



Kaagapay ng Komunidad sa Maginhawang Pamumuhay



SOCIAL HOUSING FINANCE CORPORATION

PEOPLE'S FREEDOM OF INFORMATION (FOI) MANUAL

PREFACE

The SHFC People's Freedom of Information (PFOI) Manual is designed to guarantee citizens' right to access information and freedom of information. It recognizes and confirms the commitment of the Government to full public disclosure, transparency and accountability in public service.

The Manual contains the information on the existing mechanisms for the provision of the information and the processes, timelines and accountability. Definition of Terms is included to provide clarity and common understanding of key words used repeatedly in the Manual. The Administrative Provisions are likewise included to guide the public on accountabilities in compliance with FOI.

I. INTRODUCTION

The 1987 Philippine Constitution provides for the People's right to information on matters of public concern, such as: (1) access to official records and documents, (2) papers pertaining to official acts, (3) records of transaction or management decisions, and (4) government research data used as basis for policy development but subject to limitations provided by law. Further, Section 28 of the Philippine Constitution (Article II on the Declaration of Principles and State Policies) mandates the government to implement a policy of full public disclosure subject to reasonable conditions.

Recognizing popular clamor for access to information and freedom of information, President Rodrigo Roa Duterte issued Executive Order (EO) No. 2 on July 23, 2016 entitled "Operationalizing in the Executive Branch the People's Constitutional Right to Information and the State Policies to Full Public Disclosure and Transparency in the Public Service and Providing Guidelines Therefor".

Executive Order 2 aims to promote openness in the government by providing a clear, uniform and speedy procedure for access of information. By this, all government agencies are mandated to prepare their respective People's Freedom of Information Manual.

Conforming to the said instruction, Social Housing Finance Corporation, through its Board of Directors, resolved to approve its Freedom of Information Manual, dated 14 December 2017.

II. OBJECTIVES

The SHFC People's FOI Manual aims to uphold the fundamental role of free and open exchange of information in a democracy and is meant to enhance transparency and accountability of official transactions in government offices.

This Manual shall serve as a reference material for accessing information by interested parties such as government agencies, private institutions, non-government organizations (NGOs), community associations, the academe, researchers (local and foreign) or by individuals who have particular concerns and inquiries.

III. SCOPE AND COVERAGE

The SHFC People's FOI Manual shall cover all requests for information directed to all the departments and branches and to all satellite offices nationwide.

Pursuant to Section 6 of EO No. 2, there shall be a legal presumption in favor of access to information and, public and official records of SHFC. It also requires that requests for information shall not be denied unless it clearly falls under any of the exceptions listed in the inventory or updated inventory of exceptions of the Corporation.

IV. DEFINITION OF TERMS

For common understanding and clarity, the following terms used in this manual are hereby defined:

- a. **Information.** Any of the following items which are made, received or kept in or under the control and custody of SHFC pursuant to existing laws, executive orders, rules and regulations or in connection with the performance or transaction of official business by SHFC.
 - Official records and documents/executive correspondences
 - Papers, reports and external communications/letters
 - Contracts/Memorandum of Agreement
 - Minutes and transcripts of official meetings
 - Maps, photographs, data and research materials from SHFC projects
 - Films, sound and video recording, magnetic or other tapes
 - Electronic data, computer-stored data, and other similar data or materials recorded, stored or achieved in whatever format.
- b. **Information for disclosure.** Information promoting the awareness and understanding of policies, programs, activities, rules or revisions affecting the public, government agencies, and the community and economy. It also includes information encouraging familiarity with the general operations, thrusts, and programs of the government. In line with the concept of proactive disclosure and open data, these types of information are posted at SHFC website and can be accessed without need of written requests by the public.
- c. **Official Record/s.** Information produced or received by the SHFC or its employee in an official capacity or pursuant to a public function or duty.
- d. **Open Data.** Publicly available data structured in a way that enables the data to be fully discoverable and usable by end users.
- e. **Public Record/s.** Information required by laws, executive orders, office orders, memorandum circulars, rules or regulations to be entered in the website, kept and made publicly available by SHFC. Also refers to record or classes of records, in any form, in whole or in part, created or received by a government agency in the conduct of its affairs, and have been retained by that government agency or its successors as evidence or because of the information contained therein.
- f. **Public Service Contractor.** Private entity that has dealing, contract, or a transaction of whatever form or kind with the SHFC that operates on public funds.
- g. **Personal Information.** 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 and certainly identify an individual.
- h. **Sensitive Personal Information.** As defined in the Data Privacy Act of 2012, shall refer to personal information:
 - i. About an individual race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
 - ii. About 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;

