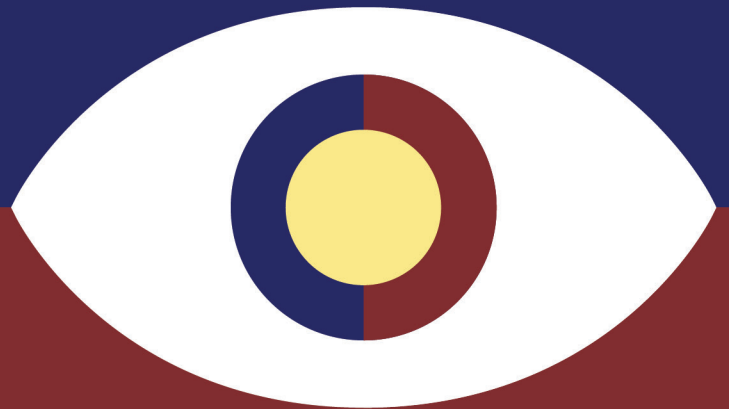


20

20

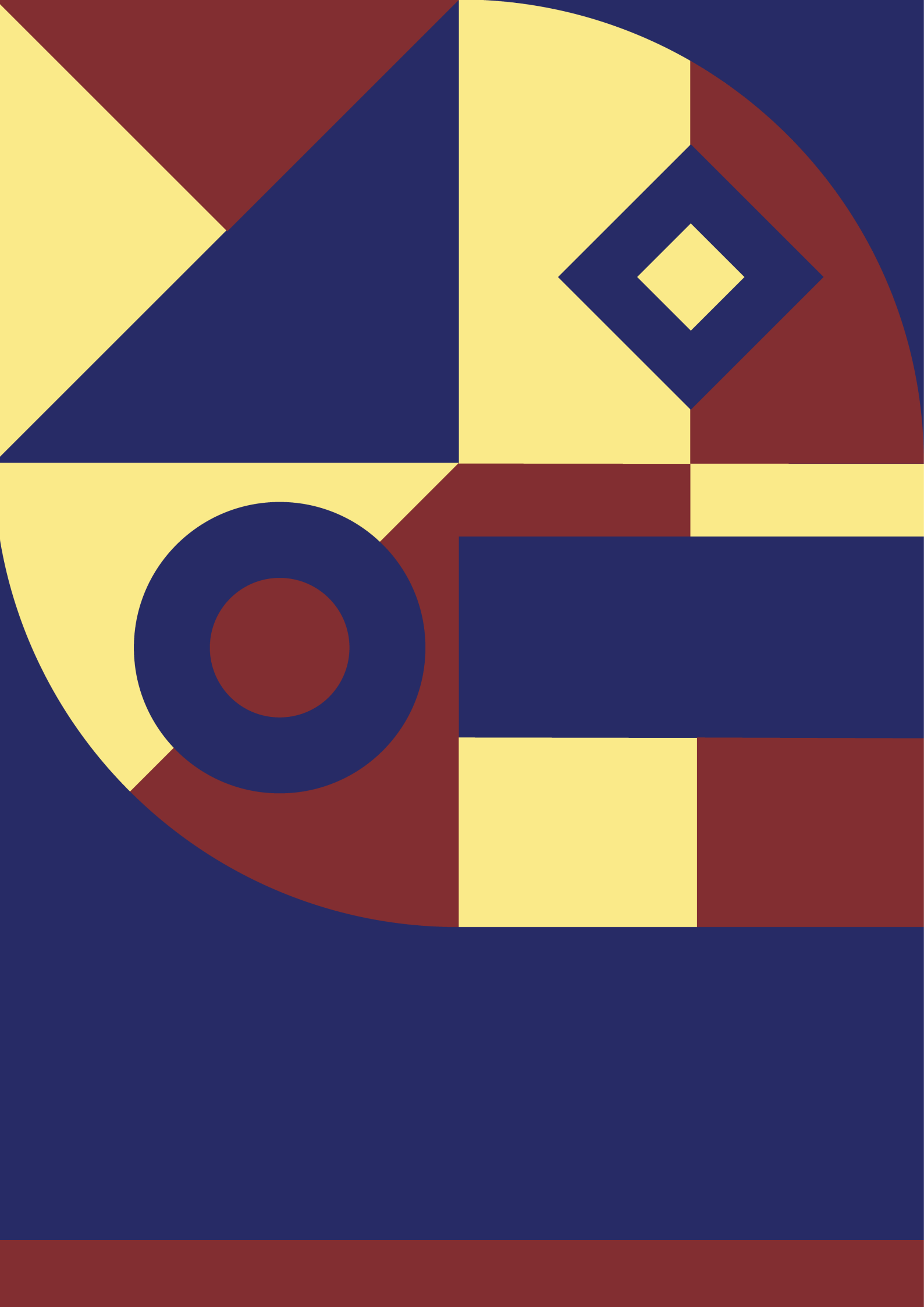


NATIONAL
PRIVACY
COMMISSION

ANNUAL
REPORT



**NATIONAL
PRIVACY
COMMISSION**



About NPC

Commissioner's Report: Realizing NPC Goals

Regulatory and Enforcement Program: Building Data Privacy Resilience

I. Data Subjects and Privacy Rights Protection

- A. Ensuring World-Class Policies and Standards
 - Privacy Policy and Standards Development
- B. Enable Resilience
 - Compliance and Monitoring
- C. Strengthen Regulation and Enforcement
 - Complaints Handling and Investigation
 - Mediation of Complaints and Legal Assistance
 - Enforcement

II. Data Protection and Privacy Rights Promotion

- A. Empowered Data Subjects
 - DPA Awareness Campaign
 - Privacy Awareness Week (PAW)
 - PSST Online Campaign
 - Public Assistance
 - Public Relations
 - Social Media Campaign
 - Communication Plan and Content Development

III. Data Privacy Capacity Building Development

- A. Data Protection Officers (DPO) Accountability, Compliance and Ethics (ACE) Training and Certification
- B. DP Council
- C. International Cooperation

Internal Management

- A. Financial Performance
- B. Physical Performance
- C. Administrative Services
- D. Human Resource and Development
- E. NPC Employees Association
- F. ISO 9001:2015 Certification
- G. Gender and Development (GAD) Program



About NPC

MANDATE

The **National Privacy Commission** (NPC), an attached agency of the Department of Information and Communications Technology (DICT) for policy and program coordination purposes, is an independent regulatory body mandated to administer and implement the **provisions of Republic Act (RA.) 10173**, known as the “**Data Privacy Act of 2012**” (DPA), **and to monitor and ensure compliance of the country with international standards set for data protection.**

VISION

A world-class regulatory and enforcement agency upholding the right to privacy and data protection while ensuring the free flow of information, committed to excellence, driven by a workforce that is highly competent, future-oriented, and ethical, towards a competitive, knowledge-based, and innovative nation.

MISSION

We shall continuously deliver services to:

- (1) Build a culture of privacy, through people empowerment, that enables and upholds the right to privacy and supports free flow of information. And be the authority on data privacy and protection, providing knowledge, know-how, and relevant technology.
- (2) Establish a regulatory environment that ensures accountability in the processing of personal data and promotes global standards for data privacy and protection.

FUNCTIONS

To fulfill its mandate, the NPC is vested by RA 10173 with the following core functions:

- **Rule Making.** The Commission shall develop, promulgate, review or amend rules and regulations for the effective implementation of the Act. This includes: (1) Recommending organizational, physical and technical security measures for personal data protection, encryption, and access to sensitive personal information maintained by government agencies, considering the most appropriate standard recognized by the information and communications technology industry, as may be necessary; (2) Specifying electronic format and technical standards, modalities and procedures for data portability, as may be necessary; (3) Issuing guidelines for organizational, physical, and technical security measures for personal data protection, taking into account the nature of the personal data to be protected, the risks presented by the processing, the size of the organization and complexity of its operations, current data privacy best practices, cost of security 11 implementation, and the most appropriate standard recognized by the information and communications technology industry, as may be necessary; (4) Consulting with relevant regulatory agencies in the formulation, review, amendment, and administration of privacy codes, applying the standards set out

in the Act, with respect to the persons, entities, business activities, and business sectors that said regulatory bodies are authorized to principally regulate pursuant to law; (5) Proposing legislation, amendments or modifications to Philippine laws on privacy or data protection, as may be necessary; (6) Ensuring proper and effective coordination with data privacy regulators in other countries and private accountability agents; (7) Participating in international and regional initiatives for data privacy protection.

- **Advisory.** Policy advice for government and private sector on government laws, regulations and policies on data privacy concerns; comment on the implication on data privacy or proposed national or local statutes, regulations of procedures and interpret the provisions of RA 10173; review, approve, reject, or require modification of privacy codes voluntarily adhered to by personal information controllers, which may include private dispute resolution mechanisms for complaints against any participating personal information controllers; provide assistance on matters relating to data protection at national or local government offices or private entities;
- **Public Education.** Conduct programs for privacy awareness, including publication of reports, guide to laws; publish a compilation of agency system of records and notices, including index and other finding aides; publish on a regular basis a guide to all laws relating to data protection;
- **Compliance and Monitoring.** Ensure compliance by personal information controllers and personal information processors with the provisions of RA 10173, its IRR and other relevant issuances through audit and inspection of compliance, conduct of compliance checks of privacy documents, practices, and measures, evaluation of breach notifications, registration of personal information processors and controllers, contribute in increasing the awareness and capacity of its external stakeholders, and assist and respond to various compliance inquiries.
- **Complaints and Investigation.** Receive complaints and institute investigations regarding violation of RA 10173 and other issuances of the Commission, including violations of the rights of data subjects and other matters affecting personal data and security breach; summon witnesses and require the production of evidence by a subpoena duces tecum for the purpose of collecting the information necessary to perform its function under the purpose of collecting the information necessary to perform its function under the law; facilitate settlement of complaints through the use of alternative dispute resolution processes and adjudicate on other matters affecting personal data and security breach;
- **Enforcement.** Issue compliance or enforcement orders; award indemnity on matters affecting any personal data or rights or data subjects; issue cease and desist orders, or impose a temporary or permanent ban on the processing of personal data, upon finding that the processing will be detrimental to national security or public interest or if it is necessary to preserve and protect the rights of data subjects; recommend to the Department of Justice (DOJ) the prosecution of crimes and imposition of penalties specified under RA 10173; compel or petition any entity, government agency or instrumentality to abide by its orders or take action on a matter affecting data privacy; impose administrative fines for violations of RA 10173 and other issuances of the Commission.



Message of the Commissioner



Without a doubt, 2020 is our toughest year yet. The coronavirus has brought a torrent of new challenges in ensuring testing, contact tracing and other health measures recognize the value of data privacy in the fight against COVID-19.

The unfamiliar pandemic gave rise to cases of discrimination and stigma committed against those who were identified or suspected of carrying the deadly virus. Additionally, the pandemic exacerbated existing problems and had other casualties. By accelerating digitalization overnight, it opened a gateway of opportunity for scammers and hackers and revealed just how much data subjects are vulnerable to new risks, threats and harms like unlawful profiling and identity theft.

I am hence, truly proud that the NPC did not cower in what seemed like a perfect storm for data privacy regulators around the world. In fact, on the contrary, the people behind NPC acted more boldly, knowing that what we do today will define the privacy landscape tomorrow. And so we navigated the new normal in the most extensive, timely and helpful way possible even as many of us were dealing with our own personal challenges of coping with the pandemic.

Last year, the NPC established its posture as both an enabler and protector. To guide its stakeholders and ensure data privacy, the NPC responded exigently to new-normal policies and guided everyone, both data subjects and personal information controllers (PICs), on how to heighten their security standards on various fronts -- from online learning and working from home to claiming government's relief support and familiarizing them with the risks that come with using trending apps.

But unprecedented times called for unprecedented measures. As such, we handheld not only the nation but the world, as the NPC was catapulted to helm the COVID-19 Task Force that was later transformed into a Working Group of the Global Privacy Assembly. Leading this Task Force, the NPC was able to unite the international community in a series of exchanges on privacy and protection practices, benefiting members and non-members alike to learn how to best confront emerging challenges.

We also proactively pursued data privacy offenders, penalizing various firms and recommended one to the Department of Justice for prosecution. As these cases, as well as a considerable share of the other complaints we received involved operators of online lending apps, the NPC tightened its watch on these lending companies. Last year, we banned them from obtaining the mobile numbers of their customers' friends and all others in their phonebook to be used in debt collection and public shaming. In 2021, we will continue to keep a close eye on this industry and curb excesses and other nefarious practices.

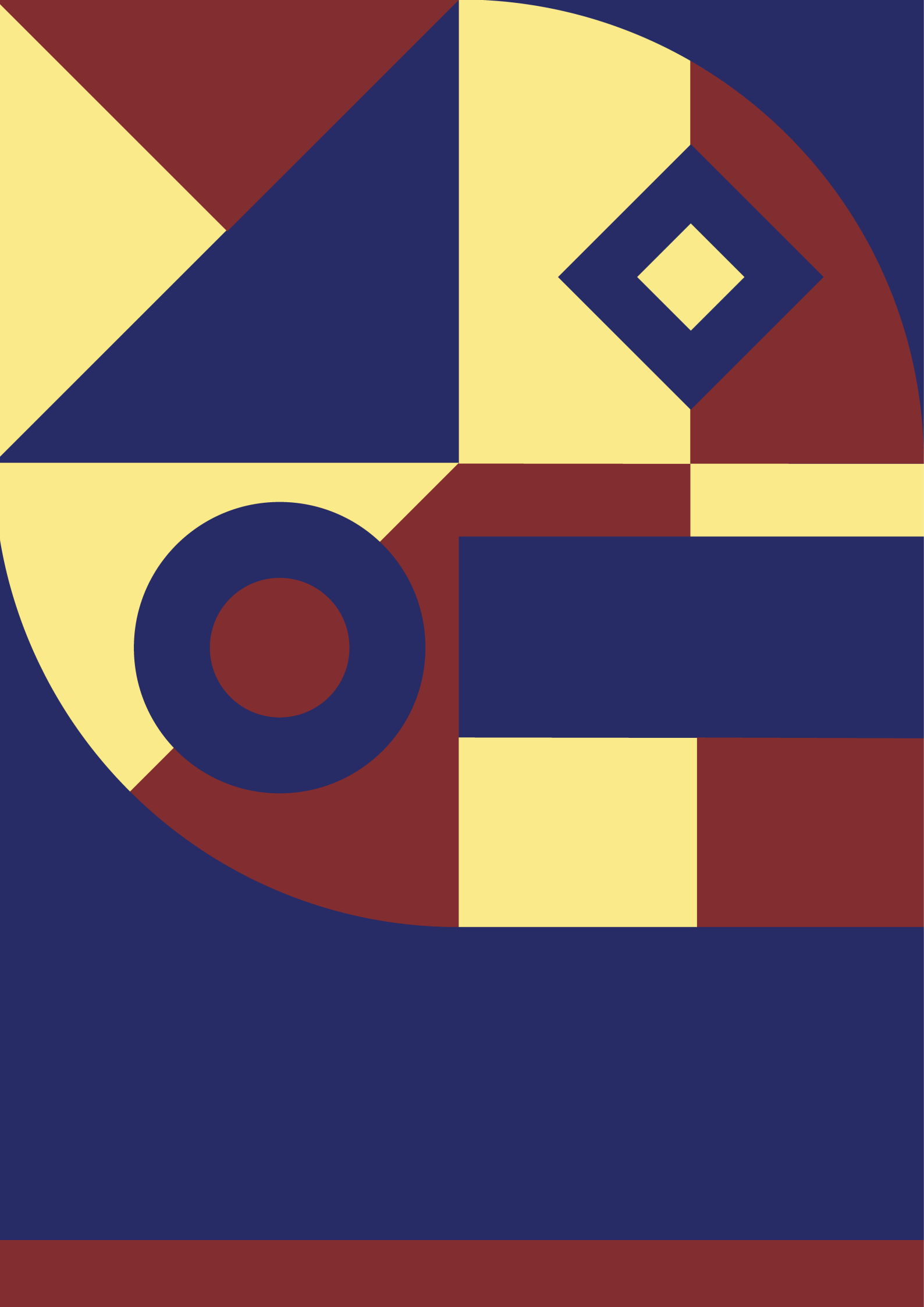
And of course, we recognize how many businesses with little digital experience were forced to migrate online to keep their shops alive. Hence, we guided many through advice and capacity-building and strived to make data privacy and protection as top-of-mind across businesses and organizations. We also strongly urged PICs to channel more investments in security platforms, data privacy training and certification and data management and risk-proofing to avert costly breaches.

