

2017



# FOI PHILIPPINES ANNUAL REPORT

Report on the  
Implementation of Executive Order (EO)  
No. 02, S. 2016 or the Freedom of Information  
Program in the Executive Branch

**First to  
Fourth  
Quarter**





# CONTENTS

---



1	<b>CHAPTER 1</b> FOI PROGRAM AND COMPLIANCE
11	<b>CHAPTER 2</b> eFOI PORTAL
18	<b>CHAPTER 3</b> RAISING AWARENESS AND IMPROVING PRACTICES
24	<b>CHAPTER 4</b> MOVING FORWARD
	THE FOI TEAM

---



# CHAPTER 1

## 1.0 BACKGROUND

On 23 July 2016, President Rodrigo Duterte signed Executive Order (EO) No. 02 operationalizing the Constitutional Right to Information under the Executive Branch. Pursuant to Sections 8 and 16 of Executive Order (EO) No. 2, s. 2016, directing all government agencies of the Executive Branch to prepare their respective People's FOI Manual and Implementing Details (Agency FOI Manual) within 120 days upon the effectivity of said EO through Memorandum Order (MO) No. 10, s. 2016, Executive Secretary Salvador Medialdea designated the Presidential Communications Operations Office (PCOO) as the lead agency in the implementation of the FOI Program.



On the date of implementation, 25 November 2016, the PCOO launched the FOI program and the electronic FOI (eFOI) portal ([www.foi.gov.ph](http://www.foi.gov.ph)).

The FOI program is envisioned to redefine the relationship of the government with its citizens. It aims to revolutionize how the Duterte administration communicates with the Filipino citizens--making sure that agencies respond to their concerns and provide the information they need within 15 to 35 days.

This Annual Report covers FOI implementation from 25 November 2016 to 25 November 2017.



## 2.0 FOI MANUALS COVERAGE AND COMPLIANCE



Under Section 2 of EO No. 2, s. 2016, the Program shall cover all government offices under the Executive Branch, including but not limited to the national government (NGAs) and all its offices, departments, bureaus, offices, and instrumentalities, including government-owned or -controlled corporations (GOCCs), and state universities and colleges (SUCs). Local government units (LGUs) are encouraged to observe and be guided by the EO.

The total number of National Government Agencies (NGAs) and all its offices, departments, bureaus, offices, and instrumentalities indicated in this report was manually counted by PCOO. Further, the total number of Government-owned and controlled corporations (GOCCs) indicated in this report is based on the list of “Classification of GOCCs by SECTORS” found in the GCG website. The State Universities and Colleges (SUCs) indicated in this report is based on the list provided by the Administrative Order (AO) 25 Technical Working Group (TWG) of the Development Academy of the Philippines (DAP).

## 2.1 Departments under the Executive Branch



Among the 22 Departments, the Department of Finance (DOF) submitted their People’s FOI Manual first on 7 November 2016, while the National Economic and Development Authority (NEDA) submitted their People’s FOI Manual on 24 November 2016. The remaining 20 Departments submitted their FOI Manuals during the FOI Program launching last 25 November 2016.



## 2.2 National Government Agencies (NGAs) under the Executive Branch

A total of **181 out of 189** NGAs (or 95.77%) with 22 departments and 157 government agencies under Executive branch submitted their People's FOI Manuals and implementing details.

## 2.3 Government-Owned and Controlled Corporations (GOCCs)

Further, a total of **69 out of 141** GOCCs (or 48.94%) submitted their respective People's FOI Manual and implementing details.

## 2.4 State Universities and Colleges (SUCs)

A total of **23 out of 113** SUCs (or 20.35%) submitted their People's FOI Manual.





## 2.5 Outside Executive Branch

Although EO no. 2, s. 2016 is limited to the Executive branch, local government units (LGUs) and other government offices outside the Executive branch are encouraged to observe and be guided by the EO. The following offices submitted their FOI manuals; both in paper and digital format, and complied with the provisions in the said EO:

1. Office of the Ombudsman (OMB)
2. Commission on Audit (COA)

Further, A total of **28 out of 385** or (7.27%) Local Water Districts submitted their People's FOI Manual.



## 3.0 FORMAT OF MANUALS

### 3.0.1 National Government Agencies (NGAs)

More than half (56%) or a total of 102 government agencies submitted their People's FOI Manual in both paper and digital format. On the other hand, 42 government agencies (or 23%) submitted only in hard copy, while 37 government agencies (or 21%) submitted only in digital format.

### 3.0.2 Government-Owned and Controlled Corporations (GOCCs)

A total of 33 GOCCs (or 48%) submitted their People's FOI Manual in both hard and soft copy. However, 23 GOCCs (33%) submitted in hard copy and 13 GOCCs (19%) submitted only in digital format.

### 3.0.3 State Universities and Colleges (SUCs)

A total of 6 SUCs (or 26%) submitted their People's FOI Manual in both hard and soft copy. However, 4 SUCs (17%) submitted in hard copy and 13 SUCs (57%) submitted only in digital format.

