

**[KKPP DEPARTMENT ORDER NO. 005, S. 92,
March 13, 1992]**

**IMPLEMENTING GUIDELINES FOR R.A. 7160 ON THE
DEVOLUTION OF THE DEPARTMENT OF SOCIAL WELFARE AND
DEVELOPMENT PROGRAMS, SERVICES, PERSONNEL, ASSETS
INCLUDING LIABILITIES TO THE LOCAL GOVERNMENT UNITS
AND OTHER PURPOSES**

**I.
PURPOSE**

The objective of this Department Order is to provide the Central, Regional, Provincial and City Branch and Municipal Unit offices the implementing guidelines to operationalize the transfer of DSWD programs, services, personnel, assets and liabilities as provided by R.A. 7160.

**II.
GENERAL POLICY**

Since the enactment of R.A. 7160, otherwise known as the Local Government Code is expected to bring about long term benefits for the disadvantaged population the policy of the Department of Social Welfare and Development is to give its full support to its implementation. On the other hand DSWD also recognizes the need to balance these benefits with the need to ensure security of tenure, compensation and career development for the DSWD personnel who will be devolved. The DSWD also recognizes the need to fully support capability building of LGUs in order to attain the fullest benefits from the implementation of the Local Government Code.

**III.
SPECIFIC POLICIES**

A. DEVOLVED DSWD PROGRAMS AND SERVICES

1. Provincial: Disaster relief assistance shall be devolved to the Provincial level. However, relief assistance for disasters which are localized in scope can be handled by cities and municipalities.

a. Disaster relief assistance shall include provision of food, temporary shelter, clothing and domestic items as well as assistance to facilitate rescue and evacuation including comfort-giving through clarificatory session.

b. The Department of Social Welfare shall be empowered to mobilize direct service workers from unaffected areas to directly undertake disaster relief assistance in the case of disasters massively affecting a province or several

provinces. It shall design the program and mechanisms to institutionalize this objective as part of its national disaster preparedness plan.

2. City/Municipality: The following programs and services shall be devolved to the City/Municipal level:

- a. Self Employment Assistance
- b. Family and Community Welfare Program
 - 1. Parent Effectiveness
 - 2. Marriage Counseling
 - 3. Responsible Parenthood
 - 4. Family Casework/Counselling
 - 5. Social Preparation for People's Participation
 - 6. Community Volunteer Resource Development
 - 7. Social Welfare Structure Development
- c. Women Welfare Program
 - 1. Self-enhancement Skills Development
 - 2. Maternal and Child Care Skills Development
 - 3. Productivity Skills/Livelihood Development
 - 4. Community Participation Skills Development
- d. Child and Youth Welfare Program
 - 1. Peer Group Service (PYM)
 - 2. Community-Based Services for Street Children
 - 3. Community-Based Services for delinquent Youth
- e. Emergency Assistance Program
 - 1. Supplemental Feeding
 - 2. Food for Work
 - 3. Emergency Shelter Assistance
 - 4. Balik Probinsiya

5. Crisis Intervention

6. Disaster Management Capability Building

f. Program for Disabled Persons and Elderly:

1. Information Dissemination on Disability Prevention

2. Assistance for Physical Restoration of Disabled Persons and Elderly

3. Self/Social Enhancement Service for Disabled Persons

4. Social/Vocational Preparation for Employment Services

5. After Care and Follow-up Services

6. Special Social Services for the Elderly

7. Social and Vocational Preparation for Job Placement

3. Barangay: The Day Care Service shall be devolved to the Barangay level. Honoraria over and above the remuneration received by barangay day care workers shall be devolved to either the Barangay or to the Municipality which is augmenting the resources of the barangay concerned.

4. Foreign donation of food commodities for supplemental feeding shall be distributed based on assessment of LGU performance.

5. The collection of parents equity contribution for supplemental feeding and day care centers shall cease. This shall take effect upon of the transfer of DSWD worker.

6. The collection of SEA Roll-back shall be devolved to LGUs who can use it as seed-capital for their own SEA Trust Fund. This will also take effect on the effectivity of transfer of the DSWD workers.

