



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

**MEMORANDUM ORDER NO. 0692 - 2021**

**Date: JULY 13, 2021**

**Subject: The City Government of Cagayan de Oro's Privacy Manual**

## **PRIVACY MANUAL**

### **Background**

Republic Act No. 10173, also known as the Data Privacy Act of 2012 (DPA), aims to protect personal data in information and communications systems both in the government and the private sector.

It ensures that entities or organizations processing personal data establish policies, and implement measures and procedures that guarantee the safety and security of personal data under their control or custody, thereby upholding an individual's data privacy rights. A personal information controller or personal information processor is instructed to implement reasonable and appropriate measures to protect personal data against natural dangers such as accidental loss or destruction, and human dangers such as unlawful access, fraudulent misuse, unlawful destruction, alteration and contamination.

To inform its personnel of such measures, the City Government of Cagayan de Oro hereby creates this Privacy Manual. This Privacy Manual serves as a guide or handbook for ensuring the compliance of an organization or entity with the DPA, its Implementing Rules and Regulations (IRR), and other relevant issuances of the National Privacy Commission (NPC). It also encapsulates the privacy and data protection protocols that need to be observed and carried out within the organization for specific circumstances (e.g., from collection to destruction), directed toward the fulfillment and realization of the rights of data subjects.



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

## Introduction

This Privacy Manual is hereby adopted in compliance with DPA, its IRR, and other relevant laws, rules and regulations and policies, including issuances of the NPC and other relevant government agencies. The City Government of Cagayan de Oro respects and values your data privacy rights, and makes sure that all personal data collected from you, our clients, customers and the general public, are processed in adherence to the general principles of transparency, legitimate purpose, and proportionality.

This Privacy Manual shall inform you of our data protection and security measures, and may serve as your guide in exercising your rights under the DPA.

## Definition of Terms

- a. NPC - refer to the National Privacy Commission created by virtue of the DPA. It is the government agency tasked to administer and implement the provisions of the DPA, and to monitor and ensure compliance of the country with international standards set for data protection.
- b. Consent of the data subject - refers to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of personal information about and/or relating to him or her. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.
- c. Data Sharing Agreement - refers to a contract, joint issuance, or any similar document that contains the terms and conditions of a data sharing arrangement between two or more parties: Provided, that only personal information controllers shall be made parties to a data sharing agreement;
- d. Data Subject – refers to an individual whose personal, sensitive personal or privileged information is processed by the City Government of Cagayan de Oro. It may refer to public officials (whether elected or appointed), their staff, personnel



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

of the City Government of Cagayan de Oro (whether permanent, casual, job order or contractual), its constituents, customers and clients.

- e. DPA - refers to Republic Act No. 10173, also known as the Data Privacy Act of 2012.
- f. LGU - refers to the City Government of Cagayan de Oro. The LGU shall act as the Personal Information Controller but subject to any Data Sharing Agreement.
- g. Personal Data - refers to personal information, sensitive personal information, privilege information/communication and such other personal data of the Data Subject.
- h. Personal Information – refers to 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.
- i. Personal information controller - refers to a person or organization who controls the collection, holding, processing or use of personal information, including a person or organization who instructs another person or organization to collect, hold, process, use, transfer or disclose personal information on his or her behalf.  
The term excludes:
  - (1) A person or organization who performs such functions as instructed by another person or organization; and
  - (2) An individual who collects, holds, processes or uses personal information in connection with the individual's personal, family or household affairs.
- j. Personal information processor - refers to any natural or juridical person qualified to act as such under this Act to whom a personal information controller may outsource the processing of personal data pertaining to a data subject. The LGU representative or personnel shall serve as the personal information processor.
- k. Privileged information - refers to any and all forms of data which under the Rules of Court and other pertinent laws constitute privileged communication.
- l. Processing - refers to any operation or any set of operations performed upon personal information including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data.
- m. Sensitive personal information - refers to personal information:
  - (1) About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;
  - (2) About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have



been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;

(3) 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

(4) Specifically established by an executive order or an act of Congress to be kept classified.