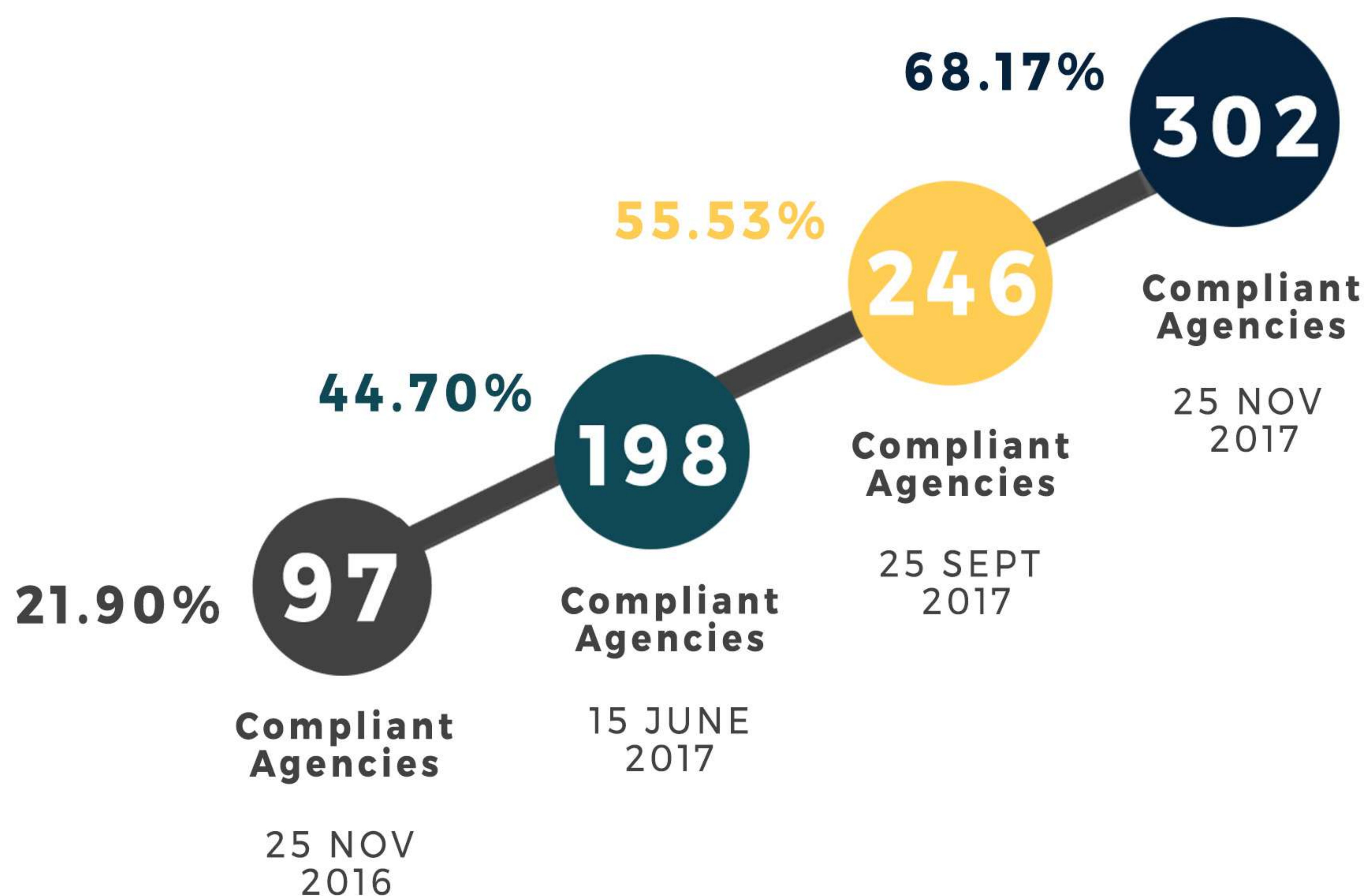


### Graph 3.1 Use of the Model FOI Manual

The Presidential Communications Operations Office (PCOO) issued FOI Memorandum Circular (MC) No. 2, s. 2016 on 24 November 2016 prescribing the Model People's FOI Manual as the provisional manual of agencies that do not have an approved manual, to ensure that the mandate of EO No. 2, s. 2016 is observed. A total of 212 government agencies (or 70%) adapted the Model People's FOI Manual published by the PCOO last November 2016. 90 government agencies (or 30%) drafted their FOI Manuals using their own format.



### Graph 3.2 Timeline in submission of FOI Manuals





## 4.0 FOI MANUALS IN THE TRANSPARENCY SEAL

Pursuant to Section 5 of Memorandum Circular (MC) No. 2017-1 issued by the Inter-Agency Task Force on the Harmonization of National Government Performance Monitoring, Information and Reporting Systems (Task Force AO 25), FOI Manuals shall be uploaded in the agency Transparency Seal on or before 1 October 2017, as one of the Good Governance Conditions (GCCs) to be eligible in the Performance-Based Bonus (PBB) for fiscal year 2017, subject to compliance validation by the PCOO starting 1 October 2017.

Further, the FOI Memorandum Circular No. 4, s. 2017 issued by the PCOO last 26 June 2017 provides guidelines in uploading of FOI Manual in the Agency Transparency Seal to be eligible to the PBB.

In summary, 143 NGAs, 77 GOCCs, 12 SUCs, and 86 LWDs complied with the validation process.





