

FREEDOM OF INFORMATION MANUAL

SECTION 1: OVERVIEW

- A. Purpose: The purpose of this FOI Manual is to provide the process to guide and assist the ILOILO STATE COLLEGE OF FISHERIES (ISCOF), in dealing with requests of information pursuant to Executive Order (E.O.) No. 2 s. 2016 on Freedom of Information (FOI) – (Annex “A”)
- B. Objectives of the Manual: This Manual sets the rules and procedures to be followed by the ISCOF, whenever a request for access to information is received. The SUC President shall be responsible for all actions carried out under this Manual and may delegate this responsibility to the Office of the Vice President for Administrative Affairs and the respective Campus Administrators of the different campuses. The President, may delegate to a specific committee or official the authority to act as the Decision Maker (DM) and shall have overall responsibility for the initial decision on FOI request, (i.e. to decide whether to release all the records, partially release the records or deny access.
- C. Structure of the Manual: This Manual set out the definition of terms, standard operating procedures, remedies fees, and administrative liability. It also provide for relevant forms and other annexes.
- D. Coverage of the Manual: The Manual shall cover all requests for information directed to ISCOF.
- E. FOI Receiving Officer: There shall be an FOI Receiving Officer (FRO) designated at ISCOF. The SUC President shall designate the FRO in every campuses of ISCOF upon prior recommendation of the Deans and Directors or by the Vice President of Administrative Affairs.

The functions of the FRO shall include receiving on behalf of ISCOF, all requests for information. The FRO shall maintain a logbook of all requests chronologically received for accountability purposes.

The request shall be forwarded to the appropriate person which has custody of the records. The FRO shall monitor all FOI requests and appeals, provide assistance to the FOI Decision Maker (FDM), provide assistance and support to the public with regard to FOI requests, compile statistical information as required, and conduct initial evaluation of the request. Upon completion of the evaluation within the period set in the EO No. 02, the FRO shall advise the requesting party of any decision on request.

SECTION 2: DEFINITION OF TERMS

- A. **INFORMATION.** Shall mean any records, documents, papers, reports, letters, contracts, minutes, and transcripts of official meetings, maps, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline or online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.
- B. **OFFICIAL RECORD/S.** Shall refer to information produced or received by a public officer or employee, or by a government office in an official capacity or pursuant to a public function or duty.
- C. **PUBLIC RECORDS.** Shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.
- D. **PUBLIC SERVICE CONTRACTOR.** Shall be defined as a private entity that has dealing, contract, or a transaction or whatever form or kind with ISCOF or its external campuses.
- E. **PERSONAL INFORMATION.** Shall refer to any information, whether recorded in a material form or not, from which the identity of an individual is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly or certainly identify a individual.
- F. **SENSITIVE PERSONAL INFORMATION.** As defined in the Data Privacy Act of 2012, shall refer to personal information: (1) About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations; (2) About an individual health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings; (3) Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and (4) Specifically established by an executive order or an act of Congress to be kept classified.
- G. **OPEN DATA.** Refers to the publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.
- H. **EXCEPTIONS.** This refers to information that should not be released and disclosed in response to an FOI request because they are protected by the Constitution, laws or jurisprudence.
- I. **FULL GRANT.** When FDM is able to disclose all records in full in response to a FOI request.

- J. **FULL DENIAL.** When the FDM cannot release any records in response to a FOI request, because the requested information is exempt from disclosure in its entirety or, no records responsive to the request could be located.
- K. **PARTIAL GRANT/PARTIAL DENIAL.** When a government office is able to disclose portions of the records in response to a FOI request, but must deny other portions of the request.

SECTION 3: PROMOTION OF TRANSPARENCY IN THE GOVERNANCE OF ISCOF

A. Duty to Publish Information. ISCOF shall regularly publish, print and disseminate at no cost to the public and in an accessible form, in conjunction with Republic Act No. 9485 otherwise known as the Anti-Red Tape Act of 2007, and through their website, timely, true, accurate and updated key information including but not limited to:

1. A description of its mandate, structure, powers, functions, duties and decision-making processes;
2. A description of frontline services it delivers and the procedure and length of time by which such services may be availed of;
3. The names of its key officials, their powers, functions and responsibilities as well as their curriculum vitae;
4. Work programs, development plans, investment plans, projects, performance targets and accomplishments, budgets, revenue allotments and expenditures;
5. Important rules and regulations, orders and decisions;
6. Current and important database and statistics that it generates;
7. Bidding processes and requirements; and
8. Mechanisms or procedures by which the public may participate in or otherwise influence the formulation of policy or the exercise of its powers.

