

## Freedom of Information Act 2000

### Definition document for inshore fisheries and conservation authorities

This guidance is written for the use of inshore fisheries and conservation authorities (IFCA). It gives examples of the kind 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 (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- the information is archived, out of date or otherwise inaccessible; or,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 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.

#### **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 \(section 11,19 & 45\)](#). 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 should only be current information, unless stated otherwise.

- **Constitution of the IFCA**
- **Organisational structure**

Provide details about your staffing arrangements, indicating numbers in post and giving details about the roles and responsibilities of the senior members of your staff. Also provide details about any sub-committees you have in place as well the names of your members and anybody represented by those members.

- **Geographical area covered**
- **Outline of IFCA responsibilities**
- **Location and contact details**

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

- **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.

## **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.

- **Annual accounts**
- **Audit of accounts**
- **Annual plans**
- **Annual reports**
- **Revenue and capital spending plans**
- **Procurement procedures**

Provide details of procedures used for the acquisition of goods and services, and contracts currently available for public tender.

- **Staff pay and grading structure**

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

- **TU facility time reporting**

If applicable to you, 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.

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

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

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

- **Aims, objectives and plans**
- **Performance against aims and plans**
- **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.**

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

Decision making processes and records of decisions.

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

- **Minutes of the IFCA and any sub-committees**

Make available to the public your agendas, the minutes of your meetings and any sub committees of the authority, excluding material that is properly considered to be exempt.

- **Reports of advisory groups**
- **Other publicly available reports**

## **Class 5 – Policies and procedures**

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

Information in this class should be current information only.

- **Policies and procedures for conducting business**

Provide details of procedural standing orders, internal guidance about the division of responsibilities between you and any delegated authority, policies on communications between you and members of staff. Include any codes of practice, memoranda of understanding or similar.

- **Policies and procedures about the provision of services**

Include policies and procedures for handling requests for information.

- **Policies and procedures relating to human resources**

Provide information about relevant policies, such as equality and diversity and health and safety, which will cover both the provision of services and the employment of staff. If you advertise vacancies as part of recruitment policies, make details of current vacancies readily available.

- **Pay policy**

Any decisions you take in relation to pay and reward of staff must reflect your current policy.

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

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

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

Provide details of standards for providing services to your customers, including your complaints procedure. Include complaints procedures covering requests for information and operating the publication scheme.

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Charging policies should include charges made for information you routinely publish. 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 contained only in currently maintained lists and registers.

- Public registers and registers held as public records**

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

- Asset registers and information asset register**

You don't need to publish all details from all asset registers. However, make available some information from capital asset registers. If you have prepared an information asset register for the Re-use of Public Sector Information Regulations 2015, you should publish the contents.

- CCTV**

Provide details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. Decide on the level of detail which is appropriate. This could be by building or more general geographic locations such as car parks or other areas within an estate.

- Register of members' interests**

- **Register of gifts and hospitality**
- **Disclosure logs**

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

## **Class 7 – 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 your roles and responsibilities, this class includes details of the services which you provide.

For example, it will benefit the public to have ready access to information about your services, from the services provided to or for DEFRA to the information readily available from a public counter. The starting point would normally be a list or lists of the services that fall within your responsibility, linked to details of these services.

- **Regulatory role**
- **Byelaws**
- **Information for fishermen**
- **Information about shellfish harvesting**
- **Notices, leaflets and guidance**
- **Media releases**
- **Details of the services for which you are entitled to recover a fee, together with those fees**