



Philippine Statistics Authority
Quality Management System
Policy on Retention of Defective Storage Media

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Policy on Retention of Defective Storage Media

1. RATIONALE/BACKGROUND

Storage media/devices, such as hard disk drives, solid state drives, optical drives, flash drive/storage cards, are used in various offices to store electronic data and records. These storage devices may contain confidential information that could pose risks to data security.

Since with the advent of technology, data reconstruction is now possible even in defective storage devices, appropriate data sanitization and proper disposal of defective storage media are essential to prevent possible unauthorized data sharing or data recovery.

In relation to this, the PSA recognizes the need to establish a policy that will enable the PSA to retain the defective storage media within the custody and control of PSA, (including those items within warranty period) to safeguard information stored in those items.

2. POLICY OBJECTIVE

The main objective of this policy is to avoid exposure of confidential or proprietary data through retention of defective storage media within the PSA custody and control.

3. SCOPE

This policy shall cover all defective storage media as defined herein, including the hardware parts, and the contents in it such as data, application, software programs or systems. It shall cover all defective storage media/devices of the PSA, including those items under the contracted services.

The policy shall serve as a guide for the PSA employees especially the:

- end-users or those using the storage media in the performance of their work
- hardware controllers or those authorized to control the storage media and its hardware parts
- data administrators or those handling the database including the data and software programs installed in the storage media
- data security officers or those assigned to ensure data security

This policy shall ensure that in any procurement of the storage media, (as ICT goods), defective storage media retention shall be stipulated in the technical specifications and contract agreement between the PSA and the vendors/contractors/suppliers.

4. DEFINITION OF TERMS

Defective storage media – storage media that doesn't function properly (that is unresponsive, malfunctioning or non-functioning)

Degaussing – de-magnetizing the tape or media to delete the data stored in it

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Destruction – destroying the storage media by physical means to make the device unusable

Sanitization - removing or destroying the data from storage media, so that the device has no residual data, and that the data may not be easily retrieved and/or reconstructed

Storage media – devices or materials that stores data, information or instructions such as computer's internal hard drive (magnetic storage devices), CD ROM, DVD, and other optical storage devices, Universal Serial Bus flash drives, memory cards, Solid-state drives, tapes, other flash memory devices, and storage/memory of PSA-issued mobile devices

5. GUIDING PRINCIPLES

This policy supports the following existing policies and laws:

Republic Act 10173 – Data Privacy Act of 2012

"AN ACT PROTECTING INDIVIDUAL PERSONAL INFORMATION IN INFORMATION AND COMMUNICATIONS SYSTEMS IN THE GOVERNMENT AND THE PRIVATE SECTOR, CREATING FOR THIS PURPOSE A NATIONAL PRIVACY COMMISSION, AND FOR OTHER PURPOSES"

Section 27. Improper Disposal of Personal Information and Sensitive Personal Information.

The improper disposal of personal information shall be penalized by imprisonment ranging from six (6) months to two (2) years and a fine of not less than One hundred thousand pesos (Php100,000.00) but not more than Five hundred thousand pesos (Php500,000.00) shall be imposed on persons who knowingly or negligently dispose, discard or abandon the personal information of an individual in an area accessible to the public or has otherwise placed the personal information of an individual in its container for trash collection.

The improper disposal of sensitive personal information shall be penalized by imprisonment ranging from one (1) year to three (3) years and a fine of not less than One hundred thousand pesos (Php100,000.00) but not more than One million pesos (Php1,000,000.00) shall be imposed on persons who knowingly or negligently dispose, discard or abandon the personal information of an individual in an area accessible to the public or has otherwise placed the personal information of an individual in its container for trash collection.


Republic Act 9470 - National Archives of the Philippines Act of 2007

"AN ACT TO STRENGTHEN THE SYSTEM OF MANAGEMENT AND ADMINISTRATION OF ARCHIVAL RECORDS, ESTABLISHING FOR THE PURPOSE OF THE NATIONAL ARCHIVES OF THE PHILIPPINES, AND FOR OTHER PURPOSES"

"No government department, bureau, agency and instrumentality shall dispose of, destroy or authorize the disposal or destruction of any public records, which are in the

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custody or under its control except with the prior written authority of the executive director.”

