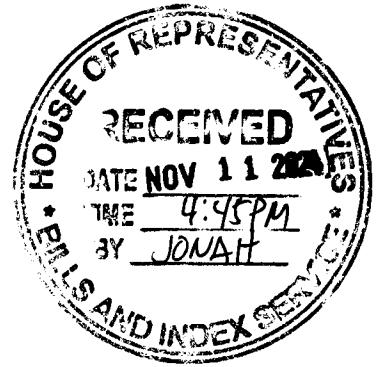


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
NINETEENTH CONGRESS
Third Regular Session



House Bill No. 11064

Introduced by **REP. EDUARDO R. RAMA JR.**
2nd District, Cebu City

EXPLANATORY NOTE

"The object of government is the welfare of the people."

-Theodore Roosevelt

The creation of the Department of Social Welfare and Development ("DSWD") finds its origins in the hopes of providing an agency responsible for developing and administering a comprehensive social welfare program dedicated to ameliorating the living conditions of Filipinos, especially those who are vulnerable and at-risk because of poverty, disability, age, and those who are victims of calamities.¹ Currently, DSWD is the primary agency for implementing key programs in the government: Pantawid Pamilyang Pilipino Program ("4Ps"), Assistance to Individuals in Crisis Situations ("AICS"), and Comprehensive Intervention Against Gender-Based Violence.

Nevertheless, the implementation of these programs was met with difficulties. Legislators and other government agencies have pointed out irregularities in their effectiveness and efficiency in terms of addressing the needs of the intended beneficiaries. To put into context, the Commission on Audit ("COA") has flagged the DSWD for its process in selecting beneficiaries of 4Ps wherein a number of them were not part of the *Listahanan*, or the National Household Targeting System for Poverty Reduction ("NHTS-PR").² Senate also was called to investigate the lapses in the program such as delayed payouts, and the inclusion of unqualified families.³

¹ Republic Act No. 5416. *Social Welfare Act*. 15 June 1968.

² Commission on Audit (2022). *Follow-Up on the Performance Audit on the Pantawid Pamilyang Pilipino Program*. <https://www.coa.gov.ph/reports/performance-audit-reports/2022-2/follow-up-on-the-performance-audit-on-the-pantawid-pamilyang-pilipino-program/>.

³ Lalu, Gabriel (26 April 2022) *De Lima wants probe of alleged lapses in 4ps implementation*. INQUIRER.NET. <https://newsinfo.inquirer.net/1587968/de-lima-wants-probe-of-alleged-lapses-in-4ps-implementation>

It can also be recalled that DSWD struggled with the distribution of assistance to thousands of parents and students under the AICS program. Furthermore, COA has called the attention of the department because of its non-submission of documents corresponding to payouts and issues on double payments of assistance to at least 310 beneficiaries under the program.⁴ Likewise, the role of DSWD in preventing and responding to gender-based violence has been accentuated by the rise of reports of women and children becoming victims of abuse and violence.⁵

Hence, in light of these issues in the Department and the policy of the State to promote a just and dynamic social order through social services, this House Bill seeks to establish a **Barangay Social Welfare Office** to aid the DSWD in implementing the aforementioned programs in the local communities and uplift the quality of life of residents.

Under this House Bill, there shall be a barangay social welfare officer as head and assisted by three (3) barangay social welfare employees. The office shall also have the following units, namely: poverty alleviation, crisis management, and women and children welfare, wherein each is assigned to enforce 4Ps, AICS, and intervention against Gender-Based violence in the barangays.

Given the foregoing and in the promotion of social welfare, support for the enactment of this measure is earnestly requested.



REP. EDUARDO R. RAMA JR.

⁴ Ku, Russell (17 August 2021). *CoA finds lapses in DSWD Program for crisis fund*. Business World. <https://www.bworldonline.com/the-nation/2021/08/17/389899/coa-finds-lapses-in-dswd-program-for-crisis-fund/>; Ferreras, Vince (16 August 2023). *COA flags DSWD for deficiencies in payout of P 467-M crisis aid*. CNN Philippines. <http://www.cnnphilippines.com/news/2023/8/16/COA-DSWD-payout-AICS-.html>

⁵ Philippine Commission on Women (31 December 2022). *Estado ni Juana: Status of the Filipino Women Report*. <https://drive.google.com/drive/folders/1FKiw7HUIQp6STNo-CXA-OTFkv-JJS89g> Miriam College Center for Strategic Research(22 March 2021). *Assessing the Organizational Responsiveness and Service Delivery of Local Government Units and the Department of Social Welfare and Development on Violence Against Women and Children amidst the Community Quarantine due to the COVID-19 Pandemic*. https://www.dswd.gov.ph/wp-content/uploads/2023/02/Final-Report-DSWD-MCCSR_cover_v2-1-1.pdf

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**AN ACT ESTABLISHING BARANGAY SOCIAL WELFARE OFFICE,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* — This Act shall be known as the “Barangay Social Welfare Office Act”.

