

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7

SENATE

S. NO. 411

Introduced by Senator Antonio "Sonny" F. Trillanes IV

Explanatory Note

In today's environment, to remain viable and stay ahead, organizations must continually scour their operations for opportunities to improve. Executives today expect continual improvement -- real and lasting improvements that create public satisfaction, improve public service effectiveness and internal process efficiencies. Improvements that are realized by bottom line results.

Achieving excellence is the result of high performance throughout the entire organization. Leaders at all levels of an organization must relentlessly pursue the performance edge; those actions that will propel the organization to the next level of internal and external performance.

The state cannot legislate excellence, but can expect it, support it and acknowledge it when it occurs. Excellence is a passion and when it exists the legislators should support it fully. It is in this light that this bill seeks to create a process that will oversee the journey to excellence and will encourage the most vital aspects of the Philippine government to be managed at a world-class level.

In view of the foregoing, the passage of this bill is earnestly sought.

ANTONIO "SONNY" F. TRILLANES IV
Senator

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROMOTING GOVERNMENT AGENCY PERFORMANCE EXCELLENCE

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

- 1 **SECTION 1.** (1) The Committee on Performance Excellence (which shall henceforth
2 be called 'Committee') is established. The committee shall consist of eleven (11) members,
3 appointed as follows:
- 4 (a) The Speaker of the House of Representatives shall appoint two (2) members of the
5 House of Representatives;
- 6 (b) The President of the Senate shall appoint two (2) members of the Senate;
- 7 (c) The President of the Philippines shall appoint four (4) employees of the executive
8 department, and
- 9 (d) The President shall appoint three (3) public members who have demonstrated
10 experience in the practice of continuous improvement in business.
- 11 (2) (a) Except as otherwise provided in Section (1)(2)(b), the term of office of each member is
12 four (4) years, but a member serves at the pleasure of the appointing authority. Before the
13 expiration of the term of a member, the appointing authority shall appoint a successor whose
14 term begins on July 1 next following. If there is a vacancy for any cause, the appointing
15 authority shall make an appointment to become immediately effective for the unexpired
16 term.

1 (b) If a legislative member of the committee ceases to be a legislator, the legislator's position
2 on the committee becomes vacant. If an executive department member of the committee
3 ceases to be an employee of the executive department, the member's position on the
4 committee becomes vacant.

5 (3) The committee shall select one of its members as chairperson and another as vice
6 chairperson. The committee may determine the duties and powers of the officers, as well as
7 the terms of office of the officers.

8 (4) A majority of the members of the committee constitutes a quorum for the transaction of
9 business.

10 (5) The committee shall meet at least once every calendar quarter at a place, day and hour
11 determined by the committee. The committee may also meet at other times and places
12 specified by the call of the chairperson or of a majority of the members of the committee.

13 (6) When the committee has selected a government agency (which shall henceforth be called
14 'Agency') for a performance excellence initiative, the committee may appoint as *ex-officio*
15 members of the committee the director and any other employees of the agency for the
16 purposes of planning and initial implementation of the initiative.

17
18 **SEC. 2.** The mission of the Committee on Performance Excellence is to assist agencies
19 in reaching performance excellence by engaging in performance excellence initiatives with
20 individual agencies.

21 (1)(a) The committee shall focus on the following areas that define performance:

22 (A) Customer and market focus

23 (B) Human resources

24 (C) Leadership

25 (D) Measurement, analysis and knowledge management

26 (E) Process management

1 (F) Results

2 (G) Strategic planning

3 (b) The committee may focus on other areas that define performance and may give different
4 weights to different areas described in this section, according to the needs of the
5 particular agency that is a partner in a particular initiative.

6 (c) The committee shall help agencies develop or maintain methods for reaching and
7 measuring performance excellence, including, but not limited to:

8 (A) Setting long-range plans and short-term priorities;

9 (B) Developing performance measures that indicate how well an agency's systems are
10 performing;

11 (C) Working with internal and external customers to identify possible improvements to
12 the agency's systems;

13 (D) Identifying ways to make core processes operate better, faster and at less cost;

14 (E) Creating mechanisms to develop the skills of all agency employees; and

15 (F) Showing measurable results for the investment that taxpayers have made.