Republic Act 9184 and its 2016 Revised Implementing Rules and Regulations
RA 9184 – Government Procurement Reform Act

“AN ACT PROVIDING FOR THE MODERNIZATION, STANDARDIZATION AND REGULATION OF THE PROCUREMENT ACTIVITIES OF THE GOVERNMENT AND FOR OTHER PURPOSES”

Control Systems Security Program of National Cyber Security Division Homeland Security

Section 2.13.7 of Catalog of Control Systems Security: Recommendations for Standards Developers

Media Sanitization and Disposal: Supplemental Guidance

Sanitization techniques, including clearing, purging, and destroying media information, prevent the disclosure of organizational information to unauthorized individuals when such media are reused or disposed of. The organization employs sanitization mechanisms with strength and integrity commensurate with the security category of the information. The organization uses its discretion on the use of sanitization techniques and procedures for media containing information deemed to be in the public domain or publicly releasable or deemed to have no adverse impact on the organization or individuals if released for reuse or disposed

Republic Act 10625 – Philippine Statistical Act of 2013

“AN ACT REORGANIZING THE PHILIPPINE STATISTICAL SYSTEM, REPEALING FOR THE PURPOSE EXECUTIVE ORDER NUMBERED ONE HUNDRED TWENTY-ONE, ENTITLED “REORGANIZING AND STRENGTHENING THE PHILIPPINE STATISTICAL SYSTEM AND FOR OTHER PURPOSES”

Section 12 “The Information Technology (IT) and Dissemination -responsible for the development and maintenance of IT systems and programs, IT operations, statistical data archives, communication and information services.”

Policy on the Use of PSA Information Technology Resources

Section 4. Conditions of Use: Users assigned with PC, laptop, Notebook, tablet, smart phones, and/or other IT gadgets shall not remove nor replace any of the parts inside the unit without permission from Systems Operations and Infrastructure Division

6. POLICY AND GUIDELINES

Hereunder are the guidelines on the control of defective storage media/device:

Report on Defective Item

The end-user shall report possible defective storage media to the ICT administrator (SOID). If the storage media is defective, the ICT administrator (SOID or the authorized personnel for field offices) shall provide a document as specified in Annex A.

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Transfer of Contents of Defective Storage Media

The end-user shall request, thru writing, to transfer the contents of a defective storage device (especially those in servers or workstations/computers whether located locally in their premises or in the Data Center) to a storage device that they shall provide. The ICT administrator (SOID) or the duly authorized personnel shall transfer the contents before sanitizing and disposing the defective media. The end user shall be notified, in writing, if the transfer is not possible. The ICT administrator (SOID) shall specify in the report (Annex A) the observations and findings relevant to the transfer of contents.

The end user shall also comply with the approved PSA Database Backup policy, which requires regular submission of PSA database files to Registers and Database Management Division (RDMD) for back-up purposes.

Sanitization method

To ensure that files containing personally identifiable information and/or non-public information, including PSA information systems and software programs, are not readable or retrievable, the defective storage devices/media shall undergo sanitization, reset or destruction. The ICT administrator (SOID) in collaboration with the property administrator (GSD) shall establish, identify, and recommend applicable sanitization and disposal methodology.

Methodology may include deleting or clearing of data, degaussing or purging, physical destruction, and other methods, in accordance with the approved data security policies, and as prescribed by existing Philippine laws, compliances, and best practices.

Disposal of Defective Storage Media

Defective items shall be disposed pursuant to approved PSA policies, existing processes and best practices on the deployment, disposal, re-disposal of ICT items. Items declared defective shall correlate with the inventory of ICT items.

Items under warranty period


For procurement involving storage devices, the end-user shall ensure that legal provisions on retention of defective storage media are included in the technical specifications and its relevant contract agreement between the PSA and the vendors/suppliers. It shall specify that PSA is not responsible for returning a defective item under warranty period to the vendor/supplier/contractor.

If the defective storage media is within the warranty period; and the item is covered by the "Policy on the Retention of Defective Storage Media", the ICT Administrator (SOID) shall coordinate with the vendor and enforce the retention of the defective item within the PSA office. The vendor shall therefore provide the replacement for the defective item at no additional charge, and the PSA shall keep the defective item.

For those procured prior to the issuance of this policy, all defective storage media subject to vendor return agreements shall be sanitized in accordance with standard requirements prior to return to vendor.

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Roles and responsibilities are summarized in Annex B.

7. PENALTY

Any violation of the provision of this policy is considered ground for disciplinary action and will be penalized as prescribed by the "Data Privacy Act of 2012" (RA 10173) and relevant PSA rules and regulations.

8. REPEALING CLAUSE

All PSA policies or parts that are not consistent with this policy are hereby repealed or amended accordingly.

