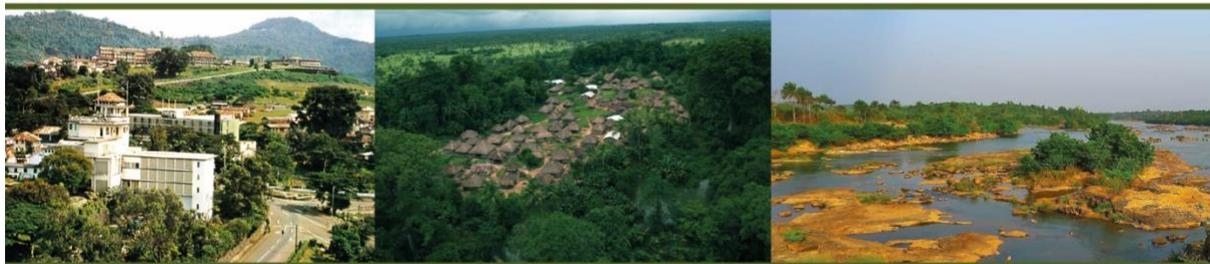




# Integration of Sierra Leone Local Authorities in the European Cooperation Programming Process 2021-2027

## ANALYTICAL REPORT



**UCLG AFRICA**  
United Cities and Local Governments of Africa  
Cités et Gouvernements Locaux Unis d'Afrique  
**CGLU AFRIQUE**

**Headquarters:**  
Local Councils Association of Sierra Leone, LocaSL 17 Wallace Johnson Street, Freetown.  
**Contacts :**  
**Telephone:** +232 76 338870  
**Emails:** llocaslheadoffice@gmail.com

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## ACRONYMS

|         |   |
|---------|---|
| A4C     | Agenda for Change   |
| A4P     | Agenda for Prosperity   |
| CLoGPAS | Comprehensive Local Government Performance Assessment             |
| CMI     | Community Monitoring Initiative                                   |
| CSOs    | Civil Society Organisation  |
| DFID    | Department for International Development                          |
| DSDP    | Decentralized Service Delivery Programme                          |
| EC      | European Commission   |
| EEAS    | External Action Service   |
| ESO     | Environmental and Social Officer                                  |
| EU      | European Union  |
| FDD     | Fiscal Decentralisation Division                                  |
| GOSL    | Government of Sierra Leone  |
| GRM     | Grievance Redress Mechanism                                       |
| ICT     | Information Communication Technology                              |
| IGFT    | Intergovernmental Fiscal Transfers                                |
| LCs     | Local Councils  |
| LED     | Local Economic Development  |
| LGA     | Local Government Act, 2004  |
| LGDG    | Local Government Development Grant                                |
| LGFD    | Local Government Finance Department                               |
| LGSC    | Local Government Service Commission                               |
| LoCASL  | Local Councils Association, Sierra Leone                          |
| MDAs    | Ministries, Departments and Agencies                              |
| MTDP    | Medium Term Development Plan                                      |
| NDICI   | Neighbouring Development and International Cooperation Instrument |
| NGOs    | Non-Governmental Organizations                                    |
| NPPA    | National Public Procurement Authority                             |
| NSAs    | Non State Actors  |
| PFM     | Public Financial Management                                       |
| PPP     | Public Private Partnership  |
| PRSP    | Poverty Reduction Strategy Paper                                  |
| PwDs    | Persons with Disabilities   |
| SLRA    | Sierra Leone Roads Authority                                      |
| SMEs    | Small and Medium Enterprises                                      |
| TALD    | Territorial Approach to Local Development                         |
| UCLG    | United Cities of Local Government                                 |

## 1.0 Introduction

This report is an analytical presentation on the extent to which national development policies and strategies support the territorialisation of localities. The report also explained in detail the status of implementation of Sierra Leone decentralisation programme with focus on challenges and recommendations and the role of the Local Councils Association of Sierra Leone (LoCASL) in supporting the smooth implementation of the government decentralisation agenda.

Following the end of the decade long civil conflict in Sierra Leone in 2002, the Government of Ahmad Tejan-Kabba<sup>1</sup> led Government re-established local government system in Sierra Leone through the enactment of the Local Government Act (LGA), 2004<sup>2</sup>. Most appropriately, there was strong political will for decentralization immediately after the civil conflict. The LGA of 2004, which provided the legislative framework for political, administrative and fiscal decentralization in Sierra Leone, was seen as an important initiative for restoring fully functional, elected, service-orientated local councils<sup>3</sup>.

Since the enactment of the LGA in 2004, there have been four successful local government elections conducted (2004, 2008, 2012 and 2018) with peaceful and smooth transfer of powers, in support of the decentralisation process established.

Devolution has been the hallmark of Sierra Leone's decentralization which requires some Ministries, Departments and Agencies (MDAs) to transfer some functions to the local councils in a systematic manner. To facilitate this process, Schedule III of the LGA 2004 clearly specified the MDAs and the broad functions which must be transferred to the councils for the transition period ending 2008.<sup>4</sup> Also, local councils staff recruitment, promotion and retention including capacity building have been critical to the overall performance of administrative decentralization.

Fiscal decentralisation broadly aims to strengthening local government autonomy over financial resources, and broadens their participation in decision making at the local level for effective and efficient service delivery. It enables devolution of key functions<sup>5</sup> from the central government to the established local councils supported by the formula-based inter-governmental transfers based on principles of equity and equalization aimed and providing tied (recurrent and development) and unconditional block grants to local councils to carry out the functions devolved to them and to meet their administrative costs. Local councils also raise own revenues<sup>6</sup> from taxes, fees, licenses royalties, mining revenues, and other sources and compliment government transfers for improved services in localities.

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<sup>1</sup> President of the Republic of Sierra Leone for the period 1996 to 2006. He was the president that brought to the final end the brutal civil war that lasted for over 11 years. May his soul continue to rest in perfect peace

<sup>2</sup>The Local Government Act of 2004 (Section 20) identifies local councils as the highest political authority in their jurisdiction

<sup>3</sup>There are currently 22 local councils - districts, cities and municipalities

<sup>4</sup> In November 2004, the Statutory Instrument No. 13 of 2004 titled "the Local Government (Assumption of Functions) Regulations" to provide more details on the devolution framework was passed by Parliament and published

<sup>5</sup>See Third Schedule of the Local Government Act for functions devolved to local council under section 20

<sup>6</sup>Local taxes and property taxes are the sources of revenues for the local councils. The main sources of nontax revenues are market dues, business registrations, license fees, and mining royalties (in selected councils)

## 1.1 *The Pivotal role of Local Authorities in Local Development (LD)*

It is widely believed in theory and practice that decentralization has been the corner stone for improving in service delivery at the local level. It was against this believe and fact that many central governments in developing and least developed countries including Sierra Leone have attributed political, administrative and fiscal responsibilities to local authorities in country development processes, with a view to allow for the definition of public policies and service delivery on local realities.

Citizens' participation in decision-making processes that directly affects their lives and citizens access to accountability mechanisms is fundamental to poverty reduction and promoting sustainable development (EC, 2013). Based on the principle of subsidiarity,<sup>7</sup> localities are where citizens live and work, where basic services are provided and where enterprises are established. Because of these, citizens may have common interests at stake to set objectives and work together in identifying solutions aiming at improved access to services and the distribution of available resources, enhancing greater social cohesion thereby ensuring an enhanced accountability and transparency of public authorities (EC, 2013)

Citizen's sensitivity to their local needs and aspirations always put local authorities on their toes to adequately, timely and efficiently respond to the needs of citizens, thereby strengthening the social trust between the providers of the service (local authorities) and the recipient of social services (citizens). Being closer to citizens, local authorities in cooperation with Civil Society Organisations (CSOs) become more responsible in mobilising local societies' opinions while acting as catalysts for change. In addition, proffer solutions to the urgent challenges faced by local communities, which include among others food security, limited infrastructure, public safety and violence, rule of law and access to justice (EC, 2013)

Despite the facts associated with the principle of subsidiarity, the political recognition given by central governments to local authorities has not always been accompanied by the adequate and appropriate level of autonomy, capacity development and financial resources, leaving the empowerment of local authorities incomplete. UCLG Africa has noticed in the past that numerous national associations of local and regional governments of African countries have encountered difficulties in dialoguing with the EU delegations, which has led unfortunately to low consumption of the EU budget lines earmarked for local authorities. Also, local authorities have been considered generally as non-state actors (NSAs) since the entry into force of the Cotonou agreement.<sup>8</sup> For instance, the National Indicative Programme (2014-2020) for the 11<sup>th</sup> European Development Fund to Sierra Leone<sup>9</sup> combined funding for Government and civil society (GOSL-EU, 2014). However, the strong advocacy made since then notably by UCLG Africa has gradually led to the recognition of local and regional governments (local authorities) as state actors in their own rights and capacity, working as proximity public authorities besides the central government. This major step appears clearly in the EC

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<sup>7</sup> Public responsibilities, regulatory functions and spending are transferred to the lowest institutional or social level, closest to citizens, that is able and entrusted to complete them

<sup>8</sup> CHAPTER 2 (The Actors of the Partnership), ARTICLE 4 (General Approach) of the Cotonou Agreement partly states that Non-state actors and local decentralised authorities shall, where appropriate: be provided with financial resources, under the conditions laid down in this Agreement in order to support local development processes; be involved in the implementation of cooperation projects and programmes in areas that concern them or where these actors have a comparative advantage

<sup>9</sup> The document was signed in Nairobi on 19<sup>th</sup> June 2014

2013 Communication on “Empowering local authorities in partner countries for enhanced governance and more effective development outcomes”, though the Communication has not yet been operational in the EU cooperation instruments.

Other related EU documents have supported such moves and aspirations. The Memorandum on “Time for a more ambitious political partnership between the European Union and Cities/Local and Regional Governments in the external action of the Union” prepared by UCLG-Africa with its partners sent end of 2019 to the new leadership of the European commission, represents today the state of the art regarding the role and responsibility of local and regional governments of partner countries in the EU cooperation and the way to improve this role. It is expected the document should serve representatives of local authorities and their members the reference document in any dialogue with the delegations or with the national governments. Also is the implementation of the Territorial Approach to Local Development (TALD) (EU, 2014).

TALD is a national policy that promotes endogenous, integrated, multi-scalar and incremental local development by empowering autonomous and accountable local authorities. It translates the promises of decentralization reforms into actual development outcomes (EU, 2014). The substantial dimensions of TALD perceived as the “steps” of the local development (LD) management cycle, include: (a) *scoping out*, (b) *planning*, (c) *financing*, and (d) *implementing* local development interventions, and highlight the issues arising at each step that affect the delivery of *endogenous, integrated, open and incremental* local development. In summary, the guidelines present both the strategic axes for local authorities’ future engagements and concrete and innovative modalities for supporting local governments to take their full role as developmental actors both in localizing public policies and programs, and implementing TALD. The Neighbouring Development and International Cooperation Instrument (NDICI) is possibly a test case to determine the level of local authorities’ involvement and participation in dialogue meetings with the National Government and EU delegation and the extent to which local authorities are recognized as state actors in their own rights.

## ***1.2 The Neighbouring Development and International Cooperation Instrument (NDICI)***

The EU has concluded on a new financing agreement for the next 6 years (2021-2027) - the Neighbouring Development and International Cooperation Instrument (NDICI). The process of executing the NDICI involves 2 phases: The pre-programming phase; and the in-country programming phase. The pre-programming phase, which has already commenced and formally ends in July 2020, involved internal discussions between the EU delegation and the EU headquarters in Brussels through the External Action Service (EEAS).<sup>10</sup> The object of this phase is defining the key political objectives of the EU Cooperation in each partner country, which include the following

- a. promoting growth, create jobs and reduce inequality – Achieved by territorializing core public policies through integrating the diverging realities and needs of different areas in county
- b. Localize the SDGs and ensure effective delivery - local and regional governments to be seen as essential partners of central government. This could be achieved through

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<sup>10</sup> EEAS the institution in charge of the political dimension of the EU. The object of this phase is defining the key political objectives of the EU Cooperation in each partner country

mainstreaming local authorities' participation in EU-supported sector policies and programmes (agriculture, climate change, energy, migration, youth, gender etc.)

