

EXECUTIVE ORDER NO. 088
Series of 2024

REVISED GUIDELINES ON INTERNAL WHISTLEBLOWING AND REPORTING

The following revised guidelines shall govern LANDBANK’s internal whistleblowing and reporting and shall cover the members of its Board of Directors and all its employees, whether permanent, co-terminus, or directly hired contractual or Outsourced Manpower Services (OMS).

A. RATIONALE/OBJECTIVES

1. Support the Bank’s commitment to uphold the highest standards of ethics and excellence among its employees;
2. Promote good governance at levels of the organization pursuant to the Code of Conduct for LANDBANK Employees and similar applicable issuances;
3. Enable any concerned employee or individual to report and provide information, anonymously if he/she wishes, and even testify on matters involving the actions or omissions of LANDBANK Board of Directors and employees, that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, and are grossly disadvantageous to the Bank and/or the Government; and
4. Encourage whistleblowing by providing protection and assistance to Bank employees who voluntarily disclose their knowledge or give evidence about such actions or omissions.

B. DEFINITION OF TERMS

TERM	DEFINITION
Protected disclosure	a deliberate and voluntary giving of information by a Bank employee or individual, whether written or verbal, of actual or suspected acts or omissions committed by any Bank employee, group of Bank employees, or Department/Unit
Reporting Channels	online-based platforms, face-to-face meetings, telephone calls, e-mail, mail, fax, and other similar media where any concerned individual can report and provide information (orally, in writing, or electronically), anonymously if he/she desires
Retaliatory action	actions carried out by a respondent in retaliation against a whistleblower, such as, but not limited to, discrimination or harassment in the workplace carried out by a respondent officer against a whistleblowing employee

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TERM	DEFINITION
Whistleblower	a member of the Bank's Board of Directors, a Bank employee or group of Bank employees, a private individual or group of private individuals who disclose a reportable condition as defined in these guidelines
Whistleblowing	the disclosure of and/or giving of evidence to information that a whistleblower reasonably believes constitutes actions or omissions that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, and are grossly disadvantageous to the Bank and/or the Government

C. GENERAL GUIDELINES

1. It shall be the duty of all Bank employees who witness or become aware of any attempted, ongoing, or consummated act or omission referred to under item C.2 to report the same at the earliest possible time through any of the reporting channels as enumerated in item C.3 of these guidelines.
2. Reportable Conditions
 - a. Whistleblowers may report such acts or omissions that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to the Bank and/or the Government, such as, but not limited to:
 - 1) Abuse of authority;
 - 2) Bribery;
 - 3) Conflict of interest;
 - 4) Destruction/manipulation of records;
 - 5) Fixing;
 - 6) Inefficiency;
 - 7) Making false statements;
 - 8) Malversation;
 - 9) Misappropriation of assets;
 - 10) Misconduct;
 - 11) Money laundering;
 - 12) Negligence of duty;
 - 13) Nepotism;
 - 14) Plunder;
 - 15) Receiving a commission;
 - 16) Solicitation of gifts;
 - 17) Taking advantage of corporate opportunities;
 - 18) Undue delay in rendition of service;
 - 19) Undue influence; and
 - 20) Violation of procurement laws.

