

### DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



#### **MEMORANDUM**

TO

ALL DENR REGIONAL EXECUTIVE DIRECTORS

ALL EMB AND MGB REGIONAL DIRECTORS

**ALL BUREAU DIRECTORS** 

ALL HEADS OF ATTACHED AGENCIES

ATTENTION

RECORDS OFFICER/FOI OFFICER

**FROM** 

THE UNDERSECRETARY

Legal and Administration

**CHAIRPERSON** 

**DENR Freedom of Information Committee** 

**SUBJECT** 

:

SUBMISSION OF REQUIREMENTS IN COMPLIANCE TO

MEMORANDUM CIRCULAR NO. 23-02 FOR FISCAL YEAR (FY) 2023 PERFORMANCE-BASED BONUS (PBB)

**ELIGIBILITY** 

DATE

NOV 2 1 2023

In compliance with MC No. 23-02, s. 2023 dated October 9, 2023, entitled "Freedom of Information (FOI) Program Criteria and Validation Process for the Determination of Eligibility for the Grant of Fiscal Year 2023 Performance-Based Bonus (PBB)", all offices are hereby instructed to comply and accomplish the validation form of the PCO FOI-Project Management Office through the link <br/> <br/> ink <br/> <br/> /2023FOIPBB>, copy furnished rmdd@denr.gov.ph:

REQUIREMENTS	DEADLINE
Updated People's FOI Manual	
Updated One-Page FOI Manual	
Updated FOI Reports (Agency Information Inventory, 2023 FOI	21 Ionuany 2024
Registry, and 2023 FOI Summary Report, and FOI Feedback	31 January 2024 (Wednesday)
Report)	(rreallesday)
Onboarding to the eFOI portal (www.foi.gov.ph)	
Certification that the Agency has no overdue pending FOI	
Requests	

FOI reports should be accomplished in one (1) Excel sheet (.xls) based on the templates provided in <br/> **bit.ly/2023FOIPBBTEMPLATE>**. Manual FOI requests to CENROs and PENROs must be consolidated per Region. Online requests from the eFOI portal are already included in the DENR Central Office's submission.

Offices with no revision to their People's FOI Manual, duly signed by the Head of the Office, may retain their existing uploaded manual in their respective Transparency Seal.

All offices shall accomplish the validation form through the link "<br/>bit.ly/2023FOIPBB>", on or before the deadline containing the following information:

- a) Name of Agency;
- b) Head of Agency and Designation;
- c) Office Address;
- d) FOI Receiving Officer/ Focal Person and Designation;
- e) Contact Details of FOI Receiving Officer/ Focal Person;
- f) Direct hyperlink to the following uploaded requirements in the Transparency Seal page:
  - Updated People's FOI Manual (including new designated list of FOI Receiving Officer/s with corresponding contact details and No Wrong Door Policy provision) duly signed by the Head of the Agency;
  - Updated One-Page FOI Manual (including the name of FOI Receiving Officer/s with corresponding contact details and the stepby-step procedure for FOI Request in both standard paper-based and electronic formats, process of raising appeal to the government agencies) and;
  - Updated FOI Report (Agency Information Inventory, 2023 FOI Registry, 2023 FOI Summary Report, and FOI Feedback Report);
- g) eFOI portal dashboard link of government agency;
- h) Certification that the Agency has no overdue pending FOI Reqests (as of 31 December 2023).

Further, all requirements enumerated above must be posted as part of the Transparency Seal on their website.

Lastly, all Regional Offices must submit their consolidated FOI Reports to the Records Management Division through email address provided below on or before January 05, 2024. Failure to do so will make the office ineligible for PBB.

For questions or clarifications, please contact the following:

Name	Office	Contact No.	Email Address
Ms. Maribel D. Garcia	Record Management Division, DENR Central Office	(02) 8926- 8079	rmdd@denr.gov.ph
Representative	FOI-Project Management Office, PCO	(02) 8733- 1102	foi.pco@gmail.com

For immediate compliance.