## 5.0 FOI REGISTRY AND AGENCY INFORMATION INVENTORY

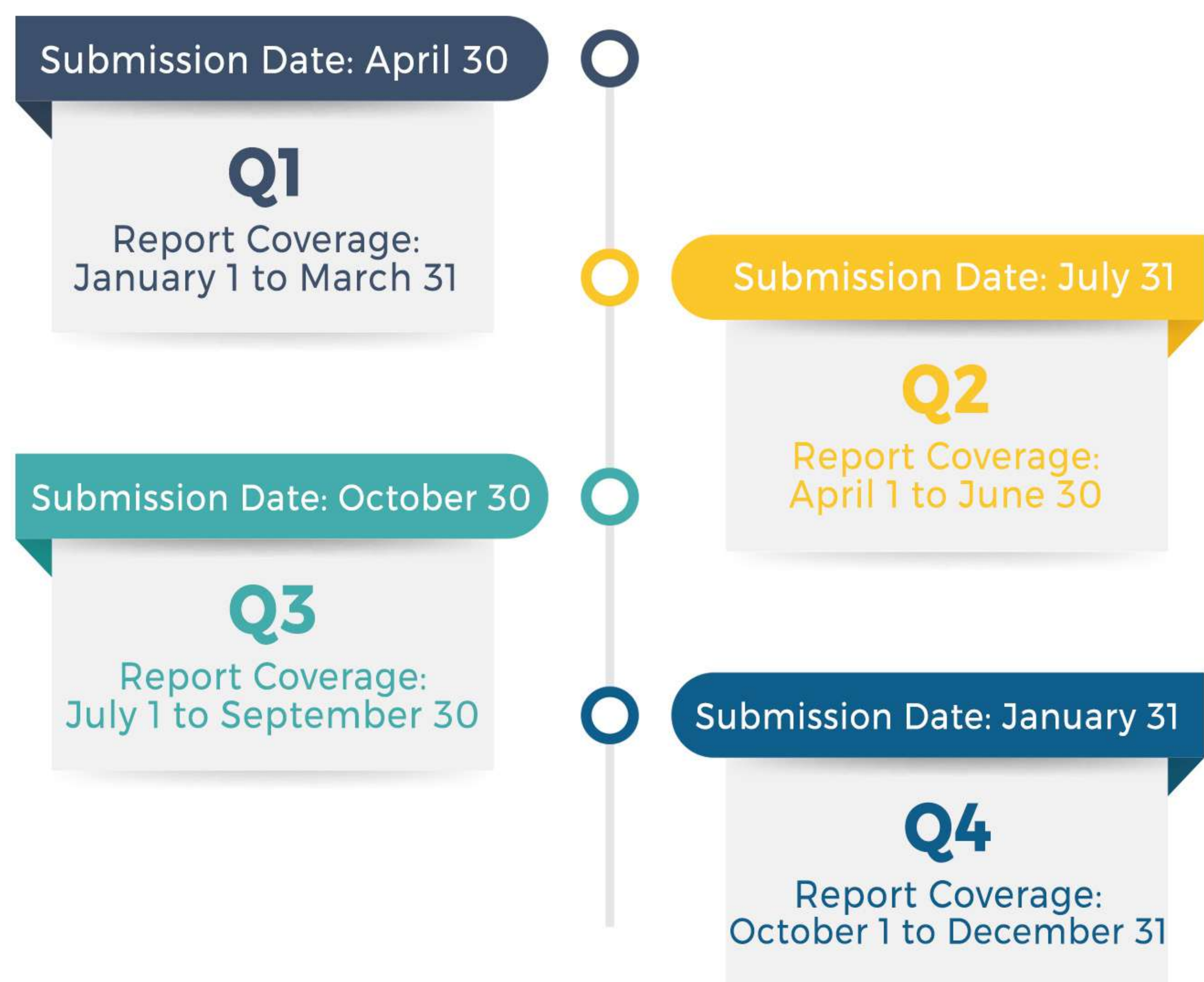
### 5.1 BACKGROUND

In FOI Memorandum Circular (FOI MC) No. 1 dated 29 March 2017, the PCOO called for submissions on the 1st Quarter FOI Registry and Agency Information Inventory. As per the said memo, the deadline for all requirements was on 17 April 2017, both in hard copy and digital format.

Further, FOI MC No. 5 dated 11 July 2017, reiterating the submission for the 2nd Quarter FOI Registry and Agency Information Inventory and for the deadlines of succeeding each quarter. For the succeeding submissions, agencies shall observe the following quarterly submission schedule:

### 5.2 FOI REGISTRY

To facilitate a uniform tracking, monitoring and evaluation system for FOI program implementation, the FOI Registry sheet is accomplished by FOI Receiving Officers. All FOI requests should be logged in to this form and should be updated accordingly. The FOI Registry will be the basis for measuring agency performance and compliance alongside important FOI analytics to assess the initial financial costs of FOI implementation.





FOI Requests shall be tagged with the corresponding statuses:

**Accepted**

request has been validated and verified by the FRO and has been forwarded to the FOI Decision Maker (FDM)

**Awaiting clarification**

request has incomplete details or missing field/s and has been returned to the requesting party

**Processing**

request has been received by the FDM is now being processed by the agency

**Successful**

- **Information has been disclosed**

request has been facilitated and information requested has been disclosed

- **Information Already Available Online**

request has already been proactively disclosed via the website of the agency

- **Request has already been addressed**

requested information has already been requested before through the eFOI portal

**Partially Successful**

out of many requests, only a number of these information has been disclosed

**Denied**

- **Information under Exceptions List**

requested information is included or is under the scope of the categories of the Exceptions List

