

POLICE AND CRIME COMMISSIONER FOR WEST YORKSHIRE

CHARGING POLICY

The Commissioner ¹ may make charges for providing copies of certain types of information within the Freedom of Information Act 2000 and the Data Protection Act 1998. This policy sets out what the Commissioner will ask you to pay a fee for.

INFORMATION IN THE COMMISSIONER'S PUBLICATION SCHEME

The Commissioner has a publication scheme which sets out the classes of information which we routinely publish.

Most of the information in the publication scheme is on our website at www.westyorkshire-pcc.gov.uk. You can access information on this website without charge (although you will have to meet any charges made by our internet service provider etc).

If you do not have access to the internet or if you would prefer to have a hard copy you can ask us to send you the information that you need. We will not charge you for posting a single copy of the information. If you wish to have more than one copy sent to you we will ask you to pay the photocopying and postage costs we will incur. We will let you know the cost when we receive your request and we will ask you to pay the charge in advance.

OTHER INFORMATION (NOT IN THE PUBLICATION SCHEME)

The Freedom of Information Act has set an 'appropriate limit' of £450 for the costs of the Commissioner complying with requests for information.

Where the cost of complying with your request for information is estimated to exceed £450 Section 12 of the Freedom of Information Act states that the Commissioner is not obliged to comply with your request.

When estimating the likely cost of complying with a request the Commissioner will take account of staff time in deciding if the information is held, locating the information, retrieving the information and extracting the information. Such costs are calculated at £25 per hour per person (regardless of actual rate of pay) which means that the appropriate limit will be exceeded if it is estimated that it will take more than 18 hours to find and extract the information. We will not include the costs of staff time in deliberating whether an exemption applies to your request or for the time it takes to redact exempt information from a document.

If we estimate that your request will exceed the appropriate limit, ie, it is likely to cost the Commissioner more than £450 to locate, retrieve and extract the information that you have asked for, we will contact you to explain this and to explain how we have made this estimate. If possible we will provide you with advice as to how your request may be refined so that it does not exceed the appropriate limit.

¹ 'Commissioner' means the Police and Crime Commissioner for West Yorkshire and their staff.

If the appropriate limit is likely to be exceeded the Commissioner is not obliged to comply with your request and we will contact you to explain this. However, if you still wish us to deal with your request we may charge you a fee to cover the costs involved in locating, retrieving and extracting the information, the costs of communicating the information to you and the cost of staff time (at £25 per person per hour) spent on communicating the information.

The majority of requests do not exceed the £450 appropriate limit and in these cases the Commissioner, under regulation 6 of the Act, is able to charge you for photocopying and postage (or the costs associated with communicating the information to you in an alternative way if you have requested this).

For requests which are below the £450 appropriate limit the Commissioner will only charge you for the communication (or disbursement) expenses that we have actually incurred. We will not charge you for staff time. We will not charge you for the time taken to consider whether exemptions apply or for the time it takes us to redact exempt information. We may make a charge, however, for the physical costs of redaction if specialist equipment is required (to remove information from tape recordings, for example).

In all cases, if a fee is applicable you will be notified before the information is provided to you and before the Commissioner incurs the charge.

SUBJECT ACCESS REQUESTS UNDER THE DATA PROTECTION ACT

You have the right to be told whether the Commissioner holds any personal data about you and to be provided with a copy of this information within a 40 day period.

The Commissioner makes a £10 charge for this.