- c. National government and the EU to actively support territorial approaches to Local Development but MUST be spearheaded by local authorities that are in the capacity to unblock the potential of territories and create additional wealth and income. Development-friendly decentralisation policies, which enhance both the autonomy and accountability of local authorities.

The in-country programming phase will formally commence in August 2020 and ends in November 2020. The object of this phase is to identify priority areas and sectors of Government including the short and medium term consequences of the Covid 19, for intervention by the NDICI. To achieve this, the political dialogue sessions among key stakeholders (central government, local authorities, NSAs, the private sector) shall be guided by the country's national development plan, the former EU engagements and interventions, and the political priorities of the EU. Reference documents to determining the key priority areas are the MTDP (2019-2023); Sustainable Development Goals (SDGs), the revised Decentralization Policy; Government short to medium program for Covid 19 among others.

## 2.0 National Development Policies and Strategies Supporting Territorialisation

Since the inception of decentralisation in Sierra Leone, a number of national policies and strategies have metamorphosed. The Agenda for Change Document, the Agenda for Prosperity and more recent the Government Medium Term Development Plan (MTDP) 2019 – 2023: A new direction for improving people's lives through education, inclusive growth and building a resilient economy. The evolution of these national development policies and strategies have, to a large extent supported "territorialization" and local development. Details of the content of the national policies and strategies and the extent to which they support territorialisation and local development are articulated below.

### 2.1 The Agenda for Change (A4C) – PRSP 2 (2008 – 2012)

The Agenda for Change (Second PRSP, 2008-2012) focuses on four key priorities: provide a reliable power supply to the country; from a pro-poor growth perspective, raising quantity and value-added productivity in agriculture and fisheries; to develop a national transportation network to enable the movement of goods and people thereby facilitate increased investment and economic activity; and ensure sustainable human development through the provision of improved social services (GOSL, 2008).

Part 3 of the A4C stated the objective of local governance and decentralization as to enhance service delivery and support development in Sierra Leone. Specific objectives are:

- a) Opening up the national democratic process by facilitating inclusion and participation of citizens in national governance Supporting citizen and community ownership of the national decentralization process Fostering transparency and especially demand-side accountability in governance and service delivery.
- b) Facilitate the implementation of the on-going national decentralization programme

- c) Support and ensure full and effective devolution of functions with accompanying financial resources in accordance with the statutory instrument
- d) Provide requisite support to the creation of an appropriate human resource base to support both central and local governments for effective and efficient devolution
- e) Work with local councils to improve on the collection and management of local/domestic/own source revenues
- f) Ensure, through support to local councils, improvement on a consistently increasing basis in provision and delivery of basic, essential services in the social, human and economic sectors

To achieve this, the Government undertook the following:

***Revised and reformulated the decentralization policy*** - A revision and reformulation of decentralization policy was done that fast tracked and facilitated the implementation of the decentralization programme thereby putting forward options for responding to the implementation challenges.

***Prepared the National Chiefdom Policy and National Chiefdom Act*** - This was done to facilitate revenue collection through mobilization, as well as enhancing financial management relationships between local councils and chiefdoms.

***Supported local council planning process*** - In the period under focus, support was provided to major planning and strategy interventions such as the revision of local councils' development plans and conducted annual Comprehensive Local Government Performance Assessments.

***Empowering Rural Communities*** - Empowering Rural Communities is key to ensuring that the majority of Sierra Leoneans are not marginalised and that peace is consolidated at the grassroots level. Basic infrastructure was provided that enabled rural communities to have access to financial services and market opportunities.

## **2.2 The Agenda for Prosperity (A4P) – PRSP 3 (2013 – 2018)**

The Agenda for Prosperity (A4P) – 3<sup>rd</sup> Generation PRSP (2013-2018) builds on the successes of the Agenda for Change and lays the foundation for our journey to achieving sustainable future for all Sierra Leoneans beginning with our goal of middle income country (GOSL, 2013).

The A4P comprise of eight (8) pillars;

- a) **Pillar 1:** Diversified economic growth
- b) **Pillar 2:** Managing natural resources
- c) **Pillar 3:** Accelerating human development
- d) **Pillar 4:** International competitiveness
- e) **Pillar 5:** Labour and employment
- f) **Pillar 6:** Social protection
- g) **Pillar 7:** Governance and public sector reform
- h) **Pillar 8:** Gender and women's empowerment

Under Pillar 7: Governance and Public Sector Reform, the political and local governance section focuses on strengthening local governance financial management through local councils for effective decentralisation. A critical objective was the consolidation of implementation of the Petra Accounting Package<sup>11</sup> in all local councils, including the real time processing of transactions by selected councils.

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<sup>11</sup> Petra Accounting package is an accounting tool used by all local councils for recording and reporting financial transactions

Petra-based reports by councils could be consolidated at the national level by the LGFD<sup>12</sup> of the Ministry of Finance and Economic Development Improved sectoral reporting from the Council level should in turn allow redesign of the process of allocating grants and give greater authority to councils over a smaller number of grants.

### **2.3 Local Economic Development Policy and Action Plan, 2016**

There is draft United Nations Development Programme (UNDP)-funded Local Economic Development Policy and Action Plan, 2016 yet to be discussed in Cabinet.

The principle goal of Local Economic Development Policy in Sierra Leone is to create an enabling environment for the diversification of the local economy through value chain development, improved livelihoods, diversified and inclusive economic opportunities, increased entrepreneurship, improved productivity and improved service delivery for locality prosperity.

The main objective of the policy is to improve on low income and food insecure households to have access to sustainable income generating opportunities (on-farm and off-farm) to facilitate economic growth, employment creation and poverty alleviation. Specific objectives include:

1. Improve institutional arrangements and legislative frameworks for LED.
2. Strengthening local economic competitiveness and LED governance.
3. Promote LED initiatives with emphasis on innovations and human development.
4. Provide urban and rural infrastructures to enhance quality services at local level.
5. Identify and harness existing and potential natural, human and financial resources.
6. Enhance the capacity of LED Actors and LED institutions.
7. Build the capacity of Local Councils and other state actors to promote LED and monitor environmental impact of LED activities.
8. Enable local governments to support local economies to realize their potentials and make local communities active participants in the economy of the country.
9. Empower local governments to facilitate functioning partnerships between the public and the private sector in order to unlock the local economy and drive new growth
10. Provide financial frameworks to coordinate funding flows in support of the strategy.
11. Promote broad based local participation in the economy.

To ensure effective achievement of the objectives of the LED Policy, the following wider range of policy intervention shall be undertaken:

#### ***Support the development and growth of the Small and Medium Enterprises (SMEs)***

Vibrant local economies across the globe are driven by the MSMEs and are the largest provider of employment. Supporting the development and growth of SMEs can be achieved by:

- Strengthening SMEs' access to finance,
- Setting or supporting and equipping business training centres for SMEs,
- Strengthening knowledge, skills and capacity of SMEs entrepreneurs in business and enterprise development,
- Creating an enabling environment for the development, growth and expansion of the SMEs.

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<sup>12</sup> LGFD is now called the Fiscal Decentralisation Division (FDD) responsible to coordinate and implement the government fiscal decentralisation agenda

### ***Strengthening the local tax base***

Social infrastructure development is key for stimulating the local economy due to its potential to create intensive labour works and generating social goods and services which are ingredients of local economic development as they improve the quality of life of the local population. Public Private Partnership would be development of social infrastructures including:

- Cadastral systems development and strengthening
- Tooling and Equipping local councils
- Strengthening Revenue mobilization strategies
- Tax payers' education, communication and Information

### ***Development of the human capacity***

The main goal is to develop an institutional support system that enables the local economy to develop more rapidly and dynamically, support the effective implementation of LED by empowering the local people to take ownership of the LED process and eventual outcomes thereby reduce poverty at the local levels. To achieve this, the following would be required:

- Strengthening the capacity of the ministry responsible for local government and rural development in LED planning, Monitoring and fund mobilization
- Strengthening the capacity of local councils and chiefdom administration in LED planning and administration
- Enhancing youth employment through vocational and skills training
- Community sensitisation, education and awareness on LED
- Institutionalizing LED in higher learning institutions.

### ***Creating labour intensive jobs through Public works using a Public Private Partnership approach***

Public works provide employment by creating labour intensive work; it also generates public goods such as physical infrastructure (roads, water, waste management, health, schools etc.). Therefore, establishing, renovating and rehabilitating social infrastructures for delivery of social services especially those that were devolved to local councils is crucial not only for creating employment and public goods but also for strengthening the decentralization program. This can be achieved through:

- Extensive engagement with the Public Private Partnership (PPP)
- Creating an enabling environment for PPP to flourish and expand
- Extensive education and training on PPP contract management for the local councils and chiefdom administration.
- Establishing clear guidelines and responsibilities between the PPP and the local councils.
- Fully devolving the devolved functions to local councils
- Fully integrating the devolved functions into local councils' development plans
- Identifying, establishing, rehabilitating and renovating priority socio-economic infrastructures that were devolved to the local councils with potential for job and wealth creation.

### ***Enhancing youth employment through Agricultural development***

Agriculture is currently the major employer of majority of the population with potential to employ more rural youth and women. Promoting agricultural development shall be achieved through:

- Agricultural infrastructural development; this will focus on developing infrastructures to support agribusiness activities such as cassava and rice processing facilities,
- Agricultural diversification and value chain development for increased production of strategic food and cash crop commodities based on locality competitive advantage

- Promoting youth active participation and integrating ICT in agricultural production and marketing within the sub-regional (Mano River Union).
- Supporting the production of horticulture farming by exploring the market and value chain potentials in horticulture especially vegetables.
- Facilitating the full implementation of the land policy which will create greater access to and control of the land; this land rights will facilitate access to bank (as collaterals), as well as expanding agricultural activities

#### ***Expanding youth employment by exploring natural resource potentials***

- Establishing drying and preservation facilities for fish especially in local councils with coastal lines.
- Promoting artisanal fishing
- Harnessing employment and Revenue potential in the mining sector
- Harnessing employment and revenue potentials from the tourism

## **2.4 National Public Procurement Act of 2016**

Section 36 sub section (1) of the National Public Procurement Act of 2016 stipulates that a procuring entity may grant a ***'Margin of Preference'*** for the benefit of bids for work by local contractors<sup>13</sup> or for the benefit of bids for domestically produced goods or for the benefit of local suppliers of services. Sub section 2 of section 36 further states that ***the margin of preference shall be calculated in accordance with the regulations and reflected in the records of the procurement processes.***<sup>14</sup> In addition, in sub section 3 of section 36, it is stated that the margin of preference shall be authorized by the Authority and shall be subject to approval by the Authority.

To enhance community participation in the procurement process, section 37 sub section (4) states that when the participation of the procurement end-user or beneficiary community may result in enhancing the economy, quality or sustainability of the service to be procured, or the very objective of the project is to create employment and involvement of the beneficiary community, such end-user or community may participate in the delivery of services under procedures to be defined in the regulations.

## **2.5 National Rural Development Policy, 2018**

There is draft National Rural Development Policy, 2018 yet to be discussed in Cabinet.

The Goal of the National Rural Development Policy is to achieve **economic and social advancement in rural areas**. This is to be achieved through transforming rural areas to become places where people are empowered to spearhead their own social and economic development to their satisfaction. The Policy objectives are as follows:

- a) to establish the legal and regulatory framework for anchoring the policy of rural development through an integrated approach with properly established coordination mechanisms;

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<sup>13</sup> Domestic contractors refers to contractors at national and subnational levels

<sup>14</sup> Since implementation of decentralization in Sierra Leone in 2004, there is no evidence of any 1 local council that has adopted the procurement provision related to Marginal Preference

- b) to ensure that Sierra Leone is characterized by fair, safe gender responsive, environmentally sensitive, caring and committed rural communities, in which all rural citizens are able to realize their full potential in a safe and decent living environment;
- c) to maximize the capacity of the rural areas to contribute to changing Sierra Leone into an industrialized country of equal opportunities, which realize its maximum growth potential on a sustainable basis with improved quality of life for all Sierra Leoneans;
- d) to strengthen capacities of key stakeholders involved in the rural development, especially the MDAs and the decentralized structures, to be able to carry out their mandates effectively and efficiently;
- e) to provide the macroeconomic and sectoral policy context that does not discriminate against rural development;
- f) to enhance the improvement of rural infrastructure and related enabling services towards strengthening enhancing income generation and employment creation and rural economic growth;
- g) to promote the diversification of agriculture and other economic sectors including rural industrialization as ways of strengthening the rural economy;
- h) to develop diversified, competent and highly productive human resources and institutions in rural areas, fully utilizing human potential and achieving efficient and effective delivery of customer focused services;
- i) to ensure the sustainable management and development of natural resources found in Sierra Leone's rural areas and its sustainable utilization for the benefit of the country's social, economic and ecological well-being;
- j) to ensure rural community participation in formulation, planning, implementation, monitoring and evaluation of development plans; and
- k) to ensure the effective coordination, strengthening and promotion of harmonized rural development interventions by different stakeholders.