B. Accessibility of Language and Form. ISCOF shall endeavor to translate key information into major Filipino languages and present them in popular form and means.

C. Keeping of Records. ISCOF shall create and/or maintain in appropriate formats, accurate and reasonably complete documentation or records, policies, transactions, decisions, resolutions, enactments, actions, procedures, operations, activities, communications and documents received or filed with them and the data generated or collected.

D. Protection of Privacy. While providing for access to information, ISCOF shall afford full protection to a person's right to privacy, as follows:

1. ISCOF and its campuses shall ensure that personal information, particularly sensitive personal information, in its custody or under its control is disclosed only as permitted by existing laws;
2. It shall protect personal information in its custody or under its control by making reasonable security arrangements against unauthorized access, leaks or premature disclosure;
3. The FRO, FDM, or any employee or any official who has access, whether authorized or unauthorized, to personal information in the custody of ISCOF, shall not disclose that information except as authorized by Commission or under existing laws.

SECTION 4. STANDARD PROCEDURE

A. Receipt of Request for Information. The FOI Receiving Officer (FRO) shall receive the request for information from the requesting party and check compliance of the following requirements:

1. The request must be in writing;
2. The request shall state the name and contact information of the requesting party, as well as provide valid proof of identification or authorization;
3. The request shall reasonably describe the information requested, and the reason for, or purpose of, the request for information using the prescribed form;
4. In case the requesting party is unable to make a written request, because of illiteracy or due to being a person with disability, he or she may make an oral request, and the FRO shall reduce it in writing.
5. The request shall be stamped received by the FRO, indicating the date and time of the receipt of the written request, and the name, rank, title and position of the public officer who actually received it, with a corresponding signature and a copy, furnished to the requesting party. In case of email requests, the email shall be printed out and shall follow the procedure mentioned above, and be acknowledged by electronic email. The FRO input the details of the request on the Request Tracking System and allocate a reference number.
6. ISCOF must respond to any FOI request promptly, within the fifteenth (15) working days following the date of receipt of the request. A working day is any day other than a Saturday, Sunday or a day which is declared a national or local public holiday in the Philippines.

The date of the receipt of the request will be either:

- a. The day on which the request is physically or electronically delivered to ISCOF or its campuses; or
- b. If the college or offices has asked the requesting party for further details to identify and locate the requested information, the date on which the necessary clarification is received.

An exception to this will be when the request has been emailed to an absent FRO or member of staff, and this has generated an “out of office” message with instructions on how to re-direct the message to another contact. In this case, the date of receipt will be the day the request arrives in the inbox of the contact.

B. Initial Evaluation. After receipt of the request for information, the FRO shall evaluate the contents of the request and initially determine if the requested information may be allowed to be given or is subject to the exception as enumerated in B.1. herein;

B.1. Requests exempted from coverage: The following records/documents are exempted from the coverage of this manual hence should not be released or disclosed:

- a. Minutes of the meetings of the BOT, it’s Financial Committee and other committees which it may create.
- b. Minutes of the meetings of the Administrative Council
- c. Minutes of the meeting of the Academic Council
- d. Judicial affidavit filed in all cases involving ISCOF
- e. All pending cases involving ISCOF and its employees
- f. 201 Files of all employees
- g. PSB Documents
- h. SALN
- i. BAC Minutes of meetings
- j. Abstract of Bids
- k. TWG minutes of meeting and Recommendations
- l. OPCR and IPCR
- m. Financial Reports and Financial Documents not yet audited by COA
- n. All reports not in the final form
- o. Office recommendation as member of inter-agency task force/committee/body p. Student Records
- q. Pay slips

B.2. Action on request for information involving records/information Exempted from the Coverage of this Manual. If the requested information or document is exempted from the coverage of this manual, the FROs shall recommend the denial of the request for information to the FDM. The FDM shall evaluate the recommendation of the FRO and shall notify the requesting party of the decision on the request.

