



ISD INFORMATION REQUEST SERVICE CHARGING POLICY

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1. INTRODUCTION

1.1 Purpose of Document

The purpose of this document is to set out the policy applied by the Information Services Division (ISD) of NHS National Services Scotland in respect of the application of charges for the recovery of costs incurred in the execution of the Information Request Service (IRS).

Of particular reference to this document are:

- ISD Information Request Protocol
<http://www.isdscotland.org/isd/servlet/FileBuffer?namedFile=information-request-protocol.pdf&pContentDispositionType=inline>
- ISD Standard Operating Procedure for Parliamentary Questions
<http://www.isdscotland.org/isd/servlet/FileBuffer?namedFile=parliamentary-question-protocol.pdf&pContentDispositionType=inline>
- Freedom of Information (Fees for Disclosure under Section 13) (Scotland) Regulations 2004
<http://www.opsi.gov.uk/legislation/scotland/ssi2004/20040376.htm>

1.2 Scope

This policy deals with the principles regarding the recovery of costs for work undertaken as part of the Information Request Service, which is considered to be over and above work funded as part of our core allocation from the Scottish Government Health Directorate or work separately funded and included within an existing approved business plan or service level agreement.

In addition it also includes charging policy as part of statutory obligations within the Freedom of Information (Scotland) Act and Parliamentary Questions.

1.3 Exclusions

This policy does not apply to internal ISD projects or to normal business planning activities. In these circumstances ISD standard project and financial budget setting rules and policies will apply.

This policy does not apply to Data Protection Act Subject Access Request charges. Details of these charges are explained on the National Services Scotland (NSS) website's Data Protection pages. http://www.nhss.org/pages/home/data_protection.php?id=161

This policy excludes any statements in respect of charges for the licensing of the information for potential re-use in the future.

1.4 Background

In line with agreed principles and public expectations regarding access to statistical information, under which Government statistical organisations operate, bespoke information analyses may be requested by anyone. Professional analysts within ISD therefore provide information, analyses, guidance and advice on the use of health and health care statistics to a variety of bodies, organisations and individuals.

Under Freedom of Information guidance authorities may charge for information which is provided through their publication schemes using their own schedule of charges provided the charging policy is made available to the public and is deemed to be reasonable and set at a level that reflects the actual cost of producing and making available the information.

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As a producer of Scottish official statistics recognised by parliamentary legislation, ISD is bound by the Code of Practice for Official Statistics, maintained and monitored by the UK Statistics Authority (<http://www.statisticsauthority.gov.uk/assessment/code-of-practice/code-of-practice-for-official-statistics.pdf>).

Principle 2, practice 9 of that code requires producers to adopt clear pricing policies for supplementary statistical services for which a charge is made.

ISD provides a bespoke analysis in response to an Information Request (IR) subject to a resource and priority assessment, and any overarching rules relating to ISD's statistical governance, and provided that:

- Other information already published or held by ISD, for example a response to a previous information request, is not suitable;
- The customer has stated clearly what information they require and if possible why, to enable ISD analysts to understand the request and provide the most relevant and useful response.

ISD aims to answer standard IRs within 20 working days or in a timescale to suit the customer. However resources are limited for this service due to the need to prioritise work that ISD is funded to carry out as part of its core function. IRs estimated to need more than 2 days work may need some negotiation to reach agreement on the deadline and/or funding.

All IRs from non-core customers, or requests from core customers that require more than 5 person days effort, may require special funding or cost recovery in order that ISD can fund this service. Non-core and Core customers are defined in Paragraphs 1.5 and 1.6.

1.5 Core Customers

For the purpose of this document core customers are defined as public bodies which ISD support as part of our key functions and includes the Scottish Government (SG), NHS Scotland organisations and partner organisations such as Local Authorities and drug agencies, Audit Scotland and independent contractors (dentists, GPs, opticians and pharmacists).

