

Freedom of Information Act

Definition document for Education and Library Boards, Northern Ireland

This guidance gives examples of the kinds of information that we would expect Education and Library Boards to provide in order to meet their commitments under the model publication scheme. For the avoidance of doubt, this document will also cover the Education and Skills Authority or any other successor body to the Boards.

We would expect Education and Library Boards to make the information in this definition document available unless:

- they do not hold the information;
- the information is exempt under one of the Freedom of Information Act (FOIA) exemptions or Environmental Information Regulations (EIR) exceptions, or its release is prohibited under another statute;
- the information is readily and publicly available from an external website. The Board 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- the information is archived, out of date or otherwise inaccessible; or,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.

The guidance is not meant to give a definitive or exhaustive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and authorities should look to provide as much information as possible on a routine basis.

Publishing datasets for re-use

Public authorities must publish under their publication scheme any dataset they hold that has been requested, together with any updated versions, unless they are satisfied that it is not appropriate to do so. So far as reasonably practicable, they 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 the public authority is the only owner, the public authority 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 Datasets 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 the datasets provisions in FOIA](#). This explains what is meant by "not appropriate" and "capable of re-use".

Who we are and what we do.

Organisational information, structures, locations and contacts.

We would expect information in this class to be current information only.

- Roles and responsibilities**

Boards should be providing outline and detailed information about their roles and responsibilities, and the roles and responsibilities of those working in them at a senior level.

- Organisational structure**

An explanation of the internal structures of the Board referring to its functions and how the structure relates to the roles and responsibilities. This will include Directorate and senior management structure together with membership and roles of the Board's committee structure.

- Board membership and senior staff**

Identification of those responsible for making strategic decisions about the provision of the Board's services. Any details that are not work-related should be published only with consent. Details of the total membership and information showing how members were nominated or appointed to the Board.

- Contacts for all customer-facing departments**

Boards should already be publishing as much information as possible about how they can be contacted. This should give some indication at least of the role of the contact, phone number and, where used, e-mail address. It always assists to provide a named contact where this can be done.

What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

We would expect as a minimum that financial information for the current and previous two financial years should be available. We would expect information to be available not only for the Board as a whole but also for directorates or departments as cost units.

- Board funding**

Information on the sources of funding, for example government as well as trust and endowment funds if appropriate.

- Financial statements, budgets and variance reports**

Financial information in sufficient detail to allow the public to see where money is being spent, where it is or has been planned to spend it and the difference between one and the other. Annual timescales should be used. We would expect revenue budgets and budgets for capital expenditure to be included. Annual Accounts should be published once signed off by the Northern Ireland Audit Office.

We expect to see details of items of expenditure over £25,000 including costs, supplier and transaction information. This should be published at least annually, but at a more frequent quarterly or six-monthly intervals where it is practical to do so.

We note that the outcome of tender evaluations for goods and services is reported to the Board generally on a monthly basis, setting out information such as the nature of the contract, the period of supply and the recommended supplier.

- Capital programme**

Information should be made available on plans for capital expenditure including any private finance initiative and public-

private partnership contracts, together with expenditure.

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

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 the Board's policies, practices and procedures. Categories will be under such headings as travel, subsistence, accommodation. For the purpose of this document, "senior staff" means staff with senior leadership or management responsibilities whose basic actual salary is at least £60,000 per annum.

- **Staff pay and grading structure**

Staff grading pay-scales should be made available and should include, as a minimum, the salaries for senior staff as defined above, stated in bands of £5,000. For more junior posts, levels of pay should be identified by salary range.

- **Procurement procedures**

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

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

We would normally expect that it should be necessary only to publish details of contracts that are of sufficient size to have gone through a formal tendering process in accordance with financial regulations.

- **Financial regulations**

What our priorities are and how we are doing

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

We would expect information in this class to be available at least for the current and previous three years.

Below is a list of the type of information that we would expect Boards to have readily available for publication. Any other reports or recorded information demonstrating the Board's planned or

actual performance should normally be included.

