

BENGUET ELECTRIC COOPERATIVE (BENECO)

DATA PRIVACY NOTICE

Approved by the Board of Directors (BOD)
through BOD Resolution No. ____, Series of 2022 dated _____

I. BACKGROUND

BENECO as a Distribution Utility

The Benguet Electric Cooperative (BENECO) is a duly organized electric distribution utility with the National Electrification Administration (NEA) with a franchise to exclusively operate in Baguio City and the thirteen municipalities of Benguet, namely Atok, Bakun, Bokod, Buguias, Kabayan, Kapangan, Kibungan, Itogon, La Trinidad, Mankayan, Sablan, Tuba and Tublay. It is also an electric cooperative registered with the Cooperative Development Authority (CDA). The main business process of BENECO starts from the time a member consumer applies for an electric service connection until such time that his or her house, building or establishment, is supplied with electricity following the installation of a kilowatt hour meter (kWh) meter. Along this process is a gamut of technical and support services the electric cooperative must hurdle to ensure customer satisfaction and compliance with regulatory requirements. The electric cooperative is also mandated to address the daily concerns of its member consumer owners through a continuous program of information, education and communication (IEC). BENECO also operates a 24/7 call center or consumer welfare desk to receive and reply to consumer requests and complaints.

These tasks necessarily require BENECO to collect and process personal information and sensitive personal information.

BENECO respects the privacy of its member consumer owners (MCOs) and values the confidentiality of all the personal information and sensitive personal information they furnish to BENECO in the course of the transactions that they will have with the electric cooperative. This is why BENECO has adopted and approved this Data Privacy Notice to inform our MCOs of the electric cooperative's efforts to comply with RA 10173 or the Data Privacy Act (DPA), its Implementing Rules and Regulations (IRR), and other relevant issuances of the National Privacy Commission (NPC). This Policy also encapsulates the privacy and data protection protocols that need to be observed and carried out within the electric cooperative to safeguard the privacy of its MCOs as data subjects.

Thus, to our MCOs, BENECO reiterates that as an electric cooperative, it respects and values your data privacy rights, and declares that all personal data collected from you, our clients and customers, are processed in adherence to the general principles of transparency, legitimate purpose, and proportionality. This Data Privacy Notice hall

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

Scope and Limitations

The scope of this Data Privacy Notice shall cover the personal information and sensitive personal information obtained by the electric cooperative or furnished by its Data Subjects -- the Member Consumer Owners (MCOs), employees and suppliers and contractors.

All personnel of BENEKO, regardless of the status of their employment or contractual arrangement, have been directed to comply with the terms set out in BENEKO's Data Privacy Manual and Data Privacy Notice.

Definition of Terms

For consistency and uniformity, the following terms shall be understood to mean as follows:

DATA SUBJECT	Refers to an individual (MCOs, officers, employees, consultants) whose personal, sensitive personal or privileged information is processed by BENEKO.
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.
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.
PRIVILEGED INFORMATION	Refers to any and all forms of data which under the Rules of Court and other pertinent laws constitute privileged communication.

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.
PERSONAL INFORMATION CONTROLLER	Refers to any personnel of BENEKO who controls the collection, holding, processing or use of personal information, including a person or officer of the organization who instructs a BENEKO employee to collect, hold, process, use, transfer or disclose personal information on his or her behalf.
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.

II. THE NEED TO COLLECT PERSONAL DATA

DATA SUBJECT	PURPOSE
Member Consumer Owners (MCOs)	For the processing of applications for service connection, change of account name, educational, senior citizen, death burial assistance, assistance through BENEKO's Corporate Social Responsibility Fund, and consumer complaints and requests.
Contractors and Suppliers	For accreditation and eligibility in project works and job orders; For accreditation and eligibility in procurement and bidding and contracts for supply of materials or services
Employees	For 201 files, loan applications and regulatory compliances. The 201 file, which is the personal file of the employees is a folder containing records about an employee's personal and sensitive personal information in document and electronic form.

