

Context

“The model publication scheme set out under separate cover has been approved by Mr Brendan Howlin, TD, Minister for Public Expenditure and Reform under Section 8(7) of the Freedom of Information Act 2014 and must be adopted by all FOI bodies in the required format as specified below. This does not preclude an FOI body from providing additional information as part of its publication scheme”.

-Department of Public Expenditure and Reform

1. Introduction

Section 8 of the Freedom of Information Act 2014 requires FOI bodies to prepare and publish a scheme concerning the publication of information by the body in conformity with a model publication scheme or guidelines made by the Minister. This allows for the publication or giving of records outside of FOI provided that such publication or giving of access is not prohibited by law. The Minister is of the view that FOI bodies should publish as much information as possible in an open and accessible manner on a routine basis outside of FOI, having regard to the principles of openness, transparency and accountability as set out in Sections 8(5) and 11(3) of the Act. The Minister has made the model scheme which is fully in compliance with Section 8 of the FOI Act for adoption by all FOI bodies. The scheme commits FOI bodies to make information available as part of their normal business activities in accordance with the scheme. Publication of documents which are not exempt under the Scheme is in line with the intention of the Directive on the Re-use of Public Sector Information, and the obligation under that Directive to publish information and ensure that it is accessible and re-usable for commercial and non-commercial purposes.

The Act requires that in preparing, reviewing or revising a publication scheme, an FOI body shall have regard to the public interest in:

- (a) allowing public access to information held by the FOI body;
- (b) the publication of reasons for decisions made by the FOI body; and
- (c) publishing information of relevance or interest to the general public in relation to its activities and functions generally.

2. Publication Methods and Review

Under the Publication Scheme, each FOI body shall:

- Set out information to assist members of the public in their understanding of the body and its functions;
- Publish the information it holds grouped under the information headings set out in Section 3 below; and
- Explain the procedures to get access to information or to establish what information the body holds.

There will be circumstances where an FOI body may indicate in its Publication Scheme that a particular item is “not applicable” (“N/A”). These circumstances arise where:

- the body does not hold the type of records concerned;
- the body is only subject to FOI in part and the type of records listed in the scheme are exempt; or
- the information is exempt under one of the FOI Act exemptions or is prohibited by some other statute, licence or regulatory decision.

The publication schemes of FOI bodies should be easily accessible to the public. In addition to publishing the scheme on the FOI body's website, Section 8(6) of the FOI Act provides that each body should maintain a printed version of the scheme at the body's Head Office which should be available for a member of the public to view during normal office hours at 24 hours' notice. It is intended that the basic scheme is all that is required to be kept in a printed version. Information in the scheme which is available by way of a link should be made available for viewing on-line on a case by case basis if required. There will be a limited number of cases where an FOI body comprises a committee, tribunal or Board that do not have ongoing functions. In such cases the FOI body can meet the requirements of the publication scheme by drawing attention to where the information is contained in its Annual Report, or on its website (if any).

An FOI body should publish its publication scheme not later than 6 months after the commencement of Section 8 of the FOI Act 2014 or not later than 6 months after the Minister has, under Section 8(7) of the FOI Act, made or revised guidelines on publication schemes or made or revised model publication schemes such that the publication scheme of the FOI body is no longer in conformity with the Minister's guidelines or model publication scheme.

An FOI body should review and update its publication scheme not later than three years after it is made and every three years thereafter. The material published under the publication scheme should be reviewed and revised/updated where appropriate at least on an annual basis and it is recommended that in the case of procurement or purchase order spends, information should be updated on a quarterly basis. Links should be deleted as they are replaced with more updated information. Information referred to in the Publication Scheme should be stored consistent with the FOI body's records retention policies. There is no requirement to provide information retrospectively, rather current information from the date of publication of the scheme or as otherwise indicated.

The Information Commissioner may, in accordance with Section 8(10) of the FOI Act 2014, examine and report in his annual report on the extent to which, in the opinion of the Commissioner, FOI Bodies are in compliance with Section 8.

3. Publication Format

The publication scheme should be displayed prominently on the FOI Body's website. It is recommended that a link to the publication scheme is placed on the homepage. Links to the publication scheme should also be made available in the FOI section of the website and in other areas that the FOI body deems appropriate e.g. About Us, Publications etc. The information should be grouped into the classes which are displayed below and should be easy to use with headings that are easily understood. The information should either be displayed as part of this scheme or by way of a link to information held elsewhere on the organisation's website. There is no requirement for an organisation to reproduce information on the webpage where the scheme is located, it is sufficient that a member of the public can click on a link to access the information.

