

## **The Pharmaceutical Society of Northern Ireland's Freedom of Information Policy and Publication Scheme**

### **The Society's general principle of disclosure**

The Pharmaceutical Society of Northern Ireland works on a general presumption of openness in terms of requests for information made to us from pharmacists, the public, stakeholders, academics, Government Departments and agencies, law enforcement agencies and journalists. Additionally, the Society's Publication Scheme (See Below) aims to make Society publications readily accessible to the public on our website on a continuous basis.

However certain kinds of information may need to be withheld where a legislative exemption applies or the public interest is not served by the release of information.

As required by the Freedom of Information Act, the Society has produced a publication scheme, outlining the kind of information it will voluntarily make available. The information included in its publication scheme is already available and requests for other information will be considered. More information is given below.

### **The Freedom of Information Act 2000**

The Freedom of Information Act 2000 provides, to any person upon written request, a general right of access to information held by a public authority. They have the right to be informed whether or not the authority is in possession of the information and, with certain exemptions, to have that information communicated to them. The Act obliges public authorities to provide and maintain a publication scheme which lays out the classes and subclasses of information that the

authority will make available voluntarily. This scheme must give the terms under which the information will be provided, eg, whether or not there will be a charge for the information.

**What this means: What the Society must do**

The Society has produced a publication scheme based on a model scheme developed by the Health Regulators Information Policy Group, which was approved in February 2004 by the Information Commissioner. The group agreed on five broad classes and subclasses of information in which material would be published. All of the information listed in the scheme is currently available. The Society has also set up internal procedures to ensure that the scheme is maintained and updated.

Any individual who makes a written request for information will be informed if the Society holds the information that they seek, and if appropriate the information will be provided to them. If we do not hold the information we will advise, where possible, on an alternative source. The Society will comply with the time limit set down in the Act of 20 days for responding to an enquiry. It will consider on a case-by-case basis the option of providing the information in a language other than English, and providing it in formats suitable for people with disabilities.

Anyone wishing to make a request for information from the Society should do so by contacting the Pharmaceutical Society of Northern Ireland in writing.

E-mails should be sent to:

[info@psni.org.uk](mailto:info@psni.org.uk)

Letters should be sent to:

The Pharmaceutical Society of Northern Ireland  
73 University Street  
Belfast BT7 1HL

The Society aims to disclose records wherever possible. Records that may be refused will be those containing information that is likely to be covered by the exemptions detailed in the Data Protection Act. These will include, but are not limited to:

- Records where disclosure would be in breach of other legislation, e.g., the Data Protection Act
- Records containing commercially sensitive information, or information subject to legal or any other professional privilege
- Records that are intended for later publication
- Records whose disclosure might prejudice law enforcement.

The Society will also consider the resource implications of any request. Where the provision of information would require more than 2.5 days work, and/or where the cost exceeds £450, the Society will not disclose. This is in keeping with the Secretary of State's Code of Practice.

If the Society has refused to release information, an enquirer has the right to appeal the decision. They must do so by writing to the Society within 28 days of receiving the decision. If an individual is not satisfied with the response, they can make a complaint to the Society, and finally complain to the Information Commissioner's Office.

# THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND'S PUBLICATION SCHEME

## **PART 1 OF THE PUBLICATION SCHEME: INTRODUCTION**

Under the Freedom of Information Act 2000 (“the FOI Act”), we will adopt and maintain a ‘publication scheme’ (“the Scheme”) so that information can be made available to the public.

The Scheme has been approved by the Information Commissioner and follows the standard format used by health regulatory bodies in the United Kingdom. The Scheme will be regularly reviewed.

### **Purpose and Structure of the Publication Scheme**

The purpose of the Scheme is to let you know what information is readily available from us.

By ‘readily available’ we mean information that is on our website, or that can be obtained from us by letter, fax or e-mail.

In creating and reviewing this Publication Scheme, we have to consider the public interest when:

- Allowing public access to the information we hold; and
- Publicising the reasons for decisions that we make.

By law, our Publication Scheme must:

- Set out the classes of information that we publish or intend to publish;
- Say how we will publish the information in each class; and

- Say if we will provide the information free or charge for it.

The Publication Scheme is in three parts:

- Part 1, “Introduction”, tells you about the Scheme
- Part 2, “Classes of Information”, sets out the classes or types of information that we publish or intend to publish. It also contains a list of classes of information that will generally not be made available
- Part 3 is the Publications List, which tells you what information is published, how it can be obtained and whether it is free of charge

The purpose of the Scheme is to make information available before you need to ask for it.