Parallel to ensuring that citizens remained to have reasonable control over their personal data, we continued to empower data subjects with much-needed knowledge on data-protection best practices given the surge of both hacks and legitimate processing activities last year. Through social media, we strengthened our awareness campaign and launched a new one, the Kabataang Digital program, dedicated to fostering data privacy champions among the country's youth.

Without a doubt, the pandemic and its unfolding impact on our new normal will continue to be a major theme of the NPC's work in 2021. And surely, we will be taking new actions to put a stronger emphasis on the need for a security-first thinking in our society, especially as we move more fully into a digital economy.

Looking ahead, we hope to create more safety options for data subjects, drive more structural reforms in privacy regulations, and make much bigger strides in helping realize our national innovation and economic goals as we put data privacy and trust at the core of our value as a people.

Raymund Enriquez Liboro
Privacy Commissioner



Regulatory and Enforcement Program: Building Data Privacy Resilience

I. Data Subjects and Privacy Rights Protection



Ensuring World-Class Policies and Standards

Privacy Policy and Standards Development

BEYOND BUSINESS AS USUAL AND EXCEEDING EXPECTATIONS: THE PRIVACY POLICY OFFICE 2020 COMPREHENSIVE HIGHLIGHTS OF ACCOMPLISHMENTS

Since the National Privacy Commission (the Commission) was established in 2016, the Privacy Policy Office (PPO) composed of the Policy Development Division (PDD) and Policy Review Division (PRD) has been in the forefront of defining policies, standards, guidelines, and regulations pertaining to data privacy and protection of personal data in the Philippines and providing opportune and crucial advice to all stakeholders, whether in the government, the private sector, and even to data subjects.

Particularly, the PDD has made key accomplishments to advance the Commission's goal of ensuring world class data privacy standards established in the country and enabling data privacy resilience of stakeholders.

The PRD has likewise made strides in empowering data subjects, shaping legislation, and guiding various policies of the government to make data privacy and privacy by design as front and center of any discussion.

Notwithstanding the constant challenges brought about by the COVID-19 pandemic and the need to be agile with the remote working arrangement, the PDD and PRD remain committed to perform their multi-faceted role in the Commission.

Below are the milestones and accomplishments for the year that was:

Circulars and advisories

The past year has been a prolific one for the PDD in terms of issuances that elaborate key concepts and obligations under the Data Privacy Act of 2012 (DPA), especially with the issues that have emerged with the pandemic. These issuances also provide guidance on significant public interest issues with data privacy implications:

1. NPC Circular No. 2020-01 on the Guidelines on the Processing of Personal Data for Loan-Related Transactions was crafted in collaboration with the sector adviser for the non-bank financial institution (NBFI) sector from the PRD. The Circular was designed to address the operations of online lending applications and the app permissions being required to avail of loans;
2. NPC Circular No. 2020-03 on Data Sharing Agreements which provides guidance and key considerations and obligations on the disclosure, transfer, and sharing of personal data whether by the government or the private sector;
3. NPC Advisory No. 2020-03 on Guidelines for Workplaces and Establishments Processing Personal Data for Covid-19 Response was crafted in collaboration with the sector adviser for the retail and manufacturing sector from the Enforcement Division, as well as with the assistance of the Data Security and Compliance Office (DASCO). This provides additional guidance to supplement the Joint Memorandum Circular (JMC) No. 20-04-A Series of 20201 issued by the Department of Trade and Industry (DTI) and Department of Labor and Employment (DOLE) which requires workplaces and various establishments to collect employee health declaration forms and client/visitor contact tracing forms.
4. NPC Advisory No. 2020-04 on Guidelines on the Use of Closed-circuit Television (CCTV) Systems which provided the much-needed guidance to entities that process personal data through CCTVs.



Advisory Opinions and complex inquiry responses

55 Advisory Opinions

The PRD, with the assistance of PDD, have also produced fifty-five (55) Advisory Opinions on matters involving the interpretation of the DPA, its IRR and other issuances, and its applicability to specific circumstances. These advisory opinions addressed pressing issues and concerns directly affecting the public at large and gave light to the data privacy implications of government actions and private sector transactions.

118 Complex Inquiries

Similarly, one hundred eighteen (118) complex inquiry responses were provided through the official PPO email, delivering timely assistance to all stakeholders who sought clarification on matters relating to data privacy.

Data Sharing and Outsourcing Agreements review

16 Data Sharing Agreements (DSA)

Sixteen (16) data sharing agreement (DSA) reviews and three (3) outsourcing agreements were reviewed for 2020. More than half of the DSAs pertain to the government's COVID 19 response.

03 Outsourcing Agreements

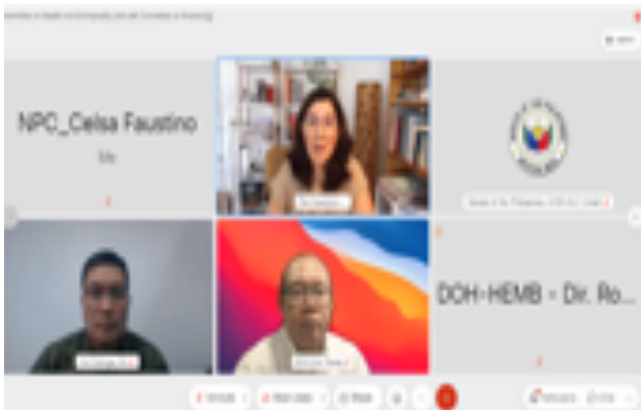
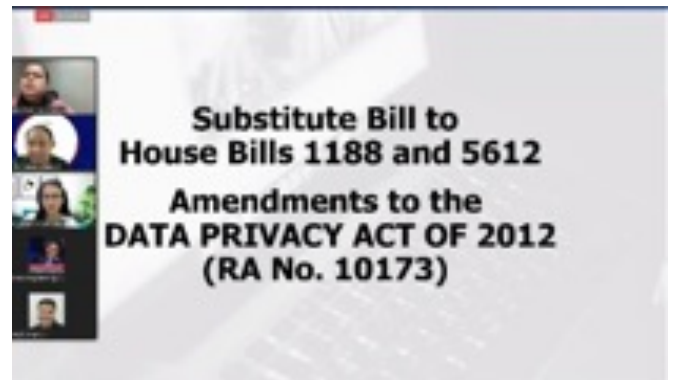
Law reform and legislative interventions

The PRD, together with the PDD, prepared various position papers and comments on behalf of the Commission on proposed legislations from both the House of Representatives and the Senate of the Philippines, and represented the NPC in various committee meetings and hearings.

A total of eighteen (18) comments/position papers were submitted to Congress, discussing data privacy implications of various bills, as well as the recommended improvements on language and style. These bills include the proposed amendments to the Data Privacy Act of 2012 and Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act.

Other notable bills include the Internet Transactions Act, SIM card registration, SafeInternetforChildrenAct, Use of Facial Recognition Technology, Establishing a Transcendent Unified Government Mobile Application, and Basic Regulatory Framework for Blockchain Technology.

18 Comments/
Position papers
were submitted
to Congress



Data Subjects and Privacy Rights Protection

Privacy Policy and Standards Development

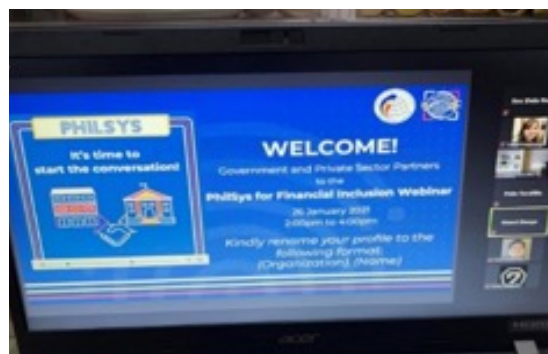
COVID-19

The PPO has also been at the forefront in providing the necessary inputs, assistance, and contributions for the COVID-19 pandemic issuances of the NPC such as Public Health Emergency (PHE) Bulletins, review of the Joint Memorandum Circulars with the Department of Health (DOH), presentation materials for COVID-19 IATF meetings, Frequently Asked Questions (FAQs) on the collection and processing of personal data during the COVID-19 pandemic, and other press statements and releases initiated by the OPC and PIAD.

Engagement with stakeholders in the government and sector activities

In 2020, the PDD and PRD has been one with the Commission's goal of putting priority on coordination with stakeholders in the government on their privacy and data protection concerns such as:

- PhilSys Policy and Coordination Council (PSPCC) and Inter-Agency Committee (IAC) Subgroups (Communications, Use Cases and Authentication, Legal Affairs, Registration and Validation) Meetings
- Inter-agency meetings with the Department of Labor and Employment and comments on the proposed guidelines governing digital platforms



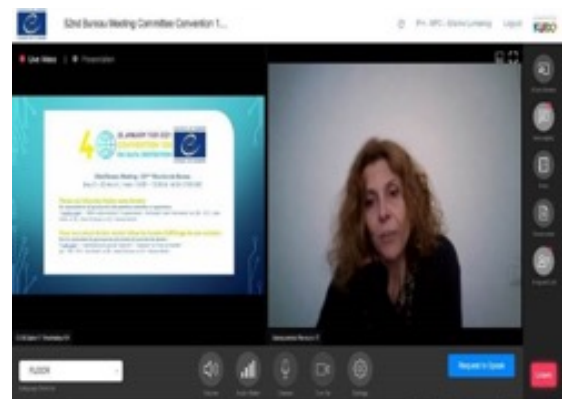
- Stakeholder consultations with the Department of Trade and Industry and comments on E-commerce initiatives and issues in the Philippines
- Participation in the National Business One Stop Shop (NBOSS) and Central Business Portal endeavors.



Further, in support of the Commission’s thrust for multi-sectoral engagement, PDD and PRD personnel act as sector advisers handling more than half of the twenty-one identified sectors. In this role, they have actively participated in DP Council meetings and other stakeholder consultations and responded to different queries from the data protection officers, compliance officers for privacy, and other privacy advocates from their sector.

Other support functions, internal events, and public education

- Key facilitators in DPO ACE trainings and certification program sessions.
- Participation in internal events, meetings, and trainings such as Privacy Awareness Week (PAW) 2020, 1st DPA-FOI Congress, Kabataang Digital, CAAT Conferences, NPC Townhalls, JCSWG Meeting, QMS Trainings, BAC Meetings and Trainings, Budget and Planning meetings, GAD activities, employee wellness sessions, technical sharing sessions, and various internal committee meetings.
- Resource speakers in DPA Orientation and DPO Briefings/ Trainings/Webinars.





Enable Resilience

Compliance Monitoring

Compliance Checks

Privacy compliance sweeps/checks were conducted on at least 318 PICs composed of nine (9) sectors. The sectors are:

SECTORS	No. of PIC
Banks	26
Health	15
Manning	45
Non-bank Financial Institutions	66
Retail and Manufacturing	44+21 (private establishments)
Transportation and Logistics	1
Business Process Outsourcing	23
Education	21
Government	26+21 (LGUs)

The compliance checks conducted in the Retail and Manufacturing and Government sectors includes the 42 PICs that were subjected to compliance check in relation to their contact tracing activities.

Breach Notification

232 Total
Data Breach
Notifications

116 Malicious
Attack

86 Human
Error

23 System
Glitch

02 System Glitch
and Malicious
Attack

01 System Glitch
or Malicious
Attack

02 Not a Personal
Data Breach

In 2020, the Compliance and Monitoring Division received a total of 232 Data Breach Notifications. Causes of data breaches are generally classified as human error, malicious attack, or system glitches. Of these notifications, 116 or 50% are caused by malicious attack, 86 or 37% are caused by human error, 23 or 10% are caused by system glitch, 2 are caused by system glitch and malicious attack, 1 is caused by either a malicious attack or system glitch, while 2 are not considered as personal data breaches. The top sectors hit by data breaches are government, health facilities and education.

As part of resolving the breach notifications reported, the Division has extended aid to PICs in creating their risk management programs to avoid such data breach from recurring



Data Subjects and Privacy Rights Protection

Compliance Monitoring

Compliance Advocacy for Government

200+ LGUs

DPO Briefing for LGUS was held last December 4, 2020 attended by more than 200 LGUs.

Compliance Support

1,547
Total Email
Inquiries

A total of 1547 e-mail inquiries were acted upon. Of this number, the inquiries were largely Renewal 515 at 33%, followed by General Inquiries about the DPA and Compliance 445 at 29%, Registration 268 at 17%, and Complaints 231 at 15%.

515
Renewal
Inquiries

445
General
Inquiries

Smaller numbers include various requests from the NPC for events, trainings, speakers 44, Security Incident Reports 17, Inquiries about the DPO Journal 13, and Miscellaneous reports from job applications to trainings 10.