III. PROCESSING OF PERSONAL DATA

Data Principles

BENEKO shall process data in accordance with the Data Privacy Act of 2012 (RA 10173) and its IRR and other issuances of the National Privacy Commission (NPC) and such other laws, rules and regulations related to data processing. The processing of data will strictly adhere to the generally accepted principles of TRANSPARENCY, LEGITIMATE PURPOSE and PROPORTIONALITY.

By TRANSPARENCY, it means that you, as Data Subject, must be made aware of the nature, purpose, and extent of the processing of his or her personal data, including the risks and

safeguards involved, the identity of personal information controller, his or her rights as a data subject, and how these can be exercised.

By LEGITIMATE PURPOSE, it means that the personal information that will be collected from you, as Data Subject, must be compatible with a declared and specified purpose which must not be contrary to law, morals, or public policy

By PROPORTIONALITY, it means that the collection and processing of information about you, as Data Subject, shall be adequate, relevant, suitable, necessary, and not excessive in relation to a declared and specified purpose.

IN CASE YOU, AS DATA SUBJECT, BELIEVES THAT THE PERSONAL DATA BEING COLLECTED AND PROCESSED BY BENECO VIOLATE THESE PRINCIPLES, YOU HAVE THE RIGHT TO FILE COMPLAINT PURSUANT TO THE DATA PRIVACY ACT (RA 10173).

Kinds of Personal Information Gathered

TYPE OF FORM	PERSONAL INFO GATHERED	TO WHOM THE DATA IS SHARED	PURPOSE
1. Membership Form	a. Name of Applicant b. Address c. Civil Status d. Date of Birth e. Name of Spouse f. Contact Number g. Profession h. Nature of Business i. TIN j. Email address k. Signature of the applicant	a. CDA b. CWO	Membership Records
2. Application for Change Name form	a. Name of the existing member b. Name of the applicant c. Account Number/s d. Signature of the applicant e. Contact Number	a. CWO	Billing and membership records
3. Application for Burial Assistance Form	a. Name of the deceased member b. Members ID No. c. Name of the applicant d. Account Number/s e. Signature of the applicant	a. CWO b. IAO c. OGM d. Accounting e. Collection	For recording and disbursement purpose

	f. Contact Number g. Relationship to the deceased member		
4. Application for Senior Discount	a. Account name b. Name of spouse c. Address d. Date of birth e. Place of birth f. Account number g. Meter No. h. BENEKO Id No. i. Signature of the applicant j. Contact Number k. OSCA id #	a. CWO b. MRBCD	Billing and records
5. Application for Correction of Data Entry form	a. Name of the Applicant b. Membership No c. Signature of the applicant d. Contact Number	a. CWO	Billing and records
6. Application for Long Time Disconnected Accounts	a. Name of the Applicant b. Address c. Account Number/s d. Signature of the applicant e. Contact Number	a. CWO b. SEMO	Billing and records
7. Job orders generated on CWMS	a. Name b. Address c. Contact Number d. Account Number/s	a. CWO b. MRBCD c. SEMO d. SPDO e. CMO	
8. Job Orders generated on OMS	a. Name b. Contact Number c. Address d. Landmark e. Account Number/s	a. CWO b. SCADA c. CMO	

Data Processing

BENEKO has seven major offices with defined functions – Network Services Department (NSD), Institutional Services Department (ISD), Non-Network Services Department (NNSD) Power Generation and Operations Department (PGOD); Internal Audit Office (IAO) and the Office of the General Manager (OGM). BENEKO'S IT Office, called the Management Information and Communication Services (MICS) is under the OGM. The personal data obtained will depend on the various processes each office is tasked to handle.