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- b. Whistleblowers may also report such other acts or omissions that otherwise involve violations of the following laws, rules, and regulations:
- 1) Republic Act (RA) No. 6713, *Code of Conduct and Ethical Standards for Public Officials and Employees*;
 - 2) RA No. 3019, *Anti-Graft and Corrupt Practices Act*;
 - 3) RA No. 7080, as amended, *The Plunder Law*;
 - 4) RA No. 7877, *Anti-Sexual Harassment Act of 1995*;
 - 5) RA No. 11313, *Safe Spaces Act*;
 - 6) RA No. 10149, *The GOCC Governance Act of 2011*;
 - 7) Book II, Title VII, *Crimes Committed by Public Officers, The Revised Penal Code*;
 - 8) Malacañan Executive Order (EO) No. 292, s. 1987, *Administrative Code of 1987*;
 - 9) GCG MC No. 2012-05, *Fit and Proper Rule*;
 - 10) GCG MC No. 2012-06, *Ownership and Operations Manual Governing the GOCC Sector*;
 - 11) GCG MC No. 2012-07, *Code of Corporate Governance for GOCCs*;
 - 12) *Regulations on the Disqualification and Watchlisting of Directors and Officers* under Section 138 of the MORB as amended by BSP Circular No. 1076 s. 2020;
 - 13) 2017 Rules on Administrative Cases in the Civil Service (RACCS);
 - 14) Violations of the LANDBANK Charter; and
 - 15) Other GCG, BSP, CSC and LANDBANK Circulars, Orders and Policies, and applicable laws and regulations.
3. Any concerned individual who shall report and provide information on any reportable condition may use any of the following reporting channels:

Reporting Channels	GCG	LANDBANK
Official web portal and website	https://whistleblowing.gcg.gov.ph	Visit www.landbank.com and click on the GCG icon, located at the lower right corner, which will redirect to the GCG's official whistleblowing portal.
Face-to-face meetings with	GCG officers and employees	Authorized Officials: <ul style="list-style-type: none"> • LANDBANK's General Counsel • Head of the Human Resources Management Group (HRMG) • Head of the Employee Relations Department (ERD)
Telephone	(+632) (5) 328-2030 to 33	<ul style="list-style-type: none"> • Ethics Hotline (+632) (8) 405-7660 or local 7660 through trunk line numbers (+632) (8) 522-0000, (+632) (8) 551-2200 or (+632) (8) 405-7000; • Legal Services Group (LSG) - (+632) (8) 405-7633;

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Reporting Channels	GCG	LANDBANK
		<ul style="list-style-type: none"> • HRMG - (+632) (8) 405-7391; or • ERD - (+632) (8) 405-7225
Email Address	feedback@gcg.gov.ph	<u>erdcomplaints@landbank.com</u>
Mail	3/F BDO Paseo Towers (Formerly Citibank Centre), 8741 Paseo De Roxas, Makati City 1226	LBP HRMG or ERD – 23/F LANDBANK Plaza, 1598 M.H. Del Pilar corner Dr. J. Quintos Streets, Malate, Manila 1004

4. Reports received through the Bank’s reporting channels that are not covered herein shall be handled in accordance with the *Revised Rules on Administrative Disciplinary Cases* or other pertinent existing guidelines of the Bank, if applicable.
5. Reports channeled through the whistleblowing policy which are sexual harassment in nature shall be subject to the Bank’s *Administrative Disciplinary Rules on Sexual Harassment Cases (ADRSHC)*. All such reports must adhere to the procedures and timelines stipulated in the ADRSHC.
6. Confidentiality

Except when the whistleblower does not invoke anonymity and/or confidentiality when invoking the policy under this guideline, LANDBANK shall ensure confidentiality of all information arising from whistleblowing reports submitted pursuant to these guidelines. It shall treat all reports, including the identity of the whistleblower and the person/s complained of, in a confidential and sensitive manner. The identity of the whistleblower shall be kept confidential, unless compelled by law or the Courts to be revealed, or unless the whistleblower authorized to disclose his/her identity.

7. Rights of Whistleblowers
 - a. Protection against Retaliatory Actions subject to the conditions under item C.8 hereof
 - 1) No administrative action shall be entertained or pursued by the Bank against a whistleblower relating to a report done in good faith or disclosure deemed protected under these guidelines.
 - 2) No retaliatory action shall be taken against a whistleblower who submits whistleblowing reports in good faith such as, but not limited to:
 - a) Discrimination or harassment in the workplace;
 - b) Demotion;
 - c) Reduction in salary or benefits;
 - d) Termination of contact; or
 - e) Any acts or threats that adversely affect the rights and interests of the whistleblower.

