





05 March 2024

#### Regional Memorandum

No.156 s.2024

# CREATION OF THE AUDIT OBSERVATIONS AND FINDINGS MANAGEMENT COMMITTEES (AOFMC) IN THE CENTRAL, REGIONAL AND SCHOOLS DIVISION OFFICES IN STRENGTHENING THE INTERNAL CONTROL SYSTEM IN THE DEPARTMENT OF EDUCATION

To Schools Division Superintendents

- In reference to Memorandum OUF-2024-0061 dated February 26, 2024, on the Creation of Audit Observations and Findings Management Committee (AOFMC) in the Central, Regional and Schools Division Offices in strengthening the internal control in the Department of Education, this Office requests for your comments and suggestions for submission to DepEd Central Office.
- 2. The Finance Division will take charge on the Consolidated Comments and Suggestions submitted by the Schools Division Offices on or before March 7, 2024 (Thursday) to give time for completion and consolidation for submission to DepEd Central Office on March 8, 2024 (Friday).
- The soft copy of the Proposed Matrix for your comments and suggestions has already been sent in advance to the Official GC of the Finance Division on March 5, 2024.
- 4. For the information and guidance of all concerned.

5. For compliance.

ATTY. ALBERTO T. ESCOBARTE, CESO II

Regional Director

ROFin4







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#### Republic of the Philippines

### Department of Education

#### OFFICE OF THE UNDERSECRETARY FOR FINANCE

MEMORANDUM OUF-2024-0061

TO

: ALL REGIONAL DIRECTORS

FROM

: ATTY. MICHAEL WESLEY T. POA

Undersecretary and Chief of Staff

Officer-in-Change, Office of the Undersecretary for Finance

SUBJECT

: REQUEST FOR COMMENTS ON THE DRAFT ORDER CREATING THE AUDIT OBSERVATIONS AND FINDINGS MANAGEMENT COMMITTEES (AOFMC) IN THE CENTRAL, REGIONAL, AND SCHOOLS DIVISION OFFICES TOWARDS THE STRENGTHENING OF INTERNAL CONTROL SYSTEM IN THE DEPARTMENT OF

**EDUCATION** 

DATE

: FEBRUARY 26, 2024

We request a review of the draft Department of Education (DepEd) Order entitled "Creation of Audit Observations and Findings Management Committees (AOFMCs) in the Central, Regional, and Schools Division Offices towards the Strengthening of Internal Control Systems in the Department of Education".

A copy of the proposed matrix for comments and suggestions is attached as Annex "A".

You may access the soft copy of the matrix and provide comments through this link: <u>tinyurl.com/CommentsForAOFMC</u>.

We would appreciate receiving the Regional Offices' and select Schools Division Offices' comments not later than March 8, 2024 (Friday). For inquiries, please contact Ms. Camille Lita via email address at <a href="mailto:camille.lita@deped.gov.ph">camille.lita@deped.gov.ph</a>, or through this Office via landline at 8633-9342.

Thank you.

Cc: UNDERSECRETARY REVSEE A. ESCOBEDO, Operations
ASSISTANT SECRETARY FRANCIS CESAR B. BRINGAS, Operations

Republic of the Philippines

## Department of Education (DepEd) Office of the Secretary

Meralco Ave., Pasig City, Metro Manila

	Consolidated comments on the creation of Aofmcs		
	PROVISION	соммент	SUGGESTED REVISION
TITLE	CREATION OF AUDIT OBSERVATIONS AND FINDINGS MANAGEMENT COMMITTEES (AOFMCs) IN THE CENTRAL, REGIONAL AND SCHOOL DIVISION OFFICES TOWARDS THE STRENGTHENING OF INTERNAL CONTROL SYSTEM IN THE DEPARTMENT OF EDUCATION		
RATIONALE	1. Pursuant to Section 2 of Presidential Decree No. 1445 (PD 1445), otherwise known as "Ordulning and Instituting a Government Auditing Code of the Philippines", all resources of the government shall be managed, expended, or utilized in accordance with law and regulations, and safeguard against loss or wastage through illegal or improper disposition, with a view to ensuring efficiency, economy, and effectiveness in the operations of government. Thus, the creation of Audit Observations and Findings Management Committees, is the Department of Education's way of establishing, ensuring, and strengthening the mandate of PD 1445.  2. Internal control, as defined in Section 123 of PD 1445, Ordaining and Instituting a Government Auditing Code of the Philippines, "is the plan of organization and all the coordinated methods and measures adopted within an organization or agency to safeguard its assets, check the		·
	accuracy and reliability of its accounting data, and encourage adherence to prescribed managerial policies."		
	3. The agency head, as provided in Section 124 of PD 1445, has the direct responsibility to instell, implement, and monitor a sound system of internal control.	·	
	4. The 1987 Philippine Constitution emphasizes the importance of accountability whereir. Article XI, Section 1 provides that "public office is a public trust. Public officers and employees must at all times be accountable to the people, serve then with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."		
	5. Pursuant to Article IX-D, Section 2(1) and (2) of the 1987 Philippine Constitution, the Commission on Audit (COA) has:		

	10. The observations and findings issued by COA are indications of gaps/ weaknesses/dufficiencies in internal	
	controls. Hence, in order to assist the Office of the Secretarin addressing these internal control	
	gaps/weaknesses/deficiencies, the Audit Observations and Findings Management Committees (AOFMCs) are hereby	
	created in the Central Office (CO) and Regional Offices (RO of the Department.	
	II. SCOPE	
	1. This Order covers the creation of AOFMCs in the Central Office (CO) and all Regional Offices (ROs) and School Division Offices (SDOs) to ensure that the COA observations and findings, including recommendations involving Memorandums and Circulars regarding the existing budgeting and accounting process, which indicate gaps/weaknesses/deficiencies in internal controls, are addressed and/or recurrence of the same are minimized if not totally prevented. It also provides for the procedures to followed in the settlement of accounts contained in the Auc Observation Memorandum, Notice of Suspension, Notice of	be lit
	Disallowance, and Notice of Charge, as prescribed in the RRSA.	
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ł	III. DEFINITION OF TERMS	
ļ	<ol> <li>For purposes of this Memorandum, the following terms of defined/understood as follows:</li> </ol>	
1	<ul> <li>a. 4Es in Operations refer to how operations are evaluated terms of effectiveness, efficiency, ethics, and economy.</li> </ul>	in
	b. Accountable officer refers to the officer of any government agency who by the nature of his duties and responsibilities or participation in the collection/receipt and expenditure/use of government funds and properties, is required by law or regulation to render account to the COA	
	c. Accountability refers to the answerability for government funds and properties of every public officer whose duties permit or require the possession or custody of such government funds and properties in conformity with laws and regulations. Other public officers, although not accountable for government funds and properties by the	
	nature of their cuties, may likewise be similarly held accountable and responsible therefore through their participation in the use or application of such government funds and proporties.	
	d. Annual Audit Report (AAR) refers to the final output of the regular yearly audit conducted by the auditor assigned to audit the accounts and operations of a government agency, and basically consists of the Auditor's Certificate, the financial statements, and the audit observations and recommendations.	•