268
Registration

231
Complaints

44
Request for
Events,
Trainings,
Speakers

17
Security
Incident
Reports

13
DPO Journal
Inquiry

10
Job Applications
or Trainings

Registration

REGISTRATION					
Quarantine 2020					
Organizations	November 1-15	November 16-30	December 1-15	December 16-31	Total
Registered	29	37	40	29	457
Amendment	3	30	33	1	222
COR Requests	15	18	17	11	246
CORs Issued	38	73	90	39	697
Individual/Professional					
Registered	1	-	7	-	73
CORs Issued	1	-	7	-	73
Sectors added during quarantine					
Sector	November 1-15	November 16-30	December 1-15	December 16-31	Total
Government	5	2	1	1	17
Banks	-	1	1	-	9
BPO	6	5	6	-	83
Health Facilities	2	8	5	2	87
Non-Banks	1	2	2	1	38
Real Estate	1	-	1	-	17
Retail/Direct Marketing	3	5	9	2	71
Utilities	-	3	-	-	11
Insurance and Pre-need	1	-	-	1	8
Telco	2	-	-	1	6
Transportation and Logistics	-	1	1	1	15
Media and Social Media	-	-	-	-	7
Manpower	-	1	2	1	16
Education	1	2	1	-	21
Tourism	1	1	2	-	14
Pharmaceuticals	-	-	-	-	5
International Organization	-	-	-	-	1
Others	5	3	7	2	137
Total	28	34	38	12	575
Total Registration Statistics as of December 28, 2020					
	Organization		Individual Professional		
Registered	10,566		12,461		
COR Issued	3,164		343		



Data Security and Technology Standards

International Coordination

The Data Security and Technology Standards Division (DSTSD) continued their active participation in the ISO/IEC JTC1/SC27/WG5 - Identity management and privacy technologies in the development of proposed standards at various stages meetings and discussions in April and September.

Privacy Commissioner Raymund Enriquez Liboro and DSTSD has taken on special roles and responsibilities in SC 27 & WG 5 such as being a member on the SC 27 Chair's Advisory Group and the SC 27 Advisory Group on Strategy. The DSTSD also participate as the SC 27 liaison representative on GPA, Co-editors on projects such as ISO/IEC WD 27557 (Organizational privacy risk management), ISO/IEC TS 27560 (Consent record information structure), ISO/IEC 29115 (Entity Authentication Assurance Framework), PWI on Digital authentication: Risks and mitigation and co-rapporteur on the Study Period on "Privacy for fintech services".

In addition, the 3rd ASEAN Data Protection and Privacy Forum (ADPPF) was held last August. The DSTSD took part in the indicated forum chaired by the NPC and contributed in other ADDGF Initiatives such as the Data Management

Framework and the Cross-Border Data Flow Initiative that will facilitate the smooth flow of data between business organizations in ASEAN member states.

National Engagement

The DSTSD helped in developing and securing the Philippine Identification System (PhilSys) by providing privacy & security provisions in the implementation plan, continuously giving advice in the Inter-Agency Committee (PhilSys-IAC) meetings & workshops, and supporting the Privacy Commissioner in the PhilSys Policy and Coordinating Council (PSPCC) meetings.

Furthermore, to aid in the important national initiatives in the protection of personal data in the country, the DSTSD assisted the Privacy Commissioner in fulfilling the NPC's tasks and duties as a member of the National Cybersecurity Inter-Agency Committee (NCIAC) where the committee is tasked to assess cybersecurity risks and vulnerabilities in the Philippines.

Standards Development

It has been at the forefront of the DTI-

BPS/TC 60 (the mirror committee of ISO/IEC JTC 1 in the country) in deliberating and acting on standards on Information Security, Cybersecurity and Privacy Protection along with other agencies and industry experts. There were six (6) standards approved for adoption as Philippine National Standards (PNS). TC 60 is chaired by the Privacy Commissioner.

Also, the DSTSD crafted the requirements and certification scheme for the Philippine Privacy Mark (PPM). PPM is a certification program developed by the NPC to assess public and private organizations that implement a data privacy and protection management system to protect the personal information that they process.

Technological Trends and Risk Assessment

Since pandemic, the DSTSD analyzed a total of **32** apps & websites, the personal data they collect, and the permissions they require. Early in the year, the DSTSD released guidelines on contact tracing apps & common Android dating apps and demonstrated the number of personal data & permissions they process. The assessments show that they excessively collect personal information and obtain permissions that are unrelated to the primary purpose of processing.

Sectoral Engagements

One of the NPC's main initiatives is sectoral engagement. Its purpose is to help equip the DPOs with the necessary skills that they require in ensuring privacy. The DSTSD helped plan, organize, and facilitate or presented in events for sectoral engagement such as the 4th National Data Privacy Conference (or PAW 2020 Virtual Conference),

Privacy and Security Advisories

The DSTSD trailblazed in providing security measures when security incidents and personal data breaches are likely to occur. A total of **15** Data Privacy and Security Advisories (DPSAs) were issued and released

Privacy Wall

In augmenting channels to reach out to the Data Protection Officers (DPOs), the DSTSD developed and currently maintains the Privacy Wall – a web forum where DPOs can communicate with each other and seek support & guidance from the NPC in relation to privacy and data protection issues, initiatives, programs and projects.

DPO Journal

The DSTSD has added another channel in issuing guidelines on security measures for data protection: the “DPO Journal” was conceptualized and launched. It is a quarterly newsletter where the NPC can give various updates on the latest news, and events relating to privacy. For 2020, the DSTSD released **5** DPO Journal articles.

Annual Security Incidents

The DSTSD has successfully compiled **250** annual security incident reports from public and private organizations for 2020. These reports consist of physical, email, and online reports.

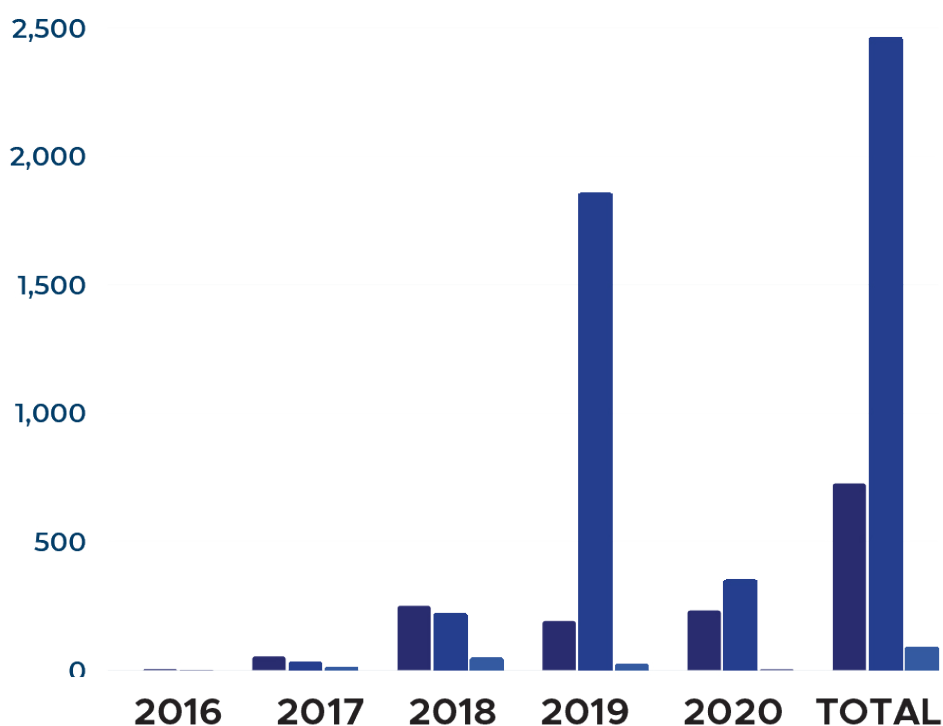


Strengthen Regulation and Enforcement

Complaints Handling and Investigation

This 2020, despite the challenges posed by the COVID-19 pandemic and the overwhelming number of cases received by the Complaints and Investigation Division (CID) in 2019 and 2020, the CID held its ground and soldiered on, continuing to discharge its functions to serve the public.

Formal Complaints + Breach + Sua Sponte

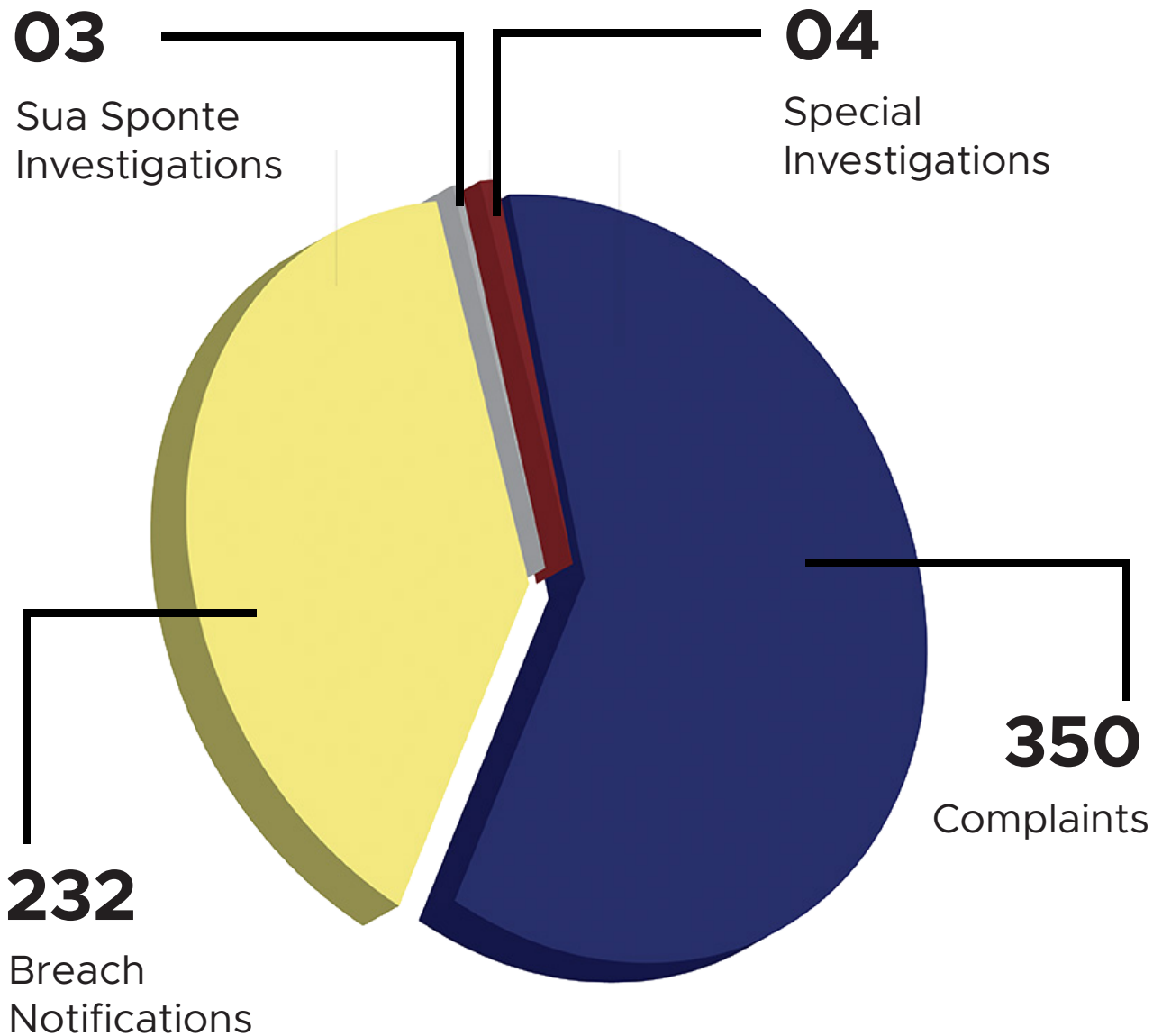


Cases Received

While still grappling from the deluge of cases in 2019, the CID received an addition 589 cases in 2020: 350 complaints, 232 breach notifications, 3 sua sponte investigations, and 4 special investigations.

589

Total Cases Received in 2020



Since work from home setup has been adopted by the Commission in response to the COVID-19 pandemic starting 13 March 2020, and to effectively handle the deluge of cases, the CID rushed to fully digitize its repository of records. This entailed the scanning of all hard copies of case files and arranging them into digital case folders. The CID managed to digitize 2,201 cases (including breach notifications and *sua sponte* investigations) in 2020. This effort took longer to accomplish since a limited skeleton workforce could physically work at the office.

Data Subjects and Privacy Rights Protection

Complaints Handling and Investigation

Project Decongestion 2.0

Halfway into the year, an audacious project, called Project Decongestion 2.0, was implemented with the goal of decongesting the case docket of the CID. The CID was tasked to spearhead the project

Project Decongestion 2.0 aims to contribute to the improvement of the case management system of the Commission. The implementation of this project is being guided by the following objectives: (1) to accelerate the investigation of cases pending before the Commission; (2) to expedite the resolution the same pursuant to the NPC Rules of Procedure; and (3) to utilize available technology for an efficient processing of cases.

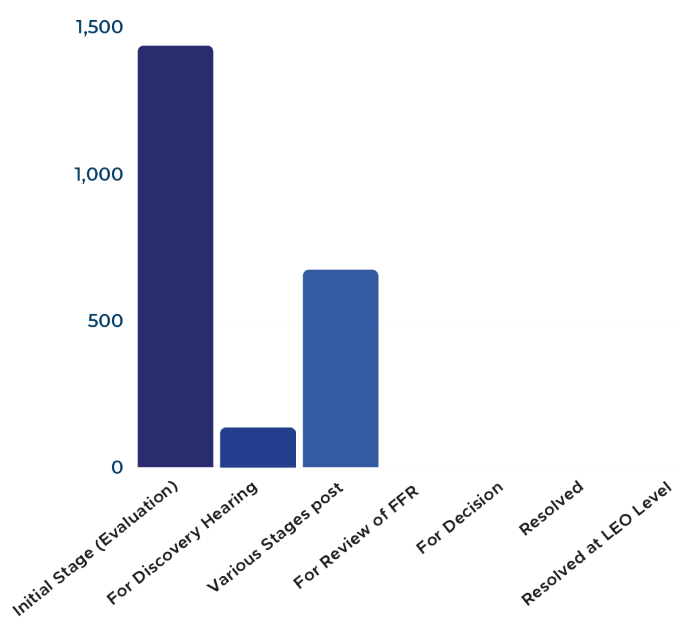
Said project focuses on expediting the investigation and resolution of both incoming and pending cases with the Commission. It entailed the augmentation of the personnel compliment of, not just the CID, but the entire Legal and Enforcement Office (LEO). A total of 40 legal staff and 12 administrative support staff were hired to accomplish the goals of the project

To ensure the continuity of proceedings of the complaints and breach investigations before the NPC even during the COVID-1p pandemic, the Commission issued NPC Advisory No. 2020-02 on “GUIDELINES ON THE USE OF VIDEOCONFERENCING TECHNOLOGY FOR THE REMOTE APPEARANCE AND TESTIMONY OF PARTIES BEFORE THE NATIONAL PRIVACY COMMISSION”. This allows remote appearance and/or testimony of parties through videoconferencing to reduce the risks of possible infection posed by face-to-face interactions.

