

Freedom of Information Act 2000

Guide to information provided by NHS dentists under the model publication scheme

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.

Dentists providing dental services under contracts with the NHS in England, Wales and Northern Ireland are public authorities 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.

To assist dentists, we have produced this template guide to information. The template will help them to draw up their guide to information, indicating what information they will provide, how it will be provided and whether any charge will be made for its provision. They should consider expanding elements of it to provide greater explanation and additional information, where this can be done. For example, if there are specific plans for the provision of NHS services these could be detailed. It is not necessary to submit the guide completed by the practice to the ICO for approval.

This and the model scheme document itself form the basis of the publication scheme commitment by NHS dentists.

Information included in the guide to information

The template lists the information we think that dentists should hold and make available within each class. When completed, this will provide a list of all the information the dentist will make routinely available, explain how it can be accessed and whether or not a charge will be made for it. Dentists 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.

Dentists should note that they are 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.

We would expect dentists to make the information in the guide available unless:

- they 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 dentist or on their behalf. The dentist 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.

If the information is only held by another public authority, the dentist should provide details of where to obtain it.

For guidance on responding to requests for personal data, please refer to [the Subject Access code of practice](#).

Datasets: publishing datasets for re-use

The law requires public authorities, including dentists, to 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.

FOIA requires public authorities, including dentists, to 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.

For the purpose of this guide to information, a dataset is a collection of factual raw data held electronically that has been obtained or recorded in connection with providing NHS dentistry. The dataset provisions are about making information that is released under FOIA available for re-use. Dentists do 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.

If dentists are making a dataset routinely available under their publication scheme, then 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 dentist is the only owner of the copyright, they must make it available for re-use under the terms of a specified licence. 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".

Fees and charging

Information available through a dentist's publication scheme should be readily available at a low cost or at no cost to the public. If a dentist does charge for this information, we expect the charges to 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 dentist is legally authorised to charge for. Anyone requesting information must be informed of any charge before the information is provided. Dentists may ask for payment before providing the information. Guidance on our website: [Charging for information in a publication scheme](#) provides more details.

If the dentist 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 dentist cannot charge a re-use fee if they make the datasets available for re-use under the Open Government Licence.

FOIA 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.

Roseacre Cottage Dental Practice LTD

Information available from Roseacre Cottage Dental Practice under the Freedom of Information Act model publication scheme

Information covered by this scheme is only about the dental 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>	<p>Patient Information Leaflet: Webite or hard copy</p>	<p>No charge</p>
<p>Who's who in the practice</p>	<p>Available on the website- 'meet the team' or displayed in the practice entrance</p>	<p>No charge</p>
<p>Contact details for the practice (named contacts where possible with telephone number and email address (if used))</p>	<p>These details are available in our practice information leaflet, which is available from the practice reception. The information is also published on our practice website at www.roseacredental.com</p>	<p>No charge</p>
<p>Opening hours</p>	<p>This information is available in our practice information leaflet, which is available from the practice reception. The information is also published on our practice website at www.roseacredental.com</p>	<p>No charge</p>
<p>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)</p> <p>Current and previous financial year as a minimum</p>	<p>Available on request please contact Mr M Wall/Miss L Beecroft</p>	<p>No charge</p>
<p>Details on NHS funding received by the practice and the cost of operating the NHS contract. We would</p>	<p>Information on NHS funding and contract targets is available from Mr M Wall/ Miss</p>	<p>No charge</p>

