

Republic of the Philippines
Department of Social Welfare and Development
National Capital Region

Regional Memorandum Order
No. 002
Series of 2012

SUBJECT : ENHANCED GUIDELINES ON ESCORTING OF RESIDENTS

I. RATIONALE:

The Department of Social Welfare and Development (DSWD) is the primary government agency responsible for care for the marginalized sectors of the society. This is to ensure the respect, protection, fulfillment of the rights of the poor.

The DSWD's mandate is to provide protective/custodial care to disadvantaged individuals and groups in need of temporary care.

In the National Capital Region, there are eight (8) residential care facilities and three (3) center based facilities respectively.

Escorting of residents during the reunification to their families, transfer to other institutions that would appropriate cater to their needs, court appearances, field trips, summer camps, area visits is very vital. This is to ensure resident's well being is secured and protected, continuous case management is discussed as well as employ responsibility and ensure security of the resident and the traveling escort.

Hence, the need to develop this guidelines.

II. LEGAL BASES AND MANDATE:

A. INTERNATIONAL LAWS:

UNIVERSAL DECLARATION OF HUMAN RIGHTS, ARTICLE 16 AND COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS ARTICLE 10

Acknowledges the family as the natural and fundamental unit of the society entitled to protection and assistance, and whose well-being is inevitably linked to the survival of the child.

PREAMBLE OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC)

Emphasized the family as the natural setting for the child's development and well-being: "the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. The CRC also emphasizes the role of parents. Parents or when applicable, the extended family or legal guardians have the primary responsibility for the upbringing and development of the child (Article 18.1).

B. NATIONAL LAWS:

THE 1987 CONSTITUTION OR EXECUTIVE ORDER 209 AS AMENDED BY EO 227 AND RA 9225 UNDER ARTICLE XV SECTION 3

Recognizes that the State shall defend:

1. The rights of spouses to find a family in accordance with their religious convictions and the demands of responsible parenthood;
2. The right of children to assistance, including proper care and nutrition, and other conditions prejudicial to their development

PRESIDENTIAL DECREE (PD) 603 OTHERWISE KNOWN AS, THE CHILD AND YOUTH WELFARE CODE ARTICLE 3.8 & 9

Emphasizes that every child has the right to protection against exploration, improper influences, hazards and other conditions or circumstances prejudicial to his physical, mental, emotional, social and moral development. And, every child has the right to the care, assistance and protection of the state, particularly when his parents or guardians fail or are unable to provide him with his fundamental needs for growth, development and improvement.

LOCAL GOVERNMENT CODE OR REPUBLIC ACT 7160

Transfers the responsibility for the delivery of basic services and related facilities to Local Governments. Mandating the LGUs to promote the establishment and operation of people's organizations, NGOs and the private sectors to make them active partners in the pursuit of local autonomy.

C. DEPARTMENT ORDERS:

**MEMORANDUM CIRCULAR NO. 22 SERIES OF 2004 OR THE POLICY PAPER
ON DE-INSTITUTIONALIZATION OF CHILDREN**

Emphasizes the promotion of community-based and early intervention efforts, protection of children in residential care and recovery and reintegration of children to family and community. As such, measures must be established to facilitate and speed reunification of children to their families whenever indicated. Efforts should be geared towards the readiness of the family and the community to take care of the children who experienced residential care. The LGUs shall be a critical partner in this endeavor.

**ADMINISTRATIVE ORDER NO. 11, SERIES OF 2007 OR THE "REVISED
STANDARDS ON RESIDENTIAL CARE SERVICE**

States that the " Department sets standards and provides consultative services to enable institutions, organizations and persons engaged in social welfare activities in both public and private settings to comply with said standards and monitor compliance.

**ADMINISTRATIVE ORDER NO. 15, SERIES OF 2009 – OMNIBUS GUIDELINES
ON THE TRANSFER OF RESIDENTS IN DSWD / LGU / PRIVATE SOCIAL
WELFARE AGENCIES TO OTHER RESIDENTIAL CARE FACILITIES**

It is intended to protect the welfare and best interest of the residents in DSWD, LGU or private residential care facilities as well as delineate the roles and responsibilities of involved agencies, bureaus, units and offices specifically on the financial and legal aspects to ensure the delivery of quality service to the residents from one residential care facility to another.