ATTY. ERNESTO D. ADOBO, JR., CESO I

### PRESIDENTIAL COMMUNICATIONS OFFICE

Malacañang, Manila Records Management Office

# IFRAI DI RAUTISTA

# Office of the President of the Philippines PRESIDENTIAL COMMUNICATIONS OFFICE:

Manila

Date: 10 Oct 1023 Time: 10:4

### **MEMORANDUM CIRCULAR NO. 23-02**

# FREEDOM OF INFORMATION (FOI) PROGRAM CRITERIA AND VALIDATION PROCESS FOR THE DETERMINATION OF ELIGIBILITY FOR THE GRANT OF FISCAL YEAR 2023 PERFORMANCE-BASED BONUS (PBB)

**WHEREAS**, Executive Order (EO) No. 2, series of (s.) 2016, was issued on 23 July 2016 to operationalize the people's constitutional right to information and the state policies to full public disclosure and transparency in the public service;

WHEREAS, Sections 8 and 16 of EO No. 2, s. 2016, instructed all government offices under the Executive Branch to prepare their respective People's Freedom of Information (FOI) Manual and implementing details within 120 days from its effectivity;

**WHEREAS**, by virtue of Memorandum Order (MO) No. 10, s. 2016, the Presidential Communications Operations Office (PCOO)<sup>1</sup> was designated as the lead agency in the implementation of EO No. 2, s. 2016, or the Freedom of Information (FOI) and electronic FOI (eFOI) Programs;

**WHEREAS**, Department Order No. 18, s. 2017, issued by the PCOO, created the FOI–Project Management Office (FOI-PMO) to exercise the mandate of MO No. 10, s. 2016;

**WHEREAS,** FOI Memorandum Circular (MC) No. 01, s. 2018, instructed all government offices under the Executive Branch to submit their FOI Report, which contains the Agency Information Inventory, FOI Quarterly Registry, and FOI Quarterly Summary;

**WHEREAS,** FOI MC No. 3, s. 2017, required all government offices under the Executive Branch to enroll in, and be onboard to, the eFOI program (www.foi.gov.ph) to ensure public convenience in requesting for information from the different agencies under the Executive Branch;

**WHEREAS,** FOI MC No. 1, s. 2020, recommended that all government offices produce a One-Page FOI Manual, based on the template provided for by the FOI-PMO, and make the same available to the public for each government office;

**WHEREAS**, Section 9 of EO No. 2, s. 2016, requires all government offices to respond to FOI request within fifteen (15) working days or maximum of thirty-five (35) working days from the receipt thereof;

WHEREAS, the FOI-PMO aims to generate verifiable data to determine the efficiency

<sup>&</sup>lt;sup>1</sup> EO No. 16, s. 2023 – Reorganizing the Presidential Communications Office

and effectiveness of the implementing agencies' compliance to the FOI Program through an FOI Request Feedback Report to be included in the FOI Report;

WHEREAS, Administrative Order (AO) No. 25, s. 2011, created the Inter- Agency Task Force on the Harmonization of National Government Performance Monitoring, Information, and Reporting System (Task Force AO 25), which is mandated to harmonize, unify, streamline and simplify all existing monitoring and reporting requirements and processes through the development of a common set performance scorecard, and the design of a government executive information system;

**WHEREAS**, Section 5 of EO No. 201, s. 2016, provides that Task Force AO 25 shall prescribe the conditions for eligibility, and the procedures for the grant, of the enhanced Performance-Based Bonus (PBB);

**WHEREAS,** Task Force AO 25 issued MC No. 2023-1, which provides for the guidelines for the grant of the PBB for Fiscal Year (FY) 2023 under EO No. 80, s. 2012, and EO No. 201, s. 2016;

**WHEREAS**, Section 5 (c) of MC No. 2023-1, under Agency Accountabilities, provides that agencies covered by EO No. 2 (s. 2016) must comply with the set of FOI Program requirements. Compliance with these requirements, will be used as one of the bases in determining the eligibility of responsible units and individuals to PBB.