	<ol> <li>Liability refers to a personal obligation arising from an audit disallowance or charge which may be satisfied through</li> </ol>		<i>:</i>
	payment or restitution as determined by competent authority or by other modes of extinguishment of obligation as provided by law.		
	m. Notice of Charge (NC) issued under the following circumstances: [a] If the amount assessed/appraised is less than what is due the government, the difference shall be a proper audit charge (Section 11.1.1, RRSA); (b) If the amount billed is less than the amount due the government, the difference shall also be a proper audit charge (Section 11.1.2, RRSA), and; (c) If the amount collected is less than what is due the government, the difference shall likewise constitute a proper audit charge (Section 11.1.3, RRSA).		
	n. Notice of Disellowance (ND) issued for transactions which are considered irregular/unnecessary/excessive and extravagant as defined in COA Circular No. 85-55A as well as other COA issuences, and those which are illegal and unconscionable (Section 10.1, RRSA), defined as follows: (a) lilegal expenditures are expenditures which are contrary to law (Section 10.1.1, RRSA), and (b) Unconscionable expenditures are expenditures which are unreasonable and immoderate, and which no man in his right sense would make, nor a fair and honest man would accept as reasonable, and those incurred in violation of ethical and moral standards (Section 10.1.2, RRSA).	<b>.</b>	
	(Note: COA Circular No. 85-55A was revised by COA Circular No. 2012-003 issued on October 29, 2012 titled Updated Guidelines for the Prevention and Disallowance of Irregular, Unnecessary, Excessive, Extravagant and Unconscionable Expenditures.)		
1	o. Notice of Finality of Decision (NFD) is a decision of the Commission Proper, Adjudication Settlement Board (ASB), Director or Auditor upon any matter within their respective jurisdiction, if not appealed becomes final and executor, (Section 22.1, RRSA).		
	p. Notice of Suspension (NS) issued for transactions of doubtful legality/propriety/regularity which may result in pecuniary loss of the government, and which will be disallowed in audit if not satisfactorily explained or validly justified by the parties concerned (Section 9.1, RRSA).		
	q. Persons Liable refer to the persons determined to be answerable for an audit disallowance, charge or decision as provided in the RRSA.		
-	r. Persons Responsible refer to the persons determined to be answerable for compliance with the audit requirements as called for in the Notice of Suspension.		
- [	s. Plan of Organization comprises the organizational structure and the staffing complement that enable an organization to carry out its functions;		

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	16. The Regional Office AOFMC shall be composed of the following:		
	Chairperson:Regional Director/ Assistant Regional Director (Alternate Chair)		
	Vice Chairperson: Chief Administrative Officer (CAO), Finance Division, Supervising Administrative Officer (SAO)		
	Members	<u> </u>	
	Regional Accountant		
	CAO, Administrative Service		
	Regional Human Resource Officer .		
	CAO, Field Technical Assistance Division		
	CAO, Quality Assurance Division, or his/her representative		
	Provisional Members: RO Division Chiefs		
	And Section Heads subject of COA AOM/NS/ND/		
	NC		
•	17. The School Division Office AOFMC shall be composed of the following:		
	Chairperson: Schools Division Superintendent	•	
. 5	Vice Chairperson: Assistant School Division Superintendent		
	Members		
	Administrative Officer V		
	Budget Officer		
	Division Accountant		
	Chief Curriculum Implementation Division		
	Provisional Members: SDO Division Chiefs subject of COA AOM/NS/ND/NC	·	
	Chief Curriculum Implementation Division representative		
	School Governance Operations Division representative		

	<ol> <li>The Members of the Central, Regional, and School Division AOFMC shall perform the functions specifically</li> </ol>	
	stated in Item V(B) of this Order as well as work with the AOFMC Secretariat in their duties specifically stated in Item V (B) (26) of this Order.	
	The Members, along with the Provisional Members shall monitor the adequacy and effectiveness of the proposed and recommended policies/guidelines, as well as the proper determination and consideration in recommending Show Cause Memorardums to concerned individuals/Offices.	
	21. The Provisional Members shall assist the Members in their responsibilities and functions in the AOFMC. In addition, the Provisional Members shall provide inputs and recommendations in providing appropriate actions to the AOMs, NSs, NDs, and NCs.	
	22. All Offices, Officials, and Personnel identified in the COA Memorandum and/or Notices shall comply with the AOFMC directive to settle the audit observations and findings on or	
	before the prescribed deadline.	
B. Functions	before the prescribed deadline.	
B. Functions 23. Central C	of the AOFMCs	
	of the AOFMCs	
	before the prescribed deadline.  of the AOFMCs  a. Recommend to the Secretary the issuance of policies/guidelines to address internal control gaps/weaknesses/deficiencies found as a result of the audit	
	before the prescribed deadline.  of the AOFMCs  a. Recommend to the Secretary the issuance of policies/guidelines to address internal control gaps/weaknesses/deficiencies found as a result of the audit of operations, accounts, and transactions;  b. Evaluate all AOM, NS, ND, and NC issued by COA pursuant to its Circular Nos. 2009-006 and 2012-003, and issue directives to the concerned responsible/linble CO officials to settle and recommend pelicies/guidelines, if applicable, pursuant to the audit observations and findings	

