

Freedom of Information Act 2000

Definition document for community health councils in Wales

This guidance is written for the use of community health councils (CHCs) in Wales. It gives examples of the kinds of information that the ICO expects you to provide in order to meet your commitments under the model publication scheme.

The ICO would expect you to make the information in this definition document available unless:

- you do not hold the information;
- the information is exempt under one of the Freedom of Information Act (FOIA) exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK GDPR);
- the information is readily and publicly available from an external website; such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or,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.

If the information is held by another public authority, you should provide details of where to obtain it.

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

As a minimum, the ICO expects you to make available information that is required by statute or by the Welsh Government.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you 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 you are the only owner, you must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works. The [2018 section 45 Code of Practice](#) recommends that public authorities make datasets available for re-use under the [Open Government 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 [Datasets \(sections 11, 19 and 45\)](#). This explains what is meant by “not appropriate” and “capable of re-use”.

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the [model publication scheme](#).

Class 1 - Who we are and what we do

Organisational information, structures, locations and contacts.

Information in this class to be current information only.

- **How we fit into the NHS structure**

Information on the statutory framework and role of the CHC. Include details of the NHS bodies monitored by the CHC.

- **Organisational structure**

Corporate governance information, including details of the council’s staff and key personnel.

- **Gender pay gap reporting**

Read the Government’s guidance on the [gender pay gap reporting](#) to find out what information you need to publish. Publish this data annually if you have a head count of 250 staff or more.

- **Membership**

Information on current membership of the CHC together with terms of appointment.

- **Location and contact details**

Provide details on your opening hours together with a postal and generic email address. If possible, give named contacts together with official contact phone numbers, and email addresses.

- **Information relating to the legislation relevant to your functions**

- **Information about your area of responsibility**

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.

As a minimum, make available financial information for the current and previous financial year. If you wish to include financial information for earlier years, explain this in any guidance you provide.

Provide this information not only for the authority as a whole but also, where appropriate, for directorates or departments as cost units.

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

In conjunction with annual accounts, provide financial information in sufficient detail to allow the public to see where money is being spent, where you are spending it or planning to spend it, and the difference between the two.

Publish financial information at least annually and, where practical, provide also half yearly or quarterly financial reports. Include revenue budgets and budgets for capital expenditure.

Provide details of items of expenditure over £30,000, including costs, supplier and transaction information (monthly).

- **Staff and members' allowances and expenses**

Provide details of the allowances and expenses that can be claimed or incurred by all staff, including co-opted members. Produce the total of the allowances and expenses paid to or incurred by individual members of senior staff and council members in line with your policies. As a minimum, include travel, subsistence and accommodation.

- **Staff pay and grading structures**

You can provide this as part of your organisational structure. As a minimum, include the details of salaries for senior staff, stated in bands of £5,000. For all other posts, identify levels of pay by salary range.

The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole of your workforce.

- **Funding**

- **Procurement and tendering procedures**

Details of procedures used for the acquisition of goods and services.

- **Details of contracts currently being tendered**

- **List and value of contracts awarded and their value**

Publish details of contracts and invitations to tender worth over £5,000.

- **Standing financial procedures**

Class 3 – What our priorities are and how we are doing

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

- **Annual report**

- **Annual business plan**

- **Targets, aims and objectives and performance against those**

- **Strategic direction document (annual plan)**

- **User surveys**
- **Audit or inspection reports**
- **Equal pay reports**
- **Data protection impact assessments (in full or summary format) or any other impact assessment (eg health & safety impact assessment, equality impact assessments etc), as appropriate and relevant.**

Class 4 – How we make decisions

Decision-making processes and records of decisions.

Make available information in this class for at least the current and previous three years. If you can make information available for longer, explain this in any guidance you produce.

- **CHC meetings – agenda, supporting papers and minutes**
- **Sub-committee meetings – agenda, supporting papers and minutes**
- **CHC liaison meetings - agenda, supporting papers and minutes**

You can exclude material that is properly considered to be exempt from disclosure.

- **Patient and public involvement strategy**
- **Public consultations**

Provide details of consultation exercises and access to the consultation papers, or information about where to obtain the papers. Include the results of consultation exercises.

Class 5 – Our policies and procedures

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

- **Policies and procedures about human resources including recruitment and employment policies**
- **Pay policy statement**

The statement of your policy and procedures regarding pay, including your approach to any performance related pay and to providing support for lower paid staff.

- **Policies and procedures relating to the conduct of business and the provision of services**

Procedures for handling requests for information should be included

- **Equality and diversity policies**
- **Welsh language standards**

Include details of how you comply with the requirements of either the Welsh Language Act 1993 or the Welsh Language Measure (Wales) 2011, or both.

- **Members' code of conduct**
- **Standing orders**
- **Financial procedures**
- **Customer service and complaints policies and procedures**

Standards for providing services to your customers, including your complaints procedure. Include those procedures covering requests for information and operating the publication scheme.

- **Data protection, records management, access to information, Caldicott Guardian**

Include information security policies, records retention, destruction and archive policies, data protection (including data sharing and CCTV usage) and patient confidentiality policies.

- **Estates management**
- **Patient enquiries and complaints advocacy services**
- **Charging regimes and policies**

Provide details of any statutory charging regimes. Include in your charging policy charges made for information routinely published and clearly state what costs you are recovering, together with the basis on

which you make them and how you calculated them.

If you charge a fee for licensing the re-use of datasets, clearly state in your guide to information how you calculated this and whether you made the charge under the Re-use Fees Regulations or under other legislation. You cannot charge a re-use fee if you make the datasets available for re-use under the Open Government Licence.

Class 6 – List and registers

Information contained only in currently maintained lists and registers.

- **Any information you are currently legally required to hold in publicly available registers**
- **List of main contractors and suppliers**
- **Assets register**

You do not have to publish all details from all asset registers. However, make available some information from capital asset registers.

- **Information asset register**

Publish the contents of your information asset register for the Re-use of Public Sector Information Regulations 2015, if you prepare one.

- **Register of members' interests, including co-opted members**
- **Register of gifts and hospitality provided to members and senior personnel**
- **Disclosure log**

If you produce a disclosure log indicating the information provided in response to FOIA and EIR requests, make this readily available. Disclosure logs are recommended as good practice.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. You should decide on the level of detail which is appropriate. This could be by building or more general geographic locations, eg postcodes or partial postcodes, depending on the security

issues raised.

Class 7 – The services we offer

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

Generally, this is an extension of part of the first class of information and may also relate to information covered in other classes.

As part of this class, you can include a list or lists of the services that fall within your responsibility, linked to details of those services.

- **Communications and media releases**
- **Services for which you are entitled to recover a fee together with those fees**
- **Patient information leaflets**
- **Hospital and primary care establishments monitoring**
- **Local complaints advocacy**
- **Advice and guidance**
- **Briefings, newsletters and other communication and media releases**