**NOW, THEREFORE,** in consideration of the foregoing, strict adherence to the following is hereby ordered:

**Section 1.** *Scope.* This FOI MC shall cover all Government Offices under the Executive Branch including, but not limited to, the national government and all its offices, departments, bureaus, and instrumentalities, including government-owned or -controlled corporations (GOCCs), local water districts (LWDs), and state universities and colleges (SUCs), pursuant to Section 2 of EO No. 2 (s. 2016).

**Section 2.** Validation Process. Covered agencies shall accomplish the validation form through the link "<bir>
ink "<br/>

The agency shall provide the following details in the validation form:

- a) Name of Agency;
- b) Head of Agency and Designation;
- c) Office Address;
- d) FOI Receiving Officer/Focal Person and Designation;
- e) Contact Details of FOI Receiving Officer/Focal Person;
- f) Direct hyperlink to the following uploaded requirements in the Transparency Seal page:
  - Updated People's FOI Manual (including new designated list of FOI Receiving Officer/s with corresponding contact details and No Wrong Door Policy provision) duly signed by the Head of the Agency;
  - Updated One-Page FOI Manual (including the name of FOI Receiving Officer/s with corresponding contact details, the step-by-step procedure of FOI Request in both standard paper-based and electronic formats,

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- process of raising appeal to the government agencies) and;
- Updated FOI Report (Agency Information Inventory, 2023 FOI Registry, 2023 FOI Summary Report, and FOI Feedback Report);
- g) eFOI portal dashboard link of government agency; and,
- h) Certification that the Agency has no overdue pending FOI Requests (as of 31 December 2023).

**Note:** The review of the submitted and/or posted FOI requirements shall commence once the validation form has been successfully completed. The agencies shall be deemed noncompliant with the set FOI requirements in the absence of a validation request.

**Section 3.** *Deadline of Submission.* The FOI-PMO shall commence the validation process on the following dates:

REQUIREMENTS	DEADLINE
Updated People's FOI Manual	
Updated One-Page FOI Manual	
Updated FOI Reports (Agency Information Inventory, 2023 FOI Registry, 2023 FOI Summary Report, and FOI Feedback Report)	31 January 2024 (Wednesday)
Onboarding to the eFOI portal (www.foi.gov.ph)	
Certification that the Agency has no overdue pending FOI Requests	

**Note:** Delayed submission will not be entertained unless accompanied by a justification signed by the head of the agency. Only cause/s outside the scope of influence of the agency shall be accepted.

**Section 4.** Format of Requirements. Submissions that do not comply with the file format and templates below shall not be considered for validation. However, modifications to said file to reflect agency identity and information shall be allowed by the Validating Agency (PCO FOI-PMO).

Agencies with no revision in their existing People's FOI Manual shall retain their existing uploaded manual in their respective Transparency Seal. Further, Agencies shall submit the accomplished FOI Report, strictly in single Excel sheet (.xls) and in conformance with the template provided in the link "<bit.ly/2023FOIPBBTEMPLATE>," to the FOI-PMO and shall incorporate the same in their respective Transparency Seals with the file name "FOI Reports".

All templates—One-page FOI Manual, FOI Reports, Onboarding Form, and Certification—may be downloaded from the link "<br/>
- bit.ly/2023FOIPBBTEMPLATE>."

**Section 5.** Compliance Status. Agencies are classified into the following categories based on the results of the validation conducted by the Compliance Monitoring Officers and/or the completeness of the requirements submitted through the validation form:

- a) **Compliant.** The agency submitted all requirements and have complied with the prescribed conditions and formats stated herein.
- b) **Noncompliant.** Failure of the agency to comply with Section 2 or one or more of the requirements stated under Section 4.

**Section 6.** *Issuance of Compliance Certificates.* A Certificate of Compliance shall be issued to agencies that have complied with Sections 2 and 3 of this Circular.

**Section 7.** *Non-compliance*. In February 2024, the FOI-PMO shall notify agencies who have failed to comply with the requirements and deadlines prescribed by this Circular.