### **Charging Regimes**

In the Publications List we indicate which of the following charging regimes could apply:

#### *Free on Website (FOW)*

There is no charge made by us for you downloading the information from the website, although the user will have to meet any charges made by the Internet Service Provider (“the ISP”) and/or telephone company as well as any personal costs for printing, etc.

#### *Free of Charge Hard Copy (FOCHC)*

Indicates that information will be provided in a hard copy format from the PSNI offices free of charge.

#### *Chargeable Hard Copy (CHC)*

Indicates information that is available from the PSNI offices on payment of a charge.

## **Copyright**

Material made available through our publication scheme is subject to PSNI or third party copyright. Society information may be reproduced for personal or professional use only, in accordance with general Copyright Licensing Agency guidelines. Where information is reproduced, it must be reproduced accurately, not used in a misleading context and an appropriate acknowledgement must be inserted.

Permission to reproduce material does not extend to any material accessed through the Scheme that is in the copyright of third parties. You must obtain permission to reproduce such information from the copyright holder concerned. Information made available under this Scheme must NOT be reproduced, copied or otherwise used for any commercial purposes.

## **Reviewing and Updating the Publication Scheme**

We will review our Scheme annually. New material will be added to the Publications List monthly and brought to the attention of users through the website.

## **Requests for Personal Information**

Under the Data Protection Act 1998 (“the DPA”), you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect the PSNI, as the Data Controller, to ensure that data is:

- Processed fairly and lawfully
- Obtained for specific and lawful purposes
- Adequate, relevant and not excessive for that purpose
- Accurate and, where necessary, kept up to date

- Not kept for longer than is necessary
- Processed in accordance with your rights as the data subject
- Kept secure
- Not transferred abroad unless to countries with adequate data protection laws

For the purposes of the Data Protection Act:

- “Personal data” is information that relates to a living identifiable person
- “The Data Controller” is the person or organisation that controls the purpose and manner in which data is processed
- “The Data Subject” is the person to whom the data relates

Where we are the Data Controller, and subject to certain exemptions (see below), you are entitled to be told whether we hold personal data about you and, if so:

- To be given a description of the personal data in question
- To be told for what purposes the personal data is processed
- To be told the recipients, or classes of recipients, to whom the personal data is or may be disclosed
- To be given a copy of any personal data held with any unintelligible terms, acronyms or codes explained
- To be given any information available to us as to the source of the personal data

### **Exempted Information**

As with the Freedom of Information Act, the Data Protection Act provides some exemptions to disclosure in relation to certain classes of information. If the exemptions apply to the information you have requested you will be informed in writing. However, the Society will not necessarily confirm or deny if such data is held about you.

## **Complaints**

If you have a complaint about the operation of the Scheme, or about the way in which your request for personal data has been dealt with, please write to the PSNI Complaints Office seeking resolution of your complaint.

The address to write to is:

Complaints Officer  
Pharmaceutical Society of Northern Ireland  
73 University Street  
Belfast BT71HL

If you are not satisfied with the response that you receive, you may write to the Information Commissioner, at:

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

## **PART 2 OF THE PUBLICATION SCHEME: CLASSES OF INFORMATION**

The Society's Publication Scheme aims to make as much of our information as possible readily accessible to the public, on a continuous basis.

The PSNI will make available information within the Information Classes described below. Information falling into the classes below will be retained in accordance with our Data and Documents Retention Policy.

The PSNI has adopted a model Scheme developed nationally for all health regulatory bodies. The type of information provided through this Scheme by the PSNI will be similar to that available from other health regulatory bodies.

Under each Information Class can be found brief descriptions of the information available within the class.

Under each publication listed in the Publications List can be found:

- The format in which the information is made available
- “Notes” containing any relevant additional information
- An indication as to any charge that may be made

### **Information Classes**

We will publish information in the following classes, some of which may be chargeable (see Section 3):

#### *1. Administration*

- Information relating to the administrative structure of the organisation
- Information relating to finance and business planning
- Information relating to employment
- Information relating to the governance and work of the Council

#### *2. Registration*

- Information relating to the Register
- Information relating to requirements for registration

#### *3. Education*

- Information relating to standards in education

- Information relating to recognised qualifications

#### 4. *Fitness to Practice*

- Information relating to standards of conduct and competence
- Information relating to investigations and Fitness to Practise proceedings

#### 5. *Communications*

- Specified publications produced by the organization
- Press Statements

#### 6. *Other Information*

- Any other information that does not relate to one of the other classes outlined above

### **Exempted Information**

The following information will not normally be made available to the public.

