



Freedom of Information Policy and Publication Scheme

Approval body:	NEAT Active Ltd. Board of Directors, which may be delegated
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Statutory policy	No
Publish on website	Yes – Benfield Sports Centre

Review Date	
Frequency	Next Review Due
Annually	December 2024 (or earlier if new guidance or legislation issued and/or business need for earlier review identified)

Version Control:

Author	Date	Version	Status	Notes
Head of Governance and Policy (SH)	15/12/23	1.0	Final	New policy approved by NEAT Active Ltd Board of Directors based on Information Commission Officer's guidance for wholly-owned public sector companies.

1 Purpose

The purpose of this policy is to set out how we are clear and proactive about information we routinely make public and how we deal with requests for information that is not published under our publication scheme.

2 Scope

The policy applies to NEAT Active Ltd only. It does not apply to our parent company, NEAT Academy Trust, which has its own policy.

This publication scheme sets out:

- the classes of information which we publish or intend to publish;
- the way in which the information will be published; and
- whether the information is available free of charge or on payment.

3 Policy statement

We acknowledge that as a company wholly owned by a public sector organisation we should be proactive about the information that is available to the public. We commit to:

- proactively publish, or otherwise make available as a matter of routine, information which is held by the company and falls within the classes of information described below;
- produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public;
- review and update on a regular basis the information made available under this scheme;
- produce a schedule of any fees charged for access to information which is made proactively available; and
- make this publication scheme available to the public.

4 Legal considerations

This policy and publication scheme takes into account the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). Requests for environmental information will be handled under the EIR; requests for all other information will be handled under the FOIA. It conforms to the model Information Publication Scheme for wholly-owned companies approved by the Information Commissioner's Office.

5 Roles and responsibilities

- **NEAT Active Ltd. Board of Directors:** The Board will review this policy and monitor its effectiveness.
- **NEAT Data and Information Governance Manager:** The Trust's Data and Information Governance Manager is responsible for responding to a request for information not published under this scheme on behalf of the company.
- **Data Protection Officer:** We have appointed Veritau as our DPO. Veritau's contact details are follows:

Schools Data Protection Officer
Veritau
West Offices
Station Rise
York
YO1 6GA
schoolsDPO@veritau.co.uk// 01904 554025



The DPO is a statutory position and operates in an advisory capacity. Duties include providing advice and guidance in responding to FOIA and EIR requests.

6 Classes of information published and how it is made available

The publication scheme is a guide to information which is currently published (or has recently been published) or which we will publish in the future. This is split into categories of information known as “classes” as set out in Appendix 1.

The classes of information will not generally include:

- information that is prevented by law from being disclosed, or is exempt from disclosure under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure. This includes personal data protected by the Data Protection Act;
- information in draft form; or
- information that is no longer readily available as it is contained in files that have been placed in archive storage, or it is difficult to access for similar reasons.

Appendix 1 also sets out how the information is published. Where it is within the company’s capability, the information is available either on the NEAT Academy Trust website or on the Benfield Sports Centre website which are available at:

- NEAT Academy Trust (NEAT): <http://www.neat.org.uk>
- Benfield Sports Centre: <https://www.benfieldsportscentre.co.uk/>

Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the relevant website, the published information can be provided in paper form. The contact details to request published information in paper form are:

Data and Information Governance Manager
NEAT Academy Trust (NEAT)
E-mail: information.governance@neatat.org.uk
Telephone: 0191 2284090

Registered Office for NEAT Academy Trust and NEAT Active Ltd: 1 Hedley Court, Orion Business Park, North Shields, Tyne and Wear NE29 7ST

In exceptional circumstances some information may be available only by viewing in person. Where relevant, you should use the above contact details to contact the company. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where we are legally required to translate any information, we will do so. Obligations under equality legislation and any other legislation to provide information in other forms and formats will be adhered to when we provide information in accordance with this scheme.

7 Paying for information

Information that we publish on NEAT Academy Trust's and/or Benfield Sports Centre's website is free.

Information that we provide in paper form will be subject to the schedule of charges in Appendix 2, which will include photocopying costs and any postage and packing costs or costs directly incurred as a result of viewing information.

If a charge is to be made, we will confirm the payment due before the information is provided. Payment may be requested before we provide the information.

8 Requests for information not published under this scheme

Information that we hold but do not publish under this scheme can be requested. We will consider whether to provide this under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR).

Requests should be made to:

Data and Information Governance Manager

NEAT Academy Trust (NEAT)

E-mail: information.governance@neatat.org.uk

Telephone: 0191 2284090

Registered Office for NEAT Academy Trust and NEAT Active Ltd: 1 Hedley Court, Orion Business Park, North Shields, Tyne and Wear NE29 7ST

Under FOI, anyone can request access to general recorded information we hold. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. To comply with the Code of Practice under section 45 of the Act, requests must:

- be in writing;
- provide the name or company name and contact address or email address (we will not consider requests that require us to click on electronic links);
- describe the information being requested (and ideally confirm the preferred format the information is to be provided in).

