

****Information Disclosure Policy****

****ETU Foundation****

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****TABLE OF CONTENTS****

1. Background
2. Vision of the IDP
3. Coverage of the Policy
4. Responsible Officers
5. Presumption of Disclosure
6. Ensuring Information is Accessible by all
7. Proactive Disclosure; By the Executive Committee
8. Proactive Disclosure; By Executive Committee (EC)
9. Disclosing Information upon Request
10. Media Relations
11. Complaints
12. Information Management
13. Training and Public Education
14. Monitoring and Reporting

****1. Background:****

This Information Disclosure Policy (IPD) is a comprehensive set of materials designed to provide a strong, practical and effective Information to our stakeholders. We believe that IPD can contribute in the following areas:

- Supporting sustainable development
- Encouraging equitable economic growth
- Supporting decentralization efforts
- Improving efficiency of public administration
- Entrenching participatory democracy I

- Strengthening responsible media reporting
- Reducing conflict by cementing public trust and
- Supporting human rights

2. **Vision of the IDP**

- Access by the public to information held or generated by the Government will facilitate the transparency, accountability, legitimacy, and the local ownership of our activities.
- sets out a long-term plan for moving from an information poor to an information rich society over time.
- wishes to send a strong message to donors that information disclosure is a key element of ETU Foundation development programme and should be prioritized for support accordingly.
- establishes a basic framework for requesting, releasing and publishing information.
- makes sure to exploit opportunities to promote information disclosure and dissemination.

3. **Coverage of the policy**

This policy has adopted a **phased approach** to implementing full information disclosure. In the early stages of implementation, the focus will be on those bodies which are most central to the country's proper functioning.

- By 2016, ETU Foundation will include all the development projects;
- By 2019, a review will be conducted to assess whether any additional bodies which receive public funds should be covered by the policy.

4. Responsible officers

- The Information Officer (IO) is responsible for overseeing the implementation of this Policy.
- The Executive Director will identify officials who will be responsible for overseeing the day to day implementation of the Policy.

This **IDP Implementation Unit** consists of all project head and led by ED, **will be responsible for providing practical guidance and advice to officials working at the department level to implement the Policy.**

The IDP Implementation Unit will develop a detailed **Action Plan** for the first 5 of the Policy within 3 months of approval of the Policy.

The project head of each project covered by the Policy will have primary responsibility for ensuring that this Policy is implemented within the organization. This responsibility may be delegated to **IO** as appropriate.

5. **Presumption of disclosure**

This policy commits to the principle of **maximum disclosure**. **This means that officials will approach information creation, management and disclosure issues with the presumption that disclosure will be allowed, unless the release of information would be genuinely likely to cause harm to one of the key interests listed and there is no overriding public interest reason in favor of disclosure.** To this end, in accordance with this policy **officials may withhold information**

****in the following situations:**

- Where disclosure would be reasonably likely to cause serious harm to organizational security;
- Where disclosure would be reasonably likely to cause serious prejudice to the effective formulation, development or delivery of organization policy.
- Where disclosure would constitute a breach of legal professional privilege or any other fiduciary relationship recognized by organization;
- Where disclosure would endanger the health or safety of any staff;
- Where disclosure would seriously prejudice the legitimate commercial or competitive position of the organization or a third party or cause unfair gain or loss to any person or the information was obtained in confidence from a third party and it contains a trade secret protected by law;
- Where disclosure would constitute an unreasonable invasion of privacy of a person who is not a staff. Where considering what is in the public interest, staffs will priorities the need to:
 - promote accountability of organization to the stakeholders;
 - ensure that the expenditure of project funds is subject to effective oversight;
 - promote informed public debate and effective public participation in the making of the development project;
 - keep the stakeholders adequately informed about the existence of any danger to public health or safety or to the environment;
 - ensure the protection of human rights and the prosecution of violations;

****6.**** ****Ensuring information is accessible by all****

All information will be published and disseminated taking into consideration local languages, available infrastructure and the most effective local modes of communication, taking into special account the limited literacy in some areas. Project heads will develop effective dissemination strategies which use a range of communication options, such as notice boards, newspapers, village announcements, posters, the internet, inspection at local government offices and other means.

****7. Proactive disclosure: by the Executive Committee****

The organization is keen to use information disclosure to ensure accountability of the organization. To this end, this policy commits the organization to more regular publication and active dissemination of information. This will be used as a key mechanism for communicating with the stakeholders, and promoting open government.

All projects, covered by the policy will be required, within the first 3 months of the commencement, to publish at a minimum, on the organization website the following:

- A statement of the organization's mandate and key areas of work, including services provided by the project if any;
- A directory of the all staffs including the total number of staff broken down by levels, and the pay scales applicable to each level;
- A job description of the staffs;

- A list of the types/categories of information/records the organization holds and publishes and the procedure to be followed in obtaining information;
- The annual budget, including:

A breakdown by programme/project as appropriate to the project

Regularly updated reports (quarterly if possible) about the disbursement of the Budget;

The results of any audits and corresponding departmental explanations;

- Quarterly and annual reports, where produced;
- The services offered, schemes run, programmes managed and/or projects being implemented, including:
 - Copies of all contracts held in electronic form, in particular the name of the contractor, scope of services, the amount, including payment schedules and criteria for payment; the period within which the contracts must be completed and arrangements for penalties due from both parties if the contract is not adhered to (and all future contracts must provide for an electronic copy to be created);
 - Copies of all policies, guidelines, rules and forms (and all future documents of this type must provide for an electronic copy to be created);
 - Mechanisms for citizen participation, where they exist, including complaints mechanisms, information regarding public consultations, open meetings of committees and councils and any other opportunities for the public to participate in policy-making.