III. SCOPE AND COVERAGE:

This guideline shall apply to residents and staff of DSWD-NCR's residential and non-residential care facilities and other Field Office Sections with community-based programs and to all cases needing escort to facilitate management of the case to include the following activities:

1.1. Turn-over/Reintegration to families/relatives:

Residents' turn-over to relatives and families only happens when resident's family/relative is located and favorably assessed as capable and willing to accept client's custody as per Parenting Capability Assessment Report (PCAR) coming from the concerned Local Social Welfare and Development Office (C/MSWDOs) or Regional Offices.

1.2. Attendance to Court Hearings

Escorting is required when residents has an on-going legal cases, need to be personally presented to court for briefing, attend preliminary investigation, to testify / put to witness stand and / or attend case promulgation.

1.3. Area visit

Area visit is conducted when:

1.3.1. The concerned Local Social Welfare Offices (C/MSWDOs) of adjacent Municipalities / Provinces are unable to respond to our request for parenting capability assessment (PCA) of resident's existing families / relatives.

1.3.2. A resident could not completely / correctly provide information about his place of residence but can identify the place once he /she is in the area.

1.4. Representation to Outside Activities/ Invitations:

When resident/s is / are formally invited / requested by National Government Agencies (NGAs), Non-Government Organizations (NGOs), People's Organizations (POs) or private individuals to attend activities outside the center which may be part of the exposure, enhancement of competence, acquiring of information / knowledge, educational advancement, therapeutic activities towards rehabilitation, etc.

1.5. Turn-over / Transfer to other Centers/Institutions within and outside NCR

When a resident's reintegration to family or relative is impossible and the provision of resident's needs are beyond the capacity of referring centers / institutions.

This shall be subject to compliance of Administrative Order No. 15, Series of 2009.

IV. DEFINITION OF TERMS:

1. Escort – refers to staff/employee of the C/I/Unit/Division accompanying resident/s as a guide, support or official representative who shall facilitate turn-over of resident/s.
2. Resident – refers to an individual temporarily sheltered in centers/institutions and or case being handled by community-based program unit/s who is for escorting within and outside the national Capital Region as mentioned under general policies of this guidelines.
3. Residential Care Facility – refers to a center or institution that provides residential care service to the poor, vulnerable and disadvantaged individuals or families in crisis providing appropriate intervention geared towards the healing, recovery and reintegration of residents to the family/community.
4. Residential Care Service – refers to the set of activities where group care is provided by governmental operated agencies, registered/licensed and accredited social welfare and development agencies (SWDA) under the guidance of a trained staff and within a structured therapeutic environment.
5. Regional Special Order/ Administrative Order/ Authority to Travel – refers to an approved written order signed by the Regional Director issued to staff-escort prior to conduct of the escorting of clients.

IV. OBJECTIVES:

This guideline intends to:

1. Protect the welfare and best interest of residents in residential or non-residential care facilities.
2. Establish an efficient system in effecting the turn-over/transfer of client/s from the residential or non-residential care facilities to their family/relative or to another residential care facility.
3. Delineate the roles, duties and responsibilities of involved residential care facilities vis-a vis escorting staff/s to ensure security and protection of residents being escorted/for turn-over.

V. GENERAL POLICIES AND IMPLEMENTING PROCEDURES:

1. Residents who are considered for escorting:

- 1.1. Residents below 18 years old, with or without legal case;
- 1.2. Adult with or without legal/administrative case, whose physical, mental or emotional/psycho-social condition is unstable;
- 1.3. Recovered mental patients, sick or those with medical problem;
- 1.4. Mentally challenged, regardless of age, ambulatory or non-ambulatory, with or without legal case and
- 1.5. Older Persons/Senile

2. Staff who are allowed to escort:

Staff with regular employment status are allowed to escort, as follows:

- 2.1. Social Worker – for residents who are minors, with or without court cases and/or persons with disability who cannot function independently;
- 2.2. MOA Workers maybe allowed to escort within the Region;
- 2.3. Doctor/Nurse/Psychologist – for residents who are sick, mentally challenged, recovered mental patients including older persons;
- 2.4. Project Evaluation Officer/Manpower Development Officer – for residents who are subject for on-the-job training, job placement and sheltered employment;
- 2.5. Senior Houseparents in case none of the above will be available at the time the escorting is very necessary.

3. Allowable Means of Transportation:

Per Commission on Audit (COA) rules, public utilities is the most appropriate means of transportation. However, for the purpose of this guideline, the lowest cost whichever means is applicable may be accepted such as center service vehicle, boat/ship, bus and/or airplane. Use of any of the afore-cited means be further justified by the requesting center as necessary.

