



11 February 2019

ADVISORY OPINION

Reference No. DPO 19-03

FOR : **[Redacted]**
[Redacted]
[Redacted]

SUBJECT : **Requested Information for [Redacted] Nominations**

Dear [Redacted]:

We received your request for advice on how to handle the request of [Redacted] Honor Society as detailed in your letter.

You are correct in your observation that the nomination procedure of [Redacted] is unusual in that it is the [Redacted] Office who sends nominations directly to [Redacted] rather than the student nominating themselves and submitting documents certified by the [Redacted] which would indicate that the student meets the criteria.

Your data privacy concern is also valid because the requested information are *educational information* which is classified as **sensitive personal information**¹ by the Data Privacy Act. Sensitive personal information may not be disclosed save for the six (6) stringent exceptions under the law.² [Redacted] purpose for requesting the information is not among these six (6) stringent exceptions.

We understand that we can provide valuable service to our students by helping them get recognized by institutions such as [Redacted]. However, we should be careful to not excessively expend our publicly-funded manpower and resources to perform work on behalf of [Redacted]. As you noted, it would be difficult if we are the ones to obtain the consent of numerous students (more than 600 for category 2 alone) for [Redacted].

We suggest the following courses of action:

1. [Redacted] writes to the top ten (10) students of each category to obtain the release of the information requested by [Redacted];
2. [Redacted] writes to [Redacted] explaining that we are still obtaining the *express, written and prior* consent of the top ten (10) students per category because the requested information are protected by the Data Privacy Act. Particularly, educational information are *sensitive* personal information. We cannot obtain the consent of all students because of its operational infeasibility; and

¹ Data Privacy Act of 2012, Section 3(I).

² *Idem*, Section 13.

3. Suggest to [Redacted] that next year, perhaps it can release public announcements for students to nominate themselves so that the burden of submitting information is not shifted to [Redacted] which cannot expend too much its publicly-funded manpower and resources to do work for [Redacted].

Please do not hesitate to reach out for clarifications or additional concerns.

Thank you.

Elson Manahan
Data Protection Officer
University of the Philippines Diliman