## Scope and Limitations

All public officials (whether elected or appointed), their staff and personnel of the City Government of Cagayan de Oro (whether permanent, casual, job order or contractual) shall comply with the terms set out in this Privacy Manual.

## Processing of Personal Data

### A. Collection

The LGU collects the basic contact information of Data Subjects including their full name, address, email address, contact number, together with the services that they would like to avail. The LGU front liner/representative attending to Data Subjects will collect such information through accomplished order forms. On-line applications may also be available in certain services. Consent of the Data Subject shall be obtained prior to processing of any personal data.

The LGU collects both personal information and sensitive personal information depending on the service availed by the LGU. The City government is gearing towards the digital transformation and mostly the services now are through the online services. Each online service has its own Data Privacy Notice for the notification on the processing of data submitted or collected from the online service.



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

**B. Use**

PRIMEHAT. The eight-point agenda of the City Mayor or the key reform agenda on the local governance that would best cater and serve the people of Cagayan de Oro. The personal information and the sensitive personal information collected by the system or by the personal information controller of the said service. The use of the personal information and the sensitive personal information is also being written in the data privacy notice of the online services.

Personal data collected shall be used by the LGU for documentation purposes, for purposes of health protocol tracking, monitoring of the implementation of services availed, and for the inventory of services rendered.

Aside from the certain service the data subject availed or subscribed, the personal information and the sensitive personal information will also be processed for the annual report of the City Government through the City Mayor's annual report for the transparency of the government transactions.

**C. Storage, Retention and Destruction**

The LGU will ensure that personal data under its custody are protected against any accidental or unlawful destruction, alteration and disclosure as well as against any other unlawful processing. The LGU will implement appropriate security measures in storing collected personal information depending on the nature of the information. Depending on the data stored the retention shall be subject to existing laws, rules and procedures, all information gathered shall not be retained for a period longer than one (1) year. After one (1) year, all hard and soft copies of personal information shall be disposed of and destroyed, through secured means..

Information systems or the online services database are being safeguard and managed by the City Management Information System Office. They are mandated to lead in the implementation of ICT programs and projects of the City Government and its respective offices. Data stored in the information systems database are not to be deleted but to be archived for future processes.



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

#### D. Access

Due to the sensitive and confidential nature of the personal data under the custody of the LGU, only the Data Subject and the authorized representative of the LGU shall be allowed to access such personal data for any lawful purpose except for those that are contrary to law, public policy, public order or morals including the exceptions provided under the DPA or its IRR or as provided for by law.

Access of information should be done by the personnel authorized to access and process personal data with permission and limitation depending on the role. In the information system, access to data is being given to a certain level of access through permission set by the information.

#### E. Disclosure and Sharing

All public officials (whether elected or appointed), their staff and personnel of the City Government of Cagayan de Oro (whether permanent, casual, job order or contractual shall maintain the confidentiality and secrecy of all personal data that come to their knowledge and possession, even after resignation, termination of contract, or other contractual relations. Personal data under the custody of the LGU shall be disclosed only pursuant to a lawful purpose, and to authorized recipients of such data especially if there is a Data Sharing Agreement duly entered into.

## Security Measures

### A. LGU Security Measures

#### 1. Data Protection Officer (DPO), or Compliance Officer for Privacy (COP)

The designated Data Protection Officer is **Atty. Reymond Q. Villablanca**, who is concurrently serving as the Assistant City Legal Office of the LGU. He may be reached thru Telephone No. (088) **857-2260** or thru email: **dpo.cdo@gmail.com** or you may visit or write him at the **City Legal Office, City Hall, Cagayan de Oro City**.



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

2. Functions of the DPO, COP and/or any other responsible personnel with similar functions

The Data Protection Officer and designated COP shall oversee the compliance of the LGU with the DPA, its IRR, and other related policies, including the conduct of a Privacy Impact Assessment, implementation of security measures, security incident and data breach protocol, and the inquiry and complaints procedure.