16 (2) The committee shall identify those agencies and services that are most important to Filipinos
17 and shall develop criteria for selecting particular agencies and a schedule for engaging in
18 performance excellence initiatives with those agencies. The committee may determine how
19 many and what initiatives it can engage in at any given time.

20 (3) As part of any performance excellence initiative, the committee shall support agency efforts
21 to acquire the methods, tools and skills to achieve excellence in each performance area.

22 The support may include, but need not be limited to:

23 (a) Assisting an agency in acquiring services from consultants, training organizations,
24 universities, business executives and other appropriate entities.

25 (b) Advising an agency on how to gain support for financing performance excellence.

26 (c) Helping an agency to identify needs and obtain needed support.

1 (d) Working with an agency to ensure nationwide training and development programs that
2 assist the agency in its pursuit of excellence.

3 (e) Acting as a sounding board and advocate to help an agency remove administrative
4 barriers that prevent the agency from achieving performance excellence.

5
6 **SEC. 3.** When the Committee on Performance Excellence has chosen an agency for
7 participation in a performance excellence initiative:

8 (1) The committee, with any *ex-officio* members from the agency appointed as provided in
9 section 1 (6) of this 2007 Act, shall develop the framework of expectations for that
10 particular agency, including but not limited to:

11 (a) Performance areas to be focused on in the initiative;

12 (b) An indication of what constitutes excellence for the agency in given performance areas; and

13 (c) An indication of how progress will be measured and of how much progress can reasonably
14 be expected in a three-year period.

15 (2) Members of the committee shall spend time with agency employees learning about agency
16 operations.

17 (3) The committee shall meet regularly, on a schedule determined by the committee, to review
18 the agency's progress toward excellence. Meetings shall include, but need not be limited to,
19 presentations by agency employees on overall progress and on progress in specific areas of
20 performance that have been identified.

21 (4) The committee and the agency may use the review sessions to continuously refine and
22 improve the methods used by the agency to achieve the goals of the performance excellence
23 initiative.

24 (5) The committee and the agency shall work together to obtain independent, third party
25 assessments of the agency's progress towards meeting the goals of the performance
26 excellence

1 initiative. The purpose of the assessment is to enable the agency and the committee to learn
2 whether the goals and methods of the performance excellence initiative are appropriate or
3 how they might be changed to better help the agency achieve excellence.

4 (6) The committee shall make periodic public reports on achievement of performance excellence.

5 The reports shall be in a form and manner determined by the committee and may include,
6 but need not be limited to, press releases. The reports shall be delivered to the Congress and
7 made available to the general public.

8
9 **SEC. 4.** The Commission on Audit (COA) shall provide administrative support to the
10 Committee on Performance Excellence. The COA may obtain assistance from the Civil Service
11 Commission (CSC) or any other agency necessary to fully support the activities of the
12 committee.

13
14 **SEC. 5.** Notwithstanding the term of office specified by Section 1 of this Act, of the
15 members first appointed to the Committee on Performance Excellence:

16 (1) One executive department member and one public member shall each serve for a term
17 ending July 1, 2009.

18 (2) One House member, one Senate member and one executive department member shall each
19 serve for a term ending July 1, 2010.

20 (3) One executive department member and one public member shall each serve for a term
21 ending July 1, 2011.

22 (4) One House member, one Senate member, one executive department member and one public
23 member shall each serve for a term ending July 1, 2012.

24 **SEC. 6.** Any laws, decrees, ordinances or rules and regulations which are inconsistent
25 with or contrary to the provision of this Act is hereby amended or repealed.

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2 **SEC. 7.** This Act shall take effect fifteen (15) days after its complete publication in at
3 least two (2) national newspapers of general circulation.

Approved,