At the start of the implementation of the project, the cases were categorized and aggregated based on the procedural stages of case handling. It was found that there were 2,243 cases pending before the CID, and most of which are just in the initial stages of the process.

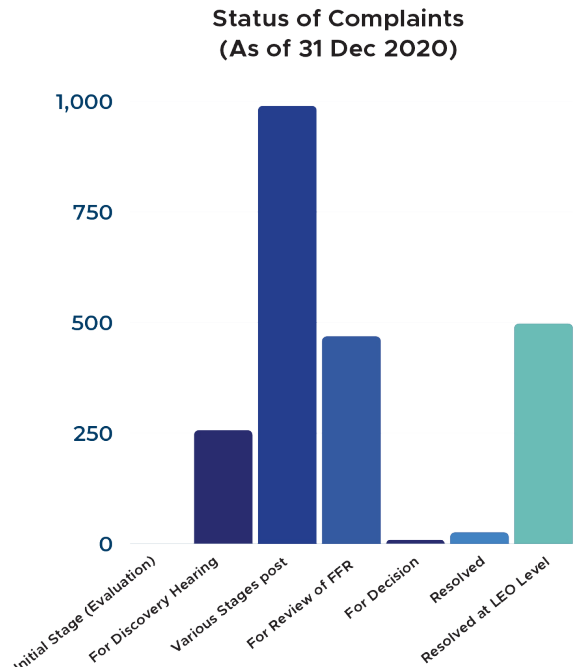
Moving these cases along the procedural process, the CID was able to accomplish the following:

- 1,576 complaints evaluated;
- 198 cases scheduled for hearing;
- 1,325 orders and resolutions sent to the parties;
- 931 complaints for drafting of a fact-finding report;
- 497 of the 931 complaints resolved;



At the end of 2020, with the help of the additional personnel and through the decongestion strategy, the CID was able to move the cases along the procedural process and accomplish the following:

- all cases underwent evaluation, and we were able to determine the next course of action to be taken;
- 256 cases will undergo discovery conferences;
- 989 cases progressed to the later stages of the complaint proceedings
- 497 complaints were resolved.



Other Division Accomplishments

While focus was on the implementation of Project Decongestion 2.0 for most of 2020, the CID also performed its core functions of:

350 Receiving Complaints

4,228 Addressing Privacy Concern

03 Instituting Sua Sponte Investigations

04 Special Preliminary Investigations

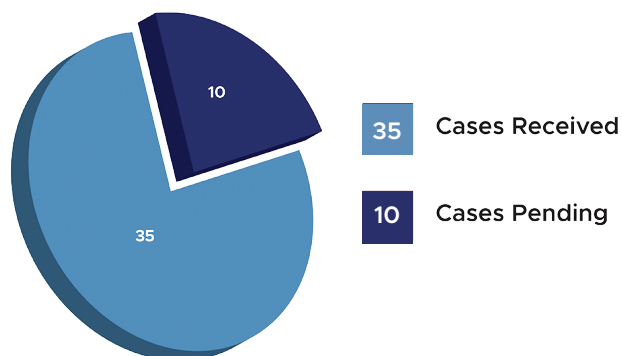
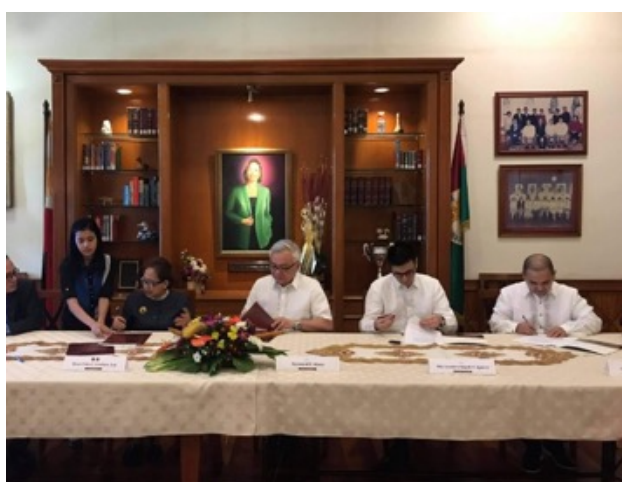
The pandemic not only brought uncertainty to the economic standing of people but also disrupted our everyday lives. Despite this, the Complaints and Investigation Division strived to deliver its services to the public. As we embrace the “new normal” the Complaints and Investigation Division commits to do its utmost to continuously produce and provide excellent work, not only within NPC but to its stakeholders.

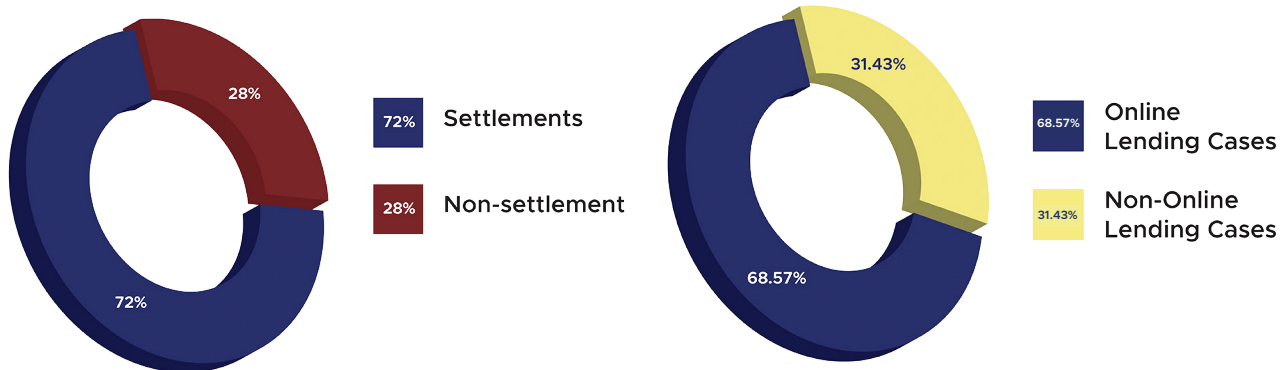
Mediation of Complaints and Legal Assistance

According to the organizational plan of the National Privacy Commission, the Legal Division basically has four distinct functions: First, to provide legal assistance to the Commission through legal opinions and contract reviews; second, to act as general counsel in cases against the Commission, its officers and employees; third, to assist in alternative dispute resolution of complaints; and fourth, to perform such other functions as may be assigned by the Office of the Privacy Commissioner.

For the year 2020, the Legal Division has released a total of twenty-eight (28) legal opinions and forty-seven (47) contract reviews. Salient legal opinions include the delineation of the jurisdictional mandates of PNP, NBI, CICC, NPC and DOJ-OCC. The Legal Division has also reviewed several memorandum of agreements and understanding between the Commission and other government agencies. Notably to this milestone was the signing of Memorandum of Understanding with the University of the Philippines and University of the Philippines Law College as the culmination of fruitful collaboration on the would-be Guidelines on Administrative Fine of the Commission.

The pandemic has notably decreased the number of privacy cases received by the Commission in 2020 and thus necessarily affected the number of mediation cases received by the Legal Division. Thirty-five (35) cases were received by the end of the year, with thirty-three (33) thereof received pre-quarantine. As for the actual process, the mediation officers





conducted one hundred nine (109) mediation conferences in 2020, settling twenty-eight (28) cases out of fifty-seven (57), resulting to a success rate of forty-nine percent (49%).

To aid the lawyers and other legal personnel of the Commission in continuing legal education, the Legal Division also spearheaded the procurement of twenty-seven user accounts of an online law library. Access to the library had been delivered to the end-users on December 2020.

Before the quarantine hit in March, the Legal Division was able to successfully conduct a seminar on Gender Sensitivity Training for NPC front-facing personnel and apply

the teachings to teach about the Safe Spaces of 2019 to the rest of NPC officers and personnel. Moreover, as a product of the lessons learned during these and past trainings, the Legal Division also released a Code of Conduct for NPC Mediators on October 2020 to aid present and future mediators in peacefully resolving privacy cases referred to the division.



One of the major projects of the Legal Division had been the amendment of NPC Circular No. 16-04 or the old Rules of Procedure in order to primarily apply past experience and streamline the work of the NPC in resolving privacy complaints. After months of painstaking work, research, consultation meetings and revision, the hard work paid off with the eventual publication of the 2021 Rules of Procedure in general newspapers on January 2021. The new Rules of Procedure takes into account the past four years of experience of the NPC – particularly LEO, CMD and OPC – to establish a more technically complex but still practically simple procedure for the filing of complaints, alternative dispute resolution, *sua sponte* and breach investigations, and other matters, in order to prevent further delays, establish order, and manifest justice to all.

Other than these, the Legal Division (Atty. Kenneth Roy Sentillas) also attended international training such as the CIPP/E training in September. Atty. Ma. Josefina E. Mendoza, Officer-in-Charge of the Legal Division, also continued to attend several committees and liaison of the NPC to various webinars and international meetings conducted by APEC economies

Enforcement

Despite a very challenging year, the Enforcement Division (EnD) remained steadfast in its thrust to the Commission and its stakeholders. Such was made evident by the various programs EnD has spearheaded in 2020 for the betterment of its service.

Digitalization of case files and creation of a Case Monitoring Masterfile

By the second quarter, EnD started digitalizing all its case files and creating a masterfile of all the cases on its level, cases wherein the Commission En Banc has already released a decision, order, or resolution. This masterfile, later on, became the source of case reports for the Legal and Enforcement Office and the Commission.

Publication of a CDO Circular

To further strengthen the enforcement of the DPA, its IRR, and related issuances, the Commission, through EnD, published the Rules on the Issuance of Cease-and-Desist Orders on 28 October 2020 and which became effective on 12 November 2020.

The CDO is in line with the authority vested in the NPC through Section 7(c) of the DPA to issue CDOs upon finding that the processing will be detrimental to national security or public interest.

Prior to its publication, EnD conducted a public consultation attended by representatives from various industries and sectors. This consultation was a milestone not only to EnD but also to the Commission as this was the first online

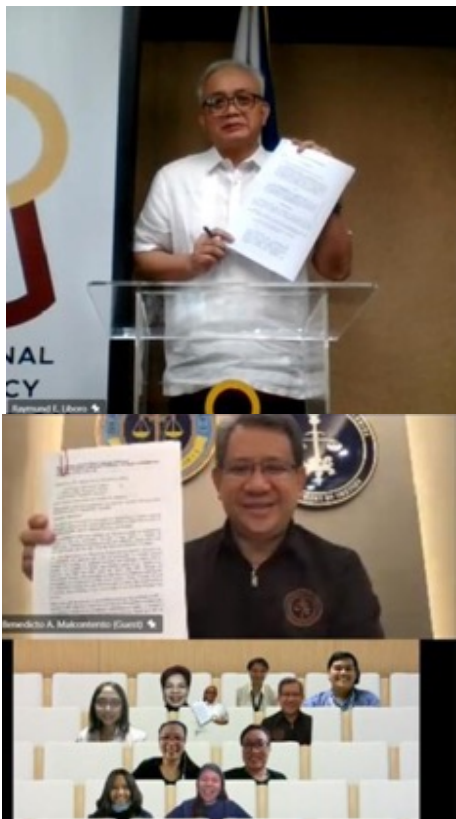
Less than a month after the effectivity of the CDO Rules, a website depicting to be a government site was reported to the Commission. As the website may pose detrimental effects to the public, NPC was quick to act on the matter and the power of the CDO was put to test. The EnD also worked closely with the National Telecommunications Commission (NTC) to block access to the said website. The CDO Circular proved not only to be timely but also a crucial one.



NPC-DOJ MOA

Another remarkable feat this year for EnD is the signing of the MOA between the NPC and the DOJ through its National Prosecution Service. The DPA provides in Section 7(i) that one of the functions of the NPC is to recommend to the DOJ the prosecution and imposition of penalties specified in Sections 25 to 26 of the DPA. The MOA aimed to facilitate the recommendation of the criminal aspect of DPA cases to the DOJ.

In the weeks following the signing of the DOJ-NPC MOA, EnD conducted a series of training for the DOJ prosecutors to strengthen their knowledge regarding the DPA. EnD with the assistance of other NPC lawyers discussed various topics including an overview of the DPA, its IRR and relevant circulars and advisories, background on privacy law in the Philippines, and data privacy enforcement in the Philippines and other jurisdictions.



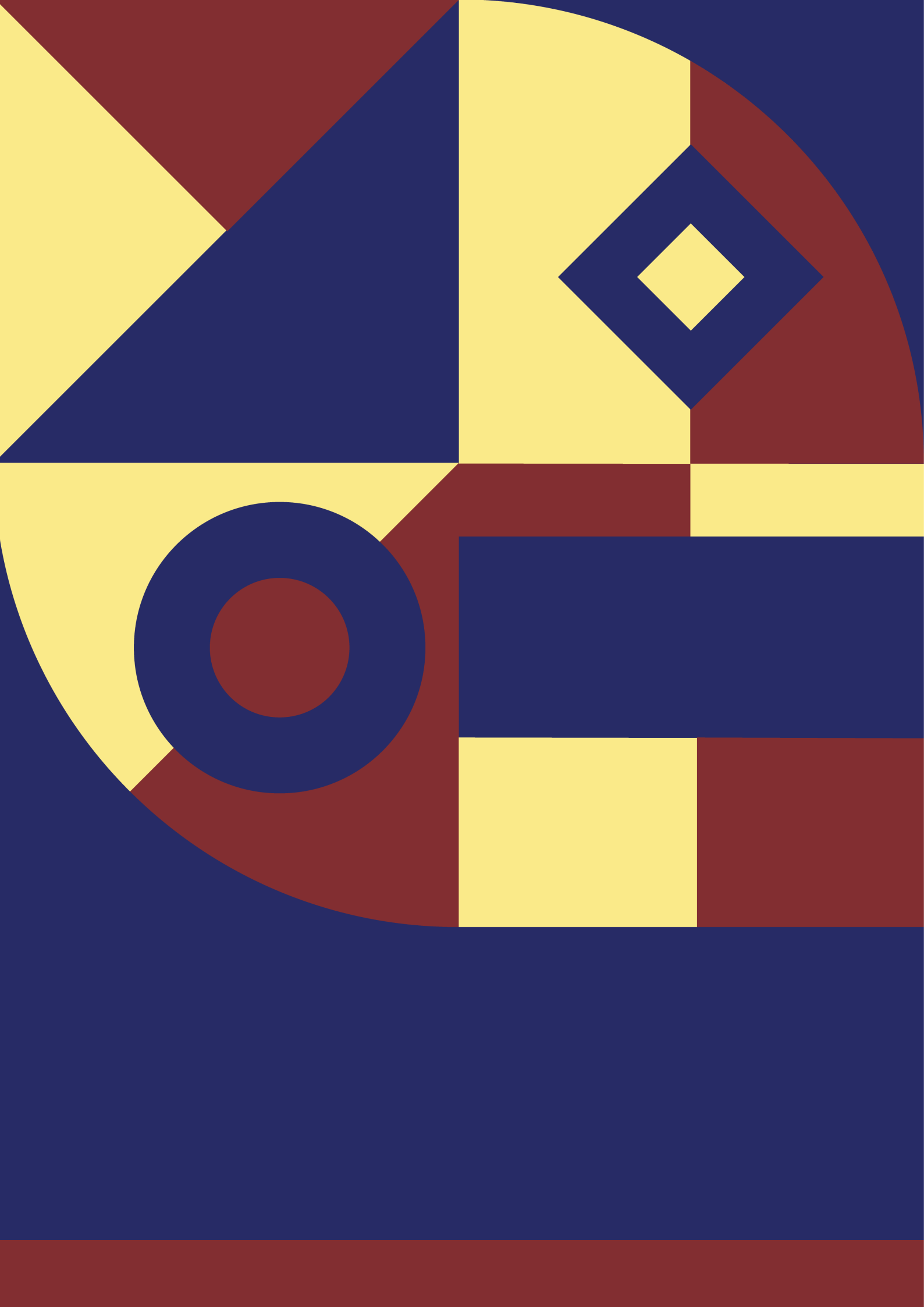
Hosting of the JCSWG Meeting

As its big year-end, the EnD has made a successful feat of hosting the JCSWG meeting. With the theme “What to Expect on Cybersecurity and Privacy: A Forum on The Clean Network and the Proposed Amendments to the Data Privacy Act of 2012,” the event was attended by more than 170 delegates from different industries, sectors, and even time zones.