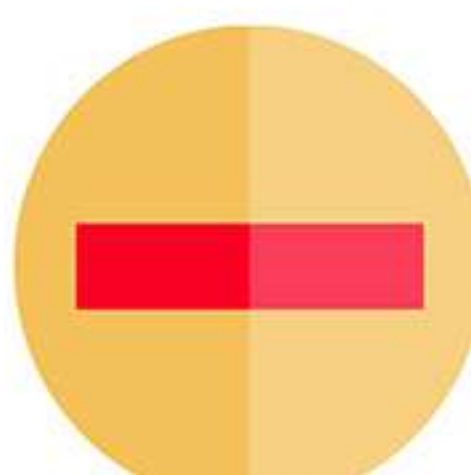


- **Wrong Agency requested**

information is not with the agency and/or another agency holds the information

**Closed**

request which has been returned to the requesting party for clarification and the requesting party failed to respond within 60 days

**Red flags**

request went beyond the deadline of either 15 or 35 (for those with requested extension) days



### 5.2.1 Compliance

For the first quarter, 46 government agencies submitted electronic and/or hard copies of their FOI Registry. Then, 54 government agencies for the second quarter while 33 government agencies for the third quarter.

### 5.2.2 Standard FOI requests

A citizen can lodge their FOI Request in either through a Standard FOI Request form or at the eFOI portal, [www.foi.gov.ph](http://www.foi.gov.ph).

From the 54 government agencies that submitted their FOI Registries, a total of 619 FOI requests were reported.

## 5.3 AGENCY INFORMATION INVENTORY

The Agency Information Inventory is a master list of all government information held by an agency, containing the title, description, and file type of each information. This list will provide the scope and limitations of the types of information which can be requested from an agency.

Information shall be classified according to the following disclosure categories:



#### **Public**

information can be disclosed for public consumption regardless of identity



#### **Exception**

information is under the Exceptions List



#### **Internal**

information only for agency consumption



#### **With fee**

information can be disclosed but with corresponding charges based on the agency's mandate/policies/ business model



#### **Limited**

information, upon verification of the requesting party's identity, can only be disclosed to specific person/s and/or entity/ies



### 5.3.1 Agency Information Inventory Compliance

55 government agencies (46 NGAs and 9 GOCCs) submitted electronic and/or hard copies of their Agency Information Inventory.



## 5.4 MOVING FORWARD

Some items to consider in terms of monitoring and evaluating agency performance:

- Timeliness of submissions of reports;
- Timeliness of responses to build a case on the efficiency of the eFOI portal: average response time for eFOI requests vs. average response time for standard requests;
- Percentage of successful requests vs. total number of requests;
- Percentage of requests already available online to show the readiness of agencies in proactive disclosure;
- Treat statistics on standard and eFOI requests separately;
- Measures and strategies on ensuring validity of reports on the eFOI performance: FOI Registry vs. eFOI portal; and
- Online submission of FOI Registries and Inventories through the portal.





FREEDOM OF INFORMATION  
PHILIPPINES

Home


Browse Requests

View Agencies

# FREEDOM OF INFORMATION

Access government records today.

Browse over **2555** requests and **217** government agencies

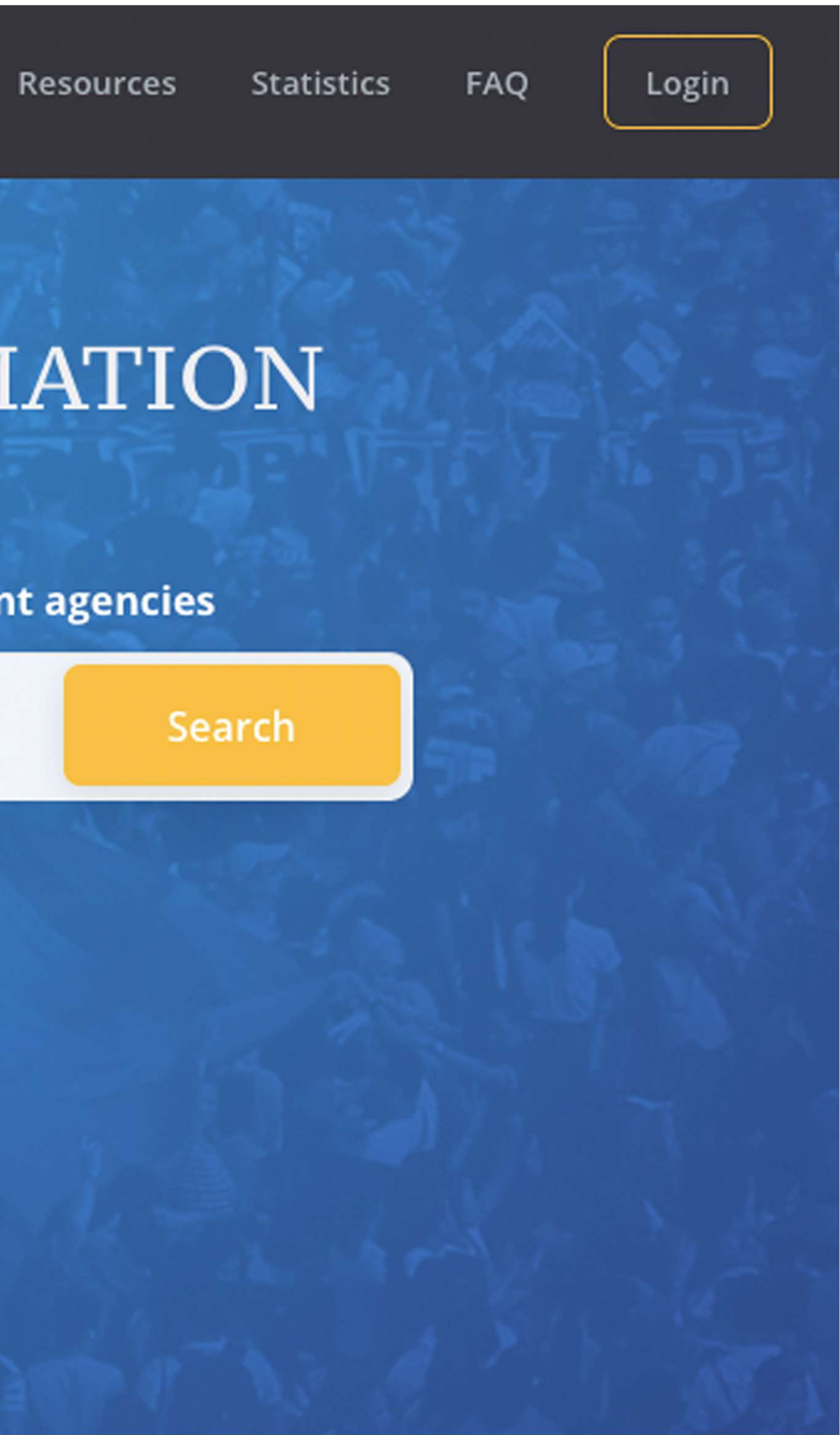
 What do you want to know?

