

Department of Social Welfare and Development

MEMORANDUM CIRCULAR NO. 36

Series of 2020

GUIDELINES FOR THE REMOVAL OF PERSISTENTLY NON-COMPLIANT BENEFICIARIES IN THE PANTAWID PAMILYANG PILIPINO PROGRAM

I. RATIONALE

The Pantawid Pamilyang Pilipino Program (4Ps) is the national poverty reduction strategy and a human capital program that provide cash subsidies to 4.4 million poor households to help break their intergenerational cycle of poverty by improving the education, health, and nutrition of their children and of pregnant women. Based on the household's compliance with set program conditions, the program provides cash grants to the households without promoting mendicancy.

With the help of key partner agencies such as the Department of Education, Department of Health and other stakeholders such as lawmakers, development partners, civil society organizations, field implementers, National Advisory Council (NAC) members, among others, the program reached its 10th year of implementation in 2018. Strong partnerships have enabled the program in achieving one of its human development goals of investing in the future of children and keeping them healthy and in school as evidenced after the conducted first two (2) waves of 4Ps impact evaluation (IE) studies.

To leverage on the program gains and to continuously provide efficient and effective social services to the DSWD's partner beneficiaries who belong to the most vulnerable sectors, President Duterte signed into law Republic Act 11310 otherwise known as the 4Ps Act on April 17, 2020. With this, 4Ps has been institutionalized, making it a regular program included for funding in the annual appropriations of the Department. The corresponding Implementing Rules and Regulations (IRR) were approved on December 10, 2019.

The law dictates that the partner beneficiaries will be covered by the program for a maximum period of seven (7) years provided that within this period they are still poor, eligible and willing to comply with the program conditions. The law also mandates the DSWD to formulate guidelines for the removal of non-compliant beneficiaries.

As members of the program, the partner beneficiaries are fully oriented and aware of their co-responsibilities and the consequences of their willful non-compliance to program conditions as manifested in their signed Panunumpa/ Oath of Commitment, which signifies their duty to comply with the conditions. When members of the program do not comply with all of the program conditions, they do not receive the cash transfers. Program implementers help them resolve the barriers impairing them from complying. The members' persistent failure to comply with ALL of the program conditions, resulting to non-receipt of cash transfers despite the efforts of the concerned program implementers to help them resolve the barriers impairing them from complying, may be taken to mean that the

households are either no longer interested in the program, or are willfully not complying with their commitment to the program.

The program reserves the right to remove persistently non-compliant beneficiaries to ensure that government human capital investments are protected by investing in current and newly qualified beneficiaries who are willing and committed to partner with the government to improve the lives of their families and children.

It is in this light that these guidelines are developed for all the concerned stakeholders.

II. LEGAL BASES

1. Republic Act 11310 – An Act Institutionalizing the Pantawid Pamilyang Pilipino Program (4Ps) (April 17, 2019);

a. Section 12. Noncompliance with Conditions. –

The responsible person of a reported qualified household-beneficiary who fails to comply with conditions set forth in Section 11 of this Act shall at first be notified in writing and the payment of cash grants will immediately be terminated. After four (4) months of noncompliance, the household-beneficiary shall be subject to case management process of DSWD.

Should the qualified household-beneficiary so notified persist in not complying with the conditions within a period of one (1) year since the day of receipt of the written notification, the household-beneficiary shall be removed from the program.

b. Section 6. Eligible Beneficiaries –

“...Provided, that to be eligible for the cash grants, households or families must meet the following criteria:

(a) Classified as poor and near-poor based on the Standardized Targeting System and the poverty threshold issued by the Philippine Statistics Authority (PSA) at the time of selection;

(b) Have members who are aged zero (0) to eighteen (18) years old or have members who are pregnant at the time of registration; and

(c) Willing to comply with the conditions specified by this Act.

c. Section 11. Conditions for Entitlement –

“All qualified household-beneficiaries shall comply with all of the following conditions as a requirement for continued program eligibility:

