



Information Commissioner's Office

## Freedom of Information Act 2000

### Definition document for government departments

This guidance is written for the use of government departments. 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 expects 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 2000 (FOIA) exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited by 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- the information is archived, out of date or otherwise inaccessible; or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.

The guidance is not meant to give an exhaustive or definitive 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, which must include all information that is required by statute.

Any executive agencies within your department should also provide this information. References to "departments" in this guidance include any executive agencies. For example, the ICO expects an executive agency to publish information about its management board and accounts in the same way as the department itself.

As a government department, you retain legal responsibility for ensuring that the executive agency makes information available in accordance with the publication scheme, even if practical responsibility for implementing it is delegated to the agency itself.

## **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](#).

<h3><b>Class 1 - Who we are and what we do</b></h3>
Organisational information, structures, locations and contacts.
Information in this class should only be current information unless stated otherwise. <ul style="list-style-type: none"><li>• <b>Roles and responsibilities</b></li></ul>
Provide outline and detailed information about your department’s roles

and responsibilities.

- **Organisational structure**

Include the names, grades and job titles of all service directors and senior civil servants at SCS2 and above and the numbers, grades and professions of staff within each team. Explain the internal structures of the department by:

- referring to their functions;
- indicating the relationship of different departmental sections with other departments, internal and external; and
- explaining how the structures relate to the roles and responsibilities.

- **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.

- **Workforce management information**

Publish this information monthly and cover payroll by grade, non-payroll staff by type, headcount staff numbers, full-time equivalent staff number, and staff costs.

- **Ministerial meetings with external organisations (including meetings with newspaper and other media proprietors, editors and senior executives)**
- **Permanent Secretary meetings with external organisations (including meetings with newspaper and other media proprietors, editors and senior executives)**
- **Special adviser meetings with newspaper and other media proprietors, editors and senior executives**
- **Information about legislation relevant to your department's functions**

Explain the key legislative basis of your department's activities and any legislation for which you are the lead government department.

- **Lists of and information about organisations your**

## **department is responsible for, those you work in partnership with and those you sponsor**

As most of these bodies will be responsible for their own affairs, this information only needs to be enough to identify the relationship between these bodies and your department.

- **Department Ministers, Permanent Secretaries, chief executives, management board members and senior executives**

Identify and include responsibilities of and biographical details of Ministers, senior civil servants at SCS2 and above in your department and those making strategic and operational decisions about providing your department's services. Only publish biographical details that are not work-related in line with UK GDPR.

- **Senior civil servants' business appointment applications, published quarterly**

Include details of appointments or employment taken by former members your department at SCS1 and SCS2, including special advisers at an equivalent grade, which fall within the scope of the [business appointment rules](#).

- **Location and contact details**

Provide your postal and email address. If possible, provide named contacts including phone numbers and email addresses.

## **Class 2 - What we spend and how we spend it**

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

As a minimum, make available financial information for the current and previous two financial years.

If you allocate money to specific cost centres in a department and this information helps to explain how public money is spent, consider publishing it.

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

Provide details about:

- department spending over £25,000 (monthly);
- government contracts and tenders worth over £10,000; and
- government procurement card spend over £500.

Explain financial information in enough detail to allow the public to see where you are spending money, or are planning to spend it, and the difference between the two. Publish financial information at least annually and, where practical, also provide half-yearly or quarterly financial reports. Include revenue budgets and budgets for capital expenditure.

- **Capital programme**

Make information available on major plans for capital expenditure, including any private finance initiative and public-private partnership contracts.

- **Spending reviews**
- **Financial audit reports**
- **Senior civil servants at SCS2 and above and board members' allowances and expenses**

Provide details of the allowances and expenses that can be claimed or incurred, including the total of the allowances and expenses paid to individual senior staff and management board members by reference to categories. Produce these categories in line with your existing policies, practices and procedures, under headings like travel, subsistence and accommodation.

- **Ministerial expenditure**

Provide the total of the allowances and expenses paid to and incurred by department Ministers by reference to categories. Produce these categories in line with government guidelines, under headings like travel, subsistence and accommodation.

- **Pay and grading structures**

You can provide this as part of your organisational structure. As a minimum include details of senior staff salaries in bands of £5,000. For all

other posts, identify levels of pay by salary range.

- **Special advisers**

Provide the names of special advisers, the appointing Minister and, as a minimum, the relevant salaries by pay band.

- **TU facility time reporting**

Read the government guidance on reporting [trade union facility time](#) to find out what information you need to publish. You need to publish this information once a year.

- **Procurement procedures**

Provide details of procedures for acquiring goods and services and contracts available for public tender.

- **Prompt payment data**

If applicable to you, publish data annually on your prompt payment performance in line with the government's [prompt payment policy](#).

- **Financial statements for projects and events**

If there are identifiable projects, your publication scheme should cover at least the financial reports that indicate actual expenditure against original project budgets. The larger the project, the greater the detail you should make available. Similarly, where organised events are publicised, make their cost available through the scheme.

