



## **GUIDE TO INFORMATION AVAILABLE THROUGH THE MODEL PUBLICATION SCHEME**

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## Section 1: Introduction

The Freedom of Information (Scotland) Act 2002 (the Act) requires Scottish public authorities to adopt and maintain a publication scheme which has the approval of the Scottish Information Commissioner, and publish information in accordance with that scheme. The publication scheme must:

- publish the classes of information that the authority makes routinely available
- tell the public how to access the information and whether information is available free of charge or on payment.

Horsecross Arts has been designated as a Scottish Public Authority by an order made under section 5 of the Act, known as the Freedom of Information (Scotland) Act 2002 (Designation of Persons as Scottish Public Authorities) Order 2013.

Horsecross Arts has adopted the **Model Publication Scheme** which has been produced and approved by the Scottish Information Commissioner.

You can see this scheme on our [website](#). It is also available on the Scottish Information Commissioner's website at [www.itspublicknowledge.info/MPS](http://www.itspublicknowledge.info/MPS)

You can also contact us at the address below if you prefer a copy of the Model Publication Scheme, or this Guide to Information, to be provided in a different format. The purpose of the Guide to Information is to:

- allow the public to see what information is available (and what is not available) for Horsecross Arts Ltd in relation to each class in the Model Publication Scheme
- state what charges may be applied
- explain how to find the information easily
- provide contact details for enquiries and to get help with access to the information
- explain how to request information that has not been published.

Alongside the Act, the Environmental Information (Scotland) Regulations 2004 (the EIRs) provide a separate right of access to the environmental information that we hold. This guide to information also contains details of the environmental information that we routinely make available.

## Section 2: About Horsecross Arts Ltd

Horsecross Arts Ltd is a company limited by guarantee (company number 301328) and a registered Scottish charity (charity number SC022400). The company was incorporated in April 2006.

Horsecross Arts is governed by its Articles of Association. A Board of Directors administers the charity. The Board consists of a maximum of 12 Directors, 9 of

whom are independent directors and 3 elected members, nominated by Perth and Kinross Council. Perth and Kinross Council is its Sole Member.

The primary purposes of Horsecross Arts as set out in the Articles of Association are:

- To advance education by the encouragement of the performing arts by means of production, presentation, collection, exhibition, collaboration, education and training in the performing arts; and
- To run arts development and arts education programmes in theatre, music and new media public art in Perth and elsewhere which will promote and encourage creativity, skills development, social and personal development, social inclusion and lifelong learning but only as long as such activities are regarded as charitable in law.

Horsecross Arts is regulated by OSCR (Office of Scottish Charity Regulator).

Horsecross Arts operates Perth Theatre and Perth Concert Hall.

Perth Theatre re-opened in late 2017 following a £16.5m refurbishment. The drama programme, led by our Artistic Director, includes inhouse productions for stage, producing and touring. Our team is known for adventurous programming, unique commissions and critically acclaimed performances.

Perth Concert Hall hosts a year round programme of classical, contemporary and traditional music, comedy, dance, musicals, contemporary art, film, talks, arts workshops and hires spaces for conferences and events.

### **Section 3: Accessing Information Under the Scheme**

#### ***Availability and formats***

The information published through this Guide to Information is, wherever possible, available on our website. We offer alternative arrangements for people who do not want to, or cannot, access the information online or by inspection at our premises. For example, we can usually arrange to send information to you in paper copy (although there may be a charge for this – see “Section 5 – Our Charging Policy”).

Information in our Guide to Information will normally be available through the routes described below. “Section 10 – Classes of Information” provides more details on the information available under the Guide, along with additional guidance on how the information falling within each “class” may be accessed.

#### ***Online:***

Most information listed in our Guide to Information is available to download from our website. In many cases a link within “Section 10: Classes of Information” will direct

you to the relevant page or document. If you are having trouble finding any document listed in our guide, then for further assistance please contact:

Email: [foi@horsecross.co.uk](mailto:foi@horsecross.co.uk)

***By email:***

If the information you seek is listed in our Guide to Information but is not published on our website, we can send it to you by email, wherever possible.

When requesting information from us, please provide a telephone number so that we can telephone you to clarify details, if necessary.

***By phone:***

All information in the guide will be available in hard copy form eg paper copies. Hard copies of information can be requested from us over the telephone. Please call us to request information available under this scheme.

***By post:***

You can also request hard copies of any information in the Guide by post. Please address your request to **Freedom of Information, Horsecross Arts, Mill Street, Perth, PH1 5HZ.**

When writing to us to request information, please include your name and address, full details of the information or documents you would like to receive, and any fee applicable (see “Section 5: Our Charging Policy” for further information on fees). Please also include a telephone number so we can telephone you to clarify any details, if necessary.

***Personal visits:***

If you prefer to visit us to inspect the information, in limited cases you may be required to make an appointment to view the information. In such cases, this will be set out within “Section 10 – Classes of Information”, and contact details will be provided within the relevant class.

***Advice and assistance:***

If you have any difficulty identifying the information you want to access, then please contact us to help you.