DEPT/ OFFICE	IDENTITY PROCESS	OF	SCOPE DATA GATHERED	OF	INFO STORAGE OR SYSTEM USED	TO WHOM IS THE DATA SHARED OR LINKED WITH
OGM	Compliance reports		Personal information		File	none
	Employees' medical result		Personal Information and Sensitive Personal Information		File	none
OGM- MICS	Data back and recovery		Personal information and sensitive personal information		3 rd party system	ASC, Billing, Collection, Accounting, Payroll, Warehouse
	Maintenance of computers, servers and data storage		Personal information and sensitive personal information		Job request	
IAO	Audit reports		Personal information		file	Accounting, Payroll, Warehouse
PGD	Preparation of contracts and agreements		Personal information			None
ISD	Consumer Education Information		Personal information		Zoom app	None
	Attendance/ registration for PMES (face to face)		Personal information		Attendance sheet	None
	External service providers		Personal information		file	Procurement system
	Recruitment and Selection – 201 files		Personal information and sensitive personal information		file	Payroll system
	Legal Communication		Personal information		file	none
NNSD	Collection of power bill and other payments		Personal information and sensitive personal information		Collection system	Meter Reading/COMS billing/Android app system
	Handling of membership records		Personal information		Membership system	ASC, CWMS
	Handling of consumer feedback		Personal information		Survey form	zimbra
	Printing of share capital certificates		Personal information		Tagging and printing of certificates	CWMS

	Handling of consumer requests	Personal information	SCD, CDE, COAN, Job order	CWMS/Billing
NSD	Electric pilferage	Personal information	Anti-pilferage form	none
	ASC processing	Personal information	ASC form/ASC system	Billings system/OMS
	Consumer requests related to billing and meter	Personal information	Billing system	ASC system
	Distribution system and planning design	Personal information	Contracts	GIS database
	Operations and Maintenance of Distribution system	Personal information	File	Billing system
	Accident report	Personal information	File	Zimbra/OMS

A. Access to Personal Data

Due to the sensitive and confidential nature of the personal data under the custody of BENECCO, only the authorized representative of the company shall be allowed to access such personal data, for any purpose, except for those contrary to law, public policy, public order or morals.

B. Disclosure and Sharing

It is the policy of BENECCO that all employees and personnel 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 BENECCO shall be disclosed only pursuant to a lawful purpose and only to authorized recipients of such data.

C. Storage, Retention and Destruction

BENECCO ensures that all the personal data (stored in hard copies/ copies of documents and soft copy/e copy) under its custody shall be well protected against any accidental or unlawful destruction, alteration and disclosure as well as against any unlawful processing. BENECCO has adopted security measures in storing collected personal information. All information gathered shall be retained pursuant to BENECCO's ISO QMS Manual

IV. SECURITY MEASURES

BENECCO has installed security measures to maintain the availability, integrity and confidentiality of personal data to the human dangers of avoid any data breach, unlawful access and disclosure, fraudulent misuse, unlawful destruction, alteration and contamination; and against natural dangers such as accidental loss or destruction.

A. BENECCO Organization Security Measures

DATA PROTECTION OFFICER (DPO)	
ATTY. DELMAR O. CARINO Corporate Legal Counsel and Department Manager Institutional Services Department (ISD)	Ensures the adoption and implementation of the Data Privacy Act in BENEKO and the cascading of data privacy to the Board of Directors, Department Managers, Supervisors, Process Owners and other key officers of the electric cooperative. Serves as BENEKO's spokesperson and focal person for DPA concerns and issues and oversees the compliance of the organization 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.
COMPLIANCE OFFICERS FOR PRIVACY (COPs)	
ENGR. RODOLFO BALAG-EY JR. Supervisor General Services Office Compliance Officer for Privacy (COP)	Oversees the compliance of the organization 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.
VIDAL BADIVAL JR., CPA Supervisor Meter Reading, Billing, Collection and Disconnection Office Non-Network Services Department (NNSD)	Oversees the compliance of the organization 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. CARINO, BALAG-EY and BADIVAL JR. have passed the examination of the DPA given by the NPC and are accredited as Data Compliance Officers
DPA RECORDS OFFICER AND DPA TRAINING OFFICER	
AILENE ALAFAG	She is BENEKO's Document

