GUIDELINES ON THE RIGHT TO ACCESS TO RECORDS KEPT BY THE CIVIL SERVICE COMMISSION (CSC)

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The Civil Service Commission, through the Office for Central Personnel Records, is the official custodian and repository of personnel records of government officials and employees. Being a quasi-judicial body, it also keeps and maintains legal records arising from administrative disciplinary and non-disciplinary cases.

Personnel records, just like medical records, involve personal privacy. Information contained therein is considered confidential in nature (OP MC No. 78, s. 1964). Hence, access to such records is subject to certain limitations.

To insure a consistent policy on the right to access to records on file with the Civil Service Commission pursuant to the provisions of Section 5(e) of Republic Act 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees" and Rule IV, Section 3 of its implementing rules, the following guidelines are hereby prescribed for the guidance of all concerned:

- Copies or reproductions of CSC records may be made available to authorized parties who have submitted a written request, the purpose for which is valid and legitimate.

- The following may be allowed access to CSC records:

a. Any requesting party as it pertains to his personal records;

b. The Head of the Agency/the Personnel Officer or the Administrative Officer of the Agency to which the employee concerned belongs;

c. Courts and administrative bodies exercising quasi-judicial and/or investigative functions by means of the compulsory process of subpoena duces tecum, in aid to the determination or resolution of pending cases;

d. Such other officials or entities duly authorized by competent authorities.

- Official information, records or documents shall be provided to any authorized requesting party as defined above except the following:

a. Such information, record, or document comprises drafts of decisions, orders, rulings, opinions, memoranda, comments and other pleadings to the Supreme Court, Regional Trial Court, etc.;

b. Such disclosure would put the life, safety, and reputation of an individual in imminent danger;

c. Such information, record, or document, or statement must be kept in secret in the interest of national security;

d. Such disclosure consists of unwarranted invasion of personal privacy, like counsel-client privilege communications.

- Request for needed records shall be made in writing. Certified copy/ ies shall be issued upon payment of the required fees.

- Communications officially entered into CSC records may no longer be withdrawn.

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This Memorandum Circular take effect immediately.

Adopted: 27 Dec. 1990

(SGD.) PATRICIA A. STO. TOMAS

Chairman

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