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	<ul> <li>Review and provide technical inputs, if necessary, to the draft responses to the audit observations and findings of the</li> </ul>		;
	responsible/liable RO officials;		
	d. Accomplish the monitoring tool/s provided by the CO AOFMC to ensure that:		
	i. AOM/NSa/NDs/NCs received are responded to/settled on or before the deadline prescribed by the COA; it. AOM/NSs/NDs/NCs already settled and acknowledged are no longer included in the COA's Management Letter (ML); iti. Quarterly status reports of the SASDC are prepared and submitted to the CO AOFMC; iv. AAPSI of the RO, SDOs, and Schools are accomplished and consolidated using the form prescribed in COA Memorandum No. 2014-002 dated March 18, 2014		
	e. Submit consolidated RO AAPSI to CO AOFMC;	•	
	f. Submit to the CO AOFMC recommendations and/or data for determination and issuance of Show Cause Memorandum to be issued to individuals/Offices that are subject to or have been subject of AOMs, NSs, NDs and NCs;		
	g-Organizo AOFMGo in the SDOc and/or implementing units, ac may be necessary, to ensure estilement of aucit observations an i-findings;	1	
	h. Provide assistance to a concerned reopencible/liable person-aggriced by a disallowance or charge to appeal the came to the CO/ if requested; and		
	i. Recommend appropriate actions to the CO AOFMC, as may be necessary, on all COA-related matters.		
	25. School Division Offices AOFMC		
-	a. Evaluate all AOM, NS, ND, and NC issued by COA pursuant to its Circular Nos. 2009-006 and 2012-003, and issue directives to the concerned responsible/liable SDO Officials to settle the audit observations and findings within a reasonable time before the COA deadline;		
•	b. Review and provide technical inputs, if necessary, to draft responses to the audit observations and findings of the responsible/lights SDO Officials;		
	c. Accomplish the monitoring tool/s provided by the CO AOFMC to ensure that:		
	i. AOM/NSs/NDs/NCs received are responded to/settled on or before the deadline prescribed by the COA; ii. AOM/NSs/NDs/NCs already settled and acknowledged are no longer included in the COA's Management Letter (ML); iii. Quarterly status reports of the SASDC are prepared and submitted to the RO and CO AOFMC; iv. AAPSI of the SDOs and Schools are accomplished and consolidated using the form prescribed in COA		·
	<ul> <li>iii. Quarterly status reports of the SASDC are prepared and submitted to the RO and CO AOFMC;</li> </ul>		

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	d. The AOPMC reviews and provides inputs/comments on the draft response, as may be necessary, within two (2)	:
	calendar days from receipt thereof;	
	<ul> <li>The concerned responsible/liable official revises the draft response by integrating the comments/inputs of the ACFMC;</li> </ul>	
	f. The AOFMC reviews and approves the revised draft response and submits the same to the COA;	
	g. The concerned office/official finalizes and signs the response, and submits to the COA on or before the prescribed deadline set by the COA; and	
	h. The concerned office/official furnishes the OSEC/ORD and the AOFMC a copy of the response stamped "Received" by the COA.	
	28. Notice of Suspension (to be settled within ninety (90) calendar days from receipt)	
	a. The OSEC/ORD receives NS from the COA and endorses the same to the AOFMC;	
•	b. The AOFMC Secretariat acknowledges receipt of the NS and the AOFMC issues a memorandum within two (2) calendar days from receipt of the NS to direct/reiterate to the concerned responsible/ liable official to provide justification/explanation/legal basis or documentation required to the NS;	 <u>.</u>
	c. The concerned responsible/liable official prepares a response to the NS, i.e., justification/explanation/legal basis or documentation required, with the supporting documents, and submits the same to the Office of the Undersecretary for Legal and Legislative Affairs (OULLA) representative to the AOFMC for review;	
	d. The concerned responsible/liable office/official revises the draft response to the NS to integrate the inputs/comments of the OULA, if any, and submits thereafter to AOFMC;	
	e. The AOFMC reviews and provides inputs/comments on the draft response to the NS, as may be necessary, within two (2) calendar days from receipt of the draft response;	
	f. The concerned responsible/liable office/official revises the draft response to the NS to integrate the inputs/comments of the AOFMC;	
	g. The AOFMC reviews and approves the revised response to the NS;	
	h. The concerned responsible/liable office/official finalizes and signs the response to the NS, and submits on or before the ninety (90)-day deadline prescribed by the COA;	
	I. The concerned office/official furnishes the OSEC/ORD and the AOFMC a copy of the response stamped "Received" by the COA; and	
	j. Ensure settlement of the NS within the 90-day period, otherwise this may result in a disallowance/charge of the transaction covered by it, and a corresponding ND/NC will be issued by the COA. (Section 9.4, RRSA)	

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• 1987 Philippine Constitution		·· ·
COA Circular No. 85-055A, Amended Rules and		
 Regulations on the Prevention of Irregular, Unnecessary,		
Excessive or Extravagant Expenditures or Uses of Funds and		
Property		
<ul> <li>COA Circular No. 2009-006, Prescribing the use of the</li> </ul>		•
Rules and Regulations on Settlements of Accounts		
COA Circular No. 2012-003, Updated Guidelines for		
the Prevention and Disallowance of Irregular, Unnecessary,		
Excessive, Extravagant and Unconstionable Expenditures		
<ul> <li>DBM Circular Letter No. 2008-08, National Guidelines</li> </ul>	}	
on Internal Control Systems		
<ul> <li>EO 292, s. 1987, Administrative Code of 1987</li> </ul>	j	
OO-OSEC-2019-063, Creation of the Audit		
Observation Mergorandum (AOM) Teak Force in the		
Department of Education		
<ul> <li>PD 1445, Government Auditing Code of the Philippine</li> </ul>	ار <u> </u>	

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#### CREATION OF AUDIT OBSERVATIONS AND FINDINGS MANAGEMENT COMMITTEES (AOFMCs) IN THE CENTRAL, REGIONAL, AND SCHOOL DIVISION OFFICES TOWARDS THE STRENGTHENING OF INTERNAL CONTROL SYSTEM IN THE DEPARTMENT OF EDUCATION

#### I. RATIONALE

 1. Pursuant to Section 2 of Presidential Decree No. 1445 (PD 1445), otherwise known as "Ordaining and Instituting a Government Auditing Code of the Philippines", all resources of the government shall be managed, expended, or utilized in accordance with law and regulations, and safeguard against loss or wastage through illegal or improper disposition, with a view to ensuring efficiency, economy, and effectiveness in the operations of government. Thus, the creation of Audit Observations and Findings Management Committees, is the Department of Education's way of establishing, ensuring, and strengthening the mandate of PD 1445

2. Internal control, as defined in Section 123 of PD 1445, Ordaining and Instituting a Government Auditing Code of the Philippines, "is the plan of organization and all the coordinated methods and measures adopted within an organization or agency to safeguard its assets, check the accuracy and reliability of its accounting data, and encourage adherence to prescribed managerial policies."

