

Freedom of Information Act 2000

Definition document for the Senedd Cymru / Welsh Parliament

This guidance is written for the Senedd Cymru / Welsh Parliament. 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 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 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- the information is archived, out of date or otherwise inaccessible; or,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 in 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](#).

In relation to the classes of information there are two areas for consideration: the work undertaken by Members of the Senedd (MSs) themselves, and decisions made by the Clerk/Chief Executive about administrative and financial matters.

<h3>Class 1 - Who we are and what we do</h3>
Organisational information, structures, locations and contacts
Information in this class should be current information only unless stated otherwise. You should provide outline and detailed information about your role and responsibilities with particular reference to: <ul style="list-style-type: none">• The role of the Senedd• The role of the Senedd Commission

- **The roles and identity of the Presiding Officer, Deputy Presiding Officer, Senedd Commissioners and Committee Chairs**

Identification of, responsibilities of and biographical details of senior personnel in the Senedd.

- **Committee structure and membership**
- **Information relating to the legislation relevant to functions of the Senedd**
- **The role of and business-related biographical details of the Clerk of the Senedd**
- **Members of the Senedd (MSs)**

Details of those who sit in the Senedd as members of the legislature. Composition of the Senedd by reference to party.

- **Membership of the Senedd Commission**
- **Relationship of the Senedd with other UK and European legislative bodies**
- **Locations 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 two financial years.

If money is allocated to specific cost centres in the Senedd and it helps to explain how public money is spent, consider publishing it.

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

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

Financial information in enough detail to allow the public to see where money is being spent, where the Senedd and its Commission is or has 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.

- **Audit of accounts**
- **MSs' salaries, allowances and expenses**

Details of the schemes for the payment of salaries, expenses and allowances to MSs. While some details of the expenses paid to individuals should not be disclosed without consent, provide the public with ready access to at least the totals, by reference to categories, paid to or incurred by individual MSs on an annual basis. These categories should be produced in line with your existing policies, practices and procedures and will be under headings such as travel, subsistence and accommodation. Any consultation or review procedures should also be published.

- **Workforce pay and grading details, allowances and expenses**

The pay scales for those working at the Senedd. 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. In addition, any schemes for the payment of allowances and expenses. Overall figures, by reference to categories, for the expenses paid to or incurred by the Clerk of the Senedd. Categories will be under such headings as travel, subsistence and accommodation.

- **Procurement procedures**

Details of procedures for acquiring goods and services. Contracts available for public tender.

- **Lists of contracts awarded and their value**

The ICO expects the Senedd to publish details only of contracts that are large enough to have gone through formal tendering.

- **Financial statements for projects and events**

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

- **Internal financial regulations**

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

Plans, performance indicators, audits and reviews

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

Below is a list of the type of information we would expect you to make available. Any other reports or recorded information showing your planned or actual performance should normally be included.

- **Senedd Business**

An indication of how business is allocated to the Assembly and its committees. Calendars of business to be conducted. The legislative programme.

- **Strategic plans**
- **Annual business plan**
- **Annual report**
- **Internal and external organisation performance reviews**
- **Inspection reports**
- **Data protection impact assessments (in full or summary format) or any other impact assessment (eg Health & Safety Impact Assessment, Equality Impact Assessments etc), as appropriate and relevant**
- **Service standards**
- **Statistics produced in accordance with Senedd 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.

- **Legislative process**

Information about legislative competence, legislative procedures, matters proceeding through the Senedd, subordinate legislation.

- **Records of meetings and proceedings**

Records of proceedings of the Senedd and its committees, minutes of the Executive Board and the Commission. Exclude material that is properly considered to be exempt from disclosure.

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

Exclude material that is properly considered to be exempt from disclosure.

- **Public consultations and research briefings**

Provide details of consultation exercises with access to the consultation papers or information about where the public can obtain the papers. The results and outcomes of consultation exercises.

- **Business documents**

Documents laid before the Senedd, statements of opinion tabled by MSs on matters affecting Wales, petitions and written Ministerial Statements. Reports submitted to committees, excluding material that is properly considered to be exempt from disclosure.

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

If access to internal instructions, manuals and guidelines for dealing

with the business of the Senedd would help the public understand how decisions are made, these should be readily available. You don't have to reveal information that might damage the operations of the Senedd.

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.

- **Policies and procedures for the conduct of the Senedd's business**
- **Policies and procedures for the provision of services**
- **Policies and procedures for the recruitment and employment of staff**

You should include such items as Senedd Standing Orders, procedural guidance, Presiding Officer's rulings, 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 you advertise vacancies as part of recruitment policies, make details of current vacancies available.

How you comply with the requirements of the Senedd's Official Languages Scheme and/or The National Assembly for Wales (Official Languages) Act 2012, should be included. Policies and procedures for handling information requests should also be included.

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

Include standards for providing services to your customers, including the complaint procedures. 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, 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)**
- **Internal guidelines**

Guidelines produced for your staff where publication of them will assist the public in understanding how the administrative arrangements of the Senedd operate.

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Charging policies should include charges made for information routinely published. 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**

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, you must ensure that you consider the data protection principles.

- **Asset registers and information asset register**

The ICO does not expect you to publish all details from all asset registers. However, make available the location of public land and building assets and key attribute information that is 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, you should publish its 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.

- **FOI 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 and hospitality provided to MSs and senior personnel**

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 kept in the Senedd, including MSs' interests**
- **Other lists required by law**

Class 7 - The services we offer

Information about the services the Senedd 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 Senedd roles and responsibilities, this class includes details of the services you provide, internationally, nationally and locally as a result of them. In general, start with a list or lists of services that fall within your responsibility, linked to details of these services.

- **Legislative procedures**
- **Scrutiny of the Welsh Government**
- **Election procedures**
- **Records and archives**
- **Library research papers**
- **Arrangements for visiting the Senedd**

- **Ceremonies and occasions**
- **Services for which the Senedd is entitled to recover a fee together with details of those fees**
- **Senedd circulars**
- **Leaflets, booklets and newsletters**
- **Advice and guidance**
- **Media releases**