

## East Lothian Council's Schedule of Fees for the purpose of the Environmental Information (Scotland) Regulations 2004 (v1 – December 2022)

### What we charge for

1. Charges will be applied to make environmental information available which the Council holds, this includes locating and retrieving data.
2. Charges will include staff time associated with redacting documents so that we can release the information to you.

### Calculation of charges

3. Staff costs will be charged on the basis of the **actual** cost of employing the staff in question for the time spent retrieving information associated with the EIR request.
4. The council will use the lowest graded member(s) of staff available to carry out the task who has the required skills and knowledge to provide the information requested. Salary Scales will apply see [East Lothian Council's Charges Policy](#).
5. Additional costs associated with providing EIR information will be chargeable to the requester e.g. photocopying, postage etc.
6. The council will offer the most cost efficient method of providing the information ie. Electronic.
7. Whilst there is no upper fee limit, the council may refuse to provide information if the request is deemed to be manifestly unreasonable (regulation 10(4)(b)).

### Advance Payments

8. All fees for environmental information requests require to be paid in advance.
9. East Lothian Council will give written notice of the fact that it requires payment in advance and what the charges are.
10. 60 working days will be given to pay the full amount.
11. During the period of payment notice, the compliance timescale clock will cease and will only start again once the fees have been paid in full.

12. Payment of fees must be paid within 60 days. If no payment has been received within this timescale, the Council will consider that the information is no longer required.
13. Where the council has found that it has cost less to provide the information than anticipated, a refund of the overpayment will be arranged.

### **Free access to information**

14. East Lothian Council will make available its public registers of environmental information free in accordance with EIR Regulations.
15. Applicants may also examine these public registers within council offices free of charge although prior notice will require to be given.
16. In such cases where copies are required a charge will be applied.

### **Unhappy with fee charges?**

17. Where you are unhappy with a fees notice, you can ask us to review our decision about how much we are charging you for the information. Your fee notice will tell you how you can do this.

A review request must be received within 40 working days of the date that you receive our fee notice. A request to review must be in writing (e-mail is acceptable) or another permanent format and should be addressed to :

Customer Feedback and FOI Team  
People and Governance  
East Lothian Council  
John Muir House  
Haddington  
EH41 3HA  
[foi@eastlothian.gov.uk](mailto:foi@eastlothian.gov.uk)

Once your request has been received we have 20 working days from the date we receive your request in order to complete our review of the fee amount and give you our decision.

If you remain unsatisfied with the council's response post review, then you may ask the Office of the Scottish Information Commissioner (OSIC) to investigate the matter. You must appeal to the Commissioner within six months of receiving the review decision. You may submit your appeal online via OSIC's website.

<b>Staff Costs</b>	
<b>Local Government Employee Salary Scales 2021-2022 – See below</b>	
<b>Photocopying Costs</b>	
Black and White copy	See Council's Charging Policy
Colour Copy	See Council's Charging Policy
Large scale black and white documents	See Council's Charging Policy
<b>Postage</b>	
Charged at full cost recovery to the Council of sending the information via. Royal Mail or Courier	

<b>Staff grade</b>	<b>Hourly Rate</b>
Grade 3 - Administration	£14.10
Grade 4 - Administration	£15.70
Grade 5 - Administration	£17.50
Grade 6 – Administration	£19.70
Grade 7 – Senior Administration	£22.60
Grade 8 - Officer	£24.90
Grade 9 – Officer	£28.40
Grade 10 – Officer	£33.10
Grade 11 - Officer/Manager	£38.30
Grade 12 - Officer/Manager	£44.50
Grade 13 - Service Manager	£51.60