

**VALE OF WHITE HORSE DISTRICT COUNCIL****FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION CHARGING POLICY****1.0 Introduction**

- 1.1 The Vale of White Horse District Council (“the Council”) has a Vision to build and safeguard a fair, open and compassionate community and has a number of stated aims designed to turn this Vision into action. The Council aims to provide high quality services to the people of the Vale and is committed to strengthening local democracy and freedom of information.
- 1.2 The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 set out a national framework to regulate public access to information held by the Council. The legislation allows Public Authorities; like the Council to charge applicants who request information and the Council has decided that a Charging Policy should be introduced to cover applications for information in the future.
- 1.3 This Policy was considered by the Executive on 3<sup>rd</sup> February before being approved by the Council on 22<sup>nd</sup> February 2006. The Policy comes into effect on 1<sup>st</sup> April 2006.

**2.0 Policy Statement**

- 2.1 **The Council aims to strengthen local democracy and public involvement to access to information and therefore welcomed the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 when they came into force on 1<sup>st</sup> January 2005. The Council acknowledges there is a duty to applicants who exercise their “right to know” to respond to their requests in accordance with the legislation. This Policy therefore applies to all applications made under the 2000 Act or the 2004 Regulations.**
- 2.2 **As and when the Information Commissioner produces Codes of Practice or other Guidance relating to charging applicants for requesting information, the Council will normally follow the Commissioner’s Codes or Guidance unless there are exceptional circumstances justifying a departure from the recommended approach. Any Code or Guidance issued by the Commissioner will be taken into account when dealing with specific charging issues.**
- 2.3 **The Council recognise that requests for information can be diverse and varied and therefore need to be dealt with by the relevant Service Areas subject to obtaining advice from the Council’s Monitoring Officer on any legal issues raised by the application. The Strategic Directors will have overall responsibility for compliance in their relevant Service Areas, but it will be the responsibility of the Deputy/Assistant Directors to deal with day-to-day requests for information which are relevant to the services they deliver. The adoption of this Policy should be regarded as giving both the Strategic Directors and the Deputy/Assistant Directors the delegated power to deal with such applications including the power to charge or waive charges in accordance with the legislation and the provisions of this Policy.**

- 2.4 Assistant/Deputy Directors shall normally refuse a request for information under the Freedom of Information Act 2000 if the estimated cost of dealing with that case exceeds the statutory maximum set out in Regulations made by the Secretary of State. However, this presumption of refusal is not irrebuttable and may be overridden if the Deputy/Assistant Director is of the opinion that the circumstances warrant a departure from the normal approach.**
- 2.6 Subject to the statutory restrictions set out in legislation, the Council will normally charge for requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and will publish the relevant charges as soon as possible after the Council's annual budget meeting in February each year. The Strategic Director who is for the time being designated as the Chief Finance Officer of the Council shall determine the charges both for the Freedom of Information and Environmental Information applications, following consultation with the Council's Monitoring Officer.**
- 2.8 This Policy shall come into effect on 1<sup>st</sup> April 2006 and shall be reviewed at least once every 4 years and also when circumstances warrant it.**

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