

Publication Scheme

Freedom of Information Act (2000)

March 2012

Introduction

Every public authority, as defined in the Freedom of Information Act (2000), is required to have a publication scheme. A publication scheme sets out the public authority's commitment to provide information to the public, to publish information, to make it possible for information to be easily identified and accessed, and to review and update that information regularly.

About East Coast Mainline Company Limited

East Coast Mainline Company Limited ("East Coast") is a wholly owned subsidiary company of Directly Operated Railways Limited ("DOR"), which is wholly owned by the Department for Transport.

The vision for East Coast is "To provide the best possible journey experience for East Coast customers and a great place to work". East Coast's seven goals are:

- Get the basics right
- Continue to keep East Coast staff and customers safe
- Improve the value of the East Coast business and hand over the franchise in better shape
- Manage East Coast major projects well
- Every East Coast customer is important
- Be a strong team
- In a world of change, look for innovation and continual improvement

The four key values of East Coast are to be focussed, consistent, human and progressive.

Website Addresses

East Coast maintains a website at: <http://www.eastcoast.co.uk/>

The information you are looking for may be on our website detailed above and/or may be available from the following organisations or their websites:

Department for Transport (DfT): <http://www.dft.gov.uk>

Office of Rail Regulation: <http://www.rail-reg.gov.uk>

National Rail Enquiries: <http://www.nationalrail.co.uk>

Directly Operated Railways: <http://www.directlyoperatedrailways.co.uk>

East Coast takes no responsibility for the accuracy of the information provided by these organisations or made available on their websites.

The Publication Scheme

This publication scheme has been developed under the requirements of the Freedom of Information Act (2000). It provides a guide to the information that East Coast Mainline Company Limited ("East Coast") publishes or has agreed to make available in the light of the provisions of the Code of Practice on Access to Government Information and the Freedom of Information Act (2000). It is not a list of the actual publications, since this may change as other items are

published but rather it is a description of the classes or types of information routinely published.

Information included in the scheme will be made available either on the East Coast website or as indicated in the scheme. The East Coast website also includes information that is not routinely published and not covered by this scheme but is made available nonetheless. If you cannot find what you want on the website or through the scheme, you may wish to make a written request for information. We explain below where to send this to at East Coast.

This publication scheme sets out: the classes of information which are published by East Coast, the manner in which the information will be published, and whether the information is available free of charge or on payment.

Some information held by East Coast may not be available to the public if an exemption under the Freedom of Information Act (2000) applies, for example if disclosure would be likely to prejudice the commercial interests of any person and in that case would not be in the public interest.

Classes of Information

The classes of information currently published are set out below.

Class 1 - Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance

Information	Format		
	Paper	Electronic	Website
Contact details available on the company's website http://www.eastcoast.co.uk/about-us/contact/			✓
Corporate Governance Summary containing information on: - East Coast business - Wider corporate governance - Organisational structures and processes - Business planning and budgets - Financial Framework - Internal Control and Risk Management http://www.eastcoast.co.uk/about-us/			✓
Summary Guide to East Coast containing information on: - Ownership - Key facts on East Coast services - The vision, values and goals - Commitment to customers - Commitment to performance - Future expectations http://www.eastcoast.co.uk/about-us/			✓
Any legislation relevant to East Coast can be accessed from the Office of Public Sector Information (OPSI) website at: http://www.opsi.gov.uk/acts.htm			✓

Class 2 – What we spend and how we spend it

Financial information relating to predicted and annual income and expenditure, tendering, procurement and contracts

Information	Format		
	Paper	Electronic	Website
Annual report and accounts available after filing at Companies House			✓
Information on business planning and budgets and financial framework – see Corporate Governance Summary (see above); see also Financial Framework http://directlyoperatedrailways.co.uk/html/corporate-governance.php			✓
Procurement and Contracts: - Investment Approval Process - Procurement Procedure - Supplier Accreditation Procedure	✓		
East Coast procures in compliance with EU legislation. OJEU notices for contracts which are above the threshold for these to be required are published on Tenders Electronic Daily at: http://ted.europa.eu/			✓
Some contracts are procured through Link Up, a UK rail industry supplier qualification scheme which provides a single common registration, qualification and audit process for suppliers that is shared by the UK rail industry. Information on this is available at: http://www.achilles.com/en/uk/sectors/transport/rail-industry/			✓

Class 3 – What our priorities are and how we are doing

Strategies and plans, performance information, assessments, inspections and reviews

Information	Format		
	Paper	Electronic	Website
Answers provided by the Department for Transport to Parliamentary Questions relevant to East Coast are available from the Hansard website at: http://www.publications.parliament.uk/pa/pahansard.htm			✓
Regulated by Office of Rail Regulation: Information available at: http://www.rail-reg.gov.uk/server/show/nav.1			✓
East Coast Passenger's Charter: http://www.eastcoast.co.uk/about-us/passengers-charter1/			✓
Passenger ratings included in National Passenger Survey published by Passenger Focus at: http://www.passengerfocus.org.uk/			✓