- iii. 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;
 - iv. Specifically established by an executive order or an act of Congress to be kept classified.
- i. **Information and Public Assistance Desk (PAD) Officer/Freedom of Information Officer.** The employee/staff assigned to receive, record request and ensure information is provided to the requesting party.
 - j. **FOI Contact.** The name, address and phone number at each SHFC department, branch and satellite office.
 - k. **Authorized Signatories to Communications.** The President, Vice Presidents of their respective offices and hubs and the area managers of their respective hubs and satellite offices depending on the nature, type and jurisdiction of information being requested.

V. MECHANISMS FOR PROVISION OF INFORMATION

The SHFC has adopted information mechanisms that shall continue to be implemented to fully support the intents of the Freedom of Information.

A. Information and Public Assistance Desk

The Information and Public Assistance Desk (IPAD) was created as a special unit in compliance to Republic Act No. 9845 or the Anti-Red Tape Act of 2007 recognizing the need to address the various issues, concerns and queries lodged at SHFC by the public, other government agencies and private institutions. Envisioned to serve as SHFC's central communication link, IPAD serves as the mechanism for providing timely and consistent handling of client information needs and services. The IPAD enables the SHFC to strategically track requests, route these to responsible office/units and officers and ease the transaction of the requesting party. The IPAD shall continue to serve as the central receiving and releasing unit of all requests for information under EO 2.

B. SHFC Website (www.shfc.com)

The SHFC website, www.shfc.com, allows the Authority to make its online presence felt and its data accessible to the general public. In compliance to Sec.93 of the National Budget Circular No. 542, SHFC has uploaded information in relation to the following:

In compliance to Sec.93 of the National Budget Circular No. 542, SHFC has uploaded information in relation to the following:

1. Agency's mandates and functions, names of its officials with their position and designation, and contact information;
2. Annual reports, for the last three (3) years;
3. Approved budgets and corresponding targets;
4. Major programs and projects;
5. The program/projects beneficiaries;
6. Status of implementation and program/project evaluation and/or assessment reports; and

7. Annual procurement plan, contracts awarded and the names of contractors/suppliers/consultants.

C. Citizen's Charter

Republic Act 9485 or the Anti-Red Tape Act of 2007 requires all government agencies including government owned and controlled corporations to set up their respective service standards known as the Citizen's Charter in the form of information billboards which should be posted at the main entrance of offices or at the most conspicuous place, and in the form of published material written either in English, Filipino, or in the local dialect, that detail:

1. The procedure to obtain a particular service;
2. The person/s responsible for each step;
3. The maximum time to conclude the process;
4. The document/s to be presented by the customer, if necessary;
5. The amount of fees, if necessary; and
6. The procedure for filing complaints.