A discussion on the proposed amendments to the DPA was the main topic of the event followed by a talk on the controversial Clean Network Program of the United States.

While it is true that the year 2020 has been a wild ride, the EnD endeavored to finish strong. Quoting Privacy Commissioner Raymund Liboro in his speech before participants in webinars held through the EnD, the NPC will remain true to its mandate in protecting the rights of the people more especially in this time when information is free-flowing, and the rights of the individuals are more prone to compromise.





Regulatory and Enforcement Program: Building Data Privacy Resilience

II. Data Protection and Privacy Rights Promotion



Empowered Data Subjects

Public Awareness

Social Media and Website

This year, the role and impact of the NPC's social media platforms stand in importance as the Commission amplified its avenues to inform, educate, and interact without having physical contact. Based on monthly reports conducted by PIAD, the online behavior of data subjects during the pandemic has changed drastically in various areas such as time spent, activities performed, and devices used. Going forward, as the NPC responded to this unique setting, it has in turn transformed as a digital brand that is driven by its growing community of followers.

The NPC's Facebook page (@privacy.gov.ph) has reached a total of **102,871 followers** – showing a 15% increase from last year's data. The page has also produced 136 posts in both photos and videos which have tackled issues surrounding data privacy and compliance to the DPA. Interestingly, several posts this year have also reached the 100,000-mark of audience engagement because of their relevance to pressing issues such as the COVID-19.

The NPC's Twitter page (@PrivacyPH) following showed a 41% increase, garnering a total of **3,417 followers**. By allowing the NPC to engage with both organizations and individual users,

this page has helped increase brand awareness and has driven traffic to the Commission's website. It has also consistently helped in tracking data privacy trends, news, and information in real-time.

Starting April 2020, the NPC has also joined Instagram (@privacy.gov.ph) with almost **600 followers** by the end of the year. Through its newest platform, the NPC has a more leveraged cultural profile that effectively boosts its visual content. Most importantly, citizen engagement through user-generated posts (through direct tagging and hashtags) has helped make data privacy part of the public's everyday conversation.

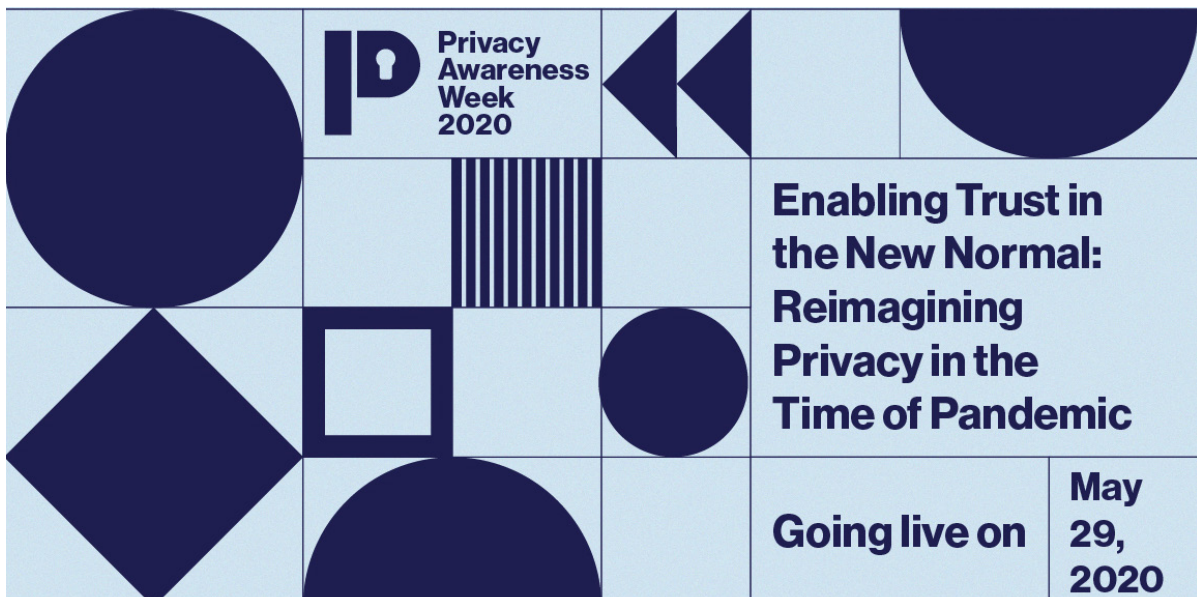
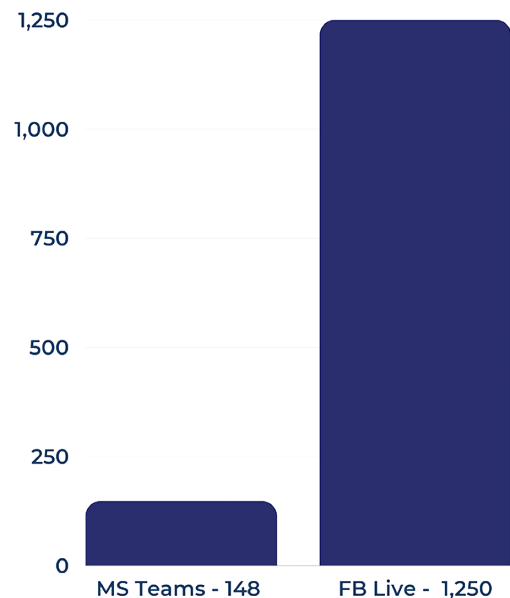
Since 2017, the NPC website (<https://www.privacy.gov.ph>) has been a proven platform to drive information and awareness among stakeholders. It has seen a 5% increase from the 1,608,830 visitors in 2019 to **1,703,043 visitors in 2020**.

Events and Campaigns

Privacy Awareness Week

The 3rd Privacy Awareness Week celebration of the National Privacy Commission was conducted on May 29, 2020. With the theme “Enabling Trust in the New Normal: Reimagining Privacy in the Time of Pandemic”, the event gathered 1,398 audience from MS and FB Live while its live stream was viewed by **19.4K Facebook users**.

The conference focused on the pressing issues that arose in 2020 such as working from home and the use of new digital tools for businesses. This half-day event gave insight on the experiences of various PICs and PIPs on how they adapted with the outbreak of COVID-19.



Data Subjects and Privacy Rights Promotion

Public Awareness

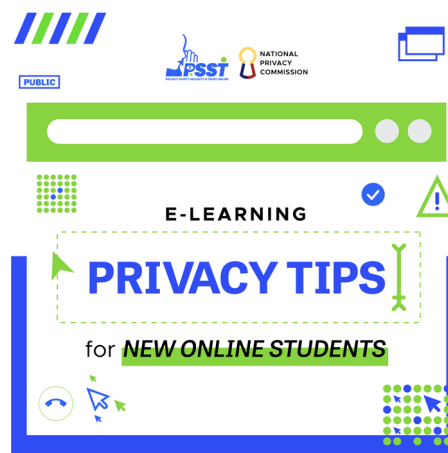
PSST! Online Campaign

As the authority on data privacy and to empower our citizens as we adjust to the new normal, the National Privacy Commission brought its Privacy, Safety, Security, and Trust Online (PSST!) communication campaign online. The campaign emphasized the central role of data subjects in creating a digital democratic space conducive to privacy, safety, security and trust. It aims to continuously empower digital citizens to achieve resiliency and build a culture of privacy in the Philippines.

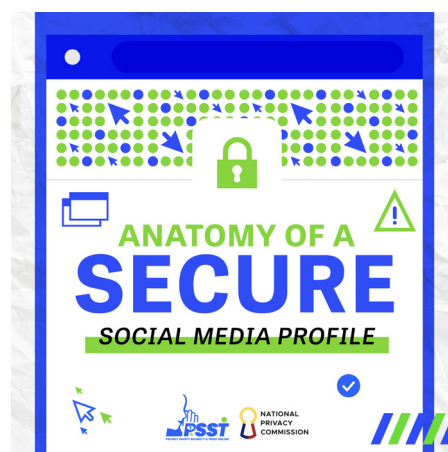
The online campaign was conducted through social media platforms and YouTube. Focusing on what matters for the year 2020 due to quarantine restrictions, topics are mainly on online learning, security on social media platforms, text fraud and scams, online shopping, and telemedicine. The informative social media posts on these topics reached at least **19K Facebook users**.

In lieu of the regional caravan and lecture conducted by the Commission, YouTube video lectures were produced which can be rewatched and shared by our subscribers. The Commission also coordinated with YouTube creator Madam Ely to produce an informative video about data privacy and practical tips that he can share with his viewers.

Considering the demographics of his YouTuber subscribers, our target is to educate regular Filipinos about data privacy and how to exercise their rights.



44,624 reached



30,159 reached



31,764 reached

PSST Social Media Posts and Youtube Videos



31,764 reached



44,624 reached



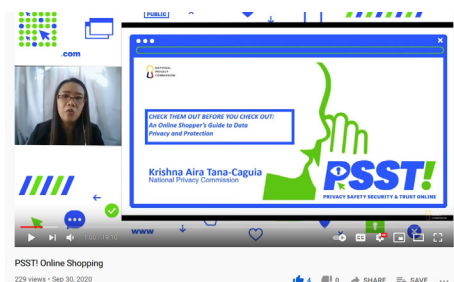
115,182views



271 views



271 views



263 views



205 views

Data Subjects and Privacy Rights Promotion

Public Awareness

Kabataang Digital Online Launch

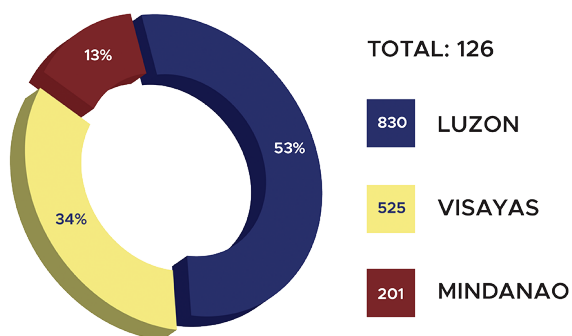
The Kabataang Digital (KD) is an advocacy program under the Privacy, Safety, Security and Trust (PSST!) Online Campaign of the National Privacy Commission. Through its introduction during the PSST! Student Symposium in 2019 at Cebu, the Commission officially launched this program on November 25, 2020 through an online event. The event gathered **1,556 participants** from Luzon, Visayas and Mindanao, who are not only students but also parents, school administrators and DPOs.

With the theme, “The 3Ms of being a Digital Youth”, the event focused on providing tips for our youth to be *Matalino, Mapagmatyag, at Mapanuri* – the 3Ms mentioned by the theme– when navigating online. The KD Program has gathered support from various government and private sectors such as the Department of Education (DepEd), Department of Information and Communication Technology (DICT), Smart Communications, Inc., Globe Telecom, Inc. and Google.

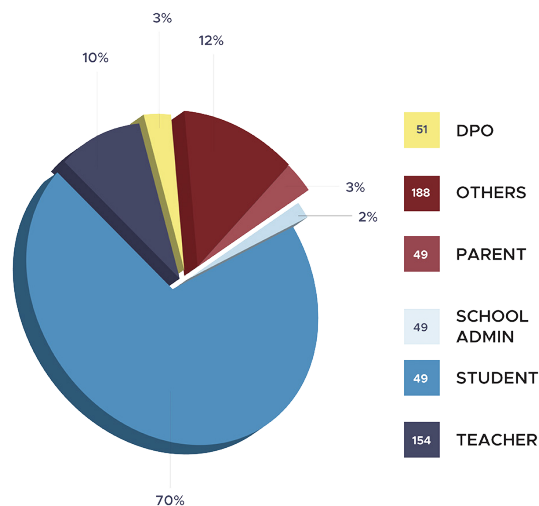


The program launch was further amplified by the Commission’s online presence through Facebook, Twitter and Instagram. Influencers such as Raya Maurelle and Bianca Gonzalez promoted Kabataang Digital through their respective platforms and gave their audiences data privacy tips that students and parents can easily apply in their day-to-day activities.

Breakdown by island group:



Breakdown by participant type:



Content Development

With the breakout of COVID-19 in 2020, the National Privacy Commission's had to step up to address privacy concerns from the public. Evidently, the most prominent issues that arose due to this are the contact tracing efforts of the government through the local government units (LGUs), private establishments and mobile applications, and the increase in processing of personal data online.

Given the demand for guidance and the need to address pressing issues, the Commission published **16 PHE Bulletins** on our official social media platforms and website. By the end of 2020, these bulletins were compiled in a single publication, the NPC COVID-19 Bulletins which can be downloaded from the website.



NPC COVID-19 BULLETINS

#SiguruhingSigurado
#RightToDataPrivacy
#DataPrivacyIsARight

[Click here for the updates](#)

The banner features a large blue clipboard with a checklist of three items, each marked with a yellow checkmark. The clipboard is surrounded by several red virus icons. To the right of the clipboard is a small blue box labeled 'PERSONAL DATA INFO' containing a profile icon and some text. In the foreground, five stylized human figures (three men and two women) are gathered around the clipboard, appearing to be in a meeting or discussion. One man is pointing at the clipboard, while others are holding documents or laptops. The background is a light blue gradient with a large, faint red virus icon behind the clipboard.

