# FREEDOM OF INFORMATION PEOPLE'S MANUAL

(SANTA MARIA, PANGASINAN WATER DISTRICT)

# **Table of Contents**

# I. Overview

- 1. Purpose of the Manual
- 2. Structure of the Manual
- 3. Coverage of the Manual
- 4. Personnel Assistant and Complaint Desk
- 5. Administrative and General Services Division Head
- 6. General Manager
- 7. Board of Directors
- II. Definition of Terms
- III. Standard Operating Procedure
  - 1. Request for Information/Records
  - 2. Manner of Making Request
  - 3. Receipt of Request
  - 4. Period to Respond
  - 5. Transmittal of Request by the PACD to the Admin Head
  - 6. Transmittal of Request by the Admin Head to the GM
  - 7. Response on the Request
  - 8. Request Relates to More Than One Division
    - 8.1 Request Needs Clarification
  - 9. Approval of Request
  - 10. Denial of Request
  - 11. Requested Information is Substantially Similar or Identical to aPrevious Request
  - 12. Requested Information is Available On-Line
  - Requested Information is Not in the Custody of the Santa Maria Water District.
- IV. Remedies in Case of Denial
- V. Fees
- VI. Administrative Liability
  - 1. Non-compliance with FOI
- VII. FOI Officers
- VIII. Process Flow Chart and Work Instructions
- IX. ANNEXES

Annex "A" List of Exceptions

Annex "B" FOI Request Form

Annex "C" FOI Response Template-Completion of Form

Annex "D" FOI Response Template-Extension of Period

Annex "E" FOI Response Template-Clarification

Annex "F" FOI Response Template-Approval

Annex "G" FOI Response Template-Denial (contrary to law, rules and regulations)

Annex "H" FOI Response Template-Denial (falls under list of exceptions)

Annex "I" FOI Response Template-Similar to Previous Request

Annex "J" FOI Response Template-Available Online

Annex "K" FOI Response Template-Not in Custody (information with other government agency)

Annex "L" FOI Response Template-Not in Custody (information not with agency covered by E.O. No. 2)

### Overview

# 1. Purpose of the Manual

The purpose of this Freedom of Information People's Manual is to provide the process by which the Santa Maria Water District shall deal with Request of Information received under Executive Order No. 2, series 2016 on Freedom of Information issued by the Office of the President.

# 2. Structure of the Manual

This manual sets out the definition of terms, standard operating procedure, remedies, fees and administrative liability. It also provide for the relevant forms and other annexes.

# 3. Coverage of the Manual

This manual shall cover all request for information directed to the Santa Maria Water District, as follows

- a. Board of Directors
- b. Office of the General Manager
- c. Office of the Administrative and General Services Division
- d. Office of the Commercial and Finance Division
- e. Office of the Engineering, Construction and Water Services Division

# 4. Personnel Assistance and Complaint Desk (PACD)

For the purposes of the Manual the PACD shall be the FOI receiving officer, who is located in front of the SMWD's Office, He/she will assist the requesting party in filling out the request form and endorsed directly to the Administrative and General Services Division Manager.

# 5. Administrative and General Service Division Head

The Admin Head, if the documents is not in her position, will inform all Division on the request for information, she will request the concern Division to produce the documents and endorsed the same to the General Manager for evaluation.

# 6. General Manager

The General Manager will evaluate the request before recommending to the Board of Directors for approval or denial. The GM can seek the assistance of the Legal Counsel or from LWUA if the request is in conformance to the existing laws, rules and regulations.

# 7. Board of Directors

The Board of Directors will approve or deny the request in a form of a Resolution. If the request is denied the BOD will site in the Resolution the ground for denial and provide necessary laws, rules and regulations.

# II. Definition of Terms

INFORMATION – shall mean any records, documents, papers, reports, letters, contracts, minutes of board meetings and transcripts of official meetings, maps, plan, books, photographs, data, research materials, films, sound and video recording, magnetic or other tapes, electronic data, computer stored data, any other like or similar data or materials recorded, stored or archived in whatever format, whether offline and online, which are made, received, or kept in or under the control and custody of any government office pursuant to law, executive order, and rules and regulations or in connection with the performance or transaction of official business by any government office.