3. The agency head, as provided in Section 124 of PD 1445, has the direct responsibility to install, implement, and monitor a sound system of internal control.

4. The 1987 Philippine Constitution emphasizes the importance of accountability wherein Article XI, Section 1 provides that "public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."

5. Pursuant to Article IX-D, Section 2(1) and (2) of the 1987 Philippine Constitution, the Commission on Audit (COA) has:

a. the power, authority, and duty to examine, audit, and settle all accounts pertaining to the revenue and receipts of, and expenditures or uses of funds and property, owned or held in trust by, or pertaining to the Government on a post-audit basis. Where the internal control system of the audited agencies is inadequate, it may adopt such measures as are necessary and appropriate to correct the deficiencies; and

 b. the exclusive authority to define the scope of its audit and examination, establish the techniques and methods required therefore, and promulgate accounting and auditing rules and regulations, including those for the prevention and disallowance of irregular, unnecessary, excessive, extravagant, or unconscionable expenditure, or uses of government funds and properties.

6. The Department of Budget and Management issued Circular Letter (DBM-CL)
No. 2008-08, titled National Guidelines on Internal Control Systems (NGICS) on
October 23, 2008 to guide agencies in strengthening their internal control systems
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to ensure ethical, economical, efficient and effective operations, improve the quality and quantity of outputs and outcomes, and enable the agencies to better respond to the requirements of the public they serve.

7. In the performance of its mandate, DepEd continuously issues guidelines to ensure that in the implementation of its programs, activities and projects (PAPs), government resources are managed and utilized in accordance with laws, rules and regulations towards attaining its goals. Towards this end, the Department recognizes the role of COA in assessing the adequacy and effectiveness of internal controls particularly of the prescribed control procedures and/or actual control practices.

 8. The COA issued, among others, COA Circular No. 2009-006 dated September 15, 2009 titled Prescribing the Use of the Rules and Regulations on Settlements of Accounts or RRSA for brevity, to guide accountable officers in addressing the various audit observations and findings, and COA Circular No. 85-551 dated September 8, 1985, as amended/revised by COA Circular No. 2012-003 dated October 29, 2012 titled Updated Guidelines for the Prevention and Disallowance of Irregular, Unnecessary, Excessive, Extravagant and Unconscionable [IUEEU] Expenditures to ensure that government funds and property are fully protected and conserved, and that IUEEU expenditures are prevented.

9. As contained in the RRSA, the COA issues Audit Observation Memorandum, Notices of Suspension, Disallowance or Charge, as are appropriate, for deficiencies noted in the audit of accounts, operations or transactions pertaining to revenues and receipts of and expenditures or uses of government funds and properties.

 10. The observations and findings issued by COA are indications of gaps/weaknesses/deficiencies in internal controls. Hence, in order to assist the Office of the Secretary in addressing these internal control gaps/weaknesses/deficiencies, the Audit Observations and Findings Management Committees (AOFMCs) are hereby created in the Central Office (CO) and Regional Offices (ROs) of the Department.

#### II. SCOPE

 11. This Order covers the creation of AOFMCs in the Central Office (CO) and all Regional Offices (ROs) and School Division Offices (SDCs) to ensure that the COA observations and findings, including recommendations involving Memorandums and Circulars regarding the existing budgeting and accounting process, which indicate gaps/weaknesses/deficiencies in internal controls, are addressed and/or recurrence of the same are minimized if not totally prevented. It also provides for the procedures to be followed in the settlement of accounts contained in the Audit Observation Memorandum, Notice of Suspension, Notice of Disallowance, and Notice of Charge, as prescribed in the RRSA.

#### III. DEFINITION OF TERMS

12. For purposes of this Memorandum, the following terms are defined/understood as follows:

a. 4Es in Operations refer to how operations are evaluated in terms of effectiveness, efficiency, ethics, and economy.

- b. Accountable officer refers to the officer of any government agency who by
  the nature of his duties and responsibilities or participation in the
  collection/receipt and expenditure/use of government funds and
  properties, is required by law or regulation to render account to the COA.
  - c. Accountability refers to the answerability for government funds and properties of every public officer whose duties permit or require the possession or custody of such government funds and properties in conformity with laws and regulations. Other public officers, although not accountable for government funds and properties by the nature of their duties, may likewise be similarly held accountable and responsible therefore through their participation in the use or application of such government funds and properties.
  - d. Annual Audit Report (AAR) refers to the final output of the regular yearly audit conducted by the auditor assigned to audit the accounts and operations of a government agency, and basically consists of the Auditor's Certificate, the financial statements, and the audit observations and recommendations.
  - e. Audit Observation Memorandum (AOM) is a written notification to the agency head and concerned officer/s informing of deficiencies noted in the audit of accounts, operations, or transactions and requiring comments thereto and/or submission of documentary and other information requirements within a reasonable period (Section 4.9, RRSA). Moreover, an AOM is issued for observations relating to financial/operational deficiencies such as accounting, internal control, or property management which do not involve pecuniary loss. An AOM may also be issued for documentary or other information requirements to enable the auditor to make a decision in audit (Section 8.1, RRSA).
  - f. Audit Observations and Findings refer to Audit Observation Memorandum (AOM), Notice of Suspension (NS), Notice of Disallowance (ND), Notice of Charge (NC), and other findings as may be further provided by COA.
    - The types of Audit Observations and Findings and the following definitions are lifted from COA Circular No. 2009-006, Prescribing the use of the Rules and Regulations on Settlements of Accounts.
  - g. Charge an inclusion or addition to accountability pertaining to the assessment, appraisal, or collection of revenues, receipts, and other income such as that arising from under-appraisal, under-assessment, or under-collection. As distinguished from "disallowance" which refers to the audit of expenditures, the term "charge" is generally used in connection with the audit of revenues/receipts.
  - h. COA Order of Execution (COE) issued to enforce the settlement of an audit disallowance/charge, whenever the persons liable therefore refuse or fail to settle them after the decision has become final and executory. Specifically, it is a written instruction to withhold payment of salary and other money due to persons liable, for settlement of their liability.

i. Coordinated Methods and Measures include systems and work processes integral to the operations of an agency and consistently applied by all units. These procedures or activities are implemented in order to achieve the control objectives of safeguarding resources, ensuring the accuracy of data, and enabling adherence to laws, policies, rules, and regulations.

