



Tana & Athi Rivers
Development
Authority

2019-2020 FINANCIAL YEAR.

INFORMATION ACCESS POLICY

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THE POLICY.

1. Tana and Athi Rivers Development Authority (TARDA) is committed to making information about its policies, strategies, programmes and operations accessible to the public.
2. The TARDA Access to Information Policy (hereinafter referred to as the “Policy”) outlines the principles and modalities guiding this approach.
3. TARDA is dedicated to freedom of information and considers public access to information a key component of the Organization’s commitment to openness, transparency and its accountability to its stakeholders.
4. TARDA recognizes that there is a positive correlation between a high level of transparency through information-sharing and public participation in TARDA supported activities.
5. The Policy is guided by the presumption that any information concerning TARDA’s policies, strategies, programmes and operations are in principle to be made accessible to the public.
6. Confidentiality of information is also outlined in this policy.

PUBLIC ACCESS.

7. The public may consult TARDA for information that is normally made accessible through various means e.g. The TARDA website (www.tarda.co.ke), TARDA’s official email address (info@tarda.co.ke) and TARDA’s official telephone line (+254-020-334178214/7/8).
8. The following categories of TARDA’s information are available for public access:
 - a. General information about the role and functions of the Organization.
 - b. Public statements by the Organization, including statements by The Chairman of the Board of Directors and The Managing Director.
 - c. The Organization’s strategic plan document.

- d. Documents of public sessions, including decisions taken and summary records, of the Governing Body (Board of Directors).
- e. Information on TARDA's Regular Programmes and extra-budgetary projects and activities.
- f. Financial Information on individual projects as shown on the website.
- g. Audited financial statements of the Organization that can be obtained through writing.
- h. Public Procurement information: Contract details.
- i. Salary scales of officers by grade.
- j. Technical publications and papers, such as studies, reports and working documents of the organization.
- k. Archives in compliance with established procedures.

CONFIDENTIALITY.

- 8. TARDA is committed to openness and transparency. However, the effective functioning of the Organization, confidentiality concerns and the need to protect its staff, stakeholders and partners require that some information cannot be disclosed.
- 9. Categories of information on which there will be restrictions on access include the following:
 - a. Information of a sensitive nature, such as correspondence and administrative files, and in particular:
 - I. Files containing sensitive information on relations between TARDA and intergovernmental and non-governmental organizations and between TARDA and its partners, which, if disclosed, in the discretion of the accounting officer would seriously, undermine those relations.
 - II. The accounting officer in this case refers to the Managing Director through who all requests for access to information

must be approved to enable the access to information officers disseminate it.

III. Personnel files and any additional information which, if divulged, is likely to endanger or compromise the life, health or safety and security of staff and their families, non-staff personnel or other individuals in relation with the Organization. TARDA's rules require the Organization to establish and maintain appropriate safeguards to respect the privacy of its employees and protect the confidentiality of personal information about them. TARDA will therefore not provide access to information that would compromise these safeguards.

- b. Information which, if divulged, might violate the right to reputation, affect the privacy or endanger the safety of individuals.
- c. Information which, if divulged, is likely to endanger or prejudice the security or proper conduct of any operation or activity of TARDA.
- d. Information covered by legal privilege or related to individual investigations or inquiries.
- e. Commercial information, the disclosure of which could harm either the financial interests of TARDA or those of third parties involved, or which is covered by a confidentiality agreement.
- f. Information on TARDA's own internal deliberations and communications.

REQUEST FOR INFORMATION CHANNELS.

- 9. Information that is not accessible through TARDA's website (www.tarda.co.ke) may exceptionally be made available upon written request.
- 10. Such requests should be directed to:

Access to Information Desk
TARDA

Address: Queensway House

7th floor, Kaunda Street

P.O. Box 47309- 00100 GPO Nairobi

E-mail: info@tarda.co.ke

Tel: +254-020-334178214/7/8

11. Every request will be acknowledged. A response will normally be provided within 3 calendar days of receipt.
12. Information requests that involve the research and/or reproduction of material, TARDA may charge a fee for material and labor cost, which will be communicated to the requester and will have to be paid in advance.
13. TARDA may partially or wholly deny a request, as follows:
 - a. In accordance with the confidentiality clause referred to in this Policy.
 - b. If the request would place an excessive burden upon TARDA's resources.
 - c. If the request is vexatious and/or repetitive.
14. If a request is rejected, written justification for the decision to refuse access will be provided along with information on the appeal procedure provided for below.

REVIEW AND APPEAL PROCESS

15. If a formal request for information is denied, the requester may ask for a review of this determination by the TARDA's Access to Information Officers. The Access to Information Officers are appointed by the Managing Director.
16. The officer's mandate is to assist the Managing Director in monitoring the implementation of the Policy and to consider and review appeals relating to a

request for information.

17. Requests for review should be directed to info@tarda.co.ke
18. Every request for review will be acknowledged within 3 calendar days. The officers shall review the denial of requests to provide access to a document or portion of a document, and provide a final determination within 90 calendar days of receipt of the appeal.
19. The Officers will report to the Managing Director on a half yearly basis on the volume and content of the appeals reviewed by the officers in that year. In these bi-annual reports the officers may, if it deems relevant, also make recommendations on how to improve the implementation of the Access to Information Policy.
20. **Review Policy: The Access to Information Policy shall be reviewed from time to time as the Authority may deem appropriate.**

Date:

Signature:

Managing Director.