Performance Delivery Reporting information published on the company's website at: http://www.eastcoast.co.uk/howarewedoing			✓
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Class 4 - How we make decisions

Policy proposals and decisions, decision making processes, internal criteria and procedures, consultations

Information	Format		Website
	Paper	Electronic	
Any public consultation carried out by East Coast will be available via the East Coast website: http://www.eastcoast.co.uk			✓

Class 5 - Our policies and procedures

Current written protocols for delivering our functions and responsibilities

Information	Format		Website
	Paper	Electronic	
Community Support Policy http://www.eastcoast.co.uk/about-us/Community-Support/			✓
Environmental Policy Statement by The Managing Director http://www.eastcoast.co.uk/documents/pdfs/vision%20and%20policies/environmentpolicy.pdf			✓
Safety Arrangements Statement by the Managing Director http://www.eastcoast.co.uk/documents/pdfs/vision%20and%20policies/safetyarrangements.pdf			✓
Summary of the latest Safety Plan http://www.eastcoast.co.uk/about-us/inside-east-coast/			✓
Travel, Entertaining and Expenses Policy http://www.eastcoast.co.uk/documents/pdfs/vision%20and%20policies/travelentertaining.pdf			✓

Class 6 - Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of the authority

Information	Format		
	Paper	Electronic	Website
The Services Agreement with the Department for Transport is published by the Department for Transport at: http://www.dft.gov.uk/			✓

Class 7 - The Services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services we offer.

Information	Format		
	Paper	Electronic	Website
Information on services available from the company's website at: http://www.eastcoast.co.uk			✓

Requests for information

Information held by East Coast that is not published under this scheme can be requested when its provision will be considered in accordance with the provisions of the Freedom of Information Act (2000), the Environmental Information Regulations (2004) ("EIR") or the Data Protection Act (1998). Other than for requests under the Data Protection Act, all requests for information or queries should be addressed to The Company Secretary (East Coast) via enquiries@directlyoperatedrailways.co.uk or, by post to the Company Secretary (East Coast), East Coast Mainline Limited, 4th Floor, One Kemble Street, London WC2B 4TS. The section below headed "Data Protection Act (1998)" details how to submit under the Act requests.

Requests made under the Freedom of Information Act (2000) and under the Data Protection Act (1998) must be made in writing. Requests under the EIR can also be made orally. You should include the following with any type of request:

- Name and address for correspondence
- A clear statement of the information you are requesting
- A contact telephone number in case we need to discuss your request
- The format in which you wish to receive your information.

You may request any information held by or on behalf of East Coast and recorded in any format. This includes paper records, information held on computers, other electronically held information, plans, maps and photographs.

You are entitled to the information contained in documents, not to the documents themselves. However, where appropriate and convenient we may choose to provide a copy of the document rather than extracting the information from it.

You will be able to ask for assistance if you have difficulty in making an application. We are not required to provide the advice you request unless we have a clear and understandable request

with enough detail to locate the information and a name and address so we can respond to your request. Some documents may include information which is exempt from disclosure and in those cases you will only receive information which is not exempt.

In some circumstances, information may only be available to view in person at East Coast's premises. In these cases, contact details will be provided and an appointment to view the information will be arranged within a reasonable timescale. If it is not reasonably possible for an individual to view the information in person, every reasonable effort will be made to find an alternative way of communicating the information.

Environmental Information

If your request is wholly or partly for "environmental information" we are required to treat that part of your request as a request under the EIR.

Environmental Information means any information in written, aural, electronic or other material form on:

- (a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
- (b) factors such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a);
- (c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements;
- (d) reports on the implementation of environmental legislation;
- (e) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in (c); and
- (f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment referred to in (a) or, through those elements, by any of the matters referred to in (b) and (c).

Data Protection Act (1998)

If your request is wholly or partly for personal information about yourself that is held by East Coast, we are required to treat that part of your request as a "subject access request" under the Data Protection Act (1998).

You can make a subject access request under the Data Protection Act (1998) to find out if we hold any personal information about you by writing to The Information Governance & Prosecution Manager via enquiries@directlyoperatedrailways.co.uk or, by post to the Information Governance & Prosecution, East Coast Mainline, 1st Floor north, East Coast House, 25 Skeldergate, York, YO1 6DH.

You will need to provide two forms of identification to us or otherwise satisfy our reasonable requirements for proof of identity as we think fit. There is a fee of £10 for the provision of such information.

If we do hold personal information about you, we will let you have a copy of the information in an intelligible form and if you wish:

- Give you a description of it
- Tell you why we are holding it
- Tell you to whom it could be disclosed

What we will do when we receive your request

We will acknowledge your request as soon as we can. If it should be dealt with under the Environmental Information Regulations (2004) or the Data Protection Act (1998) instead of or as well as the Freedom of Information Act (2000), we will let you know. We will inform you if we require further information in order to identify and locate the information you have requested.