 Make A New Request

Learn More







# CHAPTER 2

## 1.0 eFOI PLATFORM OVERVIEW (www.foi.gov.ph)

The Freedom of Information (FOI) Program is an important initiative of the Duterte Administration. In addition to the availability of information directly through paper-based request in government offices, the internet provides a convenient way for citizens to engage government and access information. This is the underlying concept of the electronic Freedom of Information (eFOI) platform of the Philippine government.

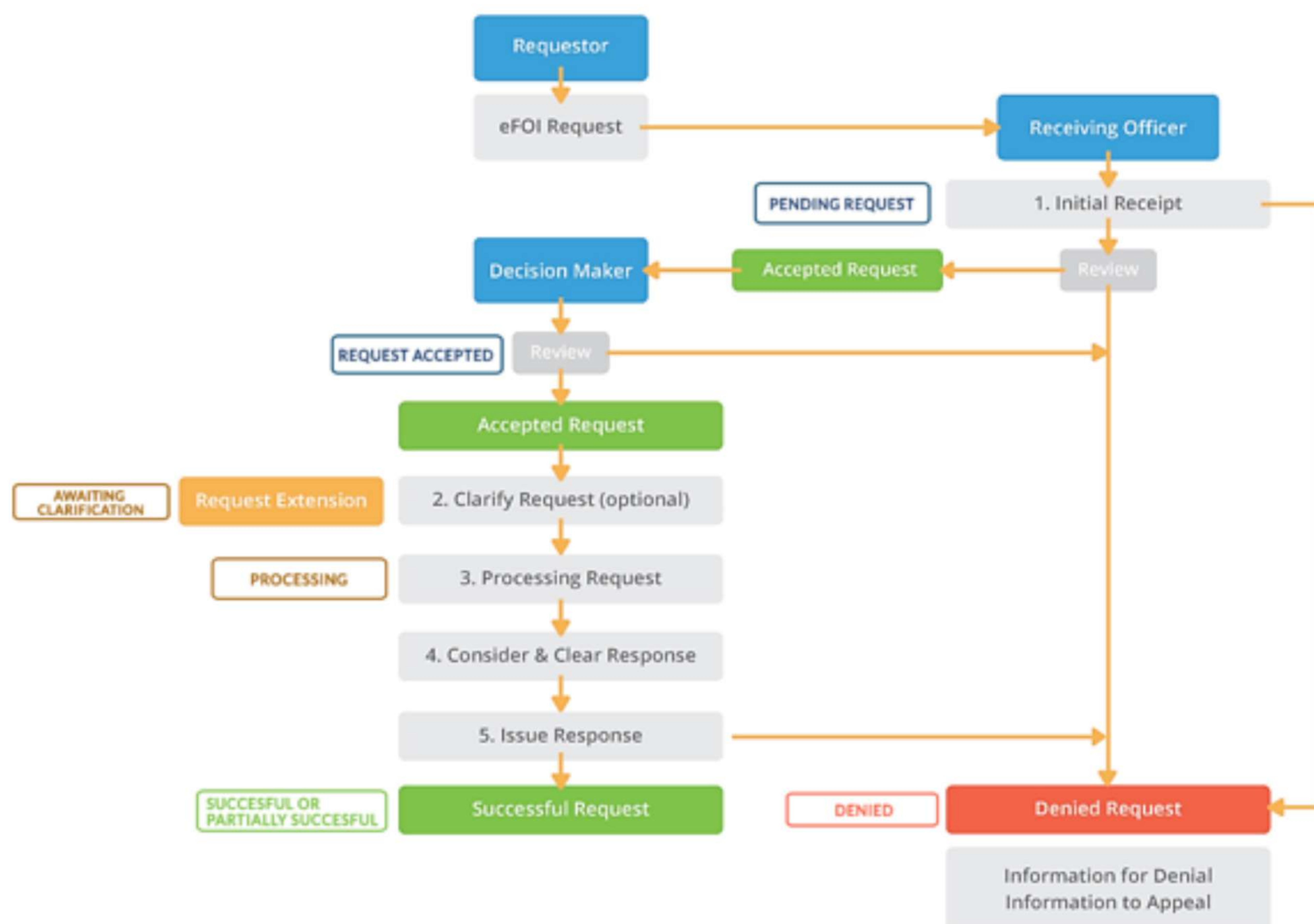
The eFOI platform was developed by the PCOO, with technical assistance from the World Bank, to easily provide citizens the ability to request information, track their requests and receive the information that they requested. Likewise, in order to efficiently handle the requests, the platform is designed to assist government offices in receiving, processing, and responding to the requests that they receive.