OFFICIAL RECORDS – shall refer to information produced or received by a public officer or employee or by a government office in an official capacity or pursuant to a public function or duty.

PUBLIC RECORDS – shall include information required by laws, executive orders, rules, or regulations to be entered, kept, and made publicly available by a government office.

PERSONAL INFORMATION – shall refer 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.

SENSITIVE PERSONAL INFORMATION – refers to personal information: (RA 10173)

- 1) About an individual's race, ethnic origin, marital status, age, color, and religious philosophical or political affiliations;
- About an individual's health, education, genetic or sexual life of a person, or to any proceedings for any offense committed or alleged to have committed by such person, the disposal of such proceedings or the sentence of any court in such proceedings;
- 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.

BOARD OF DIRECTORS – Board of Directors is the policy setting and legislative body of the WD. Ensures the availability of adequate financial resources and approves annual budget. The powers and duties of the Board shall be defined in Chapter V of PD 198.

GENERAL MANAGER – is an executive who has overall responsibility for managing all the elements of a Water District, usually oversees most or all of the District's functions as well as the day-to-day operations. Frequently, the General Manager is responsible for effective planning, delegating, coordinating, staffing, organizing, and decision making to attain desirable mission and vision of the Water District.

ADMINISTRATIVE AND GENERAL SERVICES DIVISION – Refers to human resource management, property management which will include inventory of all equipment and materials, utility services and other allied services.

COMMERCIAL AND FINANCE DIVISION – refers to the preparation of financial reports and supervision of all financial functions and administration of financial planning and control. This as well discusses the actions undertaken by the commercial to improve the marketing, billing and collection, including customer service rendering.

ENGINEERING, CONSTRUCTION AND WATER SERVICES DIVISION – The Division will tackle on its completed work orders on day to day operation, status of the uncompleted work orders, the new water service connection taped and metered and details of its regular maintenance activities. The water quality of the water supply, report on its water sources/pumping stations, production, maintenance orders, service requests, water potability and preventive maintenance of pumping equipment and water sources.

# III. Standard Operating Procedure

- 1. Request for Information: All requests for information shall:
  - a) Be in writing and be accomplished in the prescribed form of Santa Maria Water District; (Annex B)
  - Provide the full name and contact information of the requesting party including a valid government identification card with photograph and signature; and
  - c) Reasonably describe the information requested, and the reason for, or purpose of, the request for information.

The request for information shall be made available in the Santa Maria Water District office located in Poblacion West, Santa Maria, Pangasina and on the SMWD's website smwd-pangasinan.gov.ph.

If the PACD determines that the request is not complete, the PACD shall immediately return it and inform the requesting party to submit the complete form. (Annex B)

 Manner of Making Request: A request for information shall be made by the requesting party by delivering it personally to the Office of Santa Maria Water District located in Poblacion West, Santa Maria, Pangasinan or by sending it by mail <a href="mailto:smwd554\_1996@yahoo.com">smwd554\_1996@yahoo.com</a>.

> In case the requesting party is unable to make a written request because of illiteracy or disability, he or she may make an oral request and the PACD shall reduce it into writing. The requesting party shall sign the form.

Receipt of Request: A complete request for information shall be signed and stamped received by the PACD after it has been delivered to him/her by the personnel who actually received the request. The PACD shall indicate the date and time of receipt and the name, rank, title and position of the said personnel at the receiving station. (Annex C)

For email requests sent on a non-working day, and during nonworking hours, receipt shall be at the start of the working hours of the next working day. A confirmation email shall then be sent to the requesting party. For email requests to be considered received:

- 1) They must be sent to smwd554\_1996@yahoo.com; and
- 2) An acknowledgement email must be sent to the requesting party within 1 working day.