1.6 Non Core Customers

For the purpose of this policy all other users of health and health care statistics are non-core customers, be they bodies or individuals, and include; NHS staff undertaking research; professional organisations for staff; private companies, political parties and their researchers, the Scottish Parliament Information Centre (SPICe); the media; charities; campaign groups covering a variety of concerns; and the general public. Note in particular that non-Scottish NHS or Government bodies should also be regarded as non-core customers with regards to information requests that require bespoke analysis that is not part of ISD planned activities or core functions.

1.7 Costing Categories

For the purposes of this policy costing guidelines have been classified into four categories:

- a. Cost Recovery
- b. Freedom of Information charging
- c. Parliamentary Questions (PQs)

Cost Recovery guidelines will be applied to information requests that require any new data extraction, aggregation, analysis and reporting to be carried out by ISD analysts. Examples of such requests include a simple data extract or tabulation, a bespoke piece of research analysis or

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the provision of a more extensive programme of work e.g. record linkage. It may include data from, or reference to, other sources of information, e.g. General Register Office (GRO) population data. This data or analysis will not be already available on the ISD website or be otherwise held by ISD, for example as in response to a previous request. Charging principles for cost recovery work are explained in Section 2.

Parliamentary Questions are subject to their own charging procedures described in Section 4.

All other information requests will be charged based on Freedom of Information charging procedures described in Section 5.

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2. GUIDING PRINCIPLES FOR COST RECOVERY CHARGING

2.1 Cost Recovery Categories

ISD will apply management discretion in the determination of which cost recovery category will be applied to an individual IR. For the purposes of this policy, cost recovery charges to be applied to an individual IR will fall into one of two categories, depending on who the customer is that has requested the information. Non-core and Core customers are defined in Paragraphs 1.5 and 1.6 above.

a. Cost Recovery – Core Customers

The calculated cost will be based on direct cost recovery i.e. the rate will be based on a basic unit price e.g. per diem rate x days worked due to the need to recover the full staff costs incurred in the development, production and quality assurance of the required analyses.

b. Cost Recovery – Non Core Customers

The calculated cost will be based on full cost recovery e.g. per diem rate x overhead rate x days worked. This allows ISD to recover the full staff costs incurred in the development, production and quality assurance of the required analyses. The overhead rate will be applied where it is deemed that the IR requires bespoke analysis that is not part of ISD planned activities or core functions

2.2 Complexity Rating

IRs by their very nature will vary both in terms of complexity and the level of skilled statistical expertise required to deliver the requested information and indeed in some instances may not be achievable. In recognition of this, ISD in order to remain flexible in responding to requests, whilst at the same time, delivering our other corporate business commitments will assess all IRs based on the following complexity ratings

2.2.1 Standard

The majority of IRs will be assigned a complexity rating of Standard. In essence this rating will encompass basic tabulations or data extracts that require a certain level of skilled statistical expertise in order to extrapolate, manipulate and format the data to meet the customer requirements.

2.2.2 Advanced

IRs will be assigned a complexity rating of Advanced where it is deemed that a higher level of skilled statistical expertise is required to meet the customer requirements. This would include for example the need for record linkage and/or the application of advanced statistical methodologies e.g. the use of modelling techniques, standardisation rates etc.

2.2.3 Thresholds

ISD recognise that many IRs can be answered simply by pointing the customer to the relevant pages of the ISD Website or by providing some guidance and advice on the interpretation of the published information. Bearing this in mind and also to minimise the administrative burden in respect of the implementation of the charging policy, the following threshold will be applied to IRs –

- No charge will be applied where the cost of the projected effort required to fulfil a request is less than or equal £100.

In all instances the final decision on whether to apply charges is subject to management discretion.

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2.3 Application of Standard Charges

ISD will at all times, exert management discretion in the determination of the application of the standard charges. IRs estimated to need more than 2 days work may need some negotiation to reach agreement on the deadline and/or funding.