Under EIR, requests can be made verbally, however we will endeavour to follow them up in writing with the requestor to ensure accuracy. Requests must:

- provide the name or company name and contact address or email address (requests that require the recipient to click on electronic links will not be considered);
- describe the information being requested (and ideally confirm the preferred format the information is to be provided in).

Each request received will be acknowledged within 5 working days.

Under the FOIA we are usually required to confirm or deny whether we hold the information and if so to provide the information unless there is a good reason not to do so.

The Data and Information Governance Manager will on behalf of the company:

- consider whether the request is for environmental information or not, and deal with it under the appropriate legislation;
- decide whether the requested information is held;
- locate, retrieve or extract the information;

- consider whether any exemption might apply, and the balance of the public interest test;
- prepare the material for disclosure and draft the response;
- seek any necessary approval for the response; and
- send the response to the requester.

The NEAT Academy Trust Head of Business Services will on behalf of the company jointly consider with the Data and Information Governance Manager all requests where a public interest test is applied or where there is any doubt whether an exemption should be applied. In applying the public interest test they will:

- document clearly the benefits of both disclosing or withholding the requested information;
- where necessary seek guidance from previous cases in deciding where the balance lies; and
- consult the DPO.

Reasons for disclosing or not disclosing will be reported to the next Board of Directors meeting.

In some cases we may withhold information in relation to a request if one or more of the 24 exemptions within the FOIA apply. This could mean that certain information is not released in response to a request or is not published.

Where an exemption is not 'absolute', we will consider whether the public interest in withholding the information is outweighed by the public interest in the disclosure.

We may refuse a request if:

- the information is not held;
- it would cost too much or take too much staff time to deal with the request;
- the request is vexatious; or
- the request repeats a previous request from the same person.

The timeframe for responding to requests under FOIA/EIR is 20 business working days. The timeframe that applies will be confirmed in the acknowledgement of your request. If we claim an extension to consider the public interest test then we will notify you of this in writing within 20 business working days. Under EIR, if we consider the request to be particularly voluminous or complex and we wish to apply an additional 20 business working days, we will confirm this in writing within the first 20 days.

When estimating the cost of compliance, we will take into account the cost of the following activities:

- determining whether we hold the information;
- finding the requested information, or records containing the information;
- retrieving the information or records; and
- extracting the requested information from records.

Staff time is rated at £25 per person per hour, regardless of who does the work, including external contractors. This means a limit of 18 staff hours as a statutory limit of £450 applies.

Where the cost is less than £450, we can only charge for the following (and excluding staff time):

- reproducing any document containing the information e.g. printing or photocopying;
- postage and other forms of transmitting the information;

- complying with section 11 of FOIA where the applicant has expressed a preference for the means of communication and where this is reasonably practicable.

These costs are referred to as 'communication costs' or disbursements and are limited to expenses actually incurred.

We will take reasonable steps to inform enquirers if any third party might have a copyright or intellectual property interest in information provided in response to their requests. However, it will be the enquirer's responsibility to ensure that any information we provide is not re-used in a way that infringes those interests, whether or not any such warning has been given.

9 Complaints

Complaints in relation to FOI and EIR will be processed as an internal review request and should be made within 40 working days from the applicant receiving the original response. After that time, we are not obliged to respond to the request for a review.

An internal review should be requested by email to:

information.governance@neatat.org.uk

or in writing to:

NEAT Active Ltd, Hedley Court, Orion Business Park, North Shields, Tyne and Wear NE29 7ST

We will liaise with our DPO, where necessary, for advice and guidance.

An internal review will be dealt with by an appropriate member of staff who did not have any involvement in the original request. They will examine how the request was handled and the initial response, whether the relevant information was identified, and decide whether it was dealt with appropriately, according to legislative requirements. The reviewing officer will also decide whether to uphold or overturn the decisions to withhold information. A full response will usually be provided within 20 business working days.

There may be circumstances where we require more time to complete an internal review, for example if we need to address complex issues, consult with third parties or consider substantial amounts of information. In these circumstances we will inform the requestor that we will need more time and provide a reasonable target date. This will usually be no more than an additional 20 working days, unless there are legitimate reasons why a longer extension is necessary.

If an individual remains dissatisfied after we have concluded our internal review they may appeal to the Information Commissioner's Office. Their contact details are below:

- Phone: 0303 123 1113 or via their live chat. Their normal opening hours are Monday to Friday between 9am and 5pm (excluding bank holidays).
- You can also report, enquire, register and raise complaints with the ICO using their web form on [Contact us | ICO](#).

We will use any data which is recorded from internal reviews to identify potential weaknesses in our procedures and to help us improve our performance where necessary.

General

This policy is at the discretion of the company and can be varied at any time. In the event of any conflict with primary legislation or statutory regulations, the legal provisions will have precedence over this procedure in all cases.

