

## Freedom of Information Act

### Definition document for Inshore Fisheries and Conservation Authorities

This guidance gives examples of the kinds of information that we would expect Inshore Fisheries and Conservation Authorities (IFCA) to provide in order to meet their commitments under the model publication scheme.

We would expect these bodies to make the information in this definition document available unless:

- they do not hold the information;
- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations exceptions, or its release is prohibited under another statute;
- the information is readily and publicly available from an external website; such information may have been provided either by the IFCA or on its behalf. The IFCA 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- the information is archived, out of date or otherwise inaccessible; or,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 an 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 dataset provisions in FOIA. This explains what is meant by "not appropriate" and "capable of re-use".

<p><b>Who we are and what we do</b> Organisational information, structures, locations and contacts.</p>
<p>We would expect information in this class to be current information only.</p> <ul style="list-style-type: none"> <li>• <b>Constitution of the IFCA</b></li> <li>• <b>Structure and membership of the IFCA</b></li> </ul> <p>Names of members of the IFCA and any body represented by those members. IFCA and any sub-committee structure.</p> <ul style="list-style-type: none"> <li>• <b>Staffing structure of the IFCA</b></li> </ul> <p>Staffing arrangements of the IFCA, indicating numbers in post and giving some details about the senior member of staff.</p> <ul style="list-style-type: none"> <li>• <b>Geographical area covered</b></li> <li>• <b>Outline of responsibilities</b></li> <li>• <b>Location of office and contact details</b></li> </ul> <p>This should give some indication at least of the role of the contact, phone number and where used e mail address. Where possible, give named contacts.</p>
<p><b>What we spend and how we spend it</b> Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.</p>
<p>We would expect as a minimum that financial information for the current and previous financial year should be available.</p>

<ul style="list-style-type: none"> <li>• <b>Annual accounts</b></li> <li>• <b>Audit of accounts</b></li> <li>• <b>Revenue and capital spending plans</b></li> <li>• <b>Procurement procedures</b></li> </ul>
<p><b>What our priorities are and how we are doing</b> Strategies and plans, performance indicators, audits, inspections and reviews.</p>
<p>We would expect as a minimum that information for the current and previous financial year should be available.</p> <ul style="list-style-type: none"> <li>• <b>Aims, objectives and plans</b></li> <li>• <b>Performance against aims and plans</b></li> </ul>
<p><b>How we make decisions</b> Decision making processes and records of decisions.</p>
<p>We would expect information in this class to be available at least for the current and previous year.</p> <ul style="list-style-type: none"> <li>• <b>Minutes of the IFCA and any sub-committees</b></li> </ul> <p>We would expect IFCA minutes and the minutes of similar meetings where decisions are made about providing services to be readily available. This excludes information that is properly regarded as private to the meeting.</p> <ul style="list-style-type: none"> <li>• <b>Reports of advisory groups</b></li> <li>• <b>Other publicly available reports</b></li> </ul>
<p><b>Our policies and procedures</b> Current written protocols, policies and procedures for delivering our services and responsibilities.</p>
<p>We would expect information in this class to be current information only.</p> <ul style="list-style-type: none"> <li>• <b>Policies and procedures for the conduct of the IFCA business</b></li> </ul> <p>Procedural standing orders, internal guidance about the division of responsibilities between IFCA and delegated authority, policies on communications between the IFCA and members of staff. Any codes of practice, memoranda of understanding and the like should be included.</p> <ul style="list-style-type: none"> <li>• <b>Policies and procedures about the provision of services</b></li> </ul> <p>Policies of the IFCA that affect the manner in which services are provided. This will include policies and procedures for handling requests for information.</p> <ul style="list-style-type: none"> <li>• <b>Policies and procedures about employment matters</b></li> </ul>

A number of policies, for example equality and diversity, health and safety, will cover both the provision of services and the employment of staff. If vacancies are advertised as part of recruitment policies, details of current vacancies will be readily available.

- **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.

- **Customer service**

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

- **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.

### **Lists and registers**

We expect this to be information contained only in currently maintained lists and registers.

- **Any list or register that is legally required to be kept**

Where a public authority 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 that the existing provisions covering access will suffice. We would expect however that authorities do publicise which public registers they hold and how the information in them is to be made public. Where registers contain personal information, authorities must ensure that this is protected by the data protection principles.

- **Asset lists**

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

- **Register of members' interests**
- **Register of gifts and hospitality**
- **FoIA disclosure log**

Where a IFCA 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.

**The services we offer**

Information about the services we offer 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 the roles and responsibilities of the IFCA, this class includes details of the services which are provided by the IFCA. It will be of public benefit to have ready access to everything, for example, from the services provided to or for Defra to the information readily available from a public counter. The starting point would normally be a list or lists of the services that fall within the responsibility of the IFCA, linked to details of these services.

- **Regulatory role**
- **Byelaws**
- **Information for fishermen**
- **Information about shellfish harvesting**
- **Notices, leaflets and guidance**
- **Media releases**
- **Details of the services for which the IFCA is entitled to recover a fee together with those fees.**