



## **ACCESS TO INFORMATION CHARGING STATEMENT**

### **Introduction**

The Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EISRs) provide for a right of access to information held by the Association.

FOISA and the EISRs permit the Association to charge a fee to applicants for providing access to information on request. If the Association wishes to charge a fee for access to information that it holds, it must publish the fees in advance of charging them.

The purpose of this Statement is to set out the Association's approach to charging fees and how the level of the fees will be determined for requests for access to information under FOISA and requests for access to environmental information under the EISRs.

This Statement is divided into two sections. The first section sets out the fees for access to published information. The second section sets out the fees for access to unpublished information.

### **Access to information published by the Association**

This is information which the Association publishes through its publication scheme available on its website [www.cxha.org.uk/freedom-of-information-policies-and-procedures](http://www.cxha.org.uk/freedom-of-information-policies-and-procedures)

All information available on the Association's website can be downloaded free of charge.

If an applicant would like the Association to print information from its website or print other published information that is not yet on the Association's website, then the Association may charge the applicant a fee for providing this information, but it will not charge more than it actually costs the Association to print and send the information to the applicant.

The fees imposed by the Association are as follows:

Photocopying/computer print-outs	10p per black and white A4 page. 20p per colour A4 page.  Specialist copying or print-outs will be charged at cost to the Association.
Electronic format	Memory stick: from £4.99 to £19.99, depending on the amount of information. A £4.99 memory stick is likely to be sufficient in most circumstances.
Postage and packaging	Recharged by the Association to the applicant at the cost of sending the information to the applicant by First Class Royal Mail.  Packaging to be recharged at cost to the Association.
Pre-printed publications	Cost to the Association to have the publication printed (on a per copy basis).

### **Access to unpublished information**

This is information which the Association does not routinely publish, but to which access can be obtained by submitting a request under FOISA or the EISRs to the Association.

Information about how to make a FOISA or EISRs request to the Association is available on the Association's website at: [www.cxha.org.uk/freedom-of-information](http://www.cxha.org.uk/freedom-of-information)

The Association's approach to charging fees here depends on whether the information requested is non-environmental or environmental information. If the information requested consists of both non-environmental and environmental information, the Association will apply the respective charging regime to the individual parts of the request, where possible.

#### **1. Charging fees for access to non-environmental information**

The fee to be charged to the applicant will be calculated on the basis of the actual direct and indirect costs to the Association of locating, retrieving and providing the information.

The Association will charge the staff time spent to locate and retrieve the information and for providing it to the applicant, with staff time being charged at up to £15 per hour per member of staff.

Staff time spent determining whether the requested information is in fact held by the Association or is subject to one or more of the exemptions contained within FOISA and should be redacted will not be charged to the applicant. The time spent redacting information will, however, be charged once the decision has been taken on whether or not the information can be disclosed. The Association will not charge for staff time spent dealing with a request if the Association does not hold the information which the applicant has requested.

The fee to be charged to the applicant will also include any costs related to putting the information into a particular format, for example, providing a summary of information where the applicant requests this.

The Association may charge for photocopying, postage, packaging and providing the information on portable storage devices or other media in accordance with the fees set out in the table under “Access to information published by the Association”, above.

Once the total costs to the Association of locating, retrieving and providing the information to the applicant have been calculated, the fee to be charged to the applicant will be calculated as follows:

<b>Total costs</b>	<b>Fee to be charged to applicant</b>
Less than £100	Zero.
Between £100 and £600	10% of total costs.
Above £600	10% of total costs up to £600 and additional costs to be charged in full.

## 2. Charging fees for access to environmental information

The Association will charge a “reasonable” fee for providing access to environmental information based on the actual costs of locating, retrieving and providing the environmental information to the applicant.

Staff time will be charged based on the actual hourly cost to the Association of employing the member(s) of staff in question for the time spent (including the Association’s national insurance and pension contributions in relation to the relevant member(s) of staff). To reduce the costs and the fee for the applicant, the Association will use the lowest grade member(s) of staff available to locate, retrieve and assemble the environmental information, but will also ensure that the member(s) of staff are of an appropriate grade, and have the requisite skills and knowledge, to be dealing with the environmental information in question.

Staff time spent determining whether the requested environmental information is in fact held by the Association or is subject to one or more of the exceptions contained within the EISRs and should be redacted will not be charged to the applicant. The time spent redacting environmental information will, however, be charged once the decision has been taken on whether or not the environmental information can be disclosed. The Association will not charge

for staff time spent dealing with a request if the Association does not hold the environmental information which the applicant has requested. If environmental information is provided in electronic format, the Association may charge for the staff time it takes to scan the information into this format.

The fee will also include any costs related to putting the environmental information into a particular format (including costs associated with redacting). The Association may charge for photocopying, postage, packaging and providing the environmental information on portable storage devices or other media in accordance with the fees set out in the table under "Access to information published by the Association", above.

The Association will not charge a fee for allowing access to environmental information contained within public registers or lists of environmental information maintained by the Association from time to time. The Association will not also charge a fee for providing the environmental information where the applicant views the information at the Association's office, but the Association will charge the applicant a fee for locating and retrieving the environmental information in such circumstances.

### **Fee overpayments and underpayments**

If the Association determines that the actual costs associated with the request are less than what was charged to and paid by the applicant, the Association will refund the overpayment of the fee to the applicant.

If the Association determines that the actual costs associated with the request exceed what was charged to and paid by the applicant, the Association may not seek an additional fee payment from the applicant.

### **Equalities**

The Association will not, however, charge a fee for providing information in a specific format if the applicant has a known disability or for other costs relating to the Association's compliance with its duties under equalities legislation.

### **Review of this Statement**

The Association will regularly review the approach to charging fees for access to information set out in this Statement to ensure that the fees that it charges applicants remain consistent with legal requirements and best practice.

Last updated: September 2019