

## Freedom of Information Act 2000

### Definition document for charter trustees

This guidance is written for the use of [charter trustees](#). 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 (FOIA) exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK GDPR);
- 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- the information is archived, out of date or otherwise inaccessible; or,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.

This 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.

This guidance now incorporates those key principles, which were not already included, from the Department for Levelling Up, Housing and Communities (DLUHC, originally known as the Department for Communities and Local Government [DCLG]), [transparency code for smaller authorities](#).

The aligning of this document with this code provides a harmonised approach to data transparency for you and avoids unnecessary duplication.

## 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 to be current information only, unless stated otherwise.

- **Names of trustees, chairperson and vice-chairperson, including representation on external public bodies**
- **Staffing arrangements**
- **Location 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 financial year.

- **Precept**
- **Annual accounts**
- **All items of expenditure above £100**
- **Audit of accounts**
- **Loans sanctioned**
- **Financial standing orders**
- **Grants made**
- **Staff and trustees' allowances and expenses**

Provide details of the allowances and expenses that can be claimed or incurred. Include the total of the allowances and expenses incurred by or paid to individual senior staff and trustees by reference to categories. Provide this in line with your policies, practices and procedures under headings like travel, subsistence and accommodation.

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

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

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

- **Annual governance statement**

- **Any reports indicating main priorities and progress against them**
- **Data protection impact assessments (in full or summary format) or any other impact assessment (eg health and safety impact assessment, equality impact assessments), as appropriate and relevant**

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

Decision making processes and records of decisions.

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

- **Minutes of meetings of the charter trustees**

Make readily available, ahead of the meeting taking place, meeting agendas and associated meeting papers as well as minutes of meetings of the trustees and minutes of similar meetings where decisions are made about providing services. Exclude information that is properly considered to be exempt.

- **Reports presented to the trustees for consideration**

Information presented to meetings of the trustees. Exclude information that is that is properly considered to be exempt.

## **Class 5 – Our policies and procedures**

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

Information in this class should be current information only.

- **Policies and procedures for conducting**

Procedural standing orders, internal guidance about the division of responsibilities between committees and delegated authority, policies on communications between trustees and members of staff.

- **Policies and procedures for the provision of services**

Policies that affect the manner in which you provide services. Include any policies and procedures for handling requests for information.

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

Publish policies such as equality and diversity, recruitment, disciplinary, grievance and health and safety. If vacancies are advertised as part of recruitment policies, you should make details of current vacancies readily available.

- **Customer service and complaints procedures**

Standards for the provision of services to your customers, including your complaint procedure. Include any policies and procedures for handling requests for information, including complaints procedures covering information requests and the operation of the publication scheme.

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

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

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Include in your charging policies charges made for information routinely published. Clearly state what costs you are recovering, the basis on which you make, and how you calculated 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**

Include information contained only in currently maintained lists and

registers.

- **Any lists or registers that you may be required to produce in the conduct of your business**

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 intend to make available the information in them to the public. Where registers contain personal information, you must ensure that you consider the data protection principles.

- **Any property asset list**
- **List of regalia (if not included in asset list)**
- **Register of trustees' financial and other interests**
- **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.

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

Information about the services we offer, leaflets, guidance and newsletters produced for the public and businesses.

- **Mayoral engagements**
- **Details of the services for which the trustees are entitled to recover a fee together with those fees**
- **Leaflets**
- **Involvement of trustees in local affairs**
- **Events**