

ACCESS TO INFORMATION GUIDE

Urunji Child-Care Trust



© 2021 | Effective date: 01 Feb 2021

INTRODUCTION

We have developed the Access to Information Guide to enable the public understand the privileges as well as limitations, and the operational procedures to be followed to access information from Urunji Child-Care Trust. For the sake of this document, Urunji Child-Care Trust may also be referred to as “Urunji”, “the Trust”, “the Institution” or “UCCT”.

This Guide is in compliance with the Access to Information Act of year 2017 and will therefore be amended from time to time. This Guide is available on our website, as well as in any of our offices as a physical copy. Please ensure that you refer to the latest version at all times. Each copy carries a version number for easy reference.

OBJECTIVES OF THE ACT

The objectives of the *Access to Information Act, 2017* are as follows:

- (a) to make provision for access to information that is held by information holders;
- (b) to ensure that public bodies disclose information that they hold and provide information in line with the constitutional principles of public trust and good governance;
- (c) to provide for a framework to facilitate access to information held by information holders in compliance with any right protected by the Constitution and any other law;
- (d) to promote routine and systematic information disclosure by information holders based on constitutional principles of accountability and transparency;
- (e) to provide for the protection of persons who release information of public interest in good faith; and
- (f) to facilitate civic education on the right to access information under the Act.

INFORMATION FOR DISCLOSURE

The following information may be requested from Urunji Child-Care Trust by any person, subject to the provisions of the ATI Act within sixty working days of generation or receipt of the information—

(a) manuals, policies, procedures, rules or similar instruments which have been prepared for, or are used by officers of the Trust in—

- (i) discharging the functions and powers of the institution;
- (ii) handling complaints, making decisions or recommendations; or
- (iii) providing advice to persons outside the institution with respect to rights, privileges or benefits, or to obligations, penalties or other detriments, to or for which, such persons may be entitled or subject to;

(b) the names, designations and other particulars of information officers, including official physical addresses and electronic addresses where an applicant may submit requests for information;

(c) any prescribed forms, procedures, processes or rules for engagement with the institution by members of the public;

(d) the particulars of any arrangement, statutory or otherwise, that exists for consultation with, or representation by, members of the public in relation to the formulation or implementation of policies or similar documents of the Trust;

(e) information on any programmes implemented with public or donor funds;

(f) all contracts, licences, permits, authorisations granted, and public-private partnership arrangements entered into by the Trust;

(g) reports on surveys, studies or tests prepared by the institution; and

(h) any other information that the Minister of Information may prescribe.

Urunji Child-Care Trust shall further publish the following information produced by, in relation to, the institution—

(a) the particulars of the Urunji organization, functions and duties;

(b) information containing interpretations or particulars of legislation or policies administered by the institution;

(c) details of its processes and procedures for creating, keeping, organizing, maintaining, preserving and providing information, documents or records;

d) Closed Circuit Television (CCTV) footage aimed at security analysis, and;

(d) any other information prescribed by the Malawi Government or deemed by the Urunji Executive Director to be disseminated to the public.

The publication of the information pursuant to this section, shall be done electronically, and where possible, in tangible form or any other manner as may be prescribed by the Minister. Although Urunji shall endeavour to provide the information in a timely manner, provision of the information shall in no way jeopardise the day-to-day operations of the Trust.

Moreover, Urunji shall prioritise other tasks such as responding to emergencies should requests for information be received during such time-restricted periods.

INFORMATION THAT URUNJI CANNOT DISCLOSE

The following information may NOT be disclosed to the public under this Act by Urunji:

- a) DNA profiles or medical records and/or results of medical assessments including HIV status of personnel or staff.
- b) Any information of personal nature, including but not limited to:
 - i) Bank balances in personal accounts, unless for the purposes of fighting corruption or other unethical behaviour.
 - ii) Marital matters pertaining to personnel or staff.
- c) Trade or any other business secrets, including samples of proposal documents or templates which Urunji uses to solicit funding or gifts in kind.
- d) Confidential and/or other legally privileged information such as that between a medical practitioner and patient; lawyer and client; journalist and informant. However, the information seeker can have access to confidential information with consent from the parties concerned or a court order.
- e) Residential addresses of donors, staff or volunteers, unless sanctioned by the Court, the Police or any other competent authority for the purpose of providing security or fighting crime.
- f) Information which can affect the integrity of the process like academic or professional examinations, recruitment, investigations and evaluation process of

contracts.

- g) Information that may prejudice the security of Malawi, including tactical operations by the military and other state actors, as well as the so-called “state secrets” if shared with Urunji.
- h) Details of beneficiaries of life insurance for staff, volunteers or other personnel.
- i) Details of closed bids to vendors before they are opened in public.
- j) Passwords, passkeys or a combination of the preceding for the Urunji official website, bank accounts, social media or any other digital or physical assets.
- k) Information that may prejudice the rights or liberty of a person.

Urunji Child-Care Trust reserves the right under the Malawi ATI Act to refuse to grant a request for information where our information officer considers that the request is manifestly malicious, frivolous or vexatious and states reasons for such consideration.

PROCEDURES FOR REQUESTING INFORMATION FROM URUNJI

Information may be requested orally or in writing to the information officer, whose details are furnished below:

The Partnerships & Administration Manager

Urunji Child-Care Trust

Urunji Complex

Nyemba Village, M1 Road

PO Box 30977

Lilongwe 3

Malawi

Mobile: +265 997 400 948

Email: info@urunjichildcare.org

Provided that an illiterate and indigent person, or a minor may request a third party to obtain the information on their behalf from an information holder. Alternatively, you may also complete the Information Request Form which is available on the official website at www.urunjichildcare.org/access-to-information

Urunji will acknowledge receipt of the request for information within 15 working days after the request is received by our responsible officer.

Where an applicant makes an oral request for information, the Urunji information officer shall reduce the oral application into writing, which shall then be read to the understanding of the applicant to secure his consent that the content of the written document fully represents the content of his oral request for information made to the said officer, after which, a copy of the written request for information shall be provided to the applicant for his record, and the original shall be kept by the information holder.

The request for information shall provide sufficient details to enable the information officer to identify the person making the request. For purposes of the foregoing, a request for information shall also be treated as made in writing where the text of the request is—

- (a) transmitted by electronic means for example by email or by completing a form on the official website of the Urunji Child-Care Trust,
- (b) received in legible form, and,
- (c) capable of being used for subsequent reference.

Requested information will be reviewed and may be provided within 60 working days if it complies with the ATI Act and this Guide.

INFORMATION ACCESS FEES

Information requested under the Act would normally be provided by Urunji free of charge. However, any fee payable by an applicant under the Act shall be limited to reasonable standard charges for document duplication, postage (including courier fees if applicable), translation or transcription, where necessary and shall neither be refundable nor transferable.

All fees charged by Urunji for the purposes of this Act shall be paid through the official Urunji bank account and shall be for a particular event. Any subsequent events shall attract an additional fee.

MISUSE OF DISCLOSED INFORMATION

As per the Malawi Access to Information Act, 2017, any person who, having been granted access to information under this Act, uses that information—

- (a)** for unlawful purposes;
- (b)** for reasons other than those for which a request for information was made, without the authority of an information holder; or
- (c)** in such a manner so as to be detrimental to the interests of public officers, information holders or the public interest, commits an offence, and shall, on conviction be liable to a fine of three million kwacha (K3,000,000) and imprisonment for three years.

Urunji Child-Care Trust shall, where the management deems that information that we have provided has been misused, seek legal redress and compensation.