



NATIONAL DECENTRALISATION POLICY

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CABINET APPROVED



MINISTRY OF LOCAL GOVERNMENT AND RURAL DEVELOPMENT

Brookfields

National Decentralisation Policy
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Acronyms

AU	African Union
CDF	Community Development Fund
CLoGPAS	Comprehensive Local Government Performance Assessment System
CSO	Civil Society Organisation
DEC-SEC	Decentralisation Secretariat
DFID	Department for International Development
DO	District Officer
ECOWAS	Economic Community of West African States
FDD	Fiscal Decentralisation Department
GDP	Gross Domestic Product
GoSL	Government of Sierra Leone
HR	Human Resource
HRMO	Human Resource Management Office
ICT	Information and Communications Technology
IEC	Information, Education and Communication
IGFT	Inter-Governmental Fiscal Transfer
IMC	Inter-Ministerial Committee on Decentralisation
LED	Local Economic Development
LGA	Local Government Act
LGCE	Local Government Centre of Excellence
LGDG	Local Government Development Grant
LGDPCM	Local Government Local Governance Development Partners Coordination Mechanism
LGFD	Local Government Finance Division
LGSC	Local Government Service Commission
LoCASL	Local Councils Association of Sierra Leone
MDA	Ministries, Departments and Agencies
M&E	Monitoring and Evaluation
MEL	Monitoring, Evaluation and Learning
MLGRD	Ministry responsible for local Government
MoF	Ministry responsible for finance
MoFAIC	Ministry of Foreign Affairs and International Cooperation
MoJ	Ministry of Justice
MoU	Memorandum of Understanding
MPs	Members of Parliament
MRU	Mano River Union
MT-NDP	Medium-Term National Development Plan
NatCom	National Tele-Communications Commission
NEC	National Electoral Commission
NGO	Non-Governmental Organisation
ONS	Office of National Security
PFM	Public Financial Management
PPP	People Planning Process
PPP	Public Private Partnership
PSC	Public Service Commission
PWD	Persons with Disabilities
RCO	Regional Coordination Offices
SALCAB	Sierra Leone Cable Limited
SI	Statutory Instrument
UN	United Nations
UNDP	United Nations Development Programme
VDC	Village Development Committee
WASSCE	West Africa Senior Secondary School Certificate
WDC	Ward Development Committee

Foreword By HE The President

It is now 16 years since decentralisation was reintroduced in Sierra Leone with the enactment of the Local Government Act (LGA) 2004. Coming after the decade-long civil war that ended in 2002, the Act sought to address some of the key causes of this conflict including decades of exclusionary politics, disenfranchisement, poor governance, rural neglect, and widespread underdevelopment or uneven investment in the country.

As President, and persuaded by my democratic convictions, I believe decentralisation is a fundamental to good governance. No Government can effectively govern every corner of its territory without the active involvement and participation of citizens in their local communities. To consolidate the gains of governance, deliver services, and undertake inclusive and sustainable national development, we must ensure structured and well-thought-out ways of consistently engaging, dialoguing, planning with, and receiving feedback from citizens where they live.

That is why my government has commissioned the review of the Local Government Act 2004 and the Decentralisation Policy 2010 as part of a gamut of reforms that will strengthen governance in our country. These reforms expand opportunities for more participation in, more accountability to, and more feedback from citizens.

I am delighted that this policy has been produced after a thoroughly consultative and participatory process in which people across the country have provided recommendations that are germane to the democratic and development aspirations of our country. I am particularly impressed that this policy advances the kind of principles, policy strategies, and actions that are consistent with my Government's New Direction.

We will strengthen decentralisation by providing legal clarity, enhancing the authority of local councils, modernising their structures, improving fiscal devolution, fast-tracking local economic development, and strengthening the chieftaincy system. We will guarantee the constitutional provision for local government and will eliminate the constant threat of centralisation and resistance to devolution. This policy will ensure an integrated approach to local governance and will put an end to the needless controversies, conflicts and divisive politics that distract and deprive our citizens of badly needed development.

