



Commission for Victims and Survivors

PUBLICATION SCHEME

Version	3
Date Approved by Board	8 March 2016
Date of previous approval	2 February 2015 4 February 2014 January 2013
Date of Next Review	February 2017

Freedom of Information Act 2000

The Freedom of Information Act 2000 (the Act) gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities.

A 'public authority' is defined in the Act, and includes, but is not restricted to, central and local government, non-departmental public bodies, the police, the health service and schools, colleges and universities. The Commission for Victims and Survivors (the Commission) is a public authority within the meaning of the Act.

Any person who makes a request to a public authority for information must be informed whether the public authority holds that information and, subject to exemptions, must be supplied with that information.

Individuals already have the right of access to information about themselves under the Data Protection Act 1998. As far as public authorities are concerned, the Freedom of Information Act will extend this right to allow public access to all types of information held.

Every public authority is required to adopt and maintain a publication scheme setting out the classes of information it holds, the manner in which it intends to publish the information, and whether a charge will be made for the information. The purpose of a scheme is to ensure a significant amount of information is available, without the need for a specific request. Schemes are intended to encourage organisations to publish more information pro-actively and to develop a greater culture of openness.

In pursuance of this the Commission has produced this publication scheme which meets the above specification and gives the reasons for withholding any information.

Information about the Commission

The principal aim of the Commission is to promote the interests of victims and survivors of the conflict.

The creation of the Commission required the introduction of legislation, The Victims and Survivors (Northern Ireland) Order 2006, as amended by the Commission for Victims and Survivors Act (Northern Ireland) 2008. Four Commissioners were appointed on 2 June 2008. A single Commissioner was appointed on 24 September 2012.

The Commission has six statutory duties:

1. To promote awareness of matters relating to the interests of victims and survivors and the need to safeguard those interests
2. To keep under review the adequacy and effectiveness of law and practice affecting the interests of victims and survivors
3. To keep under review the adequacy and effectiveness of services provided for victims and survivors
4. To provide advice to government on matters affecting victims and survivors
5. To ensure that the views of victims and survivors are sought by the Commission in carrying out its work
6. To make arrangements for a forum for consultation with victims and survivors

Aims of the scheme

This scheme aims to inform all interested parties of the information the Commission will make available and seeks to explain the reasons why certain information will not be given.

It is the intention of the Commission to be proactive in making available the information it holds and to develop a culture of openness. To this end the Commission has a website in operation. The Commission will review its scheme from time to time.

The classes of information held, the manner of publication, and whether a charge will be made is set out elsewhere in this document. If information will not be published the reason for this is given.

As other documents and information accrue they will be considered under the general terms of this scheme for inclusion.

Approval and enforcement

The Information Commissioner is responsible for the approval of publication schemes and enforcement of the Act. The Information Commissioner post combines regulation of both the Freedom of Information and Data Protection Acts.

The Commission's approach

The approach used by the Commission in determining the classes of information to be published has as its starting point the intention to disclose as much as it possibly can about its purpose and operations withholding information only where: -

- (i) This can be justified on the grounds of confidentiality about individuals
- (ii) Disclosure would be a breach of an undertaking by the Commission that information given in confidence would not be made public without the agreement of the person or body concerned
- (iii) Publication would not be in the public interest as determined by the Commission.

Responsibility for the scheme

The Secretary to the Commission is responsible for the Commission's scheme. The Head of Corporate Services is responsible for the scheme on a day-to-day basis.

Requests for information

Applications should provide as much detail as possible to enable Commission staff to identify the information sought. If information is required in a particular way, for example a photocopy or on a computer disc, this should also be stated clearly. If a member of the public has difficulty in identifying the precise information required Commission staff will be ready to help.

The Commission will respond to requests as soon as possible. Requests for information should be made to;

Commission for Victims and Survivors
Equality House
7-9 Shaftesbury Square
Belfast
BT2 7DP

Telephone: (028) 90 311 000

Fax: (028) 90 607 424

Text phone: (028) 90 607 400

Email: commission@cvsni.org

Under the Freedom of Information Act, anyone is entitled to request information not otherwise publicly available. The right of access will be brought into force for all public authorities in January 2005. However, the Act does not cover requests for an applicant's personal data. Those requests will continue to be subject to the provisions of the Data Protection Act.

Format in which information is available

Information is available in hard copy by post from the Commissions office and on the Commissions website – www.cvsni.org.

Systems will be in place to ensure that the scheme and information will be available on request in accessible formats such as Braille, disc, and in audio cassette and in minority languages in a timely fashion to meet the needs of those who are not fluent in English. Specific consideration will also be given to ensure that young people and those with learning disabilities are able to access the scheme.

The Commission will inform the general public about the availability of this material through public advertisement, news releases and via the website.

Charges for information

The Commissions aim is to make as much information as possible readily available and readily accessible. Most Commission publications can normally be downloaded from the website. The Commission also aims to provide additional information routinely on the website.