expect dentists to consider publishing as much information as possible, including as much detail as possible.	L Beecroft	
Total annual expenditure on the provision of our contracted services (since most practices also provide care to patients on a private basis, the costs have been apportioned)	<p>Practice costs for providing services relate to the provision of both NHS and private care. We have, therefore, apportioned our expenditure to reflect the number of NHS patients.</p> <p>The total annual expenditure for the provision of our contracted services is available for:</p> <ul style="list-style-type: none"> • Staff and personnel costs • Premises and equipment costs • Utilities cost, materials and supplies <p>The information is available from Mr M Wall /Miss L Beecroft</p>	Reasonable copying costs will be charged
Audit of NHS income, if held	The practice is not subject to formal audits, so this information is not held	
<p>Class 3 - What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)</p> <p>Current and previous year as a minimum</p>		
Plans for the development and provision of NHS services	This information is available in our practice information leaflet, which is available from the practice reception.	No charge
Performance data including performance against targets	This information is available from Mr M Wall/Miss L Beecroft	No charge
Practice inspection. Inspection reports by regulators [for England: the Care Quality Commission (CQC); Wales: Healthcare Inspectorate Wales; or Northern Ireland: the Regulation and Quality Improvement Authority (RQIA)]	The date and conclusions of our last practice inspection are available from Mr M Wall/Miss L Beecroft a copy is also available in our waiting room	Reasonable copying costs will be charged

<p>Class 4 - How we make decisions (Decision making processes and records of decisions)</p> <p>Current and previous year as a minimum</p>		
<p>Records of decisions made in the practice/firm affecting the provision of NHS services.</p>	<p>As a small business, we do not normally maintain formal records of management decisions. However, any changes in the provision of NHS services are incorporated into the practice information leaflet. Our current practice information leaflet is available from the practice reception. We may also notify patients via notices in our reception area.</p>	<p>No charge</p>
<p>Class 5 - Our policies and procedures (Current written protocols, policies and procedures for delivering our services and responsibilities)</p> <p>Current information only.</p> <p>Here we have listed the policies we would expect practices to have. Any additional policies should also be listed. Mark "not held" against any policies that are not actually held.</p>		
<p>Policies and procedures about customer service</p>	<p>Information about our customer service is included in our patient information leaflet, which is available from the practice reception</p>	<p>No charge</p>
<p>Policies and procedures about employment of staff</p>	<p>Copies of the practice disciplinary policy and grievance policy are available from the practice reception.</p>	<p>No charge</p>
<p>Equality and diversity policy</p>	<p>A copy of the practice policy on equality and diversity is available from the practice reception</p>	<p>No charge</p>
<p>Health and safety policy</p>	<p>A copy of the practice health</p>	<p><i>No charge</i></p>

	and safety policy is available from <i>the practice</i> reception	
Infection control policy	A copy of the practice infection control policy is available from the practice reception.	No charge
Radiation protection checklist	A copy of the practice radiation protection checklist is available from the practice reception.	No charge
Complaints procedures (including those covering requests for information and operating the publication scheme)	A copy of the practice complaints procedure is available from the practice reception. Information about how to make a complaint is also published on the practice website at www.roseacredental.com	No charge
Records management policies (records retention, destruction and archive)	A copy of the practice records management policy is available from the practice reception.	No charge
Confidentiality and data protection policies	Copies of the practice confidentiality policy and data protection code of practice are available from the practice reception.	No charge
Policies and procedures for handling requests for information	A copy of the practice procedure for handling requests for information is available from the practice reception.	No charge
Practice information leaflet	Our practice information leaflet can be obtained from the practice reception. The information is also published on our practice website at www.roseacredental.com	No charge
<p>Class 6 - Lists and Registers Currently maintained lists and registers only</p> <p>We recognise that it is unlikely that dentists are going to have registers available for public inspection and</p>		

while this remains the case “none held” can be entered in this section.		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice).	This information is not held	
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	This information is included in our practice information leaflet, which is available from the practice reception.	No charge
Charges for any of these services	The information is on display in the practice a copy can be available at reception	No charge
Information leaflets	Oral health information is available in various patient information leaflets, which can be obtained from the practice reception.	No charge
Out of hours arrangements	Information about out-of-hours emergency care is available in the practice information leaflet, which is available from the practice reception and published on the practice website.	No charge