

Information Disclosure Policy

**Manusher Jonno Foundation
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Table of Contents

PART I

1.	Background of MJF.....	3
2.	Rationale of IDP (Information Disclosure Policy).....	3
3.	MJF Core Principles	4
4.	Information Disclosure Policy	4
5.	Effective Date	5
6.	Application of policy	5
7.	Definition	5

PART II

8.	Proactive Disclosure of Information	6
9.	Mode of Disclosure	6
9.1	Preservation of Information	6
10.	Language of the Information	7
11.	Publication of or providing certain types of information not mandatory	7
12.	Application Procedures	8
13.	Price of the Information	8
14.	Timeline of providing information	8
15.	Eligibilities of Designated Officer.....	8
16.	Responsibilities of Designated Officer.....	9
17.	Appeal Authority	9
18.	Penalty	9

PART I

1. Background of MJF

MJF started operating as an independent organization on 2005 and has set in place all the mechanisms, policies and practices that are the hallmark of a credible, transparent and accountable organization. The Governing Board has reviewed and approved detailed policies on finance, procurement, grant making and HR. Moreover, MJF is guided by the Higher Level Policies and the Constitutional Documents approved by the Governing Body as well as Donors. MJF accounts are regularly audited and the internal audit has been contracted out to a reputable chartered accountant firm.

2. Rationale of IDP (Information Disclosure Policy)

MJF is a grant making national organization supporting good governance and human rights initiatives. At present MJF works with more than 120 partner organizations across Bangladesh to create conditions for vulnerable and marginalized people to raise their voice for better governance, fulfillment of human rights and access to improved basic services. . MJF support revolves around four thematic programmatic areas namely 1. Combatting Violence against Women; 2) Ensuring Rights of Marginalized Groups 3) Protecting Working Children and Vulnerable Workers. 4) Ensuring Responsiveness of Public Institutions. Through its work, MJF concluded that transparency and accountability of public institutions was essential if these vulnerable groups were to improve their livelihoods get better services. MJF work with partners also demonstrated that the poor are deprived in multiple ways because of lack of information.

Since 2005 Manusher Jonno Foundation (MJF) decided to work with right to information issue. As news of the governance and development aspects of RTI and its popularity among ordinary citizens grew, Manusher Jonno Foundation as a human rights and governance focused organization started to strategize on creating a demand for the law. Working with more than 120 partner organizations, MJF realized that transparency and accountability of public institutions was essential if the poor and marginalized people were to get better services. MJF work with partners also demonstrated that the poor are deprived in multiple ways because of lack of information. Looking at examples of other countries where RTI regimes have changed the outlook of public institutions, MJF with others embarked on a mission to facilitate the enactment of the RTI law. As a concerted effort and constant demand from civil society the Care taker Government passed the RTI Ordinance on 2008 and the Right to Information Act was passed in the parliament on 2009 was ratify

The Act itself has defined public and foreign funded non government organizations as authority which is responsible to provide information like other government functionaries. In this respect as a pioneering and spearheading organization to promote RTI, MJF believes that information should be disseminated to people as much possible. The need for developing a guideline to ensure preservation and availability of information to the citizen becomes imperative to MJF. It is expected that this policy guideline will help MJF to restore and open its documents to public as per the RTI Act 2009.

3. MJF Core Principles

Committed to the principles of Universal Declaration of Human Rights (UDHR) that all human beings are born free and equal in dignity and rights which are inherent and indivisible.

Promoting and upholding the values of transparency and accountability in order to ensure efficient and equitable use of resources.

Respecting the diversity, culture, values and personal confidential rights.

Promoting gender equality and social justice

4. Information Disclosure Policy

MJF core principles particularly promoting and upholding the values of transparency and accountability strongly endorses and respects people's right to know how fund provided by various development partners (e.g. DFID, Norwegian Embassy) is being used and managed by MJF. Adoption of information disclosure policy in context of MJF and ensuring its effective implementation are based on *certain rational*;

- MJF believes and respects people's right to know, ensuring poor and disadvantaged people's quality participation by making them well informed about the environment and removing culture of secrecy are key working strategies. Disclosure policy is consistent with such working strategies.
- MJF wants to set an example of playing a role of protector and promoter of RTI Act 2009 in order to influence all other information providing authority¹. Adoption of this policy is a first step towards compliance of the RTI Act 2009.