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Government must no longer be "business as usual". Centralisation has only resulted in lost decades of war, poverty, disease, underdevelopment, and poor governance. This policy represents the greatest opportunity to modernise our public services and improve the capacity of the country to deliver on those services in a cost-effective manner. Decentralisation is the greatest hope to unify our people, reduce the menace of poverty and strengthen the territorial integrity of our beloved country. This is a once in a generation opportunity and I will ensure that the spirit and letter of this policy are achieved under my administration.



Rtd. Brigadier General Julius Maada Bio
President of the Republic of Sierra Leone

Preface

During the last 16 years decentralisation has come to mean many things to many people in Sierra Leone. Whether it is the opportunity to participate in local council elections, to attend town hall meetings to discuss development plans, or work with a Ward Councillor to repair broken bridges, decentralisation has touched many lives and has created many opportunities for ordinary citizens. Local councils came into existence in 2004 following the enactment of the Local Government Act and they represent the new face of democratic governance for our people. Councils are a crucial linkage between ordinary citizens, who cannot hold a distant powerful government representative to account, and the local governance system in their country. Citizens can attend a Ward Development Committee meeting, contact their council member directly or engage with their council on the radio to voice their concerns.

Sierra Leone has come a long way since the decentralisation process started and there are now local councils in all 22 localities in our country, each with their own financial, administrative, and political systems and structures. Our people directly elect their representatives to the councils, and they engage with them and demand services, as well as the accountability and transparency that should go hand in hand with the services provided. Significant progress has been made in reducing vulnerabilities and building resilient, peaceful, and socially cohesive societies.

But ordinary people still demand more from their councils. Services too often arrive late or fail to meet local demands and expectations. People are often frustrated about who is responsible for what, as there are multiple layers of authority congesting the space of local governance and competing against each other. People are demanding access to better quality services in their localities, such as education and health, as well as being able to register their businesses, to have their vehicles licensed, and to obtain marriage, birth, and death certificates. People must travel from their communities to access services that they should be able to access in their communities and this comes with heavy cost and time implications.

This is a progressive policy that will guide decentralisation and ensure that people actively participate in leadership and decision-making processes in their own communities, and that local councils provide the services that they require. It provides a roadmap for national and international partners to complement the efforts of the Government in delivering on its commitment to the decentralisation process.

The Local Government Act 2004 and the Decentralisation Policy 2010 have been guiding the decentralisation process and both documents have provided the mandate for councils and their activities. However, it is evident from direct consultations by my Deputy and me that there is still a need for significant improvement. This conclusion was reinforced following the launch of the recent review process which consulted thousands of Sierra Leoneans across the country. The modernisation of local government is at the heart of my ministry's priorities and as such, the need to review and revise both documents has been a matter of urgency. Our aim of modernising the approach to decentralisation and promoting effective inclusion, participation, and ownership of the process by citizens in localities throughout the country, has commenced with the development of this policy.

As I commend this policy to the Cabinet and to the people of Sierra Leone, I am minded reflecting upon the days when District Councils provided several effective services such as schools and health care centres. I was born in a District Council run clinic and I am a product of one of its schools. Today, as Minister of Local Government and Rural Development, I am privileged to have facilitated the development of a policy that seeks to elevate standards in public service delivery, increase government's commitment to devolution and local economic development and create

opportunities for increased citizen participation and the strengthening of local structures. This is a progressive policy that will guide decentralisation and ensure that people actively participate in leadership and decision-making processes in their own communities and that local councils provide the services that they require. It provides a roadmap for national and international partners to complement the efforts of the Government in delivering on its commitment to the decentralisation process.