3) Any Bank employee who refuses to follow orders to perform an act that would constitute a violation of this provision shall likewise be protected from retaliatory actions.

b. No Breach of Duty of Confidentiality

A whistleblower who has an obligation by way of oath, rule, or practice to maintain confidentiality of information shall not be deemed to have committed a breach of confidentiality if he/she makes a protected disclosure of such information.

8. Conditions for Protected Disclosure

Whistleblowers shall be entitled to protection and assistance under these guidelines after the evaluation made by the LANDBANK-authorized official shows a valid basis and if all the following requisites are fulfilled:

- a. The disclosure is made voluntarily, in writing, and under oath (*Exhibit 1*);
- b. The disclosure pertains to a matter not yet the subject of a complaint already filed with, or investigated by the Security Department (SD) or by any other concerned Department/Unit of the Bank; unless, the disclosure is necessary for the effective and successful prosecution, or would constitute a material evidence not yet in the possession of the Bank;
- c. The whistleblower formally undertakes to assist and participate in proceedings commenced in connection with the subject matter of the disclosure;
- d. The whistleblower should have personal knowledge of facts and information covered by the disclosure; and
- e. The information given by the whistleblower contains sufficient particulars and, he/she submits or undertakes to submit material evidence that may be in his/her possession.

9. Evaluation of Disclosures

- a. Reports or disclosures shall be subject to evaluation to determine whether or not they constitute a protected disclosure under these guidelines. The evaluation shall consider the following factors, among others:
 - 1) Whether or not the disclosure varies or contradicts in material respects the details contained in official information and authentic documents determined to be truthful;
 - 2) Whether or not the documents attached to the disclosure appear to be spurious;
 - 3) Whether or not the figures given in the disclosure appear erroneous after proper examination;

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- 4) Whether or not there is undue delay in divulging the information or offense alleged to have been committed and the delay is not sufficiently explained or justified and there are material omissions, discrepancies of facts and details which tend to deviate from the natural and logical flow of facts and circumstances;
 - 5) Whether or not the disclosure appears incredible or improbable considering logic, knowledge, ordinary observation, and common experience of man;
 - 6) Whether or not the veracity of the disclosure is doubtful and there is no corroborative evidence to support it; and
 - 7) Whether or not there is retraction, refusal, or hesitation on the part of the whistleblower to submit material evidence in his/her possession and/or swear to the truth thereof.
- b. A Bank employee who makes a disclosure deemed unprotected shall not enjoy any immunity, or other right or privilege accorded under these guidelines.
10. Disclosure Made by a Party to an Illegal or Unethical Act or Omission
- A disclosure made by a Bank employee who is a party to an act or omission referred to under item C.2 of these guidelines may be deemed a protected disclosure and be entitled to the assistance to a whistleblower, provided that:
- a. The whistleblower complies with the conditions under item C.8 hereof;
 - b. The whistleblower should not appear to be the most guilty;
 - c. The whistleblower testifies in accordance with his/her disclosures;
 - d. The disclosure is necessary for a proper prosecution of the act; and
 - e. The whistleblower's testimony can be substantially corroborated on material points in conformity with item C.8.e hereof.
11. Procedures for Protected Disclosure
- a. The LANDBANK-authorized officials are designated to receive the whistleblower report and shall prepare an evaluation of whether it qualifies as a protected disclosure under these guidelines:
 - b. The LANDBANK-authorized official who received the whistleblower's report must inform the other authorized officials not directly involved by way of furnishing them a copy of the report;
 - c. Within thirty (30) calendar days from receipt of the whistleblower's report:
 - 1) The evaluation of the LANDBANK-authorized official shall be referred to the SD for fact-finding investigation and/or Internal Audit Group (IAG) for special audit, if warranted; and
 - 2) The LANDBANK-authorized official shall inform the whistleblower of the results of its evaluation in writing.

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- d. Upon completion of the SD investigation and/or audit, reports shall be submitted to the Accountability Assessment Committee (AAC) for appropriate action within sixty (60) calendar days;

Note: The Audit and Compliance Committee (AC Com) shall also be furnished with a copy of the audit and/or investigation reports for information.