- j. Disallowance refers to the disapproval in the audit of a transaction, either in whole or in part. The term applies to the audit of disbursements as distinguished from "charge" which applies to the audit of revenues/receipts.
- k. Internal Control is the plan of organization and all the coordinated methods and measures adopted within an organization or agency to safeguard its assets, check the accuracy and reliability of its accounting data, and encourage adherence to prescribed managerial policies.
- 1. Liability refers to a personal obligation arising from an audit disallowance or charge which may be satisfied through payment or restitution as determined by competent authority or by other modes of extinguishment of obligation as provided by law.
- m. Notice of Charge (NC) issued under the following circumstances: (a) If the amount assessed/appraised is less than what is due the government, the difference shall be a proper audit charge (Section 11.1.1, RRSA); (b) If the amount billed is less than the amount due the government, the difference shall also be a proper audit charge (Section 11.1.2, RRSA), and; (c) If the amount collected is less than what is due the government, the difference shall likewise constitute a proper audit charge (Section 11.1.3, RRSA).
- n. Notice of Disallowance (ND) issued for transactions which are considered irregular/unnecessary/excessive and extravagant as defined in COA Circular No. 85-55A as well as other COA issuances, and those which are illegal and unconscionable (Section 10.1, RRSA), defined as follows: (a) Illegal expenditures are expenditures which are contrary to law (Section 10.1.1, RRSA), and (b) Unconscionable expenditures are expenditures which are unreasonable and immoderate, and which no man in his right sense would make, nor a fair and honest man would accept as reasonable, and those incurred in violation of ethical and moral standards (Section 10.1.2, RRSA).

(Note: COA Circular No. 85-55A was revised by COA Circular No. 2012-003 issued on October 29, 2012 titled Updated Guidelines for the Prevention and Disallowance of Irregular, Unnecessary, Excessive, Extravagant and Unconscionable Expenditures.)

o. Notice of Finality of Decision (NFD) is a decision of the Commission Proper, Adjudication Settlement Board (ASB), Director or Auditor upon any matter within their respective jurisdiction, if not appealed becomes final and executory (Section 22.1, RRSA).

(OUF\_v17 as of November 6, 2023)

legality/propriety/regularity which may result in pecuniary loss of the 211 government, and which will be disallowed in audit if not satisfactorily 212 explained or validly justified by the parties concerned (Section 9.1, RRSA). 213 214 q. Persons Liable refer to the persons determined to be answerable for an 215 audit disallowance, charge or decision as provided in the RRSA. 216 217 r. Persons Responsible refer to the persons determined to be answerable for 218 compliance with the audit requirements as called for in the Notice of 219 220 Suspension. 221 s. Plan of Organization comprises the organizational structure and the 222 staffing complement that enable an organization to carry out its functions; 223 224 t. Persons Responsible refer to the persons determined to be answerable for 225 compliance with the audit requirements as called for in the Notice of 226 Suspension. 227 228 u. Statement of Audit Suspensions, Disallowances and Charges (SASDC) 229 is a written summary of the total balance of the audited accounts of the 230 agency at the end of each quarter. It shows the total issued suspensions, 231 disallowances, charges and settlements for the quarter and the running 232 balance of the suspensions, disallowances and charges as of the quarter 233 ended for the purpose of monitoring compliance and settlement of COA 234 audit findings. 235 236 IV. POLICY STATEMENT 237 238 The Department of Education gives utmost importance to the strengthening 239 13. of internal controls in the agency to ensure safeguarding of assets, reliability of 240 financial and non-financial data, adherence to managerial policies, compliance with 241 laws, rules and regulations, and the 4Es of operations. 242 243 It resolves to address internal control gaps/weaknesses/deficiencies noted by 244 the COA through its audit observations and findings in order to minimize if not totally 245 eliminate the occurrence or recurrence of the same. 246 247 COMPOSITION, FUNCTIONS, AND PROCEDURES v. 248 249 250 A. Composition of the AOFMCs 251 The Central Office AOFMC shall be composed of the following: 15. 252 253 : Undersecretary for Finance Chairperson : Director IV, Finance Service (FS) Vice Chairperson : Director IV, Legal Service (LS) Members Director IV, Procurement Management Service (ProcMS) Director IV, Bureau of Human Resource and Organizational Development (BHROD) Page 5 of 15 | DRAFT DepEd Order

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p. Notice of Suspension (NS) issued for transactions of doubtful

Director III, Education Programs Management

Office (EPMO)

Chief Accountant, FS-Accounting Division Representative/s, Office of the Secretary

Representative/s, Office of the Undersecretary

for Legal and Legislative Affairs

Chief Administrative Officer, Budget Division

**Accounting Division-CROCS** 

Provisional Members : Undersecretary, Assistant Secretary, Director,

and Chief/Head of Concerned Offices subject of

the COA AOM/NS/ND/NC

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16. The **Regional Office AOFMC** shall be composed of the following:

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Chairperson : Regional Director/ Assistant Regional Director

(Alternate Chair)

Vice Chairperson : Chief Administrative Officer (CAO), Finance

Division, Supervising Administrative Officer

(SAO)

Members : Regional Accountant

CAO, Administrative Service

Regional Human Resource Officer

CAO, Field Technical Assistance Division

CAO, Quality Assurance Division, or his/her

representative

Provisional Members : RO Division Chiefs

And Section Heads subject of COA AOM/NS/ND/

NC

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258 17. The School Division Office AOFMC shall be composed of the following:

259

Chairperson : Schools Division Superintendent

Vice Chairperson

: Assistant School Division Superintendent

Members

: Administrative Officer V

Budget Officer Division Accountant

Chief Curriculum Implementation Division

**Provisional Members** 

SDO Division Chiefs subject of COA

AOM/NS/ND/NC

Chief Curriculum Implementation Division

representative

School Governance Operations Division

representative

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- The Chairpersons of the Central Office, Regional Offices, and School Division Offices AOFMCs shall designate their respective AOFMC Secretariat members. The designation shall be issued through a memorandum to be submitted to the Office of the Undersecretary for Finance (OUF). Should there be a need for additional workforce, the CO, RO, and SDO AOFMCs may designate/reassign personnel to form part of the AOFMC Secretariat. The AOFMC Secretariat of the Central Office shall be composed on representatives from the following Offices: (1) Office of the Secretary: (2) Office of the Undersecretary for Finance; (3) Office of the Undersecretary for Procurement; and (4) Office of the Undersecretary for Legal and Legislative Affairs. The AOFMC Secretariat of the Central Office may require assistance from other Offices of the Department of Education should it be deemed relevant in fulfilling the purpose and policy of the AOFMC.
- Expenses to be incurred including but not limited to trainings, transportation, communication, and supplies may be charged against the respective Central, Regional, and School Division Offices' General and Administrative Services Maintenance and Other Operating Expenses (GAS-MOOE) subject to existing auditing, accounting, budgeting, and procurement rules and regulations.

- The Chairperson shall exercise overall oversight and supervision over the operations of the AOFMC and shall head and attend meetings subject to the duties and functions stated in Item V (B) of this Order. In this light, the Chairperson is also tasked to approve or deny any recommendation by the AOFMC for issuance of Show Cause Memorandum to concerned Individuals/Officies.
- The Chairperson shall approve and sign any and all recommendations, inputs, and memorandums drafted by the AOFMC and ensure compliance with the policies and guidelines by the Central, Regional, and School Division Offices.
- 19. The Vice Chairperson of the Central, Regional, and School Division AOFMCs shall assist the Chairperson in the overall oversight and supervision over the operations of the AOFMC.
  - Additionally, the Vice Chairperson <u>must attend</u> meetings, approve and/or sign any and all recommendations, inputs, and memorandums drafted by the AOFMC prior to submission to the Chairperson. Further, the Vice Chairperson may act on behalf of the Chairperson provided written authority be granted by the latter and on matters expressly stated.
  - 20. The Members of the Central, Regional, and School Division AOFMC shall perform the functions specifically stated in Item V(B) of this Order as well as work with the AOFMC Secretariat in their duties specifically stated in Item V (B) (26) of this Order.
  - The Members, along with the Provisional Members shall monitor the adequacy and effectiveness of the proposed and recommended policies/guidelines, as well as the proper determination and consideration in recommending Show Cause Memorandums to concerned individuals/Offices.
- The Provisional Members shall assist the Members in their responsibilities and functions in the AOFMC. In addition, the Provisional Members shall provide inputs and recommendations in providing appropriate actions to the AOMs, NSs, NDs, and NCs.

		· · · · · · · · · · · · · · · · · · ·
365		i. Review and recommend policies/guidelines submitted by the RO
366		AOFMCs that require clarification or advisory opinion;
367		ii. Act as an arbiter/governing body in settling audit observations and
368		findings raised by and/or before RO AOFMs;
369	j	ii. Recommend appropriate actions to RO AOFMs, as may be necessary;
370		and
371	j	iv. Recommend the issuance of Show Cause Memorandums to individuals
372		and/or Offices that are subject or have been a subject of AOMs, NS,
373		ND, and NC; and
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375	i.	Recommend other appropriate actions to the Secretary, as may be
376		necessary, on all COA-related matters.
377		<b>9</b> ,
378	24. R	egional Office AOFMC
379		
380	а	Provide timely feedback, recommendations, and/or data needed by the CO
381		AOFMC for the issuance of policies/ guidelines to address internal control
382	٠	gaps/weaknesses/deficiencies found as a result of the audit of accounts,
383		operations, and transactions.
384		operations, and transactions.
385	L.	Probate all AOM NO NO and NO :
386	D.	Evaluate all AOM, NS, ND, and NC issued by COA pursuant to its Circular
		Nos. 2009-006 and 2012-003, and issue-directives-to-the concerned
387		responsible/liable RO officials to settle the audit observations and findings
388		within a reasonable time before the COA deadline;
389		
390	C.	Review and provide technical inputs, if necessary, to the draft responses
391		to the audit observations and findings of the responsible/liable RO
392		officials;
393		
394	d.	Accomplish the monitoring tool/s provided by the CO AOFMC to ensure
395		that
396		i. AOM/NSs/NDs/NCs received are responded to/settled on or before
397		the deadline prescribed by the COA;
398		ii. AOM/NSs/NDs/NCs already settled and acknowledged are no
399		longer included in the COA's Management Letter (ML);
400		iii. Quarterly status reports of the SASDC are prepared and submitted
401		to the CO AOFMC;
402		iv. AAPSI of the RO, SDOs, and Schools are accomplished and
403		consolidated using the form prescribed in COA Memorandum No.
404		2014-002 dated March 18, 2014
405		·
406	e.	Submit consolidated RO AAPSI to CO AOFMC;
407		
408	f.	Submit to the CO AOFMC recommendations and/or data for determination
409		and issuance of Show Cause Memorandum to be issued to
410		individuals/Offices that are subject to or have been subject of AOMs, NSs,
411		NDs and NCs;
412		- ·
413	g.	Organize AOFMCs in the SDOs and/or implementing units, as may be
414	3.	necessary, to ensure settlement of audit observations and findings:
415		y,
416	þ.	Provide-assistance to a concerned responsible/liable person aggrieved by
417	***	a disallowance or charge to appeal the same to the COA, if requested; and