All IRs from non-core customers, or requests from core customers that require more than 5 person days effort, may require special funding or cost recovery in order that ISD can fund this service. Non-core and Core customers are defined in Paragraphs 1.5 and 1.6.

Standard charges will be applied in accordance with the following

- All IRs will be subject to the same cost Threshold.
- All IRs will be subject to assessment in respect of person day effort required

INFORMATION REQUESTS – STANDARD CHARGES		
Person days effort	Core Customers	Non Core Customers
Below Cost Threshold	No Charge	No Charge
<= 2 days	No Charge	Full Cost Recovery
> 2 days <= 5 days	Direct Cost Recovery ⁽¹⁾	Full Cost Recovery
> 5 days	Direct Cost Recovery	Full Cost Recovery

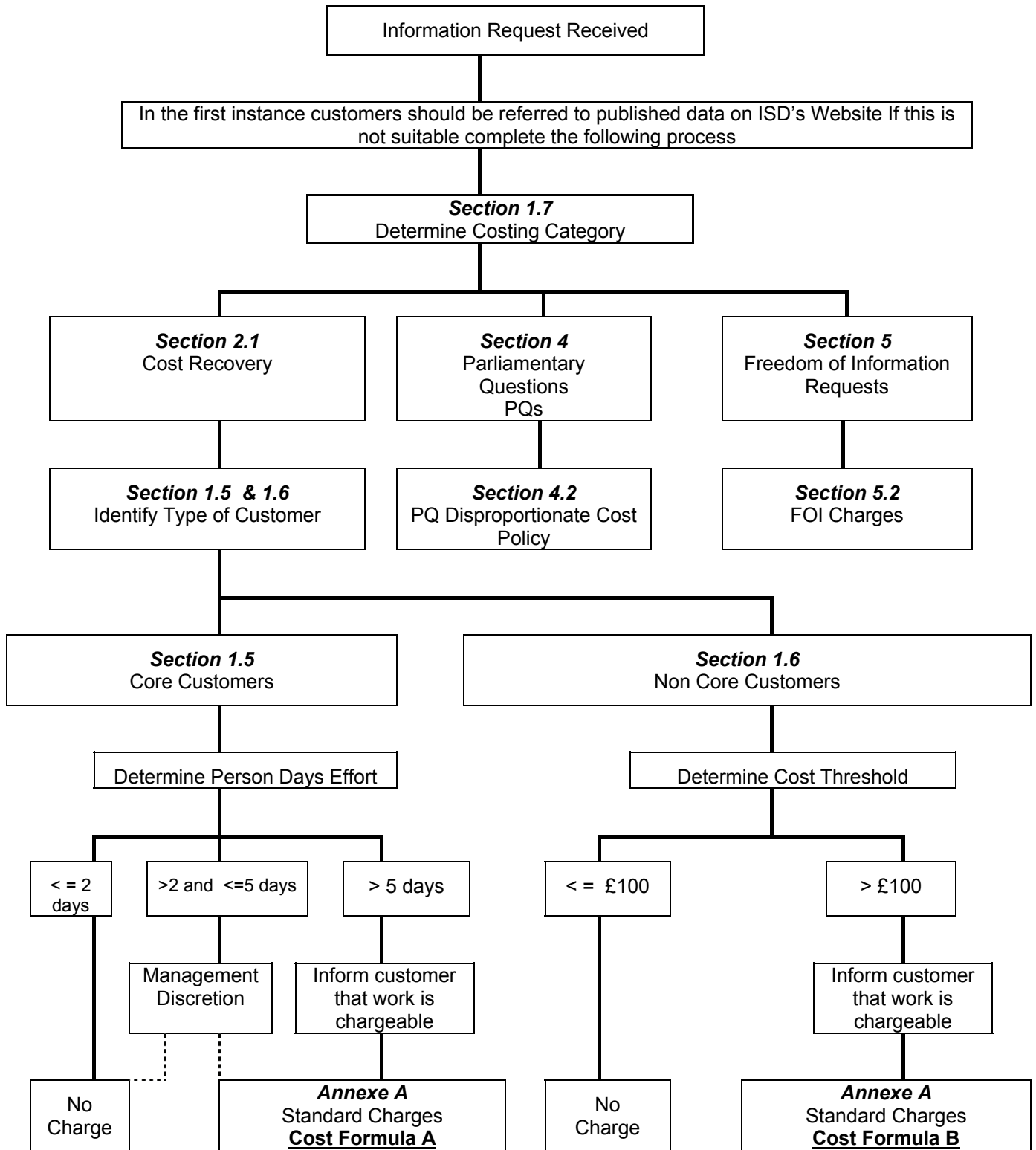
(1) Charging for up to 5 days at management discretion