The IDP Implementation Unit will work to ensure that the information will be disseminated broadly, in accordance with the commitment to ensuring maximum accessibility for all people.

Information will need to be updated at least every 3 months, although some information may need to be updated even more regularly if it is to be useful to the stakeholders.

****8. Proactive disclosure: by Executive Committee**** ****(EC)****

The EC supports better ****information disclosure ****and will provide at least 1 dedicated computer with internet and email facilities and a printer for the use of IO.

The EC encourages all staffs to use these resources both to inform themselves and disseminate key information to the stakeholders.

The IDP Implementation Unit will work to ensure that all Bills, draft Rules, final legislation and final regulations are published on the organization website. This information will also be disseminated more broadly, in accordance with the commitment to ensuring maximum accessibility for all stakeholders.

****9. ****Disclosing information upon request****

This policy recognizes that the stakeholders can access all ****different types of information, ****including files, reports, opinions, memos, emails, internal departmental notes, submissions, briefings, videos, tapes, databases, samples and models. This policy empowers any stakeholder to request copies of information and/or inspection of information. Under this policy, requesters may also request to inspect public works and can obtain samples from public works.

Stakeholder may also **request access to information **which has not already been published. The request should identify a contact person, contact details (mailing address, phone/fax number or email), a clear description of the information requested (specified as much as possible by reference to relevant dates, places, topics, etc), the form the information is needed in and the date the request is being submitted. Upon receiving a request, the official will put a date stamp on the written request. Where no date stamp is evident, the requester will be given the benefit of the doubt if there is a disagreement about the date the request was submitted. If an application is made to the wrong organization, officials should promptly transfer it to the organization which holds the information and notify the requester of the transfer immediately.

In relation to **processing requests:**

- Where the request is sent by post, it will be addressed to the head of the office it is being sent to. The head of the office will then process the request him/herself or forward it to a delegate to process (for example, the IO).
- Where the request is received orally, the official will write down the request and provide a copy to the requester for their records. The official will then promptly forward the request to the head of that project or the IO if one has been appointed in his/her office, who will be responsible for processing the request.
- Where the request is submitted in person or by email, the official who receives the request will promptly forward the request to the head of that office or the IO if one has been appointed in his/her office, who will be responsible for processing the request process it him/herself, unless.

All staffs will do their utmost to work with requesters to provide them with the information, in a form that they can understand. Illiterate, sensorial disabled and/or handicapped people should be assisted to understand any information they are given. Where a requester asks for help understanding a document, officials will use their best endeavors to provide assistance.

If the request is for so many documents that the relevant official is having trouble processing the request, he/she must discuss the request with the requester and with the IO or the ED, as appropriate, to decide how to proceed. Within the 30 days time limit, the official will need to contact the requester and explain any delay and provide a reasonable alternate date for providing the information, of not more than 60 days from the date of the request.

Where the information is for a document of more than pages, the requester may be asked to pay a fee equivalent to the actual cost of copying the information.

Where the information is to be provided on a video, tape, CD or computer disk, the requester can provide their own and the information will be free. Otherwise, the requester may be charged the cost price of providing the video, tape, CD or computer disk.

No fee will be charged where the cost of collecting or paying the fee is more than the amount of the fee itself

****10. Media relations****

ETU Foundation recognizes that the media play an essential role in a democracy as they provide a key channel for disseminating accurate information to the public about government and non-government activities and decisions, and for people to voice their agreement and disagreement with those activities and decisions. The organization is therefore committed to strengthening its **relations with the media.**

The ED of ETU Foundation is primarily responsible for ensuring that information is regularly shared with the media, via press releases and briefings as

appropriate.

****11. Complaints****

Where a stakeholder, including members of the media, are unhappy with the way this policy has been implemented or applied including where they believe they have been wrongly denied information, they may make a ****complaint**** to the ED. The ED will make every reasonable endeavor to dispose of the complaint within 30 days, recognizing that the usefulness of obtaining access to information often depends on its timeliness.

****12. Information management****

Providing timely access to information will be difficult if information is not properly managed and stored. Accordingly, the organization is committed to ensuring that ****records management systems**** are strengthened with a view to promoting the objectives of this policy. Where resources are available, specific records management programmes will be implemented.

****13. Training and public education****

Promoting information disclosure and open government is a key duty of all project heads. To ensure that this message is unequivocal, the organization will ensure that all project heads receive ****training**** on how to implement this policy.

The IDP Implementation Unit will be responsible for ensuring that ****public education activities**** are undertaken to explain this policy to the stakeholders in recognition of their key role as partners in the effort to disseminate more information to the public.

****14. Monitoring and reporting****

The IDP Implementation Unit will be responsible for ****monitoring**** implementation of this policy and any relevant Action Plan(s). The IO will be responsible for submitting an annual report to EC on implementation of this policy. The ****Annual Report**** will be referred to EC for consideration. The EC will report back to project heads immediately following submission of the Annual Report with comments and recommendations. The Annual Report will include:

- specific discussion of each project's progress with implementation, including how well they are implementing their proactive disclosure obligations;
- specific discussion on project's implementation of its proactive disclosure obligations;
- as much statistical information as possible on the types of information being requested, the responses being provided by staffs, and the timeliness and cost of responses;
- specific recommendations for reform and improvement.

****The End****