

Freedom of Information Act 2000

Definition document for the House of Lords

This guidance gives examples of the kinds of information that we would expect the House of Lords (the House) to provide in order to meet its commitments under the model publication scheme. We would expect the House to make the information in this definition document available unless:

- it does not hold the information;
- the information is exempt under one of the Freedom of Information Act (FOIA) exemptions or Environmental Information Regulations (EIR) exceptions, or its release is prohibited under another statute;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

The guidance is not meant to give a definitive or exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and authorities should look to provide as much information as possible on a routine basis.

In relation to the classes of information there are two areas for consideration: the work undertaken by the Lords themselves and decisions made by the Clerk of the Parliaments about administrative and financial matters.

Publishing datasets for re-use

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and the public authority is the only owner, the public authority must make it

available for re-use under the terms of a specified licence. Datasets in which Parliament (the House of Lords) owns the copyright or the database rights are not relevant copyright works.

The Datasets Code of Practice recommends that public authorities make datasets available for re-use under the Open Government Licence. In the case of the House of Lords, the appropriate vehicle is the [Open Parliament Licence](#).

The term 'dataset' is defined in section 11(5) of FOIA. The terms 'relevant copyright work' and 'specified licence' are defined in section 19(8) of FOIA. The ICO has published [guidance on the datasets provisions in FOIA](#). This explains what is meant by "not appropriate" and "capable of re-use".

Who we are and what we do

Organisational information, structures, locations and contacts.

We would expect information in this class to be current information only.

- **Roles and responsibilities**

The House of Lords should be providing both outline and detailed information about its roles and responsibilities and the roles and responsibilities of those working there, for example the Lord Speaker.

- **Organisational structure**

An explanation of the internal structures of the House referring to their functions, and how the structure relates to the roles and responsibilities. This should cover both the committee structure and the staffing structure with particular reference to the Clerk of the Parliaments and administrative departments.

- **Members of the House of Lords**

Details of those who sit in the Lords. Membership of committees. Composition of the House by reference to party and type.

- **Contact details for the House of Lords.**

Where possible named contacts should be provided.

- **Information relating to the legislation or conventions relevant to the functions of the House of Lords**

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

We would expect as a minimum that financial information for the current and previous two financial years should be available.

If money is allocated to specific cost centres within the House and it assists in understanding how public money is spent, the House should consider publishing it.

- **Financial statements, budgets and variance reports**

Details of spending by the House over £25,000 (monthly). Register of all House of Lords contracts awarded. Details of government procurement card spend over £500.

Financial information in enough detail to allow the public to see where money is being spent, where the House is or has been planning to spend it, and the difference between the two.

Budget estimates and requests for resources for the cost of running the House of Lords and its staff, together with statements indicating what has been spent. Financial information should be published at least annually and, where practical, we would also expect half yearly or quarterly financial reports to be provided. Revenue budgets and budgets for capital expenditure should be included.

- **Capital programme**

Information should be made available on major plans for capital expenditure.

- **Financial audit reports**

- **Expenses and allowances schemes and amounts paid to Members of the House of Lords**

Details of the schemes for the payment of expenses and allowances to Members of the House of Lords. While some details of the expenses paid to individuals should not be disclosed without consent, we would expect to see that the public have ready access to at least the totals paid to or incurred by individual Members on an annual basis.

- **Staff allowances and expenses produced in line with the House of Lords' policies.**

Details of the allowances and expenses that can be incurred or claimed. It should include the total of the allowances and expenses, by reference to categories, paid to individual members of senior staff and the Management Board in line with the policies of the House. Categories will be under such headings as travel, subsistence, accommodation. For the purpose of this document, "senior staff" means staff equivalent to grade SCS2 and above.

- **Pay and grading structure**

This may be provided as part of the organisational structure and should also identify, as a minimum, Management Board and senior staff in salary bands of £5,000. For more junior posts, levels of pay should be identified by salary ranges for those posts.

- **Procurement procedures**
- **Financial statements for programmes and ceremonial events**

If there are identifiable programmes, we would expect the publication scheme to cover at least the financial reports that indicate actual expenditure against original budgets. The larger the project, the greater the detail that departments should make available. Similarly, where public and/or ceremonial events are publicised, their cost should be made available through the scheme.

