

Leasehold Advisory Service

Freedom of Information Act Publication Scheme

We want to help you resolve your data requests appropriately.

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1. Introduction

- 1.1. Pursuant to schedule 1 (VI) of the Freedom of Information Act, hereafter referred to as the 'Act', the Leasehold Advisory Service (LEASE) is not subject to the Act. LEASE therefore operates in the 'spirit' of the Act. This LEASE publication scheme has been prepared commensurate with the approved model by the Information Commissioner (Version 1.2). The model has been adopted without modification and with specificity, therefore requiring no further approval and will be valid until further notice.
- 1.2. This publication scheme commits LEASE to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by LEASE.
- 1.3. The scheme commits LEASE:
 - To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by LEASE and falls within the classifications below.
 - To specify the information which is held by LEASE and falls within the classifications below.
 - To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
 - To 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.
 - To review and update on a regular basis the information LEASE makes available under this scheme.

- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.
- To publish any data set held by LEASE that has been requested, and any updated versions it holds, unless LEASE is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and LEASE is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Act section 19.

1.4. The term 'dataset' is defined in section 11(5) of the Act. The term 'relevant copyright work' is defined in section 19(8) of the Act.

2. Classes of information

- 2.1. **Who we are and what we do:** Organisational information, locations and contacts, constitutional and legal governance. [Link.](#)
- 2.2. **What we spend and how we spend it:** Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.
- 2.3. **What our priorities are and how we are doing:** Strategy and performance information, plans, assessments, inspections and reviews. [Link.](#)
- 2.4. **How we make decisions:** Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations. [Link.](#)
- 2.5. **Our policies and procedures:** Current written protocols for delivering our functions and responsibilities.
- 2.6. **Lists and registers:** Information held in registers required by law and other lists and registers relating to the functions of LEASE. [Link.](#)
- 2.7. **The services we offer:** Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered. [Link.](#)

3. Exemptions

- 3.1. The classes of information will not generally include:
- Information the disclosure of which is prevented by law, is otherwise properly considered to be protected from disclosure, or exempt under the Act.
- 3.2. Specific exemptions are defined where:
- Information is used for personal activity.
 - Information is considered draft.
 - Information is not related to the services provided.
 - Information is subject to legal professional privilege.
 - Information is market research.
 - Information is not used for measures or decisions about customers.
 - Information is self-incriminating.

- Information that is no longer readily available as it is contained in files that have been placed in archive storage or is difficult to access for similar reasons.
- Information that is difficult to access and requires more than 2 working days to obtain.

3.3. Pursuant to section 14(1), LEASE reserves the right to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.

4. The method by which information published under this scheme will be made available

- 4.1.** LEASE will indicate clearly to the public what information is covered by this scheme and how it can be obtained.
- 4.2.** Where it is within the capability of LEASE, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, LEASE will indicate how information can be obtained by other means and provide it by those means.
- 4.3.** In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within 20 working days.
- 4.4.** Information will be provided in the language in which it is held or in such other language that is legally required. Where LEASE is legally required to translate any information, it will do so.
- 4.5.** Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

5. Charges which may be made for information published under this scheme

- 5.1.** The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by LEASE for routinely published material will be justified and transparent and kept to a minimum.
- 5.2.** Material which is published and accessed on a website will be provided free of charge.
- 5.3.** Charges may be made for information subject to a charging regime specified by Parliament.
- 5.4.** Charges may be made for actual disbursements incurred such as:
- Photocopying.
 - Postage and packaging.
 - Costs directly incurred as a result of viewing information.
- 5.5.** Charges may also be made for information provided under this scheme where legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by LEASE, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

- 5.6. Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Act, or with other statutory powers of LEASE.
- 5.7. If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information.
- 5.8. The cost of locating and retrieving information is not chargeable up to £400.

6. Written requests

- 6.1. All requests must be made to FOI@lease-advice.org. Requests to individuals will not be responded to.
- 6.2. Where provided, all correspondence should quote the FOI reference number.
- 6.3. LEASE will respond to written requests only within 20 working days.
- 6.4. Information held by LEASE that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Act.

7. Appeals

- 7.1. In accordance with section 3 of the Publication Scheme, a Refusal Notice will be issued.
- 7.2. A right of appeal against a Refusal Notice must be issued in writing stating the grounds for the appeal to: Senior Information Security Officer, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8AE.
- 7.3. Appeal decisions will be issued within 10 working days.
- 7.4. Complaints can be issued to: Data Protection Officer, Ministry of Housing, Communities and Local Government: Fry GNW, 2 Marsham Street, London, SW1P 4DF.
- 7.5. Complaints will be responded to within 15 working days.

Standard response template 1: Acknowledgement Letter

[*name*] [*address*]

FOI Ref No:

[*date*]

Dear [Mr/Mrs/Ms *applicant's name*]

Thank you for your email of [*date*] requesting the following information: [*repeat precisely those parts of the original request which described the information requested but omit any superfluous information in the request*].

I am treating your correspondence as a request for information under the Freedom of Information Act 2000. You should expect to receive a further reply within 20 working days from the day when your request was originally received.

All future correspondence should quote the FOI reference number and be sent to FOI@lease-advice.org

Yours sincerely

Leasehold Advisory Service (LEASE)

Standard response template 2: Issuance Letter

[*name*] [*address*]

FOI Ref No:

[*date*]

Dear [Mr/Mrs/Ms *applicant's name*]

Further to our acknowledge letter on [enter date] to your email of [*date*] requesting the following information: [*repeat precisely those parts of the original request which described the information requested but omit any superfluous information in the request*], please [*find below links to the information requested/note that the material has been send to the correspondence address provided*].

Yours sincerely

Leasehold Advisory Service (LEASE)

Standard response template 3: Fee Notice

[name] [address]

FOI Ref No:

[date]

Dear [Mr/Mrs/Ms applicant's name]

Thank you for your email of [date] requesting the following information: *[repeat precisely those parts of the original request which described the information requested but omit any superfluous information in the request]*.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000.

In accordance with section 5 of the Publication Scheme, this letter acts as a Fee Notice on the grounds that [enter the reasons].

The amount payable is [enter breakdown of costs]

Cost Type	Cost Description	Cost
[enter data]	[enter data]	
[enter data]	[enter data]	
[enter data]	[enter data]	
	Total	£000.00

Fees should be made payable to [enter NatWest Account and Sort Code Details], quoting the assigned FOI reference number. Payment confirmation should be send to: FOI@lease-advice.org

Upon confirmation of payment, the requested data will be compiled and published within 20 working days.

Yours sincerely

Leasehold Advisory Service (LEASE)

Standard response template 4: Refusal Notice

[*name*] [*address*]

FOI Ref No:

[*date*]

Dear [Mr/Mrs/Ms *applicant's name*]

Thank you for your email of [*date*] requesting the following information: [*repeat precisely those parts of the original request which described the information requested but omit any superfluous information in the request*].

I am treating your correspondence as a request for information under the Freedom of Information Act 2000.

In accordance with section 3 of the Publication Scheme, this letter acts as a Refusal Notice on the grounds that [*enter the exemption*].

You have the right of appeal against the decision. If you wish to appeal please set out in writing your grounds of appeal and send to:

Senior Information Security Officer, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8AE.

A decision on your appeal will be rendered and communicated in writing within 10 working days.

Complaints can made in writing to:

Data Protection Officer, Ministry of Housing, Communities and Local Government: Fry GNW, 2 Marsham Street, London, SW1P 4DF.

Complaints will be responded to within 15 working days.

Yours sincerely

Leasehold Advisory Service (LEASE)