

## Freedom of Information Act 2000

# Definition document for Northern Ireland Non-Departmental Public Bodies and other public authorities

This guidance is written for the use of non-departmental public bodies in Northern Ireland. 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. This guidance may also be relevant to other public authorities which do not have a sector-specific definition document.

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- the information is archived, out of date or otherwise inaccessible; or,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

## 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 should be current information only.

- **Roles and responsibilities**

Provide both outline and detailed information about your roles and responsibilities and the roles and responsibilities of those working at senior level.

- **Organisational chart**

Provide an explanation of your internal structures referring to your

functions and how the structure relates to the roles and responsibilities.

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

An explanation of the legislative basis of your activities. If appropriate, explain any legislation for which you take the lead.

- **Lists of and information relating to organisations with which you work in partnership**

This information need be only sufficient for the purposes of identifying the relationship between your organisation and these bodies. This will include the identity of the sponsoring government department.

- **Meetings of Chief Executive or Board members with Ministers and external organisations (including meetings with newspaper and other media proprietors, editors and senior executives)**
- **Senior executives and management board members**

Identify responsibilities of and biographical details of those making strategic and operational decisions about the provision of your services. Only publish biographical details that are not work related in line with UK GDPR.

- **The locations 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 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.

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

Provide details about:

- your spending over £30,000,
- your contracts and tenders worth over £30,000,
- 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 planning to spend it, and the difference between the two. Publish financial information at least annually and, where practical, publish half yearly or quarterly financial reports. Include revenue budgets and budgets for capital expenditure.

- **Capital programme**

Include information on major plans for capital expenditure including any private finance initiative and public private partnership contracts.

- **Spending reviews**
- **Financial audit reports**
- **Senior staff and board members' allowances and expenses**

Provide details of the allowances and expenses that can be claimed or incurred. It should include the total of the allowances and expenses, by reference to categories, paid to or incurred by individual members of senior staff and management board members produced in line with your policies, practices and procedures. Categories will be under such headings as travel, subsistence, 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 band.

- **Procurement procedures**

Details of procedures used for the acquisition of goods and services. Contracts currently available for public tender.

- **Financial statements for projects and events**

If there are identifiable projects, publish the financial reports that indicate actual expenditure against original project budgets. The larger the project, the greater the detail that should be available. Publish the costs of organised events where events have been made

public.

- **Internal financial regulations**

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

- **Strategic plans**
- **Annual business plan**
- **Annual report**
- **Internal and external performance reviews**
- **Reports to the Assembly**
- **Inspection reports where your organisation is subject to formal inspection**
- **Data Protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments, Rural Needs etc), as appropriate and relevant**
- **Service standards**
- **Statistics produced in accordance with your organisation's 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 public bodies, international relations or internal policy development.

- **Background information relating to major policy proposals and decisions**

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

- **Public consultations**

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

- **Minutes of senior level meetings**

Management board minutes and the minutes of similar meetings where decisions are made about the provision of services. Exclude material that is properly considered exempt from disclosure.

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

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

- **Internal communications guidance and criteria used for decision making ie process systems and key personnel**

If access to internal instructions, manuals and guidelines for dealing with the business of your organisation would help the public understand how decisions are made, these should be readily available. However, you do not need to reveal information that might damage your operations.

## **Class 5 - Policies and procedures**

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

Information in this class only needs to be current.

- **Policies and procedures for the conduct of your business**
- **Policies and procedures for the provision of services**

Include policies and procedures for handling information requests.

- **Policies and procedures for the recruitment and employment of staff**

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

Include the Equality Scheme/Statement published 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.

If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available.

- **Customer service**

Standards for the provision of services to your customers, including the complaint procedure. Complaints procedures will include those covering requests for information and operating the publication scheme.

- **Records management and personal data policies**

Include information on security policies, a records retention and disposal schedule (approved by the Public Records Office for Northern Ireland) any 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.**

Where you are obliged to maintain a register and to make the information in it available for inspection by the public, the existing access provisions will usually be adequate. However, you should publicise which public registers you hold and how you make the information in them available to the public. Where registers contain personal information, you must ensure that this is protected by 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 recorded 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.

- **Disclosure logs**

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

- **Register of gifts and hospitality provided to Board members and senior staff**

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 you keep**
- **Other lists required by law**

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

Information in this class should only be current information

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 which you provide as a result of them. It will be of public benefit to have ready access, for example, to everything from information about the services provided to the government to the information readily available at a public counter. The starting point would normally be 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 you are entitled to recover a fee together with those fees**
- **Leaflets, booklets and newsletters**
- **Advice and guidance**
- **Media releases**