- **Internal financial regulations**

What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

We would expect information in this class to be available at least for the current and previous three years.

- **Planned business**

An indication of how business is allocated to the House and its committees. Calendars of business to be conducted. Business plans for the provision of administrative services. Below is a list of the type

of information we would expect the House to have readily available for publication. Any other reports or recorded information showing the House's planned or actual performance should normally also be included.

- **House of Lords Annual Report**
- **Organisational and performance reviews**
- **Progress reports**
- **Statistics**

Statistics the House keeps to indicate work being undertaken.

- **Annual business plan**
- **Strategic plans**
- **Reports and reviews on performance**
- **Impact assessments**
- **Privacy impact assessments**
- **Service standards**
- **The House's open data strategies**

How we make decisions

Decision making processes and records of decisions.

We would expect information in this class to be available at least for the current and previous three years.

- **Records of meetings and proceedings**

Records of proceedings of the House and its committees, judgments of the Law Lords (to 2009), minutes of senior management meetings. This excludes information that is properly regarded as private to the meeting.

- **Reports and papers provided for consideration at meetings**

This excludes information that is properly regarded as private to the meeting.

- **Internal communications guidance, criteria used for decision making, internal instructions, manuals and guidelines**

If access to internal instructions, manuals and guidelines for dealing with the business of the House would assist public understanding of

the way decisions are made, these should be readily available. We would not expect information that might damage the operations of the House to be revealed.

Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

We would expect information in this class to be current information only.

- **Policies and procedures for the conduct of the business of the House**
- **Policies and procedures for the provision of services**
- **Policies and procedures for the recruitment and employment of staff**
- **Equality and diversity**
- **Health and safety**
- **Policies and procedures for handling requests for information**

Codes of practice, codes of conduct, memoranda of understanding and the like should be included. A number of policies, for example equality and diversity, health and safety, will cover both the provision of services and the employment of staff. If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available.

- **Records management and personal data policies**

This will include information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.

- **Fileplans (high level, for current records management systems)**
- **Customer service**

Standards for providing services, including the complaint procedure. Complaints procedures will include those covering requests for information and operating the publication scheme.

- **Charging regimes and policies**

Details of any statutory charging regimes should be provided. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made, and how they are calculated.

If the House charges a fee for licensing the re-use of datasets, it should state in its guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. It cannot charge a re-use fee if it makes the datasets available for re-use under the Open Parliament Licence.

Lists and registers

We expect this to be information contained only in currently maintained lists and registers.

- **Public registers.**

This should list any public registers the House of Lords holds and how to access them.

- **Asset registers and information asset register**

We would not expect the House to publish all details from all asset registers. We would expect some information from capital asset registers to be available. If the House has prepared an information asset register for the Re-use of Public Sector Information Regulations 2005, it should publish the contents.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by or on behalf of the House. The House should decide on the level of detail which is appropriate. This could be by building or more general geographic locations, such as postcodes or partial postcodes, depending on the security issues raised.

- **FOI Disclosure logs**

If the House produces a disclosure log indicating the information provided in response to requests, it should be readily available. Disclosure logs are recommended as good practice.

- **Register of gifts and hospitality**

Senior staff, Management Board and the Lord Speaker - details of gifts given or received; hospitality and from which organisation; travel (including overseas, detailed unless properly regarded as non-routine).

- **Registers of interests**

The information to be published will be limited to that which can be found in the [Register of Lords' Interests](#), as required by [the Code of Conduct for Members of the House of Lords](#).

The services we offer

Information about the services we offer including leaflets, guidance and newsletters.

Generally this is an expansion of part of the first class of information. While the first class provides information on the roles and responsibilities of the House of Lords, this class includes details of the services which it provides, internationally, nationally and locally as a result of them. It will benefit the public to have ready access, for example, to everything from the services provided as part of the legislature to the information readily available at a public counter. The starting point would normally be a list or lists of the services that the House is responsible for, linked to details of these services.

- **Legislative procedures**
- **Judicial business (to 2009)**
- **Records and archives**
- **Scrutiny of government performance**
- **Ceremonies and occasions**
- **Library Notes**
- **Visits**
- **Advice and guidance**
- **Media releases**
- **Leaflets and booklets**
- **Details of the services for which the House is entitled to recover a fee together with those fees.**