3. Conduct of trainings or seminars to keep personnel, especially the Data Protection Officer updated vis-à-vis developments in data privacy and security

The LGU shall sponsor a mandatory training on data privacy and security at least once a year for LGU representatives or personnel directly involved in the processing of personal data management. The LGU shall ensure their attendance and participation in relevant training and orientations, as often as necessary.

4. Conduct of Privacy Impact Assessment (PIA)

The organization shall conduct a Privacy Impact Assessment (PIA) relative to all activities, projects and systems involving the processing of personal data. It may choose to outsource the conduct a PIA to a third party.

5. Recording and documentation of activities carried out by the DPO/COP, or the LGU itself, to ensure compliance with the DPA, its IRR and other relevant policies.

The LGU shall record or document its activities related to the DPA, its IRR and other relevant policies.

6. Duty of Confidentiality

All LGU representatives or employees will be asked to sign a Non-Disclosure Undertaking/Agreement. All employees with access to personal data shall operate and hold personal data under strict confidentiality if the same is not intended for public disclosure.

7. Review of Privacy Manual



This Manual shall be reviewed and evaluated annually. Privacy and security policies and practices within the LGU shall be updated to remain consistent with current data privacy best practices.

## **B. Physical Security Measures**

### **1. Format of data to be collected**

Personal data in the custody of the LGU may be in digital/electronic format and paper-based/physical format.

If data is through an online service, data collected is through a registration or application form which primarily collects the full name of the client, home address, contact number, and birthday. Additional information is being stated in the Data Privacy Notice of the online service/information system.

### **2. Storage type and location (e.g. filing cabinets, electronic storage system, personal data room/separate room or part of an existing room)**

All personal data being processed by the LGU shall be stored in a data/record room where paper-based documents are kept in locked filing cabinets while the digital/electronic files are stored in computers, servers and/or storage devices provided and installed by the company.

The database servers of the information system are stored in the CMIS server that is protected with a firewall and security protocols. Unrecognized IP Addresses are blocked. Basic Personal information is also encrypted.

### **3. Access procedure of agency personnel**

Only authorized LGU representative or personnel shall be allowed inside the data/record room or to directly access the digital/electronic files stored in computers/devices provided and installed by the LGU. For this purpose, they shall each be given a duplicate key to the room/access code to the computers/devices. Other personnel may be granted access to the data/record room or computers/devices upon filing of an access request form with the Data Protection Officer/COP and the latter's approval thereof or pursuant to a DSA.





4. Monitoring and limitation of access to room or facility

All LGU representative or personnel authorized to enter and access the data room or facility or computer must fill out and register with the online registration platform of the LGU, and/or a logbook placed at the entrance of the room. They shall indicate the date, time, duration and purpose of each access.

The CMIS office's network team are always monitoring the access of the server, hence once detected that a certain malicious actions or access has been made, there is a technical actions will be done.

5. Design of office space/work station

The computers are positioned with considerable spaces between them to maintain privacy and protect the processing of personal data. In case of personal fill up of application, the LGU representative or personnel shall ensure the privacy of the Data Subject or that the document be away from prying eyes of third persons.

6. Persons involved in processing, and their duties and responsibilities

Persons involved in processing shall always maintain confidentiality and integrity of personal data. They are not allowed to bring their own gadgets or storage device of any form when entering the data storage room. They are also not allowed to take out the said data whether stored in a physical document or data storage device without the appropriate authority from the DPO/COP.

7. Modes of transfer of personal data within the LGU or to third parties

Personal or physical transfer of documents containing the personal data shall be prioritized whenever possible. Transfers of personal data via electronic mail shall use a secure email facility / storage device with encryption of the data, including any or all attachments. Facsimile technology shall not be used for transmitting documents containing personal data.

