

*Basta lisensyado, siguradong lehitimo.
Benepisyaryo ay tiyak na protektado*



A PRIMER ON

Memorandum Circular No. 17, Series of 2018

**REVISED GUIDELINES GOVERNING
THE REGISTRATION, LICENSING OF
SOCIAL WELFARE AND
DEVELOPMENT (SWD) AGENCIES
AND ACCREDITATION OF SWD
PROGRAMS AND SERVICES**



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Department of Social Welfare and Development

The Department of Social Welfare and Development (DSWD) is mandated to set standards and provide consultative services to organizations engaged in social welfare and development activities. In line with this mandate, the DSWD conducts registration and licensing of agencies and organizations engaged or planning to engage in social welfare and development (SWD), as well as accreditation of SWD programs and services of licensed social work agencies (SWAs), and of service providers engaged in marriage counseling, court cases, and early childhood care and development (ECCD), among others.

What is Memorandum Circular No.17 series of 2018?

It is a set of guidelines that aims to regulate all public and private agencies and organizations in the country that are engaged or planning to engage in providing direct or indirect Social Welfare and Development (SWD) programs and services.

What is a SWDA?

Social Welfare and Development Agency (SWDA) refers to a non-stock, non-profit corporation, organization, or association, implementing or intending to implement either directly or indirectly, social welfare and development programs and services in the Philippines, and assessed as having the capacity to operate administratively, technically, and financially. Its clients may include, but are not limited to, the poor, disadvantaged, and vulnerable individuals, groups, families, and communities.

CLASSIFICATIONS OF SWDAS

1

PUBLIC SWDA - Managed by the national government agencies (NGAs) or local government units (LGUs) which are exempted from registration and licensing but its SWD programs and services are required to be accredited by the DSWD. These include:

1.1

Residential facility - managed by DSWD and LGUs, such as, but not limited to, Reception and Study Center for Children (RSCC), Regional Rehabilitation Center for Youth (RRCY), Haven for Women, Elsie Gaches Village (EGV), Sanctuary Center, and Home for the Elderly, etc.

1.2

Non-residential facility - managed by DSWD, NGAs, and LGUs, such as, but not limited to, Senior Citizens Center (SCC), Vocational Rehabilitation Center, and ECCD Center, etc.

2

PRIVATE SWDA - Non-stock, non-profit organization duly established and/or recognized under the laws performing SWD activities. This may either be:

2.1

Social Work Agency (SWA) - a private SWDA that directly engages in SWD programs and services whether Center based and/or Community based using social work interventions, whether case work, group work, or community organizing. It employs the services of a full time or part time social worker.

A. CENTER-BASED

- refers to the SWD programs and services rendered in a physical structure or facility. It is classified into:

Residential - refers to provision of twenty-four (24) hour group care services under the guidance of trained staff within a structured therapeutic environment geared towards rehabilitation.

Non-Residential - refers to provision of programs and services of trained staff in a physical structure for group of clients for a number of hours in a day or several days but not beyond two (2) weeks.

B. COMMUNITY-BASED

- refers to the programs and services rendered in the community while they remain in their homes and/or with their families.

2.2

Auxiliary SWDA - a private SWDA which provides SWD programs and services to clients indirectly through provision of funds and/or in kind, and/or capacitating staff of other SWAs through training, research, and advocacy.

HOW IS REGULATION DONE?



Registration

The process of assessing the applicant's organization to determine whether its intended purpose is within the purview of SWD, where the determination of the same shall result to the inclusion of the agency in the Department's registry of SWDAs.



Licensing

The process of assessing the qualifications and authorizing a registered SWDA to operate as a SWA or as an Auxiliary SWDA.



Accreditation

The process of assessing a licensed SWA if their SWD programs and services are compliant to the Department's set standards.



Who are covered?

All public and private agencies and organizations engaged or planning to engage in providing direct or indirect Social Welfare and Development (SWD) programs and services.

What are the legal bases?