4. Venue for Turn-over:

Turn-over of residents should take place in the DSWD Regional Field Office or concerned LGUs which has jurisdiction on the resident's place.

No turn-over of residents during non-working days.

5. Procedures and Basic Documentary Requirements:

A request for Authority to Travel /RAO /RSO for the staff who will escort, with the name of resident/s to be escorted, destination and duration of travel shall be submitted to the Office of the Regional Director for approval **10 days before the target date of departure.**

A. Reintegration to family/relatives:

All units/centers/institutions shall communicate to the concerned Field Offices or C/MSWDOs for family/ parenting capability assessment as basis for evaluating the re-integration plan of resident/s and/or disposition of cases as **travel will only be allowed if:**

1. There is a confirmation from the concerned Field Office that Regional staff, and/or LGU Social Worker are available for appropriate endorsement of the case/s;
2. There is available Parenting Capability Assessment Report favorably recommending the resident's family/relative specifically on the readiness of the family to receive and provide support to the resident and capability of the LGU to extend after care service;
3. Social Case Study Report or Transfer Case Summary is available to serve as reference for after care services and continuous case management of the receiving office and;
4. Request for feedback report after six (6) months on after care service provided by the concerned LGU/Field Office.

B. Attendance to Hearings:

Staff escorting resident for attendance to a court hearing shall be supported by a subpoena or notice of hearing and/or feedback report of Social Worker from previous hearings attended.

C. Area Visit:

An area visit has to be conducted especially in neighboring regions when the request of the center/unit from the concerned C/MSWDOs to conduct parenting capability assessment or location of resident's family was not repounded. The center has to attach/submit copy of the latest communication to the concerned C/MSWDOs. Through this activity, it will help the staff to assess the readiness of the resident/s families to accept him/her or facilitation of the children's abandonment procedures.

The center shall attach on their request for approval/issuance of Travel Authority/RSO/RAO by the Regional Director the confirmation letter from the concerned C/MSWDO on the attendance to case conferences outside the National Capital Region.

D. Representation to Outside Activities/Invitations:

The Center shall attach a written request or an invitation from the sponsors for residents' representation to perform or attend an activity outside the center.

E. Travel for an Exposure/Field Trip:

The Center shall submit to the Regional Office a written request as well as to attach the invitation from the sponsor/benefactor or an approved project proposal for issuance of Travel Authority.

In the event that sponsors/benefactors will invite residents under this category, they are only allowed to travel within the National Capital Region or other Regions on a case to case basis subject to the assessment of prevailing condition at the area.

F. Transfer to other Residential Care Facilities:

Residents shall only be transferred by DSWD -run residential care facilities to equally licensed and/or accredited LGU/SWA-run residential care facilities and are willing to admit the residents. Complete documentary requirements should be submitted as prescribed by the receiving SWA. If possible, all travels of escorts within the specific area/ region should be maximized.

G. Escorting for foreign travel:

Escorting for foreign travel shall be subject to existing policies.

H. Travel for escorting of residents shall be maximized.

I. Staff – Client Ratio:

The number of staff vis-à-vis the number of residents will be assessed by the Regional Office through the C/I Coordinator Group prior to the issuance of its Travel Authority/RSO/RAO.

VI. INSTITUTIONAL ARRANGEMENT:

1. Center/Institution/Units

- 1.1. Ensure the safety and security of the resident attending court-hearing as well as the emotional and psycho-social readiness of the resident when put on witness stand or attending promulgation;
- 1.2. Gather necessary information that will lead to successful location/ tracing of family/relative;
- 1.3. Ensure all documents which includes referral letter, transfer summary, medical abstract, psychological or psychiatric results and other relevant documents for endorsement is in order.
- 1.4. Take care of all travel arrangements to include purchase of tickets, coordination with staff concerned, things residents will bring, including personal belongings, money, medicines and others.
- 1.5. Submit feedback report with photo documentation to the Regional Director within 10 days upon return from escorting.

2. C/I Coordinator:

- 2.1. Assess and recommend for the approval of escorting arrangements.

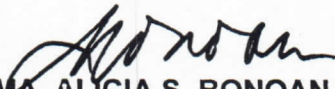
3. Personnel Section:

- 3.1. Prepare RSO, RAO, Authority to Travel to concerned staff/escorts per approval of the management.

VIII. EFFECTIVITY:

This guideline shall take effect immediately and supersedes previous Regional guidelines and issuances inconsistent thereof.

Issued in Manila, this 28th day of September 2012.


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Regional Director