The actual cost formulas, and current charge rates to be applied for an individual IR can be found in Annex A.

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3. CHARGING GUIDE FLOW CHART

This flow chart depicts the decision process that ISD statistical staff must follow in order to determine, where appropriate, the charging policy to be applied in respect of an individual IR. This flow chart should be used in conjunction with the ISD Information Request Protocol.



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4. PARLIAMENTARY QUESTIONS (PQS)

4.1 PQ - General Information

This section of the policy should be read in conjunction with the ISD Standard Operating Procedures for Parliamentary Questions.

A Parliamentary Question (PQ) is a question that is asked by a Member of the Scottish Parliament (MSP). PQs can either be oral or written; oral PQs are asked by MSPs in Parliament during First Minister's Questions, whereas written PQs are asked and answered via written correspondence. It is the choice of the MSP as to which type of PQ they submit. Both types of PQs are submitted to the Parliament Chambers Office by the MSP.

ISD is obliged to support the Scottish Government effect efficient policymaking and achieve effective Government. ISD's role in the PQ process is to provide, where possible, information to inform and support the answer that is provided by the Scottish Government in response to both types of PQs.

The process for handling each type of PQ is the same, however, the timescales for answering each is different – 5 days for an oral PQ and 10 days for a written PQ (this can be longer during recess). Note that the time available for ISD staff to provide an answer is considerably less.

4.2 PQ - Disproportionate Cost Policy

The Scottish Government's PQ Guidance recognises that some PQs can only be answered by incurring very high costs and as a guide sets a limit of £600 for answering a PQ, with the Minister concerned making the final decision whether or not to supply an answer.

A disproportionate cost is defined as 'the level of resource i.e. person days effort required to answer the PQ will exceed this £600 limit.'

- a. In order to determine whether a disproportionate cost may be incurred, ISD staff should determine a Complexity Rating for each individual PQ based on the guiding principle in Section 2.2 above.
- b. ISD staff should then calculate the cost of answering the PQ using **Cost Formula A** in the Table of Standard Charges in Annex A
- c. If the calculated cost exceeds the £600 limit, this should be discussed with the respective line manager and highlighted to the SG contact, responsible for the PQ.
- d. Where the SG agree that due to the disproportionate cost the PQ should not be answered this must be recorded on the individual ISD PQ Cover Sheet.
- e. Where the SG request that the PQ should be answered, despite the fact the costs will be greater than the £600 limit this must be recorded on the individual ISD PQ Cover Sheet. At this point in time, it is common practice that no charge will be levied for answering the PQ.

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5. FREEDOM OF INFORMATION REQUESTS

5.1 FOI Requests – General Information

This section of the policy should be read in conjunction with the Freedom of Information (Scotland) Act 2002. (FOISA).

The FOISA allows Scottish Public authorities to make a charge for responding to an information request in certain circumstances. There is a threshold of £100 before a charge can be made and a ceiling (excessive costs) of £600 beyond which an authority does not have to comply with information requests. Authorities may only charge a proportion of the cost to the applicant.

