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Information Disclosure

Disclosure is a formal-sounding term for making information accessible to interested and affected parties. Communicating such information in a manner that is understandable to your stakeholders is an important first (and ongoing) step in the process of stakeholder engagement. All other activities, from consultation and informed participation to negotiation and resolution of grievances, will be more constructive if stakeholders, including affected communities, have accurate and timely information about the project, its impacts, and any other aspects that may have an effect on them.

✓ Be transparent

Good practice involves taking steps to increase transparency and accountability as a means of promoting understanding about your project and engendering public trust. Adopting a “presumption in favor of disclosure” means being forthcoming with information whenever possible, especially if there is no compelling reason not to share it. Remember that a lack of information can lead to the spread of misinformation about a project that can be both damaging to a company’s reputation, and undermine efforts to engage in an informed dialogue with stakeholders. This is an area where **perception matters**. If companies are viewed as closed or secretive, consumer confidence and public trust can be affected. Sometimes stakeholders care less about the actual content of the information being disclosed than they do about the *principle* of openness and transparency.

□ □ Give people the information they need to participate in an informed manner.

✓ Apply good practice principles

- **Disclose early** – with the aim of providing relevant information to targeted stakeholders in advance of decision-making. At a minimum, explain next steps and be clear about which project elements are fixed and which can be changed or improved upon, based on consultation and participatory inputs.
- **Disclose objective information** – to the extent possible, and be open about the project. In short, “tell it like it is.” Refrain from exaggerating the good news, such as employment opportunities, or playing down the bad, such as anticipated noise levels and traffic disturbances during the construction period. If actual numbers are available, give these out, even if they are only estimates. In the long run it is safer to say, for example, that:

“at present, we estimate a need for about 200 new short-term unskilled jobs and 20 new semi-skilled permanent jobs,” rather than promising that *“there will be lots of jobs.”*

- **Design disclosure to support consultation** – Where appropriate, treat the disclosure of project and environmental and social information as an integral part of stakeholder consultation. Give people the information they need to participate in an informed manner. Crucially, leave sufficient time between the provision of information about the benefits and disadvantages of the project (or changes to project operations and their implications) and the start of consultations. People need time to think about the issues and weigh the trade-offs. Do not expect that stakeholders hearing or seeing information about a project for the first time will be immediately ready to make decisions about what they want.
- **Provide meaningful information** – in a format and language that is readily understandable and tailored to the target stakeholder group. The aim should be for the information provided to enable people and organizations to make informed judgments about changes that will affect their lives. This may mean that information will be required in different formats in order to meet the needs of various audiences. Points to consider in determining what forms this information should take and how it gets presented include: level of technical detail, local language and dialects, cultural sensitivity, roles of women and men, ethnic composition of communities, literacy levels, community leadership structures, and local methods of disseminating information within stakeholder groups.
- **Ensure the accessibility of information** – by thinking through how the intended recipient will most readily receive and comprehend the information. For example, the regulatory requirement of disclosing information in locations open to the general public

(offices of government environmental regulators, local planning authorities, etc.) is a necessary, but not fully sufficient, means to disseminate information of importance to stakeholders. Especially with affected communities, it may be more constructive to disclose information via public meetings, smaller gatherings of specific stakeholder sub-groups, through the use of individual conduits and intermediaries (such as the head of a local village council, or church or traditional leaders), or through the dissemination of a summary of the key information in the local language, for example via the newsprint and broadcast media, road side displays, or direct mail. In general, it is a good idea to ask for stakeholder input into the consultation process – stakeholders can often readily tell you what type of information they want and need, in what type of format, and how and when they would like to be engaged.

✓ Weigh the risks and benefits

There will be situations in which disclosing certain types of information at sensitive stages in the project cycle might entail risks. It is understood, for example, that in the very early stages of project development, revealing your hand to your competitors about what you intend to do could pose serious business risks. Such factors will need to be considered in deciding what to disclose and when. Other reasons for non-disclosure might include: commercial confidentialities and proprietary information, information of a personal privacy, safety, or individual security nature; or situations where releasing information very early in the development of a project might unnecessarily raise public expectations, cause speculative behavior, or create unnecessary fears. However, considerations for non-disclosure need to be weighed against the need for stakeholder groups to be informed in order to protect their interests. In general, experience shows that companies committed to transparency and accountability help promote the long-term profitability of their investments.

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✓ Manage information on sensitive and controversial issues

There are certain stakeholder issues, such as land acquisition and resettlement for example, that may be particularly sensitive and thus carry risks to the company if information about them is not communicated and managed effectively. In these cases it may be better to release information about the issue *at the same time* as conducting face-to-face consultations. In this way, any misinformation and immediate reactions of the affected parties can be addressed right away with the facts. In preparing information to support stakeholder consultation on controversial issues, it may be helpful to employ the following measures:

- **Tailor the information** to the different affected stakeholders.
- Present the “facts” and be as **transparent** as possible.
- Explain the **uncertainties**, and the limits of these uncertainties (i.e. the “worst”, “best” and “most likely” scenarios).
- Explain what input is needed from stakeholders and how it will be used in the **decision-making** process.
- Explain what stakeholders can do and **whom they can contact** to get more information.

SASOL, MOZAMBIQUE: DISCLOSURE OF A BACKGROUND INFORMATION DOCUMENT

To facilitate stakeholder involvement during the initial stage of Sasol's offshore hydrocarbon exploration EIA process in Mozambique, the company prepared a Background Information Document (BID). The BID was widely distributed among all the stakeholders identified at the time, through e-mails and postings, and was made available on the webpage created by Sasol for the EIA process. The purpose of the BID was to notify stakeholders of Sasol's intended activities, provide information on the exploration project, explain the EIA process and invite stakeholders to comment and participate in this process. The BID also referred to relevant legislation, provided general information on key project activities, and highlighted key issues regarding the potential impacts of these activities. In order to promote better understanding of the proposed activities by local stakeholders, the document was produced in a brochure format, using non-technical language, color maps, and figures to explain the process, and then distributed to the public. The BID was made available in Portuguese and English and used to support the company's public consultation program.