The policy is formulated in light of RTI Law 2009.

¹ According to RTI Act 2009 , section 2 (b) " Authority" means
(i) any organization constituted in accordance with the
Constitution of the People's Republic of Bangladesh;
(ii) any ministry, division or office established under the Rules of
Business made under Article 55(6) of the Constitution of the
People's Republic of Bangladesh;
(iii) any statutory body or institution established by or under any
Act or Law;
(iv) any private organization or institution run on government
funding or with help from the government exchequer;
(v) any private organization or institution run on foreign funding;

(vi) any organization or institution that undertakes public functions
in accordance with any contract made on behalf of the
Government or made with any public organization or institution;
or

(vii) any organization or institution as may be notified in the official
gazette from time to time by the Government ;

5. Effective Date

This policy will become effective within ten (10) days after Governing Body's approval.

6. Application of policy

a. Provisions creating impediment or conflict in providing information by other existing MJF rules/ policies with the provisions of this policy shall be superseded by the provisions of the disclosure policy, and

b. If any section of this policy contradicts with RTI Act 2009, the RTI Act 2009 shall prevail.

7. Definition

A. Information: "Information" includes any memo, book, design, map, contract, data, log book, order, notification, document, sample, letter, report, accounts, project proposal, photograph, audio, video, drawing, painting, film, any instrument done through electronic process, machine readable record, and any other documentary material regardless of its physical form or characteristics, and any copy thereof in relation to the constitution, structure and official activities of MJF

B. Designated officer (DO): a person, who shall be appointed/ designated by MJF administrative department, shall be responsible to work to implement Information Disclosure Policy and shall act as described in this policy.

C. Information Disclosure/Providing Unit (IPU): A team comprising of MIS, M & E, Media and Communication Coordinator, Designated Officer, Executive Secretary of ED and HR and Admin. Manager.

D. Appeal Authority: Executive Director of MJF shall act as Appeal Authority.

- i) Senior Management Committee : Senior-level management *committee* of MJF empowered to make and implement major organizational decisions particularly in relation to section 9 of the RTI Act 2009.

F. Governing body: MJF will submit report and inform status of implementing disclosure policy to Governing body for necessary guidance

G. Third Party: Partner or any other Organizations of Manusher Jonno Foundation (MJF) with who project contract (MOU) or TOR is made.

H. Information Commission (IC): IC is an independent statutory institution which is formed by section 11 of RTIA 2009.

I. Application: By which Information requestor will request for particular information.

J. Appeal Application: By which Information requestor will submit appeal to Appeal Authority.

PART II

Subject to the provisions of this Policy, every citizen shall have the right to information from the MJF about its activities and functions falls under its scope of work, and MJF shall, on demand from a citizen, be bound to provide information

8. Proactive Disclosure of Information

8.1.1 The Information disclosure providing unit will take necessary steps to publicize all information related to:

- a) Contact details with email and contact address of all staff including governing board
- b) Structure of the MJF
- c) Organogram
- d) Partner's projects/initiatives related information
- e) All publications
- f) Annual Report (Program and Financial)
- g) MJF Audit Report
- h) Newsletter
- i) Training Calendar
- j) Funding guideline

8.1.2 Information disclosure providing unit will prepare a guideline on classification and categories of information for disclosure following the exempted categories under clause 11 of this policy.

9.1 Mode of Disclosure

9.1.1. Website, Newsletter, Annual Report, CD will be considered as mode of proactive disclosure. Information Providing Unit will arrange publishing information and update information as and when necessary.

9.1.2. IPU will prepare dissemination plan guideline to strengthen free flow of information in voluntary basis.

9.1.3 Information could be obtained by inspection, taking note, photocopy, hard copy/soft copy and CD form.

9.1.4 Where access to the record or a part thereof is required to be provided to a person with disability, the Designated Officer with the help of an expert shall provide assistance to him to enable him to access such information, including such assistance as may be appropriate for any inspection.

9.2 Preservation of Information

(i) In order to ensure right to information under this Policy, MJF will update information within earliest possible time which will not exceed 21 days. IPU will make information available both in digitized form and hard copies which is necessary.

