



## **TransPennine Express Freedom of Information Act 2000 – Publication Scheme**

### **Publication scheme**

Welcome to TransPennine Express's Freedom of Information Publication Scheme. We are committed to transparency and making information easily accessible to the public.

This publication scheme outlines the types of information we are committed to publishing, how we will make that information available, and whether it is available free of charge or on payment.

Most of the information covered by our publication scheme will be made available on this website. If you require information in an alternative format, such as large print, audio, or easy read, please contact us and we will do our best to accommodate your request.

You can contact us about this document at [foia@tpexpress.co.uk](mailto:foia@tpexpress.co.uk)

### **About this publication scheme**

This publication scheme describes the classes or types of information that TransPennine Express is committed to publishing. It is not a list of individual publications, nor is it an exhaustive list of all the information we publish.

This scheme does not include information that we might apply a Freedom of Information Act exemption to, for example where we deem it to be commercially sensitive or where it constitutes personal data of people who wouldn't expect it to be disclosed.

Most TPE publications, including priced publications, are available online. Links to these publications are provided in the relevant sections below. If a publication is not available online, you can request a hard copy by emailing [foia@tpexpress.co.uk](mailto:foia@tpexpress.co.uk).

### **Charges which may be made for information published under this scheme**

In accordance with Section 19(2) of the Freedom of Information Act 2000, nearly all of our information can be accessed from this website free of charge. Charges may be made for actual disbursements incurred, such as:

- Photocopying – we may charge a fee for photocopying documents
- Postage and packaging – we may charge for the cost of postage and packaging if you request hard copies of documents
- The costs directly incurred as a result of viewing information

How fees are determined:

- We will calculate fees based on our actual costs for providing the information.
- We will inform you of the fee before providing the information.
- We may request payment in advance.

### **Feedback and complaints about the scheme**

We value your feedback on our publication scheme. We welcome your thoughts on how we can make our scheme more user-friendly, what information is most useful to you, and what information you

would like to see included in the future.

If you have any feedback, good or bad, about our publication scheme, please contact us at:  
[foia@tpexpress.co.uk](mailto:foia@tpexpress.co.uk)

## 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
How to contact TransPennine Express: <a href="https://www.tpexpress.co.uk/help/contact-us">https://www.tpexpress.co.uk/help/contact-us</a>			√
How TransPennine Express is performing and our company policies:  <a href="https://www.tpexpress.co.uk/about-us">https://www.tpexpress.co.uk/about-us</a>  <a href="https://www.tpexpress.co.uk/about-us/passengers-charter/performance-transparency">https://www.tpexpress.co.uk/about-us/passengers-charter/performance-transparency</a>  <a href="https://www.tpexpress.co.uk/about-us/policies">https://www.tpexpress.co.uk/about-us/policies</a>			√
Any legislation relevant to TPE can be accessed from the National Archives website at: <a href="http://www.legislation.gov.uk">http://www.legislation.gov.uk</a>			√

### 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
You can access our annual reports and accounts on the Companies House website once they are officially filed: <a href="https://find-and-update.company-information.service.gov.uk/company/12544930">https://find-and-update.company-information.service.gov.uk/company/12544930</a>			√
Procurement and Contracts: - Investment Approval Process - Procurement Procedure - Supplier Accreditation Procedure  Available upon request via the Freedom of Information Act at <a href="mailto:foia@tpexpress.co.uk">foia@tpexpress.co.uk</a>		√	
TPE procures in compliance with UK legislation.  You can find information about Public Sector procurement policy at: <a href="https://www.gov.uk/guidance/public-sector-procurement-policy">https://www.gov.uk/guidance/public-sector-procurement-policy</a>  Notices for contracts which are above the threshold for these to be required are published on the Find a Tender service at: <a href="https://www.find-tender.service.gov.uk/">https://www.find-tender.service.gov.uk/</a>			√

For some contracts, we use RISQS, the Railway Industry Supplier Qualification Scheme. RISQS is a shared system used by the UK rail industry to ensure suppliers meet high standards. It simplifies the registration, qualification, and audit process. You can learn more about RISQS and how it works on their website: <a href="http://www.risqs.org/">http://www.risqs.org/</a>			√
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**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 TPE are available from the Hansard website at: <a href="https://www.parliament.uk/business/publications/">https://www.parliament.uk/business/publications/</a>			√
Information published by our regulator, the Office of Rail and Road: <a href="http://orr.gov.uk/rail/publications">http://orr.gov.uk/rail/publications</a>			√
TPE Passenger's Charter: <a href="https://www.tpexpress.co.uk/-/media/TPE-CX-Passenger-Charter-June-2023-Final.pdf">https://www.tpexpress.co.uk/-/media/TPE-CX-Passenger-Charter-June-2023-Final.pdf</a>			√
Passenger ratings included in National Passenger Survey published by Transport Focus at: <a href="https://www.transportfocus.org.uk/">https://www.transportfocus.org.uk/</a>			√
Performance Delivery Reporting information published on the company's website at: <a href="https://www.tpexpress.co.uk/about-us/passengers-charter/performance-transparency">https://www.tpexpress.co.uk/about-us/passengers-charter/performance-transparency</a>			√

