

## Freedom of Information Act 2000

### Definition document for joint or combined authorities and boards in part II of schedule I of the Freedom of Information Act

This guidance is written for the use of fire and rescue authorities, waste disposal authorities, passenger transport authorities and port health authorities. It is also written for all other joint or combined authorities and boards established in accordance with the legislative provisions mentioned in part II of schedule I of the Freedom of Information Act 2000.

This guidance 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.

If the fire and rescue authority is also the police and crime commissioner you should look at the definition document for [elected local policing bodies](#) to see what additional information should be published in respect of those responsibilities.

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- the information is archived, out of date or otherwise inaccessible; or,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.

The 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, which must include all information that is required by statute.

This guidance now incorporates those key principles, which were not already included, from the Department for Levelling Up, Housing and Communities (DLUHC, originally known as the Department for Communities and Local Government [DCLG]) [Local Government Transparency Code 2015 \('the code'\)](#). The aligning of this document with this code provides a harmonised approach to data transparency for you and avoids unnecessary duplication.

The ICO recognises that the code does not apply to joint or combined authorities in Wales. However, the ICO does strongly recommend that they follow the guidance set out in this definition document which supports the model publication scheme.

If you are a small-sized authority, you should also follow the [transparency code for smaller authorities](#).

## **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.

Current year only, unless stated otherwise.

- **Organisational structure**

Provide your basic staff structure, management structure, chief officer's details, numbers in post as well as details of any existing committee and sub-committee. Include the names of members of the authority or board and any authority or other body represented by those members. Give the details of any other authority providing administrative support.

- **Location and contact details**

Provide your postal and email address, giving an indication of offices and buildings open to the public. 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.

- **Geographical area of operation**

- **General outline of responsibilities**

- **Relationship with other authorities**

Provide details of partnerships or joint board arrangements with other authorities. For example, outline the authority's relationships with central government departments and local authorities.

## **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 two financial years.

- **Summary of revenue budget estimates and capital expenditure plans**
- **Financial statements, budgets and variance reports**

Details of expenditure over £500, including costs, supplier and transaction information (quarterly).

Provide financial information in enough 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, and provide half yearly or quarterly financial reports. Include revenue budgets and budgets for capital expenditure.

- **Capital programme**

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

- **Spending reviews**
- **Annual statement of accounts**
- **Financial audit reports, in line with the [changes to audit requirements for joint committees](#)**
- **Staff pay and grading structure**

You can provide this as part of the organisational structure. Publish this information in line with the [Local Government Transparency Code 2015](#). Include senior employee salaries 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.

- **Expenses paid to or incurred by members and senior officers**

Provide details of the allowances and expenses that can be claimed or incurred. Include the total of the allowances and expenses paid to individual senior staff and authority members by

reference to categories. Provide this in line with your policies, practices and procedures under headings like travel, subsistence and accommodation.

- **Procurement procedures, including any country-specific requirements (eg [Wales procurement policy statement](#))**

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

- **List of contracts and value**

You don't have to include all information about all contracts in this scheme. However, publish information about contracts that are large enough to have required a tendering process in accordance with financial regulations or are in relation to capital items.

- **Internal financial regulations and delegated authority**
- **Details of grants to the voluntary community and social enterprise sector**
- **Details of contracts and tenders to businesses and to the voluntary community and social enterprise sector**

Publish contracts and tenders that exceed £500.

- **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.

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

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

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

- **Strategic and business plans, aims and objectives**
- **Annual reports**

- **Reports indicating service provision, performance assessments, operational assessment reports**
- **Reports by external inspectors**
- **Strategies developed in partnership with other authorities**

Include examples such as community partnership strategies, safety and crime reduction strategies, road safety strategy, joint housing strategies, joint strategies for health issues and children's services.

- **Statistical information**
- **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.**
- **Wellbeing**

If you are a Welsh authority, publish your wellbeing objectives, a statement about your wellbeing objectives and an annual report on the progress made in meeting those objectives, as required under the Wellbeing of Future Generations (Wales) Act 2015.

## **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 two years.

- **Schedule of meetings open to the public. Some councils in Wales may now be required to make available the live broadcast of certain meetings (s46(1) of the Local Government and Elections (Wales) Act 2021)**
- **Agendas and approved minutes of the authority and authority sub-committees**

This is information that is required to be publicly available under local authority access to information rules.

- **Background papers for meetings open to the public**

- **Major policy proposals and decisions**

Information that you can make available to the public without damaging internal policy development and relationships with other public authorities.

- **Facts and analyses of facts considered when framing major policies**
- **Public consultations**

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

- **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 your services and responsibilities.

Information in this class should be for the current year only.

- **Policies and procedures for conducting business**

Standing orders, delegated powers, corporate governance, code of conduct, memoranda of understanding and similar matters.

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

Policies that affect the manner in which you provide services.

- **Policies and procedures about the employment of staff**

Publish policies such as equality, recruitment, discipline, grievance

and health and safety. If vacancies are advertised as part of recruitment policies, you should make details of current vacancies readily available.

- **Pay policy statement**

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

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

Standards for the provision of services to your customers, including your complaint procedure. Include any policies and procedures for handling requests for information, including complaints procedures covering information requests and the operation of the publication scheme.

- **Records management and personal data policies**

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

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Include in your charging policies charges made for information routinely published. Clearly state what costs you are recovering, the basis on which you make them, and how you calculated them.

If you charge a fee for licensing the re-use of datasets, you should state in your guide to information how this is calculated and whether the charge is made 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**

Include information contained only in currently maintained lists and registers.

- **Asset lists and information asset register**

Provide some information from capital asset registers. If you

have prepared an information asset register, publish its contents. If one of your departments has prepared an information asset register for the Re-use of Public Sector Information Regulations 2015, publish its contents.

- **Registers open to public inspection (and arrangements for access to the contents)**

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, you should publicise which public registers you hold, and how you intend to make the information in them available to the public. Where registers contain personal information, you must ensure that you consider the data protection principles.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by or 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.

- **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 members' interests**

- **Senior officers' declaration of interests**

Include the names, departments, sections and job titles of all officers who have made entries. In relation to Chief Officers, disclose also information recorded in the 'professional' element of the register. When disclosing this information, you must ensure that you comply with UK GDPR and redact home address, any third-party personal data or sensitive personal data.

- **Register of gifts and hospitality**

Include details of gifts, given or received and details of any hospitality afforded and by which organisation.

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

Information about the services you provide 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 roles and responsibilities, this class includes details of the services you provide.

For example, it will benefit the public to have ready access to information about the services you provide. The starting point would normally be a list or lists of the services that you are responsible for, linked to details of these services.

- **Information about the provision of the authority's services**
- **Regulatory responsibilities and procedures**
- **Leaflets and explanatory booklets**
- **Services for which you are entitled to recover a fee, together with those fees**
- **Media releases**

### **Fire services**

- **Fire service reports on major incidents**

You should publish some information about major incidents which have generated public interest. However, the ICO does not expect you to routinely publish the full contents of fire damage and accident reports because these reports will inevitably contain personal data and other confidential material.

You will need to prepare the full report for the internal procedures of the fire service and for fire monitoring generally. You can make a redacted version of the report available on request. In particular, be aware of any requirement to publish environmental information.

You can charge an administrative fee for a redacted version of the report, as long as any charge does not act as an obstacle to its provision. This does not in any way interfere with your capacity to make a full copy of the report available to those who request it at a

commercial charge. Guidance on the transparency requirements of fire authorities is also provided in chapter two of the [fire and rescue national framework for England](#).

You are not expected to routinely make available information contained in fire safety plans or fire safety risk assessments.