- e. Conduct of appropriate actions in accordance with applicable rules and regulations; and
- f. Ensure that the whistleblower's report and other related documents are at all times placed in a folder labeled as "confidential" / CLASS B and properly handled in accordance with the existing guidelines on the management of information assets.

12. Protection of Witnesses

- a. Any Bank employee who testifies in any proceeding arising from a protected disclosure shall be accorded the same protection against retaliatory actions as provided under item C.7 hereof.
- b. In cases involving grave threats to the life and/or safety of the whistleblower, appropriate or necessary action may be taken by the Bank Management for the protection and support of the whistleblower.

13. Assistance to the Whistleblower

- a. A whistleblower shall be granted legal assistance and liability indemnification in accordance with the *Guidelines on LBP Litigation Expenses and Liability Indemnity Plan for Directors, Officers, and Employees* in case of need.
- b. Other appropriate assistance or support (e.g., counseling services, access to employee assistance programs, physical security, etc.) as may be warranted under the circumstances and situation shall be provided to a whistleblower upon approval by the Management.

D. DETAILED PROCEDURES

The Detailed Procedures are shown in **Annex A**.

E. REPORTORIAL DUTY

ERD shall prepare, submit, and/or present to the AC Com, as the oversight body of the whistleblowing policy, an annual status report within the first (1st) quarter of the succeeding year.

F. PENALTIES/SANCTIONS

1. Violations of Confidentiality

Any Bank employee who violates the protection of confidentiality of a protected disclosure shall be subject to disciplinary and/or criminal action as may be provided under existing pertinent, relevant laws, rules and regulations of the Bank, the Civil Service Commission, and other regulatory bodies.

2. Retaliatory Actions

Any Bank employee, who does, causes or encourages retaliatory actions as defined under these guidelines against a whistleblower and/or Bank employees supporting him/her shall be subjected to administrative, civil, and/or criminal proceedings.

3. Malicious Reports

Malicious reports or disclosures shall be sufficient grounds for the termination of the protection or assistance to whistleblowers under these guidelines, including the termination of their immunity from administrative cases, civil and/or criminal actions as may be appropriate.

- a. In case a whistleblowing allegation is found to be incorrect but the whistleblower's accusation was founded on a reasonable cause or was made without malice or ill intent or deliberate bad faith, the Bank need not act against the false accuser of the falsely accused.
- b. However, if the accusation is determined to be malicious, made with ill intent, or in deliberate bad faith with the intent to cause damage to the employee's reputation, the matter may be referred by the authorized LANDBANK official to SD, or the AAC to ALD, for a Fact-Finding Investigation (FFI) and potential administrative disciplinary actions, respectively, in accordance with the existing procedures of the LANDBANK Revised Rules on Administrative Disciplinary Cases.

G. REPEALING CLAUSE

This Order shall supersede LANDBANK Administrative Order No. 141, Series of 2018, *Revised Guidelines on Internal Whistleblowing and Reporting*, and all other issuances inconsistent herewith.

H. EFFECTIVITY

This order shall take effect upon approval.