- **Annual reports**
- **Corporate strategies**
- **Performance information**
- **Plans**
- **Service standards**
- **Annual report to the Equality Commission**
- **Privacy impact assessments (in full or summary format)**

How we make decisions

Decision-making processes and records of decisions.

We would expect information in this class to be available at least for the current and previous three years.

- **Standing orders**

Standing orders for the conduct of meetings of the Board and Committees of the Board.

- **Agendas, background papers and minutes of Board meetings and committee meetings**

We would expect Board minutes and the minutes of similar meetings where decisions are made about the provision of services, excluding material that is properly considered to be private, to be readily available to the public. Information presented to those meetings, excluding those elements properly considered to be private, should also be made available.

- **Major policy proposals and decisions**

Information that can be made available to the public without damaging relations with other public bodies or internal policy development.

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

This will include facts, and analyses of facts, relevant and important to the framing of major policy proposals and decisions.

- **Public consultations and other formal responses**

Details of consultation exercises, the results and outcomes of consultation exercises, including the Board's responses to public consultation.

Responses to Bills, Reports and position papers on service provision.

Our policies and procedures

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

We would expect information in this class to be current information only.

- **Policies and procedures for the conduct of Board business**

Procedural standing orders, internal guidance about the division of responsibilities between committees and departments.

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

Policies and procedures of the Board that affect the manner in which services are provided. These will be divided into Financial Services, Education Services and Administrative Services. Policies and procedures for handling requests for information should be included.

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

A number of policies, for example health and safety and equality and diversity, will cover both the provision of services and the employment of staff. The Equality Scheme / Statement required to fulfil the obligations under section 75 of the Northern Ireland Act 1998 should be included here. Where recruitment policies require the advertisement of vacancies, details of current vacancies will no doubt be readily available.

- **Customer service**

Standards for the provision of services to the Board's 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**

This will include information security policies, records retention, destruction and archive policies, and data protection (including data sharing) policies.

- **Charging regimes and policies**

Details of any statutory charging regimes should be provided. Charging policies should include charges made for information routinely published and clearly state what costs are to be recovered together with the basis on which they are made and how they are calculated.

If the Board charges a fee for licensing the re-use of datasets, it should state in its guide to information how this is calculated and whether the charge is made under the Re-use Fees Regulations or under other legislation. It cannot charge a re-use fee if it makes the datasets available for re-use under the Open Government Licence.

- **Estate management**

For example, property maintenance policies and procedures, and policy on energy conservation and environmental protection.

Lists and registers

We would expect information in this class to be current information only.

- **Public registers and registers held as public records**

Where a Board is obliged to maintain a register and to make the information in it available for inspection by the public, it is accepted that in most circumstances the existing provisions covering access will suffice. We would expect however that Boards do publicise which public registers they hold and how the information in them is to be made public. Where registers contain personal information, Boards must ensure that the data protection principles are considered.

- **Register of gifts and hospitality provided to Board members and senior personnel**
- **Any register of interests kept by the Board**
- **Disclosure log**

Where a Board produces an information disclosure log indicating the information that has been provided in response to requests it should be readily available. Disclosure logs are themselves recommended as good practice.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by or on behalf of the Board. The Board 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, for example, where border controls are involved.

- **Asset registers including information asset register**

We would not expect Boards to publish all details from all asset registers. We would expect some information from capital asset registers to be available. If a Board has prepared an information asset register for purposes of the Re-use of Public Sector Information Regulations 2005, this should be published.

The services we offer

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

Generally this is an expansion of part of the first class of information. While the first class provides information on the roles and responsibilities of Boards, this class includes details of the services which are provided as a result of these roles and responsibilities. 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.

- **Services for public authorities**
- **Services for other organisations**
- **Services for members of the public**
- **Services for which the Board is entitled to recover a fee together with those fees**
- **Leaflets, booklets, circulars and newsletters**
- **Advice and guidance**
- **Media releases**