(ii). Except the information mentioned under exemption categories, all other information related to operation and management, research and knowledge management, project/programme management, policies, policy decisions, HR policy and plan will be made available on request basis if not covered under /by website, annual report and newsletter.

10. Language of the Information

The information is available in at least one of the two working language of MJF (English and Bangla), depending on the official or working language of project or programme publishing the information. MJF shall provide or disclose the information as it is published, printed or stored. Hence MJF shall not be responsible to translate the information to provide or disclose the information to the public.

11. Publication of or providing certain types of information not mandatory

Application for access to information under this law may be rejected in following cases:

- i) PNGOs rejection for fund availability cases are not open for public and it will be disclosed only to the party involved, donor and other authority to which MJF is reportable legally.
- ii) Contracts (MOU), TOR, strategic part of proposal, personnel file are confidential particularly which are sensitive to protecting MJF and MJF's staff interest and competitiveness.
- iii) Information which has direct link under the following categories is deemed confidential and hence not available to the public:
 - (a) Information related to MJF or partner organization's staff or individual salary, benefits, disciplinary action and personal confidential information. Provided, any information related to disciplinary matters or actions will be disclosed only if it asked by due and proper authority of the State
 - (b) Information received from and sent to the third party under the expectation of confidentiality.
 - (c) Information whose disclosure is likely to endanger the security of state or prejudice the security or proper conduct of any operation or activity of MJF.
 - (d) Information covered by legal privilege

MJF Information Disclosure Policy

- (e) Internal inter-office or intra-office correspondence, including e-mails and draft documents.
- (f) Information where disclosure would harm either the financial interests of MJF or those of other parties involved.
- (g) Information related with third party whose disclosure is likely to endanger the Intellectual Property thus may occur financial or commercial lose.
- (h) Information relating with incomplete or undone procurement.

12. Application Procedures

- k) Information requester can apply for information in plain paper, through email.
- ii) The request shall include the following information, mainly:-
 - (a) name, address of the requester, in applicable cases, his fax number and email address;
 - (b) correct and clear description of the information sought mentioning the reason of request.
 - (c) other related information so that the location of the information sought for may be easily found out;
 - (d) description of the modes how he wants to have the information, namely making inspection, having copy, taking note or any other approved method
- iii) Every Information requestor will be acknowledged and entitled to get response from either DO or ED (in case of appeal) within 24 hours of submitting application.

13. Price of the Information

- i) In case of printed materials and price is fixed, Information requestor will have to pay the set price/expenditure for obtaining the information/ document.

14. Timeline of providing information

- i) If the information is only related with MJF, DO shall provide it within 5 days.
- ii)) If the Designated officer or the Appellate Authority of MJF does not agree to provide the information, she/he shall inform the applicant the reasons thereof within 3 days of receiving the application.
- iii) If the information is related with third party or parties, then DO shall provide it within 15 days subject to the receiving time of such information from Third Part and Third Party consent.

15. Eligibilities of DO

MJF Information Disclosure Policy

- i) DO (Designated Officer) shall be one regular employee of MJF who has entitled regular status for last six months with following qualifications :
 - a. RTI Program officer
 - b. Keen understanding with RTIA 2009 Act
 - c. Activities of the person is cross cutting nature
 - d. Precise knowledge of “Information Disclosure Policy” of MJF and its implementation action plan

16. Responsibilities of Designated Officer

- i) Primarily involved in screening information requires, keeping contacts with the requestor, Compilation of report on information disclosing situation.
- ii) Where access to information is required to be provided to a physically disabled person, the Designated Officer shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection. In this case the designated officer may seek help from any other skilled person.

17. Appeal Authority

- i) ED shall act as Appeal Authority of MJF who shall be responsible to answer appeal application within 7 days.
- ii) Before taking any decision the ED shall give hearing to the information requester.
- iii) Acting or In-charge ED will be considered as ED.

18. Penalty

Denial of information shall be considered as misconduct and action shall be taken according to HR policy of MJF.

Annex 1



List of categories of information for proactive disclosure

List of categories of information to be provided on request

List of categories information to be partially provided