

## Freedom of Information Act 2000

# Definition document for the Patient and Client Council in Northern Ireland

This guidance is written for the use of the Patient and Client Council 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.

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 the 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- the information is archived, out of date or otherwise inaccessible; or,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 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 \(sections 11, 19 & 45\)](#). 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 be current information only.

- **How we fit into the Health and Social Care structure**

Provide information that explains how you fit into the Health and Social Care structure. Provide both outline and detailed information about your role and responsibilities.

- **Organisational structure**

Corporate governance information including details of board members

and other key personnel. Include an explanation of the internal structure of your organisation and how the structure relates to your roles and responsibilities.

- **Workforce diversity**

Publish details of the composition of your workforce. Publish this data at least annually.

- **Lists of and information relating to key organisations with which the authority works in partnership**

This information need be only sufficient for the purposes of identifying the relationship between these bodies and your own organisation.

- **Senior staff and management board members**

Identification of, responsibilities of and biographical details of those making strategic and operational decisions about the provision of the authority's services. Publish personal data in line with the requirements of UK GDPR.

- **Location and contact details for all public-facing departments**

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 financial information for the current and previous financial year available. Information should not only be for the organisation as a whole but also, where appropriate, for directorates or departments as cost units.

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

In conjunction with annual accounts, financial information in sufficient detail to allow the public to see where money is spent, where you have spent it or are planning to spend it, and the difference between

the two.

Publish financial information at least annually and, where practical, provide half yearly or quarterly financial reports.

Through a Health and Social Care recognised Centre of Procurement Excellence, provide details of items of expenditure over £30,000, including costs, supplier and transaction information (monthly).

- **Financial audit reports**
- **Standing financial instructions**
- **Capital programme**

Through a Health and Social Care recognised Centre of Procurement Excellence, make information available on major plans for capital expenditure including any public-private partnership contracts.

- **Staff and Board members' allowances and expenses**

Details of the allowances and expenses that can be incurred or claimed. Include the total of the allowances and expenses incurred by or paid to individual senior staff and management board members by reference to categories. These categories should be produced in line with your policies, practices and procedures and must at least include travel, subsistence and accommodation.

- **Staff 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.

The "pay multiple" – the ratio between the highest paid salary and the median average salary of the whole of your workforce.

- **Funding**
- **Procurement and tendering procedures**

Through a Health and Social Care recognised Centre of Procurement Excellence, provide details of procedures used for acquiring goods and services.

- **Details of contracts currently being tendered**

This will include adverts published in accordance with any relevant procurement regulations and other contracts currently available for public tender.

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

Publish details of contracts and invitations to tender worth over £10,000.

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

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

- **Annual Report**
- **Annual business plan**
- **Targets, Aims and Objectives**
- **Strategic Direction document (5-year plan)**
- **Performance against targets (KPI)/performance framework / performance management information / data**
- **Audit reports**
- **Service User Surveys**
- **Data Protection impact assessments (in full or summary format), or any other impact assessments (eg Health and Safety Impact Assessment, Equality Impact Assessments, Rural Needs etc) as appropriate and relevant.**

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

Decision-making processes and records of decisions

Make information available for at least the current and previous three years.

- **Board papers – agenda, supporting papers and minutes**

Make management board minutes available. Exclude material that is properly considered to be exempt from disclosure.

- **Patient and public engagement strategy**
- **Public consultations (for example, concerning**

**closures/variations of services).**

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.

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

Make readily available internal instructions, manuals and guidelines for dealing with the business of your organisation if access to this information would help the public 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 our services and responsibilities

- **Policies and procedures relating to the conduct of business and the provision of services**

Include procedures for handling requests for information.

- **Policies and procedures relating to human resources, including recruitment and employment policies**
- **Equality and diversity policies**
- **Equality Scheme / statement produced in accordance with section 75 of the Northern Ireland Act 1998**

Include policies, statements, procedures and guidelines relating to equal opportunities.

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, make details of current vacancies readily available.

- **Standing financial procedures**
- **Standing orders**

- **Complaints and other customer service policies and procedures**

Standards for providing services to your clients, including complaint procedures. Complaints procedures will include those covering requests for information and operating the publication scheme.

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

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

- **Estate management**
- **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 - List and registers**

Only provide information contained in currently maintained lists and registers.

- **Any information we are currently legally required to hold in publicly available registers**
- **Asset registers**

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 is normally recorded on an asset register, along with other information with other information from capital asset registers.

- **Information Asset Register**

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.

- **Any register of interests**
- **Register of Gifts and Hospitality provided to Board members and senior personnel**
- **Disclosure log**

If you produce a disclosure log indicating the information provided in response to FOI and EIR requests, make it readily 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

In general, this will be an extension of the first class of information, 'Who we are and what we do' as it will detail the services that you provide. The starting point would normally be a list or lists of the services that fall within your responsibility, linked to details of those services.

- **Services for which you are entitled to recover a fee, together with those fees**
- **Client information leaflets and other booklets and newsletters**
- **Advice and guidance**
- **Corporate communications & media releases**