# 4. Period to Respond:

- 4.1 The Office of Santa Maria Water District shall respond to the requesting party within fifteen (15) working days from the date of receipt of the complete request for information/Records.
- 4.2 A working day is any day other than Saturday, Sunday, or a day which is declared a national public holiday in the Philippines. In computing for the period.

The date of receipt shall be:

- 1) The date when the request is physically delivered to the Office of Santa Maria Water District located in Poblacion West, Santa Maria, Pangasinan.
- The date when the request is received by mail by the Office of Santa Maria Water District; or
- 3) The date when the request is electronically received by the Office of Santa Maria Water District, provided that, when the request has been emailed to an employee of SMWD who is absent and this has generated an 'out of office' message with instructions on how to redirect the message to another contact, then it shall be the date when the request electronically delivered to that contact.
- 4.3 The period may be extended whenever the request requires extensive search of the records of the Office of Santa Maria Water District. The General Manager shall inform the requesting party of the extension, setting forth the reasons for such extension. (Annex D)
  - In no case shall the extension exceed fifteen (15) working days, unless exceptional circumstances warrant a longer period.
- 5. Transmittal of Request by the PACD to the Admin Head: The PACD shall forward the request for information to the Admin Head within the day from receipt. The PACD shall record the date and time and the name of the receiving person if in case the Admin Head is not in the Office for Official Business in a record book with the corresponding signature.

- 6. Transmittal of Request by the Admin Head to the GM: The Admin Head or her authorized representative shall forward the request for information to the GM together with the requested information within two days from receipt or when the request requires extensive search of the records of the Office of Santa Maria Water District an extended time shall be made. The General Manager shall inform the requesting party of the extension, setting forth the reasons for such extension. (Annex D)
- 7. Response on the Request: Upon receipt of the request for information from the Admin Head, the GM shall assess and evaluate the request before recommending to the Board for approval or denial. Response shall be relayed by the GM to the requesting party through its authorized representative, by mail or by email.
- 8. Request Relates to More Than One Division: If the GM needs details from different divisions, clarification from said divisions shall be made.
  - 8.1 Request Needs Clarification: If the GM needs further details to identify or locate the information, clarification from the requesting party shall be made. (Annex E)
    - This shall stop the running of the 15-day period, which will continue to run the day after the required details are received from the requesting party.
- 9. Approval of Request: The GM will present the request for information together with the requested documents/information to the Board of Directors. The board of Directors will approve or deny the request in a form of a Resolution. If the request is denied, the BOD will site in a Resolution the ground for denial and provide necessary laws, rules and regulations. The GM will notify the requesting party through its authorized representative in writing the decision of the BOD. (Annex F)
- 10. Denial of Request: No request shall be denied by the Board of Directors unless:
  - 10.1 The reason for the request is contrary to law or rules and regulations (Annex G); or
  - 10.2 The request falls under the exceptions under the Inventory of Exceptions issued by the Office of the President (Annex H). The GM shall notify the requesting party in writing through its authorized representative, clearly setting forth the ground for denial and the circumstances on which the denial is based.
- 11. Requested Information is Substantially Similar or Identical to a Previous Request: The Santa Maria Water District shall not be required to act if, upon determination by the General Manager, the requested information is substantially similar or identical to a previous request by the requesting

- party, whether the same has been granted or denied. The requesting party shall be advised accordingly. (Annex I)
- 12. Requested Information is Available On-Line: If the GM determines that the requested information is already available on the SMWD website, the requesting party shall be advised accordingly and provided with the website link where the information is posted. (Annex J)
- 13. Requested Information is not in the custody of Santa Maria Water District: If the GM determines that the requested information refers to another government agency, the requesting party shall be advised accordingly and coursed through the concerned government agency. (Annex K)
- 14. If the government agency is not within the coverage of E.O. No. 2, the requesting party shall be advised accordingly and provided with the contact details of that office, if known. (Annex L)

## IV. Remedies In Case of Denial

- 1. In case of denial of a request for information, the requesting party may appeal to the Board of Directors. The appeal shall be in writing, and shall be filed within fifteen (15) working days from the receipt of notice of denial or from the lapse of the period to respond to the request. The appeal shall be decided within fifteen (15) working days from receipt of the appeal.
- 2. Upon exhaustion of administrative appeal remedies, the requesting party may file the appropriate judicial action in accordance with the Rules of Court.