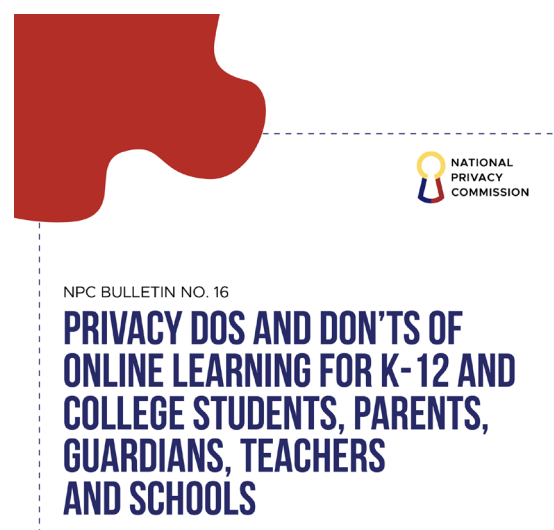


NATIONAL
PRIVACY
COMMISSION

NPC PHE BULLETIN NO. 15

**GUIDELINES FOR ESTABLISHMENTS
ON THE PROPER HANDLING OF
CUSTOMER AND VISITOR
INFORMATION FOR CONTACT TRACING**

The cover features a large, dark red, irregular shape on the left side. The text is arranged in a clean, sans-serif font. The National Privacy Commission logo is positioned in the upper right corner. The title of the bulletin is centered and bolded.



NATIONAL
PRIVACY
COMMISSION

NPC BULLETIN NO. 16

**PRIVACY DOS AND DON'TS OF
ONLINE LEARNING FOR K-12 AND
COLLEGE STUDENTS, PARENTS,
GUARDIANS, TEACHERS
AND SCHOOLS**

The cover features a large, dark red, irregular shape on the left side. The text is arranged in a clean, sans-serif font. The National Privacy Commission logo is positioned in the upper right corner. The title of the bulletin is centered and bolded.

Public Assistance

6,034

Total number of inquiries received via e-mail, Facebook, and AskPriva in 2019

NPC continues to deliver services by providing contactless communication to stakeholders relying on multiple channels to respond to inquiries. A dedicated email address for specific concerns such as reporting of breach, filing of complaints, requesting for compliance support, and submission of annual report were set-up to provide immediate assistance. This results to an increased percentage on total inquiries lodged through AskPriva, e-mail, and fb messenger. Compared to 43% on average from last year, this year about 67% utilized these channels.

310

Average inquiries received per month

As of December 31, 2020, the total number of inquiries received by the Commission is recorded at 6,034, a big drop from 14,425 last year. This year, the Commission improved the response rate from 98.87% to 99.16% of the inquiries received were acted upon within the timeline.

195

Walk-in inquiries acted upon by the NPC

The number of walk-in clients dramatically dropped due to tightening of quarantine restrictions. This year, we have a total of 195 walk-in clients, all were acted upon within the day.

The average number of inquiries received per month decreased from 1187 in 2019 to 310 in 2020. The percentage of walk-in and phone-in inquiries acted upon remained at 100%.

5,960

Inquiries received via email, Facebook, and AskPriva acted upon by the NPC

115

Request for orientations conducted by the NPC

Public Relations

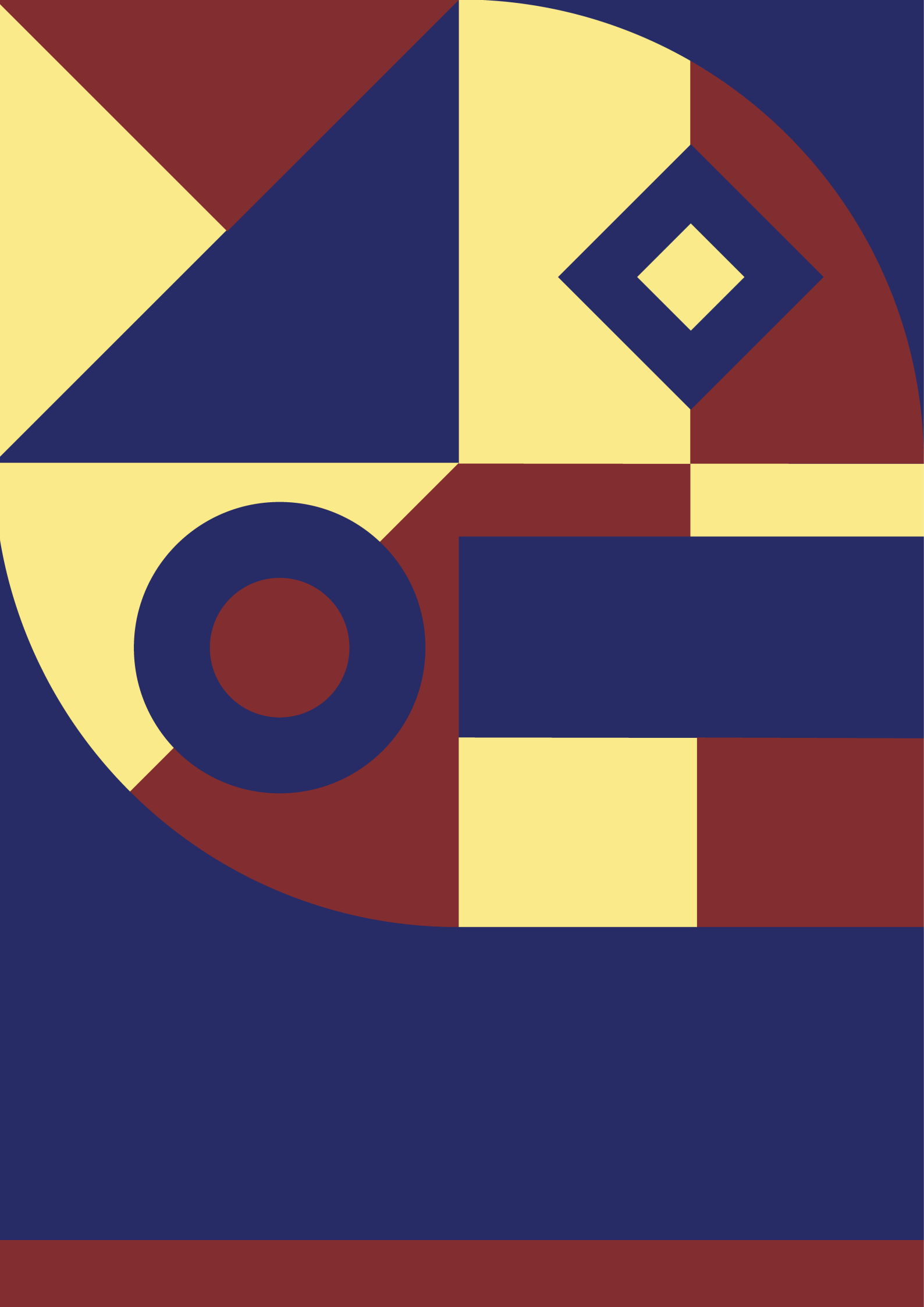
Publications are also key in the Commission’s information and awareness drive. Press releases and press statements are among the public relations tool used to get the messaging across.

The press releases/press statements centered on data protection guidelines, data breach incidents and investigations, trainings and programs, events organized by the NPC as part of its information drive, and the Commission’s stance on data privacy issues, among others.

In 2020, as a response to the COVID-19 pandemic, majority of the press releases/press statements steered government authorities and organizations towards proper handling of stakeholders’ personal information. These materials are in harmony with the NPC PHE Bulletins.


Media relations is another factor in the NPC’s building of brand awareness. Utilizing media relations (e.g. press conferences and interviews) elevates the Commission’s message to the intended audiences and increases credibility and legitimacy.

YEAR	No. of Press Releases/Press Statements Released
2016	10
2017	22
2018	23
2019	33
2020	38
TOTAL	126



Regulatory and Enforcement Program: Building Data Privacy Resilience

III. Data Privacy Capacity Building Development



Data Protection Officers (DPO) Accountability, Compliance and Ethics (ACE) Training and Certification

The year 2020 offered the PHIL-DPO team an opportunity to shift to online modular training with the use of animated video presentations followed by a question-and-answer panel discussion. This shift to online modular training allowed the DPO ACE Level 1 Training Program to expand its coverage nationwide despite quarantine restrictions during the pandemic.

Attendees were mostly data protection officers and privacy enthusiasts from all regions ranging from Luzon to Mindanao. With professions ranging from IT personnel, top executives physicians, lawyers, engineers, nurses and educators both from the public and private sectors.

To augment the DPO ACE trainings and further expand DPO ACE's traction as the foremost training program on data privacy and data protection, PHIL-DPO launched the Train the Trainers (T3) Program, in which 20 interested trainers, whether individual or institutional are given the opportunity to be accredited by the NPC to start their

own DPO ACE Level 1 Training Programs.

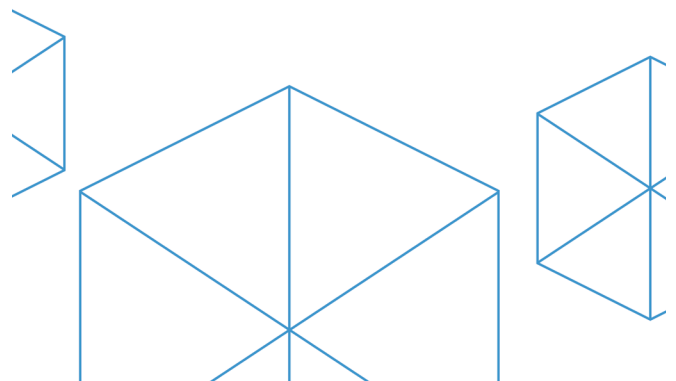
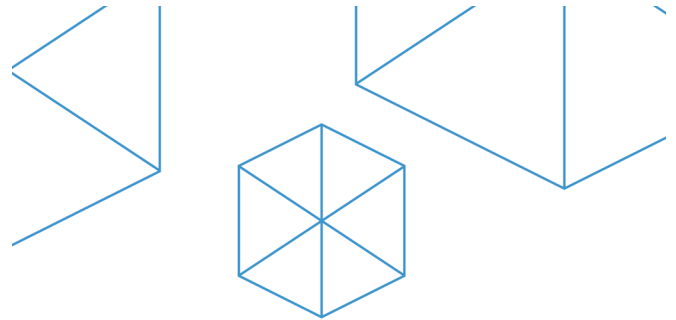
With all that has transpired during these unprecedented times, the PHIL-DPO team, with the help from other divisions and offices, was able to shift its operations online, and helped usher in DPOs to a new and more modern way of learning about data privacy.





DP Council

The OPC formed the Data Privacy (DP) Council, composed of representatives from various industries, to serve as a consultative body. It is set to serve as the mechanism for collaboration and knowledge-sharing between and among stakeholders, and is intended to boost sectoral compliance, assist in shaping programs for the sector, and spearhead in drafting the sectoral code. DP Council meetings are being held on a quarterly basis, gathering stakeholders from various sectors to discuss how to achieve maximum compliance, build maximum awareness, and promote data privacy. This is vital in identifying the direction of identified sectors towards the Roadmap to a Data Privacy Nation 2022.



International Cooperation

International Commitments

The PDD is leading the Philippines' and NPC's international commitments with the Asia Pacific Economic Cooperation (APEC), Asia Pacific Privacy Authorities (APPA), Association of Southeast Nations (ASEAN), Global Privacy Assembly (GPA), and various international working groups on privacy, data protection, digital economy, digital data governance, and e-commerce.

In 2020, the Philippines became the 9th member economy participating in the APEC Cross-border Privacy Rules (CBPR) System, a voluntary, accountability-based system that facilitates privacy-respecting data flows among APEC economies.

Since the submission of Philippines' Notice of Intent to Participate in the CBPR System in 2019, consultations were undertaken between the Joint Oversight Pane (JOP) and NPC representatives from the PDD and the Legal Division. Upon submission of the JOP report determining that the Philippines met the requirements for participation on March 9, 2020, the Philippines was deemed a participant in the CBPR System.

Another highlight is successful completion of all the requisites for the approval of the Memorandum of Understanding (MOU) between the UK Information Commissioner's Office and the NPC, taking into consideration the



Asia-Pacific Economic Cooperation



GPA Global Privacy Assembly

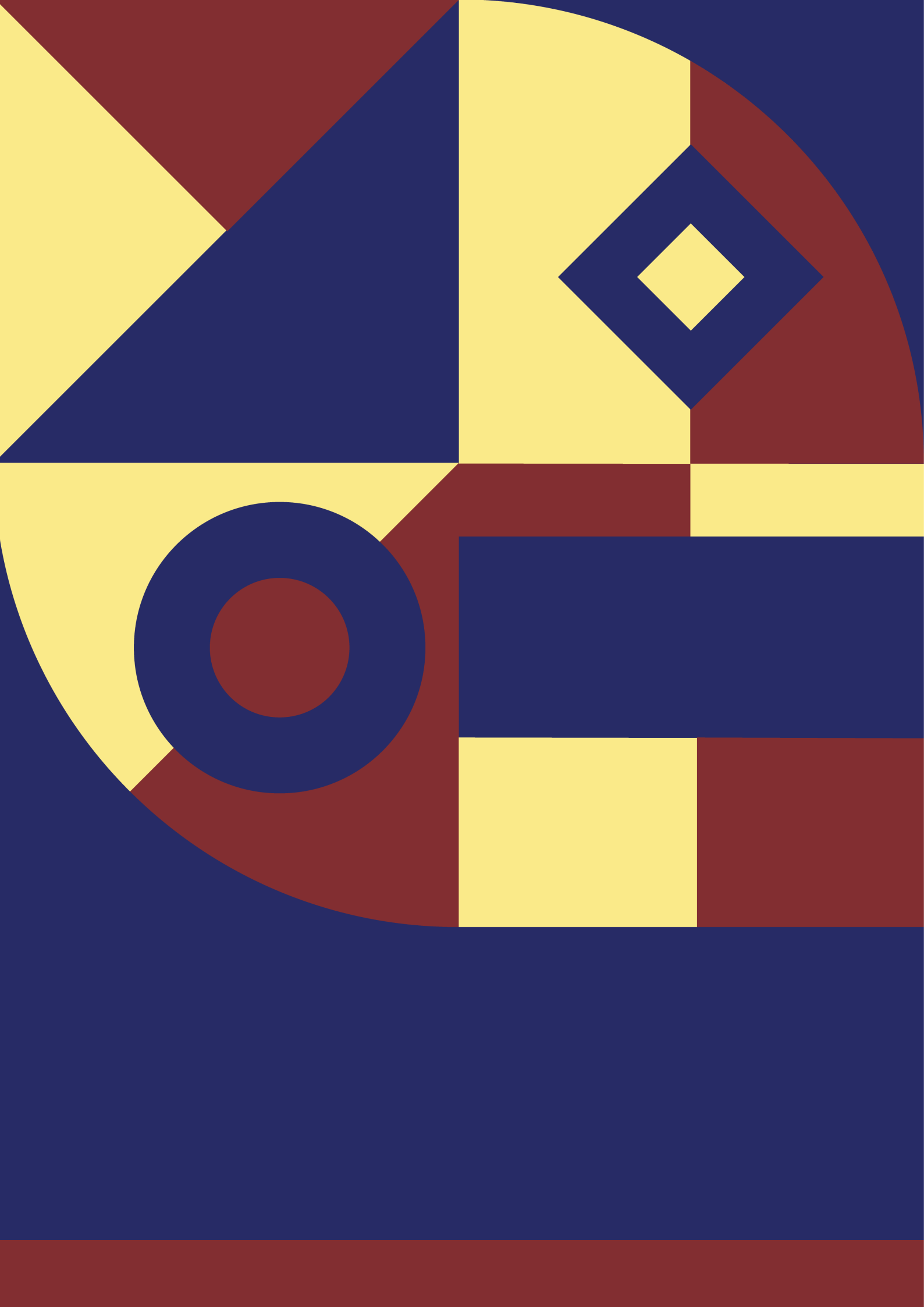


efforts of PDD, the Legal Division, and inputs from the Department of Foreign Affairs. This historic MOU establishes a framework for cooperation between the two data protection authorities. Consultations and drafting of the MOU started in 2019 and was approved in December 2020, with the ceremonial virtual signing event conducted the following month.