## 2.6 *The Medium Term Development Plan (MTDP) (2019 – 2023)*

The MTDP (2019 – 2023) mapped out the country's immediate and long-term goals and development aspirations. The plan charts a clear path towards 2023 en route to the goal of achieving middle-income status by 2039 through inclusive growth that is sustainable and leaves no one behind (GOSL, 2019)

Four (4) key national goals were identified that emerged from the consultative process and grounded in the developmental state model for the period 2019 – 2023.

1. **Goal 1:** A diversified, resilient green economy
2. **Goal 2:** A nation with educated, empowered, and healthy citizens capable of realizing their fullest potential
3. **Goal 3:** A society that is peaceful, cohesive, secure, and just
4. **Goal 4:** A competitive economy with a well-developed infrastructure

The four (4) broad goals are organized around eight (8) policy clusters and several sub-clusters (or broad result areas), which are presented in table 1 below.

**Table 1: Policy clusters and sub clusters**

| No | Policy Cluster  |      | Sub cluster  |
|----|---|------|--|
| 1  | <b>Policy cluster 1:</b> Human capital development  | 1.1  | Ensuring free quality basic and senior secondary education                           |
|    |   | 1.2  | Strengthening tertiary and higher education  |
|    |   | 1.3  | Accelerating health-care delivery  |
|    |   | 1.4  | Enhancing environmental sanitation and hygiene                                       |
|    |   | 1.5  | Increasing social protection   |
|    |   | 1.6  | Advancing housing and land management  |
| 2  | <b>Policy Cluster 2:</b> Diversifying the economy and promoting growth                        | 2.1  | Improving productivity and commercialization of the agricultural sector              |
|    |   | 2.2  | Improving productivity and sustainable management of fisheries and the marine sector |
|    |   | 2.3  | Revitalizing the tourism sector  |
|    |   | 2.4  | Revamping the manufacturing and services sector                                      |
|    |   | 2.5  | Improving the management of oil and gas exploration and production                   |
|    |   | 2.6  | Improving the management of mineral resources  |
|    |   | 2.7  | Promoting an inclusive rural economy.  |
| 3  | <b>Policy Cluster 3:</b> Infrastructure and economic competitiveness                          | 3.1  | Accelerating the provision of energy supplies  |
|    |   | 3.2  | Transforming the transportation systems  |
|    |   | 3.3  | Improving the water infrastructure systems   |
|    |   | 3.4  | Improving information and communication technologies                                 |
|    |   | 3.5  | Fostering private sector growth  |
| 4  | <b>Policy Cluster 4:</b> Governance and accountability for results                            | 4.1  | Advancing political development for national cohesion                                |
|    |   | 4.2  | Fighting corruption and illicit financial flows                                      |
|    |   | 4.3  | Strengthening public financial management  |
|    |   | 4.4  | Strengthening audit services   |
|    |   | 4.5  | Promoting inclusive and accountable justice institutions                             |
|    |   | 4.6  | Building public trust in state institutions  |
|    |   | 4.7  | Strengthening public service delivery  |
|    |   | 4.8  | Strengthening decentralization, local governance, and rural development              |
|    |   | 4.9  | Strengthening security institutions  |
|    |   | 4.10 | Strengthening external relations for integration                                     |
| 5  | <b>Policy Cluster 5:</b> Empowering women, children, adolescents, and persons with disability | 5.1  | Empowering women   |
|    |   | 5.2  | Increasing investment in children and adolescents                                    |
|    |   | 5.3  | Increasing investment in persons with disabilities                                   |

| No | Policy Cluster  |     | Sub cluster  |
|----|---|-----|--|
| 6  | <b>Policy Cluster 6:</b> Youth employment, sports, and migration            | 6.1 | Increasing youth employment and empowerment                                    |
|    |   | 6.2 | Revitalizing sporting activities across the country                            |
|    |   | 6.3 | Addressing migration challenges  |
| 7  | <b>Policy Cluster 7:</b> Addressing vulnerabilities and building resilience | 7.1 | Building national environmental resilience                                     |
|    |   | 7.2 | Strengthening forest management and wetland conservation                       |
|    |   | 7.3 | Improving disaster management governance                                       |
| 8  | <b>Policy Cluster 8:</b> Means of implementation                            | 8.1 | Financing the plan   |
|    |   | 8.2 | The governance arrangements for supervising and monitoring plan implementation |
|    |   | 8.3 | The projects and policy measures to be carried out                             |

Source: (GOSL, 2019)

The key policy statement on decentralisation articulated in the MTDP (2019-2023) is to strengthening decentralisation, local governance and rural development. The key policy actions to achieve this are stated below.

- a) Review the National Decentralisation Policy and amend the Local Government Act (LGA) 2004 accordingly. Also, facilitate completion of the devolution process as stated in the Local Government Act 2004.
- b) Revise the Human resource Management Guidelines for Local government 2016 to cater for the human resource needs of the local councils and enhance effective performance
- c) Make chiefdom governance a key component of local governance and make chiefdom structures play a major role in the decentralisation process
- d) Review Public Financial Management (PFM) guidelines (medium-term expenditure framework budget preparation and reporting manuals) for local councils and chiefdoms
- e) Harmonise the relationship between local councils and the Council of Paramount Chiefs to ensure mutual respect and trust for effective service delivery
- f) Restore the dignity and prestige of Paramount Chiefs by improving their conditions of service and that of essential chiefdom staff. 8. Strengthen the capacity of Paramount Chief and make them an integral part of the local development process
- g) Reintroduce the development grant allocation to councils and increase national budget allocation to councils commensurate with their devolved responsibilities
- h) Ensure that the staff of MDAs are supervised and controlled by the local councils

## ***2.7 Government Budget and Statement of Economic and Financial Policies (Budget Speech) for the Financial Year 2020***

Page 19, paragraph 88 of the Budget Speech 2020 stipulates that Government has realized that most of the beneficiaries of local contracts, even for local products like firewood, vegetables and bread, are not resident in the delivery locality (districts) but in Freetown or other regional capitals. This does not facilitate the even spread of the national wealth and encourages further migration into the cities where such opportunities exist.

To address this concern, Paragraph 89 of page 19 states: In order to encourage local participation in our procurement processes, distribute the national wealth among districts and encourage people to be resident in their districts, Cabinet has directed that **effective January 2020**, only **persons permanently resident** in the delivery locality (districts) will be eligible to apply for all contracts awarded by Local and Central Government for local products, such as firewood, vegetables and bread as well as civil works contracts not exceeding **Le500 million**. The Ministry of Finance and the NPPA shall put in place the necessary statutory arrangements to effect this.

By all indication, it implies the phrases in the 2020 Budget Speech that gives local businesses Marginal Preference over other businesses repeals the provision in the 2019 Budget Speech. In order to smoothly and timely implement this provision, local councils should develop a guideline on what constitute persons/businesses that are permanently resident in localities based on their unique and current realities

In order to further strengthen local councils fiscal abilities for job creation, which is central to economic development at the local level, page 29, paragraph 153 of the 2020 Budget Speech states that Commencing in 2020, the Sierra Leone Roads Authority (SLRA), in collaboration with the Local Councils, will be required to procure and contract road construction and maintenance services locally and employ youths from their communities through labour-based public works supported by machinery. Therefore, youths will be engaged in the rehabilitation, reconstruction and upgrading of feeder roads nationwide. They will be provided with the requisite capacities to undertake public works at chiefdom and district levels.

## ***2.8 The Revised 2010 Decentralisation Policy, 2020***

The overall vision for local governance is a thriving space for local democracy, economic prosperity and a hub for innovative solutions to local development challenges that reinforce peace and unity in the country.

In accordance with this vision, the prime goal of the decentralisation policy is to provide an improved policy environment for a stronger decentralisation process and a more effective local governance system.

The overall objective is:

To promote a more effective local governance system by streamlining inter-governmental relationships and resolving institutional conflicts between the central and local levels.

Specific objectives include:

- a) To expand good governance, human rights and the rule of law at the local level.
- b) To deepen devolution and strengthen the capacity of local institutions to deliver local services.
- c) To set in motion an efficient and sustainable resource mobilization base for local councils, establish strong systems and procedures for effective, and efficient planning, budgeting, public expenditure management and efficient implementation of service delivery. In addition, provide adequate and timely resources for equitable development.
- d) To promote local economic development by giving local councils the authority and resources required for job creation, food security and poverty reduction.
- e) To exhibit the capability to permanently drive social mobilization and engender sense of inclusion in rural communities as espoused by the ‘Wan Fambul Framework’ with the power

to organise and move people into self-governed and managed development dialogue and consensus building processes, leading to agreed sets of local development actions.

- f) To promote the wellbeing of local citizens, especially of marginalised groups such as women, youth and PwDs, by giving them greater participation in the planning, implementation and evaluation of local development plans.

The territorial structure of sub-national government as clearly articulated in the revised 2020 Decentralisation policy comprise the following

- Region (All five regions - Eastern, Northern, North-West, Southern and Western Area - will henceforth become Regions)
- Locality (District, Municipality, City, Chiefdom, Ward, Towns and Village)

### 3.0 Status of Implementation of Decentralisation in Sierra Leone

The status of implementation of decentralisation in Sierra Leone is discussed across 11 thematic areas identifying challenges and policy actions to mitigate the challenges.

#### 3.1 Conclusion of the Devolution Process

The hallmark of Sierra Leone's decentralization is devolution which requires some MDAs to transfer some functions to the Local Councils in a systematic manner. To facilitate this process, Schedule III of the LGA 2004 clearly specified the MDAs and the broad functions which must be transferred to the Local Councils by December 2008. According to the LGA 04, sixteen (16) MDAs were to devolve functions to Local Councils.

The devolution process which commenced in 2005 is moving at a snail's pace and is currently facing serious challenges that threaten its proper and comprehensive implementation. To date, only 54 out of 79 functions slated to have been devolved to the Local Councils by December 2008 have been transferred to the LCs, and in some cases, in a questionable manner. Human resource devolution remains a big concern since personnel who are engaged to deliver devolved services are still mainly answerable to the devolving MDAs instead of the Local Councils. The delay in transferring functions to LCs and the quality of devolution accounts for the delay of LCs to effectively take over and execute service delivery responsibilities comprehensively.

