

## Freedom of Information Act 2000

### Definition document for the Northern Ireland Assembly

This guidance is written for the use the Northern Ireland Assembly. 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 the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR), or its release is prohibited under other legislation (eg UK General Data Protection Regulation);
- the information is readily and publicly available from an external website. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or
- it is 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 aim to provide as much information as possible on a routine basis, which must include all information that is required by statute.

For each class of information, you need to consider two different areas: the work undertaken by Members of the Legislative Assembly (MLAs) themselves, and decisions made by the Clerk /Chief Executive about administrative and financial matters.

### **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 datasets 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](#).

<b>Class 1 - Who we are and what we do</b>
Organisational information, structures, locations and contacts
Information in this class should only be current information.
<ul style="list-style-type: none"><li>• <b>Roles and responsibilities</b></li></ul>

Provide both outline and detailed information about your roles and responsibilities and the roles and responsibilities of senior staff.

- **Organisational Structure**

An explanation of the internal structures of the Assembly referring to your functions, and how the structure relates to the responsibilities.

Include the management structure including the Assembly Commission, the Secretariat Management Group, and the Clerk / Chief Executive, and administrative arrangements.

Identify and include responsibilities of and biographical details of senior staff.

- **Members of the Legislative Assembly**

Details of MLAs, membership of Committees and details of Committee Chairs and composition of the Assembly by reference to party.

- **Locations and contact details**

Provide your postal and email address. If possible, provide named contacts including contact phone numbers and email addresses.

- **Relationship of the Northern Ireland Assembly with other UK, Irish Republic and European legislative bodies**
- **Information relating to the legislation or conventions relevant to the functions of the Assembly**

## **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 two financial years available.

If you allocate money to specific cost centres and this information

helps explain how public money is spent, consider publishing it.

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

Provide details about:

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

- **Capital programmes**

Make information available on major plans for capital expenditure.

- **Financial audit reports**
- **MLAs' salaries, allowances and expenses**

Details of the schemes for the payment of salaries, expenses and allowances to MLAs. Include at least the annual totals of allowances and expenses paid to or incurred by individual MLAs, by reference to categories. Produce these categories under headings like travel, subsistence and accommodation. Publish any consultation or review procedures.

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

Publish this monthly and include payroll by grade, non-payroll staff by type, headcount staff numbers, full-time equivalent staff number, and staff costs. You can provide this as part of your organisational structure. As a minimum include details of senior 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 for the expenses, by reference to categories, paid to or incurred by the senior executive officer of the

Assembly Commission. Categories will be such headings as travel, subsistence and accommodation.

- **Procurement procedures**

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

- **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 that should be available. Similarly, where organised events are publicised, make their cost available through the publication scheme.

### **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 at least for the current and previous three years.

Below is a list of the type of information you should make available. In general, include any other reports or recorded information showing the Assembly's planned or actual performance.

- **Planned Business of the Assembly Administration**

Provide the Assembly Commission's corporate plan and other plans about the provision of administrative and financial services. Below is a list of the type of information you should make available. In general, include any other reports or recorded information showing your planned or actual performance.

- **Assembly open data strategies**
- **Strategic plans**

- **Annual business plan**
- **Assembly Commission Annual Report**
- **Organisational, service provision and performance reviews**
- **Progress 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 Assembly requirements**
- **Assembly Business**

Provide an indication of how you allocate business to the Assembly and its committees. Include calendars of business to be conducted, the legislative programme, bills before the Assembly, published notices of committee meetings and inquiries and recess dates.

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

Decision making processes and records of decisions

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

- **Records of meetings and proceedings**

Include records of proceedings of the Assembly and its committees, minutes of the Secretariat Management Group and the Commission. Exclude material that is properly considered to be exempt from disclosure.

- **Reports and papers provided for consideration at meetings**
- **Internal communications guidance, criteria used for decision making, internal instructions, manuals and guidelines**

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

## **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. If there is particular reason to provide information that is not still current, include this.

- **Policies and procedures for conducting Assembly business**
- **Policies and procedures for delivering services**
- **Policies and procedures for recruiting and employing staff**

Include policies and procedures for handling information requests.

Include Standing Orders of the Northern Ireland Assembly, procedural guidance, Speaker's rulings, terms of reference, codes of practice, and memoranda of understanding.

Policies such as equality and diversity, and health and safety, will cover both the provision of services and the employment of staff. 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.

You should also publish your policies and procedures for dealing with information requests.

If you advertise vacancies as part of recruitment policies, make details of current vacancies available.

- **Customer service**

Include customer service standards for providing services, 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, your 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 the charge is made under the Re-use Fees Regulations or under other legislation. You cannot charge a 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 contained 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. However, publicise the public registers you hold, and explain how to access them. Where registers contain personal information, 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 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, such as 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 and hospitality provided to MLAs and senior staff**

Provide 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 by the Assembly, including MLAs' interests**
- **Other lists as required by law**

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

Information about the services you provide, including leaflets,

## guidance and newsletters

Generally, this is an expansion of part of the first class of information. While the first class provides information on Assembly roles and responsibilities, this class includes details of the services you provide, internationally, nationally and locally as a result of them. The starting point would normally be a list or lists of services that fall within your responsibility, linked to details of these services.

- **Legislative procedures**
- **Scrutiny of the Northern Ireland Executive**
- **Records and archives**
- **Library research papers**
- **Arrangements for visiting the Assembly**
- **Services for which the Assembly is entitled to recover a fee together with those fees**
- **Ceremonies and occasions**
- **Regulatory responsibilities**
- **Assembly circulars**
- **Leaflets, booklets and newsletters**
- **Advice and guidance**
- **Media releases**