



# Requesting Information held by Sussex IFCA

The following statement sets out how Sussex Inshore Fisheries and Conservation Authority (IFCA) will respond to public requests for information, under the Freedom of Information Act (FOIA), the Environmental Information Regulations (EIR) or via a Subject Access Request (SAR).

The statement includes our fees and charges policy (Public Schedule of Charges).

## **INFORMATION REQUESTS: FREEDOM OF INFORMATION ACT (FOIA)**

The FOIA provides individuals or organisations with the right to request information held by a public authority.

An FOI should be submitted in writing (email is acceptable), it should include the requesters name and contact details, clearly describe the information being sought and what format the information should be in.

Sussex IFCA must tell the applicant whether it holds the information, any associated fee with providing the information and must normally supply the information, if held, within 20 working days.

In accordance with the FOIA, Sussex IFCA may charge a fee for responding to a FOI request for:

- Disbursement costs (such as printing, photocopying and postage)
- Estimated staff costs involved in locating and/or compiling the information if exceeding £450 (based on an average hourly charge out rate of £25)

Where the costs are estimated to exceed £450, Sussex IFCA can:

- Refuse the request
- Comply with the request and charge allowable costs as prescribed in the legislation
- Comply with the request free of charge

If the estimated cost is more than £450, and it is decided to release the information and make a charge, then a fee notice will be sent to the

applicant requesting the appropriate fee. The request for information will not be answered until the fee has been received.

If the actual cost of completing the request is more than the estimate, then Sussex IFCA will incur the additional cost. Where the cost is less than the estimated cost then the difference will be refunded to the applicant.

## **REFUSING A FREEDOM OF INFORMATION REQUEST**

Sussex IFCA may refuse an FOI request in the following circumstances:

- Where a request is vexatious
- Where a request is similar to a previous request, or relates to information that is already publicly available
- If the cost of complying with the request exceeds the appropriate limit
- If it is appropriate to apply an exemption

If Sussex IFCA decides to not disclose part, or all, of the requested information, it will give its reasoning for the decision, explain how an exemption applies and how it has been considered in context of the public interest test.

## **COMPLAINTS**

If a requestor is unhappy with Sussex IFCA's response or decision not to disclose information under a Freedom of Information request, then they can ask for a review by the Chair of Sussex IFCA. When requesting a review of a decision not to disclose information, the request must clearly identify the grounds on which the request is based.

If the person requesting a review is not satisfied with the response that they receive, they may appeal to the Information Commissioner's Office (ICO). Information on the appeal process is provided on the [ICO website](#). The ICO will investigate the case and will either uphold Sussex IFCA's decision or decide that the information must be disclosed.

## **INFORMATION REQUESTS: ENVIRONMENTAL INFORMATION REGULATIONS (EIR)**

The EIR's provide the public the right to access environmental information held by public authorities. Anyone may request environmental information from a public authority verbally or in writing.

Upon receipt of an environmental information request, Sussex IFCA will:

- Tell the requester whether Sussex IFCA hold this information
- Make the information available, unless an exemption applies
- Notify the requester of any reasonable charges in accordance with the published schedule
- Respond as soon as possible and no later than 20 working days

Sussex IFCA can charge for supplying environmental information that they hold in response to a request, but any charge must be reasonable and take account of the aim of the Regulations.

In accordance with 8(2) of the EIR, Sussex IFCA will not charge to access or examine public registers or lists of environmental information, or environmental information itself, at a place made available by Sussex IFCA. A charge may be applied in relation to preparing any such information for examination.

In accordance with the Re-use of Public Sector Information Regulations 2015, the re-use of Sussex IFCA data for commercial or non-commercial purposes will be licensed under the [Open Government Licence \(OGL\)](#).

## **PUBLISHED SCHEDULE OF REASONABLE CHARGES**

In accordance with 8(1) of the EIR, from 1<sup>st</sup> April 2025, Sussex IFCA may charge for time spent by Sussex IFCA staff in locating, retrieving and collating the information in a format requested. This will be based on an hourly rate of £25 for any time spent which exceeds 2 hours.

If the estimated time is anticipated to be more than 2 hours, then a fee notice will be sent to the applicant requesting the appropriate fee above and beyond the initial 2-hour period. The request for information will not be answered until the fee has been received.

## **INFORMATION REQUESTS: SUBJECT ACCESS REQUESTS (SAR)**

Individuals have a right of access to information held about them under the UK General Data Protection Regulations and the Data Protection Act 2018.

A SAR can be made verbally or in writing and needs to be made clear that an individual is asking for their own personal data.

No fee will be applied to a SAR.