As such, the Board approved Social Housing Finance Corporation's Citizen's Charter through Board Resolution 617 Series of 2017. The Charter highlights the Corporation's 90-day processing time from complete submission of documentary requirements to loan release under decentralized processes and is guided by its Vision and Mission Statements. This starts from the filing of loan application which may be a Community Mortgage Program (CMP), High Density Housing Program (HDHP), or Abot Kaya Pabahay Fund – Development Loan Program (AKPF-DLP). Upon receipt of documentary requirements from the community association, the project application will be processed and sent to the Executive Committee for Board approval and issuance of Letter of Guaranty or Letter of Commitment for accommodation mortgage. The final step will be the release of loan or "Take-Out" where payment is made to the landowner after submission of title with annotation of mortgage and settlement of documentary stamp tax and other transfer taxes. The SHFC Citizen's Charter is available and accessible online from the SHFC website, www.shfc.com.

VI. AVAILABLE INFORMATION UNDER FOI

This section details documents, records, reports, papers, data and other information that the public may access and may be made available upon request. These include, but are not limited, to the following:

- A. **Web-Based Information** (information published in the SHFC website in compliance to the Transparency Seal, Governance Commission for Government Owned and Controlled Corporation and DBM Circular)
 1. SHFC Mandates and Functions, Directory of Officials
 2. Annual Reports
 - a. Statement of Allotment, Obligation and Balances
 - b. Disbursement and Income
 - c. Physical Plan
 - d. Financial Report of Operations/Financial Condition
 - e. DBM-Approved Budget and Corresponding Targets (FMR)
 - i. DBM-approved Budget
 - ii. Major Programs/Projects categorized according to the five key result areas under EO 43, series of 2011

- f. Program Project Beneficiaries as identified in the applicable provisions
- g. Status of Implementation and Program/Project Evaluation and/or Assessment Reports
- h. Annual Procurement Plan, Contracts awarded and Names of Contractors/Suppliers/Consultants
- i. Good Governance Conditions, Certifications and Reports

B. Document-Based Data (information only available in hard copies)

- 1. Administrative Issuances
- 2. Agreements Entered Into
- 3. ISO Quality Manual
- 4. SHFC Operations Manual (per Department)
- 5. Property Documents of SHFC
- 6. Accredited Technologies
- 7. Corollary Services

C. Soft Copy

- 1. PowerPoint Presentation of Programs in PDF Format (subject to copyright law)
- 2. Video Presentation of Programs (subject to copyright law)

VII. EXCEPTIONS

Access to information shall be denied when the information being requested falls under any of the exceptions enshrined in the Constitution, existing law or jurisprudence, such as, but not limited, to the following:

- 1. **Deliberative Process Privilege.** Refers to advisory opinions made by the President, Vice-Presidents, and Board of Directors, including those given during Committee Meetings (recommendations and suggestions cited in the minutes of meeting).
- 2. **Prejudicial Premature Disclosure.** Information on the possible outcome or result of a case, proceeding or application which is not official and final.
- 3. **Personal Safety.** Information that will put the life of anyone in danger such as, but not limited to, birth records, school records, employment records, Violence Against Women and their Children records, or medical records).
- 4. **Privacy.** Refers to all forms of information that are personal, private or privileged as cited in the Data Privacy Act of 2012 or Republic Act 10173. 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 and certainly identify an individual” that undergoes “processing,” which is defined as, “an operation or a set of operations performed upon personal information, such as, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure, or destruction of data.”

5. **Dispute Resolution.** Refers to Information covered by the Dispute Resolution Act of 2004 or Republic Act 9285 such as information obtained through mediation, conciliation, arbitration, or any combination thereof. (Investigating Committee on Administrative Offenses cases).

VIII. Operational Guidelines

This section covers/explains the processes involved in the filing of request for information, as well as the actions to be undertaken by SHFC in the processing the request. EO 2 directs SHFC to act on all letters, appeals, demands or requests for access to information.

- A. Procedures The following procedure shall govern the filing and processing of request for access to information:

1. Accepting Request

- a. Any person who requests access to information shall submit a written request stating their name, address and contact information and provide valid government issued identification (ID) and describing the reason and purpose of the request to SHFC thru its Information and Public Assistance Desk (IPAD), Office of the President, Receiving Sections of all departments, branches, and satellite offices.
- b. In the absence of a formal written request, any person may request information by accomplishing the SHFC FOI Request Form.
- c. Queries sent thru email shall still require an accomplished FOI Request Form.
- d. IPAD Desk Officer/FOI Officer or Receiving Officers receiving the request shall provide reasonable assistance, free of charge.