Efforts by previous Ministers to streamline the devolution process, included (i) the periodic organization of national forums on devolution to review progress on the devolution of functions (staff, finance, assets) to LCs in order to determine the level and quality of devolution, determine the level of performance of devolved functions, discuss and agree on the effective way of handling unfunded mandates, discuss the functional and managerial relationships between devolved staff and LCs, and more importantly the reporting and accountability relationships among the LCs, devolved entities and the devolving MDA; (ii) formation of National Task Forces on devolution, and (iii) provision made for MDAs to access demand-driven and supply-driven capacity development grants to be able to play their policy oversight, standard setting and quality assurance functions, monitoring and evaluation roles, and over and above, their capacity building (mentoring and coaching) role to ensure that Local Councils perform devolved functions effectively. With all the aforementioned

efforts, much progress is yet to be registered. The following policy actions are therefore proposed to Fast-track the devolution process and put it in its proper perspective:

- a) the Government should **demonstrate** strong political will in support of the on-going devolution process and decentralization programme at large;
- b) undertaken a comprehensive stock-taking of the devolution process. This will involve determining the functions that have been devolved, the manner they were devolved, the accompanying resources (staff, assets and funds), functional relationships between devolving Ministries and the LCs, unfunded mandates that have been devolved to LCs and outstanding functions for devolution. The audit will also investigate the level of performance of devolved functions by the LCs and the performance of post-devolution responsibilities by devolving MDAs;
- c) The Minister responsible for local government to engage colleague Ministers that have devolved or are to devolve functions for them to be thoroughly briefed on the devolution process – the state, responsibilities and agree on a road map for the completion of the devolution process.
- d) the Inter-Ministerial Committee (IMC) to be made to function more effectively in discharging its oversight responsibility over the devolution process. The Honourable Vice President who is the Chairman of the Inter-Ministerial Committee on decentralization to be properly briefed on the state of the decentralization process. Additionally, to commence the quarterly meetings of the Provincial Coordinating Committees (PCCs) and the IMC;
- e) ensure proper devolution of personnel including the devolution of the payroll as a matter of urgency, and establish mechanisms for proper accountability and reporting of devolved staff to the LCs and the devolving MDAs ;
- f) the devolving MDAs to be requested to nominate Focal Persons/Units in the Ministries at the central level for the purposes of advancing the devolution process;
- g) the MLGRD, the devolving MDAs and Local Councils to develop standard operating procedures for devolved functions;
- h) the boundaries between LCs especially co-located Councils should be reviewed to ensure that service delivery liabilities matches jurisdictional attributes;
- i) the LCs should be facilitated to prepare and submit acceptable quarterly reports to the ministries responsible for local government and finance on time in order to avoid delay in releasing subsequent tranches of the grants;
- j) the Minister responsible for local government to engage colleague Minister of Finance to discuss the inter-governmental fiscal transfer system and the need to ensure timely disbursement of grants and other transfers to Local Councils;
- k) the development planning and budgeting processes of Local Councils should be strengthened to ensure that they are comprehensive thereby reflecting the plans of the devolved sectors, and that Local Council development planning processes harmonized with the national development planning process and budget cycle;
- l) the Ministry of Local Government to work with the Ministry of Finance to fashion out effective domestic revenue generation measures by the Local Councils to support decentralization;
- m) the Ministry of Local Government to discuss with the Ministry of Finance the possibility of introducing a performance-based grant system accompanied by the review of the Comprehensive Local Government Performance System (CLOGPAS) to ensure its adequacy in assessing performances of the Local Councils;

- n) strengthen the capacity of MLGRD to effectively perform its responsibility of coordinating and monitoring of the entire decentralization process;
- o) Strengthen the involvement of Chiefdom Councils especially the Paramount Chiefs in the decentralization/devolution process. Functions that can be better performed by the Chiefdom Councils to be delegated to them by the Local Councils while the latter provides oversight support;
- p) engage and facilitate Parliament through the Parliamentary Committee on Local Government and Rural Development to effectively play its oversight role in monitoring the devolution process and taking appropriate actions to ensure that none of the Parties unnecessarily derail the process;
- q) Fast-track the harmonization of all laws/regulations (especially, the Hospital Boards Act, Education Act, local Tax Act) that conflict with LGA 2004. Equally, to speed up the review of the LGA04 and ensure its imminent presentation to Parliament;
- r) facilitate the effective engagement of CSOs in monitoring and reporting on the progress the devolution process is making including the constraints to the process;
- s) the formation of Decentralization Development Partner Group to facilitate donor harmonization and coordination; and
- t) The Ministry of Local Government and Rural Development to request the list of registered NGOs (local and international), with their areas of operations from the Ministry of Finance for the information and attention of the Local Councils to ensure effective coordination.

### ***3.2 Streamlining Human Resource Management Issues at the Local Council Level***

The Local Government Service Commission (LGSC) was established in fulfilment of Section 35 of the Local Government Act 2004. The Commission is responsible for providing regulatory, performance management and management functions to the on-going decentralization programme i.e. to support Local Councils to establish effective human resource development systems, regulate the Local Council Civil Service and guide the Local Councils in the management of their human resources. The LGSC has been supported to perform its statutory responsibilities, including the preparation and revision of Human Resource Management Guidelines for Local Councils, and training of Local Council Establishment Committees.

The Local Councils have been facilitated in the recruitment of their core staff. Each of the Local Councils now has at least 14 core staff in post. These are the Chief Administrator, Deputy Chief Administrator, Finance Officer, Accountant, Procurement Officer, Monitoring and Evaluation (M&E) Officer/Statistician, Civil Works Engineer, Development Planner, Environmental and Social Safeguards Officer, Human Resource Officer, Internal Auditor, Information, Education and Communication (IEC) Officer, Gender Officer and Valuator.

Even though the Local Government Service Commission has been established since 2005 in accordance with the provisions of the LGA04, human resource management continues to pose a serious challenge at the Local Council level. The absence of a comprehensive policy on human resource management to support decentralization has created many uncertainties around the progression of personnel within and outside the local government service. Poor remuneration and conditions of service, and more importantly the untimely payment of salaries to core staff directly hired by the Local Councils are also important drawbacks of the human resource management system and constitute a huge challenge for Local Councils to attract and retain quality core staff. A significant number of Local Councils do not have the managerial, administrative, financial and institutional

capacity to meet the rising needs of local people. The skills deficit therefore continues to undermine the performance of Local Councils. This situation is exacerbated by the poor linkages between local government and tertiary education sector.

While the idea of moving staff from one Council to another may not be the contentious issue, the manner transfers have been carried out especially in the last five years can hardly be justified as consistent with good human resource management practices. Staff transfers have now been regarded as means of punishing staff who fail to carryout unlawful instructions of their superiors, a phenomenon which is seriously affecting the capacity building support and the drive to strengthen systems in the Local Councils.

To address the current human resource weaknesses, the following are proposed:

- i. The Minister to put a hold on transfer of Local Council staff as an interim measure and later consider the termination of the transfer concept;
- ii. The Minister to ensure that recruitments to fill vacancies in the local councils are done as stipulated in the LGA 2004 and the Revised Human Resource Management Guidelines for Local Government 2016.
- iii. Carryout a comprehensive audit of the human resource situation of the Local Councils. The audit should take into account the current staffing situation of each of the 22 Local Councils, profiles of staff and compatibility of qualifications and experiences of staff with the current job title, Councils they have worked for since joining the Local Council service etc.;
- iv. Reconsider the relevance of the Local Government Service Commission and how it can be made more functional if it should continue to exist in its present form. Support to the proper establishment and effective functioning of a technical team to support the Commission at the head office and the regional offices should be considered. The regional offices should be provided with logistics and small grants for operational purposes to ensure that they are able to provide regular and quality monitoring and oversight to the Local Council human resource issues. The Commissioners and other relevant officials of the LGSC should benefit from relevant training to be able to effectively execute their mandates. The head office should be provided with relevant logistics to aid its work;
- v. If LGSC continues to operate in its current form, provide support to develop a Local Government human resource policy that will be enacted into law. This policy will address the many concerns of Local Council staff such as security in the service, conditions of service and career progression, issues of reward and punishment, recruitment and dismissal etc.;
- vi. Alternatively, the Local Government Service Commission can be absorbed as a Unit within the Public Service Commission with responsibility for local government human resource issues. With this arrangement, all staff of the Local Councils will automatically become civil servants with appropriate grades and open to conditions of services of civil servants within the same cadre or level;

### ***3.3 Effective Functioning of the Three (3) Newly Created Local Councils***

The administrative restructuring of localities has been undertaken with the view to promoting good governance, peace, stability and social harmony at the local level. The outcome of the restructuring exercise resulted in the creation of two new District Councils (Karene and Falaba District Councils), a City Council (Port Loko City Council) and a Province (North-west Province). Koinadugu District was broken into two independent districts (Koinadugu and Falaba). Consequently, the number of

Local Councils has increased from 19 to 22 categorized into 5 City Councils, 1 Municipal Council and 16 District Councils. The three new Local Councils will need to be properly set up as a matter of urgency. The following are proposed to ensure the speedy establishment and functioning of the Local Councils:

### 3.3.1 Short-Term (0-6 months)

In the short-term, the following are proposed:

- Recruit or assign staff for the new City Council and District Councils— The new City and District Councils require personnel to run the offices and the localities. Interim arrangements were put in place to ensure that the Local Councils begin to show semblance of real existence. Accordingly, interim management staff were assigned to the Local Councils including Chief Administrators, Deputy Chief Administrators, Finance Officers, Accountant, M&E Officer, Internal Auditor, Development Planning Officer, Procurement Officer, IEC Officer. The following staff are yet to be at post - Environmental & Safeguards Officer, Valuator, Works Engineer, Gender Officer and Human Resource Officer. This arrangement needs to be looked at to ensure that the right calibre of personnel is assigned to those Local Councils. It is needless to emphasize that highly experienced administrative officials should be posted to these new Councils since a lot of ground work needs to be done to get these Councils up and running. On the basis of a joint meeting involving the Permanent Secretary, the Chairman of the Local Government Service Commission, the Director of Decentralization Secretariat and some of his senior staff, and the Director of the Local Government Finance Department and some of his senior staff, held on Wednesday, 30<sup>th</sup> May, it was jointly agreed that the interim management staff assigned to the three Local Councils be given a time limit of 31<sup>st</sup> August to end their missions. This implies that the assigned staff who commenced their work with the Local Councils on 1<sup>st</sup> March 2018 would have served for a period of six months. It was also agreed that they receive their pay package at the end of August 2018 and between June and August 2018, a comprehensive audit of the Local Council Human Resource issues and recruitment for the replacement or allocation of staff to all the 22 Local Councils be embarked upon. During this period, the Ministry is expected to have handled the issue of the 16 staff who were suspended by the former Minister.
- Orientation, induction, coaching and mentoring of staff of staff of the three Councils - To ensure that the staff of the newly created Local Councils are properly tuned up to their roles and responsibilities, they will need to be given an orientation on their new roles and responsibilities including functional relationships. Following the orientation, intensive mentoring and coaching support will need to be provided to the new staff of the various offices. Additionally, these staff can benefit from experiential learning visits to Local Councils with staff that are performing exceedingly well.
- Review of grant distribution formulae - The grant distribution formulae should be reviewed to match the needs and expectations of the new Local Councils, budgetary allocation and Issuance of budget call circular.
- Provide guidelines to the new Local Councils for the preparation of Development Plans— The Ministry will work with the Ministry of Development and Economic Planning to provide guidelines to the new Local Councils to enable them prepare responsive and participatory development plans which is a statutory obligation on them.

- Provision of office space for the City and District Council Administrations – Since it may not be practicable to construct offices for the newly created structures in the short-run, the Government will need to identify and allocate temporal office spaces to them. These office spaces will be furnished and provided with the required office and field logistics to undertake their activities. The three Local Councils are currently searching for structures that can be rented (if privately owned) as office space.
- Procurement of vehicles for the newly created Offices – At the initial stage, a vehicle will need to be procured for each of the new City and District Councils to aid their work.
- Opening of Relevant Bank Accounts – The three Local Councils will be facilitated to open Bank Accounts in accordance with relevant laws and regulations. All three Councils have initiated this process.
- Provide Administrative Grants to new Local Councils - The Minister will need to be updated on the plans of the Ministry of Finance to provide a grant to each of the three Local Councils towards their establishment and running. This grant has to be provided as a matter of urgency so that the Councils will start functioning. In a joint meeting involving the Permanent Secretary, the Chairman of the Local Government Service Commission, the Director of Decentralization Secretariat and some of his senior staff, and the Director of the Local Government Finance Department and some of his senior staff, held on Wednesday, 30<sup>th</sup> May, it was jointly agreed that the Local Councils are requested to provide breakdowns of the cost estimates for renting temporal structures for two years, furnishing the offices, procuring basic office logistics and equipment, procuring a second-hand vehicle and expenses for running the offices. A meeting has been scheduled for the leaderships of the three Local Councils to meet with the Joint Committee on Friday, 1<sup>st</sup> June 2018.
- Preparation of Standing Orders – The Ministry will provide technical support to the three new Councils to develop their Standing Orders which will guide them in conducting their business.
- Devolved Units - Devolved personnel are yet to be assigned to the new Local Councils since devolved unit are not in existence. In the short-run, the devolved units of Port Loko District, Koinadugu District and Bombali District will cover the Port Loko City, Koinadugu District Council and Bombali District Council respectively. During this period, the Ministry should engage the devolving Ministries to establish devolved units in the new Councils and assign staff to them. With the time, the MDAs will support the Local Councils to undertake service delivery needs assessment to prepare them for service delivery in the next phase.
- Review of grant distribution formulae - The Ministry should work with the Ministry of Finance for the review of grant distribution formulae to match the needs and expectations of the new Local Councils, budgetary allocation and issuance of budget call circular.
- Facilitate the sensitization of the public about the administrative changes–The new Local Councils require the support of the residents to quickly establish themselves and move into governance and service delivery. To achieve this, the public needs to be fully sensitized about the new set up and their expected cooperation. Support will also go towards strengthening the effective interface between relevant stakeholders (neighbouring Local Councils, Chiefdom Authorities, Development Partners, and the local citizens) and the Local Councils.