This policy is based on a rights-based approach and promotes good governance and democracy. It deals with the long-standing absence of gratuities and pensions for council staff. This policy now addresses several human resource issues including end of term benefits for council staff who retire or die in service. It is in the spirit of good governance and democracy also that, despite an initial Cabinet conclusion endorsed a ‘non-partisan electoral system’ and an upgraded qualification for councillors, that Government was persuaded to accommodate the argument for these issues to be considered in a future constitutional review process. This decision was the result of the Government’s commitment to building political consensus with key national actors in the democratic process.

It is my honour to have led the review and elaboration of a comprehensive, modern and progressive decentralisation policy and I thank all those who have supported this process, including the Vice President of the Republic, the Minister of Finance, my Deputy, colleague Ministers, the Director of Decentralisation, the Consultants, the Task Force Members, paramount chiefs, the Parliamentary Committee on Local Government, the Local Council Association of Sierra Leone, development partners and other stakeholders. I am profoundly grateful for your inputs and the enthusiastic commitment that you have demonstrated throughout the process.

I must especially thank His Excellency the President of the Republic for his leadership and unwavering commitment to this process and the development of local government. I have lost count of the number of times that the President has called for updates during the review process and to tell me how much he was interested in the development of a progressive policy. It is this type of strong leadership and support that has kept the process alive, and it has reminded me of how much difference we need to make in the lives of our people.

Finally, it is important to note that at the heart of this policy are people, our citizens who deserve better services, effective representation, inclusive governance, and the empowerment to demand such better and accountable services. There is nothing more important than the trust of our people and our commitment to strengthening the social contract between local councils and citizens.

Amb. Tamba John Sylvanus Lamina

Honourable Minister of Local Government and Rural Development

1. Introduction

The promulgation of the Local Government Act (LGA) in 2004 represented one of the most significant achievements in Sierra Leone's post war reconstruction and democratic transformation. Decentralisation provided the legal basis for re-engineering the governance architecture and strategically transferring power to the hands of the people. The old centralised approach to governance had excluded large sections of the population, especially marginalised groups such as women, youth and People with Disability (PwD). It had deprived communities of essential services and had undermined the relationship between the Government and the people. The centralisation of power contributed enormously to the collapse of the State in the 1990s and to the prolongation of the civil war that lasted for eleven years (1991 - 2002). With the end of the civil war, the reintroduction of the decentralisation programme under the LGA 2004 provided the foundation for the restoration of the social contract between the Government and the people. The aim was to promote democratic good governance and open up socio-economic and political spaces to enhance inclusion, participation and development and to mitigate social injustices and inequality.

Sixteen years into the practice of decentralisation has provided enough time and experience for the Government and people to review the benefits to date and to analyse the ongoing challenges with a view of strengthening decentralisation and local governance. Without doubt, the experience of decentralisation has been both enlightening and challenging. The Local Council system has provided the basis for local articulation, deliberative politics, political participation, accountability, and service delivery. The consultations carried out during the development of this policy returned overwhelming support for the need to further strengthen devolution as many citizens value the existence of the local councils. This clarion call for reform is at the heart of the review process commissioned by the Government of Sierra Leone (GoSL) as part of a wider agenda for peace, stability, and development.

This policy document expresses the vision of the national government for local governance and decentralisation, consistent with the democratic aspirations and development agenda of the people of our country. The policy aims to redefine the space for local governance, provide a clear policy perspective and direction, and confront and anticipate existing and emerging challenges that too often undermine the purpose of devolution as the means for promoting democracy and economic development at the local level.

The document is divided into seven chapters: After this introductory Chapter 1, Chapter 2 provides a historical overview of the decentralisation process from the end of the colonial era to the present day. Chapter 3 presents the overall vision of the policy review and the eight principles that have guided the analysis while Chapter 4 describes the methodology of the consultation process undertaken in the policy review. Chapter 5 presents 12 strategic issues that arose from the policy review and Chapter 6 presents the strategic actions that will be taken in response to each of these issues. Finally, Chapter 7 presents the implementation framework of the policy, including the roles and responsibilities of the respective stakeholders and logistical issues.

