

Freedom of Information Act 2000

Introduction

The Freedom of Information Act 2000 (FOIA) requires all public authorities to adopt and maintain a publication scheme. In 2008 the Information Commissioner's Office (ICO) introduced a single generic model publication scheme, for adoption by all public authorities that are subject to FOIA.

The model publication scheme commits a public authority to '*produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public*'. This is a very general scheme based on the principle that all public authorities need to recognise the public interest in the transparency of the services provided for and paid for by the general public. It is a commitment to make information easily available to the public.

The Yorkshire Fatigue Clinic (Clinic) provides therapy assessment and intervention and medical assessment and advice services under contract with the NHS in England and is therefore considered a public authority in respect of information relating to those services.

Note: The publication scheme is only for information held as a public authority.

The [Model publication scheme](#) is available on the ICO website. Further details are available in ICO guidance: [Using the definition documents](#).

The model scheme must be adopted in full, unedited and promoted alongside the guide to information. Public authorities are not required to inform the ICO that they have adopted the scheme; we will assume they have done so unless we hear otherwise.

A public authority is in breach of FOIA if it has not adopted the model scheme or is not publishing in accordance with it.

This publication scheme is based on the template produced by the Information Commissioners Office for GP practices – the most similar public authority to the Yorkshire Fatigue Clinic. It is not necessary to submit the guide completed by the practice to the ICO for approval.

This forms the basis of the publication scheme commitment by the Yorkshire Fatigue Clinic.

Information included in the guide to information.

The template lists the information that the Information Commissioner’s Office has recommended should be held and made available within each class, explains how it can be accessed and whether or not a charge will be made for it. We must:

- state how the specific information can be obtained and if there is a cost involved.
- complete the relevant columns in the template guide; and
- ensure the public can access the completed guide and the information listed in it.

The guide, like the model scheme document itself, does not need further approval by the Information Commissioner.

The Yorkshire Fatigue Clinic is not expected to routinely publish all information; for example, where they do not hold it or where it is publicly available elsewhere or is exempt. We list such circumstances below.

Information in the guide would be made available unless:

- we do not hold the information;

- the information is exempt under one of the FOIA exemptions or Environmental Information Regulations 2004 (EIR) 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 Clinic or on their behalf. The clinic would 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 only held by another public authority, the Clinic will provide details of where to obtain it.

For guidance on responding to requests for personal data, please refer to the Privacy Notice.

Datasets: 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". One of the reasons why it may not be appropriate to make a dataset available for re-use might be that the information is covered by an exemption under FOIA. The Clinic does not have to publish in their publication schemes any information that would be exempt from disclosure in response to a FOIA request; eg patient records.

Fees and charging

Information available through the Clinic's publication scheme should be readily available at a low cost or at no cost to the public. If the Clinic does charge for this information, the charges will be justifiable, clear and kept to a minimum.

Charges may be made for activities such as printing, photocopying and postage as well as information that the GP is legally authorised to charge for. Anyone requesting information will be informed of any charge before the information is provided. We may ask for payment before providing the information. Guidance on the ICO website: [Charging for information in a publication scheme](#) provides more details.

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

FOI requests and the publication scheme

It is important to note that a publication scheme simply sets out the information that is routinely available. Information that is not listed in the guide to information can still be requested and should be made available unless it can be legitimately withheld.

Information available from Yorkshire Fatigue Clinic *providing medical services under contract to the NHS* under the Freedom of Information Act model publication scheme

Information covered by this scheme is only about the primary medical services we provide under contract to the National Health Service.

Information to be published	How the information can be obtained (eg hard copy, website)		Cost
<p>Class 1 - Who we are and what we do (Organisational information, structures, locations and contacts)</p> <p>This will be current information only</p>			
Clinicians at the Clinic	Website		0
Contact details for the practice (named contacts where possible with telephone number and email address (if used))	Website		0
Opening hours	Website		0
Other staffing details	Website		0

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)			
Current and previous financial year as a minimum			
Details on NHS funding received by the Clinic.	On request – electronic or hard copy		0
Details of expenditure items over £10,000 - published at least annually but at a more frequent quarterly or six-monthly interval where practical.	N/A		0
Staff allowances and expenses that can be incurred or claimed, with totals paid to senior staff members (for the purpose of this document, senior staff are defined as partners or equivalent level), by references to categories.	On request – electronic or hard copy		0
Pay policy	On request – electronic or hard copy		0
Declaration of Clinicians’ NHS income.	On request – electronic or hard copy		0
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)	On request – electronic or hard copy		0
Current and previous year as a minimum – Annual Report			

Plans for the development and provision of NHS services – NHS specification and agreement	On request – electronic or hard copy		0
Performance data including performance against targets	On request – electronic or hard copy		0
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous year as a minimum			
Records of decisions made in the practice affecting the provision of NHS services.	On request – electronic or hard copy – can be provided regarding specific decisions		0
Class 5 – Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only.			
Policies and procedures about customer service	On request – electronic or hard copy		0
Internal instructions to staff and policies relating to the delivery of services	On request – electronic or hard copy		0
Policies and procedures about the recruitment and employment of	On request – electronic or hard copy		0

staff			
Equality and diversity policy	On request – electronic or hard copy		0
Health and safety policy	On request – electronic or hard copy		0
Complaints procedures (including those covering requests for information and operating the publication scheme)	On request – electronic or hard copy		0
Records management policies (records retention, destruction and archive)	On request – electronic or hard copy		0
Data protection policies	On request – electronic or hard copy		0
Policies and procedures for handling requests for information	On request – electronic or hard copy		0
Class 6 – Lists and Registers Currently maintained lists and registers only			
None held			0
Class 7 – The services we offer (Information about the services we offer, including leaflets, guidance and newsletters produced for the public) Current information only			
The services provided under contract to the NHS	On request – electronic or hard copy		0

Charges for any of these services	On request – electronic or hard copy		0
Information leaflets	Website		0