(a) Pregnant women must avail of pre-natal services, give birth in a health facility attended by a skilled health professional,

and receive post-partum care and post-natal care for her newborn;

(b) Children zero (0) to five (5) years old must receive regular preventive health and nutrition services including check-ups and vaccinations;

(c) Children one (1) to fourteen (14) years old must avail of deworming pills at least twice a year;

(d) Children three (3) to four (4) years old must attend day care or pre-school classes at least eight-five percent (85%) of their time;

(e) Children five (5) to eighteen (18) years old must attend elementary or secondary classes at least eight-five percent (85%) of the time; and

(f) At least one (1) responsible person must attend family development sessions conducted by the DSWD, at least once a month.

2. Implementing Rules and Regulations of RA 11310 (December 10, 2019);

a. Rule III. Section 4 – *“The conditional cash transfer to qualified household-beneficiaries has a maximum period of seven (7) years. For current households, the maximum period of seven (7) years shall be reckoned from the start of implementation of these rules provided that they are still eligible, able and willing to comply with the program conditions.”*

b. Rule IX. Section 19 –

“The grants of qualified household-beneficiaries shall not be forfeited in case they fail to comply with the conditions for reasons beyond their control subject to case management strategies. In cases, where the necessary social services to aid their compliance are unavailable, they shall be referred to the concerned agency for appropriate action.

In addition, households with children with disabilities, of IPs, and of those in GIDA, whose peculiar situations are determined to cause their inability to comply with program conditions, shall not be penalized by withholding their cash grants under this Rule. Provided that, a report shall be made to address the situation that resulted in the inability of compliance by these groups.”

c. Rule IX. Section 20 –

“Should the qualified household-beneficiary member so notified persist in not complying with the conditions within a period of one (1) year since the day of receipt of the written notification, the qualified-household-beneficiary member shall be removed from the program.

Guidelines for the removal of non-compliant beneficiaries shall be formulated by the DSWD, with the approval of the NAC.

III. OBJECTIVES

These guidelines are issued to assist program implementers and beneficiaries in removing persistently non-compliant household-beneficiaries from the Pantawid Pamilyang Pilipino Program.

IV. COVERAGE

The processes described in these guidelines shall be applied by the program implementers to household-beneficiaries who persist in not complying with all program conditions rendering zero-compliance within a period of one (1) year since the day of receipt of the written notification informing them of their non-compliance to ALL conditions.

The following are not covered under these guidelines:

1. Qualified household-beneficiaries who fail to comply with program conditions beyond their control subject to case management strategies (e.g. VAWC, Online Sexual Abuse and Exploitation of Children and other analogous cases); households with children with disabilities; with IPs; those in GIDA and areas greatly affected by human-induced and natural emergencies, whose peculiar situation that are determined by their assigned case manager to cause their inability to comply with the program conditions. Details on the handling of these households are discussed in the 4Ps Operations Manual.
2. Qualified household-beneficiaries that have been validated to have system or data related issues causing the zero-compliance.

V. DEFINITION OF TERMS

1. **Case Management** – refers to a process used by the DSWD to enable the qualified household-beneficiaries to improve their functioning by dealing with their difficulties specifically in complying with the program conditions. It is a mutually agreed process of assessing, planning, managing, coordinating and advocating for services and other interventions towards improving the well-being of households using the Social Welfare and Development Indicators (SWDI) and other related tools.
2. **Case Manager** – refers to program staff directly working with qualified household-beneficiaries to effect change and assist them to improve their well-being. They are the city/municipal links and other staff trained in case management process, counseling, family therapy, group process, project management and other related training, as may be determined by the DSWD.