#### **Class 4 - How we make decisions**

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

Information	Format		
	Paper	Electronic	Website
Any public consultation carried out by us will be available via the TPE website: <a href="http://www.tpexpress.co.uk">www.tpexpress.co.uk</a>			√

#### **Class 5 - Our policies and procedures**

Current written protocols for delivering our functions and responsibilities

Information	Format		
	Paper	Electronic	Website
A number of our policies are published at: <a href="https://www.tpexpress.co.uk/about-us">https://www.tpexpress.co.uk/about-us</a>			√

#### **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 (DfT) will be published on their website: <a href="https://www.gov.uk/government/organisations/department-for-transport">https://www.gov.uk/government/organisations/department-for-transport</a>			√

## Requests for information not already published

If you can't find the information you need on our website or through this publication scheme, you can make a request under the Freedom of Information Act (2000) (FOIA) or the Environmental Information Regulations 2004 (EIR).

### How to Make a Request:

To make a request, please email us at foia@tpexpress.co.uk and tell us what information you are looking for.

- FOIA Requests: Must be made in writing.
- EIR Requests: Can be made in writing or orally.

### Your request should include:

- Your name
- Your email address
- Your postal address
- A clear description of the information you are requesting
- The format you would like to receive the information in (e.g., paper, electronic)
- A contact telephone number (optional, but helpful)

### Types of Information Available:

You can request any information held by or on behalf of TPE, regardless of the format. This includes:

- Paper records
- Information stored on computers
- Other electronically held information
- Plans
- Maps
- Photographs

You have the right to access the information within documents, not necessarily the documents themselves. However, we may provide a copy of a document if it's appropriate and convenient.

### Assistance and Exemptions:

We are committed to helping you access information. We will provide advice and assistance if you have difficulty making a request. Please note that we can only process clear and understandable requests with enough detail to locate the information.

Some information may be exempt from disclosure under FOIA or the EIRs. In these cases, you will only receive information that is not exempt.

### Accessing Information in Person:

In some cases, you may need to view information in person at TPE's premises. We will provide contact details and arrange an appointment for you to view the information within a reasonable timeframe. If you cannot view the information in person, we will make every effort to find an alternative way to provide you with the information.

### Timeframes and Fees:

We will respond to FOIA requests within 20 working days and to EIR requests within 20 working days, unless an extension is required. In some cases, we may need to extend this time limit to consider

whether releasing the information is in the public interest. If an extension is necessary, we will inform you as soon as possible. Fees may apply for accessing certain information, such as photocopying charges.

## Environmental Information

If your request involves "environmental information," we will handle it according to the Environmental Information Regulations (EIRs).

### What is Environmental Information?

Environmental information covers a wide range of data relating to the environment and its impact on people. This includes information on:

- **The natural environment:** This includes the air, water, soil, land, landscapes, natural sites (like wetlands and coastal areas), and wildlife.
- **Pollution and waste:** This includes information about substances, energy, noise, radiation, emissions, discharges, and waste that can affect the environment.
- **Environmental protection:** This includes information about policies, laws, plans, programs, and activities designed to protect the environment.
- **Environmental reports:** This includes reports on how environmental laws are being implemented.
- **Economic factors:** This includes information about the costs and benefits of environmental measures.
- **Human health and safety:** This includes information about how the environment can affect human health, such as food chain contamination or the impact of pollution on living conditions.

### Examples of environmental information requests:

- Reports on air quality monitoring near a train station.
- Plans for managing waste from train maintenance depots.
- Assessments of the environmental impact of a new rail line.
- Noise pollution levels from train operations.

If you are unsure whether your request relates to environmental information, please contact us and we will be happy to assist you.