# V. Fees

The Santa Maria Water District will not charge any fee for accepting requests for information/Records.

## VI. Administrative Liability

- 1. Non-compliance with FOI: Failure to comply with the provisions of this Manual shall be a ground for the following Administrative penalties:
  - 1. 1st Offense Reprimand
  - 2. 2<sup>nd</sup> Offense Suspension of one day to thirty days
  - 3. 3<sup>rd</sup> Offense Suspension of one month to six months
  - 4. 4th Offense Dismissal from the service

## VII. FOI Officers

The names and contact details of the FOI Officers of the Santa Maria Water District are as follows:

Designation	Name	Telephone No.	Email Address
General Manager	Antonio N. Junio	0998 586 6340	smwd554_1996@yahoo.com
Administrative and General Services Division/Finance and Commercial Division Head (Data Protection Officer Designate)	Marjorie C. Ocampo	0998 594 7840	smwd554_1996@yahoo.com
Engineering, Construction and Water Services Division Head	Engr. Juanito M. Claro	0998 586 6342 0947 730 0855	smwd554_1996@yahoo.com
PACD	Kim S. Romero	0917 115 0793	smwd554_1996@yahoo.com
Board Secretary	Ferdinand C. Soriano	0977 836 5657	smwd554_1996@yahoo.com

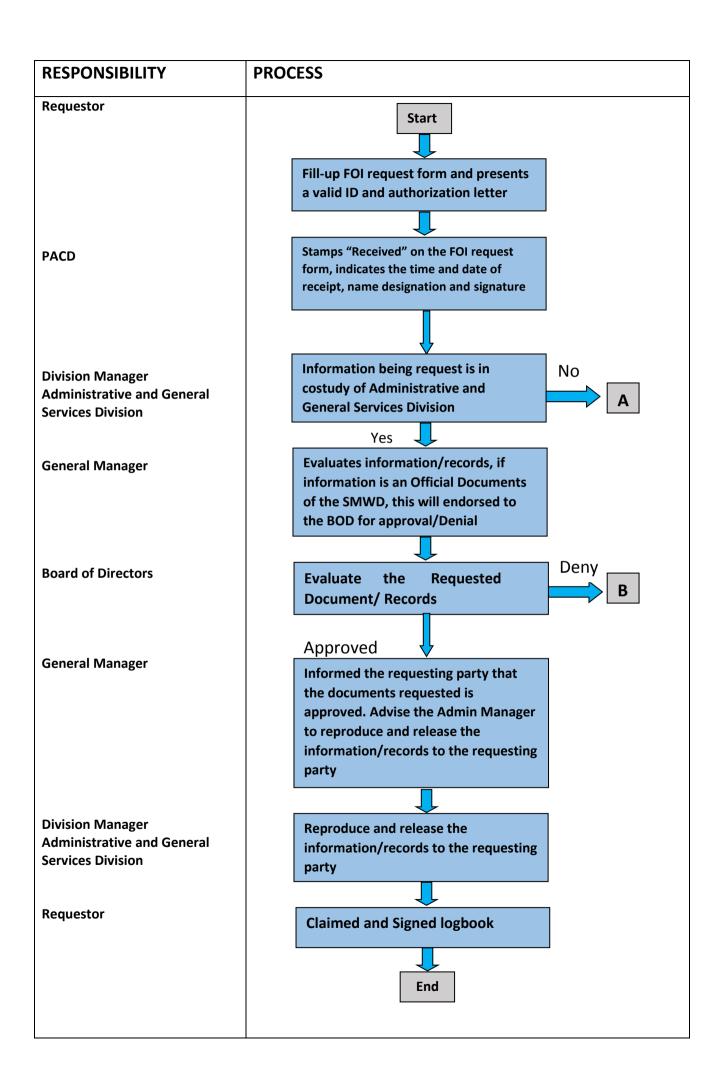
# VIII. Process Flow Chart and Work Instructions

