



Republic of the Philippines
Department of Education

JAN 31 2024

DepEd MEMORANDUM
No. **006**, s. 2024

**REITERATION OF THE FREEDOM OF INFORMATION (FOI) -MEMORANDUM
CIRCULAR NO. 21-05 OTHERWISE KNOWN AS THE
NO WRONG DOOR POLICY FOR FOI**

To: Undersecretaries
Assistant Secretaries
Minister, Basic, Higher, and Technical Education, BARMM
Bureau and Service Directors
Regional Directors
Schools Division Superintendents
Public Elementary and Secondary School Heads
All Others Concerned

1. Pursuant to Executive Order (EO) No. 2 dated July 23, 2016 titled **Operationalizing on the Executive Branch the People's Constitutional Right to Information and the State Policies of Full Public Disclosure and Transparency in Public Service and Providing Guidelines Therefor**, Republic Act (RA) No. 11032 titled **Ease of Doing Business and Efficient Government Service Delivery Act of 2018**, and RA 10173 titled **Data Privacy Act of 2012**, the Department of Education (DepEd) issued DepEd Order (DO) No. 19, s. 2021 titled **Revised DepEd People's Freedom of Information Manual and Implementing Details**.

2. The Presidential Communications Office (formerly Presidential Communications Operations Office) designated under Memorandum Order (MO) No. 02, s. 2016 as the lead agency in the implementation of EO 2, s. 2016 issued the FOI-MC-No. 21-05 titled **Guidelines on the Referral of Requested Information, Official Record/s and Public Record/s to the Appropriate Government Agencies Otherwise Known as the "No Wrong Door Policy for FOI."** The latter aims to break the prevailing **silos system** and lack of interconnection among agencies, as well as provides the **No Wrong Door Policy for FOI and Flowchart** entailing the referral process of any requested information, official record/s, or public record/s to the appropriate government agency by another agency.

3. Pending the updating of the provisions of DO 19, s. 2021 for the inclusion of new issuances related to the implementation of the FOI, the Department, through this Memorandum reiterates the provisions of FOI-MC-21-05. Hence, all FOI Receiving Officers (FROs), FOI Decision Makers (FDM), and concerned personnel on releasing information across all levels of governance shall adhere to and implement the provisions of the **No Wrong Door Policy for FOI**.

4. Likewise, all concerned personnel shall be guided accordingly of Sec. 4 of FOI-MC-21-05 on the acceptance of request and Sec. 5 of the same Memorandum Circular on the process of referral of any requested information not within the possession of the Department to the appropriate government agency, to wit:

Section 4. Acceptance of request. – As a general rule, all fully compliant requests for information shall be accepted by the FOI Receiving Officer (FRO) and FOI Decision Maker (FDM). No request for information shall be denied or refused acceptance by a government office unless the reason for the request is contrary to the Constitution, pertinent laws, existing rules and regulations, or it is one of the exceptions provided under the Inventory of Exceptions.

Section 5. Process of Referral. – When the requested information is not in the possession of a government agency (government agency no. 1 or GA1), but is available in another government agency (government agency no. 2 or GA2) under the Executive Branch, the request shall be immediately referred by GA1 to GA2 through the most expeditious manner but not exceeding three (3) working days from the receipt of the request. This shall be considered as the “First Referral” and a fresh period will apply.

Referral to the appropriate government agency shall mean that another government office is the proper repository or custodian of the requested information or records or have control over the said information or records.

If GA1 fails to refer the request within three (3) working days upon its receipt, the FRO shall act on it within the remaining period to respond pursuant to EO No. 02, s. 2016. No fresh period shall apply.

If GA1, in good faith, erroneously referred the request to GA2, the latter shall immediately notify the former as well as the requesting party, that the information requested is not available in their agency.

GA2, to whom the request was referred under the First Referral may subsequently refer the request to another government agency (government agency no. 3 or GA3) under the procedure set forth in the first paragraph of this Section. This shall be considered as the “Second Referral” and another fresh period shall apply.

Referrals under this Order shall only be limited to two (2) subsequent transfers of request. A written or email acknowledgement of the referral shall be made by the FRO of the government agency where it was referred.

The requesting party shall be notified of the referral and must be provided with the reason or rationale thereof, and contact details of the government office where the request was referred.”

5. For more information, please contact the **Public Assistance Action Center (PAAC)**, Unit M-106-A, G/F, Mabini Bldg., DepEd Complex, Meralco Ave., Pasig City through the email address depedactioncenter@deped.gov.ph.

6. Immediate dissemination of this Memorandum is desired.

By Authority of the Secretary:


ATTY. MICHAEL WESLEY T. POA
Undersecretary and Chief of Staff

Reference:

None

To be indicated in the Perpetual Index
under the following subjects:

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WNBO, APA, MPC, DM Reiteration of the FOI Memorandum Circular No. 21-5 Otherwise Known as the No Wrong Door Policy for FOI
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