ASSESSMENT ON THE IMPLEMENTATION OF THE DATA PRIVACY LAW IN ILOILO SCIENCE AND TECHNOLOGY UNIVERSITY MIAGAO CAMPUS

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Abstract

Data privacy law was enacted on the year 2012, otherwise known as RA10173. Its purpose is ensuring a that the flow of communication is available while imposing the due responsibility to ensure that personal data of both government and private sector are protected. The DPA was further strengthen with Privacy Awareness Week (PAW) signed under the Proclamation No.527 s.2018. The National Privacy Commission provided a toolkit which serves as a guide for the implementation of DPA. NPC toolkit provides an assessment on the conduct of impact on data privacy that includes criteria such as a) transparency, b) legitimate purpose, and c) proportionality. This research aims to appraise the level of awareness of implementation of data privacy on the process of grades submission of the faculty to the office of the registrar. Convenience sampling was used to collect the data for all the participants and to determine the results; ANOVA with Repeated Measures was used. The result of the study shows that the level of awareness for Legitimate Purpose and Proportionality is "Very Good". Among the three (3) areas of PIA, Proportionality shows as the highest among them. Although there is a published data privacy statement on the website, transparency rated as "Good" only since mostly of the participants are not aware who is the designated DPO for ISATU MC.

Keywords: Data Privacy, Implementation of Data Privacy, Assessment of Data Privacy

INTRODUCTION

Data privacy is as equally important as security. It relates to how a piece of information or data should be handled based on its level of importance. RA10173 is Data Privacy Act of 2012 defined that it is the policy of the State to protect every individuals' right to disclosure of communication at the same time information are of free flow to boost innovation and growth. "Processing" as defined in NPC Toolkit refers any operations carried out on collection of data such as recording, organizing, storing, modifying, retrieving, consulting, usage, consolidating, blocking, and deletion of data. As an educator, among the tasks that needs to do is processing student's grades and submitting it on or before the deadline. Students' grades are classified personal information; hence it should be treated with confidentiality.

At Iloilo Science and Technology University Miagao Campus (ISATU MC), the faculty are required to submit the students' grades within ten (10) days after the final examination was administered. Faculty can then submit the grades either through online or hand-in the hard copies at the Office of the Registrar. For online submission, the registrar validates the grades submitted once the class record were presented to verify the grades computation before it can be posted in the student's grades kiosk. For manual submission, grades are placed in the official grade sheet to be encoded by the registrar in the system so it would reflect in the kiosk.

Moreover, conforming to the DPA of 2012, privacy impact assessment was included to properly assess the implementation of procedures or any processes which involves colleting personal, sensitive and privileged information. Therefore, this research was done to gauge the implementation of the data privacy at ISATU MC. Specifically, it aimed to answer this objective: to assess the level of awareness of faculty and staff on the implementation of data privacy in terms of (a) transparency, (b) legitimate purpose, and (c) proportionality.

REVIEW OF RELATED LITERATURE

This paper was anchored through different studies presented by different authors with regards to assessment of data privacy. Conducting a data privacy awareness in organizations will determine the potential risk it may possess and through privacy awareness it will ensure and demonstrate compliance and avoid sanctions (NREC, 2021). Moreover, it will also ensure that all data of every individuals are at not stake and is not violated

RSI Security (2018) provided a leverage added benefit when data privacy risk assessment is conducted. That, it will improve the organizational decisions making process, and can assess the vulnerability by assessing gaps in the people that are part of the information system.

In the Philippines, former President Rodrigo R. Duterte has signed the Privacy Awareness Week, Proclamation No.527 s. 2018 that declares the last week of May of every year to be that celebration of National Data Privacy Awareness Week (PAW), this strengthens the DPA of 2012. It states that the nation distinguish the importance of information and communications technology in the country and its innate responsibility to guarantee to protect every individual's information, be of public or private sector. In addition to the proclamation, it affirms that there is a need to enlighten to enlighten the society about data privacy, protection and fair rights as part of putting into the effect the efforts of NPC that the nation is internationally compliant with the standards for data protection. (Official Gazette, 2018.).