SECTION 2. *Declaration of State Policy* — The State values the role of social workers in crafting and promoting a just and dynamic social order where people are independent, and provided with adequate social services to improve their quality of life.

SECTION 3. *Objective.* — There is hereby created the Barangay Social Welfare Office to facilitate the provision of social services, opportunities, and assistance under the programs of the Department of Social Welfare and Development (“DSWD”) at the grassroots level. Through this, social services are made accessible and easily available to individuals and families in the barangay.

SECTION 4. *Definition of Terms.* — As used in this Act, the following terms shall mean as follows:

Assistance to Individuals in Crisis Situations (“AICS”) — one of the social welfare services of the DSWD that provides medical assistance, burial, transportation, education, food, or financial assistance for other support services or needs of a person or family.

Case Management — a process used by DSWD to enable qualified household beneficiaries to improve their functioning by dealing with their difficulties, specifically in complying with the terms of the Program. It is a mutually agreed process of assessing, planning, managing, coordinating, and advocating for services and other interventions for improving the well-being of households using the Social Welfare and Development Indicator (SWDI) and other related tools.

City or Municipal link — one of the field implementers of the 4Ps at the local level.

Community Assembly — one of the approaches to be used in validating the identity, accuracy of information, and eligibility of the households under the 4Ps where the households are gathered on a scheduled date and venue.

Crisis Situation — refers to a time in the individuals' life when they experience a breakdown or disruption in their usual or normal daily activities or family functioning which disrupts or prevents them from adequately performing their social functions.

Crisis Intervention Unit or Section ("CIU/S") — is a special unit of the DSWD that serves as an action center to immediately respond to cases of individuals and families in crisis.

Family Development Sessions — a monthly activity conducted with and attended by a grantee or a responsible person, whose aim is to enhance parenting capabilities, thereby encouraging the grantee or person to be a more active citizen in society.

Financial Assistance — refers to cash or guarantee letters provided to qualified beneficiaries or through the service providers, namely: medical assistance, funeral assistance, transportation assistance, educational assistance, food assistance, and cash assistance for other support services.

House-to-House Registration — one of the approaches to be used in validating the identity, accuracy of the information, and eligibility of the households under 4Ps for those living in geographically isolated and disadvantaged areas and for those who cannot attend the scheduled community assembly.

Household — the social unit consisting of a person living alone or a group of persons who sleep in the same housing unit, including any place of dwelling or facility, and have common arrangements for the preparation and consumption of food.

Household Registration — the process of enrolling eligible household beneficiaries in the 4Ps.

Household in special and difficult circumstances or peculiar situations — any household that is assessed by a case manager as being in a special and difficult circumstance or peculiar situation needing development interventions.

Local Social Welfare Development Office ("LSWDO") — the local office of the DSWD which is in formulating measures, developing strategies, providing assistance, and delivering basic services relative to social welfare and development to the local community.

Material Assistance — refers to the provision of food and non-food items to beneficiaries who need immediate material support which can be covered by the items listed below, subject to the availability of the material assistance as follows: family food packs or other food items, hygiene and sleeping kits, and assistive devices and technologies.

National Program Management Office (“NPMO”) — an office of the DSWD for the responsive and efficient implementation of 4Ps policy standards, guidelines, and regulations.

Pantawid Pamilyang Pilipino Program (4Ps) — human development measure of the national government that provides conditional cash grants to the poorest of the poor, to improve the health, nutrition, and education of children aged 0-18.

Planning, Monitoring, and Evaluation Division (“PMED”) — a division under the NPMO that secures the list of eligible household beneficiaries.

Program Orientation Session — a session held for the 4Ps household beneficiaries after being selected to help them understand the program and its objectives, and the roles of other agencies or organizations.

Psychosocial support — refers to support given to help meet the psychological, emotional, and social needs of beneficiaries and their families.

Psychological First Aid — refers to immediate assistance in the form of comfort giving and clarificatory counseling provided to children, adolescents, adults, and families who are affected by a disaster or traumatic incident.

Social Work Counseling — refers to counseling to help clients gain insights into their feelings which affects their behaviors, and/or enable them to process their thoughts and feelings. This also identifies potential solutions to the issues at hand for the crisis situation.