The model Publication Scheme sets out the minimum level of information that should be provided by an FOI body on its website as part of its publication scheme. Consistency needs to be achieved in terms of the publication of the Information under this scheme, not only in terms of the type of information but also in terms of the format that this information appears on the websites of FOI bodies. On that basis, the model publication scheme requires information to be provided on the websites of all FOI bodies in tabular form under the 6 headings shown as set out below. This will ensure consistency and ease of access for all requesters. Within each tab, there should be a link to the relevant information. Where such information is extensive, or where it is otherwise deemed appropriate, the FOI body should use sub-headings within each tab to make the information more easily accessible. Sub-headings are provided in the model publication

scheme. Further guidance to assist FOI bodies to complete the publication scheme is available in Annexe 1 of this document.

This guidance is produced by the Minister pursuant to Section 8(1)(a)(ii) of the Freedom of Information Act 2014. This guidance explains to public authorities how to fulfil their obligations to make certain information routinely available. It is intended to help FOI bodies to fully understand their obligations under section 8(2) of the Freedom of Information Act 2014 and to promote good practice.

It sets out the classes of records FOI bodies would be expected to hold and gives examples of the kinds of information that we would expect FOI bodies to provide in order to meet their commitments under the model publication scheme. The nature of records held will be dependent on the functions of each body. It is expected that FOI bodies would make the information in this document available unless:

- the body does not hold the type of records concerned;
- the body is only subject to FOI in part and the type of records listed in the scheme are exempt; or
- the information is exempt under one of the FOI Act exemptions or is prohibited by some other statute, licence or regulatory decision.

The guidance is not meant to give an exhaustive list of everything that could be covered by a publication scheme.



Freedom of Information Act 2014

Publication Scheme

Contains:

- A. Information about IFAC
- B. Services provided to the Public
- C. Decision Making process for major policy proposals
- D. Financial Information
- E. Procurement
- F. FOI Disclosure Log and Other Information to be Published Routinely

A. Information about the FOI Body

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.

- **Establishment of organisation** can be found in the About the Council section of the website
<http://www.fiscalcouncil.ie/about-the-council/>
Roles, responsibilities and functions: The Irish Fiscal Advisory Council is an independent statutory body established as part of a wider agenda of reform of Ireland's budgetary architecture. The role of the Council is to independently assess, and comment publicly on, whether the Government is meeting its own stated budgetary targets and objectives. It is required to assess and endorse, as it considers appropriate, the official macroeconomic forecasts underpinning each Budget and stability programme. The Council also assesses the fiscal forecasts and the fiscal stance, and monitors compliance with legislated fiscal rules. It comprises of five Council members and a Secretariat of five. The Council was established on an interim basis in July 2011 and put on a statutory footing in December 2012 by the Fiscal Responsibility Act. The responsibilities of the IFAC are set out in the Fiscal Responsibility Act 2012, this can be accessed [here](#)
- **Governance/Management arrangements** Details of the membership and functions of any governance Boards of the Body. [Details of the audit committee can be found here](#)
- **Corporate Plans and Strategies**
All Corporate Governance documents can be viewed here:
<http://www.fiscalcouncil.ie/annual-report-and-accounts/>
- **Annual Report**
All Corporate Governance documents can be viewed here:
<http://www.fiscalcouncil.ie/annual-report-and-accounts/>
- **Organisation and Pay/Grading Structures**
As IFAC is such a small organisation the publication of Pay and grading structures would lead to identification of individual staff members pay.

[Please click here for IFAC's Organisation Chart](#)

- **Locations and contact details for the organisation** Please see the "Contact Us" Section of the Website: <http://www.fiscalcouncil.ie/contact-the-council/>
- **Details of Service Level Agreements/Memoranda of Understanding, if any:** MoU with Department of Finance available [here](#) .
Service Level Agreement with the ESRI is available will be available in February 2016
- **Codes of Practice Governance of State Bodies :**
<http://govacc.per.gov.ie/files/2012/03/codepractstatebod09.pdf>

B. Services Provided or to be provided to the Public

The services we offer

Details of functions and services that IFAC provides

- **The main outputs of IFAC, in line with the Council's mandate, are the biannual Fiscal Assessment Reports, Annual Pre-Budget Statement and periodic Analytical Notes and Working Papers. All publications are available on the IFAC website:**
<http://www.fiscalcouncil.ie/publications/>

C. Decision Making process for major policy proposals

How we make decisions on policies

Decision Making processes and records of decisions

In this section FOI bodies should provide details of:

- **Major functions including any public consultation exercises** Major policy proposals, including any public consultation exercises and the results of such consultations. Regard is to be had to the Consultation Guidelines published and a link should be provided, as appropriate, to information required under those guidelines.