***Exempt information***

We will publish all the information we hold that falls within the classes of information in Section 10. If a document contains information that is exempt under Scotland’s

freedom of information laws (for example sensitive personal information or a trade secret), we will remove or redact (black out) the information before publication and explain why.

#### **Section 4 Information that we may withhold**

All information covered by our Guide to Information can either be accessed through our website, or will be provided promptly following our receipt of your request.

Our aim in adopting the Commissioner's Model Publication Scheme and in maintaining this Guide to Information is to be as open as possible. You should note, however, that there may be limited circumstances where information will be withheld from one of the classes of information listed in "Section 10 – Classes of Information". Information will only be withheld, however, where the Act (or, in the case of environmental information, the EIRs) expressly permits it.

Information may be withheld, for example, where its disclosure would breach the law of confidentiality, harm an organisation's commercial interests, or endanger the protection of the environment.

Information may also be withheld if it is another person's personal information, and its release would breach the data protection legislation.

Whenever information is withheld we will inform you of this, and will set out why that information cannot be released. Even where information is withheld it will, in many cases, be possible to provide copies with the withheld information edited out. If you wish to complain about any information which has been withheld from you, please refer to "Section 8 – Contact details for enquiries, feedback and complaints".

#### **Section 5 Our Charging Policy**

Unless otherwise stated in "Section 10 – Classes of Information", all information contained within our scheme is available from us free of charge where it can be downloaded from our website or where it can be sent to you electronically by email.

We reserve the right to impose charges for providing information in paper copy or on computer disc. Charges will reflect the actual costs to Horsecross Arts of supplying the information to you, e.g. photocopying and postage, as set out below.

In the event that a charge is to be levied, you will be advised of the charge and how it has been calculated.

Information will not be provided to you until payment has been received.

There is no charge to view information on our website or at our premises.

### **Reproduction Charges**

We may charge for providing information to you e.g. photocopying and postage, but we will charge you no more than it actually costs us to do so. We will always tell you what the cost is before providing the information to you.

#### **Black & White Photocopying**

| <b>Size of Paper</b> | <b>Pence per sheet</b> |
|----------------------|------------------------|
| A4                   | 10p                    |
| A3                   | 20p                    |

#### **Colour Photocopying**

| <b>Size of Paper</b> | <b>Pence per sheet</b> |
|----------------------|------------------------|
| A4                   | 20p                    |
| A3                   | 40p                    |

#### **Alternative Formats**

| <b>Format</b>  | <b>Charge</b>          |
|----------------|------------------------|
| Computer Discs | £1.00 per CD-ROM / DVD |

#### **Postage Costs**

Postage costs may be recharged at the rate we paid to send the information to you. Our charge is for sending information by Royal Mail First Class.

When providing copies of pre-printed publications, we will charge no more than the cost per copy of the total print run.

We do not pass on any other costs to you in relation to our published information.

## **Section 6 – Our Copyright Policy Option**

Where Horsecross Arts holds the copyright in its published information, the information may be copied or reproduced without formal permission, provided that:

- it is copied or reproduced accurately
- it is not used in a misleading context, and
- the source of the material is identified

Where Horsecross Arts does not hold copyright in information we publish, we will make this clear.

## **Section 7: Records Management Policy**

Horsecross Arts regards its records as a major asset of the Company. Our records are one of the essential resources which support management in the efficient and effective fulfillment of its governance, business and legal responsibilities. Horsecross Arts Records Management Policy can be found in “Section 10 Classes of Information” - Class 5.

## **Section 8: Contact details for enquiries, feedback and complaints**

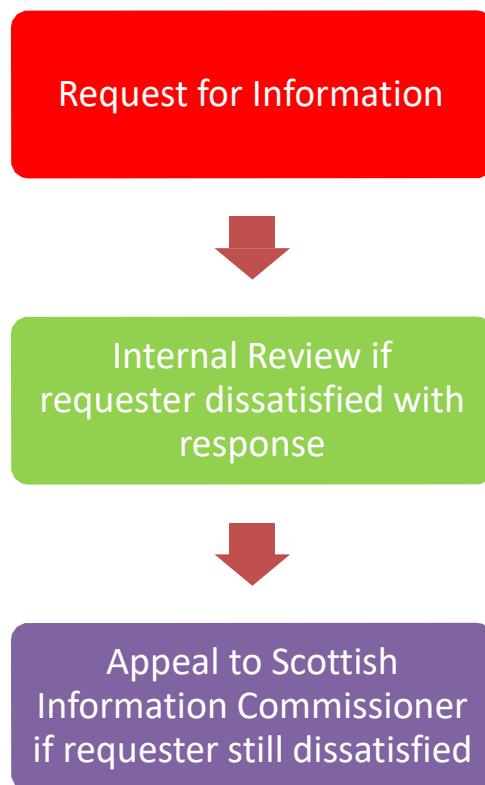
The Act requires that we review our publication scheme from time to time. As we have adopted the Model Publication Scheme, this means we will review our Guide to Information from time to time.

