

## **Fees and Charges Policy – Schedule of Charges**

### **Charging for Environmental Information**

The EIR allow public authorities to charge for making environmental information available, but any charge must be reasonable. The Information Commissioners Office (ICO) states that any charges should be compatible with encouraging transparency and should not be an obstacle to such access.

In general, a reasonable charge may include the disbursements costs in transferring the information to the applicant and the staff time taken to locate the information.

This policy sets out how Yorkshire Water will comply with the charging regime laid out in Regulation 8 of the EIRs and what constitutes a “reasonable amount”.

As a general rule the charges should not exceed the actual costs of producing the material in question: the purpose of charging is to recover the costs incurred in complying with requests and managing demand.

In respect of any request for information Yorkshire Water reserves the right to:

- Refuse requests on the basis that they are manifestly unreasonable, subject to a public interest test. Under the Environmental Information Regulations there is no ‘cost limit’ for dealing with requests, but requests that cost a disproportionate amount can be refused under regulation 12 (4) (b);
- Refuse requests for copies of information where it is shown that EIR Regulation 5 or 6(1) (b) has been complied with and the information is already accessible either for inspection, at a public library or published on a website, or other public resource.

### **Schedule of Charges**

There are two broad types of costs for which a public authority can charge:

- The cost of staff time, including overhead costs, incurred when preparing information to be supplied in response to a specific request. This includes time spent locating, retrieving and extracting the information and putting it into the required format.
- The costs incurred when printing or copying the requested information and sending it to the applicant.

Public Authorities must have a published schedule of charges in order to be able to charge applicants for environmental information.

Regulation 8(2) prevents a public authority from making any charge to access public registers or lists of environmental information it holds, or to examine the information that has been requested at a place made available by the public authority.

Costs associated with maintaining a database cannot be included in charges for supplying environmental information.

Yorkshire Water is mindful that although the EIR allow for a charge to be made in providing environmental information, this must be balanced against the general principles of making environmental information available where possible and to not routinely apply a charge.

It should be noted, that even where the Policy provides for the release of information without charge, exceptions under EIR may be applied where relevant. This means that some information may be withheld for reasons under the relevant exception(s) and is dependent on the information being requested.

## **8. Processing Charges**

The decision to issue a charge will be made promptly and within 5 working days of the receipt of the request wherever possible. A fees notice letter will be sent to the requestor within 20 working days from receipt of the information request, informing them that a fee is payable and how to make the payment, and that if the requester is concerned about the costs, help and assistance can be provided to give them the option of narrowing down their request.

Payment will be required in advance of disclosure. The fee charged should be based on an estimated cost calculated by a senior member of the Data Protection Team. Requestors will have 60 days for payment to reach us, and the fees notice letter will specify the 60 days deadline date. Where payment is not received, a reminder communication from the Data Protection Team will be issued, 30 days after the original fees notice, reiterating the deadline date. If payment is still not made within the 60 day period, it will be assumed that the information is no longer required, and Yorkshire Water is not obliged to proceed with the request.

We will raise an invoice and payments can be made by BACs, debit or credit card or by cheque made payable to Yorkshire Water Services Ltd and posted to:

Yorkshire Water Services Ltd, PO Box 52, Bradford, BD3 7YD

## **When will we charge and when will information be provided free of charge**

- We waive the charges for the first 4 hours for everyone (this means that we will not be charging in almost all situations. We will charge £25.00 per hour staff time thereafter.
- We will also waive charges for the following:
- Customers who are on flexible payments plans, water direct, watersure plus, discount for low income pensioners
- Customers who are on our Priority Services Register
- Registered charities
- In any other circumstances where we feel it is in the public interest to waive the charges in this situation
- Where it is estimated that work will be in excess of 18 hours work we may consider that the request is refused on grounds that it is manifestly unreasonable
- We will charge a small fee for photocopying, CDs, or USBs