

[DSWD ORDER NO. 29, S. 1999, November 05, 1999]

REVISED GUIDELINES IN THE LICENSING OF SOCIAL WORK OR SOCIAL WELFARE AND DEVELOPMENT AGENCIES

The following guidelines are hereby promulgated to define the system by which social work or social welfare and development agencies shall be registered and authorized to operate by the Department of Social Welfare and Development (DSWD).

I. RATIONALE

The DSWD recognizes the vital role of non-government organizations (NGOs), people's organizations (POs), other government agencies and private entities, as partners in the promotion of the welfare of the disadvantaged population. Through complementation of goals, objectives and resources, quality service delivery for the poor and disadvantaged groups can be achieved. This partnership is also founded on the shared vision of empowering the poor and disadvantaged, so that they are able to live a life of dignity and self-reliance.

Through licensing, as one of the functions of DSWD, the NGOs, POs, other government and private agencies are supported in providing effective, relevant and quality social services. Licensing is an enabling process of recognizing the capability of an agency and granting it the authority to implement services and operate as a social work or social welfare and development agency. Through this function, DSWD also seeks to protect the trust of the people by promoting public accountability, transparency, professionalism and integrity in the delivery of social services.

Furthermore, in the light of the government's devolution thrust to hasten the delivery of services and access resources to the people, licensing of social work or social welfare agencies operating in only one region has been decentralized to the DSWD Field Offices. The DSWD Central Office shall issue licenses to agencies operating nationwide or in more than one region at the time of application.

II. MANDATE AND LEGAL BASES

The DSWD draws its authority and responsibility to license social work or social welfare and development agencies from the following:

- a) *Republic Act No. 4373* amended by R.A. 5175 — Regulating the Practice of Social Work and the Operation of Social Work Agencies in the Philippines; Article IV, Section 23. — "No social work agency . . . shall operate and be accredited as such unless it shall first have registered with the Social Welfare Administration which shall issue the corresponding registration certificate".
- b) *Executive Order 292* otherwise known as the Administrative Code of 1987, Title XVI, Chapter IV. Bureaus and Offices, Section 10. Functions. "Each of the staff

bureaus shall: (4) develop standards and assess agencies for licensing and accreditation."

c) *Presidential Decree 603* otherwise known as the Child and Youth Welfare Code as amended. Article 118. "No private person, natural or juridical shall establish temporarily or permanently any child welfare agency without first securing a license from the Department of Social Welfare and Development. Such license shall not be transferable and shall be used only by the person or institution to which it was issued at the place stated therein".

d) *Executive Order 15* — Redirecting The Functions and Operations of the Department of Social Welfare and Development, Section 3 Powers and Functions, (f) Set standards, accredit and provide consultative services to institutions, organizations and persons engaged in social welfare activities and monitor performance of institutions, organizations and persons engaged in social welfare activities, both public and private."

III. DEFINITION OF TERMS

The following terms are defined for purposes of this Order:

a) Social Work or Social Welfare and Development Agency is any person whether natural or juridical, profit or non-profit, such as sole proprietorship, partnership, corporation, cooperative or non-government organizations, that engage mainly in services that promote the development and welfare of clientele groups through the use of social work methods and approaches.

The clientele groups may be children, youth, women, and persons with disabilities, older persons, and victims of disasters, families, communities and other disadvantaged groups.

Sole Proprietorship — is a legal entity in whose management and control of the business is relegated or governed by a single person.

Partnership — is a legal entity where, through a contract of partnership, two or more persons bind themselves to contribute money, property or industry to a common fund, with the intention of dividing the profits among themselves. (Civil Code, Art. 1767)

Corporation — is an artificial being created by law having the right of succession, and the powers, attributes and properties expressly authorized by law and incident to its existence. (Corporation Code, Section 2). This covers NGOs, religious societies, corporation sole, civic organizations and associations.

(b) *License* — is the certificate issued by DSWD which gives authority to an agency to implement social work or social welfare and development services. It is issued after the agency meets the licensing requirements.

(c) *Residential or Center-Based Agencies or Institutions* — are agencies that provide 24-hour custodial care. For children, these institutions include child-caring agencies, group homes, detention homes, shelter-care institutions, receiving homes, nurseries, maternity homes, rehabilitation centers, reception and study centers and child-placing agencies.