

# Public Information Disclosure Policy for the Transparency International Secretariat

Approved by the Board of Directors, 6 November 2013

## **Introduction**

Access to information is fundamental to enabling informed decisions and to holding decision-makers or institutions to account for their actions. Where information is not freely accessible, corruption and the denial of basic rights can thrive. Access to information is a precondition to transparent decision-making and to empower people and institutions to prevent and fight corruption.

For any NGO legitimacy heavily rests in the trust of a public in the mandate and good work delivered, demanding expansive transparency. Transparency International (TI) is committed to leaving no room for the abuse of power among its ranks and to best practice for its public disclosure of information.

TI is the global civil society organisation leading the fight against corruption; through more than 90 chapters worldwide and an international Secretariat in Berlin, it raises awareness of the damaging effects of corruption and works with partners in government, business and civil society, to develop and implement effective measures to tackle corruption. Transparency International e.V. is the legal entity, registered under Germany law, which holds the governance structure of the global organisation. TI's Annual Membership Meeting is its ultimate decision-making body, electing the international Board of Directors and consisting of representatives from accredited National Chapters and of Individual Members. National Chapters (NCs) are the highly independent and locally-based and -governed NGOs. TI's Individual Members (IMs) are competent, experienced and dedicated individuals of recognized integrity from diverse geographical, cultural and professional backgrounds, who acknowledge the Charter of TI and are committed to the active promotion and realization of its goals. Transparency International Secretariat (TI-S) operates on behalf of and reports to the international Board of Directors.

TI's work is based on the principles of transparency, accountability, integrity, solidarity, courage, justice and democracy. As stated in TI's Guiding Principles<sup>1</sup>:

- *We undertake to be open, honest and accountable in our relationships with everyone we work with and with each other, and*
- *We will provide accurate and timely reports of our activities to our stakeholders.*

This Policy makes explicit how these principles relate to TI-S' public disclosure of information.

## **Scope**

This Policy covers all information that is held by TI-S in its premises and on the servers that it uses, and outlines the criteria and processes determining its public disclosure. Information pertaining exclusively to the activities of third parties, including Individual Members or National Chapters, remains property of those third parties and subject to their own information policies.

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<sup>1</sup> [http://www.transparency.org/about\\_us/organisation/statement](http://www.transparency.org/about_us/organisation/statement)

## ***Basic Principles***

Recognizing that everyone has a right to information and based on the principle of maximum disclosure, TI-S is committed to meeting best international reporting standards. TI-S will proactively and periodically publish and disclose information via its website [www.transparency.org](http://www.transparency.org). TI-S' proactive disclosure of documents is guided by its accountability imperative and need to publish information in a clear and easily accessible manner. Information held by TI-S will be made available, subject to four specific and limited exceptions as outlined further down in this Policy.

## ***Implementation***

### **Proactive disclosure**

Transparency International Secretariat is currently committed to disclosing information following several international reporting standards. A current list of such standards is found in Annex II.

Some of the documents proactively disclosed by TI-S are listed as *Annex I*. This list will be regularly reviewed. In exceptional circumstances a document, or a part thereof, otherwise subject to routine publication may fall within the scope of the regime of exceptions.

### **Making a request for Information**

Anyone may request information from TI-S in writing with explicit reference to this Policy in the following ways:

- by email to the TI-S staff member deemed relevant by the requester. The contact information for staff members are published at [www.transparency.org/whoweare/contact](http://www.transparency.org/whoweare/contact).
- by fax (+49-30-3470 3912),
- by mail (Alt Moabit 96, 10559 Berlin, Germany),

Where a request is not clear, TI-S staff members will ask for further clarification and, where necessary, provide assistance to a requester in formulating his or her request.

TI-S will not respond to vexatious requests. A request may be vexatious if it seeks information of a frivolous nature, if it is likely to cause distress or irritation without justification or if it is aimed at disrupting TI-S's work or harassing its staff members.

### **Time limits**

TI-S will respond within 15 working days from the day of the receipt of a request, with a 15 days extension if the regime of exception has to be considered.

### **Responsibilities of TI-S**

TI-S is responsible to ensure training to its staff on how to implement this Policy. TI-S staff members are the daily implementers of the Policy, for example responding to information requests, or making information available for publication. While they may play a supporting role in responding to requests under this policy, TI-S interns, volunteers and consultants are not responsible for its implementation.

### **Information Officer**

An Information Officer shall be appointed by the Managing Director to ensure due implementation of this Policy. The Officer serves as the guardian of this Policy and provides training and advice to TI-S staff thereon.