### 3.3.2 Medium to Long-Term (6 months – 2 Years)

- Commence the construction of office structures for the three Local Councils – The three Local Councils will require permanent offices as is the case for the other 19 Local Councils. The Ministry will

therefore work with the Ministry of Finance to solicit funds for the construction of offices for the three Local Councils.

- Facilitate the full establishment of the devolved Units in the three (3) localities and commence effective devolution and transfer of devolved grants– The Ministry will work with all devolving MDAs to ensure that they have well established devolved units in the three districts. Following the proper establishment and functioning of the three Local Councils, the Ministry will move towards ensuring that service delivery grants are allocated to the new Local Councils.
- Regularization of physical boundary delimitation with administrative and revenue mobilization activities– The issue about boundary delimitation is very crucial especially for collocated Councils and neighbouring Councils. This is important to establish the true jurisdictions of the three new Local Councils. The Ministry will work with the relevant stakeholders to ensure that the localities are well defined in terms of boundaries.
- Payment of Salaries to newly recruited Staffs– The Ministry will work with the Ministry of Finance to ensure regular and timely payment of salaries especially of new staff assigned to the new Councils.
- Setting up of financial management system– The Ministry will work with the Ministry of Finance particularly the Public Financial Management Reform Unit (PFMRU) to support the three new Councils to set up effective financial management system that is being used by other existing Local Councils e.g. PETRA Accounting System and Property Cadastrr.
- Provide targeted training for Councillors and Staff of the three Local Councils – The Ministry will support targeted training programmes for the political and professional wings of the three Local Councils. This support will be part of the overall capacity building programme for the Local Councils.

### 3.3.3 Mobilising Funding for the Decentralisation Programme

The Decentralization programme implemented by the Government of Sierra Leone has been largely funded by our traditional Development Partners, the World Bank, the United Nations Development Programme (UNDP), the European Union (EU), and the Department for International Cooperation (DFID). In 2004 the Government of Sierra Leone and the World Bank set up the Institutional Reform and Capacity Building Project (IRCBP) with an initial grant of US\$25m to technically support Government in the implementation of the decentralization programme. The EU and DFID contributed a further US\$25m for the period September 2006 – January 2011 to also incorporate emerging issues including chieftom governance, legislative review, and gender mainstreaming.

The Decentralized Service Delivery Programme (DSDP) was launched in February 2010 to complement the IRCBP (which ended in January 2011) and then serve as its successor programme. DSDP was a US\$20m World Bank funded initiative as the first phase of support to Government to provide funds to the Local Councils to implement poverty reduction projects, to strengthen capacity of MDAs and LCs for improved performance of devolved service functions, and the effective and efficient implementation of the entire decentralization programme.

DSDP Phase 2 commenced in July 2012 and was formally launched in September 2012 and was to have ended in December 2016 but given a no cost extension to June 2018 due to the impact of the EVD outbreak on the smooth implementation of the programme. It is largely funded by the World Bank with contribution from the European Union and is leveraging an additional US\$32.58 million to complement the government allocation of US\$105 million.

The Strengthening Community Mobilization and Local Council Service Delivery in the Post-Ebola Context Project which is currently the main window of support for the Decentralization Programme seeks to build trust and intra-communal cohesion where it has been compromised, increase social mobilization, and make local social services more responsive to citizen needs in the post-EVD environment. The project has a proposed investment of US\$3.0 million (US\$2.75 million Recipient Grant and US\$0.25 million Grant for Bank Supervision). The project is funded by the Japanese Government through the Japanese Social Development Fund. The Project is managed by the World Bank and implemented using World Bank Guidelines. The project became effective on 1<sup>st</sup> July 2017 and is expected to be completed on 30<sup>th</sup> June 2020.

From the foregoing, it is clear that the funding for the decentralization process is rapidly dwindling. If the present gains are to be sustained over a long period of time, it is implicit and incumbent on government to engage Development Partners for mobilization of additional funding to complement the ongoing JICA funded project. The following recommendations are advanced:

- i. The Ministry should strongly advocate for the Government to allocate minimum 15% of its domestic revenues directly to Local Councils, 10% of which will be meant for Local Economic Development (LED) Projects. The primary objective of the LGDG program will be to provide discretionary development funding to local councils to enable them improve the provision of facilities and services to their people using participatory approaches in the determination and design of such development initiatives. This National Programme should take the form of a basket fund where besides the funds of the Government of Sierra Leone are channelled, funds from different donors contributing to the Programme are also channelled.
- ii. Local Economic Development (LED) should be made to be part of the Fiscal Decentralization programme and the Ministry of Local Government should play a strategic role in administering LED grants. Sierra Leone should now take this innovation more seriously and ensure that it is properly anchored institutionally, and the policy and legal environment is created to support its effective operationalization. LED is a key strategy to the achievement of Government's development programme. LED is a potent avenue for the creation of off-farm jobs and improved urbanization. LED will reduce external dependency through increasing exports growth and facilitating the private sector to play its role as the engine of growth. The draft LED Policy should be finalized and submitted to Cabinet. In addition, the Local Councils should be facilitated to fashion out small and medium-scale enterprises programmes in the respective localities.
- iii. The Ministry should follow-up on the projects under design to support the decentralization programme. There is the proposed World Bank operation to strengthen local service delivery in Sierra Leone. An exploratory mission was held in September of 2017, a World Bank identification mission took place from January 17 to 26, 2018. This operation is expected to serve as the successor project to the DSDP phase 2. There is also the proposed EU support to Civil Society and Local Authorities for local development in Sierra Leone to be implemented in four (4) selected Rural Districts. The indicative timing and grant for this Project are September 2018 – December 2021 and Euro 23,000,000 respectively.
- iv. The Ministry should explore the possibility of widening the net to bring on board other funding to support the Decentralization programme through Government established structures. In this direction, the Ministry should embark on developing project proposals that will be submitted to potential donors including the World Bank.

### 3.3.4 Capacity of the Ministry of Local Government and Rural Development to Effectively Undertake its Coordination and Monitoring Role

The Ministry responsible for Local Government is charged with the responsibility for overseeing the full implementation of the Decentralization programme which commenced in 2004 after the passing of the LGA04. Section 97(1) of the LGA04 states that the Ministry shall inspect and monitor the activities of every local council to ensure that it acts within the scope of the Act or any other relevant enactment. It is however important to note that the Ministry of Local Government and Rural Development works in partnership with the Ministry of Finance (MOF) in the overall implementation and coordination of the Decentralization programme. The Ministry of Finance is exclusively responsible for the implementation of the fiscal aspects of the Decentralization programme.

Over the years, the Ministry had struggled to effectively perform its monitoring role due to lack of funds and required logistics. However, the Ministry through the Decentralization Secretariat had been receiving modest financial support from the World Bank funded projects and in few cases from the UNDP to undertake sporadic monitoring activities. As a way of complementing the efforts of the Ministry in undertaking monitoring of the activities of the Local Councils, the DSDP2 supported the Decentralization Secretariat and the Local Government Finance Department to undertake periodic monitoring of Local Council activities by government officials. These monitoring missions are geared towards tracking the performances of the Local Councils and also ensure that Local Councils' adhere to legal provisions, proper procurement, proper financial bookkeeping, and enhanced project implementation and management, and good practices of governance. The missions have also been utilized to provide on-the-spot technical backstopping, coaching and mentoring support. The outcomes of the missions have shown promising impacts in getting the Local Councils to carry out technical activities in accordance with laid down procedures and keeping proper records on transactions and processes undertaken. Four rounds of joint monitoring missions have been undertaken, the most recent one held in April/May 2018. .

A framework for Monitoring and Evaluation for Local Councils has been designed and is being implemented in all the 19 Local Councils. The Comprehensive Local Government Performance Assessment System (CLOGPAS) was designed in 2006 and has been implemented fully three times. In the last three years, interface sessions have also been held between Local Council core staff and the devolved staff to improve their working relationships.

Notwithstanding the aforementioned interventions, concerns continue to be raised about Local Councils not fully complying with standardized processes, ensuring effective record keeping, having in place proper fiduciary management, carrying out proper procurement, supervising and complying with safeguard policies, engaging Ward Committees as part of social accountability measures pursued, incorporating engineers in the decision-making process for undertaking strategic tasks or demonstrating sufficient transparency and accountability as warranted by the Local Government Act 2004 and the Financial Administrative Regulation.

To strengthen the Ministry's monitoring role and the overall monitoring function over the decentralization process, the following recommendations are advanced:

- i. The Ministry should advocate for a substantial allocation for non-fiscal aspects of the decentralization programme from which it can adequately fund its monitoring activities. The Ministry should undertake monitoring missions at least once every quarter.

- ii. The Ministry should continue to leverage on support provided by projects assisting the advancement of the decentralization programme. The Ministry should insist that the design of any project to support the on-going decentralization programme should make ample provision to support the monitoring role of the Ministry.
- iii. The national joint periodic monitoring of Local Council activities by government officials of the implementing and coordinating bodies of the decentralization process should be internalized, institutionalized and coordinated. This approach will ensure that monitoring is comprehensive and all-embracing.
- iv. The support provided by the Resident Technical Facilitators (the field staff of the Decentralization Secretariat) to aid the Ministry's monitoring role and the proper reporting of Local Councils to the Ministry should be looked at.
- v. The Ministry should ensure that all quarterly reports submitted to the Ministry of Finance through the Local Government Finance Department should be shared with the Ministry of Local Government.
- vi. Advocate for the reintroduction of performance contracting by local councils which promotes competitiveness and effective and efficient service delivery to the local communities

### 3.3.5 Effective Functioning of Councillors and Ward Committee Members

#### 1. Councillors

Section 20 (1) of the LGA provides that a local council shall be the highest political authority in the locality and shall have legislative and executive powers to be exercised in accordance with this Act or any other enactment, and shall be responsible, generally for promoting the development of the locality and the welfare of the people in the locality with the resources at its disposal and with such resources and capacity as it can mobilize from the central government and its agencies, national and international organizations, and the private sector. Section 21 states that a Councillors (a) maintain close contact with his ward or chiefdom, consult the electorate on issues to be discussed in the local council and collate their views, opinions and proposals for that purpose, and present them to the local council; (b) report to the electorate the decisions of the Council and the actions he has taken to solve problems or deal with issues raised by the electorate; and (c) promote communal and other development activities in the locality.

Four rounds of Local Council elections have been successfully held in 2004, 2008, 2012 and 2018. In 2017, administrative restructuring of localities was undertaken with the view to promoting good governance, peace, stability and social harmony at the local level. The outcome of the restructuring exercise resulted in the creation of two new District Councils (Karene and Falaba District Councils), a City Council (Port Loko City Council) and a Province (North-west Province). Koinadugu District was broken into two independent districts (Koinadugu and Falaba). Consequently, the number of Local Councils has increased from 19 to 22 categorized into 5 City Councils, 1 Municipal Council and 16 District Councils.

The Councillors are expected to perform critical responsibilities to ensure good governance and effective service delivery in their respective localities as earlier mentioned. To ensure that Councillors are up to the task, the following recommendations are proposed:

- i. As a routine exercise, when Local Council elections are held and sets of new Councillors elected, orientation and induction workshops are organized by the Ministry through the Decentralization Secretariat to educate the new Councillors on their roles and responsibilities and their functional relationships with other stakeholders in the decentralization programme.