Major functions of IFAC set out under (A) above. Public consultation exercises do not apply to IFAC.

- **Background information relating to functions** Reports, papers, facts and analyses provided for considerations which are relevant and important to framing major policy proposals and decisions.

IFAC FARs explain and document the rationale for IFAC policy assessments. Data behind all charts and tables in recent IFAC reports are now published online and can be found [here](#)

- **Reports on the operation of public services by the FOI body**

In 2015 IFAC appointed an independent peer review group to provide an evaluation of IFAC's outputs in line with IFAC's Strategic Plan 2014-2016. The independent panel's report can be accessed here:
<http://www.fiscalcouncil.ie/peer-review/>

D. Financial Information

What we spend

Financial information relating to income and expenditure

FOI bodies should provide the following information in this section:

- **Financial statements** Financial Statements, including annual accounts, and any regular update statements.
These are published here: <http://www.fiscalcouncil.ie/annual-report-and-accounts/>
- **Payments or Purchase Orders for goods and services** Details, on a quarterly basis, of payments or purchase orders for goods and services of more than €20,000, or in the case of the HSE a threshold of €100,000, or in the case of commercial bodies, having regard to commercial sensitivities, details published by category with a total value of more than €20,000.

The link to these will appear here after Q1 2016

- **Governance Board Member remuneration** Non executive Governance Board Member remuneration for attendance at Board meetings, or work as a Board member (where applicable). Costs of travelling to Council meetings are included here.

[Costs 2016](#)

- **Funding/Sponsorship of non-public bodies**
N/A

E. Procurement

How we spend

Information relating to how we procure goods and services – current information beginning from date of publication of Scheme

FOI bodies should provide the following details in this section:

- **Procurement policies** – IFAC adheres to Government Procurement norms
- **A link to all current tender competitions on the eTenders website** Details of current tender competitions over €10,000 for ICT and €25,000 for all other competitions are available on www.etenders.gov.ie
- **Public contracts awarded including contract type, contractor, value, award date, duration and brief description (tabular format) over €10k for ICT and over €25k for other contracts** On a quarterly basis, details of public contracts awarded for values over €10,000 for ICT and €25,000 for all other contracts (exclusive of VAT) should be published including:
 - ✓ Whether this is an award for a single contract or an award from a framework,
 - ✓ Name of winning contractor and legal address,
 - ✓ Value of the contract (exclusive of VAT),
 - ✓ Type of Contract (works, supplies, services),
 - ✓ Contract Award Date,
 - ✓ Duration of contract in months,
 - ✓ Brief description of contract.

The link to these will appear here after Q1 2016

F. FOI Disclosure Log and Other Information to be Published Routinely

Other information
<p>FOI bodies should publish the type of information listed below as appropriate, in addition to any other information that would provide information to the public. For example:-</p> <ul style="list-style-type: none">• FOI Disclosure Log Details of the FOI disclosure log in relation to non-personal requests which have been handled by the body under FOI, as set out in the Code of Practice on FOI. CPU Notice 16 is relevant here and particular care needs to be taken to ensure that privacy rights are not infringed, that persons are not subject to commercial disadvantage through the inadvertent release of records and that exempt information is not published erroneously e.g. If a request was received in relation to state security issues a statement could be published in the log to say that a request was received pertaining to the security of the state and that the request was refused, thus ensuring accuracy in the log but not disclosing details.• Reports e.g. Annual Reports, Reports on Expenditure Reviews, Policy Assessments, as appropriate. FOI bodies should publish such reports as soon as practicable.• Information held by the body which is sought regularly¹ Information which is held by the body and is sought on a regular basis. This does not include details which would be exempt under FOI. This information should be published proactively and at regular intervals and the timelines for its publication should be available also. This information will vary from body to body but may include:<ul style="list-style-type: none">-Minutes of Council Meetings (can be viewed here)-T&S, if any, for Governance Board Members The link to these will appear here after Q1 2016-Information released under Access to Information on the Environment Regulations (N/A as yet)

¹ Such information should not include details which would be exempt under FOI