A request for reconsideration may be filed by a non-compliant agency through a letter from its head of agency, addressed to the Head of the Presidential Communications Office (PCO), as the lead implementing agency of the FOI Program. The request shall be supported by proper documentation, and the justifications for which must be due to factors beyond the control of the agency.

The request for reconsideration regarding non-compliance will only be accepted **on or before 29 February 2024**, and shall be addressed to:

The Secretary

Presidential Communications Office (PCO)

Thru: Assistant Secretary for Operations

Presidential Communications Office (PCO)

**Section 8.** Contact Information. Concerned agencies may reach the FOI-PMO through email address: <a href="mailto:foi@pco.gov.ph">foi@pco.gov.ph</a> (copy furnished foi.pco@gmail.com) or telephone number (02) 8734-7420 loc 117.

**Section 9. Separability Clause.** If, for any reason, any part or provision of this Memorandum Circular is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.

**Section 10.** *Repealing Clause.* All orders, rules and regulations, memoranda, circulars, and issuances, or any part thereof, inconsistent with the provisions of this Circular are hereby repealed, amended or modified accordingly.

**Section 11.** *Effectivity Clause.* This Memorandum Circular shall take effect immediately.

Manila, Philippines, 4th day of 0ctober year 2023.

ATTY. CHELOY E VELICARIA-GARAFIL, MNSA
Secretary and FOI Champion

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#### ANNEX A

### Sample of Posting in the Transparency Seal

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### Office of the President of the Philippines

PRESIDENTIAL COMMUNICATIONS OFFICE

TANGGAPANG PAMPANGULUHAN SA KOMUNIKASYON

MALACAÑANG

PCO

SECRETARY'S CORNER

CITIZEN'S SERVICE

DIRECTORY

LEGAL BASIS

TRANSPARENCY SEAL



#### PRESIDENTIAL COMMUNICATIONS OFFICE

TDANSDADENCY SEAL

- I. The agency's mandates and functions, names of its officials with their position designation, and contact information
- a. The Agency's Mandates, Vision, Mission and Functions
- b. Position, Designation and Contact Information
- XI. PCO People's Manual:
- a. People's FOI Manual
- b. FOI Reports
- c. One-Page FOI Manual
- XII. PCO Systems Manual on Administration and Finance
- XIII. PCO Quality Management System Manual
- XIV. PCO Procedures and Work Instructions Manual
- XV. PCO Budget Operations Manual

### Content

- I. Agency Mandate & Functions
- II. Annual Reports
- III. PCO ApprovedBudgets andCorresponding Targets
- III. PCO Approved Budgets and Corresponding Targets
- IV. Major Programs and Projects Not Applicable
- V. The program/projects beneficiaries
- VI. Status of implementation and program/project evaluation and/or assessment reports
- VII. Annual Procurement Plan, Contracts awarded and the name of contractors/suppliers/consultar

VIII. Citizen's Charter

**Reminder:** Ensure that only three (3) items are published under the FOI Requirement in the Transparency Seal of the agency's website with the following file name format:

- a) People's FOI Manual
- b) One-page FOI Manual
- c) FOI Report

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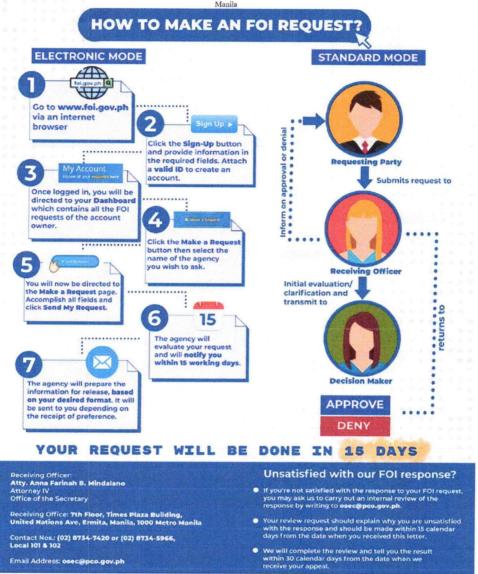
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### ANNEX B Sample One-page FOI Manual