- Republic Act (RA) No. 10847 of 2016 (An Act Lowering the Age Requirement for Applicants taking the Board Examination for Social Workers, Providing for Continuing Social Work Education, and Upgrading the Sundry Provisions relative to the Practice of Social Work)
- Professional Regulatory Board for Social Workers Resolution No. 03 series of 2017
- RA 4373 of 1965 (An Act to Regulate the Practice of Social Work and the Operation of Social Work Agencies in the Philippines and for other Purposes)
- Book IV, Title XVI, Section 3 of RA No. 5416 of 1968 (Social Welfare Act of 1968)
- Presidential Decree 603 (The Child and Youth Welfare Code as amended)
- Executive Order 292 (Administrative Code of 1987)
- Executive Order 221 Series of 2003 (Amending Executive Order No. 15 series of 1998, entitled Redirecting the Functions and Operations of the Department of Social Welfare and Development)

WHY IS THERE A NEED TO BE REGISTERED, LICENSED, AND ACCREDITED?

- In compliance with the provisions of the law.
- Provides the legal authority for a registered SWDA to operate as a Social Work Agency (SWA) or as an Auxiliary SWDA.
- Protect the clients against abuses, exploitations, and inefficiencies from any organization engaging SWD activities
- Ensure that quality services and programs are delivered to the beneficiaries.
- Recognize the vital contributions of private and public SWDAs in the promotion of welfare of the poor, disadvantaged, and vulnerable individuals, families, and communities.
- Promote transparency and accountability of SWDAs to their respective donors, beneficiaries, and other stakeholders.

REGISTRATION OF SWDA

Coverage and Applicability

Any private SWDA that intends to engage in SWD activities shall apply for registration with the concerned DSWD Office within six (6) months from registration with the Security and Exchange Commission (SEC) that gives juridical personality to an agency to operate in the Philippines.

Those already engaged in the implementation of SWD programs and services must simultaneously apply for registration and license to operate.

ISSUANCE OF CERTIFICATE OF REGISTRATION

After having complied with all the prescribed requirements for registration and established that the applicant is within the purview of SWD, a Certificate of Registration shall be issued. However, the Certificate does not provide yet a legal authority to operate as SWDA. For those that would like to operate as soon as possible, they have to work and comply with the licensing prior its operation to prevent being delisted from the registry of SWDAs and/or be imposed with sanctions. Otherwise, they have one (1) year to work on their license.

P R O C E S S

a. All applicant organizations for registration intending to operate within one (1) region shall file their application at the concerned Field Office (FO), while those applicant organizations operating in more than one (1) region shall apply at the Standards Bureau.

b. Only application for registration with complete prescribed requirements shall officially be received and processed by the DSWD.

c. The concerned DSWD office shall review and assess the documentary requirements submitted.

d. Upon finding that an applicant is compliant to the prescribed requirements, the DSWD shall issue a Certificate of Registration.

e. The qualified SWDA shall then be included in the DSWD List of Registered SWDAs.



Timeline for Processing

The processing time of each application assessed with complete documents is seven (7) working days.

Fees and Charges

All applicant organizations shall pay the corresponding processing fee of **PHP1,000.00** for Registration, and **PHP1,000.00** for Licensing set by the DSWD as per DSWD Memorandum Circular No. 12 series of 2015 (Guidelines on Fees and Charges).



LICENSING OF SWDA

Coverage and Applicability

All registered private SWDAs, which are not yet in operation upon registration, shall apply for a license to operate within one (1) year after issuance of Registration Certificate.

Those already engaged in the implementation of Social Welfare and Development (SWD) programs and services must simultaneously apply for registration and license to operate.

- a. All registered SWDAs that will operate within one (1) region shall file their application at the concerned FO while those that will operate in more than one (1) region shall file their application at the Standards Bureau.
- b. Only application for licensing with complete prescribed requirements shall officially be received by the DSWD.
- c. The concerned DSWD office shall review and assess the documentary requirements submitted by a registered SWDA.
 - c.1 *At least one (1) day validation visit shall be conducted to further assess the compliance of the SWDA to the licensing requirements and criteria. The validation visit shall be based on the agreed schedule between the DSWD and applicant SWDA.*
 - c.2 *Upon finding that the applicant has administrative, technical, and financial capacity to operate and implement SWD programs and services, the DSWD shall issue the Certificate of License to Operate.*
- e. The qualified licensed SWDA shall then be included in the DSWD List of Registered and Licensed SWDAs.