#### 1. *Administration*

- Sensitive personal information relating to members of staff, Members of Council, visitors or advisors, including specific terms and conditions of employment and remuneration
- Minutes of, and supporting papers relating to, matters discussed in closed sessions of Council, committee or working group meetings
- Financial information relating to specific contracts or other commercially sensitive matters

#### 2. *Registration*

- Sensitive personal information relating to applicants and registrants, except where such disclosure is required by statute or has otherwise been previously notified to the data subject
- Any details of registrants where the PSNI has reason to believe that such information may be used for commercial purposes

### 3. *Education*

- Documentation relating to the recognition/approval or otherwise of individual qualifications or educational institutions

### 4. *Fitness to Practise*

- Papers relating to preliminary investigations
- Personal data relating to complainants
- Any evidence adduced at a hearing before Statutory Committee, except where such material appears in the transcripts of such proceedings

### 5. *All Classes*

- Any information subject to legal professional privilege, or other relevant privilege, for such period as the privilege remains active
- Any other information that may be subject to exemption under the provisions of the FOI Act, subject to case by case consideration of individual requests

### **PART 3 OF THE PUBLICATION SCHEME: PUBLICATIONS LIST**

In this section of the publication scheme are details of the information readily available from the Pharmaceutical Society of Northern Ireland, together with an indication as to how such information may be obtained and whether there is any charge. Availability and costs will be indicated using the following codes:

*Free on Website (FOW).*

There is no charge made by us for downloading you the information from the website, although the user will have to meet any charges made by the ISP and/or telephone company as well as any personal costs for printing, etc.

*Free of Charge Hard Copy (FOCHC)*

Indicates that information will be provided in a hard copy format from the PSNI office free of charge.

*Chargeable Hard Copy (CHC)*

Indicates information that is available from the PSNI offices on payment of a charge.

<b>Class</b>	<b>Sub-class</b>	<b>Title/Description</b>	<b>Notes</b>	<b>Availability</b>
<b>Administration</b>	Staff	Staff List/Who Does What	List of PSNI staff and key responsibilities	<b>FOW</b>
		Staff handbook	Policies on employee relations, equal opportunities, training, health & safety, and whistle-blowing.	CHC
		Complaints Procedure Society/Staff		FOCHC
	Finance	Financial statements	Audited financial statements. Available after submission to Society AGM.	<b>FOW</b>

<b>Class</b>	<b>Sub-class</b>	<b>Title/Description</b>	<b>Notes</b>	<b>Availability</b>
	Council	Members List	List of members of the Society Council	<b>FOW</b>
		Open Minutes and Agendas of Council	Minutes of open sessions of meetings of the Council	<b>FOW</b>
		Register of Council Members' Interests	Register of the Direct, Indirect and Non-Pecuniary interests of members of Council. Regularly updated	<b>FOW</b>
		Annual Report	Annual report of Society activity and statement of accounts	<b>FOW</b>
<b>Registration</b>		Register	Published Register of pharmacists and pharmacy premises	<b>FOW</b>
		Registration Information Pack	Applicant Categories: <ul style="list-style-type: none"> <li>• Pre-Registration</li> <li>• Reciprocity arrangements</li> </ul>	FOCHC
		Registration Guidance Packs	An information pack detailing how to have a premises approved for.	FOCHC
<b>Education</b>	Continuing Professional Development	CPD Guidance Packs	Information for registrants on completing their CPD cycles, including evaluation criteria, blank recording sheets and cycle examples	<b>FOW</b>
		CPD sample results	Numbers falling into each option, available in Annual Report	<b>FOW</b>
	Pre-Registration	Pre-Registration results	Pass rate, available in Annual Report	FOW
		Trainee Manual and Examination syllabus	Free of charge to trainees	CHC
		Guidance notes and specimen papers	Free of charge to trainees	CHC

<b>Class</b>	<b>Sub-class</b>	<b>Title/Description</b>	<b>Notes</b>	<b>Availability</b>
		Tutor Information Booklet	Free of charge to tutors	CHC
<b>Fitness to Practice</b>	Standards and Conduct	Code of Ethics and Practice		<b>FOW</b>
	Complaints	Complaints Statistics		FOCHC
	Statutory Committee	Date of Meeting and brief summary of allegations to be heard		FOCHC
		Complaints Statistics		FOCHC
		Notice of Findings		FOCHC
		Transcripts of Proceedings		FOCHC
		Publication Schedule	Publication of dates and brief summaries of allegations to be heard by Statutory Committee	FOCHC
		Appeals	Notice that an appeal has been made to the High Court from a direction of Statutory Committee	FOCHC
<b>Communications</b>	Newsletter			<b>FOW</b>
	Press Releases			<b>FOW</b>
	Speeches			<b>FOW</b>
	Briefings and Reports			<b>FOW</b>