

## ADMINISTRATIVE DIVISION POLICY ON THE DATA PRIVACY ACT OF 2012

ADMINISTRATIVE DIVISION APPROVAL MATRIX POLICY NO. ADM – DATA PRIVACY ACT	
Reviewed by:	Reviewed by:
Anna Katrina Venice L. Rodriguez, RN, MMHoA, C.H.A Administrative Division Head	
Approved by:	Approved by:
Jefferson R. Pagsisihan, MD, MHM Hospital Administrator	Ephraim Neal C. Orteza, MD, MHA Hospital Director
Date of Last Review: July 2018	

### OBJECTIVE:

To safeguard the fundamental human right of every individual to privacy while ensuring free flow of information for innovation, growth, and national development. These Rules also recognize the vital role of information and communications technology in nation-building and enforce the State's inherent obligation to ensure that personal data in information and communications systems in the government and in the private sector are secured and protected

### COVERAGE:

This policy covers all personnel of OSPAR.

### RESPONSIBILITIES:

- Review, approval, change and distribution of this policy shall follow regulations and procedures as defined in the Ospital ng Parañaque's Policies and Procedures on Control of Documents and Records.
- Ospital ng Parañaque shall formally document and control all procedures, policies, forms and diagrams in supportive participation of the Data Privacy Act (DPA) of 2012.
- Ospital ng Parañaque pledge to protect personal information

- Ospital ng Parañaque shall take steps to protect personal information from theft, loss or unauthorized access, copying, modification, use, disclosure or disposal.
- Ospital ng Parañaque shall take steps to ensure that anyone who performs services on Ospital ng Parañaque's behalf respects privacy rights and only uses or discloses personal information for permitted purposes.
- Ospital ng Parañaque shall promptly investigate all complaints regarding our compliance with the Data Privacy Act of 2012. All privacy complaints shall be treated in a confidential manner.

## **POLICY:**

1. The processing of personal data shall be allowed, subject to compliance with the requirements of the Act and other laws allowing disclosure of information to the public, and adherence to the principles of transparency, legitimate purpose, and proportionality.

- 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.
- Processing refers to any operation or set of operations performed upon Personal Data including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data. Processing may be performed through automated means, or manual processing, if the Personal Data are contained or are intended to be contained in a filing system.
- The processing of personal data shall adhere to the following general principles in the collection, processing, and retention of personal data:

A. Collection must be for a declared, specified, and legitimate purpose.

- (a) Consent is required prior to the collection and processing of personal data, subject to exemptions provided by the Act and other applicable laws and regulations. When consent is required, it must be time-bound in relation to the declared, specified and legitimate purpose. Consent given may be withdrawn.
- (b) The data subject must provide specific information regarding the purpose and extent of processing, including, where applicable, the automated processing of his or her personal data for profiling, or processing for direct marketing, and data sharing.
- (c) Purpose should be determined and declared before, or as soon as reasonably practicable, before collection.

- (d) Only personal data that is necessary and compatible with declared, specified, and legitimate purpose shall be collected.

B. Personal data shall be processed fairly and lawfully.

1. Processing shall uphold the rights of the data subject, including the right to refuse, withdraw consent, or object. It shall likewise be transparent, and allow the data subject sufficient information to know the nature and extent of processing.
2. Information provided to a data subject must always be in clear and plain language to ensure that they are easy to understand and access.
3. Processing must be in a manner compatible with declared, specified, and legitimate purpose.
4. Processed personal data should be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
5. Processing shall be undertaken in a manner that ensures appropriate privacy and security safeguards.

C. Processing should ensure data quality.

1. Personal data should be accurate and where necessary for declared, specified and legitimate purpose, kept up to date.
2. Inaccurate or incomplete data must be rectified, supplemented, destroyed or their further processing restricted.

D. Personal Data shall not be retained longer than necessary.

1.. Retention of personal data shall only for as long as necessary:

- (a) for the fulfillment of the declared, specified, and legitimate purpose, or when the processing relevant to the purpose has been terminated;
- (b) for the establishment, exercise or defense of legal claims; or
- (c) for legitimate business purposes, which must be consistent with standards followed by the applicable industry or approved by appropriate government agency.

2. Retention of personal data shall be allowed in cases provided by law.

3. Personal data shall be disposed or discarded in a secure manner that would prevent further processing, unauthorized access, or disclosure to any other party or the public, or prejudice the interests of the data subjects.

4. Any authorized further processing shall have adequate safeguards.

E. Personal data originally collected for a declared, specified, or legitimate purpose may be processed further for historical, statistical, or scientific purposes, and, in cases laid down in law, may be stored for longer periods, subject to implementation of the appropriate organizational, physical, and technical security measures required by the Act in order to safeguard the rights and freedoms of the data subject.

F. Personal data which is aggregated or kept in a form which does not permit identification of data subjects may be kept longer than necessary for the declared, specified, and legitimate purpose.

G. Personal data shall not be retained in perpetuity in contemplation of a possible future use yet to be determined.

## **PROCEDURE:**

### **ORGANIZATIONAL SECURITY MEASURES**

A. Data Protection Officer A Data Protection Officer (“DPO”) shall be appointed by the hospital and is responsible for ensuring the Company’s compliance with applicable laws and regulations for the protection of data privacy and security.