The workshops have also served as opportunities to introduce Councillors to some of the critical technical issues which they are expected to provide policy oversight over. The Ministry should secure funding for the organization of orientation and induction sessions nationwide. The Decentralization Secretariat has developed a concept note as a basis for soliciting funds from Central Government. The concept note will also serve as a guide for the implementation of the exercise. In the absence of adequate funds to roll out this programme, the Decentralization Secretariat has negotiated a small grant with the UNDP financed Local Government and Economic Development Joint programme (LGEDPJ) to support the conduct of a Training of Trainers on the orientation and induction manual for selected officials of the Local Councils who will be supported by their respective Local Councils to organize the orientation and induction sessions for their Mayors, Chairpersons and Councillors. The core staff will include Chief Administrators, Finance Officers, Development Planning Officers, Civil Works Officer, Monitoring and Evaluation Officers, and Human Resource Officers. The trainees will carry out the training of the Councillors in their respective Councils.

- ii. The review of the LGA04 should make provision for the remuneration and conditions of service of Councillors to spur them up to take more seriously their roles and responsibilities.
- iii. The Ministry should support the effective functioning of the statutory policy structures of the Local Councils so that they are able to provide the required policy oversight.
- iv. The Councillors should be provided with tailor-made or targeted training to ensure that they are on top of their responsibilities.
- v. The Local Councils should be requested to submit minutes of the Local Council statutory meetings to the Ministry on a timely basis.

## **2. Ward Committees**

The Ward Committees are the lowest administrative units in the decentralized structure. The Local Government Act confers on them critical responsibilities to ensure that the decentralization program is effectively anchored at the grassroots level. Section 96 of the LGA04 states that the Ward Committees shall (a) mobilize residents of the ward for the implementation of self-help and development projects; (b) provide a focal point for the discussion of local problems and needs and take remedial action where necessary or make recommendations to the local council accordingly; (c) organize communal and voluntary work, especially with respect to sanitation; (d) make proposals to the local council for the levying and collection of rates for special projects and programmes; and (e) educate residents on their rights and obligations in relation to local government and decentralization.

Given the aforementioned strategic responsibilities of the Local Councils in the deepening, strengthening and anchoring of decentralization at the local level, it is needless to overemphasize the need to ensure that these structures are facilitated to effectively function. To ensure that Ward Committees are up to the task, the following recommendations are proposed:

- i. The Ministry should facilitate the Local Councils to form the Ward Committees in accordance with the provisions of Section 95(c) of the LGA 2004 (Ward Committees should be elected in a public meeting with at least fifty percent (50%) being women). As part of the due diligence framework, the Ministry of Local Government and Rural Development should undertake missions to verify and ascertain the adherence of Councils to legislative provisions and laid down procedure for the constitution of Ward Committees as a basis for official recognition by the Ministry and provision of requisite policy and capacity support to Ward Committees adjudged to have been elected in a free, fair and transparent manner.
- ii. As a routine exercise, the Ministry through the Decentralization Secretariat organizes training for the newly constituted Ward Committees. To ensure that the new set of Ward Committees

benefit from similar support, the Ministry should plan a national training programme for the newly constituted Ward Committees. The training should enhance the Ward Committees members' clear understanding and appreciation of the concept of local and decentralized governance, roles, responsibilities and functional relationship, and introduce them to technical issues such as budgeting, financial management, development planning and social accountability. A Concept note and Terms of Reference for the recruitment of a Consulting firm to undertake the training have already been prepared.

- iii. The Ministry should consider amending Section 95(4) of the LGA04 which states that Ward Committee members shall not receive any remuneration or allowances because this clause is hindering the effectiveness of the Ward Committees. The Ministry should advocate for the remuneration of Ward Committee members and the provision of facilitating support to ensure that they are able to meet and carry out their roles and responsibilities. This should be reflected in the revised National Decentralization Policy and the LGA04.
- iv. Through IFAD support, the Ministry of Agriculture constructed offices for Ward Committees of a number of Local Councils. Information gathered from the field indicates that these facilities have not been put into their proper use. Owing to the fact that the Ministry of Local Government was not involved in the process, it will be necessary for the Minister to engage his colleague Minister of Agriculture to discuss possible ways of ensuring that the structures are put into proper use.

### 3.3.6 Strengthening Performance Management for Improved Results

Since 2006, GoSL and her Partners have provided support towards establishing a robust M&E system for Local Councils. After five years of implementing the M&E framework developed under the IRCBP in 2006 and with additional functions devolved to LCs, it was evaluated and upgraded in 2011. The framework guides the Local Councils in the execution of their M&E function and has created demand for the information generated. The indicators have been used in joint monitoring missions of the DSDP team and MDAs. A revised M&E framework has been widely circulated to stakeholders in central and local level government, civil society organizations etc. Tools have also been distributed to LC M&E Officer's e.g. Motor bikes, computers, printers etc.

The CLoGPAS is implemented to monitor capacity development in Local Councils since 2006. This tool was initiated by the Government of Sierra Leone through the Ministry of Local Government and Rural Development. This annual assessment laid the foundation for routine monitoring of Local Councils and the provision of evidence-based information on Local Councils functional capacities and performance. CLoGPAS is structured to assess compliance of LCs to national rules and regulations, including those enshrined in the Local Government Act, and strengthen LCs' capacity for improved service delivery performance. CLoGPAS was conducted in 2008; implementation of the fourth round of took place in 2013. The fifth round was conducted in 2014. Due to the Ebola situation in the country the results of the 2013 CLoGPAS could not be released on time. However, as improvements were achieved in the Ebola situation, the results were formally pronounced.

National surveys have been conducted to assess performance and gauge the perceptions of beneficiaries of quality and effectiveness of public service delivery. It also provides an indication as to whether Local Councils have been able to maintain or improve services. Between 2005 and 2008, independent surveys were conducted on the key services within the framework of the ongoing decentralization reform. In 2011 and 2016, the Integrated National Public Service Survey (INPSS) combined three surveys into a single, integrated instrument to provide a broader picture as well as

minimize costs and enhance efficient collection.

A Beneficiary Assessment (BA) was undertaken to systematically understand and document the views of the DSDP II clients/beneficiaries on services delivered by the Project with a view to improving the quality of services delivered to them. It also aims at identifying targeting prospects for the project. It also provides a more dependable gauge at the level of end users on their perception on DSDP II project interventions and on improvements in service delivery for poverty reduction.

Taking the process forward, the following are recommended:

- a) Strengthening the M&E Function:
  - ✓ There is need for an increased focus on a results-based monitoring and evaluation culture. The purpose of establishing a results-based M&E system is to facilitate the use of performance information.
  - ✓ Tooling needs to be extended to 9 LCs with bikes
  - ✓ The LC M&E framework needs to be revised and widely disseminated to relevant stakeholders
  - ✓ Training on the revised M&E framework should be provided for sector M&E Officers
  - ✓ Refresher Training should be provided for LC M&E Officers
  - ✓ Local Council Budgets should include funds for Monitoring and Evaluation
  - ✓ M&E should be a priority in terms of expending funds to Local Councils. Funds should not be sent to any Local Council without them submitting an M&E report.
  - ✓ There should be continued collaboration between the LC and sector M&E
  - ✓ Supervision and oversight need to continue from the ministry to LC M&E Officers
  - ✓ External training abroad with the signing of bonds to keep the M&E Officers should be encouraged.
  - ✓ District M&E Committees should be organized.
  - ✓ LC M&E Committees should be organized at every LC
- b) That the CLoGPAS be continued
  - ✓ The CLoGPAS instrument should be revised and the assessment undertaken on an annual basis
- c) The Integrated National Public Services Survey (INPSS)
  - ✓ This surveys need to continue
  - ✓ The tool needs to be revised
  - ✓ Dissemination will need to be stepped up
- d) Beneficiary Assessment (BA)
  - ✓ The BA should continue to be conducted in all Local Councils
  - ✓ The dissemination of the results should be done widely
  - ✓ Indicators and tool should be revised
- e) Performance Contracting be continued for local councils

### 3.3.7 Improving Social Accountability for Effective Participation, Inclusion, Transparency and Accountability

One major breakthrough that the process of decentralization has witnessed as a result of the intervention of the DSDP2 is the drilling down of the accountability function to the grassroots level viz-a-viz the community. The Ministry has been carrying out activities to improve local governance and social accountability mechanisms between Local Councils and citizens such as the Grievance

Redress Mechanism (GRM), Community Monitoring Initiatives (CMI) and the Participatory Budgeting pilot; improved monitoring and the assessment of local council's performance and information sharing.

The Community Monitoring with Scorecard scheme seeks to improve accountability in service delivery by forging and monitoring mutual commitments, to improve the quantity and quality of services provided. It is an inclusive process, involving service delivery staff, representatives from different communities, Ward Committees and Local Councils, based on analysis of current services provided in Rural Water, health, education, Solid Waste and Social Assistance. It will also identify problems and solutions, resulting in the production of a joint action plan, followed by review meetings to assess progress towards achievement of activities identified in the action plan. Between January and March 2016, sixty (60) Community Monitoring Groups in all (4) pilot districts (Bo, Kenema, Tonkolili and Bombali) were formed.

The Grievance Redress Mechanism was designed to ensure that project beneficiaries and citizens raise questions, concerns, complaints, and grievances emanating from project implementation and ensure that they are addressed. The GRM was introduced in September 2015 as a pilot in five (5) local Councils, namely, Freetown City Council, Tonkolili District Council, Kambia District Council, Kono District Council, and Bonthe Municipal Council. This will be replicated in the JSDF project, in Freetown City Council and Port Loko District Councils.

There has been limited collaboration between the Local Councils and CSOs during the implementation of the project due to the fact there has not been any strong umbrella body to connect with concerning our programmes. Collaborations of this nature will increase citizen's participation and accountability. There is an upcoming European Union (EU) Project which seeks to support the involvement of the EU in the Decentralization Project.

Participatory budgeting (PB) is an innovative mechanism, a democratic process in which community members decide on how to spend part of a public budget. It aims to involve citizens in the decision-making process of local council institutions by allowing citizens the opportunity to allocate resources to their preferred public sector activities. It is useful in making the allocation of government resources more inclusive and equitable. PB gives ordinary people real decision-making power over real money and guarantee's effective participation of marginalized groups. This initiative will be piloted in Port Loko District and Freetown City Councils under the Japanese Social Development Fund (JSDF).

Moving forward, the following recommendations are proffered:

- a) Improving record keeping and access to information:
  - ✓ Collaborate with the access to Information Commission to demonstrate the commitment of the Local Councils
  - ✓ Develop websites for each Local Council and at the Ministry
- b) Effective use of the Cloud for storage and retrieval of information
  - ✓ A senior management 'champion' to support and provide strategic Information/Records Management direction to the Local Council
  - ✓ A Records Management Strategy developed
  - ✓ A documented Information/Records Policy with identified responsibilities and roles for staff at all levels of the Local Council

- ✓ Adequate dedicated and appropriately skilled resources to support the records management function.
- c) Advancing the Grievance Redress Mechanism:
  - ✓ That the GRM be replicated in every Local Council and Ward
  - ✓ The Local Councils should be encouraged to support or partner with the donors
  - ✓ Involvement of citizens should be continued
  - ✓ Collaboration with MDAs should continue
  - ✓ The Ward GRM Committees will need to be organized and trained since they have been very effective in addressing grievances
- d) Advancing the Community Monitoring Intervention:
  - ✓ That CMI groups be created in all Local Councils
  - ✓ CMI be used to monitor projects and in project maintenance
  - ✓ The CMI can be extended to other new sectors not covered by the DSDP
- e) Strengthening the CSOs participation in the decentralization process:
  - ✓ Collaborations with CSOs will need to be increased
  - ✓ Citizens participation will need to be increased
- f) Participatory Budgeting:
  - ✓ To continue to support the implementation of the PB initiative in the Port Loko District and the Freetown City Council

### 3.3.8 Strengthening Infrastructural Support to Local Councils

Following the enactment of LGA (04) and the devolution of some functions to the Councils, the Councils have faced enormous challenges in terms of addressing their infrastructure project needs. Studies conducted by the Decentralization Secretariat's Civil Works Unit and other stakeholders have revealed that an average of 70% of DSDP funds is utilized in infrastructure sub-projects in diverse sectors, such as roads, health, water, sanitation and hygiene, etc. Also, very appreciable amount of funds from other development partners and Council own funds managed by the Councils are utilized in infrastructure projects.