These rules are set out in the Freedom of Information (Fees for Required Disclosure) Scotland Regulations 2004 (the Fees Regulations).

ISD has a duty under section 15 of the Act, to provide advice and assistance to persons who have made, or wish to make, requests for information.

A request for information under the general rights of access **must be received in writing**, stating the name of the applicant and an address for correspondence, and describing the information requested. For the purposes of general rights of access, a request is to be treated as made in writing if it is transmitted by electronic means, is received in legible form and is capable of being used for subsequent reference such as Fax or e-mail.

5.2 FOI Charges

All IRs that are not subject to Cost Recovery charges will be handled as an FOI request and will be subject to the following FOI charging structure, which is in accordance with the Fees Regulations.

- a. ISD will not charge the applicant, if the cost of the projected effort required to satisfy the FOI request is less than £600.
- b. If the cost of the projected effort required to satisfy the FOI request is in excess of £600 i.e. it would exceed the excessive cost limit, ISD under the rights conferred by the legislation is not required to provide the information.
- c. ISD will not charge for providing any information in any format other than electronic or standard manual, where the applicant is covered by the disclosure rights under the Disability Discrimination Act 2000.

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ANNEXE A – STANDARD CHARGE RATES

The following table provides information in respect of the actual costs that are applicable in respect of IR standard charges. All costs are subject to review on an annual basis.

The table depicts the day rate that will be applied to an individual IR according to the complexity assigned by the ISD analyst during the initial assessment of the IR.

The following rates will apply during the financial year 2010/2011.

INFORMATION REQUESTS – STANDARD CHARGES Costs for 2010 / 2011		
IR Complexity Rating	Cost Formula A	Cost Formula B
	Direct Cost Recovery Core Customers	Full Cost Recovery Non Core Customers
Threshold	£100	£100
Standard (per day)	£240	£300
Advanced (per day)	£280	£350

Notes:

1. The current Threshold is £100.
2. **No charges** will be levied if the cost of producing the IR is less than the Threshold.
3. All charges are subject to review on an annual basis.
4. A person day = 7 hours i.e. if the projected effort required is 21 hours this equals 3 person days.
5. All charges quoted are the applicable diem rate (day rate) per IR Complexity Rating.
6. All charges quoted in Cost Formula B include the overhead rate.
7. All charges quoted, exclude VAT, which will be applied at the current rate.
8. The final decision on whether to apply charges is subject to management discretion.

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ANNEXE B – ISD OPERATIONAL CHARGING PROCEDURES

Customers should be aware that if a charge is to be made for an individual IR then prior to any work commencing the customer must supply ISD with an authorised purchase order number in order to comply with our Standing Financial Instructions.

Where a charge is to be made for an individual IR then ISD staff will adhere to the following ISD standard operating procedures and NSS Standing Financial Instructions.

- a. The customer should be informed in writing, (an email is acceptable) of what is being provided, the date by which this will be provided and the total cost (excluding VAT)
- b. If the customer wishes to proceed they should organise for a Purchase Order for this amount to be raised. Only when a Purchase Order Number has been received from the customer will work commence on the individual IR.
- c. The analyst must check with the finance department at nss.isdfinance@nhs.net that the customer is on the finance database. If not, the customer will need to complete a Credit Request Form, which can be obtained from the Finance Department. The latest version of the form is available on GeNSS at: [NSS Credit Request Form](#)
- d. On completion of the work, ISD staff must raise an invoice by completing a Sales Invoice Request Form, which **MUST** include the Customer Purchase Order Number. The latest version of the form is available on GeNSS at: [NSS Sales Invoice Request Form](#)
- e. The completed invoice should be passed to the Finance Department at nss.isdfinance@nhs.net to process. Please note that finance no longer require a copy of any written acceptance received from the customer. The Customer Purchase Order Number is evidence of the customers commitment pay.