The functions and responsibilities of the DPO shall particularly include, among others:

- Monitoring the Company’s Personal Data Processing activities in order to ensure compliance with applicable Personal Data privacy laws and regulations, including the conduct of periodic internal audits and review to ensure that all the Hospital’s data privacy policies are adequately implemented by its employees and authorized agents.
- Acting as a liaison between the Company and the regulatory and accrediting bodies, and is in charge of the applicable registration, notification, and reportorial requirements mandated by the Data Privacy Act, as well any other applicable data privacy laws and regulations.
- Developing, establishing, and reviewing policies and procedures for the exercise by Data Subjects of their rights under the Data Privacy Act and other applicable laws and regulations on Personal Data privacy.
- Acting as the primary point of contact whom Data Subject may coordinate and consult with for all concerns relating to their Personal Data.
- Formulating capacity building, orientation, and training programs for employees, agents or representatives of the Company regarding Personal Data privacy and security policies.
- Preparing and filing the annual report of the summary of documented security incidents and Personal Data breaches, if any, as required under the Data Privacy Act, and of compliance with other requirements that may be provided in other issuances of the National Privacy Commission.

B. The DPO, with the cooperation of the Hospital's Human Resources department, shall develop and implement measures to ensure that all the Hospital's staff who have access to Personal Data will strictly process such data in compliance with the requirements of the Data Privacy Act and other applicable laws and regulations. These measures may include drafting new or updated relevant policies of the Hospital and conducting training programs to educate employees and agents on data privacy related concerns.

The DPO, with the assistance of Human Resource, shall ensure that Company shall obtain the employee's informed consent, evidenced by written, electronic or recorded means for:

- The Processing of his or her Personal Data, for purposes of maintaining the Hospital's records.
- A continuing obligation of confidentiality on the employee's part in connection with the Personal Data that he or she may encounter during the period of employment with the Hospital. This obligation shall apply even after the employee has left the Hospital for whatever reasons.

- Data Collection Procedures

The DPO, with the assistance of the Hospital's HR and any other departments of the Hospital responsible for the Processing of Personal Data, shall document the Company's Personal Data Processing procedures. The DPO shall ensure that such procedures are updated and that the consent of the Data Subjects (when required by the DPA or other applicable laws or regulations) is properly obtained and evidenced by written, electronic or recorded means. Such procedures shall also be regularly monitored, modified, and updated to ensure that the rights of the Data Subjects are respected, and that processing thereof is done fully in accordance with the DPA and other applicable laws and regulations.

- Data Retention Schedule Subject to applicable requirements of the DPA and other relevant laws and regulations, Personal Data shall not be retained by the Company for a period longer than necessary and/or proportionate to the purposes for which such data was collected. The DPO, with the assistance of the Hospital's HR and any other departments of the Company responsible for the Processing of Personal Data, shall be responsible for developing measures to determine the applicable data retention schedules, and procedures to allow for the withdrawal of previously given consent of the Data Subject, as well as to safeguard the destruction and disposal of such Personal Data in accordance with the DPA and other applicable laws and regulations.

- Data Sharing: Further Processing of Personal Data collected from a party other than the Data Subject shall be allowed under any of the following conditions:

- a. Data sharing shall be allowed when it is expressly authorized by law provided, that there are adequate safeguards for data privacy and security,

and processing adheres to principle of transparency, legitimate purpose and proportionality.

b. Data Sharing shall be allowed in the private sector if the data subject consents to data sharing, and the following conditions are complied with:

Consent for data sharing shall be required even when the data is to be shared with an affiliate or mother company, or similar relationships;

The data subject shall be provided with the following information prior to collection or before data is shared:

- (a) Identity of the personal information controllers or personal information processors that will be given access to the personal data;
- (b) Purpose of data sharing;
- (c) Categories of personal data concerned;
- (d) Intended recipients or categories of recipients of the personal data;
- (e) Existence of the rights of data subjects, including the right to access and correction, and the right to object;
- (f) Other information that would sufficiently notify the data subject of the nature and extent of data sharing and the manner of processing.

**Implementation Date:**

Implemented since 2018

**Schedule for Policy Review:**

Reviewed periodically as necessary

**Last Reviewed:**

July 2018

### **Acknowledgments:**

To all administrative staff and heads of their representative units from July **1978** to present;

To each and everyone who contributed, reviewed and validate every single detail in each policy and procedures.

And to all those have extended their help; our sincerest thanks.

### **Acknowledgments:**

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## **Administrative Services**

### **Administrative Division Heads:**

Anna Katrina Venice L. Rodriguez  
Dr. Jefferson R. Pagsisihan  
Teresita S. Jose  
Victorino A. Macob

2018 to Present  
2013 - 2018  
2004 to 2011  
1983 to 2004

Carolina James Aquino  
Noeli Q. Losa

1980 to 1983  
1978 to 1980

**Data Protection Officer:**

Dr. Jefferson R. Pagsisihan

2018 to Present

**Administrative Section Heads:**

Admitting section

Celestine T. Garcia

General Services

Communication

Josephine S. Pagsuyuin

Security

Joel R. Lombos

Transport

Marlorey D. Villamaria

WMO

Crisanta O. Cruz

Housekeeping Section

Crisanta O. Cruz

Linen Section

Carmelita D. Rodis

Maintenance Section

Quintin A. Opaco

Medical Records Section

Frederick C. Dacanay

Property Section

Dr. Ephraim Neal C. Orteza

**Special Acknowledgements**

Dr. Ephraim Neal C. Orteza

2013 - Present

Dr. Renato M. Bernabe

2010-2013

Dr. Ma. Loreleigh S. Obed

2002-2010

Dr. Ricardo S. Salazar

August-December 2002

Dr. Annabelle D. Valera

1998-2002

Dr. Cecilio J. Salazar

1995-1998

Dr. Rodolfo B. Punzalan

1991-1992

Dr. Arsenio G. Santiago

1986-1991

Dr. Renato M. Bernabe

1978-1986