Some of the major challenges faced by the Local Councils in the design and implementation of the above-mentioned projects include their inadequate capacity to prepare pre-contract engineering documents such as designs, drawings, specifications, and cost estimates, and also undertake technical supervision of the works. Review missions fielded by DSDP have discovered the following, among others;

- a) Existence of no drawings, specifications and designs for some sub-projects
- b) Inadequate designs, specifications drawings and cost estimates
- c) Inadequate technical supervision of the works
- d) Poor quality finished works due to inadequate technical supervision
- e) Under budgeting of projects
- f) Inappropriate Bills of Quantities included in Bidding Documents thus leading to confusion at both tender evaluation and implementation stages
- g) Loss of value for money, efficiency and effectiveness resulting from a), b), c), d), e) and f) above.
- h) Less frequent coaching and mentoring support from the center

In order to hedge the above inadequacies, there is need for the capacities of the Councils to be strengthened through engaging qualified technical personnel, providing them with the relevant

logistical support and engineering software that would assist them in not only their infrastructure needs assessment, but also in the construction as well as pre- and post-construction activities of their civil works programmes.

Also, full capacity building and logistical support is required for the Civil Works Unit of the Decentralization Secretariat. This will guarantee more frequent monitoring supervision of local council Civil Works Units as a means of enhanced technical backstopping.

The key objective will be to provide adequate engineering/technical capacities for the Councils and in instances where there are semblances of availability of these capacities, to strengthen them to required levels. This would be done by further consolidating the capacities of Civil Works Units that would be responsible for the effective design, supervision and management of broad range multi-sectoral infrastructure sub-projects throughout the project cycle. All the 22 local councils and Decsec's Civil Works Unit are expected to benefit from this venture.

It is expected that this support intervention will ensure that, the Local Councils, through their Civil Works Units:

- a) Conduct an infrastructure needs assessment within their respective jurisdictions
- b) Undertake project planning in such a way that various projects can simultaneously be carried out without adversely affecting each other
- c) Manage pre- and post-construction/rehabilitation stages of works
- d) Manage other stakeholders such as the communities, architectural and engineering consultants, etc.
- e) Identify complementary skills needed to be outsourced, should the need arise, to support the in-house staff in their work
- f) Work closely with their development partners especially in adhering to the terms prescribed by them in executing civil works
- g) Supervise the execution of civil works
- h) Support the Procurement Units in pre-and post-contract management activities related to procurement
- i) Manage the works unit in an effective and efficient manner so that value for money is realized.

The key activities under the capacity building and technical support are:

- a) Strengthen civil works and project management support to the Local Councils
- b) Strengthen the infrastructural and logistical/equipment repair and maintenance regimes and capacities of the Local Councils
- c) Improve the supervision and monitoring of civil works projects both at central and local levels
- d) Pilot a scheme for the construction of accommodation facilities for local Councils
- e) Strengthen the environmental and social safeguards capacities of the Local Councils

The Ministry of Works will be actively engaged to provide technical support to local councils in sub-project designs, drawings, and preparation of Bill of Quantities (BOQs). Council Engineers, M&E staff, WASH Engineers, and Development Planning Officers may require additional supports in terms of equipment to facilitate their operations.

The just concluded national joint monitoring has revealed key weaknesses which cut across the Local Councils. Some of the challenges include:

- a) Poor working environment for the Environmental and Social Safeguards Officers - they lack appropriate tools and equipment to carry and dispose of waste in the localities, the ESOs do not have transport facilities to enable them carry out field operations.
- b) The ESOs' salary is below the minimum salary wage.
- c) The Councils do not have ESS checklists for subprojects and screening reports thus making it challenging to ensure that proper ESS is carried out on all projects and acceptable screening reports are prepared. However, ESS checklists have been distributed to Councils during the joint monitoring missions.
- d) The Councils did not y never had any before this mission Availability of solid waste guidelines to LCs A solid waste management guidelines has been given to the ESO.

### 3.3.9 Mainstreaming Gender in the Decentralisation Process

Decentralization has been one of the main tools advocated in recent years as a process for empowering local communities to engage more effectively in leading their own processes in development, improve Service delivery, enhance social cohesion and above all, Support fundamental democratic changes. Gender mainstreaming offers a varied approach that values the diversity among and between both women and men in the governance process and allows for gender sensitive language, gender specific data and analysis as well as equal treatment, access to and utilization of services and involvement in the decision making. Consequently, participation of both men and women is crucial to the success of decentralization, and steps have been taken for mainstreaming gender comprehensively into the decentralization process.

Gender mainstreaming is key in advancing the decentralization programme in Sierra Leone. The Government's commitment for the promotion of good governance, democracy, inclusiveness, accountability, transparency, local economic development and improving service delivery to the local people cannot be fully realized without gender equality which is achieved through gender mainstreaming in policy, law and practice. This would mean that for Decentralization process should focus on ways in which gender mainstreaming perspectives will encourage women and men to participate and take decisions in development agendas on equal basis that will improve quality of life to achieve impartial benefit.

The following progress has been made so far towards mainstreaming gender in the decentralization process:

- a) The draft gender strategy and guidelines have been developed and validated
- b) CSOs and the relevant officials of the four Local Councils participating in the JSDF Project (Freetown City Council, Western Area Rural District Council (WARDC), Bombali District Council and Port Loko District Council) have been trained on the importance of gender mainstreaming, the key dimensions of gender perspectives and the guidelines.
- c) The same Local Councils and CSOs have been provided mentoring and coaching support in mainstreaming gender perspectives in the activities of the JICA funded Project and the work of their Local Councils in general.
- d) Monitored and kept track of the compliance of project activities to the gender requirements as stipulated in the Project Results Framework.

The key challenges and outstanding issues affecting the effective mainstreaming of gender in the decentralization process are as follows:

- a) Gender Units in Local Councils have been established and these units are up and running, thus ensuring that Local Councils effectively handle gender issues in order to achieve gender equality, particularly in legislation, participation, representation, empowerment and the distribution of resources within the general decentralisation programme in Sierra Leone but the units are not well capacitated.
- b) The Gender Officers in Councils are not adequately capacitated in terms of training, coaching and mentoring to perform their mandates effectively.
- c) The importance that should be given to the gender desks by the leaderships of the Local Councils is nothing to write home about.
- d) The gender strategy and guidelines are yet to be finalized and approved by the Minister of Local Government and Rural Development.
- e) There is weak collaboration with other institutions that are supporting gender mainstreaming generally in the country.

To take the process forward, the following are proposed:

- a) The gender desk in the Local Councils should be capacitated in terms of training and logistics to ensure that they carry out their respective functions effectively.
- b) The finalization of the gender strategy and guidelines and their approval should be expedited so that they can be roll out and become working documents especially for the Local Councils.
- c) The Ministry's network with other institution supporting gender mainstreaming such as UNDP, UN Women, and UNICEF should be strengthened.
- d) The Local Council leaderships should be made to understand and appreciate the role of the gender desks in enhancing the work of the Councils and the promotion of participation, inclusive governance and the effective delivery of services.

### 3.3.10 Ensuring Environmental and Social Safeguards Improvement

The issue of protecting the environment and undertaking environmentally and socially sound projects has gained momentum over the past decade. The Local Councils are no exception to this since on a day to day basis they are engaged in activities that do impact on the environment or social well-being of the people. The Local Councils are therefore expected to implement activities in accordance with national environmental and social safeguards regulation and guidelines and also those of the donor agencies. As a way of strengthening Local Councils' institutional capacities to handle environmental and social safeguards issues, under the DSDP2, all 19 Environmental and Social Safeguards officers of the Local Councils were each supplied with a Dell laptop and Anti-Virus software. In addition, the Resident Technical facilitators, ESOs, Civil Works Officers (CWOs) and M&E Officers have benefitted from a 3-day training workshop on social and environmental issues. This training has helped in deepening the understanding of these key officials of the Local Councils on the basic concepts of environmental and social safeguards. Going forward, more support has been earmarked within the support framework of the DSDP2 towards strengthening the Environmental and Social Safeguards Units of the 19 Local Councils.

The Safeguards Unit within the Decentralization Secretariat is primarily responsible for providing leadership in the Management of Safeguard issues. In addition, the unit has the responsibility to coordinate the implementation of internal processes related to the application of ESMF, RPF to sub-project screening. The Coordination role of the Safeguards unit also covers among others, collaborative working with statutory Environmental Departments and Agencies such as the Ministry of Lands and the Environment, the Environmental Protection Agency (SLEPA), Office of National

Security (ONS) and the provision of technical and managerial leadership to the activities of Environmental and Social Safe Guard officers at the Local Council Level

The achievements so far are detailed below.

- a) The Environmental and Social Safeguards Specialist (ESS) has also developed several user friendly matrices for the effective assessment and reporting on the following: Environmental and Social Safeguards (ES) activities at the Local level, Land donation documentations and the feasibility sheet on the introduction of land fill sites by Local Councils.
- b) The ESS has also embarked on Coaching and Mentoring tours to Local Council ESOs to resolve residual issues on ES activities and provide technical support to ESOs.
- c) The ESS has developed Standard Operating Procedures for ESOs' Local Councils to better position them for meaningful integration of ESOs' into the admin and project implementation framework of the Local Councils.
- d) The ESO as in the past one year been in the process of generating a generic data base on: screened ES implementation activities, land donation documentations and the profiling of ESOs' etc.
- e) All the 19 Local Councils have identified an Environmental and Social Officer (ESO) and they are in post.
- f) All the Local Councils are indicating some form of integration of their ESOs through the provision of the following: office spaces, some form of inclusion in management meetings, delegation of ES responsibilities and inclusion of ESOs in the integrated monitoring of projects.
- g) ESOs have also been provided with some basic logistics such as motor bikes, computers to enhance their work effectiveness.
- h) ESOs are gradually developing data basis on ES project implementations and land donation at the local level.
- i) The ESS Unit through its Environmental and Social Safeguards Specialist has been able to provide fitting representation of the Ministry of Local Government both locally and internationally on social and Environmental issues.

As a relatively new unit, both within the context of Sierra Leone Decentralization program and the Ministry, the unit and its key players is fraught with the following challenges:

- a) Effectively harmonizing its work with the work streams of other institutions such as EPA, ONS and related players on environmental management.
- b) Strategically absorbing/mainstreaming the activities of the ES Unit into the Ministry of Local Government and Rural Development
- c) Enhancing the required integration of environmental and social activities and the personnel into the administration and technical implementation of Local Councils.

Moving forward, the following can be considered:

- a) Strengthen the capacities of the Environmental and Social Safeguards Officers of the Local Councils.
- b) Strengthen the monitoring and backstopping support of the Centre to the Local Councils.
- c) Strategically absorbing/mainstreaming the activities of the ES unit and related personnel into the structural arrangement of the Ministry, so as:
- d) to enhance the sustainable implementation socially and environmentally friendly project at local level;

- e) to be able to manage and coordinate environmentally and socially friendly interventions effectively;
- f) to effectively absorb and manage issues related to land administration, land degradation and bio-diversity protection;
- g) to strategically collaborate with other department such as EPA, ONS, related Ministries and departments in the implementation and enforcement of safeguards policies with both a national and international flavor.

### 3.3.11 Challenges in Fiscal Decentralisation Implementation

Since the passage of the LGA 2004, the Government has pursued fiscal devolution through the transfer some of the previously centralised taxes to local councils. It established the Local Government Finance Department (LGFD), now Fiscal Decentralisation Department (FDD), in the Ministry of Finance (MoF). This has served both as a link between the central MDAs and local councils in the determination of vertical and horizontal allocations using the formula-based intergovernmental fiscal transfer system that is based on principles of equity and equalisation. FDD is also a source of technical capacity-building for local councils in public financial management (PFM). While technical capacity continues to improve in the area of integrated PFM systems, budget development and accounting, local councils continue to face significant limitations to their revenue mobilisation, both in terms of inter-governmental fiscal transfers (IGFTs), own-revenue generation, tax-sharing with chiefdoms in their jurisdiction, and horizontal equalisation. There are also severe limitations placed on the ability of local councils to access loans from the private banking sector despite their legal status as limited liability institutions.