Human Resources Officer Institutional Services Department	Controller for its QMS Manual for the ISO. She will also act as the DPA Records Officer. Part of her tasks as HRO is the preparation of an annual training plan (ATP) for the organization. She has included in the ATP trainings for the DPA.
TRAININGS AND SEMINARS	BENECO will conduct trainings or seminars to keep personnel, especially the DPO and the COPs, updated on the latest trends and developments in data privacy and security. Training of at least twice a year.
RECORDING AND DOCUMENTATION OF ACTIVITIES CARRIED OUT BY THE DPO OR THE ORGANIZATION ITSELF,	The recording will be led by the DPA Records Officer to ensure compliance with the DPA, its IRR and other relevant policies.
CONDUCT OF PRIVACY IMPACT ASSESSMENT (PIA)	BENECO already conducted is PIA on June 23-24, 2022.
PREPARATION OF A DATA PRIVACY MANUAL AND/OR DATA PRIVACY NOTICE	This document is BENECO's Data Privacy Manual/Data Privacy Manual which shall be reviewed from time to time including the revision and update of policies and practices to remain consistent with current data privacy best practices.

B. Adherence to Confidentiality

All employees who acquire, record, store and have access to personal information of BENECO's Data Subjects will be asked to sign a Non-Disclosure Agreement that will declare that they shall operate and hold personal data under strict confidentiality and that they will not allow public disclosure of such personal information subject to the electric cooperative's policy on disclosure.

C. Physical and Technical Security Measures

Format of Data Collected	Type of Storage	Procedure of Access	Security
Paper Based or Physical Document	Filing Cabinets	Only the authorized personnel who is in custody of the physical file shall be allowed access	CCTVs Permission to work overtime beyond 5PM or work on a Saturday,

			Sunday or holiday
Digital or Electronic Format	Electronic Storage System	Only authorized personnel shall be allowed access	CCTVs Permission to work overtime beyond 5PM or work on a Saturday, Sunday or holiday
			<p>(1)Regular Password Changes. Regular password changes to all of our servers ensures that a compromised server due to a leaked password will not affect all the other servers. Thus ensuring that only one server is compromised.</p> <p>(2)Purchase of Firewall.Firewalls are integral to any corporate networks. They manage said networks, as well as prevent hacking from outside our network and continuously protects users and data. Firewalls also restricts unnecessary traffic, such as torrents, which is the usual culprit in slow Internet connection. They also prevent users from visiting prohibited sites as defined in any Internet usage manuals.</p> <p>(3)Monthly Systems Logs Audit. Systems logs audit consists of reviewing two log files. A systems log which</p>

			<p>lists down all important events that has happened in an operating system. This is crucial in determining failing hardware and software so the system administrator could act on it as soon as possible. The second log file for review is the authorization log, which contains user logins and authentication mechanism that were used. They also consist of which commands were issued as administrator that affects the whole server.</p>
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V.PROTOCOL FOR BREACH INCIDENTS

(1)For Electronic Storage

The Management Information and Communications Services (MICS) under the Office of the OGM shall be BENEKO's data breach response team for unlawful access into personal information stored electronically. The MICS 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.

The MICS 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.

The MICS shall inform the management of the need to notify the NPC and the data subjects affected by the incident or breach within the period prescribed by law. Management may decide to delegate the actual notification to the MICS or Data Protection Officer.

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

(2)For Physical Storage

The concerned department must immediately report to the Data Protection Officer (DPO) any breach on the physical files or documents that contain personal information (theft, malicious mischief, lost records, damaged and destroyed records) for his/her appropriated action copy furnish the management.