2. Historical Overview

The local council system has been part of Sierra Leone's governance architecture since 1946 when the first councils were introduced to modernise the British colonial administration. It sets the platform for a training ground for democratic politics and the management of public affairs by local citizens. As successor to the chieftom council system introduced in 1938 by the colonial Chieftom Council Act, the district system expanded the inclusion and participation of ordinary citizens in local development though with limited political representation which subsequently grew over time. The district system represented a major departure from the colonial system of indirect rule which had been based on tribal paramount chiefs and was premised on the need to control and subjugate local citizens into becoming subjects of the colonial administration. Essentially, the district system was the first attempt to grant citizenship to protectorate inhabitants who could now, like their counterparts in the then Freetown colony, participate in the governance and development of their localities.

By the end of colonialism, the district councils served as a conveyor belt to produce quality leadership. They maintained schools and health centres, provided water and sanitation, promoted cooperative societies, and carried out social welfare and community development activities. The vision of local governance was pursued with major legislative actions including the Local Tax Ordinances of 1953 and 1954 which gave the councils significant control of over revenue and the 1964 Education Act, which formally transferred responsibility to the councils for the management of schools.

Following the end of the civil war, the Local Government Act 2004 became the legal framework for the management and administration of local councils. It re-established local councils as they existed before 1972, when they were suspended (five town councils, 12 district councils and Freetown City Council). It also created the Western Area Rural District by merging the four former rural districts of Koya, Waterloo, Mountain and York. The LGA 2004 was mainstreamed within the broader post-war reconstruction agenda, which recognised the need for greater decentralisation of political and economic development processes as key means of addressing the underlying causes of the decade long civil war. Devolution was recognised as a major vehicle for modernising service delivery and re-establishing the democratic practices that had eluded the country prior to and during the civil war.

The LGA 2004 sought to revive the old district council system in a new democratic context. Mirroring that former system, the law established the councils along the lines of the colonial system of provincial and district councils. The territorial boundaries of the districts were patterned on the old colonial 'districtification' system with little modification. Through statutory instruments introduced in 2006, city status was granted to the former towns of Bo, Kenema, Koidu-New Sembehun and Makeni, and municipal status was granted to Bonthe Town Council. The Chieftaincy Act 2009 made provision for the election of paramount chiefs and sub-chiefs. Henceforth a candidate for paramount chieftaincy must be from a ruling house that existed at the time of independence in 1961. The LGA2004 was amended in 2016, and again in 2017. The current sub-national governance structure comprises a single tier of 22 local councils – 15 district councils in rural areas in the four provinces and the Western Area Rural District Council (WARD C), plus seven city councils (Bo, Bonthe Freetown, Kenema, Koidu-New Sembehun, Makeni, Port Loko) (Annex 1).

The LGA 2004 placed the authority for development of the localities in the hands of elected officials (known as councillors and led by a chairperson in district councils and by a mayor in city councils) supported by an administration headed by a chief administrator. It also expressly sought to build a grassroots democratic system through the

establishment of Ward Development Committees (WDC) which would guarantee the participation of previously marginalised groups such as women and youth and would have the responsibility of promoting community inclusion and citizen participation.

In its adherence to the principle of devolution, the LGA 2004 elevated councils as drivers of change and development. It called on local councils to become the principal agents to promote local economic development (LED), mandating them as “the highest political authority” responsible for planning, organising, prioritising, and delivering on local priorities based on the needs and aspirations of their localities. It charged councils with “...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 mobilise from the central Government and its agencies, national and international organisations, and the private sector”. The overall ethos of the local council system was to complement the development strategies of central Government with its own responsibility to take ownership, initiate, direct and engender consensus and promote the wellbeing of local citizens.