B. 3. Request relating to more than one office other than ISCOF: If received request for information requires to be compliance agencies, bureaus and offices, the FRO shall forward such request to the said agencies, bureaus or offices concerned and ensure that it is well coordinated and shall monitor its compliance. The FRO shall also clear with the respective FROs of such agencies, bureaus and offices that they will only provide the specific information that relates to their agencies, bureaus and offices.

B.4. Requested information is not in the custody of ISCOF or any of its colleges, units or offices: If the requested information is not in the custody of ISCOF or any of its colleges, units or offices, the SUC shall undertake the following steps:

- If the requested records pertains to another agency, the request shall be immediately transferred to such appropriate agency through the most expeditious manner and the transferring office must inform the requesting party that the information is not held within the 15 working day limit. The 15 working day requirement for the receiving office commences the day after it receives the request.
- Process of Referral. – When the requested information is not in the possession of a ISCOF but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by ISCOF to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “First Referral” and a fresh period will apply.
- The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.
- If the records refer to an office not within the coverage of E.O. No. 2, the requesting party shall be advised accordingly and provided with the contact details of the office, if known.

B.5. Requested information is already posted and available online: If the requested information is already posted and publicly available in the ISCOF website, data.gov.ph or foi.gov.ph, the request shall be denied. However, the FRO shall inform the requesting party of the reason of such denial.

- C. **Transmittal of Request by the FRO to the FDM:** After receipt of the request for information from the FRO, the FDM shall assess and clarify the request if necessary. He or she shall make all necessary steps to locate and retrieve the information requested and be submitted to the FRO within 10 days upon receipt of such request.

The FRO shall note the date and time of receipt of the information from the FDM

If the FDM needs further details to identify or locate the information, he shall, through the FRO, seek clarification from the requesting party. The clarification shall stop the running of the 15 working day period and will commence the day after it receives the required clarification from the requesting party.

- D. **PERIOD TO RETAIN PERSONAL INFORMATION.** Personal and sensitive personal information processed by government agencies for the purpose of making an FOI request shall be retained for two (2) years. Said information may include but are not limited to: FOI request forms containing personal and sensitive personal information; Valid proof of identification (i.e., Government-issued IDs, school-ID, etc.); Personal address; and Personal contact numbers. The FOI-PMO which is the manager and controller of the eFOI portal shall be responsible in handling and retention of personal and sensitive personal information uploaded and processed therein.
- E. **RECKONING PERIOD.** For the standard mode, the 2-year retention period shall be counted after the transaction has been closed, whether successful or denied. For the eFOI portal, the 2-year retention period shall be counted from the last login of the requesting party. Once the 2-year period lapsed, the eFOI system will send a notification to the requesting party via their registered email. The requesting party has the option whether to retain or delete their account permanently. They may retain their credentials by logging in within thirty (30) calendar days, however, failure to do so will prompt the system to delete their personal information with their IDs permanently.
- F. **DISPOSAL OF PERSONAL INFORMATION.** ISCOF and FOIPMO shall discard and dispose all personal and sensitive information in a secure manner that shall prevent further processing, unauthorized access or disclosure to any other party or the public, or prejudice the interests of the requesting party.
- For paper-based documents, ISCOF may discard the personal information by mode of redaction and shredding. The FOI-PMO may also redact the personal and sensitive information gathered through the portal by using the initials of the requesting party instead of his/her complete name.
- G. **Transmittal of the requested information to the requesting party:** Upon receipt of the requested information from the FDM, the FRO shall collate and ensure that the information is

complete. He shall attach a cover/transmittal letter signed by the FDM and ensure the transmittal of such to the requesting party within 15 working day period upon receipt of the request for information

APPROVED:

A handwritten signature in black ink, appearing to read "L. Belandres", written over the printed name.

LIZA D. BELANDRES, Ed.D.

OIC President