Further, Presbitero and Ching (2018) as cited in Cheng (2021) shown in their study that organizations had difficulty in complying with the implementation of data privacy. A study on assessing the conformity of State Universities to the DPA of 2012, for the of Caraga State University shows that lack of awareness, lack of resources, and only partially-compliant to the provision of DPA (Presbitero and Ching, 2018). Ming (2018) describes the consideration in handling data privacy that teachers should put in mind that all students personal information belongs to the students and therefore should be filed privately including the their results of assessments and grades. In this regard, the conduct of assessment at ISATU MC will measure the awareness of implementation of DPA of 2012. The NPC Toolkit includes the criteria in evaluating the data privacy impact assessment at the same time the instruments were provided in the aforementioned document. Among the categories are assessing the: a) transparency, b) legitimate purpose and c) proportionality (NPC, 2018).

METHODOLOGY

This paper utilized a quantitative approach in collecting and the data. Quantitative research methods as described by (Aliaga and Gunderson, 2002 as cited in Apuke 2017) explains the issue or phenomenon through collecting numerical values and performing analyzation with the help of mathematical methods specifically statistics.

The participants of this research were classified through convenience sampling for a total of 42 respondents. Seven (7) participants for personnel and thirty five (35) participants for faculty coming from the Computer Studies Council, Teacher Education Council, Industrial Technology Council and Hospitality Management Council.

The instrument used by the researcher was lifted from the NPC Toolkit. The chosen category are: (a) Transparency to gauge the faculty and staff at the registrar for the perception, (b) Legitimate Purpose, and (c) Proportionality for the awareness of the implementation of data privacy. Each item was answerable by YES, NO and NOT APPLICABLE. The scores on the assessment are classified as 0.1 – 0.25 as Poor, 0.26 – 0.50 as Fair, 0.56 – 0.75 as Good, and 0.76 – 1.0 as Very Good. ANOVA with Repeated Measures was used for comparability of the perception of faculty and personnel at the registrar.

Computing the mean and getting the standard deviation was used to form an analysis to describe the level of perception and awareness of the faculty and personnel from the office of the registrar when group as a whole.

RESULTS OF THE STUDY

Table 1 presents the results of the survey. For the level of awareness for Transparency it shows "Good" as perceived by both by faculty and personnel shows that they perceived data subjects. While, the level of awareness for Legitimate Purpose and Proportionality is "Very Good". Among the three (3) areas of PIA, Proportionality shows as the highest among them.

Table 1: Result of experiments

	Method Accuracy	
PIA	Mean	Std
Transparency	.6576	.32697
Legitimate Purpose	.8333	.32510
Proportionality	.9048	.27582

DISCUSSION AND RECOMMENDATIONS

In view of the results of the study, the following were drawn: a) Faculty and personnel of the registrar have perceived that the data subjects are aware in terms of transparency, and b) as to Legitimate Purpose, the participants has a very good level of awareness since personal data collected are just adequate and relevant only to the specific purpose. In addition, the ISATU MC has published a data privacy statement on their website specifically includes the 3 mentioned areas of PIA so the researcher can conclude that faculty and personnel from the

office of the registrar had perceived that the data subjects are pointedly aware of the DPA of 2013. Although there is a published data privacy statement on the website, transparency rated as "Good" only since mostly of the participants are not aware who is the designated DPO for ISATU MC.

Researcher may further conduct similar studies by administering interview to the same participants but widening the scope to other campuses to get deeper insights of the perception of awareness in data privacy. Finally, there should be a data privacy policy manual in place to serve as guides for all the employee of ISATU as an entire university.

Declaration of Interest

The authors declare no potential conflicts of interest with respect to this research, authorship and publication.

About The Author

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