be entitled to aggregate the costs of processing those requests.

## **Environmental Information Regulations**

In dealing with requests for information under the Environmental Information Regulations, we are entitled to charge a reasonable amount towards the cost of reproducing the information for you in the format you have requested. Our standard charges for reproducing information are set out in the table below.

We will ask for payment before we process your request and in accordance with the law you will have 60 working days to pay.

## **Refusing a Request for Environmental Information**

In rare cases, we may refuse a request where the cost of processing is unreasonable. For example, where processing would place an unreasonable burden upon the Council, either in terms of officer time or the costs of reproducing the information sought. However, we will never refuse a request on this basis without first working with you to see what information can be provided within reasonable limits.

In determining if the cost of processing your request is unreasonable we may have regard to the statutory limit for processing requests under the Freedom of Information Act. This means that if we estimate that the cost of processing your request exceeds £450.00 then we reserve the right to refuse your request. This allows for 18 hours (two and-a-half-days) of time at a rate of £25.00 per hour.

#### *Waiver of Charges*

The Council may exercise its discretion not to collect the fees set out in the Schedule of Charges if the amount is less than £10.00.

#### *Review of Charges*

These charges will be reviewed annually and could be subject to change.

## APPENDIX 1

### Schedule of Charges

The table below details the charges due for all Information Requests made under the Freedom of Information Act (2000), Environmental Information Regulations (2004) and Data Protection Act (1998).

All charges exclude the costs of postage.

Type of Charge	Description	Charge
<b>Freedom of information Act &amp; Environmental Information Regulations</b>		
“Applicable Amount” less than £450.00	Estimation of the officer time taken to process the request <b>less than 18 hours</b>	No charge (disbursements will be charged separately)
“Applicable Amount” more than £450.00	Estimation of the officer time taken to process the request <b>more than 18 hours</b>	Initial £450.00 costs plus any additional hours charges @ £25.00 per hour  (disbursements will be charged separately)
<b>Data Protection Act 1998</b>		
“Structured” Information	Fixed Statutory Charge	£10.00
“Unstructured” Information	Where Section 9A of the Data Protection Act applies	See FoI and EIR above

## **Re-Use of Public Sector Information Regulations**

Much of the information supplied under the FOIA will be subject to copyright protection. Information can be re-used for the purposes of research for non-commercial purposes, for private study or for news reporting and reviews, without requiring formal consent from the Council. However if an applicant wishes to re-use the information for commercial purposes, including publishing, he or she will require the Council's permission.

Under the Regulations the Council are able to make a charge for the re-use of documents which can reflect the total cost of collecting, producing, re-producing and disseminating documents together with a reasonable return on investment.

Please Contact the Council's Information & Risk Management Officer if you are considering applying for information under these regulations or would like more information

Telephone: 01684 862151

Email: [worcestershirehub@malvern hills.gov.uk](mailto:worcestershirehub@malvern hills.gov.uk)

Type of Charge	Description	Charge
<b>Disbursement Costs</b>		
<b>Materials</b>	E mail transmission	No charge
	CD/DVD per disk	£2.00 (inc VAT)
	Postage costs	Variable (weight and size). Costs based on Royal Mail Standard 2 <sup>nd</sup> Class
	Photographs	Costs of reproduction
<b>Photocopy Charges</b>		
<b>Paper Size</b>	<b>Black and White (£ per sheet)</b>	<b>Colour (if applicable) (£ per sheet)</b>
A4	0.10p	0.25p
A3	0.15p	0.50p
A2	0.40p	Commercial rates apply and will be recharged at basic cost to the Council

A1	0.80p	Commercial rates apply and will be recharged at basic cost to the Council
A0	1.60p	Commercial rates apply and will be recharged at basic cost to the Council

## **Freedom of Information Act 2000**

### **Waiver of charges**

The Council may exercise its discretion not to collect the above fees if the amount is less than £10.00

### **Payment of charges**

Payment needs to be received before the information is sent to the Applicant and within 3 months of the "fee notice" being issued. Fees in respect of any request for information are exempt from VAT.

### **Publication Scheme**

The Publication Scheme lists information that the Council makes routinely available to the public. Much of the information listed in the Publication Scheme is available free of charge. However, where a charge may be incurred, this will be indicated within the Scheme.