This mandate for LED, which is based on the principle of subsidiarity, was followed up with clearly assigned functions which the councils were expected to perform. The statutory instrument under the LGA 2004, Local Government (Assumption of Functions) Regulations, devolved responsibility for the management and delivery of 79 service delivery functions from central Government and set a timetable for local councils to assume the authority for carrying out each function. About half of these functions were devolved within the timeframe established in the regulations (2005-08) and a programme was designed to speed up devolution of the remaining functions. This devolution of responsibility was based on the firm belief that, since local councils are closer to their communities, they are better placed to appreciate, understand, and respond to the needs and challenges of their people.

Importantly, the LGA 2004 also reintroduced local democracy and devolved accountability mechanisms to make it easier for people to demand better services and hold local officials to account for their decisions, actions, and inactions. These reforms were designed to ensure that local services would be planned and informed by local priorities, thereby creating efficiency, effectiveness, and equity in their delivery. As such, all local representatives including councillors and chairpersons/mayors, are directly elected by residents in their locality based on universal suffrage. Councillors are responsible for promoting local development in collaboration with their WDCs which are to have equal representation of gender and other social groups. Councillors and WDCs are the main nexus between citizens and their communities (grouped in Wards for electoral purposes) and the councils. These mechanisms were expected to promote new grassroots spaces for democratic dialogue on development, mediate the tensions and conflicts within and among communities, and channel local aspirations and needs to the council. The approach sought to ensure that the overall council development strategy itself would be guided by ward development plans.

The LGA 2004 was bound to have implications for the overall governance architecture and democratic trajectory of the country. In particular, it was geared to redefining the relationship between central Government and local government in terms of functions, responsibilities, resources and accountability. Both national and local level structures were bound to be impacted by this major reform. The act was expected to reshape the contours of how ministries would relate to local governance structures and to redefine the allocation of financial and human resources between the central and the local level. At the same time, it was designed to restructure the balance of responsibility

and accountability among multiple local authorities such as the Resident Minister, provincial and district officers, local councils, paramount chiefs, and chiefdom councils.

In hindsight, it is clear that a decentralisation policy should have been established to provide strategic vision and direction to the LGA 2004. As a result, although the district officers were initially integrated into local councils as their first chief administrators, the Decentralisation Policy 2010 reform reintroduced the central Government appointment of chief administrators, together with an arrangement that allowed chiefdoms to collect and share taxes with local councils. Both reforms contravened the spirit of decentralisation.

The resulting lack of clarity over what type of local governance system Sierra Leone has continues to pose major challenges for the structure and exercise of authority at the sub-national level. The consensus among practitioners and the wider population who were consulted in the policy review process is that, although the council system ushered in by the LGA 2004 represented a major advance in the governance system and had the potential to contribute to local development, the actual implementation of the act has been fraught with multiple difficulties that pose a severe threat to the existence of the local council system. The identification and addressing of these challenges have been the primary focus of this policy review process, whose vision and guiding principles are described in the following chapter.

3. Methodology of the Policy Review Process

In October 2019, the Government commissioned a review of the LGA 2004 and Decentralisation Policy 2010 by the Ministry of Local Government and Rural Development (MLGRD) and with the support of its development partners. It anticipated that the analysis and recommendations from the review process would feed into a revision of the 2010 policy, and that these will be congruent with the policies on decentralisation, local governance and rural development in the Medium-Term National Development Plan (MT-NDP) 2019-2023 (see below).

The review process had the following objectives:

- I. to conduct scoping of legislation and policies that have a bearing on the decentralisation of service delivery and local governance;
- II. to analyse and align the relationships and legal implications of decentralisation with other legislation and policies, and propose measures to create legislative and policy harmony in the implementation process;
- III. to promote citizen participation and social inclusion by adopting a participatory approach that actively engages relevant stakeholders of central Government (in the Ministries, Departments and Agencies, MDAs) and at the sub-national level, as well as other key partners in the decentralisation and good governance arena.

