

## DATA PRIVACY CONSULTANCY SERVICES

### TERMS OF REFERENCE

#### I. PROJECT DESCRIPTION

The project aims to engage the services of a Consultant to assist the agency in complying with the requirements of the Data Privacy Act by assessing the agency's processes, systems, technology, and other information systems that may be deemed vulnerable and may contribute risk to the implementation of data protection and security. The project will involve the establishment of a Privacy Management Program, the creation of a Data Privacy Manual as well as the provision of capacity training and seminars, documentation, risk assessment, and recommendation that will improve the agency's security and protection.

#### II. OBJECTIVES

This project aims the following:

1. To establish policy, guidelines, and standards to govern the Data Privacy Governance
2. To assess and make necessary recommendations on the existing system of the agency particularly on the systems and processes involving data collection
3. To formulate a Data Privacy Manual
4. To ensure compliance with applicable laws and regulations on data privacy

#### III. SCOPE OF WORK/SERVICES

	Scope of Works/Services	Description /Output
1	Kick-off Meeting, presentation of Project Management Implementation Plan	Provide an Implementation Plan on how to accomplish the project, which includes process, timelines and outputs
2	Establishment of a Data Privacy Management Program	Must provide technical assistance in the formulation of Data Privacy Management Program compliant with the Data Privacy Act
3	Evaluation and assessment of the current systems involving data collection vis-à-vis its compliance with the Data Privacy Act	Must assess and evaluate the procedures, personal data collected, and system being used by the agency  Provide recommendations to enhance data protection and security of the systems and procedures  Identification of Company's Data Processing and Life Cycle, Inventory of Data Processing Activities
4	Facilitate the conduct of Data Privacy Awareness through orientation, training, seminars	Conduct Awareness Seminar Program to DOT employees

5	Conduct of Privacy Impact Assessment, Formulation and Approval of PIA Report	<p>Must be able to accomplish and/or improve the organization's existing Personal Data Inventory</p> <p>Assess the Data Processing Systems of the agency and provide recommendation to make it compliant with the Data Privacy Act</p> <p>Preparation of inventory of personal data</p>
6	Registration of Data Processing Systems	Provide guidance and assist in the drafting of the required documents for the registration of data processing systems
7	Creation of Data Privacy Manual, Management Procedures, and Privacy Data Protection Measures	<p>Must be able to formulate a Data Privacy Manual appropriate for the agency</p> <p>Roll-out of the Data Privacy Manual</p> <p>Formulation of Breach Management Procedures</p> <p>Formulation of Privacy Data Protection Measures</p>
8	Compliance with other Data Privacy-related legal requirements	<p>Provide assistance in complying with other Data Privacy-related requirements</p> <p>Compliance with the Pillars of Privacy protection</p>

#### IV. REQUIREMENTS and CRITERIA

##### 1. Criteria

Experience and capability of the consultants or consulting firm	15%
Qualifications and team component	40%
Proposed Privacy Management Program Implementation Plan	45%
	100%

##### 2. Qualification and Requirements. The consultant must have the following minimum requirements:

- a. Must be a Filipino Consultant, or consultancy firm owned by a Filipino Citizen, based in the Philippines;
- b. The Consultant or the Lead Consultant, in case of a consulting company, must have/provide the following:
  - Minimum of five (5) years of consulting experience in Data Privacy Management Program

- Has been engaged as Data Privacy Consultant in the public or private sector (Please provide contract with government agencies or any other proof)
- Must have formulated/prepared Data Privacy Manual of at least one (1) government agency or one (1) private company for the last five (5) years (Please provide contract as evidence of completed Data Privacy Consulting Service development of data privacy manual as one of the deliverables)
- Must be NPC-DPO ACE Level 1 and 2 certified (Please attach the Certifications)
- Must have at least two (2) team members to provide technical and administrative support assistance (Please attach the resume of two (2) members and their responsibilities)
- May submit additional data privacy related certifications, accreditation and licenses

c. Proposed Privacy Management Program Plan

- Please submit a Proposed Data Privacy Management Program Plan which contain specific activities to be undertaken, schedule and timelines, the outputs for each activity, such as but not limited to:
  - a. Training to be conducted
  - b. Evaluation of procedures, identification of data processing activities and lifecycles
  - c. Reports submitted
  - d. Timelines of the submission of initial draft of the Data Privacy Manual and its Attachments and final draft

**V. RESPONSIBILITIES OF THE CONSULTANT**

1. In coordination with the Data Privacy Committee, finalize the schedule of activities for the Implementation of the Data Privacy Management Program;
2. Deliver the required scope of services;
3. Consultant shall bear its own and other member of his/her team transportation cost for trainings and meetings;
4. Meet with the Data Privacy Committee at least once a month during project duration to discuss activities, issues and concerns related to the conduct of the PIA and creation of the Privacy Management Program and other data-privacy and protection related activities;
5. Attend meetings/events/seminars/activities that may provide insights useful to the Department insofar as data protection is concerned without additional cost;
6. Submit reports detailing work progress, issues and concerns, and recommended next steps in relation to the project at no additional cost;
7. The consultant shall conduct coaching session and other pre-work activities within the period of the contract without additional cost; and
8. Report to the Data Privacy Committee

**VI. DURATION OF ENGAGEMENT AND APPROVED BUDGET OF THE CONTRACT**


The engagement of Consultant shall be for period of six (6) months from the time of the receipt of Notice to Proceed with the total approved budget of **Php 980,000.00** inclusive of taxes and other charges

Payment shall be made in tranches:


Tranches*	Percentage
1. Submission and approval of the Data Privacy Management Program Plan	10%
2. Conduct of the Data Privacy-related training (PIA) and submission of Recommendations	10%
3. Submission and acceptance of evaluation Report with recommendations vis-à-vis DOT's compliance with the pillars of privacy protection and other NPC-Requirements	20%
4. Submission of the Initial Draft of the Data Privacy Manual (maximum of 3 revisions) together with attachments/templates (Data Sharing Agreement, Breach Reporting Procedure, Privacy Notice, PIA, Risk Management Plan and Deployment of Risk Management Control and others)	30%
5. Submission and acceptance of Data Privacy Manual	30%

\*Subject to change

VII. CONTACT PERSON

  
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APPROVED BY:

  
MARIA RICA C. BUENO  
Assistant Secretary, TRCRG  
Chairperson, Data Privacy Committee