ISSUANCE OF LICENSE TO OPERATE

After having complied with all the prescribed requirements for licensing, a License to Operate shall be issued. Based on assessment, the license shall indicate whether it is a SWA or Auxiliary SWDA.

SWD programs and services being implemented by SWAs shall be required to be accredited within the three (3) years validity period of the issued license to operate.

PROCESSES



Timeline for Processing

The processing time of each application assessed with complete documents is twenty (20) working days.

Fees and Charges

All applicant private SWDAs shall pay the corresponding processing fee set by the DSWD as per DSWD Memorandum Circular No. 12 series of 2015 (Guidelines on Fees and Charges).



During the declaration of State of Calamity or Emergency where the SWDAs main office is located, Remote Validation (RV) for one (1) day shall be conducted to further assess the compliance of the applicant to the licensing requirements and criteria of the DSWD.

REPORTORIAL REQUIREMENTS

All licensed SWDAs shall submit an annual accomplishment report within 1st quarter of the succeeding year using the DSWD template.

Failure to submit said report for two (2) consecutive years shall result to sanctions as provided under DSWD Memorandum Circular no. 17 series of 2018.

VALIDITY OF LICENSE

The License is valid for three (3) years, unless earlier suspended or revoked.

Grounds for suspension and revocation are specified under the DSWD MC No. 16 series of 2018.

RENEWAL OF LICENSE AND ACCREDITATION

The SWDA shall file its application for renewal of its license with complete requirements **at least ninety (90) working days** before it expires.

AMENDMENT AND REPLACEMENT OF THE ISSUED CERTIFICATES

A DSWD Certificate or License may be subject to amendment and/or replacement due to any of the following circumstances:

- A.** Change of Name and/or Office Address
- B.** Expansion of Program Implementation and/or Area/s of Coverage
- C.** Transfer of Areas of Operation/s
- D.** Loss of Certificate

Request for any amendment and/or replacement of Certificate/s should emanate from the SWDA, or should be endorsed by FOs, whichever is applicable.

ACCREDITATION OF SOCIAL WELFARE DEVELOPMENT (SWD) PROGRAMS AND SERVICES

Coverage and Applicability

SWD programs and services of Public and Private SWAs are required to be accredited. For private SWAs, accreditation shall be filed within the three (3) years validity period of the issued license.

For public SWAs with newly established facilities, accreditation shall be filed within three (3) years upon operations of such facility.

Likewise, public SWAs with existing and operational facilities shall be filed within one (1) year upon effectivity of this guideline.

The SWD programs and services to be assessed for accreditation shall include but are not limited to (i) Center-based and (ii) Community-based programs and services.

LEVELS OF ACCREDITATION

- 1** Compliant to mandatory indicators which should be complied to meet the accreditation standards. This corresponds to compliance to level one (1) with accreditation certificate valid for three (3) years.
- 2** Compliant to mandatory and higher set of indicators required for its work areas. This corresponds to compliance to level two (2) with accreditation certificate valid for five (5) years.
- 3** Compliant to mandatory indicators to meet the accreditation standards. This corresponds to compliance to level three (3) with an accreditation certificate valid for seven (7) years.

a. Pre-assessment for Accreditation - For first-time application of accreditation, pre-assessment shall be administered by the concerned Field Office (FO) prior the actual accreditation assessment of the Social Welfare and Development (SWD) programs and services of the applicant Social Welfare Development Agencies (SWDA) by Standards Bureau.

For the renewal of accreditation, the FO's pre-assessment shall no longer be required. Instead, the applicant Social Welfare Agencies (SWA) must conduct self-assessment using the pre-assessment tool, which shall form part of the requirements for renewal.