To support the review process, the MLGRD established a Task Force consisting of staff of the Decentralisation Secretariat (DEC-SEC), the Local Government Finance Department of the Ministry of Finance (MoF), representatives of civil society, paramount chiefs, members of the Association of Local Councils in Sierra Leone (LoCASL), ex-Chairpersons/Mayors/Council Administrators as well as a support team headed by a national consultant. The Task Force was divided into three teams, each covering specific localities, to ensure that consultations were carried out in every one of the 22 localities in the country. Respondents were contacted through Focus Group Discussions (FGD) and personal interviews.

In addition to the above, the MLGRD organised a one-day consultative meeting in Freetown for senior administrative and professional officers of each MDA. The objective was to elicit direct input into this policy document regarding the contribution of MDAs to the decentralisation programme. Linked to this, a National Task Force Retreat was organised in Freetown from 11 - 13 December 2019 to validate the findings of the consultations. This workshop was followed by regional validation workshops in Bo, Kenema, Makeni, Port Loko and Freetown from 15 - 19 December 2019. Findings from these consultations and a literature review of international perspectives and best practices helped to enrich the content of this document.

In April 2020 the draft policy document received external independent reviews from decentralisation experts aimed at bringing it in line with international best practices and lessons learned. This was followed by a series of expert group meetings on between May 2020 and July 2021 comprising academics, leading practitioners, development partners, the Parliamentary Committee on Local Government, and independent consultants to provide critical insights and ensure coherence with long term national policy priorities.

4. Vision and Guiding Principles of the Decentralisation Policy

This decentralisation policy has been developed within the framework of the post-war reconstruction and peace-building agenda. This began with the revival of systems, structures, laws, and policies that are in line with the democratic good governance aspirations of the people of Sierra Leone in pursuit of peaceful and sustainable development.

The overall vision for local governance is ***to create 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 of this policy are as follows:

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:

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

Decentralisation is a key element of the democratic aspirations of the people of Sierra Leone to end the scourge of poverty through localisation of decision making and governance processes and this policy is anchored in the following eight guiding principles:

3.1. Unity in Diversity

The principle of unity in diversity underpins this policy. This principle recognises Sierra Leone's varied socio-economic and cultural potential and needs as exemplified in the country's geographic, climatic, ecological, and social diversity. In relation to this, a defining principle of this policy is that devolution and all its accompanying actions will always promote the diverse needs, aspirations and potential of local communities and their people. The support to local councils shall be based on their respective needs, taking advantage of their ecological, geographic, and climatic potentials while reinforcing the unity of the country and the unitary nature of its governance system.

The country shall always pursue a unified national development agenda that pulls together the collective potentials of the entire citizenry, communities, and localities. The principle upholds that Sierra Leone is one country and has

one system of government (with multiple tiers including chieftdom, district, and provincial governance) working together as part of one governmental system pursuing a common developmental agenda while taking into consideration the diverse needs and potentials of different parts of the country.

3.2. Subsidiarity

The Government shall always pursue the principle of subsidiarity in the implementation of decentralisation. Subsidiarity is understood to mean that no business of Government shall be undertaken by a complex, large and distant authority when it could be performed by a smaller and competent authority closer to its beneficiaries. In other words, and for the purpose of this policy, the functions, activities, and services (except for those functions not devolved such as external affairs, security, and justice), shall be planned, organised, structured, and delivered by the least centralised competent authority that is closest to the location of beneficiaries.

Subsidiarity means that only functions relating to policy making, oversight and monitoring shall be undertaken at by central Government, while all functions earmarked for devolution shall be the responsibility of the designated local council, which shall have direct control over such resources as may be designated and shall be held accountable for its handling of such services, functions, and resources.

The subsidiarity principle shall also mean that it is the responsibility of the devolving authority to build the capacity of the local authority to perform those functions and deliver those services that are not considered efficient to be performed by central Government or which, if performed from the centre, would add an unnecessary burden on local citizens, both in terms of access, cost, and accountability.