3. **Qualified Household-Beneficiaries** – refer to households identified by the DSWD for entitlement to the monthly conditional cash grants as provided under Rule V of the 4Ps Act IRR.
4. **Grantee** – refers to the most responsible adult member of the qualified household-beneficiary authorized to receive the conditional cash transfer.
5. **Written Notification** – refers to a written or printed communication from the case manager that gives formal notice to a qualified household-beneficiary on their zero-compliance with ALL conditions of the 4Ps program. This is issued at the first instance that the qualified household-beneficiary is validated by the case manager to have zero-compliance for one whole pay period.
6. **Persistently Non-Compliant Household-Beneficiaries** – refers to qualified-household beneficiaries who have zero-compliance with all program conditions within a period of one (1) year since receipt of the written notification informing them of their first instance of zero-compliance with ALL conditions.
7. **Evaluation Period** – refers to the one (1) year period from the receipt of the written notification from the program until three hundred sixty-five (365) days have passed. Adopting Article 13 of the Civil Code of the Philippines in computing the one (1) year period, the first day shall be excluded and the last day included.
8. **Evaluation Checkpoint** – refers to the activity done 6 months from the receipt of the written notification from the program wherein the case manager will review the compliance of the concerned beneficiaries within 6 months using the necessary report and issue corresponding letter (i.e. Encouragement Letter or Warning Letter to the concerned beneficiaries).
9. **Pantawid Pamilya Information System (PPIS)** – refers to the management information system used in program implementation.
10. **Peculiar Situations** - refers to complex situations faced by particularly vulnerable groups requiring special attention and practical support to help them overcome the difficult situation especially those that are threatening the health and safety of the individual or family.

VI. OPERATIONAL GUIDELINES ON THE REMOVAL OF PERSISTENTLY NON-COMPLIANT BENEFICIARIES IN THE PANTAWID PAMILYANG PILIPINO PROGRAM

The following operational guidelines outline the processes and procedures to be followed in the removal of persistently non-compliant beneficiaries of the program and consist of three main processes: notification, evaluation period and retention/removal. The Local Social Welfare and Development Officer

(LSWDO) shall be constantly informed by the case manager on the status and progress of the household-beneficiaries.

1. Zero-compliance with ALL Program Conditions

Upon the continuous failure of the qualified household-beneficiary to comply with ALL conditions of the program (zero-compliance) for one whole pay period (two (2) monitoring months) based on the monitoring and validation by the case manager, the following actions shall be undertaken:

a. Notification of Failure to Comply

- i. Within 5 working days after the case manager has validated using personal records/monitoring that the qualified household-beneficiary had zero-compliance with ALL conditions of the program, the concerned qualified household-beneficiary shall be notified by the case manager in writing (see sample in Annex A¹).
- ii. The Case Manager must ensure that the qualified household-beneficiary is properly informed of the succeeding provisions specified in these guidelines and the grantee sign the acknowledgement receipt. The notice shall remain with the grantee, while the case manager shall take the acknowledgement receipt.
- iii. In cases wherein the grantee is unable to sign or refuses to sign, the signature of a household representative or a Parent Leader shall suffice.
- iv. The case manager should be accompanied by the parent leader, two (2) barangay officials, preferably a *kagawad* and a *tanod* when the written notification will be served to the grantee. This is to ensure the protection of the case manager on the possible threats or for security purposes.

b. Updating of Household Status in the PPIS

- i. Within 3 working days after obtaining the signed acknowledgement receipt, the case manager shall forward the same to the Provincial Operations Office.
- ii. Within 3 working days after receiving the acknowledgement receipt from the case manager, the corresponding Cluster Compliance Verification Office (CCVO) shall encode in the PPIS the household-beneficiary as "Under Evaluation".

¹ Taking into consideration the number of languages/dialects within the regions, and to ensure that the notice is clear and fully understood by the grantee, the RPWO has the authority to translate the notice to a language/dialect best suited to the household.

2. Evaluation Period

The one (1) year evaluation period shall start after the household-beneficiary receives the notification of failure to comply. During this period, the case manager shall conduct case management. Should the qualified household-beneficiary comply with any of the program conditions during this period, they shall continue to receive the corresponding conditional cash grants.

After four consecutive (4) months of non-compliance to all the conditions (zero-compliance), the household-beneficiary shall be subject to intensive case management for the purpose of identifying and resolving barriers in complying with the program conditions and enabling them to comply again.

