



Republic of the Philippines
Department of Social Welfare and Development

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ADMINISTRATIVE ORDER

No. 08

Series of 2017

**Guidelines in Accessing the Results of Listahanan 2
for DSWD Offices**

1. Introduction

Executive Order No. 867 provides for the adoption of the NHTS-PR, now known as Listahanan, as mechanism for identifying poor households who shall be recipients of social protection programs nationwide. It further mandates all national government agencies (NGAs) to use the data generated by the system in prioritizing beneficiaries of such programs and services.

In compliance with the Directive, data generated from the results of the 2nd Listahanan Assessment (Listahanan 2) shall be shared primarily to National Government Agencies.

2. Objective

This procedural guide is crafted to facilitate sharing of the results of Listahanan 2 specifically with DSWD Offices. It will strengthen the mechanism for data sharing by ensuring compliance to pertinent laws including Republic Act 10173 otherwise known as the Data Privacy Act of 2012 and Executive Order No. 02, series of 2016 on the Freedom of Information.

3. Definition of Terms

3.1 Personal Information (PI) - refers to information from which the identity of an individual is apparent or can be reasonably ascertained by someone holding the information, or when put together with other information would certainly identify an individual.

3.2 Sensitive Personal Information (SPI) refers to personal information about an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations. It also includes information on an individual's health, education, genetic or sexual life, or to any proceedings for any offense committed / alleged to have been committed by such person, the disposal of such proceedings or the sentence of court proceedings. If lost, compromised, or disclosed without authorization, this could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.

3.3 Data Protection Officer (DPO) - are individuals designated by the Personal Information Controller and tasked to ensure compliance with applicable laws and regulations for the protection and security of data. For Listahanan concerns at the DSWD Central Office, the Assistant Secretary, PPG shall act as the DPO. The Assistant Regional Director for Operations (ARDO) shall act as the DPO of the Regional Office.

3.4 Compliance Officer for Privacy (COP) - refers to an individual or individuals who shall perform some of the functions of the DPO as provided under NPC Advisory No. 2017-01 on the

Designation of Data Privacy Officers. The COP also ensures that the PIC and PIP comply with applicable laws for data protection and security.

3.5 Focal Person – shall refer to a program staff designated by the OBS Director and tasked to coordinate with the Listahanan on matters pertaining to data sharing.

4. Procedure

To expedite the release of Listahanan data, DSWD Offices at the national and regional levels shall follow the prescribed process.

4.1 National Level Request for Personal Information

4.1.a OBS Director shall submit a Letter of Request (**Annex A**) duly signed by the Cluster Undersecretary and addressed to the Deputy Project Director, Listahanan. Said Letter shall include the following information:

- a) Purpose for the request;
- b) List of data sets (**Annex B**) required and how these will be used;
- c) Reasonable timeline as to when the requested data is needed; and
- d) Name of focal person with whom NHTO will coordinate regarding the release of data and the concomitant data protection and security concerns.

4.1.b The designated DPO shall review the request and make recommendations to the Deputy Project Director for appropriate action.

4.1.c If approved, the Deputy Project Director shall forward said request to the NHTO for data generation. If denied, the NHTO shall prepare the Denial of Request for Data Form (**Annex C**) highlighting the grounds for such denial. This shall be communicated in writing to the requesting party within 15 working days from the receipt of request.

4.1.d NHTO shall generate the requested data and prepare the Certificate of Orientation on the salient provisions of the Data Privacy Act. The Certificate of Orientation (**Annex D**) shall be signed by the focal person of the OBSU and shall serve as basis for releasing the requested data.

4.1.e NHTO shall release to the OBSU focal person the Compact Disc or Hard Drive containing the encrypted and password-protected Listahanan data as well as the password to access the data in the Disc or Drive.

4.2 Regional Level Request for Personal Information

4.2.a Heads of Divisions shall submit a Letter of Request to the DSWD Regional Director. Said Letter should include the following information:

- e) Purpose for the request;
- f) List of data sets required and how these will be used;
- g) Reasonable timeline as to when the requested data is needed; and

- h) Name of focal person with whom the NHTU will coordinate regarding the release of data and the concomitant data protection and security concerns.

4.2.b The designated DPO shall review the request and make recommendations to the Regional Director for appropriate action.

4.2.c If request is approved, the Regional Director shall forward the said request to the NHTU for data generation. If denied, the NHTU shall prepare the Denial of Request for Data Form (**Annex C**) highlighting the grounds for such denial. This shall be communicated in writing to the requesting party within 15 working days from the receipt of request.

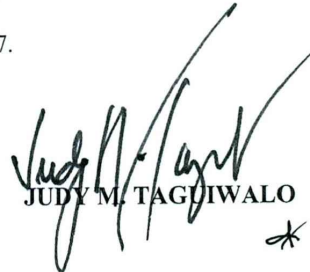
4.2.d NHTU shall generate the requested data and prepare the Certificate of Orientation on the salient provisions of the Data Privacy Act. The Certificate of Orientation shall be signed by the focal person representing the Division Chief and shall serve as basis for releasing the requested data.

