

Freedom of Information Act 2000

Definition document for Northern Ireland government departments

This guidance is written for Northern Ireland 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 this information 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 under another statute (eg UK General Data Protection Regulation);
- the information is readily and publicly available from an external website. Such information may have been provided either by you or in 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- the information is archived, out of date or otherwise inaccessible; or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 the 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](#).

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

roles and responsibilities.

- **Organisational chart**

Include the names, grades and job titles of all service directors and senior civil servants at Grade 3 and above and the numbers, grades and professions of staff within each team. Explain the internal structures of the department:

- refer to their functions;
- indicate the relationship of different departmental sections with other departments, internal and external; and
- explain how the structure relates to the roles and responsibilities.

- **Information about legislation relevant to the department's functions**

Explain the 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 Grade 3 and above in the department and those making strategic and operational decisions about the provision of the department's services.

- **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 and senior officials' meetings with external organisations (including meetings with newspaper and other media proprietors, editors and senior executives)**
- **Special adviser meetings with external organisations (including meetings with newspaper and other media proprietors, editors and senior executives)**
- **Locations of, and contact details**

Provide your postal and email address. If possible, provide named contacts including contact 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 financial information for the current and previous two financial years available.

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:

- Details of department spending over £30,000.
- Details of government contracts and tenders worth over £30,000
- Details of government procurement card spend over £500.

Explain financial information in enough detail to allow the public to see where you are spending money, where you are or have been 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 initiatives and public-private partnership contracts.

- **Spending reviews**
- **Financial audit reports**
- **Senior civil servants at Grade 3 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 or 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 the 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.

- **Procurement procedures**

Provide details of procedures for acquiring goods and services and contracts available for public tender. Procurement guidance is available on the Department of Finance website.

- **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**

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.

- **Open data strategies**
- **Strategic plans**
- **Annual business plan**
- **Annual report**
- **Internal and external performance reviews**
- **Performance reports to the Northern Ireland Assembly**
- **Inspection reports**
- **Data protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessments, Equality Impact Assessments, Rural Needs etc), as appropriate and relevant**
- **Service standards**
- **Statistics produced in accordance with departmental requirements**
- **Public service agreements**

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 readily available management board minutes and the minutes of similar meetings where decisions are made about providing services. 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 to be exempt from disclosure.

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

Make readily available access to internal instructions, manuals and

guidelines for dealing with the business of the department, if this would help the public understand how decisions are made. You do not need to reveal information where disclosure might damage your department's operations.

Class 5 - Our policies and procedures

Include current written protocols, policies and procedures for delivering your services and responsibilities

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

- **Policies and procedures for conducting departmental business**
- **Policies and procedures for delivering your services**

Include policies and procedures for handling information requests

- **Policies and procedures for recruiting and employing staff**

Include codes of practice, memoranda of understanding and similar information. A number of policies, for example equality and diversity, and health and safety, will cover both the provision of services and the employment of staff.

If vacancies are advertised as part of recruitment policies, provide details of current vacancies.

Include the equality scheme/statement produced in accordance with section 75 of the Northern Ireland Act 1998, as well as the results of assessments, consultation and monitoring of compliance with your duties under equality legislation.

- **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 and personal data policies**

Include information on security policies, records retention and disposal schedule (approved by the Public Records Office for Northern Ireland), 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 a dataset 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. 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 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 appropriate level of detail. 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 gifts**

Ministers:

- details of gifts given or received;
- hospitality and from which organisation;
- travel (including overseas, detailed unless properly regarded as non-routine).

If relevant, senior civil servants at Grade 3 and above and special advisers:

- details of gifts given or received;
- hospitality and from which organisation;
- travel (including overseas, detailed unless properly regarded as non-routine).

- **Any register of interests,**
- **Ministers' interests**
- **Other lists required by law**

Class 7 - The services we offer

Information about the services your 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 your roles and responsibilities, this class includes details of the services your department provides, internationally, nationally and locally as a result of them.

For example, it will benefit the public to have ready access to everything from information about the services your department provides for the government, to the information readily available to individuals at a public counter. The starting point would normally be a list or lists of the services your department is 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**