- **Internal financial regulations**

- **Spend control data**

Publish quarterly, all spending approved by the government through the [controls process](#).

## **Class 3 - What are our priorities and how are we doing**

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

Publish all relevant information in this class for the current and previous three years at least.

Below is a list of the type of information you should have readily available for publication. In general, include any other reports or recorded information showing your planned or actual performance.

- **Departmental open data strategies**
- **Strategic plans**
- **Annual business plan**
- **Annual report**
- **Internal and external organisation performance reviews**
- **Performance reports to Parliament**
- **Inspection reports**
- **Data protection impact assessments (in full or summary format) or any other impact assessments (eg health and safety impact assessments, equality impact assessments), as appropriate and relevant**
- **Service standards**
- **Statistics produced in accordance with departmental requirements**
- **Public service agreements**
- **Government major projects portfolio (GMPP) data and senior responsible owners**

Publish information about your major projects, six months in arrears, and update this annually. The major projects concerned are those which are on the GMPP. For further details, read about the [major projects: transparency policy and exemptions guidance](#). Publish data about the senior responsible owner when you make a new appointment.

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

Decision-making processes and records of decisions.

Make information in this class available for the current and previous three years at least.

- **Major policy proposals and decisions**

Include information that you can make available to the public without damaging relations with other governments or the development of government policy.

- **Background information for major policy proposals and decisions**

Include facts, and analyses of facts, relevant and important to framing major policy proposals and decisions.

- **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.

- **Minutes of senior-level meetings**

Make management board minutes and the minutes of similar meetings where decisions are made about providing services readily available. Exclude material that is properly considered to be exempt from disclosure.

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

Include information presented to those at meetings making executive decisions. Exclude material that is properly considered exempt from disclosure.

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

Make readily available internal instructions, manuals and guidelines for dealing with the business of your authority if access to this information would help the public to understand how you make decisions. This does not include information that might damage your operations if revealed.

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

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

Information in this class should only be current information. If there is particular reason to provide information that is not still current, include this.

- **Policies and procedures for conducting departmental business**
- **Policies and procedures for delivering our services**
- **Policies and procedures for recruiting and employing staff**
- **Pay policy**

Include codes of practice, memoranda of understanding and similar information. A number of policies will cover both the provision of services and the employment of staff, for example equality and diversity, and health and safety. If you advertise vacancies as part of recruitment policies, details of current vacancies will be readily available.

- **Customer service and complaints policies and procedures**

Include standards for providing services to your department's customers, including the complaints procedures. Complaints procedures include those covering requests for information and operating the publication scheme.

- **Records management, personal data and information access policies**

Include information on security policies, records retention, destruction and archive policies, and data protection (including data sharing and

CCTV usage) policies.

- **File plans (high level, for current records management systems)**
- **Charging regimes and policies**

Provide details of any statutory charging regimes. Charging policies should include charges made for information you routinely publish. They should clearly state what costs you are recovering, the basis on which you make them, and how you calculate them.

If you charge a fee for licensing the re-use of datasets, state in your guide to information how you calculate this and whether you make 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 - Lists and registers**

Information in this class should only be information in currently maintained lists and registers.

- **Public registers and registers held as public records**

If you are required to maintain any register and make the information in it available for public inspection, the existing provisions covering access will usually be adequate. However, publicise which public registers you hold, and how you make the information in them available to the public. Where registers contain personal information, ensure that you consider the data protection principles.

- **Asset registers and information asset register**

You do not need to publish all details from all asset registers. However, include the location of public land and building assets and key attribute information that you normally record on an asset register, along with some other information from capital asset registers. If you have prepared an information asset register for the Re-use of Public Sector Information Regulations 2015, publish the contents.

- **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. For further details, read the Home Office [code of practice](#).

- **Disclosure logs**

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

- **Register of gifts**

Ministers:

- details of gifts over £140 given or received; and
- hospitality (including travel as a gift, and from which organisation).

If relevant, senior civil servants and special advisers:

- details of gifts given or received; and
- hospitality (including travel as a gift, and from which organisation).

- **A list of Ministers' interests**

- **Other lists required by law**

## **Class 7 - The services we offer**

Information about the services the department provides including leaflets, guidance and newsletters.

Generally, this is an extension of part of the first class of information. While the first class provides information on departmental roles and responsibilities, this class includes details of the services you provide, internationally, nationally and locally. For example, it will benefit the public to have ready access, to everything from information about the services you provide for the government, to the information readily available to individuals at a public counter. In general, start with a list or lists of the services you are responsible for, linked to details of these services.

- **Regulatory responsibilities**
- **Services for public authorities**
- **Services for industry**
- **Services for other organisations**
- **Services for members of the public**
- **Services for which the department is entitled to recover a fee, together with those fees**
- **Government department circulars**
- **Leaflets, booklets and newsletters**
- **Advice and guidance**
- **Media releases**