Youth Development Sessions — a voluntary activity that serves as complementary learning to the FDS where it provides additional learning intervention to adolescent children of 4Ps households.

SECTION 5. *Creation of the Barangay Social Welfare Office.* — The Barangay Social Welfare Office shall be organized in every barangay. Every office shall be under the supervision of the regional or local office of the DSWD having jurisdiction over the city or municipality where the barangay is located.

SECTION 6. *Composition* — Every barangay social welfare office shall be composed of the Barangay Social Welfare Officer who shall be the head of the office, and three (3) Barangay Social Welfare Employees.

SECTION 7. *Qualifications.* — To be eligible for the position of barangay social welfare officer, he or she must possess the following qualifications:

- a. Must be of legal age;
- b. Must pass the Social Workers Licensure Examination;
- c. Must have at least two (2) years of experience in social work; and
- d. Must not have a pending case or not have been convicted of final judgment of any crime.

Qualifications and exceptions applicable to this section shall be subject to any conditions imposed by the Civil Service Commission (“CSC”) and the provisions of R.A 4373, the “Act to Regulate the Practice of Social Work in the Philippines”, and R.A. 9433, the “Act Providing for a Magna Carta for Public Social Workers.”

SECTION 8. *Plantilla Position and Salary Grade.* — The barangay social welfare officer shall hold a plantilla position and be compensated with a salary grade of 13. He or she shall be appointed under permanent status and protected by the Civil Service Act, R.A. 9433, and other related laws, rules, and regulations.

SECTION 9. *Security of Tenure.* — No barangay social welfare officer shall be removed or transferred without just or authorized causes enumerated in the Labor Code. He or she must always be afforded due process. If he or she is unjustly dismissed, he or she shall be entitled to reinstatement without loss of seniority rights and back wages with twelve percent (12%) interest to be computed from when his or her compensation was withheld up to the time of reinstatement.

SECTION 10. *Barangay Social Welfare Office Units* — There shall be three (3) units under the office to be headed by the barangay social welfare officer: Poverty Alleviation, Women and Children Welfare, and Crisis Management.

- a. Poverty Alleviation Unit facilitates the implementation of the Pantawid Pamilyang Pilipino Program (4Ps) in the barangay.
- b. Crisis Management Unit aids in identifying recipients and in the submission of documentary requirements to avail material and financial assistance under the AICS Program of DSWD.
- c. Women and Children Welfare Unit assists in cases involving abuse or violence; and those who need special protection.

SECTION 11. *Powers, Functions, and Responsibilities.* — The barangay social welfare officer shall exercise the following powers, functions, and responsibilities for the corresponding units:

- a. Poverty Alleviation
 - i. Assist in the registration of household beneficiaries in the 4Ps:

1. Coordinate with the local social welfare development office (“LSWDO”) in attesting to the identity and eligibility of the household beneficiaries of the 4Ps based on the list generated by the Planning, Monitoring, and Evaluation Division (“PMED”) of the 4Ps National Program Management Office (“NPMO”).
 2. Post the list of eligible household beneficiaries in an open and conspicuous area such as but not limited to the barangay hall, covered courts, public bulletin boards, and daycare centers. The list shall include the schedule, venue, and required documents to be brought by the households during the community assembly organized for the program orientation session of 4Ps.
 3. Assist the LSWDO in organizing the community assembly where the eligible household will sign the Oath of Commitment and Landbank forms, and receive their Pantawid ID.
 4. If there are eligible households that cannot attend the community assembly, the officer shall facilitate the house-to-house registration, signing of the Oath and Landbank forms, and distribution of Pantawid ID.
- ii. Notify new and existing 4Ps beneficiaries of the requirements for updating their information. This may be done by posting a notice in an open and conspicuous place such as the barangay hall, covered courts, public bulletin boards, and daycare centers.
 - iii. Coordinate with the City or Municipal link or the LSWDO regarding the beneficiary information update, and the status of the household beneficiaries.
 - iv. Assist the City or Municipal link in the case management of household beneficiaries in special and difficult circumstances or peculiar situations.
 - v. Lead case referrals for urgent cases requiring immediate intervention such as protective custody, litigation and reporting, and medical and psychosocial support.
 - vi. Establish a grievance desk to receive and record grievances from the beneficiaries of the 4Ps. All grievances will be made into a report and submitted to the city or municipal link grievance officers.
 - vii. Inform household beneficiaries of the schedule and venue of the distribution of cash grants for over-the-counter payouts, and validate the identity of the persons claiming the cash grants by checking their household identification card issued by the DSWD.
 - viii. Facilitate the organizing of 4Ps parent and youth groups from household beneficiaries who will be part of the conduct of monthly family and youth development sessions.
 - ix. Assist in identifying existing household beneficiaries.