Office of the President of the Philippines
PRESIDENTIAL COMMUNICATIONS OFFICE

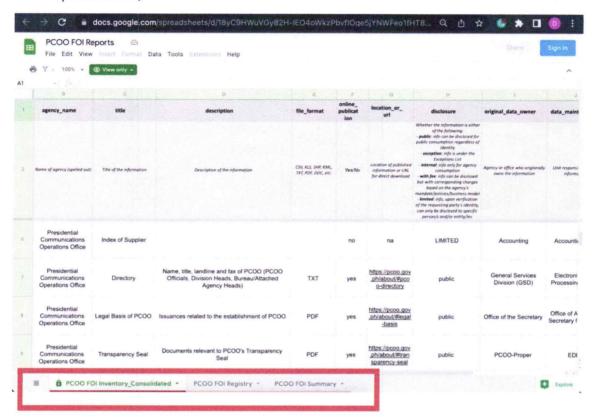


<u>Reminders:</u> Please see **FOI Memorandum Circular No. 1 (s. 2020)** for the full guidelines in the development of a One-page FOI Manual through foi.gov.ph/resources/policies.

### ANNEX C Guidelines for the FOI Report Format

### Reminders:

 Agencies shall submit their respective accomplished FOI Report strictly in a single Google spreadsheet (.xlxs), based on the template provided in the link "<bit.ly/2023FOIPBBTEMPLATE>". Further, those using an older format of Excel sheets are requested to convert to the same to Google spreadsheet;



2) Change the privacy settings of the Google Spreadsheet to "Anyone on the internet with this link can view"; and,

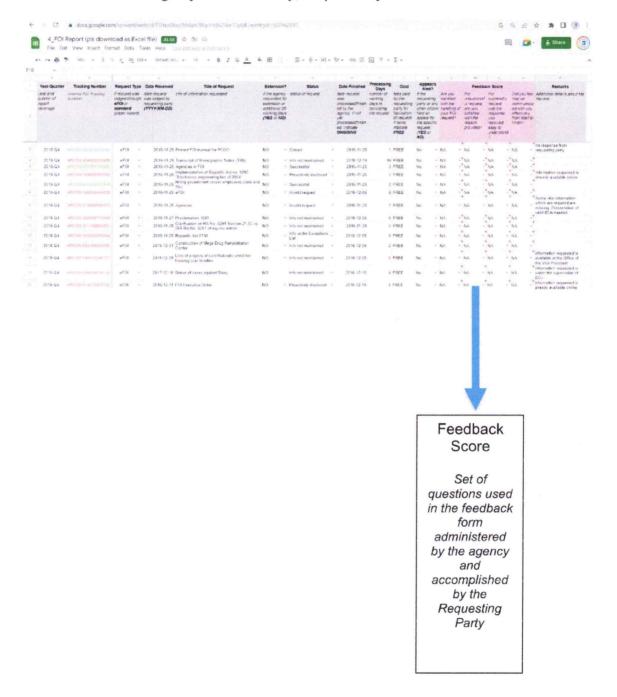


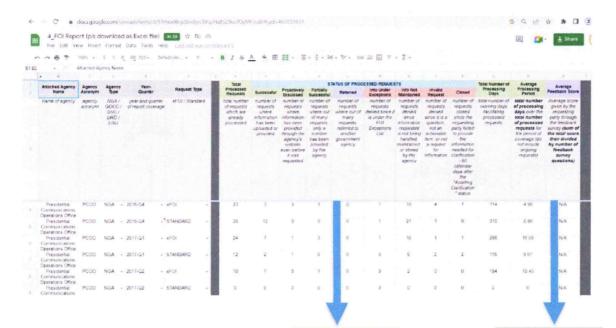
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3) For FOI Registry and Summary Reports, agencies must ensure that: a. all dates starting 2017-Q1 to 2023-Q4 are present; b. for FY 2022 and FY 2023, a "REFERRED" status shall be added in the status group and; c. a Feedback Score column and Average Feedback Score shall be reflected under FOI Registry and Summary, respectively.