Despite the pandemic making in-person meetings not possible, this did not deter the PDD and PRD lawyers in actively representing the Philippines and NPC in numerous virtual international meetings, conferences, and other events held online by the following: APEC, APPA, ASEAN, GPA, and other international meetings, events, and webinars for Global Privacy Enforcement Network (GPEN), Bilateral Meeting with PDPC Singapore, European Data Protection Supervisor (EDPS), Council of Europe (COE), Centre for Information Policy Leadership (CIPL), and World Economic Forum (WEF), among others.



Likewise, PDD has prepared, reviewed, and provided inputs on various international documents, resolutions, questionnaires, frameworks, reports, roadmaps, work programs, surveys, contract clauses, implementation matrices, indices, speeches, presentations and slide decks, policy statements, compendium, workplans, press releases, articles, agreements, concept notes, programs, and other significant interventions.



Internal Management



Financial Performance

Php 230.475 Million

Total allotment of NPC

Php 155.054 Million

Obligated

Php 144.774 Million

Disbursed

Out of **Php230.475 Million** total allotment of the NPC, **Php155.054 Million** was obligated and **Php144.774 Million** was disbursed. The NPC financial performance rate garnered 67% as to obligations and 93% as to disbursement for the FY 2020. Some of the PAPs intended for implementation in the first half of 2020 were not pushed through due to the COVID-19 pandemic. Amidst the Covid-19 pandemic, some programs, activities and projects (PAPs) were re-programmed or enhanced in line with the transitioning period to the so-called 'new normal'. As the government's arm to ensure the Filipinos remain in full control of their personal information during the COVID-19 pandemic, new interventions were developed, and implemented. Thus, physical targets were reached at a lower expense/cost for the agency.

The Php230.475 Million allotment includes additional PS allotment for the implementation of First Tranche of SSL V amounting to PhP1.922M, Negative GARO for the FY 2020 RLIP amounting to

Particulars	FY 2020			
	Amount	NBC 580*	Adjusted	BUR
Allotments	234,688	(17,041)	230,475	100%
Obligations	155,054		155,054	67%
Disbursements	144,774		144,774	93%

Php3.82Million, Additional PS Allotment amounting to Php13.559 Million under Miscellaneous Personnel Benefit Fund and Php1.166 Million from released SARO of Terminal Leave Benefits under Pension and Gratuity Fund.

To effectively deliver the services to the public and to adopt to the new normal, there were significant modifications made by addressing the deficiency in PS, provision of incentives to personnel, and procurement of ICT Equipment and ICT Software under Capital Outlay. The amount of PS deficiency sourced from MOOE was Php 1.589 Million and for the Incentives (CNAI and SRI) was Php 2.880 Million. The Capital Outlays amounting to Php 8.466 Million was modified from MOOE on the last quarter of the year. These modifications contribute a lot to the Commission in carrying out its mandate and to help its personnel in performing their functions during this pandemic.

Moreover, a total of Php 90.373 Million was approved for the implementation of the following proposals under Tier 2:

Expanded Programs/ Projects

- Enhanced Data Privacy Compliance and Monitoring Program (Government Data Privacy Resilience Program)
- Resilient Data Subjects (National Data Protection Officers Skills, Training and Certification Program)
- Privacy Promotion Program
- Information and Communications Technology PAPs; and
- Personnel Services additional funding requirements.

**Republic Act No. 11469 dated March 24, 2020
(Bayanihan to Heal As One Act)**

A total of Php 60.694 Million was offered for discontinuance to help the National Government in response to economic measures related to the COVID-19 emergency situation pursuant to DBM NBC No. 580 dated 22 April 2020, *Adoption of Economy Measures in the Government due to the Emergency Health Situation*, as follows:

	Released Allotment	Discontinued*	Adjusted Balance
Continuing Appropriation (2019)			
MOOE	52,746	42,883	9,863
CO	7,496	770	6,726
Sub-Total	60,242	43,653	16,589
Current Appropriation (2020)			
MOOE	170,406	17,041	153,365
CO**	4,640	-	4,640
Sub-Total	175,046	17,041	158,005
Total	234,288	60,694	174,594

*Negative Special Allotment Release Orders (SARO) were received by the commission in July 2020 with SARO Reference Nos. SARO BMB-E-20-0013001 dated SARO BMB-E-20-0013001 dated 24 June 2020.

**Amount already obligated and disbursed as of 31 March 2020.



Physical Performance

With total average rating of 252%, NPC was able to accomplish significantly its physical targets in accordance with its Organizational Outcome (OO) and subsequent deliverables through its Programs, Activities, and Projects under the General Appropriation Act. Details of the actual accomplishments are indicated in the attached BAR 1 report for the period January to December 2020.

ORGANIZATIONAL OUTCOME (OO) / PERFORMANCE INDICATORS (PIs)	Targets	Actual	Rating Accomplishment
REGULATORY AND ENFORCEMENT PROGRAM			
Outcome Indicators			
1. Percentage of stakeholder who rated the privacy plans and policies as satisfactory or better.	70%	90.83%	129.75%
2. Number of private sectors and government agencies checked for DPA compliance.	100	317	317%
Output Indicators			
1. Number of Public Information / Education Projects implemented.	12	17	141.66%
2. Percentage of requests for technical assistance responded within the prescribed time frame.	70%	99.94%	142.77%
3. Percentage of complaints and investigations resolved.	65%	99%	152.30%
4. Number of international membership or cooperation entered.	3	19	633.33%
TOTAL AVERAGE RATING			252%

Administrative Services

The keepers of NPC plant, property and equipment, manager of procurement contract and execution, treasurer, and manager of the general services – it is us! We are the NPC’s heart and lifeline in assisting the delivery of its regulatory, enforcement, and policy making and advocacy functions.

While the year 2020 has been a challenging year for the world with the outbreak of the COVID-19, the Administrative Services Division (ASD) tirelessly provided support to NPC employees in the performance of their functions, and to the Filipino people.

We initiated the procurement of COVID-19 response items for distribution to employees to avert the spread of Covid-19: N88 surgical face masks, face shields, alcohols, foot pedal alcohol dispensers, thermal scanners, hand sanitizers, personal protective equipment, thermo guns, disinfectant sprays, and foot baths. Compliance to health and safety protocols were ensured by posting directional signages, and frequent disinfection inside the NPC office and the general dispatch vehicles. The security guards were also trained in enforcing the safety protocols prior to entrance of NPC personnel and stakeholders to NPC premises.

We embraced with enthusiasm the “New Normal” office work. The Supplies and Property Unit established an online List of Available Supplies on stock to serve as reference in requesting issuance supplies. Employees could go online shopping of their needed supplies as the said list is available and accessible to all NPC employees whether they are on Work from Home or Skeletal Workforce.



We provided guidance through the development of the following policies for CY 2020 and a compendium of all ASD issuances from 2016 to 2020 are published in a booklet form for easy reference:

- Commission Order No. 011 s. 2020: Guidelines on the Use of Vehicles dated 22 July 2020
- Special Order No. 168 s. 2020: Guidelines on Custodianship of NPC Properties dated 20 November 2020
- Special Order No. 155 s. 2020: Guidelines on the Issuance of Common Supplies and Equipment dated 29 October 2020
- Advisory on Wearing of Face Shield and Face Mask dated 13 August 2020
- Advisory on Office Protocols during the Pandemic dated 21 May 2020
- Advisory on the List of Available NPC Office Supplies dated 10 July 2020

With the unexpected change in work arrangement brought about by the pandemic, laptop computers were provided to those working from home and desktop computers for those assigned as skeleton workforce. Productivity machines, 86 laptops and 31 desktops, were procured in addition to the existing equipment of NPC from the PS-DBM.

We prepared and implemented a total of 39 contracts/purchase orders/work orders (26 under the 2020 APP and 9 under the 2019 continuing appropriations) consistent with the award issued by the NPC Bids and Awards Committee. It is also us that handled the delivery of the procured items in accordance with the terms and conditions of the contracts.

To ensure the safety of NPC employees from catching COVID-19, NPC personnel entering Skeleton Workforce were provided with shuttle services. A total of 924 Requests for Transportation, 2,102 NPC employees ferried to speaking engagements, mailing of official documents, and shuttle service from NPC office to House and vice-versa were recorded.

In support of the Commission's case decongestion program, and the ramp up of case documents, a total of 1,255 documents were prepared and mailed/hand delivered to recipients. Monitoring receipts of these documents were also done by the GRU which is substantial in developments. Similarly, a total of 357 pages of documents were retrieved and counterchecked with the original files prior to issuance of Certified True Copy of the documents. In all, the General Records Unit assigned in receiving, recording, and routing of documents handled a total of 1,226 documents.

In compliance to COA and other regulatory requirements, an Audit Inventory of common use supplies were conducted together with the Inventory Committee on January 27-28, 2020 (for the 2nd semester of 2019 reporting), and June 25, July 02-03, 2020 (for the 1st semester of 2020 reporting). Corresponding reports for the said inventory, Report on Physical Count of Inventories, were submitted to COA within the prescribed time. Likewise, physical count of property and equipment for CY2019 was conducted in January and its corresponding report, Report on Property Plant and Equipment was submitted to COA. In addition, the twelve (12) NPC motor vehicles were sent to service centers and were subjected to regular preventive maintenance checkup and repair. Renewal of their registrations and insurances were also performed.



Human Resource Management

Strategic Human Resource Management (HRM) is the highest maturity level under CSC PRIME-HRM¹ wherein the systems, competencies and practices are at the leading edge of adopting programs, procedures and standards for all the core of HRM areas.

As stipulated in the CSC PRIME-HRM², there are four (4) pillars of HRM such as Recruitment, Selection and Placement (RSP), Performance Management System (PMS), Learning and Development (L&D) and Rewards and Recognition (R&R). In addition, Compensation and Benefits Administration, Employee Relations and HR Records Management are other facets of HR that are mandatory, important and contributory to the workforce' deliverables and outcomes.

The National Privacy Commission in congruent with the mandate of CSC, started the harmonization of the four

pillars and other major outcome of HRM so that plans, activities, strategies and systems being implemented is aligned and geared towards achieving organizational outcomes as well as to attain an integrated and strategic HRM.

This report illustrates accomplishments of each pillars as well as identified issues, challenges and recommendations towards achieving such maturity level or standards gearing towards the workplace development objectives (WDO) of the NPC.

1 Enhanced Prime-HRM Assessment Tool

2 CSC Resolution No. 1202024 dated November 16, 2012 adopting the implementation of the Program to Institutionalize Meritocracy and Excellence in Human Resource Management

I. Highlights of Accomplishment

A. Recruitment, Selection, and Placement

Under this pillar, systems, processes, and procedures were reviewed and enhanced in compliance to the Quality Management System (QMS) framework and the CSC PRIME-HRM Maturity Level Indicators. An HRDD Operations Manual Version 1 was approved last March 2020 wherein recruitment, selection and placement is one of the identified HRDD processes.

This report reflected the efficiency and effectiveness of the existing RSP procedures in the HRDD's Operations Manual during talent sourcing and placement of vacancies despite the restrictions brought about by the pandemic. Eighty-four percent (84%) were filled-up as of December 31, 2020, exceeding the target of 75% of the total NPC Workforce including Contract of Service Personnel. In the table presented below, 84% comprised of the permanent and COS positions, excluding those co-terminous positions and Presidential Appointees.

Hiring and filling-up of co-terminous positions are dependent on the status of the incumbent or Presidential Appointees and hiring of these personnel is not covered by the HRMPSB.

This report does not reflect the turn-around-time (TAT) in processing since NPC is dependent on the turn-around-time of CSC in the appointment's attestation. NPC is still not a CSC- accredited institution, thus, cannot hire or proceed in filling-up positions vacated due to promotion of the incumbent until an appointment of the promoted staff is approved and attested.

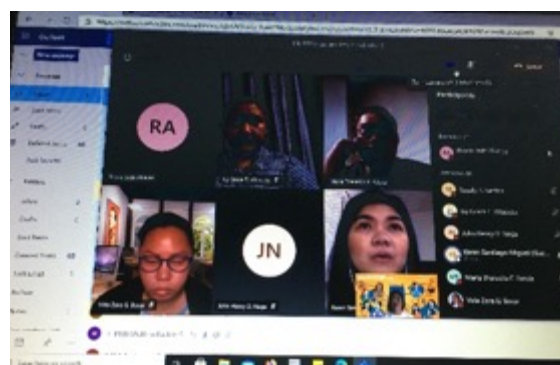
Status of Employment	Approved/Authorized	Filled	Unfilled
Permanent	88	56	32
Co-terminous (1 st level)	17	9	8
Co-terminous (2 nd level)	17	14	3
Co-terminous (3 rd level, Presidential Appointees)	8	4	4
Sub-Total	130	83	47
Contract of Service	113	113	0
Sub-Total	113	113	0
Grand Total	243	196	47

Internal Management

Human Resource Management

To further enhance systems and processes under this pillar, the following were the major accomplishments:

1. Approved Commission Order No. 014 dated August 5, 2020 on Guidelines for Hiring, Engagement and Renewal of Contract of Service Personnel
2. Approved Commission Order No. 013 dated August 5, 2020 on Interim Guidelines on Recruitment, Selection and Placement for the Period of State of Calamity Due to Covid-19 Pandemic.
3. Final Draft of the Competency - Based Recruitment, Selection and Placement Policy (CBRSP) which was routed to all HRMPSB Members last July 2020.
4. Initial draft of the System of Ranking Positions, for comment and approval of the HRMPSB.



Despite the restrictions brought about by the pandemic, the HRMPSB were able to convene virtually for nine (9) times to conduct interview and deliberations of applicants. There were 252 applications received and pre-evaluated by Recruitment Staff from January to December 2020.