The Information Officer will submit to the Board Governance Committee and publish on a yearly basis a report on the implementation of this Policy including a register of formal information requests and TI-S' responses. After evaluation of the requests received throughout the year, it is

also the role of the Officer to advise yearly the Managing Director about potential Policy reviews and updates to the list of proactive disclosed documents for the approval by the Board.

### **Form of communicating information**

TI-S commits to honour requests for information in any form (usually electronic or print) or language in which it holds it, or can generate it through an automated process (e.g. printing out a database or an electronic document). In order to fulfil an information request TI-S will not produce new information.

### **Internal process for handling requests**

The respective TI-S staff member will seek clearance from the Information Officer on their reply to the requester. In case a denial is envisaged this should be confirmed by the TI-S Legal Advice Unit. Any reply denying disclosure of information shall outline the reasons for denial with reference to this Policy. The Information Officer will keep a register of requests for information and of TI-S' responses.

### **Fees**

TI-S will not charge any fees to process requests which it will provide via email. In addition, no charges will be charged for the first 100 pages of copied or printed documents. However, where postage or other printing or distribution costs come into play, TI-S may charge fees to cover those costs. If TI-S provides a document for sale, the published price will be charged. The requester will be informed prior about any costs.

### **Regime of Exceptions**

In line with international best practice and standards, TI-S' commitment to the principle of maximum disclosure recognises four legitimate grounds for not disclosing information: protection of privacy, confidentiality, legal privilege and TI's ability to operate effectively.

#### **Protection of privacy**

TI-S will not disclose personal information about a natural third party which would breach his or her privacy or a legitimate privacy interest unless that person has consented or the information was provided on the clear understanding that it might be made public. TI-S also abides by the [German Law on Data Protection](#).

#### **Confidentiality**

TI-S will not disclose information where to do so would constitute an actionable breach of confidence or a related commitment or legal obligation, or would put the safety of its members, partners or any individual at risk.

#### **Legal privilege**

TI-S will not disclose information which is privileged from production in legal proceedings unless the person who is entitled to the privilege waives it. TI-S will waive its own legal privilege unless to do so would put it at a disadvantage in legal proceedings or breach one of the other exceptions in this Policy.

#### **Ability to operate effectively**

TI-S will not disclose information where to do so would seriously damage its ability to operate effectively, for example by seriously harming its relations with a third party, or by inhibiting the provision of free and frank advice within the organisation or by putting the safety of our partners, contacts or staff at risk.

In addition, these exceptions will be applied considering the following provisions:

#### **Severability**

Where only part of a document falls within the scope of an exception, the rest of the document, to the extent it may be reasonably severed from the exempt information, will still be disclosed.

## **Public Interest Override**

Information will still be disclosed even if it falls within the scope of an exception where public interest outweighs the interest protected by the exception.

## **Appeals**

Anyone who believes that a TI-S staff member has failed to properly apply this Policy to their request for information may appeal to the Secretariat's Managing Director [[contact details](#)]. Any such appeal shall be decided within 15 working days. If after that appeal, the requester still believes that this Policy was not properly applied, the requester can further appeal to the Board ([contact details](#)). Any such appeal shall be decided within 60 working days.

## **Annex I**

The following categories of information and documents are available on the TI-S website ([www.transparency.org](http://www.transparency.org)) and, as relevant, are regularly updated.

### TI Charter

Official registration document (as registered under German law)

Mission Statement

Strategic Plans

Strategy Implementation Plans

TI's Organisational Structure

National Chapter Accreditation and Individual Member Appointment Policy

Conflict of Interest Policy

Current list of National Chapters with contact information

Current list of Individual Members

Current list of Advisory Council Members

Current Board of Directors list with short biographies

Current Board Committees and Task Forces

Board of Directors Code of Conduct

Board of Directors: Register of Interest

Decisions of Board of Directors meetings

Decisions of Annual Membership Meeting

TI-S Audited Accounts

TI-S Annual Budget (main budget document)

Annual Reports

Organigramme of the Transparency International Secretariat

Staff Directory with short biographies and business contact information

TI-S Code of Conduct

Information Disclosure Policy

Procurement Policy

Recruitment Policy

Salary bands and related info

External Job Announcements

Newsletters or regular publications

International NGO Accountability Charter Reports (Following GRI NGO Supplement format)

International Aid Transparency Initiative Implementation schedule and reports

Evaluations

Programme and Project Information

Documents produced as part of the output of a project or TI-S core funded work, including:

- Publications
- Press releases

TI-S' Memberships

## ***Annex II***

Complete list of international standards and initiatives TI-S is committed to:

[International Financial Reporting Standards \(IFRS\)](#)

[International NGO Accountability Charter](#)

[International Aid Transparency Initiative \(IATI\)](#)