The request shall be stamped/received indicating the date and time of receipt and the name, rank, title and position of the receiving officer or employee with the corresponding signature, and a copy furnished to the requesting party.

2. Processing Request

- a. IPAD Officer/FOI Officer/Receiving Officer shall evaluate the request and endorses the same to the concerned department, unit, or satellite office using a Routing Slip. If information is readily available, IPAD Officer/FOI Officer/Receiving Officer shall immediately inform the requesting party and provide him/her the needed information.
- b. If the information being requested requires time to prepare, IPAD Officer/FOI Officer/Receiving Officer shall track the letter request or FOI request form using a reference or control number and recorded for monitoring and follow through.
- c. Action on request (approval or denial) to be served by the Authorized Signatories to the requesting party through the IPAD Officer/FOI Officer/Receiving Officer.
- d. Records of action shall be maintained and regularly monitored by the Central IPAD Office.
- e. In cases of denials of request, Sections 124 and 135 of EO No. 2 series of 2016 are hereby adopted.
- f. For repeated and unreasonable request by the same person, SHFC shall not be obliged to act upon the same.

B. Timeline

As provided under EO No. 2, SHFC shall respond to a request fully compliant with requirements as soon as practicable or within fifteen (15) working days from receipt. The period may be extended but not to exceed twenty (20) working days whenever the information requested requires extensive search of office records facilities, examination of voluminous records, or the occurrence of unexpected cases or unavoidable circumstances.

C. Appeal

In cases of disapproval or denial of a request for information by the concerned unit, the requesting party may file the appeal within a period of fifteen (15) working days from receipt of the denial to the Office of the President. Appeals, on the other hand, must be acted upon for a maximum period of thirty (30) working days. The Office of the President shall endeavor to notify the requesting party of its resolution of the appeal as soon as practicable.