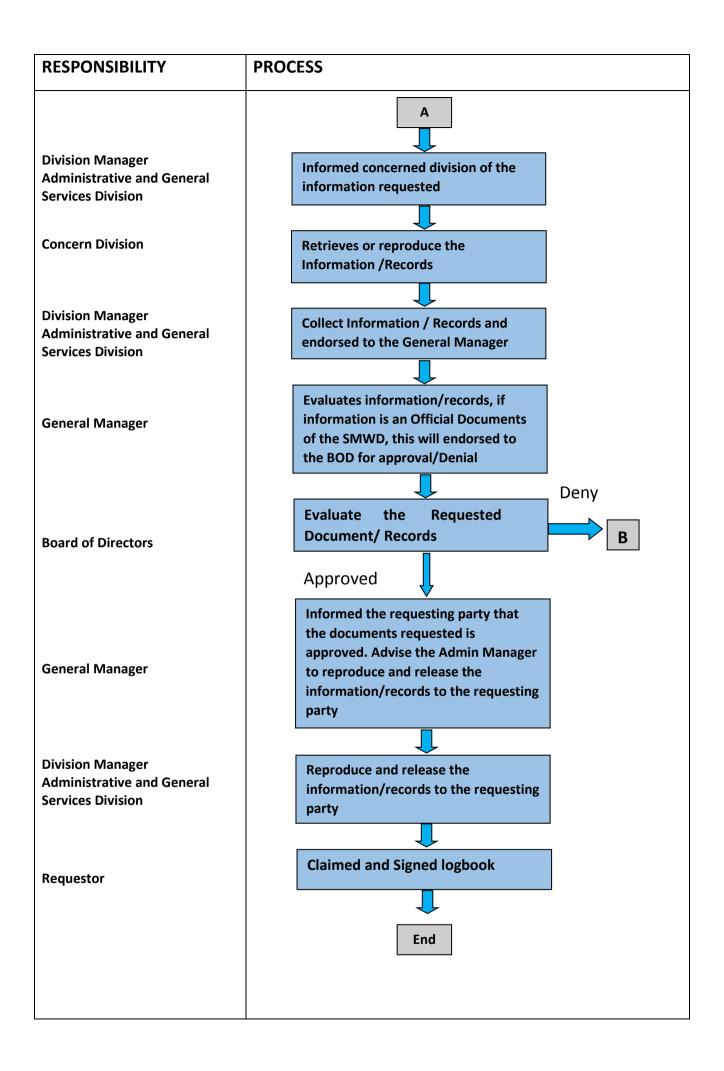
The procedure for Request for Information/Record covers the filling of request for information with the Santa Maria Water District (FOI Request Forms is available at the PACD located at the entrance of the SMWD's Office), receipt and evaluation of request, and approval/denial of request.