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418 419 i. Recommend appropriate actions to the CO AOFMC, as may be necessary. 420 on all COA-related matters. 421 422 25. School Division Offices AOFMC 423 424 a. Evaluate all AOM, NS, ND, and NC issued by COA pursuant to its Circular 425 Nos. 2009-006 and 2012-003, and issue directives to the concerned 426 responsible/liable SDO Officials to settle the audit observations and 427 findings within a reasonable time before the COA deadline: 428 429 b. Review and provide technical inputs, if necessary, to draft responses to the 430 audit observations and findings of the responsible/liable SDO Officials; 431 432 c. Accomplish the monitoring tool/s provided by the CO AOFMC to ensure 433 that: 434 435 AOM/NSs/NDs/NCs received are responded to/settled on or before the deadline prescribed by the COA; 436 437 AOM/NSs/NDs/NCs already settled and acknowledged are no longer included in the COA's Management Letter (ML); 438 439 Quarterly status reports of the SASDC are prepared and iii. submitted to the RO and CO AOFMC; 440 AAPSI of the SDOs and Schools are accomplished and 441 iv. 442 consolidated using the form prescribed in COA Memorandum 443 NO. 2014-002 dated March 18, 2014 444 445 d. Submit consolidated SDO AAPSI to RO AOFMC or to the CO AOFMC, if 446 applicable; 447 448 e. Provide assistance to a concerned responsible/liable person aggrieved by a 449 disallowance or charge to appeal the same to the COA, if requested; 450 451 f. Provide timely feedback, recommendations, and/or data to the RO AOFMC 452 for the issuance of policies/guidelines to address internal control 453 gaps/weaknesses/deficiencies found as a result of the audit accounts. 454 operations, and transactions; 455 456 g. Submit to the RO AOFMC recommendations and/or data for determination 457 and issuance of Show Cause Memorandum to individuals/Offices that are 458 subject to or have been subject of AOMs, NSs, NDs and NCs; and 459 460 h. Recommend appropriate actions to the RO AOFMC, as may be necessary, 461 on all COA related matters. 462 **AOFMC Secretariat of the CO and ROs** 26. 463 464 465 a. Receive AOM, NS, ND and NC from the Office of the Secretary 466 (OSEC)/Office of the Regional Director (ORD) and endorse to the AOFMC 467 for appropriate action; 468

b. Coordinate with concerned offices/officials and counterpart CO or RO 469 AOFMC Secretariats to ensure compliance with the directives of the 470 471 AOFMC; 472 473 c. Prepare the following for review of the AOFMC: 474 monitoring/status reports of AOM, NS, ND and NC received from, 475 responded and submitted to the COA; 476 ii. quarterly status reports of the SASDC; iii. 477 AAPSI: and 478 iv. other COA related reports as may be required; 479 480 d. Provide feedback to the AOFMC on all COA related matters. 481 482 C. **Procedures** 483 484 27. Audit Observation Memorandum (to be settled within the set deadline from 485 the Commission on Audit) 486 The OSEC/ORD receives AOM from the COA and endorses the same to a. 487 the AOFMC. The AOFMC Secretariat acknowledges receipt of the AOM drafts 488 b. 489 response, and requests for extension to submit the same, if necessary. 490 The Chairperson of the AOFMC issues a memorandum within two (2) calendar days from receipt of AOM to direct the concerned 491 492 responsible/liable officials to respond to the audit observations and 493 findings; 494 The concerned responsible/liable official evaluates/validates the audit c. observations and findings and prepares a draft response and submits 495 496 the same to the AOFMC within the set deadline as indicated in the 497 Memo/Action Slip, the supporting documents for review; d. 498 The AOFMC reviews and provides inputs/comments on the draft 499 response, as may be necessary, within two (2) calendar days from receipt 500 thereof; 501 The concerned responsible/liable official revises the draft response by e. 502 integrating the comments/inputs of the AOFMC; 503 f. The AOFMC reviews and approves the revised draft response and swings the same to the COM \_ col sign - Sec 504 The concerned office/official finalizes and signs the response, and 505 g. submits to the COA on or before the prescribed deadline set by the COA; 506 507 and 508 h. The concerned office/official furnishes the OSEC/ORD and the AOFMC 509 a copy of the response stamped "Received" by the COA. 510 511 28. Notice of Suspension (to be settled within ninety (90) calendar days from 512 receipt) 513 a. The OSEC/ORD receives NS from the COA and endorses the same to 514 the AOFMC: 515 b. The AOFMC Secretariat acknowledges receipt of the NS and the AOFMC 516 issues a memorandum within two (2) calendar days from receipt of the NS to direct/reiterate to the concerned responsible/ liable official to 517 518 provide justification/explanation/legal basis or documentation required 519 to the NS;

The concerned responsible/liable official prepares a response to the NS,

i.e., justification/explanation/legal basis or documentation required,

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C.

522 with the supporting documents, and submits the same to the Office of the Undersecretary for Legal and Legislative Affairs (OULLA) 523 524 representative to the AOFMC for review; d. 525 The concerned responsible/liable office/official revises the draft 526 response to the NS to integrate the inputs/comments of the OULA, if any, and submits thereafter to AOFMC: 527 528 e. The AOFMC reviews and provides inputs/comments on the draft response to the NS, as may be necessary, within two (2) calendar days 529 530 from receipt of the draft response: 531 The concerned responsible/liable office/official revises the draft 532 response to the NS to integrate the inputs/comments of the AOFMC: 533 The AOFMC reviews and approves the revised response to the NS: g. 534 h. The concerned responsible/liable office/official finalizes and signs the 535 response to the NS, and submits on or before the ninety (90)-day deadline prescribed by the COA: 536 The concerned office/official furnishes the OSEC/ORD and the AOFMC i. 537 a copy of the response stamped "Received" by the COA; and 538 j. Ensure settlement of the NS within the 90-day period, otherwise this 539 540 may result in a disallowance/charge of the transaction covered by it, and a corresponding ND/NC will be issued by the COA. (Section 9.4, 541 **RRSA**) 542 543 544 29. Notice of Disallowance/Notice of Charge (to be settled within six (6) months 545 from receipt of the ND/NC) The OSEC/ORD receives ND/NC from the COA and endorses the same 546 a. 547 to the AOFMC. The AOFMC Secretariat acknowledges receipt of the ND/NC and the b. 548 AOFMC issues a memorandum within two (2) calendar days from receipt 549 of the ND/NC to direct/reiterate to the concerned responsible/liable 550 officials to-settle the ND/NC; 551 The responsible person who opts not to appeal the COA finding shall 552 ¢. pay the amount disallowed in audit within six (6) months from receipt 553 of the ND/NC. 554 Appeal on the Disallowance/Charge (within six (6) months from receipt) d. 555 The responsible officer issued with Notice of Disallowance or Charge 556 may notify the AOFMC in writing why he/she should not be held 557 liable therefore and may request for assistance in the filing of 558 appeal to the COA; 559 The AOFMC evaluates the request to determine the merits of the ii. 560 justification/explanation/legal bases cited therein; 561 The responsible person prepares a draft Appeal Memorandum with 562 iii. the supporting documents and submits to OULA representative 563 to AOFMC for review; 564 The responsible person revises the draft Appeal Memorandum by 565 iv. 566 integrating the inputs and comments of the OULA, if any, and submits it thereafter to AOFMC 567 The AOFMC reviews and provides inputs/comments to the draft 568 v. Appeal Memorandum; 569 The responsible person revises the draft Appeal Memorandum by 570 vi. integrating the inputs and comments of the AOFMC; 571 . The AOFMC and OULA reviews and approves for finalization the 572 vii. Appeal Memorandum; 573