D. Accountability

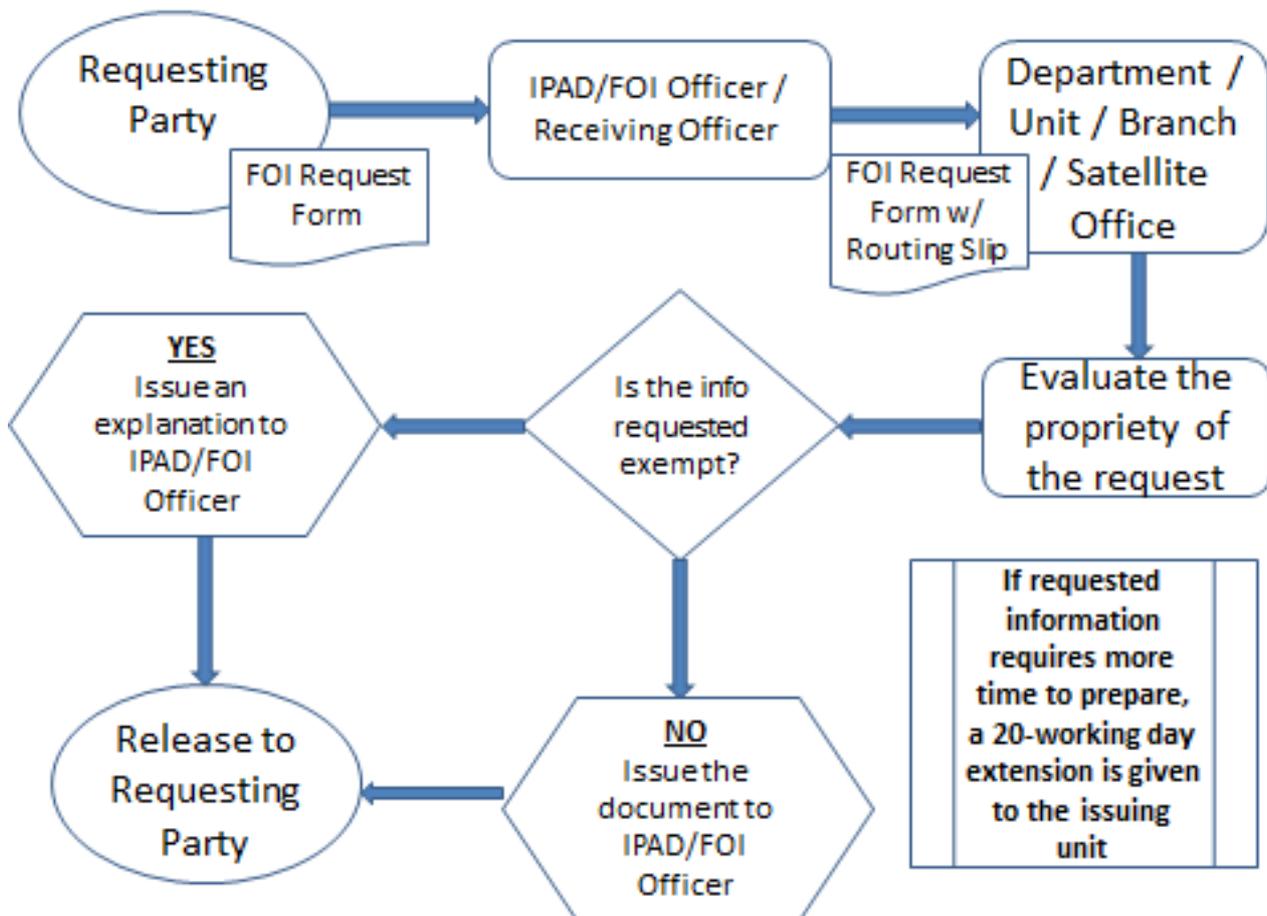
| ACCOUNTABLE PERSON (POSITION) | OFFICE | CONTACT INFORMATION |
|--|---|--------------------------------|
| Atty. Arnolfo Ricardo B. Cabling (President) | Office of the President | 893-2947 loc. 101 |
| Eduardo T. Manicio (Executive Vice-President) | Office of the Executive Vice- President | 817-5109 loc. 200 |
| Atty. Jose D. Melgarejo (Board Secretary / Vice President Corporate Legal Counsel) | Office of the Board Secretary | 894-1096 loc. 600 |
| Ernesto R. Leynes (Vice President for Treasury Group) | Office of the Vice President for Treasury Group | 893-7143 loc. 400 |
| Annicia D. Villafuerte (Vice President for Management Services Group) | Office of the Vice President for Management Services Group | 894-4863 loc. 433 |
| Atty. Leo B. Deocampo (Vice President for Policy Determination, Compliance, Enforcement, Risk Management & Re-enforced Operations) | Office of the Vice President for Policy Determination, Compliance, Enforcement, Risk Management & Re-enforced Operations | 894-1009 loc. 500 |
| Atty. Frederick Tristan L. Tresvalles (Vice-President for Luzon Operations) | Office of the Vice-President for Luzon Operations | 894-1009 loc. 510 |
| Josefina B. Banglagan (Vice-President for NCR Operations) | Office of the Vice-President for NCR Operations | 893-4371 loc. 520 |
| Atty. Ronaldo B. Saco Vice-President for Visayas Operations | Office of the Vice-President for Visayas Operations | 750-6337 |

| | | |
|--|--|-------------------|
| Atty. Junefe G. Payot (Vice-President for Mindanao Operations) | Office of the Vice-President for Mindanao Operations | 750-6346 |
| Atty. Maria Rosalie Richa A. Taguian (Vice President for Project Development and Enhancement Group) | Office of the Vice President for Project Development and Enhancement Group | 892-0163 loc. 300 |
| Ruben C. Laset (Vice-President for Human Resource Management) | Office of the Vice-President for Human Resource Management | 808-8290 loc. 320 |
| Dante M. Anabe (Vice President for Finance & Controllership Group) | Office of the Vice President for Finance & Controllership Group | 840-0740 loc. 524 |