B. Performance Management

For the CY 2020, the Performance Management Team (PMT) where HRDD is a regular member and as a Secretariat to Division and Individual Performance Commitments Review, adopted the standard indicators set, one of the output of series of QMS workshops.

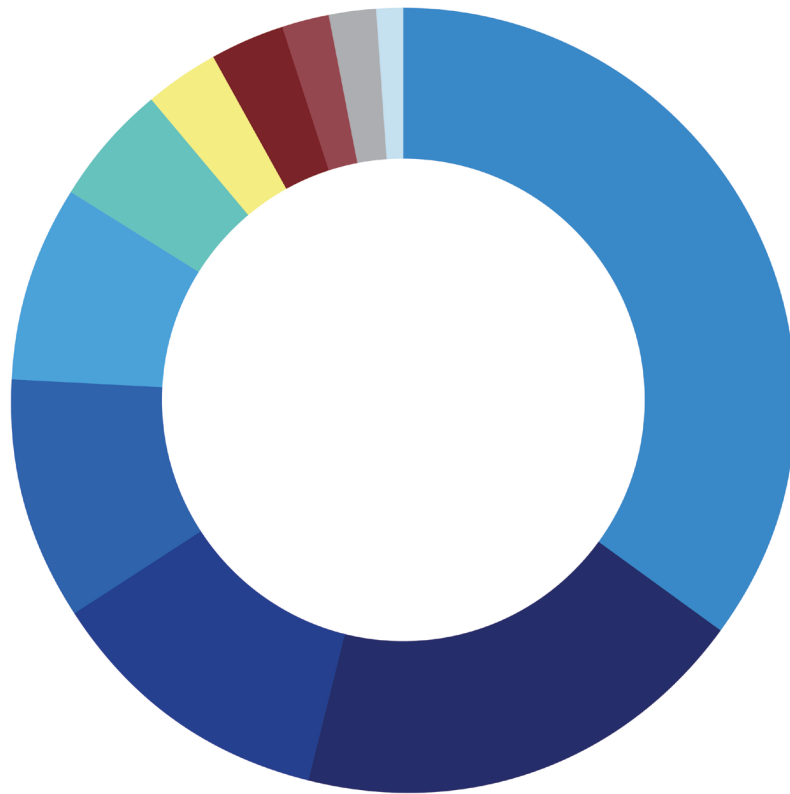
Last May 2020, the summary report on individual performance evaluation for CY 2019 was approved and concurred by the Office of the Privacy Commissioner and the PMT garnering a ***general average of Very Satisfactory for NPC as an agency.***

Because of the alternative work arrangement adapted by NPC, there were mechanism put in place to monitor individual performance of employees particularly those who are working from home. One of which is the Privacy Commission Order No. 10 on NPC's Covid-19 Response and Interim Guidelines and the latest issuance from CSC wherein employees are required to submit Daily Accomplishment Reports to their respective Division Chiefs for review and monitoring and to ensure alignment with the division/ individual targets versus accomplishments and outputs.

C. Learning and Development

During the period of pandemic, all the learning and development activities were conducted virtually. Table and graphs below illustrate learning and development interventions provided and the investments/resources utilized. NPC were able to utilize total amount of **Php843,599.20** from January to December 2020. Reduced by almost 80% of the total allocation for capacity building for the CY 2020 is due to limitations and restrictions brought about by the global pandemic. However, despite such limitation, a total of 612 participations and attendance to either in-house or external trainings as well as technical sharing session were participated by NPC personnel. The numbers reflected that there are employees who have attended/availed of a learning and development interventions (LDI) more than once.

Types of L&D Interventions	Number of Trainings	Number of Employees Provided
1. In-house Training	Six (6)	328
2. Attendance by Invitation (External)	Ten (10)	73
3. Technical Sharing Session	Four (4)	328



- | | |
|---------------------------------------|---|
| ■ Office of the Privacy Commissioner | ■ Public Information and Assistance Division |
| ■ Compliance Monitoring Division | ■ Data and Security and Technology Standards Division |
| ■ Policy Development Division | ■ Policy Review Division |
| ■ Legal and Enforcement Office | ■ Legal Division |
| ■ Enforcement Division | ■ Compliance and Investigation Division |
| ■ Administrative Services Division | ■ Financial Planning and Management Division |
| ■ Human Resource Development Division | |

The above report concludes ***that NPC were able to provide at least one LDI to each NPC Personnel in compliance to the requirement of QMS and CSC PRIME-HRM.***

With the approval of the Competency-Based Learning and Development Policy (CBLDP) through a Privacy Commission Order No. 15 and 15-A, systems, and processes were enhanced and put in place such as:

1. Conduct of Learning Needs Assessment
2. Submission of Individual Development Plan
3. Approval of Division Development Plan and the Annual Learning & Development Program

D. Employee Welfare

The NPC is a government agency that has a vision to empower its workforce. To be able to realize this mandate, each employee should have the capacity and capability, physically, emotionally, psychologically, and morally to meet with the demands of work in their respective work assignments specifically during pandemic.

For CY 2020, the following were the major accomplishments in this pillar:

1. Creation of Health and Safety Committee pursuant to CSC-DOLE-DOH Joint Memorandum Circular No. 1 series of 2020 where HRDD sit as permanent member and as Committee Secretariat.
2. Approval of the NPC Covid-19 Response Plan and Interim Guidelines that prescribes health and safety protocol at NPC including alternative working arrangement.
3. Approval of the Grant or Monthly Monetary Support Assistance as part of the Support Mechanism of the agency to its personnel during pandemic.
4. Conduct of three (3) town hall meetings specifically for Covid-19 knowledge and information.
5. Approval of the Mental Health Program in NPC
6. Conduct of Stress Management to some NPC Personnel
7. Attendance to BOSH Training of some of the members of the Health and Safety Committee.
8. Approval of the Annual Physical Health Examination Program

E. Compensation Benefits

Compensations and benefits were provided to qualified and entitled officials and employees for the CY 2020 including back wages and benefits of separated employees from CY 2019. Such compensation and benefits comprised of financial, non-financial and direct compensation and benefits mandated by DBM and other related laws.

F. Employee Discipline

For CY 2020, there were no grievances addressed by the Grievance Committee as well as employees formally charged for an administrative offense. Issues and concerns were resolved at the lowest possible level. NPC has three mechanisms where HRDD plays an important role – the Grievance Machinery, the NPC Rules on Administrative Procedures pursuant to 2017 RACCS where there is an Internal Affairs Committee (IAC) and the CODI..

G. Rewards and Recognition

Despite the restrictions brought about by the community quarantine, the NPC PRAISE Committee managed to conduct the CY 2020 Annual Employee's Appreciation Day, a Rewards and Recognition Program (see attached photos as annexes).

The purpose of the program is to recognize and reward NPC officials and employees individually or in groups for their outstanding accomplishments despite the pandemic. It also motivates employees to excel in the performance of their work whether as individuals or as part of a team.

H. Records Management

One of the areas covered for assessment under PRIME-HRM is the HR Records Management such as management of 201 files and other HR Related documents and files.

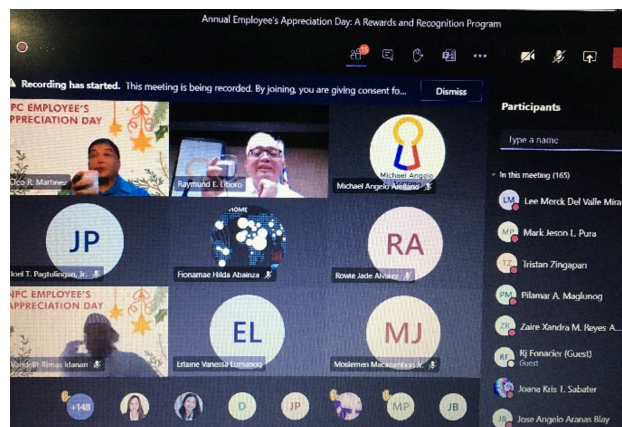
The NPC HR Records including 201 files were updated, reviewed, and assessed in compliance to the 201 files' checklist provided by the CSC. Ninety percent (90%) of the 201 files are compliant and found to be in accordance with the provisions of the CSC and the National Archive of the Philippines.

II. Other Accomplishment

A. Competency-Based Development and Profiling

For CY 2020, initial activities in line with the competency-based development and profiling were conducted such as:

- Approval of the proposed adoption of the CSC Generic Functional Competencies for Support Offices such as Finance and Administrative Office, Legal and Enforcement Office, and the Public Information and Assistance Division.
- Approval of the proposal and the Terms of Reference of the Consultant to develop the NPC Competency Framework



B. Corporate Social Responsibility & Employee Engagement

Last December, HRDD initiated a donation drive for the victims of Typhoon and flooding happened later part of CY 2020. HRDD thru the assistant of OPC were able to raise Php19,000.00 in cash, four (4) sacks of rice and other non-food items.

Out of the collections, HRDD with the assistance from CID and OPC personnel were able to come up with seventy-five (75) food packs for distribution to victims of typhoon and flooding in NCR and CaLaBarZon.



C. NPC Employees Association

The National Privacy Commission Employees Association (NPCEA), Inc., in its continuing drive to guarantee employees' welfare and well-being, sought to implement the Collective Negotiation Agreement (CNA) executed between the NPCEA officers and top management last December 2019.

Now on its second year, the signed CNA was implemented, which included the provision of a CNA initiative, given to the employees in the latter half of December 2020.

And to guarantee the welfare of all personnel in the NPC, the members assisted by NPCEA officers, resolved to pool a portion of their CNA incentive to be distributed proportionately with the contract of service personnel of NPC.

The NPCEA officers have also been actively involved in committee participation where the employees' inputs and perspective are requested and needed. Committees such as the Health and Safety Committee, Performance Management Team, HRMPSB, where it is crucial that the employees' voices are heard, are only some of the committees where assigned NPCEA officers have given their insights as well as voting capability, where applicable.

D. Quality Management System

In preparation for the adoption of the ISO 9001:2015 Philippine National Standards to build a quality culture that characterizes customer-driven agency and to further strengthen global competitiveness, a series of ISO 9001:2015 capability-building courses were conducted for the key officials and frontline personnel of the NPC to enable and empower the core team in implementing the principles and complying with the requirements of ISO 9001:2015. The modules comprised of Steps Towards Quality Public Service: Understanding Organization and Personnel, Understanding Organization Performance, Understanding Interested Parties, Understanding Organization Systems and Processes, Defining Standards and Performance and Managing Resources and Risks. One of the key management principles of QMS is customer focus. Among the objectives of the QMS is to achieve if not exceed customer requirements. Thereby creating a customer-centric regulatory agency.

F. Gender and Development Program

Since its creation, the National Privacy Commission (NPC) is committed to support in upholding gender equality and in promoting equal rights, responsibilities and opportunities that all persons should enjoy, regardless of whether one is born male or female.

With the first GAD Plan in 2018 and backed with two (2) PCW-endorsed Gender and Development (GAD) Plan and Budget from 2019 and 2020 and PCW-accepted 2019 GAD Accomplishment Report, the NPC formulated a GAD Plan designed to empower women and address gender issues, in accordance with Philippine Plan for Gender-Responsive Development (PPGD), 1995-2025 and Republic Act No. 9710, otherwise known as the Magna Carta of Women.

The year 2020 saw the strict curb on the implementation of GAD-related activities caused by the Covid-19 pandemic that started in March. Despite of this challenge, the Commission had successfully implemented its organizational and institutional capacity building activities, consistent with its

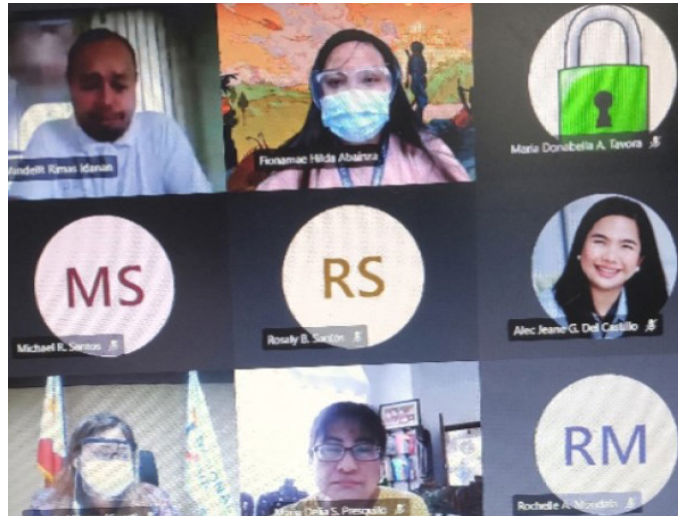
approved GAD Plans, by conducting GAD-related meetings, orientations, and workshops thru a combination of face-to-face (for limited participants) and virtual thru online platforms to promote gender mainstreaming.

In order to ensure that its three (3) major programs are gender responsive, the NPC also continue to monitor the progress and extent of gender mainstreaming of its programs and was able to meet its 2020 goals in addressing the various gender needs and concerns of all NPC officials and employees and external stakeholders. These programs are the Enhanced Compliance Monitoring Program and Resilient Data Subjects (National Data Protection Officers Training and Certification Program) and Privacy Promotion Program.

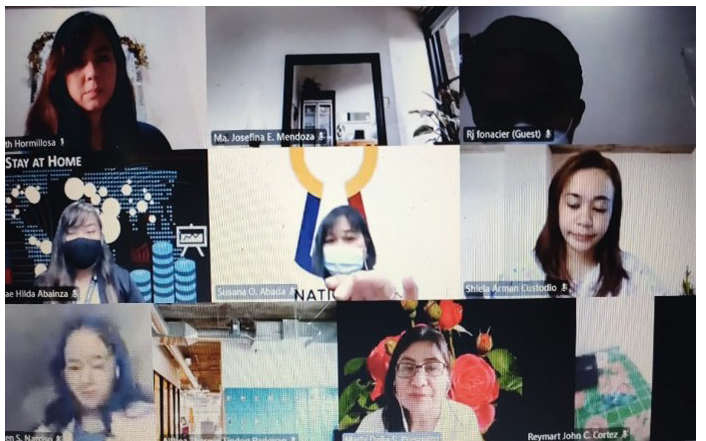
Indeed, as Kofi Annan said, gender equality is more than a goal in itself. It is a precondition for meeting the challenge of reducing poverty, promoting sustainable development and building good governance.



Women's Month Celebration



2021 GAD Planning and Budgeting



2020 End VAWC Campaign Kick-off Activity

**Digital Space Online:
What can parents do to
spot online predators**

Ms. Shebana Alqaseer
*UP Center for Women's and Gender
Studies-Oxfam Research*




2020 End VAWC Campaign Culminating Activity



**NATIONAL
PRIVACY
COMMISSION**



privacy.gov.ph



[privacy.gov.ph](https://www.facebook.com/privacy.gov.ph)



[privacy.gov.ph](https://www.instagram.com/privacy.gov.ph)



[PrivacyPH](https://twitter.com/PrivacyPH)