9. SEPARABILITY CLAUSE

If any part of this policy shall be held invalid, the other remaining provisions shall remain in full force and effect.

10. EFFECTIVITY

This policy shall take effect immediately upon approval of the National Statistician.

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Annex A

Note: All details must be filled-up by the ICT Administrator, unless otherwise stated.

Part I:	
Reported by:	
Name of End User:	
Designation/Office/Service/Division:	
Relevant details:	
Type of Media/Device:	<input type="checkbox"/> Magnetic media <input type="checkbox"/> Magnetic tapes <input type="checkbox"/> Hard disk drive <input type="checkbox"/> Optical media <input type="checkbox"/> Solid state drives <input type="checkbox"/> Memory cards <input type="checkbox"/> USB <input type="checkbox"/> Others (Please specify) _____
Serial No./Model/Brand:	
Warranty period (to be filled-up by the end user)	Date procured: _____ Within warranty period? <input type="checkbox"/> Yes <input type="checkbox"/> No
Initial Observations and Comments:	
Current Observations and findings:	<input type="checkbox"/> Defective storage media <input type="checkbox"/> Serviceable storage media Contents transferrable? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other findings/remarks (Please specify) _____
Initial Observations Noted by: (Please specify name and affix signature)	ICT Administrator (SOID): _____
Back-up of data: (to be filled-up by the end user)	Contents (of PSA database) submitted to RDMD for data back-up? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Date of back-up of files _____
Transfer of Contents:	
Consent by: (to be filled-up by the end user) (Please specify name and affix signature)	End-user _____ End-user's supervisor _____
Contents transferred to new location/storage media: Please specify new location (Optional):	<input type="checkbox"/> Yes <input type="checkbox"/> No
Contents transferred by: (Please specify name and affix signature)	SOID: _____
Sanitization and other relevant details:	
Method of Sanitization:	<input type="checkbox"/> Overwrite <input type="checkbox"/> Degauss <input type="checkbox"/> Destruction <input type="checkbox"/> Others (Please specify) _____
Date of Sanitization:	
Other actions taken:	
Authorization/Official agreement between: (Please specify name and affix signature) (to be filled-up by SOID and GSD)	End-user: _____ ICT Administrator (SOID): _____ Property Administrator (GSD): _____

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Part II:


Declaration of Consent and Undertaking (to be filled up by the end user and authorized official)

By signing this document, the undersigned employee(s) fully understand and agree to the following terms and conditions:

- The undersigned employee(s) fully understand and agree that the end user and/or its authorized official is/are responsible in regular submission of PSA database files contained in the storage media to Registers and Database Management Division (RDMD) for back-up purposes
- The undersigned employee(s) authorize the SOID to retrieve the contents of the specified storage media merely for this purpose
- The undersigned employee(s) agree to transfer the contents of the specified storage media to the designated storage location/device
- The undersigned employee(s) must provide the storage location/device (where contents shall be transferred)
- The undersigned employee(s) recognize that there are possible risk(s) that not all contents may be retrieved from the specified storage media
- The undersigned employee(s) understand and agree that not all contents may be transferred from the specified storage media
- The undersigned employee(s) authorize the SOID and GSD to establish and enforce applicable sanitization and disposal methodologies

Name of End User:		Signature:	
Designation:			
Name of supervisor/authorized official		Signature:	
Designation:			
Division/Service/Office			

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Annex B

Roles and Responsibilities pursuant to Policy on the Retention of Defective Storage Media

<i>Function</i>	<i>Division</i>	<i>Roles and Responsibilities pursuant to this policy</i>
ICT administrator	SOID or authorized personnel for field offices	Responsible in providing reports on the defective storage media
ICT administrator	SOID	Responsible in data transfer and sanitization prior to disposal of defective storage media Responsible in specifying in the report the findings/observations relevant to transfer of contents Responsible in notifying the end-user if the transfer is not possible
ICT administrator and property administrator	SOID and GSD	In-charge with the establishment, identification and/or recommendation of applicable sanitization and disposal methodology
End-user (of defective storage media/computer parts)		Responsible in reporting any defect on the computer parts Responsible in facilitating transfer of contents of a defective storage device by providing a request letter and storage space/device Responsible in submitting the contents of PSA databases to RDMD (for back-up purposes) to comply with the approved PSA Database Backup policy
End-user (of procuring entity)		Responsible in ensuring that a provision on retention of defective storage media is specified in the procurement documents to ensure that the item will be kept by PSA even under warranty period

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