E. Fees

As stipulated under EO No. 2, SHFC shall not charge any fees for accepting incoming and releasing of requests for access to information, including certification of copy of documents. However, costs of reproduction of copy of documents shall be shouldered by the requesting party.

F. Process Flow



IX. Administrative Provisions

This section states the penalties both for SHFC officials and employees who fail to act on request for information, as well as, the sanctions imposed for who may access and request for information.

A. Administrative Liability

1. Non-compliance with FOI Manual

Failure of concerned SHFC employee/s to comply with the provisions of the Manual shall be a ground for the following administrative penalties:

1st Offense - Reprimand

2nd Offense - Suspension of one (1) to thirty (30) days

3rd Offense - Dismissal from the service

2. Procedure

The Internal Grievance Procedure of SHFC shall be applicable in the disposition of cases under this Manual.

3. Provisions for More Stringent Laws, Rules and Regulations

Nothing in this Manual shall be construed to derogate from any law, any rules or regulation prescribed by anybody or agency, which provides for more stringent penalties.

B. Sanctions and Other Clauses

1. Illegal/Unauthorized Use:

A Fine of FIVE HUNDRED PESOS (Php 500.00) to FIFTEEN THOUSAND PESOS (Php15,000.00) shall be imposed on any person (including SHFC employees and officials and requesting party) who shall use the information for purposes other than those expressed in the objectives of this Manual, particularly:

- a. **Illegal Reproduction** – unauthorized reproduction of the Manual contrary to SHFC’s rules and regulations.
- b. **Falsification** – any person who shall deliberately change or falsify the content of the Manual and disseminate the same in any manner with intent to mislead and cause damage.
- c. **Theft** – taking of the Authority’s information without authorization or consent from the SHFC (which is done without violence nor force upon things).
- d. **Misuse and alteration of Information Requested or Generated from the Manual** – information was used to malign or mislead a person.

The imposition of the fine is without prejudice to any administrative and/or criminal sanctions.

2. Repealing Clause

All circulars, orders, rules and regulations, issuance or any part thereof inconsistent with the provision of this Manual are hereby repealed, amended or modified accordingly consistent with Executive Order No. 2 series of 2016.

3. Separability Clause

If any section or part of this Manual is held unconstitutional or invalid, the other sections or provisions not otherwise affected shall remain in full force or effect.

4. Effectivity

This Manual shall take effect upon the posting in the SHFC website. This Manual or part hereof, may be revised or updated as the need arises.



Kaagapay ng Komunidad sa Maginhawang Pamumuhay



FOI REQUEST FORM

| | |
|--|--|
| Name & Signature | |
| Address | |
| Community Association/ Company/Organization | |
| Contact Number | |
| Email | |
| Id Presented | |

| | |
|------------------------------|----------------------|
| Doc / Info. Requested | |
| Department/Unit/Hub | |
| Form of Receipt | <i>Email:</i> |
| | <i>Fax:</i> |
| | <i>Postal Add:</i> |
| | <i>Pick Up Date:</i> |
| Purpose | |

To Be Accomplished by the Foi / Receiving Officer

| | |
|-----------------------|-----------------------------------|
| Control No: | |
| Verified By: | |
| Date Received: | |
| Action Taken: | <i>Approved</i> |
| | <i>Denied (Reason For Denial)</i> |
| Remarks | |

Release Slip

| | |
|-----------------------|--|
| Received By: | |
| Id Presented: | |
| Date Received: | |
| Signature: | |