### Referred

number of requests where out of many requests, referred to another government agency

### Average Feedback Score

Average score given by the requesting party through the feedback survey (sum of the total score then divided by number of feedback survey questions)

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### ANNEX D Onboarding to the eFOI portal (www.foi.gov.ph)



Figure 1. Homepage of the agency website

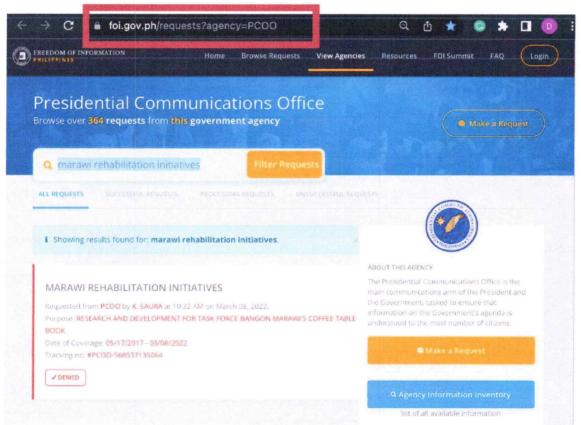


Figure 2. Agency's eFOI dashboard page

#### ANNEX E

Guidelines for the FOI Requests Feedback Survey

- I. Guide in conducting the FOI Requests Feedback Survey Agencies are encouraged to observe the following procedures in conducting the feedback survey:
  - a) Survey Questionnaire. The FOI Requests Feedback Survey must capture the citizen's/client's experience, expectations, and satisfaction with the agencies' compliance to the FOI Program implementation through the following vital questions:
    - 1) Are you satisfied with the handling of your FOI request?
    - 2) Did you receive your information within 15 to 35 working days?
      - A. For *unsuccessful* request, are you satisfied with the reason provided?
      - B. For *successful* request, was the response you received easy to understand?
    - 3) Did you feel that we communicated with you effectively, from start to finish?
    - 4) Is there anything we could do to improve our service in the future?

Note: Agencies may opt to include additional questions to determine and improve the efficiency and effectiveness of its services in implementing the FOI Program.

**b)** Rating Scale. A 5-point Likert scale is recommended to be used, with the following rating scale:

Strongly disagree	Disagree	Neither agree or disagree	Agree	Strongly agree	
1	2	3	4	5	

#### II. Data Analysis and Reporting of Feedback Score

The results of the survey shall be analyzed by each respective agency to improve their services. Each agency shall report its FOI Requests Feedback Score through the FOI Registry and Summary Sheet starting 2<sup>nd</sup> Quarter of 2022.

# ANNEX F Certification of no overdue pending FOI Requests Template



# Office of the President of the Philippines PRESIDENTIAL COMMUNICATIONS OFFICE Manila

#### CERTIFICATION

This is to certify that the **PRESIDENTIAL COMMUNICATIONS OFFICE** has no Overdue pending Freedom of Information (FOI) requests as of 31 December 2023, subject to compliance validation by the Presidential Communications Office (PCO).

This Certification is being issued in compliance to Section 5 (c) of Memorandum Circular (MC No. 2023-1 issued by the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information, and Reporting System (Task Force AO 25) and FOI MC No. 2023-02 issued by the PCO, respectively.

Issued on 24 August 2023

Submit	iou by			
F/	N Doo	iolon	Maker	

7th Floor Times Plaza Building, UN Avenue, Ermita, Manila City, 1000, Philippines Tel Nos. (02) 8734-7420 • 8734-5966

### Reminders:

All agencies covered by the FOI Program shall address all overdue pending FOI Requests lodged in paper-based format or through the eFOI portal since the start of their FOI implementation to present.

A request is considered "**overdue pending FOI request**" if the action time, which is 15 working days for simple requests and 35 working days for complex requests, has lapsed, without any action from the end of the government agency.

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<sup>\*</sup>Sample only