4.2.e NHTU shall release to the focal person of the Division the Compact Disc or Hard Drive containing the encrypted and password-protected Listahanan data as well as the password to access the data in the Disc or Drive.

5. Effectivity

This Memorandum Circular takes effect immediately.

Issued in Quezon City this 19th day of July, 2017.


JUDY M. TAGUIWALO *

Certified True Copy:


MYRNA H. REYES

Records & Archives Mgt. Section

Sample Letter of Request Template

Date

USEC FLORITA R. VILLAR
Deputy Project Director, Listahanan

Or

DIRECTOR _____
DSWD Field Office _____

Dear _____:

The (Name of DSWD Office) is (please describe what the office intends to do, how this will be done, and areas to be covered).

Given the limitations in terms of budget, the need to prioritize those who are financially disadvantaged will require a reliable beneficiary selection mechanism to ensure limited resources go to the most needy. In this regard, we will require the following data or information in the attached checklist for (please identify Field Office / province / city or municipality / barangay).

These data from the Listahanan will greatly facilitate the mapping of priority areas and selection of potential beneficiary-households.

We will appreciate receiving the data by (indicate the reasonable timeline when the data is needed).

Thank you.

Truly yours,

Name and signature of Cluster Undersecretary

or

Name and Signature of Division Chief

DATA REQUIREMENTS

(Please check the Listahanan data needed and provide information on how each will be used or processed):

| ✓ | DATA SETS | HOW DATA WILL BE USED OR PROCESSED |
|---|---|------------------------------------|
| | 1. Address | |
| | 2. Household Member Information | |
| | a. Last Name, First Name, Middle Name and Extension Name | |
| | b. Age | |
| | c. Sex | |
| | d. Marital Status | |
| | e. Relationship to household head | |
| | 3. Housing Condition | |
| | a. Type of building/house occupied | |
| | b. Type of construction materials of the roof of housing units occupied | |
| | c. Type of construction materials of the outer walls of housing unit occupied | |
| | d. Tenure status of the housing unit and lot occupied | |
| | e. Access to electricity | |
| | f. Ownership of assets | |
| | 4. Health | |
| | a. Access to sanitary toilet facility | |
| | b. Access to safe water source | |
| | c. Attending health facility | |
| | 5. Education | |
| | a. Attending school | |
| | b. Highest educational attainment | |
| | 6. Labor and Employment | |
| | a. Type of primary occupation/business reported | |
| | b. Class of worker | |
| | c. Nature of employment | |
| | 7. Others | |
| | a. Cause of displacement experienced | |
| | b. Indigenous people group | |
| | c. Household member working abroad | |
| | d. Programs and services received | |
| | e. Solo parent | |
| | f. Type of functional difficulty | |

Note: Depending on the needs of the social protection initiatives you are working on, you may identify other data sets that you may want us to generate.

DENIAL OF REQUEST FOR DATA

Dear _____,

Thank you for your request for information dated _____.

In your letter, you asked for *(quote exactly the content of the request and how it will be used)* _____
_____.

While Listahanan is mandated to provide information to stakeholders of social protection programs and services, we are in this instance unable to share *(some of / all the information)* you have requested because _____

_____.

If you are unhappy with this response, you may appeal for a review of the merits of your request by writing to **Undersecretary Florita R. Villar / Regional Director** _____. Your appeal for review should explain why you are dissatisfied with this response, and should be made within 10 calendar days from the date when you received this letter. We will complete the review and tell you the result within 10 calendar days from the date when we receive your request for review.

Thank you.

Respectfully,

Compliance Officer for Privacy
NHTO, DSWD

or

Compliance Officer for Privacy
NHTU, DSWD

**CERTIFICATE OF ORIENTATION
ON THE DATA PRIVACY ACT OF 2012**

This is to certify that we, the staff of (name of the program / project / service), are aware of the passage into law of Republic Act No. 10173, or the Data Privacy Act of 2012. We have read the said Act, its Implementing Rules and Regulations (IRR), and existing Memorandum Circulars (MCs) of the National Privacy Commission (NPC).

We understand that the release of data we requested from the Listahanan is compliant to the provisions of the said Act, its IRR and other relevant issuances of the Commission.

We understand and agree that we shall not disclose or transfer the shared personal information to a third party, except those disclosures authorized by law. Any transfer or disclosure of shared personal information to a third party will be our sole responsibility and therefore will no longer be the accountability or liability of the Listahanan Project under the DPA.

Name of Focal Person

Concurred by:

**Compliance Officer for Privacy
NHTO/U, DSWD**