b. Crisis Management

- i. Post the list of documentary requirements to receive financial or material assistance in an open and conspicuous area.
 - ii. Conduct preliminary screening of the aforementioned requirements to identify their completeness.
 - iii. Refer the person or persons affected by crises to the Crisis Intervention Unit or Sections, Social Welfare, and Development, or Malasakit Centers nearest to the barangay.
 - iv. Render preliminary psychological first aid and social work counseling for those who are affected by crises.
 - v. In cases where the clients to be assisted are groups of individuals, the officer shall set the date and venue for the distribution of assistance.
- c. Women and Children Welfare
- i. Receive reports of women and children who are neglected, abused, in need of special protection, or victims of violence.
 - ii. Report such cases to the LSWDO, law enforcement agencies, and courts for the filing of cases and issuance of social case studies.
 - iii. Accompany the victim to the nearest police station and coordinate with local enforcement agencies, including the Women and Children Desk, for the arrest of perpetrators and the protection of victims.
 - iv. In case the victim is a woman, the officer shall conduct counseling and provide other psychosocial support to the victim. He or she must also assess the victim's needs and safety, and inform her of the rights and available remedies.
 - v. In case the victim is a child, the officer must conduct an initial assessment of the child's safety and risks in the child's environment. If parents are incapable of protecting the child or unavailable, he or she shall have temporary supervision over the child.

SECTION 12. *Employment.* — The barangay council, led by the barangay chairman, shall employ three (3) barangay social welfare employees who have met the qualifications as prescribed by the DSWD.

SECTION 13. *Powers, Functions, and Responsibilities.* — The barangay social welfare officer shall assign the barangay social welfare employees to each of the sub-units to assist him or her in the performance of his or her responsibilities.

SECTION 14. *Compensation.* — The existing law governing wages in the region where the barangay is located shall apply in determining the salaries of the barangay social welfare employees.

SECTION 15. *Code of Conduct.* — The barangay social welfare officer and his or her employees shall be guided by the Social Work Code of Ethics as adopted by the Board of Social Work and approved by the Professional Regulation Commission ("PRC"). Furthermore, the

employees shall abide by the rules set by the officer to maintain order and discipline in the workplace.

SECTION 16. *Rights of the Barangay Social Welfare Officer and Employee* — Section 17 of Republic Act No. 9433 or the Magna Carta for Public Social Workers shall govern the rights of the barangay social welfare officer and his or her employees.

SECTION 17. *Hours of Work*. — The barangay social welfare officer and his or her employees shall work for not exceeding eight (8) hours a day or forty (40) hours a week.

SECTION 18. *Overtime work*. — In cases where their service is required beyond the prescribed hours of work, inclusive of Saturdays, Sundays, or non-working holidays, the barangay social welfare officer and his or her employees shall be paid additional compensation following the law.

SECTION 19. *Leave Benefits*. — The barangay social welfare officer and his or her employees shall be entitled to leave benefits provided by law, such as but not limited to sick leaves, maternity leave, and paternity leave.

SECTION 20. *Other Benefits*. — Benefits enumerated in Section 15 of the Magna Carta for Public Social Workers shall be granted to the barangay social welfare officer and his or her employees.

SECTION 21. *Application of the Magna Carta of Public Social Workers* — The implementation of this Act shall be supplemented by the other provisions of the Magna Carta of Public Social Workers.

SECTION 22. *Appropriations*. — The amount necessary to implement the provisions of this Act, and its continued implementation thereafter, shall be included in the annual General Appropriations Act.

SECTION 23. *Implementing Rules and Regulations*. — The Department of Social Welfare and Development and the Department of Interior and Local Government, in consultation with the Civil Service Commission and the National Labor Relations Commission, shall formulate the rules and regulations, consistent with the provisions of this law, for its implementation, within six (6) months from its effectivity.

SECTION 24. *Separability Clause*. — If, for any reason, any section of this Act shall be deemed unconstitutional and invalid, the other sections or provisions hereof shall not be affected and shall remain in force and effect.

SECTION 25. *Repealing Clause*. — All laws, executive orders, decrees, instructions, rules, and regulations, contrary to or inconsistent with any provisions of this Act are repealed or amended accordingly.

SECTION 26. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,