The DPO shall inform or advise management of the need to notify the NPC and the data subjects affected by the incident or breach within the period prescribed by law. The DPO shall immediately conduct an inspection and evaluation of the breach and should there be prima facie evidence of employee negligence or willful act, the report must be immediately forwarded to the Administrative Panel for appropriate action pursuant to the BENEKO Employee Code of Ethics and Discipline.

V.RIGHT TO INQUIRE, COMPLAINT OR ACCESS TO PERSONAL DATA.

Every Data Subject whose personal information is acquired and stored by BENEKO has the following rights:

(1)**Right to be informed.** This means that the data subject has the right to know when his or her personal data shall be, are being, or have been processed. Collection and processing of data without the data subject's knowledge and explicit consent is made unlawful, and entities in possession of personal data is obligated to inform the data subject of any breaches or compromises in their data.

(2)**Right to access.** This involves being able to compel any entity possessing any personal data to provide the data subject with a description of such data in its possession, as well as the purposes for which they are to be or are being processed. Furthermore, other details regarding the processing of their information may be obtained, such as the period for which the information will be stored, and the recipients to whom the information may be disclosed. This must be complied with in an easy-to-access format, accompanied by a description in plain language.

(3)**Right to object.** This means that the consent of the data subject be secured in the collecting and processing of his or her data. It grants the data subject the choice of refusing to consent, as well as the choice to *withdraw* consent, as regards collection and processing. As earlier stated, any activity involving a data subject's personal data without his or her consent is deemed illegal.

(4)**Right to erasure or blocking .** This allows the data subject to suspend, withdraw or order the blocking, removal, destruction of his or her personal information from the personal information controller's filing system upon discovery and substantial proof that the personal information are incomplete, outdated, false, unlawfully obtained, used for unauthorized purposes or are no longer necessary for the purposes for which they were collected.

(5)**Right to rectify.** This allows the data subject to dispute any inaccuracy or error in the personal information processed, and to have the personal information controller correct it immediately. In line with this, the personal information controller must ensure that the new and the retracted information will be accessible, and that third parties who received the erroneous data will be informed, upon the request of the data subject.

(6)**Right to Portability.** This enables the data subject to obtain and electronically move, copy, or transfer personal data for further use. This also carries out another policy behind the law—ensuring the free flow of personal information.

(7)**Right to file a complaint.** The data subject can file a protest before the **National Privacy Commission**. This affords a remedy to any data subject who feels that his or her personal information has been misused, maliciously disclosed, or improperly disposed or in case of any violation of his or her data privacy rights.

(8)**Right to damages.** This entitles the aggrieved data subject to be indemnified for any damages sustained due to inaccurate, incomplete, outdated, false, unlawfully obtained or unauthorized use of his or her personal information.

INQUIRIES AND COMPLAINTS

Data Subjects can write BENEKO and personally deliver the same to the Consumer Welfare Office of BENEKO at No. 4, Barangay South Drive, Baguio City or email us at ogmbeneco@gmail.com or isd@beneco.com.ph

V.EFFECTIVITY

The provisions of this Manual are effective this 22nd day of September, 2022 until revoked or amended by BENEKO through a Board Resolution.

Annexes

Document	Purpose
Board of Directors (BOD) Resolution No. 2022 – 150, Series of 2022 dated September 22, 2022	Approval of (1) BENEKO's Compliance to the Data Privacy Act; (2) Designation of BENEKO's Data Privacy Officer and Compliance Privacy Officers; and (3) Approval of the Data Privacy Manual and Data Privacy Notice
BENEKO Data Privacy Notice	This contains the electric cooperative's notice to all its clients, member consumers and Data Subjects to inform them that BENEKO adheres to the Data Privacy Act.
Non- Disclosure Agreement (NDA)	Executed by BENEKO PICs to ensure

	the confidentiality of the personal information they collect and gather
Conformity to Data Privacy	Signed by BENEKO's member consumers to secure their consent in providing personal information
Data Privacy Statement	A general information posted in strategic locations of BENEKO to inform its clients about BENEKO's adherence to the Data Privacy Act