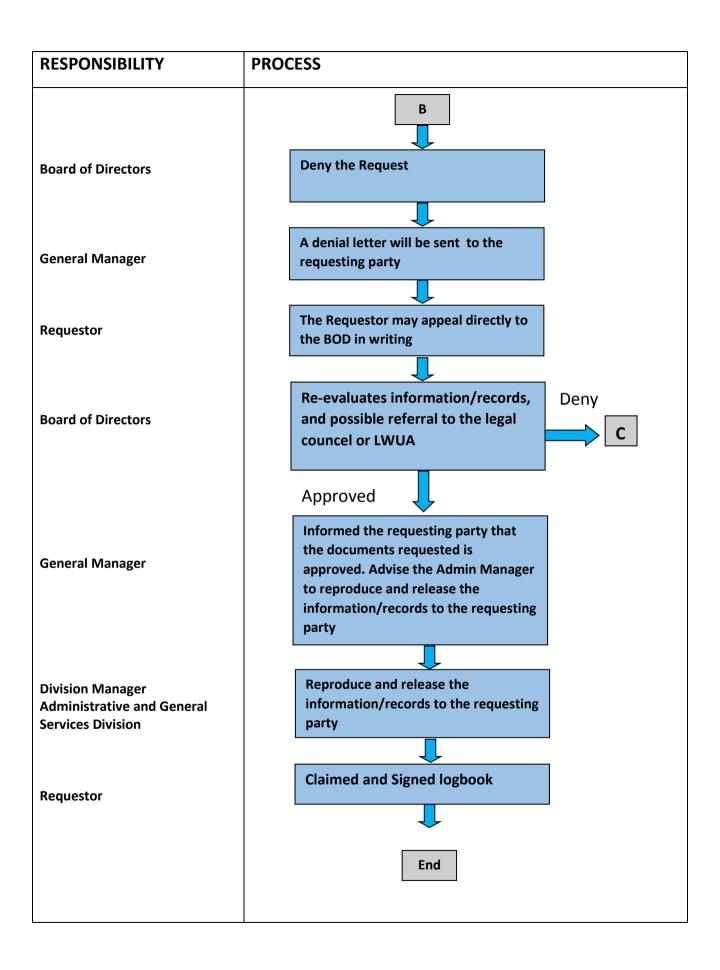
No Fees shall be collected from the requesting party.

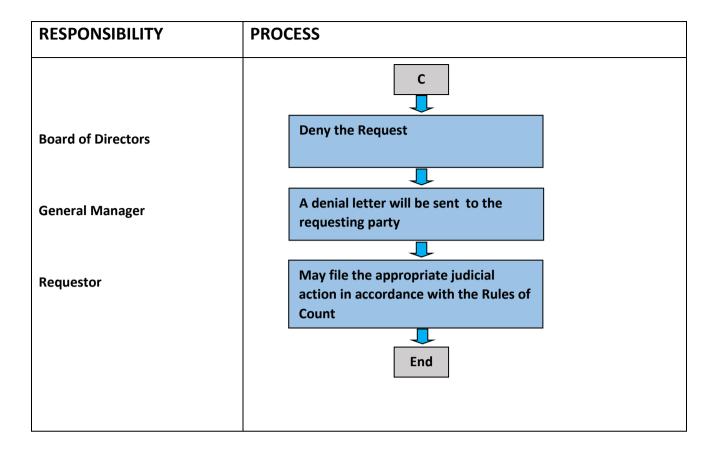
# Requirements:

- 1. Duly accomplished Request Form
- 2. Valid Identification Card
- 3. For representatives, an authorization letter and valid ID









IX. Santa Maria Water District FOI Annexes

ANNEX "A"
LIST OF EXCEPTIONS

## LIST OF EXCEPTION for FOI Manual

- The Santa Maria Water District shall deny access to information only when the information requested falls under any of the exceptions enshrined in the Constitution, existing laws or jurisprudence and specified in the inventory of exceptions as embodied in the Circular issued by the Office of the President pursuant to Section 4 of EO 2, s. 2016.
- 2. The requested information is not in the custody of Santa Maria Water District.
- 3. The requested information contains Sensitive Personal Information, unless authorized by the owner thereof.
- 4. The request is an unreasonable subsequent identical or substantially similar request from the same requesting party whose request has already been previously granted or denied by Santa Maria Water District.
- 5. Files and pending cases (Courts and Ombudsman)
- 6. 201 Files
- 7. Personnel Selection Board Documents
- 8. Statement of Assets, Liabilities and Net-Worth (SALN)