After six (6) months from the start of the evaluation period, the case manager shall conduct an evaluation checkpoint, reviewing the Household Intervention Plan (HIP), Social Case Study Reports (SCSR) or Case Assessment Reports (CAR), progress reports, and PPIS compliance data of the household-beneficiary and issue either one of the following:

- a. **Encouragement Letter** – If the household-beneficiary has shown improvement towards complying with program conditions (Annex D)
- b. **Warning Letter** – If the household-beneficiary has not shown any improvement towards complying with program conditions (Annex E).

Note: Procedures described in Section VI. 1. a. shall be followed in issuing either letter to the household-beneficiary.

3. Retention/Removal of the household-beneficiary from the program

- a. **Determination of final status of household-beneficiary** – after the one (1) year evaluation period has ended, the following shall be undertaken.

- I. Within 5 working days after the end of the evaluation period, the case manager shall prepare and accomplish the Household Intervention Plan (HIP), Social Case Study Reports (SCSR) or Case Assessment Reports (CAR), progress reports, PPIS data and other documents, which shall support the decision to retain or delist the qualified household-beneficiary.

- II. Within 5 working days after the previous step, the Provincial Link shall conduct a case conference with the case managers, among others to review the Household Intervention Plan (HIP), Social Case Study Reports (SCSR) or Case Assessment Reports (CAR), progress reports, PPIS data and other documents duly accomplished by the assigned City/Municipal Link to decide whether to retain or delist the household.

iii. Within 3 working days after the previous step, the results of the case conference shall be forwarded to the Regional Program Management Office (RPMO).

iv. Within 3 working days after receipt of the documents from the POO, the Regional Program Coordinator shall affix his/her signature as recommending approval.

v. Within 3 working days after the receipt of the documents from the RPC, the Regional Director shall affix his/her signature as final approval and return the same to the RPC.

vi. The approved recommendation shall be returned to the case manager through the POO.

b. Retention of Household – If the approved decision is to retain the household-beneficiary, the following shall be observed:

i. Within 3 working days after the receipt of approved recommendation, the Regional Compliance Verification Officer shall encode in the PPIS that the household-beneficiary is no longer under evaluation.

ii. The qualified household-beneficiary shall be notified by the case manager in writing (see sample in Annex B²).

Note: Procedures described in Section VI. 1. a. shall be followed in issuing to the household-beneficiary.

c. Removal of Household – If the approved decision is to remove the household-beneficiary, the following shall be observed:

i. Within 3 working days after the receipt of approved recommendation, the case manager shall inform the beneficiary that they will be removed from the program due to being persistent in not complying with conditions despite provision of case management (see sample in Annex C).

ii. Within 3 working day after the approval, the Regional Compliance Verification Officer shall tag the household-beneficiary as delisted in the PPIS.

iii. Within 3 working day after the delisting, the case manager shall then refer the household-beneficiary to the Local Social Welfare and Development Officer (LSWDO) for after care.

Note: Procedures described in Section VI. 1. a. shall be followed in issuing notification to the household-beneficiary.

² Taking into consideration the number of languages/dialects within the regions, and to ensure that the notice is clear and fully understood by the grantee, the RPMO has the authority to translate the notice to a language/dialect best suited to the household.

VII. INSTITUTIONAL ARRANGEMENTS

1. 4Ps National Program Management Office (NPMO)

i. Beneficiary Management Division (BDMD)

1. Shall enhance the Beneficiary Update System (BUS) of the PPIS in accordance with these guidelines.

ii. Compliance Verification Division (CVD)

1. Shall monitor the implementation of these guidelines and provide technical assistance to the Regional Program Management Office.
2. Shall enhance the Compliance Verification System (CVS) of the PPIS in accordance with these guidelines.

iii. Grievance Redress Division (GRD)

1. Shall monitor the complaints filed in relation to these guidelines.
2. Shall enhance the Grievance Redress System (GRS) of the PPIS in accordance with these guidelines.

