

### **Department of Agrarian Reform**

Integrity Development Review 2007

AG Presentation



#### DAR Assessment Team

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## D1. Leadership

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	3	2	2	2	1
Deployment		70-80%	70-80%	30-40%	

- The Executive Committee and the Management Committee at the Central and Regional offices should formulate a clear policy to discourage employees from engaging in corruption and unethical behavior
- Concerned Officials should undergo trainings in the area of corruption prevention and detection
- Officials should practice leadership by example
- Top leaders must express their political will against corruption



#### D2. Code of Conduct

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	1	1	1	1	4
Deployment	90-100%	90-100%	90-100%	10-20%	

- Adopt an Agency Code of Conduct that includes a control on conflict of interest and post employment; should be deployed to all officials and employees through continuous orientation programs
- Conduct integrity tests and develop willingness to initiate disciplinary proceedings
- Set up a public and internal complaint management system Mitter The Proposition of the Proposit



# D3. Gifts & Benefits Policy

Dimension	СО	III	VI	XI	Team Rating
Agency Rating	0	0	0	0	0
Deployment	0	0	0	0	U

- Although there are statements to the effect that the provisions of Republic Act No. 6713 on Solicitation or Acceptance of gifts is adopted, the agency has no written policy on solicitation and acceptance of gifts that is consistent with RA 6713 and RA 3019
- The agency also has no written policy on offers of bribes and written guidelines on donations.



## D4. Human Resource Management

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	3	3	3	3	2
Deployment	90-100%	90-100%	50-60%	50-60%	3

- Include measures of integrity in recruitment and promotion processes
- Practice transparency to ensure that the HR process is not perceived as subject to undue influence
- Update the Job Description of employees in accordance with actual job performance
- Formulate a post employment policy for retiring and resigning personnel
- Make supervisors accountable for integrity performance of subordinates
- Adopt a policy on conflict of interest
- Monitor quality of staff lifestyle



# D5. Performance Management

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	2	3	3	2	2
Deployment	90-100%	90-100%	90-100%	30-40%	_

- Formulate a policy on sanctions for poor performance and negligence of duty that can be uniformly deployed to all levels
- Analyze agency/individual performance in relation to the incidence of corruption in the agency



# D6. Procurement Management

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	1	3	3	0	4
Deployment	50-60%	50-60%	50-60%	50-60%	

- Strict compliance to R.A. 9184 & IRR
- Employ public bidding as the primary mode of procurement (resorting to alternative mode of procurement should be the last option based on set conditions)
- Prepare a Workable/Feasible Annual Procurement Plan & make use of the Approved Budget for procurement
- All purchases made by the GSD must be based on the APP
- Ensure that invited observers attend BAC proceedings
- Train BAC Members, BAC Secretariat, TWG, Procurement Units (GSD), etc. on R.A. 9184

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# D7. Financial Management

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	2	3	3	3	2
Deployment	70-80%	90-100%	70-80%	50-60%	_

- Financial statements and COA audit findings must be used to assist and enhance decision-making e.g., Value for Money Audit findings of foreign assisted projects and unliquidated cash advances;
- Strictly enforce budgeting and accounting policies and guidelines specifically on unliquidated cash advances;
- Conduct audit and provide full audit trail on major financial transactions
- Institutionalize random/spot audits on transactions
- Ensure that a corruption resistance system is integrated in all its financial processes



# D8. Whistleblowing, Internal Reporting & Investigation

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	0	0	0	0	0
Deployment	0	0	0	0	U

#### Areas for Improvement

- Come up with a written policy on whistle blowing or internal reporting
- Formulate policy and procedure to protect the confidentiality of whistleblowers
- Build a culture of reporting corrupt practices involving officers, employees and stakeholders
- Train relevant personnel in handling & investigating corruption
- Train all personnel on how to report incidents of corruption & unethical behavior



## D9. Corruption Risk Management

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	1	0	1	1	4
Deployment	30-40%		30-40%	10-20%	

#### Areas for Improvement

- Proactively undertake an assessment of corruption risk areas
- Benchmark with other agencies how to make IAS more effective especially at the regional levels
- Identify all risk areas including risk profiles of all work units (extended CVA)
- Senior leaders to express political will in addressing IAS Audit Findings and Recommendations (Anti-corruption champions at the CO, DARRO and DARPO levels)
- Include Audit findings as inputs to strategic and operational plans and other agency decisions.