Transparency is a goal of the initiative and thus statistics on the requests filed, response time, and outcomes of requests made within the eFOI platform are published.



## 2.0 eFOI WORKFLOW

The general workflow of the eFOI system follows the FOI process, and is shown below:



**Figure 1. The eFOI platform workflow**

As shown above, the eFOI platform covers most of the standard functionality of FOI, but there are a few items that should be noted:

1. FOI appeals are handled via a standard process and is currently not included as a component of the eFOI platform; and,
2. Any internal processes for an individual agency that are not part of the main FOI workflow are not documented on the system and should be done offline.



### 3.0 ENROLLMENT TO THE eFOI PORTAL



As the PCOO plans to on-board all National Government Agencies (NGAs) into the eFOI portal by end of 2017, an FOI Memorandum Circular No. 3, s. 2017 was issued last 25 April 2017 to require all NGAs to enroll in the eFOI portal on or before 25 November 2017.



PCOO regularly conducts on-boarding workshops to capacitate the designated FOI Receiving Officers and Decision Makers of agencies on the process, system, and technical operation of the eFOI portal. Agencies who have on boarded shall publish and maintain a link of the eFOI portal on their respective websites.



## 3.1 Pilot Agencies

Last 25 November 2017, PCOO launched the FOI Program, and at the same time, the roll-out of the eFOI platform with 15 pilot agencies, namely:



## 3.2 Total Participating Agencies

After one year, from 15 pilot agencies, a total of 217 government agencies are on boarded in the portal. The 217 participating agencies are consisting of 182 NGAs (including 21 Departments and 161 government agencies), 33 GOCCs, 1 SUCs (Philippine Merchants Marine Academy) and 1 LWD (Davao City Water District).

**15** → **217**  
Government Agencies

DBM, DOF, DOH, DICT, and DOJ joined the eFOI portal during the roll-out last 25 November 2016 as pilot agencies. DOTr and its attached agencies on boarded in December 2016. NEDA, DILG, and DENR joined the portal in March 2017. DOE, DAR, DA, and DTI on boarded in April 2017. DPWH was on boarded last May 2017. DOLE and DOST in June 2017. DSWD and DND on boarded in August and September 2017, respectively. And the latest to join the portal were DepEd, DFA, and DOT this November 2017.



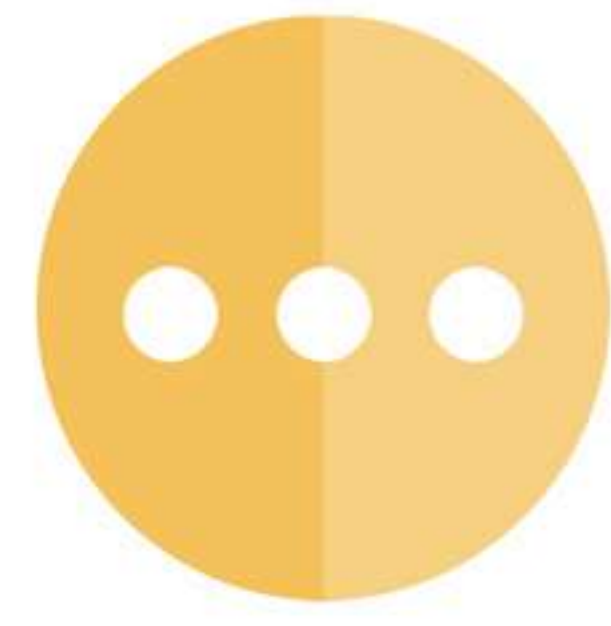



4.0 TOP REQUESTED AGENCIES



As of 25 November 2017, 2,552 requests were lodged to 216 participating agencies. The top requested agencies are: PSA (420), DOH (220), DOTr (173), DBM (153), and PCOO (101). On the other hand, 113 agencies have not yet received any FOI request in the eFOI portal since onboarding.

5.0 eFOI REQUEST STATUS

- **Successful**  
A request is tagged as Successful if the FDM was able to fully provide the information being requested. Documents attached to the replies are also available for downloading by the general public.
- **Partially successful**  
A request is tagged as Partially Successful if the FDM was able to provide a part of the information being requested.
- **Processing**  
The request has been forwarded to the FDM and is currently being processed by the agency.
- **Accepted**  
FOI requests lodged in the portal will be assessed individually by the FROs and either Accept or Deny them. Once accepted, requests move into the Decision Makers' queue and will be available under the Accepted Requests dashboard.



