

**TRANSPARENCY
AND ACCOUNTABILITY
POLICY
MSINGI**

JANUARY 2017

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DOCUMENT REVIEW AND APPROVAL

Revision history

Version	Author	Date	Revision
1	Chiunda Leonard	October 2016	
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This document has been reviewed by

	Reviewer	Date reviewed
1	Tim Lamont	December 2016
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This document has been approved by

	Subject matter experts		Date reviewed
	Name	Signature	
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Note: This log will start once the policy is approved

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I DEFINITIONS

- 1.1 **Director** means a director of a Msingi Company.
- 1.2 **Msingi Company Secretary** means the Company Secretary or, in his or her absence, the Deputy Company Secretary (if any) of Msingi East Africa Limited.
- 1.3 **Msingi** or **Msingi Group** means, as the context may require, Msingi East Africa Limited, any subsidiary thereof, and any company in which it has a minority or majority equity interest (directly or indirectly) and **Msingi Company** means any company in the group.
- 1.4 **Non-related Entity** means any business or entity other than a Restricted Entity.
- 1.5 **Programme Information** includes any information, whether reports, data or other documentation, relating to Msingi's Industry Programmes or Industry Prioritisation.
- 1.6 **Restricted Entity** includes:
- 1.6.1 Any current or proposed recipient of financial assistance in whatever form from any Msingi Company;
 - 1.6.2 Any business or entity actually or considering financing projects alongside any Msingi Company;
 - 1.6.3 Any business or entity actually or potentially supplying goods or services to, or purchasing goods or services from:
 - 1.6.3.1 any Msingi Company; or
 - 1.6.3.2 any other category of restricted entity in this definition;
 - 1.6.4 Any business or entity in any industry that any Msingi Company is considering, or has selected, to become a focus industry;
 - 1.6.5 Implementing partners of any Msingi Company; and
 - 1.6.6 Any other business or entity which might reasonably be deemed to conflict with a person's obligations to Msingi.
- 1.7 **Responsible Officer** means the office holder responsible for monitoring compliance with this policy. In the case of a Staff Member, this is the Msingi CEO or his/her designate and, in the case of a Director, the Msingi Company Secretary.
- 1.8 **Staff Member** includes an employee of, and (for the purposes of this policy only) a consultant or advisor to, any Msingi Company.

2 PURPOSE OF THE POLICY

- 2.1 By making full and accurate information about its mission, activities, finances and governance publicly available, Msingi practices and encourages transparency and accountability to the general public.
- 2.2 This policy:
- 2.2.1 indicates which documents and materials produced by Msingi will be made available to staff and/or the public.
 - 2.2.2 indicates which documents and materials produced by Msingi will be treated as confidential hence closed to staff and/or the public.

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2.2.3 specifies the procedures by which confidential materials and documents will be accessed by staff, members and funders.

2.2.4 specifies the means by which non-confidential documents and materials will be made accessible to the public.

3 DISCLOSURES

3.1 Msingi shall publish its conflict of interest policy, diversity and inclusion policy, transparency and accountability policy, annual reports and such other information approved by the Board.

4 MEANS AND CONDITIONS OF DISCLOSURE

4.1 As a general rule, Msingi shall publish the aforementioned documents and materials on its website, www.msingi.com.

4.2 Information shall be published in a format that is easily accessible to the intended audience.

4.3 Msingi will inform anyone requesting the information where this information can be found, including the web address. All external information requests shall be provided to the CEO or his/her designate as per Msingi's information sharing policy.

5 ANNUAL RETURNS

5.1 Msingi shall submit annual returns to the Registrar of Companies as required under the laws of Kenya.

6 BOARD

6.1 The Board has the right by law to see all company data. Any confidential information must be marked as such so that any funder or member is made aware that it may not be disclosed even under legislation such as the UK Freedom of Information Act

6.2 All papers and materials considered by the Board are considered confidential unless otherwise approved by the Board.

6.3 All Board deliberations shall be confidential except where the Board passes a resolution to make any specific portion public.

6.4 All Board minutes shall be kept by the Company Secretary and are considered confidential unless otherwise approved by the Board.

7 STAFF AND DIRECTORS DATA

7.1 All staff and Director records are generally viewed as confidential material. Therefore, there will be no public disclosure of any staff records, other than name, position and organisational chart to any person outside Msingi except authorised government agencies.

7.2 All staff records shall be available for consultation by the staff member concerned or by their legal representatives.

7.3 Within Msingi, staff records shall be made available only to those persons with managerial or personnel responsibilities for that staff member, except that employee records shall be made available to the Board when requested.

8 FUNDER RECORDS

8.1 All funder records shall be available for review and consultation by the Members and Funders concerned or by their legal representatives.

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- 8.2 No funder records shall be made available to any other person outside Msingi except authorized regulatory agencies.
- 8.3 Funder records shall be made available to the Board Directors as and when requested.
- 8.4 Funder names may be published on Msingi's website subject to written approval from the funder.
- 8.5 Within Msingi, funder records shall be made available only to those persons with managerial or personnel responsibilities for dealing with funders.

9 PROGRAMME INFORMATION

- 9.1 All Programme Information is generally viewed as confidential within Msingi. It will therefore be available for review and consultation by Staff Members. In cases where material is deemed to be particularly sensitive, the material will only be availed to the respective Programme Team, the Senior Management Team and the Board.
- 9.2 However, the CEO and Board have the right to access any material or information they so wish.
- 9.3 There will be exceptions to the confidentiality of Programme Information as follows:
 - 9.3.1 An Industry Director or Industry Prioritisation Director may approve the communication of Programme Information from within their programme area, including programme newsletters, other updates, reports and data, to a targeted selection of key Industry Programme or Industry Prioritisation stakeholders.
 - 9.3.2 The Msingi CEO will approve Programme Information to be disseminated more widely including information to be published on the Msingi website or any reports to be otherwise published publicly.

10 MONITORING

- 10.1 The Msingi CEO and Company Secretary shall put in place measures to monitor and ensure ongoing compliance with this policy and will report to the Board at least once annually on its effectiveness.

11 COMPLIANCE WITH RELEVANT LAWS AND REGULATIONS

- 11.1 Any information disclosed under this policy must be processed in accordance with data protection principles as set out in the laws of Kenya and the Data Protection Act 1998 of the United Kingdom. Data must be processed only for the purpose of ensuring that Directors and Staff Members act in the best interests of Msingi and not for any other purpose.

12 COMPLIANCE WITH FUNDER REQUIREMENTS

- 12.1 Msingi will work towards applying transparency standards in line with the UK aid Transparency Guarantee and the International Aid Transparency Initiative (IATI), to the funds received from DFID. In line with this guarantee and DFID's transparency commitment, Msingi will make substantive efforts to publish information about DFID funded projects, in line with relevant categories of the IATI standard, on their own website.