7. To ensure compliance of standards in the delivery and implementation of devolved DSWD programs and services, mechanisms for reporting, monitoring, evaluation and technical assistance should be negotiated with LGUs.

B. RETAINED PROGRAMS AND SERVICES

1. Retention of programs and services is guided by the following policy:

a) Center based programs and services whose venue for delivery serves two or more provinces/cities shall remain under the administration and technical supervision of DSWD;

b) All other special and pilot projects not funded under the regular budget shall be retained.

c) Regular programs involving special social services shall not be devolved.

2. The following DSWD Programs and Services shall be retained:

a. All center-based programs and services given in institutions, centers, facilities, resettlement areas utilized by two or more provinces/cities;

b. All pilot and special projects with local or foreign funding such as:

1. SEA Kaunlaran
2. Tindahang Bigay-Buhay
3. Countrywide Development Fund
4. Special Project for Scavengers in Smokey Mountain and Payatas
5. Productivity Skills Capability Building for Disadvantaged Women
6. Social Communication Skills Development
7. Project for Sexually Exploited Children
8. Special Social Services for Children in Situations of Armed Conflict
9. Core Shelter
10. RTEF Production
11. Early Detection and Intervention of Disabilities among Children 0-6

c. Special Social Services for Children in Especially difficult circumstances such as:

1. Child Care and Placement
2. Child Protection Services
3. Special Social Services for Youth Offenders

10. A two way referral mechanism should be established with LGUs to ensure referral of community based after care for DSWD clients from centers and institutions as well as to ensure LGU referral of cases to programs and services in DSWD Centers/Institutions.

C. TRANSFER OF PERSONNEL

1. Coverage of mandatory devolution of technical and administrative personnel

a) Municipal level: SWO III, I, Social Welfare Assistant, Social Welfare Aide. Priority should be given to the devolution of SWO III at the municipal level.

b) City level: SWO V, Statistical Aide, Clerk, Driver, Utility/Janitor, SWO III, SWO I,

Social Welfare Assistant, Social Welfare Aide, MDA and MDO I.

c) Provincial Level: SWO V, Statistical Aide, Clerk, Driver, Utility/Janitor. In Provinces where there are two SWO V, only one may be devolved, the other one will be retained by DSWD.

2. Specific policies vis a vis devolved personnel

a) Mandatory devolution of DSWD personnel to the LGU shall be formalized through a Memo of Agreement. The LGUs shall create the equivalent positions of the affected personnel except when it is not administratively viable.

b) Absorption is not administratively viable when there is duplication of functions unless the LGU opts to absorb the personnel concerned. The mandatory limit to total appropriations for personal services set by Section 325 of R.A. 7160 should not be exceeded.

c) The DSWD personnel who are not absorbed by the LGUs for reasons of administrative non-viability shall be retained by DSWD subject to civil service law, rules and regulations, i.e., their security of tenure shall be fully protected. The Regional Office is tasked with defining their functions under the reorganized structure of the Field Monitoring Office (FMO).

d) There shall be no involuntary separation, termination or lay-off of DSWD Personnel affected by devolution;

e) Devolved permanent personnel shall enjoy security of tenure in accordance with existing Civil Service laws, rules and regulations;

f) Any reorganization that will be implemented by the LGUs after the devolution of functions shall be governed by the provisions of R.A. No. 6656 and the Civil Service laws, rules and regulations;

g) Casual emergency, or daily-wage DSWD personnel assigned in the field units affected by devolution who are performing duties and responsibilities relative to the delivery of basic services shall be absorbed by the LGUs concerned:

h) Temporary personnel shall be absorbed by the LGUs, subject to Civil Service laws, rules and regulations;

i) After the execution of a Memo of Agreement on the transfer of DSWD personnel their automatic reappointment by the receiving LGU shall be affected immediately;

j) There shall be no diminution in pay or benefits of DSWD devolved personnel;

k) DSWD personnel subject to devolution who are retireable in 1992 shall not be devolved. Upon retirement their vacant positions can be devolved to the receiving LGUs.

3. Criteria for devolution

a) Those assigned in City Branch Office or municipal unit offices shall be absorbed