The existing accreditation tools shall be used as the pre-assessment tools in determining the readiness of the SWDA to meet the set standards on SWD programs and services being delivered to its clients.

b. All public and private SWAs shall file their accreditation of their SWD programs and services at the Standards Bureau.

c. Only application for accreditation with complete prescribed requirements shall be officially received by the DSWD.

d. The concerned Standards Bureau shall review and assess the documentary requirements submitted by applicant SWA:

d.1 Accreditation assessment visit shall be conducted to applicants found with submitted complete requirements. The assessment visit shall base on agreed schedule between the DSWD and applicant SWDA.

d.2 Upon finding that the applicant meets the set standards, the DSWD shall issue the Certificate of Accreditation.

e. The qualified SWA shall be included in the list of SWDAs with accredited SWD programs and services.

NOTE: The SWA shall file its application for renewal of its accreditation with complete requirements at least ninety (90) working days before it expires.

ISSUANCE OF CERTIFICATE OF ACCREDITATION

After having complied with the prescribed requirements and standards for accreditation of SWD programs and services, a Certificate of Accreditation shall be issued.

VALIDITY OF CERTIFICATE OF ACCREDITATION

The Certificate of Accreditation is valid for three (3) to seven (7) years depending on the compliance to the level of accreditation, unless earlier suspended or revoked.



Timeline for Processing

The processing time of each application assessed with complete documents is twenty (20) working days.

Fees and Charges

All private SWDAs shall be charged PHP1,000.00 Processing Fee upon application (per program/area of operation if community-based; per facility if center-based).



During the declaration of State of Calamity or Emergency where the SWDAs main office is located, Remote Validation (RV) shall be conducted to further assess the compliance of the applicant to the accreditation requirements and criteria of the DSWD. A copy of the floor plan shall be submitted to the DSWD office to guide the assessor or accreditor relative to the arrangement of rooms in a building.

Benefits and Incentives of Licensed and/or Accredited SWDAs

Licensed SWDA:

- Eligible to become member of Area Based Standards Network (ABSNET)
- Participation in DSWD's capability building and skills enhancement.
- Endorsement for duty-free entry of foreign donations subject to compliance with the requirements for the availment of foreign donations.
- Other benefits, incentives and recognitions may be provided as deemed appropriate by the Department.

Public SWDA and Private SWA with Accredited SWD Programs and Services:

In addition to the benefits and incentives of a licensed SWDA, an accredited public SWDA and private SWA shall be entitled to the

- Financial subsidy or resource augmentation for program implementation subject to availability of funds and compliance with the other DSWD guidelines and requirements.
 - Recommendation for at least 50% discount on service utilities subject to compliance with the DSWD and utility service providers (for residential and non-residential private SWAs catering to senior citizens).
 - Letter and Plaque of recognition
- Additional benefits for accredited Level 2 or 3:**
- Nomination for local and foreign travel to participate in relevant training/conferences as part of the Philippine delegation, if any.
 - Grant of cash incentive depending on availability of funds. The cash incentives shall be used to augment the SWDA's program expenses and funds shall be charged against the DSWD SB's budget.
 - b.1. The amount of cash incentives shall not be lower than thirty thousand pesos (Php 30,000.00) for Level 2.
 - b.2. Minimum of fifty thousand pesos (Php 50,000.00) for Level 3

- Recommended for trainings and research e.g. Lakbay Aral (for Level 3).

Penalties

Republic Act No. 4373 of 1965
"an Act to Regulate the Practice
of Social Work and the Operation
of Social Work Agencies in the
Philippines and for Other
Purposes", as amended by RA
10847 of 2016

Any person, corporation or entity operating as a social welfare and development agency, without the corresponding valid Certificate of Registration and License to Operate issued by the DSWD shall be penalized with a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00) and/or imprisonment for not less than one (1) year but not more than three (3) years, at the discretion of the court. These penalties shall be without prejudice to the seizure of equipment, instruments and other facilities of the social welfare and development agency.