- 9. BAC Minutes of meetings, except Minutes of Opening of Bids, as provided under the last sentence 3<sup>rd</sup> Paragraph, Section 29, the 2016 Revised IRR, RA 9184, and only upon written request stating reasons therefor, and payment of minimal fee to recover cost of materials.
- 10. Abstract of Bids, except Abstract of Bids as Read, as provided under the last sentence, 3<sup>rd</sup> Paragraph, Section 29, the 2016 Revised IRR, RA 9184, and only upon written request stating reasons therefor, and payment of minimal fee to recover cost of materials.
- 11. TWG Recommendation, BAC Resolutions, and other Bidding Documents.
- 12. IPCR
- 13. Financial report not yet audited by COA
- 14. All reports not in the final form
- 15. Agenda, deliberations and minutes of the Board Meetings
- 16. Legal Opinions or comments rendered by the Legal Service

ANTONION. JUNIO

General Manager C

# ANNEX "B" FOI REQUEST FORM



# SANTA MARIA WATER DISTRICT

Poblacion West, Santa Maria, Pangasinan Tel./Fax No. (075) 632-4696/632-4697 Email add: smwd554\_1996@yahoo.com Visit our website: www.smwd-pangasinan.gov.ph

# FOI Request Form

Title of the Documents:	
Date:	
Purpose:	
	Contact Nos
Signature:	Contact Nos Date:
Address:	Proof of Identity:
How would you like to receive	e the information? (Pick-up, Mail or E-mail)
	Date/Time of Submission:
Type of Action conducted:	
Received by:	
Personnel Assis	stance and Complaint Desk (PACD)
Remarks:	

# ANNEX "C" FOI RESPONSE TEMPLATE – COMPLETION OF FORM



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
After processing your request, we found that you have failed to provide the following necessary details: For the processing of your request, please provide us with the necessary missing details.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "D" FOI RESPONSE TEMPLATE – EXTENSION OF PERIOD



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
Since your request requires extensive search of the records and facilities of the Santa Maria Water District or because of which is beyond our control, we are asking for an extension of 15 days in order to fully process your request.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "E" FOI RESPONSE TEMPLATE - CLARIFICATION



DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
In order to fully process your request, may we ask for the following clarificatory details:
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "F" FOI RESPONSE TEMPLATE – APPROVAL



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
Your FOI request is APPROVED. The Santa Maria Water District will forward the copies of all the requested information to you in accordance to the information you have stated in the FOI request form.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "G" FOI RESPONSE TEMPLATE – DENIAL (contrary to law, rules and regulations)



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
Your FOI request is DENIED because it is contrary to If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from the receipt of this letter to the Board of Directors of Santa Maria Water District.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "H" FOI RESPONSE TEMPLATE – DENIAL (falls under list of exceptions)



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
Your FOI request is DENIED because it falls under the list of exceptions, specifically  If you would like to appeal this denial, you may submit an appeal within fifteen (15) days from receipt of this letter to the Board of Directors of Santa Maria Water District.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "I" FOI RESPONSE TEMPLATE – SIMILAR TO PREVIOUS REQUEST



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
Since your requested information is substantially similar or identical to your previous request dated, the Santa Maria Water District shall not act upon your request. Please be guided accordingly.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "J" FOI RESPONSE TEMPLATE – AVAILABLE ONLINE



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
We would like to inform your requested information can be FOUND ONLINE at the website of the Santa Maria Water District. Your requested information can be found at the following link/s:
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "K" FOI RESPONSE TEMPLATE – NOT IN CUSTODY (information with other government agency)



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
We would like to inform you the Santa Maria Water District is NOT IN POSSESSION of the information you have requested. You may file a request to
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager

# ANNEX "L" FOI RESPONSE TEMPLATE – NOT IN CUSTODY (information not with agency covered by E.O. No. 2)



# SANTA MARIA WATER DISTRICT

DATE
Dear Mr./Mrs,
Greetings!
Thank you for your request dated under Executive Order No. 2 (s. 2016) on Freedom of Information in the Executive Branch.
Information Requested:
You asked for
Response to your request:
We would like to inform you the Santa Maria Water District is NOT IN POSSESSION of the information you have requested. You may file a request to which can properly process your request.
Thank you.
Respectfully yours,
ANTONIO N. JUNIO General Manager