



Natural Resources Wales

Board Meeting

19 March 2013

Paper Title	Board Information Governance and Open Board meetings
Paper Reference:	Paper 13 (13/13)
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Purpose of Paper:	Information
Recommendation:	For information to note
Decision Required:	If applicable

Impact: To note – all headings might not be applicable to the topic	Impact on the Environment: Not applicable Impact on the Economy: Not applicable Impact on Community: Not applicable Impact on Knowledge: Not applicable
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Issue

1. To brief the Board on arrangements for Board Information Governance and open Board meetings from 1 April onwards

Summary of Arrangements

Information Governance

A. Publication Scheme

2. From the 1st April NRW will be registered with the ICO (Information Commission Office) and named on the schedule of bodies which is subject to the Freedom of Information Act 2000 (FOI) legislation. This will apply to all records and data (recorded information) that is held by NRW irrespective of when it was created i.e. pre 1 April.

3. The FOI legislation provides public access to information held by public authorities. It does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
- members of the public are entitled to request information from public authorities.

4. The NRW publication scheme (Annex 1) details the information that NRW must disclose. This was developed in line with the recommended format by the ICO (Information Commissioner Office).

5. A member of the public can make a request for information not listed in the scheme and these requests will be dealt with under the relevant legislation, Freedom of Information Act 2000, Environmental Information Regulation (EIR) and Data Protection Act (DPA). In respect of the Data Protection Act, NRW staff and members of the public can make a request to see information held by NRW about them.

Minutes and Agendas

6. The ICO recommends as a general rule the following will be made public

- minutes and agendas of public meetings;
- documents you are required to make public by other legislation, such as the Local Government Act 1972;
- minutes of senior-level policy and strategy meetings, eg board meetings; and
- any background documents which are referred to in the agenda or minutes, or were circulated in preparation for the meeting. These are considered part of the agenda.

Version 1

7. Following ratification by the Board all minutes and agendas will be published on the NRW Board pages of the Website within 10 working days of the meeting, in English and Welsh.

8. The records associated with the NRW Board created before 1st April will be transferred to NRW. During April and May the Secretariat team will publish all retrospective ratified minutes and agendas. The Secretariat team will review minutes and agendas and apply redaction where appropriate under the relevant legislation.

Papers

9. All papers presented to the Board will be available for request by a member of the public. FCW/CCW currently publishes minutes and agendas via their websites with papers available by request. Papers for presentation at public NRW Board meetings will be made available on the NRW website in advance of the meeting.

10. When responding to requests for copies of Board papers not published, the Secretariat will consider each paper on a case-by-case basis. Particular paragraphs or sections of a paper may be removed where possible, in order to allow the remainder of the paper to be published. In addition, where an exception has been used to reduce publication of papers or parts thereof, these will be regularly reviewed by the Secretariat to ensure that non-publication is still justifiable.

B. Classification and Handling of Sensitive data/information/records – Protective Markings

11. NRW will follow the HM Government Protective Marking Scheme (GPMS) to ensure that all information assets receive the same level of protection across all civil and public sectors. The guidance will apply to all NRW Staff, contractors working with NRW and any third parties holding sensitive information on our behalf.

12. There are five levels of protective marking in the GPMS

- Protect
- Restricted
- Confidential
- Secret
- Top Secret

* shown in increasing order for sensitivity.

13. It is the responsibility of the author of Board documents to apply the appropriate protective marking following the guidance provided in the Essentials Guide available to all staff.

14. Finance papers will be treated as Protect - Finance, and therefore exempt from publication under the Freedom of Information Act. Once the Annual Report, Accounts and Governance statement for NRW for that particular year have been published, the finance papers for that year will normally be made available.

15. Assets (documents, records, data sets etc) that are sensitively marked

- Must only be distributed on a “need-to-know” basis; that is where the proposed recipient has a legitimate business requirement for the information.
- Must not be left unattended or on view in any public place, such as, a restaurant, hotel, taxi or public transport vehicle. They must not be entrusted to the custody of a member of the public.
- Should not be otherwise disclosed without:
 - appropriate authority from the Information Asset Owner (author or data custodian)
 - and taking into account legislation such as FOI, DPA and EIR.

16. Secretariat are currently investigating the possibility of a secure area on the Document Management system for the storage of all Board papers removing the need for encryption of email messages associated with some levels of security markings that may be appropriately used in NRW.

17. Following each Board meeting a briefing presentation will be cascaded to Staff via the leadership group detailing the discussion and decisions made by the Board.

C. Paper Numbering

18. From April all papers and presentations made to the Board and sub committee for discussion/decision/information will be numbered in the following format and numbered sequentially

For Board - NRW B (01.13)

RemCom - NRW R (01.13)

ARAC - NRW A (01.13)

Numbering will commence at (01.14) at the turn of the year and continue sequentially.

19. This follows good practice adopted by the legacy organisations and reviewed by Internal Audit teams and External Audit, WAO.

20. Minutes will be clearly annotated Draft, in the filename and header and footer, until ratified by the Board or Sub-Committee.

21. Agenda will be clearly annotated Draft, in the filename and header and footer, until agreed with the Chair of the Board or Sub-Committee.

Public meetings

Advertising

22. Information about the date, time and location of public NRW Board meetings will be made available on the NRW website. The Agenda will normally be available 5 working days before each meeting and be available electronically or by hard copy on request to the Secretariat.