If East Coast does not hold the information requested, we will consider whether it may be appropriate to transfer your request to another public authority. In doing so, we will follow the guidance in the FOI Code of Practice.

If you make a subject access request under the Data Protection Act (1998), we will send you an acknowledgement and let you know if we need a fee or any additional information. Once we have all the information we need from you, we will search through the relevant records and collate the information.

If third parties are named in information which you have requested, we may need to consult them and consider their views before deciding whether it can be released. Our obligations to deal with requests for information under the Data Protection Act (1998) are limited to what is proportionate in the circumstances.

We are obliged to comply with our Freedom of Information Act (2000) obligations promptly and (subject to limited exceptions) within 20 working days from the date when we receive your request. If we need to ask you for clarification of the request, the 20 working day period does not start until the clarification is received.

Subject access requests under the Data Protection Act (1998) will receive a response within 40 calendar days. If we need to ask you for clarification of the request, the 40 working day period does not start until the clarification is received.

If, in the limited circumstances where we are permitted to do so, we need to extend the timescale to give proper consideration to the request, we will inform you of this.

If information is available under the publication scheme we are not obliged under the Freedom of Information Act (2000) to provide this to you on written request because it is deemed to be already reasonably accessible to you. If this applies, we will respond to your request by explaining how you can access the information.

There are circumstances in which the Freedom of Information Act (2000) obligations will not apply. We are not obliged to comply with repeated or vexatious requests. If your requests or correspondence are reasonably deemed by us to be harassing our staff or obsessive they may be considered vexatious. We are also not obliged to deal with requests that exceed the cost limit. The Freedom of Information Act (2000) contains a number of exemptions from disclosure of

information and some of these exemptions involve the application of a public interest test. If your request is refused, our reply will identify which exemption we are relying on and, where applicable, we will explain why we have decided that the public interest in withholding the information outweighs the public interest in disclosure.

If your request relates to a person/company/organisation other than yourself or where disclosure of the information you are requesting could affect the interests of another person, we may need to consult that third party and consider their views before responding to your request.

If you express a preference for receiving a copy of the information requested, or a digest/summary or for being given the opportunity to inspect the records containing the information, we are obliged to accommodate your preference unless it is not reasonably practicable for us to do so. When requesting information to be provided in a particular format you should take into account the cost of supplying the information in this format, which may take the cost of the request over the cost limit.

Information will be provided in the language in which it is held.

Charges for supplying information

There may be a charge for information published under the publication scheme, depending on how you obtain it. There is no charge by us if you print off information that appears on our website, although you may have to meet any charges by your internet service provider, personal printing costs etc. If you do not have Internet access, single printouts will be available from East Coast's Company Secretary free of charge. However, requests for multiple printouts, or for archived copies or documents that are no longer available on the Internet may attract a charge for the cost of providing them. We will let you know at the time of your request the payment which will be required in advance of supplying the information.

There may also be a charge for information provided in response to a request for information. If it will cost more than £450 for East Coast to respond to a request for information, then we need not comply with it. The cost limit covers the time taken to locate, retrieve and extract material, calculated at £25 per hour. It does not cover the time taken to consider whether exemptions apply. Complying with requests that will cost more than £450 is discretionary.

We will not charge a fee for responding to requests where the costs are less than the £450 limit but we may charge the full costs of disbursements (for example photocopying, printing and postage).

If the request will be subject to a charge, we will inform you and we do not have to provide the information if you fail to pay within three months.

If you want to re-use or reproduce our publications, you will in most cases need to apply for a licence to: The Company Secretary (East Coast) via enquiries@directlyoperatedrailways.co.uk or, by post to the Company Secretary (East Coast), East Coast Mainline, 4th Floor, One Kemble Street, London WC2B 4TS.

How to complain about our response to a request

If you are not satisfied with the response you receive to a request for information, you should contact the Company Secretary via enquiries@directlyoperatedrailways.co.uk or by post to the Company Secretary (East Coast), East Coast Mainline, 4th Floor, One Kemble Street, London WC2B 4TS. That person will arrange for your complaint to be considered and the response to your request to be reviewed. Our relevant complaint policy is available at <http://www.eastcoast.co.uk/>. Complaints will be dealt with within 20 working days of receipt.

You will be informed of the outcome of the review. If you are not satisfied with the outcome of the review, you may appeal to the Information Commissioner. The Information Commissioner's Office can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or 01625 545745 or 08456 30 60 60.

Comments

If you want to make any comments about this publication scheme or if you require further assistance, please contact The Company Secretary (East Coast) via enquiries@directlyoperatedrailways.co.uk or, by post to the Company Secretary (East Coast), East Coast Mainline, 4th Floor, One Kemble Street, London WC2B 4TS