# D10. Managing Interface with External Environment

Dimension	СО	III	VI	XI	IDR Team
Agency Rating	3	3	1	1	1
Deployment	70-80%	90-100%	70-80%	30-40%	

#### **Areas for Improvement**

- Provide a public service area in local offices.
- Provide an Officer of the Day to respond to the needs of the transacting public and visitors.
- Install a system where the stakeholders can provide feedback through the use of the text messaging system, email, internet, suggestion boxes, and the like.
- Document complaints and feedbacks from clients, as well as actions to resolve the complaints & or feedbacks
- Launch a public awareness campaign about the agency's mandates, programs, services, organizational chart and process flows of key services



# Summary of IDA Ratings

Dimension		IDA Sel		Validated Team	
	СО	R3	R6	R11	Rating
1. Leadership	3	2	2	1	1
2. Code of Conduct	1	1	1	1	1
3. Gifts and Benefits Policy	0	0	0	0	0
4. Human Resource Management	3	3	3	3	3
5. Performance Management	2	3	3	2	2
6. Procurement Management	1	3	3	0	1
7. Financial Management	2	3	3	3	2
8. Whistle blowing & Internal Rep.	0	0	0	0	0
9. Corruption Risk Management	1	0	1	1	1
10. Interface with External Envi.	3	3	1	1	1



# Risk Map Process 1. Voluntary Offer to Sell

High **Influence Peddling Facilitation for fee** Collusion to increase the Land -ikelihood of Occurrence **Valuation Loss of Claim Folders** Delay in the evaluation and submission of CF Collusion in the preparation of the FIR Intervention of Landowners in selection of potential ARBs High Low Significance of Impact

## Risk Map



#### Process 2. Land Use Conversion

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High		Bribery/extortion in reviewing and approving application
$\Box$		2. Collusion between MARO and applicant
e Ce		3. Collusion between applicant and staff; limited capacity to assess documents
ren		4. Abuse of discretion in assessment of fees
Occurrence		5. Bribery/extortion/collusion of OCI team
		6. Bribery/extortion/abuse of RD's
Likelihood of	Selling of LUC forms Bribery of RCLUPPI Secretariat to other requirements	Submission of spurious documents to MARO

Low

Significance of Impact



# Likelihood of Occurrence

#### Process 3. Agrarian Adjudication



- Asking for fees from litigants
- Asking for extra fees to serve summons
- Bribery or extortion in drafting decisions
- •Collusion between parties and adjudicator in rendering decisions
- Breach of confidentiality in routing decisions
- Collusion, bribery or extortion before issuance of decisions
- Intentional delay in the execution of decision

•Possible collusion to get preferred case

- •Intentional loss of claim folder
- Assigning of preferred case for a fee

Outside influence in rendering decisions





#### Structural:

- In addition to IAS, set up a group to conduct performance audit in response to complaints, ensure that systems and procedures are in place and observed, determine possible deviations from performance standards
- Set up information and complaints units in areas where clients transact business with the agency
- Establish an independent DARAB as proposed in the NARAC Bill



#### Policy:

- Review and implement the draft Internal Code of Conduct, which should include a policy on solicitation and acceptance of gifts and post employment policy
- Review DARAB Rules of Procedure for possible amendments and include recommendations of local DARAB Offices
- Strictly enforce policy on performance of personnel
- Strict adherence to Annual Procurement Plan
- Formulate and implement a policy on whistle-blowing
- Maintain IAS independence
- Continuous internal marketing of IAS and its functions
- Review EO 405 s.1990 on land valuation



#### **Policy:**

- Formulate and communicate an Anti-Corruption Policy
- Top leaders to express political will to combat corruption
- Develop anti-corruption champions at all levels
- Define conflict of interest
- Include integrity as one of bases for recruitment and promotions
- Undertake integrity testing-related activities
- Make supervisors accountable for corruption among subordinates
- Conduct of quality lifestyle check (excessive and poverty threshold)
- Promote healthy lifestyle; introduce quality management & performance excellence systems
- Include anti-corruption chause in all contracts



#### **Systems:**

- Provide full audit trail on major financial transactions
- Install a comprehensive feedback system
- Incorporate E-Procurement in the agency's procurement system

#### Resources:

- Codify all resolved agrarian cases
- Provide appropriate trainings to DAR personnel (BAC, DARAB, BARC, etc.)
- Provide a Public Service Area and Officer of the Day for agency clients



# Thank you for your kind attention.