There may be a charge for photocopying, postage and packing of hard copies, particularly where large volumes of material are involved. Where this is the case, costs will be kept to a minimum and you will be advised in advance of the material being sent. Payment will be requested in advance of the material being provided.

Anyone seeking information not on the website or more information about what it contains should get in touch with the Commission as a first port of call. Requests should be sent to;

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Right of review and appeal

The Freedom of Information Act 2000 sets out a series of exemptions to protect confidential or other information where disclosure may prejudice the interests of the State or of third parties. Where the Commission invokes these provisions to withhold information, that decision is subject to a review process. Decisions about deferral of access to information, the way in which access is given or the level of fees or charges, are also subject to review. The two review processes are set out below.

Right of internal review

If an applicant for information is dissatisfied with the response from the Commission he/she may seek an internal review of that decision. That review will be undertaken by the Secretary to the Commission who will not have been previously involved with the request. If a response from the Commission has not been received within 20 working days of receipt of the initial application, it is likely to be regarded by the Information Commissioner as amounting to a refusal of a request and allows the applicant to proceed to internal review.

Requests for internal review should be submitted to the Secretary to the Commission via the contact details on Page 4.

An internal review must normally be completed before an appeal may be made to the Information Commissioner.

Review by the Information Commissioner

If an applicant is not satisfied with the outcome, or the handling, of the internal review conducted by the Commission, he/she may seek an independent review from the Information Commissioner. Requests for a review by the Information Commissioner should be made in writing directly to: -

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number **Fax:**
01625 524 510

Copyright

There is no copyright restriction on the scheme or on Commission's documents mentioned therein.

Equality screening

The Commission has considered its statutory equality obligations for the publication scheme under Section 75 of the Northern Ireland Act 1998.

The Equality Commission's screening criteria have been applied to the publication scheme and have indicated that there is no evidence of significant implications for the equality of opportunity or good relations duties within the terms of Section 75 of the Act. There is therefore no requirement to carry out an equality impact assessment on the publication scheme.

Comments on the scheme

The Commission welcomes comments from users of the scheme in regard to its form, scope and operation. Any comments, questions or suggestions should be sent in writing to the Secretary to the Commission.

Classes of Information

The Freedom of Information Act 2000 requires a publication scheme to specify the classes of information that the public authority already publishes or intends to publish.

The Commission's intention is to publish as much information as possible on subjects in which there is known to be a public interest. However exemptions under the Freedom of Information Act prevent some information being released. This relates to confidential personal information which is dealt with under the Data Protection Act 1998.

The Commission publishes or intends to publish information under the classes listed below but recognises that exempt information may be included in some of these classes. Where this is the case it will withhold the information and give the reasons for so doing.

Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance.

- Organisational structure
- Contact details
- Map/location
- Background information and legislation on aims and statutory duties
- Role and responsibilities of organisation and senior staff
- Links to relevant documents or consultations

What we spend and how we spend it

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

- Annual Report and Accounts
- Contracts Register
- List of Service Level Agreements

What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews.

- Work Programme
- Corporate plan
- Documents or advice from the Victims and Survivors Forum to the Commissioner?
- Advice from the Commissioner? to Ministers
- Transcripts of speeches
- Reports and Research – internally and externally produced or commissioned by the Commission
- Responses to public consultation exercises

How we make decisions

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

- Consultations
- Papers and minutes of the Board
We publish the minutes of our Board meetings, and the papers from meetings, whenever appropriate.
- Papers and minutes of the Audit & Risk Committee
We publish the minutes of our Audit & Risk Committee meetings, and the papers from meetings, whenever appropriate.
- Papers and Minutes of the Victims and Survivors Forum
We publish the minutes of Victims and Survivors Forum meetings, and the papers from meetings, whenever appropriate.

Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

- Human Resources Policies including policies for regulating the conduct of staff and dealing with their concerns; policies and procedures concerning the recruitment, selection and development of staff; policies and procedures giving effect to the Commission's commitment to equality of opportunity; policies for the protection of Commission staff and others.
- Policies and protocols to ensure compliance with legal requirements
- Policies developed on a voluntary basis

Lists and Registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

- Gifts and Hospitality
- Register of Interests (Trades, Businesses and other activities in which people are employed)
- Risk Management Strategy
- Financial Memorandum and Management Statement
- Memorandums of Understanding

The Services we Offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

- Information Leaflets
- Events materials i.e. invites and event programmes
- News releases

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

Quality Control

A designated member of the Commission Senior Management Team reviews all information for external publication (i.e. information distributed outside the organisation) prior to it being published. This quality check is in place to ensure compliance with this Policy.

Accountability

To ensure effective implementation, each member of the Senior Management Team will be responsible for making sure that all information for publications produced by staff within their team are in line with the Publication Scheme.

Monitoring and Evaluation

The scheme will be periodically reviewed to assess its appropriateness and effectiveness in light of good practice and other developments.