iv. Gender and Development Division (GADD)

1. Shall develop modules related to the capability building of case managers and case management.

v. Capability Building Division (CBD)

1. Shall provide capacity building for all case managers that will be responsible for case management.

2. Information Technology Management Services (ICTMS) – Central Office

i. Business Solutions and Services Development Divisions (BSSDD)

1. Implement the necessary enhancements in the PPIS to support the changes requested by the 4Ps NPMO.

ii. Data Management Division (DMD)

1. Ensure the availability of and uptime of the 4Ps databases

3. 4Ps Regional Program Management Office (RPMO)

i. The Regional Director shall be the final approving authority for the delisting of household-beneficiaries and shall ensure that all Persistently Non-Compliant Household-Beneficiaries are delisted from the Pantawid Pamilyang Pilipino Program.

ii. The Regional Program Coordinator shall be in charge of review and recommending approval of the case manager's outputs and recommendation (retention or delisting).

iii. The Regional Compliance Verification Officer (RCVO) shall provide technical assistance to the Provincial Operations Office on the implementation of these guidelines.

iv. The Regional Compliance Verification Officer shall be in charge of encoding the lifting of "Under Evaluation" status and delisting in the PPIS.

4. 4Ps Provincial Operations Office (POO)**i. Provincial Link**

1. Shall conduct case conferences in relation to the removal of persistently non-compliant beneficiaries.
2. Shall review and approve the case manager's outputs and recommendation.

ii. Cluster Compliance Verification Officer (CCVO)

1. Shall encode the "Under Evaluation" status in the PPIS.
2. Shall maintain and monitor the list of beneficiaries "Under Evaluation" status.
3. Shall provide technical assistance to the Municipal Operations Office (MOO) on the implementation of these guidelines.

5. 4Ps Municipal Operations Office (MOO)**i. The City/Municipal Link**

1. Shall be the assigned case manager.
2. Shall be responsible for informing and notifying the beneficiary as stipulated in these guidelines.
3. Shall be responsible in diligently preparing and updating the necessary reports such as Social Case Study Report/Case Assessment Report, Household Intervention Plan (HIP), Progress report and other reports that may be deemed necessary depending on the case. These shall be the Means of Verification (MOV) that proper case management was done for the subject household.
4. Shall coordinate with the Local Government Unit (LGU) for all the requirements needed in the implementation of these guidelines at the municipal/barangay level (e.g. case worker, time, transportation, availability of involved officials).

6. Local Government Unit

- i. The parent leader, barangay officials preferably a *kagawad* or a *tanod* shall accompany the case manager in serving the necessary documents stipulated in these guidelines to notify the concerned household-beneficiaries.
- ii. The Local Social Welfare Development Officer (LSWDO)
 1. Provide social services to beneficiaries
 2. Aid in linking the beneficiary to available social support services for employment and livelihood opportunities.

VIII. EFFECTIVITY, REPEALING AND SEPARABILITY CLAUSES

1. This Memorandum Circular shall take effect immediately.
2. All previous issuances contrary to or inconsistent with this Memorandum Circular are hereby repealed, modified or amended accordingly.

3. If, for any reason, any part or provision of this memorandum circular is declared invalid, any part or provision not affected thereby shall remain in effect.

PRO 7 MAY 2020, Quezon City, Philippines.


ROLANDO JOSELITO D. BAUTISTA
Secretary

ANNEX A



NOTIFICATION OF FAILURE TO COMPLY

Name of Grantee: _____
Household ID: _____

Sir/Madam,

Good day!

Based on the DSWD's regular monitoring of your compliance with the program conditions, it is found that your household did not comply with all the conditions of the Pantawid Pamilyang Program, rendering zero-compliance for one period.

This serves to inform you that pursuant to Section 12 of Republic Act 11310, should your household persist in not complying with the conditions of the program despite notifications, then, within a one (1) year period of evaluation after receipt of the written notice, you shall be removed as household beneficiary from the program.