## Denied

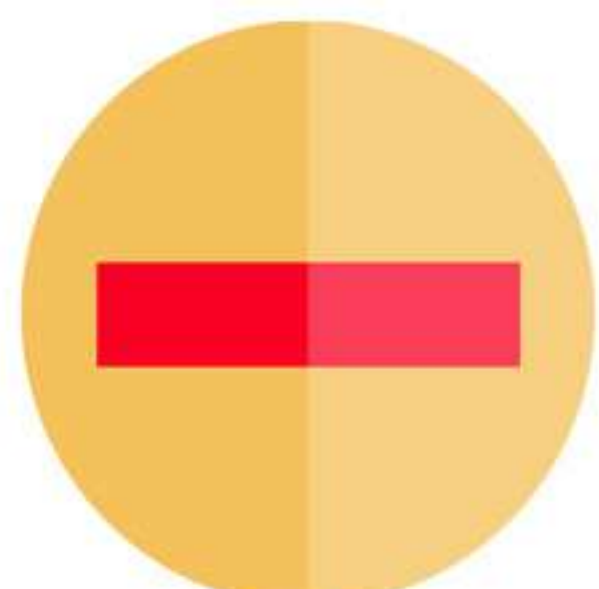
A request is marked as Denied for the following reasons:



• **Information under the Exceptions List** – If the request is covered by one of the exceptions, the specific exception is indicated with the corresponding reason.



• **Wrong Agency** – If the agency does not hold the information being requested, the FRO and/or FDM will refer the requesting party to another agency.



• **Invalid Request** – If the request is part of the agency's frontline services, a simple question, or an actionable item; and is not a request for information.



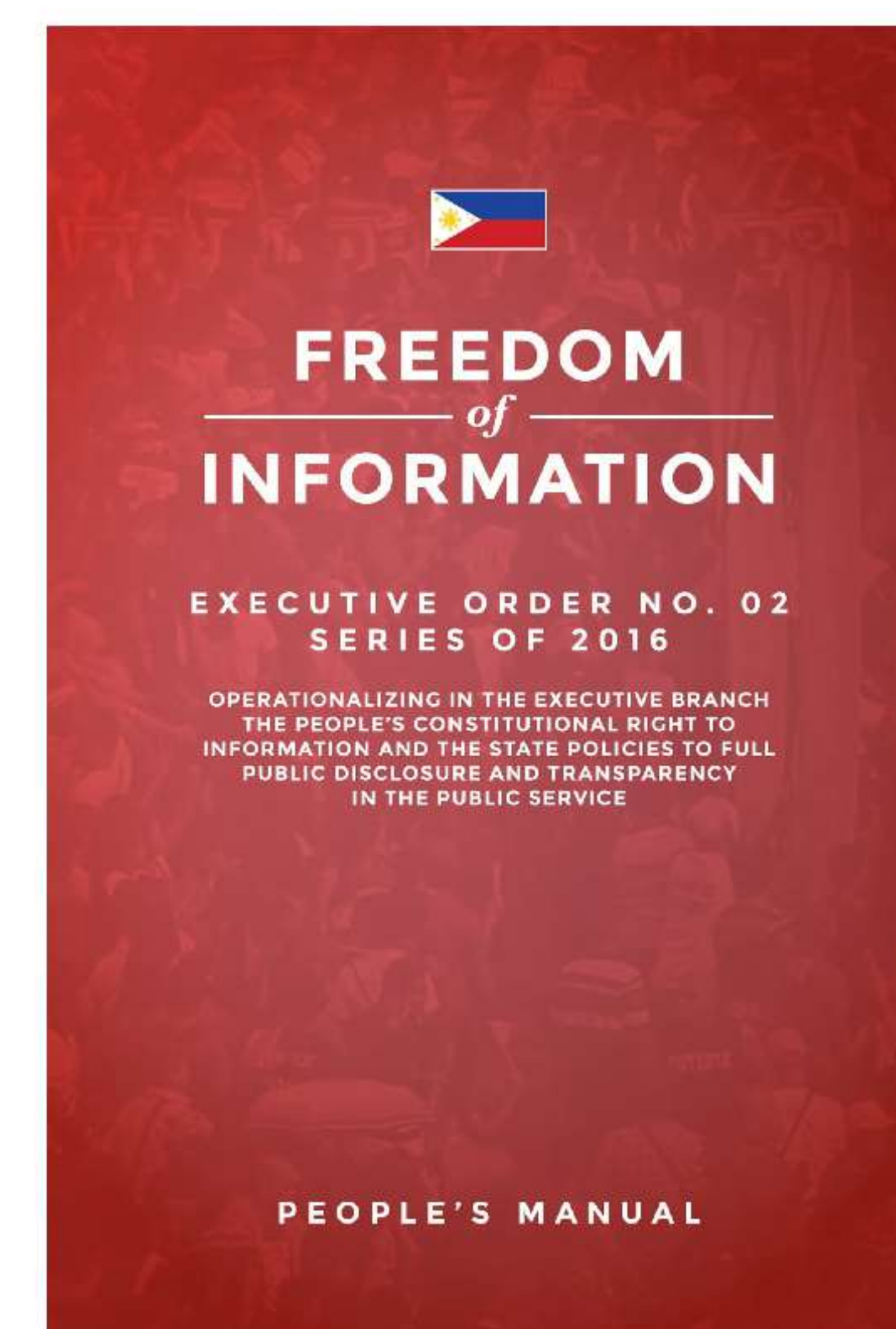
## Closed

Once an FDM returns a request to seek for clarification, the requesting party is allowed to respond within 60 working days. If the requesting party fails to respond and provide clarification within the set time, the request is considered Closed.

## 6.0 FOI MANUALS IN THE eFOI PORTAL

Pursuant to the FOI – Memorandum Circular (MC) No. 02, s. 2017 issued on 24 April 2017 reiterating to all government agencies covered by EO No. 2, s. 2016 to submit their FOI Manuals to the PCOO on both in paper and digital format. 227 government agencies submitted their soft copy and are posted in the eFOI portal, [www.foi.gov.ph](http://www.foi.gov.ph).