Members of the public will be welcome to attend and observe Public Board meetings, registering their interest with the Board Secretariat 5 days ahead of the meeting.

Meeting Conduct

23. No cameras or recording equipment shall be used at meetings of the NRW Board except with prior approval of the NRW Chair.

24 Once the meeting has formally been closed, members of the public can address questions to the Chairman or Chief Executive about any items on the agenda.

Welsh language Scheme

25. At all bilingual public meetings and events organised by NRW, the Chair will open proceedings with a bilingual greeting, draw attention to the availability of the simultaneous translation service, Welsh to English, and explain how the equipment works. The Chairperson will encourage the use of Welsh wherever possible during the meeting. Papers at these meetings, and subsequent reports, will be available in Welsh and English.

Public Etiquette

26. If a member of the public interrupts the proceedings at any meeting the Chairman shall warn them about their behaviour. If the interruption continues the Chairman shall request the person to leave the meeting.

27. In the course of discussing a particular item of business if it becomes apparent that it would be more appropriate if the discussion were continued in private session, a motion to do so may be moved by the Board.

Next Steps

To note.

Risks

Not applicable.

Financial Implications

Not applicable.

Communications

28. Information held within this paper will contribute to the content of the Board Essential Guide (handbook).

Annex 1

Managing our Data and Information Natural Resources Wales Publication Scheme

The Freedom of Information Act aims to promote greater openness in public authorities. Section 19 of the Act requires public bodies to maintain and publish a publication scheme that outlines the classes of information that they routinely make available, explains how they can be accessed and lists any associated costs.

NRW has adopted the [Information Commissioner's model publication scheme](#) and follows relevant sections of the [definition document for Welsh Government Sponsored Bodies](#). The definition document outlines 7 classes of information that are required

- 1. Who we are and what we do**
- 2. What we spend and how we spend it**
- 3. What our priorities are and how we are doing**
- 4. How we make decisions**
- 5. Our policies and procedures**
- 6. Lists and Registers**
- 7. The Services we Offer**

Further to this, part 4 of the second order (insert link) that establishes Natural Resources Wales requires the NRW to produce a publication scheme and specifies certain information that must be published. Relevant items have been incorporated into the ICO definition document to produce a combined publication scheme.

This publication scheme lists the information that NRW will routinely make available for each of the 7 classes.

All items in this scheme are available on request and a link is provided for all items that are routinely published on our web site.

You can request items via the Customer Service Centre:

Telephone: 0300 065 3000

E-mail: enquiries@naturalresourceswales.com

In writing: Natural Resources Wales, Ty Cambria, 29 Newport Road Cardiff CF24 0TP

Requests received for information detailed in this scheme will be provided on the same terms as responses to Freedom of Information requests where there is no charge for any request that takes up to 2½ days to process, although there may be a fee for costs associated with photocopying, printing etc (please refer to the NRW charging scheme under Access to Information)

Unless stated, all items are updated as changes occur and reviewed annually as a minimum.

1. Who we are and what we do

Roles and responsibilities

Description of the role and responsibilities of the NRW and roles and responsibilities of senior management

Organisational structure

Information about our internal structures relating to functions and how this relates to NRW roles and responsibilities

Legislation relevant to functions

Explanation of the legislative basis for the NRW

Partnerships

List of strategic partners and sponsoring body

Senior staff and management board members

Structure & responsibilities of the NRW Board.

Biographies of board members

Locations and contact details

List of offices with addresses and contact details.

2. What we spend and how we spend it (current and previous 2 years)

Staff and board members' allowances

Allowances/expenses that can be claimed or incurred

Pay and grading structures [updated annually](#)

Procurement procedures

Procedures used for the acquisition of goods and services. Contracts currently available for public tender

Lists of contracts awarded and their value

Lists contracts that have gone through the formal tendering process (over £***) – [updated weekly](#)

3. What our priorities are and how we are doing (current and previous 3 years)

Strategic plans

Annual business/corporate plan [updated annually](#)

Annual report [updated annually](#)

Service standards

Statistics produced

Public service agreements

4. How we make decisions (current and previous 3 years)

Public consultations

Details of consultation exercises with access to the consultation papers or information about where the papers can be obtained. The results of consultation exercises

Planning consultations – [updated weekly](#)

Minutes of board level meetings – [updated monthly](#)

Management board minutes, excluding material that is properly considered to be private, to be readily available to the public.

Reports and papers provided for consideration at board level meetings – [updated monthly](#)

Information presented at board meetings, excluding those elements properly considered to be private.

Internal communications guidance and criteria used for decision making, i.e. process systems and key personnel

Where access to internal instructions, manuals and guidelines for dealing with the business of the AGSB would assist public understanding of the way decisions are made these should be readily available. We would not expect information that might damage the operations of NRW to be revealed.

Stakeholder committees that NRW Chair– [updated monthly](#) – [reviewed annually](#)

5. Our policies and procedures

Policies (link to relevant web pages – others available on request)

Details of organisational policies

Customer service

Standards for the provision of services to the NRW customers, including the complaint procedure.

Complaints procedures will include those covering requests for information and operating the publication scheme.

6. Lists and Registers

Public registers and registers held as public records – updated weekly

Register of gifts and hospitality provided to Board members and senior personnel

Any register of interests kept within the department

Applications for permits made to the body – updated weekly

Permitting decisions made by the body – updated weekly

7. The Services we Offer

Regulatory responsibilities

Leaflets, booklets and newsletters

Advice and guidance

Media releases