You have legal rights to access information under the Model Publication Scheme (as described in this Guide to Information) and a right of appeal to the Scottish Information Commissioner if you are dissatisfied with our response.

These rights apply only to information requests made in writing<sup>1</sup> or another recordable format. If you are unhappy with our responses to your request you can ask us to review it and if you are still unhappy, you can make an appeal to the Scottish Information Commissioner.

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<sup>1</sup> Verbal requests for environmental information carry similar rights



The Commissioner's website has a guide to this three step process, and operates an enquiry service on Monday to Friday from 9:00am to 5:00pm.

Contact details as follows:

**Scottish Information Commissioner**

Kinburn Castle  
Doubledykes  
Road St Andrews  
Fife, KY16 9DS  
Tel: 01334 464610  
Email: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)  
Website: [www.itspublicknowledge.info/YourRights](http://www.itspublicknowledge.info/YourRights)

All enquiries, feedback and complaints relating to this Guide to Information, or any other aspect of Freedom of Information, Data Protection and the EIRs should be directed to:

Freedom of Information  
Horsecross Arts  
Mill Street  
Perth, PH1  
5HZ  
T: 01738 472703  
E: [foi@horsecross.co.uk](mailto:foi@horsecross.co.uk)  
[www.horsecross.co.uk](http://www.horsecross.co.uk)



## **Section 9: How to Access Information which is not available in the Guide to Information**

If the information you are seeking is not available via the Model Publication Scheme (as described in this Guide) then you may wish to request it from us.

The Act provides you with a right of access to the information we hold, subject to certain exemptions. The EIRs separately provide a right of access to the environmental information we hold, while the Data Protection Act 1998 (DPA) provides a right of access to any personal information about you that we hold.

Again, these rights are subject to certain exceptions or exemptions. Should you wish to request a copy of any information that we hold that is not available under the Model Publication Scheme (and described in this Guide), please write to:

Freedom of Information  
Horsecross Arts  
Mill Street  
Perth, PH1  
5HZ  
T: 01783 472703  
E: [foi@horsecross.co.uk](mailto:foi@horsecross.co.uk)  
[www.horsecross.co.uk](http://www.horsecross.co.uk)

### **Charges for information which is not available under the scheme:**

The charges for information which is available under Horsecross Arts Guide to Information are set out under “Section 5 – Our Charging Policy”.

If you submit a request to us for information which is not available in this Guide the charges will be based on the following calculations:

General information requests:

- There will be no charge for information requests which cost us £100 or less to process.
- Where information costs between £100 and £600 to provide you may be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50 calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.
- We are not obliged to respond to requests which will cost us over £600 to process.
- In calculating any fee, staff time will be calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

- We do not charge for the time to determine whether we hold the information requested, nor for the time it takes to decide whether the information can be released. Charges may be made for locating, retrieving and providing information to you.
- In the event that we decide to impose a charge we will issue you with notification of the charge (a fees notice) and how it has been calculated. You will have three months from the date of issue of the fees notice in which to decide whether to pay the charge. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

### **Charges for environmental information:**

Environmental information is provided under the EIRs rather than the Act. The rules for charging for environmental information are slightly different.

We do not charge for the time to determine whether we hold the environmental information requested, or deciding whether the information can be released. Charges may be made for locating, retrieving and providing information to you eg photocopying and postage. In the event that we decide to impose a charge we will issue you with notification of the charge and how it has been calculated. The information will be provided to you on payment of the charge. If you decide not to proceed with the request there will be no charge to you.

Charges are calculated on the basis of the actual cost to Horsecross Arts of providing the information.

- Photocopying is charged at 10p per A4 sheet for black and white copying, 20p per A4 sheet for colour copying.
- Postage is charged at actual rate for Royal Mail First Class.
- Staff time is calculated at actual cost per staff member hourly salary rate to a maximum of £15 per person per hour.

The first £100 worth of information will be provided to you without charge.

Where information costs between £100 and £600 to provide, you will be asked to pay 10% of the cost. That is, if you were to ask for information that cost us £600 to provide, you would be asked to pay £50, calculated on the basis of a waiver for the first £100 and 10% of the remaining £500.

Where it would cost more than £600 to provide the information to you, however, we will ask you to pay the full cost of providing the information, with no waiver for any portion of the cost.

### **Charge for request for your own personal data**

The charge is a standard fee of £10.00 plus any reproduction and postage costs (both on the same basis as for FOI requests).

## **Section 10: Classes of Information**

### **The classes of information that we publish**

We publish all the information that we hold within the following classes. Once information is published under a class we will continue to make it available for the current and previous two financial years.

Where information has been updated or superseded, only the current version will be published. If you would like to see previous versions, you may make a request to us for that information.

The classes are:

Class 1: About Horsecross Arts

Class 2: How we deliver our functions and services

Class 3: How we take decisions and what we have decided

Class 4: What we spend and how we spend it

Class 5: How we manage our human, physical and information resources

Class 6: How we procure goods and services from external providers

Class 7: How we are performing

Class 8: Our commercial publications