## What Happens When We Receive Your Request

Here's what you can expect when we receive your request for information:

1. **Acknowledgement:** We will acknowledge your request as soon as possible. If your request falls under the Environmental Information Regulations (2004) (EIRs) instead of or in addition to the Freedom of Information Act (2000) (FOIA), we will let you know.
2. **Clarification:** If we need more information to understand your request or to locate the information, we will contact you to ask for clarification. The 20-working-day timeframe for responding to your request will start once we have received satisfactory clarification.
3. **Transferring Requests:** If we do not hold the requested information, we will consider whether another public authority might have it. If appropriate, we will transfer your request to that authority, following the guidance in the FOI Code of Practice.
4. **Timeframes:** We are committed to responding to your request promptly and within the legal time limits:
  - a. **FOIA Requests:** We will respond within 20 working days of receiving your request (or clarification, if needed).
  - b. **EIR Requests:** We will respond within 20 working days of receiving your request (or clarification, if needed).
5. **Extensions:** In limited circumstances, we may need to extend the response time to consider your request fully, for example, to assess whether releasing the information is in the public interest. If an

- extension is necessary, we will inform you as soon as possible.
6. **Information Already Publicly Available:** If the requested information is already available through our publication scheme, we will direct you to where you can access it.
  7. **Repeated, Vexatious, or Costly Requests:** We are not obligated to comply with requests that are:
    - a. **Repeated or vexatious:** This includes requests that are harassing to our staff or obsessive in nature.
    - b. **Exceeding the cost limit:** The FOIA sets a limit on the cost of fulfilling requests.
  8. **Exemptions and the Public Interest:** The FOIA contains exemptions that allow us to withhold certain information. Some exemptions require us to consider the public interest. If we refuse your request, we will explain which exemption applies and, if relevant, why we believe the public interest favours withholding the information.
  9. **Third-Party Information:** If your request involves information about another person, company, or organisation, we may need to consult with them before responding.
  10. **Format of Information:** We will try to provide information in your preferred format (e.g., copy, summary, inspection of records) unless it is not reasonably practicable. Please be aware that requesting information in a specific format could affect the cost of fulfilling your request.
  11. **Language:** Information will be provided in the language in which it is held.
  12. **Re-using or Reproducing Information:** If you want to re-use or reproduce our publications, you will likely need to apply for a license. You can do so by contacting:
    - a. **Email:** [foia@tpexpress.co.uk](mailto:foia@tpexpress.co.uk)
    - b. **Post:** FOI Team, TPE, 7th Floor, Bridgewater House, 60 Whitworth Street, Manchester. M1 6LT. (Please note that responses to postal inquiries may take longer.)

We strive to be as open and transparent as possible. If you have any questions about making an information request, please do not hesitate to contact us.

### How to Complain About Our Response

If you are unhappy with our response to your information request, we encourage you to contact us first so we can try to resolve your concerns informally. We may be able to clarify our response or provide additional information.

- Contact us: You can reach us by:
  - Email: [foia@tpexpress.co.uk](mailto:foia@tpexpress.co.uk)
  - Post: FOI Team, TPE, 7th Floor, Bridgewater House, 60 Whitworth Street, Manchester. M1 6LT.

### How We Handle Internal Reviews

If, after contacting us, you are still not satisfied, you have the right to make a formal complaint, which we will treat as a request for an internal review.

### The Internal Review Process

The purpose of an internal review is to provide a fair and independent assessment of how we handled your request. The reviewer, who will be a senior member of staff not involved in the original request, will consider the following:

#### 1. Have We Complied with the Law?

- **Timeliness:** We are required to respond to requests within 20 working days. The reviewer will check if we met this deadline.
- **Information Held:** We must, in most cases, clearly state whether we hold the requested information. The reviewer will ensure we have accurately represented the information we hold.
- **"Neither Confirm Nor Deny":** In some limited cases, we may be unable to confirm or deny whether we hold information, as doing so could reveal sensitive details. The reviewer will assess the appropriateness of this approach.
- **Duty to Advise and Assist:** We have a responsibility to provide guidance and support to



requesters. This might involve explaining our position, suggesting alternative sources of information, or providing related information that might be helpful. The reviewer will determine if we have fulfilled this duty.

## 2. Was Refusal or Exemption Appropriate?

We can legitimately refuse to provide information on the following grounds:

- **Cost/Time Limit Exceeded:** The cost of retrieving and providing the information would exceed the legal limit (£450 or 18 hours of work).
- **Repeated or Vexatious Request:** The request is repetitive, excessive, or intended to cause disruption.
- **Exemptions Apply:** The information is exempt from disclosure under the FOIA or EIRs.

The reviewer will carefully examine whether any applied exemptions are appropriate and justified.

## 3. Was the Public Interest Properly Considered?

Many exemptions require us to weigh the public interest in disclosure against the public interest in withholding the information.

The reviewer will ensure that:

- Our public interest assessment is balanced and fair.
- We have given due weight to the general principle of openness and transparency.

### Appealing to the Information Commissioner

If you are still not satisfied after our internal review, you have the right to appeal to the Information Commissioner's Office (ICO), the UK's independent authority for upholding information rights.

You can contact the ICO at:

- **Address:** Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
- **Phone:** 0303 123 1113
- **Website:** <https://ico.org.uk/>