8. Retention and disposal procedure



Depending on the data stored the retention shall be subject to existing laws, rules and procedures, the LGU shall retain the personal data of a Data Subject for a period of one (1) year from the date of its processing. Upon expiration of such period or whenever the data is no longer necessary to be stored and kept, all physical and electronic copies of the personal data shall be destroyed and disposed of using secure technology or means..

### **C. Technical Security Measures**

#### **1. Monitoring for security breaches**

The LGU shall use an intrusion detection system to monitor security breaches and alert it of any attempt to interrupt or disturb the system.

#### **2. Security features of the software/s and application/s used**

The LGU shall first review and evaluate software applications before the installation thereof in its computers/devices to ensure the compatibility of security features with overall operations.

#### **3. Process for regularly testing, assessment and evaluation of effectiveness of security measures**

The LGU shall review security policies, conduct vulnerability assessments and perform penetration testing within the LGU on regular schedule (quarterly) to be prescribed by the appropriate department or unit.

#### **4. Encryption, authentication process, and other technical security measures that control and limit access to personal data**

Each LGU representative or personnel with access to personal data shall verify his or her identity using a secure encrypted link and multi-level authentication.



## Breach and Security Incidents

### 1. Creation of a Data Breach Response Team

A Data Breach Response Team (DBRT) shall be headed by the DPO and will be composed of the following as its members, the relevant COP as ex-officio, City Administrator, Human Resources Management Officer, City Legal Officer and the head of the City Management Information System. The DBRT shall be responsible for ensuring immediate action in the event of a security incident or personal data breach. The team shall conduct an initial assessment of the incident or breach in order to ascertain the nature and extent thereof. It shall also execute measures to mitigate the adverse effects of the incident or breach.

### 2. Measures to prevent and minimize occurrence of breach and security incidents

The LGU shall regularly conduct a Privacy Impact Assessment to identify risks in the processing system and monitor for security breaches and vulnerability scanning of computer networks. Personnel directly involved in the processing of personal data are mandated to attend trainings and seminars for capacity building. There must also be a periodic review of policies and procedures being implemented in the LGU.

### 3. Procedure for recovery and restoration of personal data

The LGU shall always maintain a backup file for all personal data under its custody. In the event of a security incident or data breach, it shall always compare the backup with the affected file to determine the presence of any inconsistencies or alterations resulting from the incident or breach.

### 4. Notification protocol

The DPO, in his/her capacity as the Head of the DBRT, shall inform the Department Head of the concerned Office of the need to notify the NPC and the Data Subjects affected by the incident or breach within the period prescribed by law. Thereafter, the Department Head of the concerned Office shall notify the DPO of their action taken and the response of the recipient of the notice within three (3) days therefrom.

### 5. Documentation and reporting procedure of security incidents or a personal data breach



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan  
deOro**  
city of golden friendship

The DBRT shall prepare a detailed documentation or report of every incident or breach encountered, as well as an annual report, to be submitted to the undersigned and the NPC, within the prescribed period.

## Inquiries and Complaints

Data subjects may inquire or request for information regarding any matter relating to the processing of their personal data under the custody of the LGU, including the data privacy and security policies implemented to ensure the protection of their personal data. They may write to the LGU at **dpo.cdo@gmail.com** and briefly discuss the inquiry, together with their contact details for reference.

Complaints shall be filed in three (3) printed copies, or sent to **dpo.cdo@gmail.com**. The concerned department or unit shall confirm with the complainant its receipt of the complaint.

## Effectivity

The provisions of this Manual are effective this 13 day of July, 2021, until revoked or amended.

## Annexes

1. Consent Form
2. Privacy Notice



Republic of the Philippines  
City of Cagayan de Oro  
**CITY ADMINISTRATOR'S OFFICE**

**cagayan**  
**deOro**  
city of golden friendship

Prepared by:

  
**ATTY. REYMOND Q. VILLABLANCA**

Data Protection Officer and Assistant City Legal Officer

APPROVED BY:

  
**TEODORO A. SABUGA-A, JR.**  
City Administrator