LYNETTE V. ORTIZ
President and CEO

mlbp

Date signed: 27 December 2024

/ERD/SMD 

DETAILED PROCEDURES IN HANDLING INTERNAL WHISTLEBLOWING AND REPORTING

PERSON/UNIT RESPONSIBLE	ACTIVITY
A. Whistleblowing Report	
<p>Any employee*/ Board member/ Third-party/ Anonymous source</p> <p><i>*Whether permanent, co-terminus, directly hired contractual or OMS personnel</i></p>	<p>1. Report and provide information on any reportable condition thru the official reporting channels</p> <p><i>Notes:</i></p> <p>a. <i>For anonymous sources, the complaint shall be of public knowledge, or the allegations can be verified or supported by documentary or direct evidence.</i></p> <p>b. <i>Any report/information received involving Item C.2.a and any acts or violations enumerated in Item C.2.b shall be endorsed to any of the designated Authorized Official.</i></p>
B. Evaluation of Protected Disclosure	
<p>LANDBANK's General Counsel/ Head, HRMG/ Head, ERD/</p>	<p>1. Receive the whistleblower report and acknowledge receipt of the report</p> <p>2. Inform the other authorized officials not directly involved by way of furnishing them a copy of the report</p> <p>3. Prepare an evaluation on the whistleblowing report whether it qualifies as a protected disclosure based on the conditions/requisites and factors of protected disclosures</p> <p>4. Refer the evaluation report to the SD fact-finding investigation and/or IAG for special audit, if warranted</p> <p>5. Inform the whistleblower of the results of the evaluation in writing within 30 calendar days from receipt of the whistleblower's report</p> <p>6. Coordinate the grant of protection, legal assistance, and liability indemnification for the whistleblower to the concerned units, if applicable</p>
C. Conduct of Fact-Finding Investigation	
<p>SD</p>	<p>1. Conduct a fact-finding investigation within five (5) calendar days from receipt of the report from the LANDBANK-authorized official</p> <p>2. Submit the investigation report to AAC for appropriate action, copy furnished AC Com for information</p>

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PERSON/UNIT RESPONSIBLE	ACTIVITY
IAG	<ol style="list-style-type: none"><li data-bbox="635 271 1410 376">1. Conduct a special audit within five (5) calendar days from receipt of the report from the LANDBANK-authorized official, if necessary<li data-bbox="635 405 1410 506">2. Submit the audit report to AAC for appropriate action, copy furnished AC Com for information
<i>The succeeding procedures shall be in accordance with LANDBANK's Revised Rules on Administrative Disciplinary Cases, Items D to L.</i>	

WHISTLEBLOWER'S REPORT FORM

CLASS B	
LAND BANK OF THE PHILIPPINES WHISTLEBLOWER'S REPORT FORM	
I. PERSONAL INFORMATION	
1. Full Name of Complainant/Informant	
2. Position/Designation	
3. Department/Unit	
4. Contact Number	
5. Email Address	
6. Address	
II. DETAILS OF EMPLOYEE(S) BEING COMPLAINED OF	
1. Full Name of Employee(s) Being Complained of	
2. Position/Designation	
3. Department/Unit	
III. COMPLAINT	
1. Nature of the Complaint	
2. Statement of Relevant and Material Facts <i>(Provide a detailed statement of relevant and material facts pertaining to the disclosure. Include dates, locations, and specific incidents)</i>	
3. Supporting Documents/Documentary Evidence <i>(List of Supporting Documents/Documentary Evidence Submitted)</i>	
IV. DECLARATION	
<ul style="list-style-type: none"> • I hereby declare that the disclosure contained herein is made voluntarily, in writing, and under oath. • I affirm that this disclosure pertains to a matter not yet the subject of a complaint already filed with, or investigated by the Security Department (SD) or by any other concerned Department/Unit of the Bank, unless the disclosure is necessary for the effective and successful prosecution, or would constitute material evidence not yet in the possession of the Bank. • I formally undertake to assist and participate in proceedings commenced in connection with the subject matter of this disclosure. • I have personal knowledge of the facts and information covered by this disclosure. • The information I provided contains sufficient particulars, and I submit or undertake to submit material evidence that may be in my possession. 	
<p>IN WITNESS WHEREOF, I hereunto affixed my signature this ___ day of _____ at _____.</p> <p>_____</p> <p style="text-align: center;">----- Signature over Printed Name</p> <p>SUBSCRIBED AND SWORN to before me this ___ day of _____ at _____, I HEREBY CERTIFY that I have personally examined the herein affiants and I am satisfied that they voluntarily executed and understood their given affidavit.</p> <p style="text-align: center;">----- Notary Public</p> <p>Doc. No. ____ Page No. ____ Book No. ____ Series of 20 ____</p>	

*Whistleblower's Report Form ver. 1/ERD
December 2024*