vin. The responsible person manzes, signs, and submits the Appear
Memorandum to the Office of the COA Director on or before the
lapse of the 6-month period; and
ix. The prescribed 6-month period will be suspended upon the filing of
the appeal but shall resume after the receipt of the decision from
the COA Director affirming the disallowance/charge.
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30. Persons are determined to be responsible/liable in the following cases (Section
16, RRSA):
a. Public officers who are custodians of government funds and properties
shall be liable for their failure to ensure that the same are: (1)safely
guarded against loss or damage, and (2) expended, utilized, disposed of
or transferred in accordance with law and regulations, and on the basis
of prescribed and necessary records.
b. Public officers who certify as to the necessity, legality, and availability of
funds or adequacy of documents shall be liable according to their
respective certifications.
c. Public officers who approve or authorize expenditures shall be liable for
losses arising out of their negligence or failure to exercise the diligence
of a good father of a family.
d. Public officers and other persons who confederated or conspired in a
transaction that is disadvantageous or prejudicial to the government
shall be held liable jointly and severally with those who benefited
therefrom.
( e. ) The payee of an expenditure shall be personally liable for a disallowance
where the ground thereof is his failure to submit the required
documents, and the COA Auditor is convinced that the disallowed
transaction did not occur or has no basis in fact.
fr The liability for audit charges is determined by the COA based on the
individual participation and involvement of public officers whose duties
require appraisal/assessment/collection of government revenues and
receipts in the charged transaction.
10001pto in the charged danied don.
31. The COA issues a Notice of Settlement of Suspension/Disallowance/Charge
(NSSDC) whenever a suspension/disallowance or charge is settled. (Section 13,
RRSA! misplaced?
700 The COA inverse a CACOC at the and of each greater showing the helenose of
32. The COA issues a SASDC at the end of each quarter showing the balances of
the suspension/disallowances/charges at the beginning of the quarter and the
settlements during the quarter.
OO MI - AODAG Garatariat will maritar NOOG and the GAODG and surround the
33. The AOFMC Secretariat will monitor NSSC and the SASDC and prepare the
necessary report for the AOFMC.
D. Responsibilities of the Members of the Executive Committee (ExeCom),
and Program Managers/Heads of Delivery Units
34. Notwithstanding that Section 124 of PD 1445 provides that it shall be the direct
responsibility of the Agency Head to install, implement, and monitor a sound system of
internal control, the ExeCom Leads are directed to ensure the: (a) compliance with
the submission of required financial and other reports and statements in such form
and within the period prescribed by the Commission; (b) the requirements of
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- transactions suspended in audit are complied with; and (c) appropriate actions are taken on the deficiencies noted as contained in the AOM.
- 629 35. The ExeCom Lead shall ensure that AOM, NSs, NDs, and NCs are settled 630 within the deadlines prescribed by the COA to avoid inclusion of unsettled accounts 631 in the SASDC and more importantly in the AAR for the year. 632
- In order to prevent the occurrence or recurrence of the audit observations and 633 36. 634 findings, including the rectification of violations, abuses, and other forms of maladministration and to ensure compliance with laws, rules, regulations, policies, 635 and other requirements, the Members of the ExeCom and Program Managers/Heads 636 of Delivery Units shall take such actions as may be necessary not only to provide 637 responses to the COA findings but most importantly, to address internal control gaps 638 and weaknesses by implementing guidelines and policies targeted to improve and 639 640 lessen the same.
- 642 37. The Program Managers/Heads of Delivery Units shall determine the 643 root/probable causes of the audit observations and findings and prepare an action 644 plan to address these.
- 646 The ExeCom Lead shall approve the action plan, monitor the status of its 647 implementation, and evaluate the effectiveness and efficiency of the actions taken to minimize or prevent the occurrence/recurrence of the audit observations and 648 649 findings. The Execom Lead shall provide recommendations to the AOFMC on the 650 issue policies/guidelines to address the internal gaps/weakness/deficiencies that are found to be the causes of the audit observations 651 findings. 652
- 654 39. Failure to take the appropriate action will subject the responsible 655 officer/personnel to the corresponding administrative liability. 656

#### VI. MONITORING AND EVALUATION

40. The AOFMC shall regularly gather feedback on the implementation of this issuance from all concerned offices. It shall also conduct a periodic review to assess and further enhance its provisions and effectiveness to be submitted to the Office of the Secretary, through the Office of the Undersecretary for Finance.

#### VII. EFFECTIVITY

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- 41. All provisions of OO-OSEC-2019-063 dated July 3, 2019, titled, Creation of the Audit Observation Memorandum (AOM) Task Force in the Department of Education and other issuances inconsistent with this Order are rescinded, repealed, revised and/or modified accordingly.
- 671 42. In the event that COA releases revised/updated guidelines on the settlement 672 of accounts, the applicable provisions in this Order shall be amended accordingly. 673
- 674 43. This Order shall take effect immediately upon issuance. 675

#### 676 VIII. REFERENCES

678 • 1987 Philippine Constitution

- COA Circular No. 85-055A, Amended Rules and Regulations on the Prevention of Irregular, Unnecessary, Excessive or Extravagant Expenditures or Uses of Funds and Property
- COA Circular No. 2009-006, Prescribing the use of the Rules and Regulations on Settlements of Accounts
- COA Circular No. 2012-003, Updated Guidelines for the Prevention and Disallowance of Irregular, Unnecessary, Excessive, Extravagant and Unconscionable Expenditures
- DBM Circular Letter No. 2008-08, National Guidelines on Internal Control Systems
   EO 292, s. 1987, Administrative Code of 1987
- OO-OSEC-2019-063, Creation of the Audit Observation Memorandum (AOM) Task Force in the Department of Education
- 691 PD 1445, Government Auditing Code of the Philippines