People's FOI Manuals of all government agencies are posted at <https://www.foi.gov.ph/agencies?status=irr>.





# ENGAGEMENT ACTIVITIES





# CHAPTER 3

## 1.0 Information Dissemination Strategies

The PCOO has developed a wide array of IEC materials in print and digital form:



FOI brochures in English, Filipino, Ilocano, Cebuano, Hiligaynon, and Bicolano;



FOI posters and tarpaulins;



FOI audio-video production materials aired on national television and in cinemas nationwide; and



FOI infographics posted online via FOI social media accounts (Facebook, Twitter, Instagram)



## 2.0 Roadshows

The PCOO has developed a wide array of IEC materials in print. The PCOO, through the Philippines' Chairmanship of the Association of South East Asian Nations (ASEAN) this year, has conducted roadshows for the following areas – Davao, Baguio, Zamboanga, Bacolod, Cebu, and Ilocos Norte.

The Roadshows aim to provide a basic overview of the programs under the PCOO such as the ASEAN Chairmanship, the Presidential Task Force on Media Security (PTFOMS), and the FOI Program.





### 3.0 FOI CARAVAN

The PCOO conducts its first FOI Caravan on 9 to 13 October 2017 in Naga, Legazpi, and Sorsogon City. Then on 27 to 29 November 2017, its second FOI Caravan in Tacloban and Ormoc.





# 4.0 CAPACITY BUILDING

To orient citizens and government agencies on the FOI program, the PCOO has conducted a total of 41 orientation sessions, 60 technical on-boarding workshops, 13 collaborative meetings, and 22 events.





## 5.0 INTERNATIONAL EXPOSURE

The PCOO has participated in a number of international events and workshops related to access to information such as OGP Summit 2016 in Paris, December 2016 and United Nations' Workshop on Open Government Data for Sustainable Development Goals in Amsterdam, June 2017, International Conference of Information Commissioners (ICIC) in October 2017, and Making All Voices Count (MAVC) on Nov 2017.





# CHAPTER 4

The priority areas where further work is required:

1. Institutionalizing the FOI Program on policy and operational matters into routine government business at central and agency levels;
2. Specifying how the FOI function will be executed at agency level – for pro-active information disclosure and responding to requests;
3. Mainstreaming the FOI function at management, middle management and operational levels within the civil service and develop associated staffing and resource requirements;
4. Conducting an independent assessment of the implementation and establishing baselines for repeat reviews to be undertaken periodically;
5. Implementing the FOI Manual – lessons learned and how to operationalise beyond adoption of the manual;
6. Too many exceptions – how to manage – strategic action plan;
7. Integrating FOI EO application with other laws, rules and regulations and other information provision obligations – e.g. data privacy, anti-red-tape law as part of the citizen's rights to service delivery and provision of information as part of agency services to non-citizens;
8. Simplifying manual and online procedures for making requests for information and directing citizens via the right channels in the machinery of government when requesting information through the manual and online routes;
9. Empowering citizens to utilize the FOI EO Program for the executive branch in government as a means to realize their constitutional right to information;
10. How to address the requirement for pro-active publication of information - possibly use crowd sourcing to inform;
11. Providing credible FOI statistics by agencies and centrally. Secondly, processing and collecting statistics for requests – bringing together manual and e-Portal systems and data;
12. Capacity building – through training, videos and how to guides covering introductory for new staff and ongoing in three areas: FOI, Records Management; and Information Management; and
13. Making the e-FOI Portal stable and functional.

## 2016/17 Annual Report

The Freedom of Information (FOI) Philippines Reports is a bi-annual and open-access reports. It is the official publication of the FOI-Project Management Office (FOI-PMO) under the Presidential Communications Operations Office, Malacañang, Manila.

The FOI Philippines Reports is dedicated to discuss the notable achievements with its vision to cultivate an informed and empowered citizenry through continuously promoting awareness-raising, capacity building, and knowledge sharing on the FOI Program to its stakeholder.

### Official Address:

Freedom of Information-Project Management Office, JP Laurel St., Malacañang, Manila

### Email Address:

foi@pco.gov.ph / foi.pco@gmail.com





# THE FOI TEAM



## **FOI Champion**

Secretary Jose Ruperto Martin Andanar

## **FOI Program Director**

Assistant Secretary Kristian R. Abla

## **FOI Team**

Atty. Tristan De Guzman  
Eden Darlene Mendoza  
Kahlil Ibrahim Macan  
Krizia Casey Avejar  
Jona Topacio  
Michelle Arianne Manza  
Kate Refendor  
Ma. Krishannah Arnidoval  
Ma. Danica Orcullo  
Pearl Iris Clemente  
Deniel Angelou Echevarria

## **2016/17 Annual Report Editorial Board Committee**

### **Editor-in-Chief**

Atty. Kristian A. Abla

### **Advisory Board**

Atty. Tristan E. De Guzman  
Eden Darlene A. Mendoza  
Kahlil Ibrahim Macan

### **Associate Editors**

Krizia Casey P. Avejar  
Michelle Arianne M. Manza  
Ma. Danica A. Orcullo

### **Creative Editor**

Kate B. Refendor





**[www.foi.gov.ph](http://www.foi.gov.ph)**

[foi.pco@gmail.com](mailto:foi.pco@gmail.com) | [foi@pco.gov.ph](mailto:foi@pco.gov.ph)  
(02) 733-1102; (02) 733-8665

**f** FOI Philippines **t** @foiph