

HIGH LEVEL SUMMARY OF THE ACCESS TO INFORMATION POLICY FOR MERU UNIVERSITY OF SCIENCE AND TECHNOLOGY.

1. Background and Legal Framework

This policy is based on Article 35 of the Constitution of Kenya (2010) and the Access to Information Act (2016), giving every Kenyan the right to access information held by public bodies. MUST, being a public institution, acknowledges this right and is committed to facilitating access to information subject to relevant legal and institutional provisions.

The policy is anchored in:

- a) The Constitution of Kenya, 2010
- b) Access to Information Act, 2016
- c) Universities Act No. 12 of 2012

2. Purpose of the Policy

The policy aims to:

- a) Enforce citizens' constitutional right to access information.
- b) Provide a proactive framework for disclosing information.
- c) Enhance transparency, accountability, and public participation.
- d) Protect whistleblowers acting in public interest.

3. Scope

Applies to all information held by MUST, including emails, documents, images, video, and audio, whether digital or physical.

4. Guiding Principles

- a) **Maximum Disclosure:** Information is presumed accessible unless legally exempt.
- b) **Obligation to Publish:** Important documents will be published proactively.
- c) **Openness:** Encouraging a culture of transparency.
- d) **Minimum Exceptions:** Limited and justified grounds for withholding information.
- e) **Facilitation for All:** Inclusive access for persons with disabilities or language/literacy barriers.
- f) **Simple Access Mechanism:** Easy and clear procedures for requesting information.
- g) **Whistleblower Protection:** Whistleblowers are protected per the University's whistleblower policy.

5. University Decision Framework

Upon receiving a request, MUST may:

- a) Disclose, transfer, decline, defer, or abandon the request.
- b) Inform applicants of appeals processes where necessary.
- c) Ensure decisions are justified and timely.

6. Disclosure Practices

MUST shall:

- a) Share details of its structure, decision-making, contracts, salary grades, and functions.
- b) Publish facts about key policies and laws.
- c) Provide reasons for administrative decisions.
- d) Proactively declare legally required information, including procurement data.
- e) Disseminate information in Kiswahili or English at minimal cost and accommodate persons with disabilities.

Requests must be made in writing to the Vice Chancellor and may be submitted via letter or email.

7. Limitations to Access

Access is restricted where disclosure would:

- a) Compromise national security or legal proceedings.
- b) Endanger individuals or invade privacy.
- c) Harm commercial interests or intellectual property.
- d) Undermine internal decision-making or legal standing.

8. Roles and Responsibilities

- a) **Requestor:** Any person or organization seeking information.
- b) **Information Access Officer (IAO):** The Vice Chancellor, responsible for policy oversight.
- c) **Information Access Desk Officer (IADO):** Appointed by the VC to handle daily requests.
- d) **Public Complaints and Access to Information Committee (PCATI):** Manages infrastructure for complaints and information.
- e) **Heads of Departments:** Provide departmental information.
- f) **Legal Officer:** Advises on exemptions or legal constraints.

9. Application and Processing Procedures

Application:

- a) Submitted in writing (English/Kiswahili); IADO logs and processes the request.
- b) IADO helps illiterate or disabled applicants submit requests.

Classification:

- Information is categorized as *Confidential*, *Restricted*, *Internal*, or *Public*.

Processing:

- a) Decisions are made within 21 days (or 48 hours for urgent/life-related matters).
- b) Time may be extended once by 14 days under specific conditions.

Transfer and Response:

- a) Requests may be transferred to another agency if appropriate.
- b) Responses must indicate whether the request is approved or denied, and give reasons and appeal steps.

Access:

- Information is shared as requested (e.g. inspection, copy), unless classified as confidential—requiring VC approval.

Appeals and Reporting:

- a) Dissatisfied applicants may appeal to the Commission on Administrative Justice (CAJ).
- b) IADO maintains a request register and submits reports to CAJ via the VC.

10. Monitoring and Evaluation

PCATI shall oversee periodic evaluations and submit progress reports to CAJ to improve compliance and service delivery.

11. Effective and Review Dates

- a) **Effective:** This policy takes effect in July 2025.
- b) **Review:** Every five years or earlier in response to emerging issues.

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