Despite the existence of a transparent formula for IGFTs including annual allocations and development grants for local councils to deliver basic social services, the determination of the vertical pool remains ad-hoc while the development budget of local councils is discretionary and at the whim of central government. As a result, the financial resources at the disposal of local councils have remained inadequate, thinly spread and transferred in an untimely or irregular manner. In some instances, local councils have gone for more than three years without receiving any development grants, thereby emasculating their ability to stimulate LED. There is still no legal guarantee to ensure that grants to cover devolved functions are transferred in a timely and expedient manner. This contrasts with the experiences of other African countries including Nigeria and Ghana where legislative provisions ensure that an agreed percentage of national fiscal revenue is earmarked as capital expenditure for local councils.

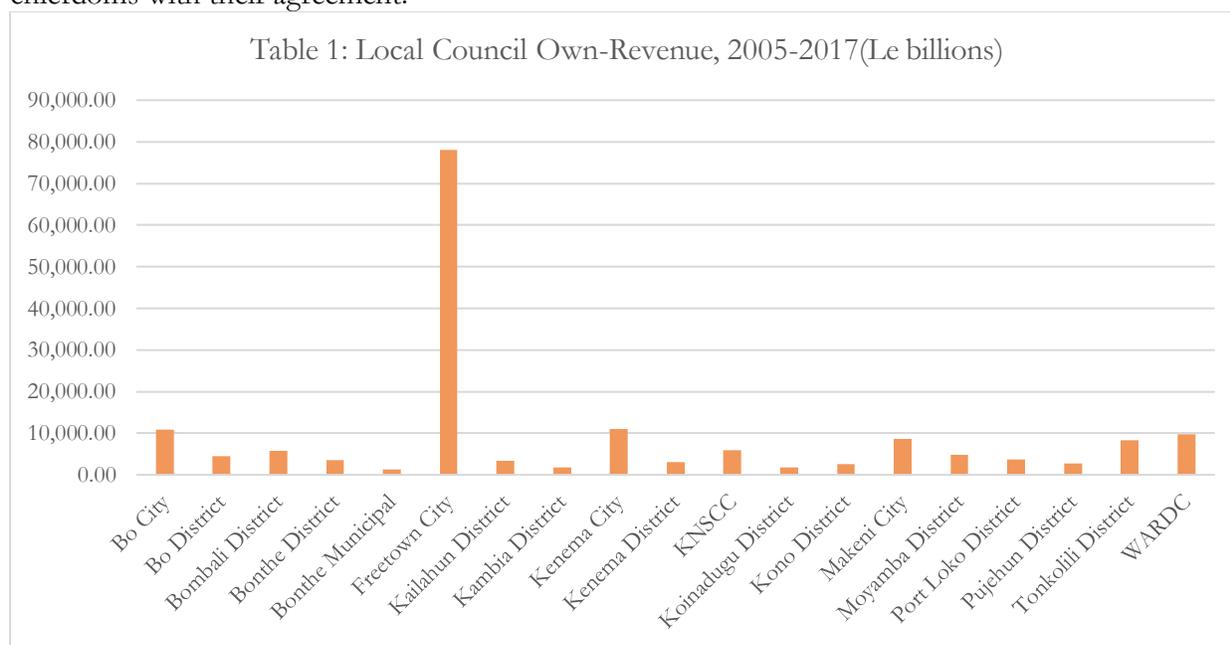
The current approach to determining the vertical pool for local councils, which is based on the annual allocation of MDAs, is fraught with a plethora of challenges. MDAs have found innovative ways of retaining resources at the centre by inflating their administrative budgets. Poorly funded ministries such as Youth, Social Welfare and Gender and Children's Affairs lack sufficient resources to cover their devolved functions in all 22 local councils. Consequently, this results in tiny sums (in some cases as little as \$100) transferred to councils for the implementation of such activities. Councils are even saddled with so-called "unfunded functions". These are functions that have been devolved to local councils but for which funds have never been provided and so councils have to finance them from their own-revenue. The implementation of a transparent formula based IGFT system is urgently

needed to ensure that councils are able to perform their roles and responsibilities in an efficient and equitable manner.

Councils are also restricted by the lack of clear guidelines for own-revenue collection and revenue-sharing with chiefdoms. This situation is worsened by the lack of economic opportunities in most local councils (except city councils) where own-revenue potential remains very limited due to low per capita income resulting from decades of infrastructural neglect and lack of a conducive investment environment (Table 1). As a result, most councils have become heavily dependent on limited IGFs, enabling central government to use them to strengthen its political control over them.

The failure of the LGA 2004 to repeal a number of laws relating to own-revenue mobilisation has further aggravated the economic challenges facing local councils. In particular, the fact that the Chiefdom Administration Act 1974, the Factory Act 1975, the Forestry Act 1988 and the Tourism Act 1990 still remain in force means that various national authorities retain and exercise the power to collect local taxes through local agents of MDAs. This exercise of central authority and the lack of clarity surrounding it have often led to tension and conflict between these national institutions and local councils, while creating confusion for local businesses that sometimes do not know which taxes they should pay and to whom.

However, the greatest tension over local taxation has been between local councils and chiefdoms. In 2008 a MLGRD directive granted chiefdom councils the power to collect local taxes for the 15 district councils in the country. This arrangement has been mired by a lack of accountability and transparency that has led to widespread corruption. As a result, councils only receive a fraction of the revenue collected by chiefdom councils and consequently they have become unenthusiastic in supporting efforts to improve tax collection. This arrangement clearly defeats the fiscal principle that gives local authorities the power to set and collect their own taxes and only to devolve such authority to chiefdoms with their agreement.



Source: FDD

Certain legislative actions since 2004 have led to growing concern among practitioners about the financial future of local councils. In particular, the Mines and Mineral Acts 2009 established a formula for the sharing of surface rent for mining that left councils disproportionately disadvantaged. Under this formula, 50% of the revenue for surface rent is paid to landowning families, 15% to the Paramount Chief, 15% to the District Council, 10% to the chiefdom council and only 10% is paid into the Community Development Fund (CDF), of which 80% is retained by the chiefdoms and only 20% by local councils. This current arrangement not only gives councils a miniscule share of the income from mining rental but also reinforces horizontal inequality between resource-rich and resource-poor local councils.

Furthermore, the poor management of local council finances has become a rallying cry for those opposed to decentralisation and in favour of recentralisation. Audit reports and parliamentary oversight reports have highlighted serious deficiencies in their financial management, at times verging on malfeasance and corruption. In particular, there is a lack of accountability and transparency over the management of own-source revenue collection, which provide major fuel for extending the patronage-based political system.

These various fiscal challenges that are faced by local councils have led to growing inequality between local councils. This is manifested not only in the huge disparities in own-revenue generation but also in the poor implementation of the equalisation principle for the allocation of grants which is actually widening horizontal inequality. For example, IGFTs for devolved functions such as agriculture and primary health care should take into account the variation in the cost of implementation between different districts. However, districts with higher costs due to their remoteness tend to receive lower per capita transfers, leading to weaker service delivery. The lack of resources and the consequent inability to provide the desired level of services gravely undermine citizen trust in local councils.

#### 4.0 The role of the Local Councils Association of Sierra Leone (LoCASL) in Decentralisation Implementation

LoCASL is non-profit making organization that, through advocacy and lobbying, representation and capacity building (human, logistics etc), seeks to promote the interests of Local Councils in Sierra Leone to improve their position within the overall institutional framework of the country by influencing central government decision making processes that affect them. Guided by a philosophy translated through good governance, inclusiveness, participation, accountability and development as core values,<sup>15</sup> LoCASL's primary objective is "to assist Local Government entities in achieving their mission, complying with principles of good governance and decentralization". Specific objectives of LoCASL include among others:<sup>16</sup>

- ✚ To foster and strengthen unity and cooperation between and within all local councils in Sierra Leone without discrimination
- ✚ To represent the collective views of all local councils at national and international level
- ✚ To seek and promote the interests and welfare of members without discrimination
- ✚ To promote policies for the development of democratic local government and to act as an advocacy pressure group for and on behalf of local councils of Sierra Leone
- ✚ To highlight and promote gender equality in all the affairs of the Association

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<sup>15</sup> The Constitution of LoCASL

<sup>16</sup> Ibid 1

- ✚ To promote the policies of the Association to the public including education on local government matters
- ✚ To prevent and resolve conflict between or within local councils, engaging with other state or non-state actors to achieve harmony where relevant

LoCASL is facing and continue to face huge setbacks in performing its strategic and core mandate, which is, planned, calculated and strengthened advocacy and lobbying on behalf of its members in ensuring their welfare, interest and concerns feeds into the broader policy objectives and strategies of Government. A study on the Capacity Development Needs Assessment for LoCASL financed by the United Cities and Local Governments of Africa (UCLG-A) revealed the following key findings and recommendations (UCLG-A, 2016)

1. Inadequate communication flow between LoCASL executive/Secretariat and the rest of its members
2. Inadequate sensitization about LoCASL affairs to its members, the Government and citizens especially on the reasons for setting up LoCASL, its strategic mandate, its work and the services likely to be provided on behalf of members that will protect their welfare and interests
3. Roles and responsibilities of executive members are not properly defined and yet to be fully integrated into the main structure of operation of LoCASL
4. No clearly defined framework and or strategy on structures LoCASL should use to address the enormous problems of her members
5. There is lack of planned coordination between LoCASL and other institutions supporting the decentralization
6. Not much has been achieved in the area of networking (financially, partnerships etc.) with local agencies and donors/international NGOs with potential to support local government associations within Africa and beyond

In order for LoCASL to be able to coordinate key stakeholders institutions to support local councils to stand tall to overcome the daunting challenges decentralisation implementation, the following shall be done

- a) Develop a positive international image for local governments in Sierra Leone
- b) Share a co-responsibility for development and mutual interest in facing regional and global crisis
- c) Enhance resources and capacity development
- d) LoCASL to embark on massive sensitization programmes (through the media, newspapers, radio discussion programmes) for its members and the rest of the public on roles and responsibilities and what members stand to gain if LoCAL becomes more effective
- e) Set up a small committee (maximum 10 members) to comprise of key departments supervising the decentralization process (Dec-Sec, LGFD, LGSC, LGFC) to be meeting once every quarter to brainstorm on how to address both the current and potential problems facing LoCASL membership
- f) Identify and network with potential partners within the sub region, the rest of Africa and beyond with interest in supporting (financially, technically etc.) local councils and its association (LoCASL)
- g) Strengthen the role and place of local development in development strategies;
- h) Promote the territorial coordination of development cooperation actions so they will produce the maximum positive impact on improving the living conditions of citizens;
- i) Establish references for measuring development cooperation performances among local governments (benchmarking);

- j) Strengthen and support good local governance, so that the local government can better carry out its development roles (building strong local public institutions, public services, civil society participation for development, etc.);
- k) Support effective decentralisation and devolution; building local government capacity to perform new roles, maximising the added value of local governments in policy-making and implementation;
- l) Improve local government's capacity to deal with the impact of global challenges on local development, e.g. climate change, culture, human rights, etc.; and
- m) Strengthen the capacity of LoCASL to support their members in achieving local development (e.g. as advocate and negotiator, promoter of learning and good practice)
- n) Local councils to make LoCASL affairs an agenda item in the monthly council meetings and ensure the Executive Secretary any other member attend the monthly meetings to improve on communication flow and provide justification for fully honouring membership dues (UCLG, 2013)

## 5.0 Conclusion

Decentralization has been the corner stone for improving in service delivery at the local level and local authorities have critical role to play in this. Existing government policies and or strategies have documented commitments to territorialisation to further strengthening ownership local authorities for local economic development. Implementation of the government decentralisation programme, since its inception in 2004, has faced enormous challenges. A number of reviews of the LGA 2004 and policies have been planned and some undertaken to address the repeated challenges in the implementation process. Recently (2020) is review of the 2010 Decentralisation Policy that finely articulated the strategic objectives and guiding principles for the successful implementation of decentralisation in Sierra Leone. In all these, the national local council association (LoCASL) have not been given the space (capacity, logistics, consultative and effective dialogue with Government) in supporting the local authorities overcome the challenges faced in the implementation of decentralisation. The next line of EU support to the Government of Sierra Leone, the NDICI aim to treat local authorities and by extension LoCASL as a separate entity from that of non-state actors. With this, it is expected LoCASL will be more proactive to constructively and effectively engage central government to help tackle problems faced by local authorities in the smooth implementation of decentralisation in Sierra Leone.

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