Lastly, please be reminded that these conditions were set to help your household specially the children in breaking the intergenerational cycle of poverty.



ACKNOWLEDGEMENT RECEIPT



My signature confirms that I have received, read and fully understood this notice.

Name and Signature of Household Grantee

Date

Name and Signature of City/Municipal Link

Date

ANNEX B

**NOTIFICATION OF RETENTION**

Name of Grantee: _____

Household ID: _____

Sir/Madam,

Good day!

Based on our regular monitoring of your compliance with the program conditions, Household Intervention Plan (HIP), Social Case Study Reports (SCSR) and Case Assessment Reports (CAR), your household has demonstrated its willingness to comply with the conditions of the Pantawid Pamilyang Pilipino Program.

We would like to inform you that due to the above, the "Under Evaluation" status of your household has been lifted. Please continue your compliance to the conditions of the program to help your household especially the children to break the intergenerational cycle of poverty.

**ACKNOWLEDGEMENT RECEIPT**

My signature confirms that I have received, read and fully understood this notice.

Name and Signature of Household Grantee_____
Date_____
Name and Signature of City/Municipal Link_____
Date

ANNEX C

**DSWD**

Department of Social Welfare and Development

**PANTAWID
PAMILYANG
PILIPINO
PROGRAM****NOTIFICATION OF REMOVAL**

Name of Grantee: _____

Household ID: _____

Sir/Madam,

Good day!

The Pantawid Pamilyang Pilipino Program is implemented to help Filipino family get out of poverty. Along with the benefits distributed for the education of children and the health of the whole family, however there are the rules that must be followed for the household to remain in the program.

Based on the evaluation done on the 1-year evaluation period of your household, it has been found that your household has persisted in not complying with the conditions of the program despite provision of case management. Pursuant to Section 12 of Republic Act 11310, this is to inform you that your household has been removed from the program, thus will no longer receive its corresponding benefits effective _____.

**ACKNOWLEDGEMENT RECEIPT**

My signature confirms that I have received, read and fully understood this notice.

Name and Signature of Household Grantee_____
Date_____
Name and Signature of City/Municipal Link_____
Date

ANNEX D

**ENCOURAGEMENT LETTER**

Name of Grantee: _____

Household ID: _____

Sir/Madam,

Good day!

Based on the DSWD's regular monitoring of your compliance with the program conditions, we are pleased to inform you of the improvement on your compliance with the program conditions within the six months since your household was put under the 1-year Evaluation Period.

It is this light that we encourage your household to continuously adhere to the conditions of the program, which were set to help your household, especially the children, in breaking the intergenerational cycle of poverty.

Your continuous compliance to program conditions within the Evaluation period will eventually qualify you to be Retained as program beneficiary and enjoy all the program benefits until such time your household is qualified to exit from program as prescribed by 4Ps law.

ACKNOWLEDGEMENT RECEIPT

My signature confirms that I have received, read and fully understood this notice.

Name and Signature of Household Grantee_____
Date_____
Name and Signature of City/Municipal Link_____
Date

ANNEX E

**WARNING LETTER**

Name of Grantee: _____
Household ID: _____

Sir/Madam,

Good day!

Based on the DSWD's regular monitoring of your compliance with the program conditions, has been observed that your household persisted in not complying with the conditions of the program within the six months since your household was put under the 1-year Evaluation Period despite the provision of intensive case management

The continuous non-compliance with the program conditions deprived your household from receiving program benefits, which are aimed at helping your household break the intergenerational cycle of poverty. Further, should you persist in not complying with the conditions, it shall subsequently lead to the removal of your household from the program.

Thus, we would like to strongly remind your household to adhere to all program conditions indicated in the oath of commitment that you have signed. This is to keep your household in the program and enable us to continue our partnership in achieving our goal to continuously improve the well-being of your household.

**ACKNOWLEDGEMENT RECEIPT**

My signature confirms that I have received, read and fully understood this notice.

Name and Signature of Household Grantee

Date

Name and Signature of City/Municipal Link

Date