



GCG MEMORANDUM CIRCULAR NO. 2014 – 04

SUBJECT: WHISTLEBLOWING POLICY FOR THE GOCC SECTOR

DATE : 14 April 2014

1. **STATEMENT OF POLICY.** – It is the State's policy that the governance of GOCCs shall be carried out in a transparent, responsible and accountable manner and with the utmost degree of professionalism and effectiveness.¹ Furthermore, the Governing Boards of every GOCC and its subsidiaries must be competent to carry out the GOCCs functions, be fully accountable to the State as its fiduciaries, and act in the best interest of the GOCC and the State.²

GOCCs, acting through their Governing Boards and duly authorized Officers and Employees, shall conduct the affairs, operations and business of the GOCC in full compliance with applicable laws, rules, regulations. As public officers, all GOCC Directors/Trustees, Officers and Employees, as well as Officers and Employees of the Governance Commission, must exemplify the behaviour and professional demeanor consistent with such laws, rules, regulations, policies and procedures of the highest standard.

2. **BACKGROUND AND PURPOSE.** – The purpose of this Whistleblowing Policy (Policy) is to enable any concerned individual to report and provide information, anonymously if he/she wishes, and even testify on matters involving the actions or omissions of the Directors/Trustees, Officers, and Employees of GOCCs, as well as of the Chairman, Commissioners, Officers and Employees of the Governance Commission, that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to the GOCC and/or the Government.

All persons, stakeholders, and institutions concerned are encouraged and empowered, through this Policy, to report to the Governance Commission, using the modes and procedures herein established, any and all issues and concerns respecting the aforementioned actions or omissions.

3. **COVERAGE.** – This Policy shall be applicable to all GOCCs, GFIs, GICPs/GCEs, including their Subsidiaries and Affiliates, which are covered by the provisions of Republic Act (R.A.) No. 10149 and are subject to the regulatory jurisdiction of the Governance Commission.

¹R.A. No. 10149, Sec. 2(c).

²R.A. No. 10149, Sec. 2(e).

The Governance Commission, its officers, and employees, including workers under Contracts of Service and Consultancy Agreements, shall likewise be covered by this Policy.

4. DEFINITIONS OF TERMS. –

- (a) **GOCC Integrity Monitoring Committee (GIMC)** – refers to the Committee tasked with handling the implementation of this Policy.
- (b) **GCG or the Governance Commission** – refers to the Governance Commission for GOCCs (GCG);
- (c) **Management Committee (MANCOM)** – refers to the GCG Committee, which manages the daily operations of the Governance Commission, composed of the Chairman and his Head Executive Assistant (HEA), the Appointive Commissioners and their HEAs, the General Counsel, the Director for the Corporate Standards Office (CSO) and the Director for Administration and Finance (AFO). The Mancom reports directly to the GCG Commission *En Banc*.
- (d) **Reportable Conditions** – Matters that may be brought to the attention of the GCG through this Policy as enumerated in *Section 6.1 below*.
- (e) **Reporting Channels** – can be any of the following: (1) GCG Website; (2) Face-to-face meetings; (3) E-mail; (4) Mail; (5) Telephone, and; (6) Fax.
- (f) **Respondent**. – the person who is the subject of a report filed with the GCG pursuant to this Policy;
- (g) **Retaliation Actions** – actions carried out by a Respondent in retaliation against a Whistleblower, such as, but not limited to, discrimination or harassment in the GOCC workplace carried out by a respondent officer against a whistleblowing employee;
- (h) **Whistleblower** – a person who reports a Reportable Condition to the Governance Commission through this Policy.
- (i) **Whistleblowing Report (WR)** – refers to a complaint filed by a Whistleblower about a Reportable Condition.

5. THE GOCC INTEGRITY MONITORING COMMITTEE. – The GIMC shall be composed of the following:

- (a) General Counsel as Chairman;
- (b) HEA of the Chairman of the Governance Commission as Vice Chairman;
- (c) Division Chief of the Management Information System (MIS);
- (d) Two (2) Lawyers from the Office of the General Counsel;