Appendix 1 – Classes of information published and how it is made available

Information to be published	How the information can be obtained	Cost – see Appendix 2
Class 1 - Who we are and what we do		
Organisational information, structures, locations and contacts. This will be current information only.		
Ownership of the company	NEAT Academy Trust website	Free unless paper copy requested
Articles of Association	NEAT Academy Trust website	Free unless paper copy requested
Board membership: responsibilities and biographical details of board members	NEAT Academy Trust website	Free unless paper copy requested
Location and contact details	NEAT Academy Trust website and Benfield Sports Centre website	Free unless paper copy requested
Class 2 – What we spend and how we spend it		
Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit. Current and previous financial year.		
Financial reports and budgets	Paper copy from company	Cost - see Appendix 2
Independent auditor's report (part of the Annual Report and Accounts)	NEAT Academy Trust website	Free unless paper copy requested
Annual Accounts	NEAT Academy Trust website	Free unless paper copy requested
Procurement Policy (part of NEAT Group Financial Handbook)	NEAT Academy Trust website	Free unless paper copy requested
Directors' and Governors' Allowances Policy	NEAT Academy Trust website	Free unless paper copy requested
Total allowances and expenses that have been paid to individual non-executive directors (part of Annual Report and Accounts)	NEAT Academy Trust website	Free unless paper copy requested
Class 3 – What our priorities are and how we are doing		
Strategies and plans, performance indicators, audits, inspections and reviews. Current and previous 3 years.		
Strategic and business plans, aims and objectives	Paper copy from company	Cost - see Appendix 2
Annual Report	NEAT Academy Trust website	Free unless paper copy requested
Customer surveys	Paper copy from company	Cost - see Appendix 2
Impact assessments (in full or summary format): <ul style="list-style-type: none"> • Data protection • Equality 	Paper copy from company	Cost - see Appendix 2

Information to be published	How the information can be obtained	Cost – see Appendix 2
<ul style="list-style-type: none"> Health and safety 		
Class 4 – How we make decisions		
Decision making processes and records of decisions. This will be current information and previous two years.		
Delegation Framework (including the decisions delegated by the Board of Directors)	NEAT Academy Trust website	Free unless paper copy requested
Agendas of meetings of the board	Paper copy from company	Cost - see Appendix 2
Minutes of meetings of the board (excluding information that is classified as confidential and once these are agreed by the relevant body)	Paper copy from company	Cost - see Appendix 2
Class 5 – Our policies and procedures		
Current written protocols, policies and procedures for delivering our services and responsibilities. This will be current information only.		
Policies and procedures for conducting business: <ul style="list-style-type: none"> NEAT Group Code of Conduct for Governance Volunteers 	Benfield Sports Centre website	Free unless paper copy requested
NEAT Group Information governance policies including: <ul style="list-style-type: none"> Data Protection Information Security Records Management and Retention 	Benfield Sports Centre website	Free unless paper copy requested
NEAT Active Ltd Freedom of Information Policy and Publication Scheme	Benfield Sports Centre website	Free unless paper copy requested
NEAT Active Ltd Equality, Diversity and Inclusion Policy	Benfield Sports Centre website	Free unless paper copy requested
NEAT Group Safeguarding Policy Statement NEAT Active Ltd Safeguarding Policy	Benfield Sports Centre website	Free unless paper copy requested
NEAT Group Health and Safety Policy Statement NEAT Active Ltd Health and Safety Policy	Benfield Sports Centre website	Free unless paper copy requested
NEAT Active Ltd Complaints Policy and Procedure	Benfield Sports Centre website	Free unless paper copy requested
Class 6 – Lists and Registers		
Currently maintained lists and registers only (this does not include the attendance register).		
Location of any overt CCTV surveillance cameras	Paper copy from company	Cost - see Appendix 2
Disclosure logs	Paper copy from company	Cost - see Appendix 2
Register of interests for board members	Paper copy from company	Cost - see Appendix 2
Asset register	Paper copy from company	Cost - see Appendix 2

Information to be published	How the information can be obtained	Cost – see Appendix 2
Information asset register	Paper copy from company	Cost - see Appendix 2
Register of gifts and hospitality provided to board members	Paper copy from company	Cost - see Appendix 2
Class 7 – The services we offer		
Current information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses.		
Details of our services	Benfield Sports Centre website	Free unless paper copy requested
Corporate communications and media releases	Benfield Sports Centre website	Free unless paper copy requested

Appendix 2 – Schedule of charges

Type of charge	Cost	Basis of charge
Photocopying	1p per A4 sheet black and white	Actual copy charge
	4p per A4 sheet colour	
	5p per A3 sheet black and white	
	10p per A3 sheet colour	
Postage and packing	Royal Mail 2 nd class Any specialist packing required due to volume of paper copies	Actual postage charge Actual cost