



REPUBLIC OF KENYA

OFFICE OF THE PRIME CABINET SECRETARY & MINISTRY OF FOREIGN AND DIASPORA AFFAIRS STATE DEPARTMENT FOR PARLIAMENTARY AFFAIRS

ACCESS TO INFORMATION PROCEDURE

Article 35 of the Constitution provides every citizen with the right to information that is necessary for the exercise or protection of any right or fundamental freedom. The State Department is committed to actualizing the right to access to information as guided by the Access to Information Act, 2016 and to enable the State Department, achieve its obligation, the procedures are outlined below.

1.0 Scope

This procedure will apply to handling of requests/accessing information related to the State Department and its mandate, and it is applicable to all internal and external stakeholders.

2.0 Reference Documents

The Access to Information procedure is anchored on various policy and legal documents, including

- i. Access to Information Act No.31 of 2016
- ii. The Constitution of Kenya 2010 (Article 10, Article 33, Article 35, and Article 260).
- iii. State Department Strategic Plan 2023– 2027
- iv. Commission on Administrative Justice Act No. 23 of 2011
- v. State Department Service Delivery Charter
- vi. State Department Communication Strategy
- vii. Human Resource and Administrative Policy & Procedure
- viii. Executive Order No. 2 of 2023
- ix. Circulars and Memos

3.0 Process

- 3.1** Information relating to the State Department's functions and responsibilities are available to the public and can be accessed from the State Department's website www.parliamentaryaffairs.go.ke Information not found on the website can be provided upon request.

- 3.2** All access to information requests must be submitted in writing and addressed to The Principal Secretary, P.O. Box 8448-00200 NAIROBI or emailed through info@parliamentaryaffairs.go.ke.
- 3.3** Requests can also be delivered to the State Department's offices located at Kenya Railways Building, Block A, Haile Selassie Avenue, Nairobi.
- 3.4** Upon receiving the request for Access Information, details of the requester and requested information will be recorded in the State Department's Request to Access Information Register.
- 3.5** Acknowledgement of receipt will be done within two (2) working days and guidance provided on how to access and fill the Access To Information Form.
- 3.6** Ordinary requests will be processed, and the requestor notified within seven (7) working days.
- 3.7** Urgent requests will be processed within three (3) working days upon receipt. If the information sought concerns the life or liberty of a person, it will be provided within 48 hours. The time for providing the information may be extended up to seven (7) working days for requests involving large amounts of information or consultation.
- 3.8** If unable to handle a request within the specified time limits, the person in charge will inform the requestor of the reasons for the delay and provide an estimated date for communicating the information.
- 3.9** Requests for access to confidential information must be approved by the Principal Secretary before disclosure. The requestor must sign a confidentiality form before the information is disclosed.
- 3.10** If the requestor is dissatisfied with the information provided, they can appeal to the Commission on Administrative Justice (Office of the Ombudsman), which will conduct investigations and make decisions or conclusions. The decision made by the Office of the Ombudsman will be binding.
- 3.11** The State Department will prepare and submit quarterly reports on access to information to the Commission on Administrative Justice (Office of the Ombudsman) using the prescribed forms.