3.3. Whole of Government

The Government and its public administration and other state institutions constitute one single governmental system, serving the overall public interest of the country. It is indivisible, indissoluble, and inseparable. Local Government is an integral part of this governmental system, and the central and local authorities shall work together in a collaborative, cooperative and interactive manner. The Government shall promote a unified public administration system in which the terms, conditions, competencies, and grades of all officers are aligned, and based on criteria that may be set by the Government. The relationship shall be based on mutual respect and local autonomy, Undue interference by the centre in the administrative and political affairs of the localities is not permitted.

3.4 . Promoting Homegrown Solutions to Planning and Development

This policy will promote homegrown development solutions that enhance community initiatives and participation in the national planning process grounded in decentralisation. In this regard, the national 'Wan Fambul Framework' (WFF) model shall guide the design and implementation of such interventions at the local level.

3.5 Inclusion and Participation

The promotion of inclusion and participation by local citizens is an important duty of local authorities. They shall ensure that the different opinions of constituents and their representatives (i.e., based on association, and ethnicity) are recognised and taking into considerations at all levels of public affairs in their locality. The processes of decision-making shall ensure inclusivity of all sectors of civil society and, where necessary, special consideration and assistance shall be provided to promote the voice of marginalised and disadvantaged groups.

Effective inclusion and participation will foster local buy-in, ownership and leadership, which is essential for the success of developmental initiatives. Hence, inclusion and participation must be fully mainstreamed into all stages of the decentralisation process to ensure that the relationship is respectful and provides citizens with the platform and opportunity to constructively engage in local governance.

3.5. Non-Discrimination

Local authorities shall always ensure that no citizen or resident within their locality is discriminated against based on their gender, ethnicity, class, association (political or otherwise) or origin and location. The rights, dignity and decency of all citizens or residents shall be upheld at all times and the decentralisation process shall ensure that there are systems and structures in place to seek redress when allegations of discrimination have been proven.

3.6. Good Governance

The institutions of local governance shall always promote the core tenets of good governance at all levels of decision-making. They shall adhere to a rule-based system in which clear legal provisions are made to guide the conduct of both elected officers and administrators. Those in authority must act according to the laws of Sierra Leone. In this regard, local councils shall always ensure that its decisions and actions are consistent with existing legislation. In cases in which there are contradictions, this policy shall provide the guidance for decisions.

3.7. Transparency and Accountability

The decisions, actions, pronouncements and inactions of central Government and local authorities shall be subject to public scrutiny in accordance with the laws of Sierra Leone and in particular the Anti-Corruption Act 2008 and the Right to Access Information Act 2013. In this regard, transparency and accountability require the accurate recording of all actions, decisions, inactions, and pronouncements by local authorities who shall make these accessible to the public with or without demand as the case may be, and who shall make themselves available as far as possible to explain their decisions, actions, inactions and pronouncements. In other words, the conduct of public affairs shall be of public interest and in the public domain. Innovative mechanisms to promote transparency and accountability will be established, through which people may demand information or provide information related to allegations of corruption.

3.8. Representation

This policy shall promote the fair representation of all shades of opinion in the management of local councils at all levels. Representation is a cornerstone principle of local governance and shall take into consideration the needs, interest, voices, and potentials of all individuals, regardless of their ethnicity, class, origin, or association. Effort shall be made to ensure that vulnerable groups such as women, youth and PwDs are represented in the management of councils. Their representation must not be based on a tokenistic approach to governance but rather on the need to promote equality.

5. Strategic Issues arising from the Policy Review

The main purpose of local government is to deliver good quality services to their citizens in an efficient, effective, and equitable manner. Yet the consultation review received widespread criticism of the failure of local councils in this regard. The field visits revealed that most councils lack the infrastructure necessary to deliver essential services. These ranged from limited information and communication technology and the lack of modernised systems for tax identification and collection to the shortage of office space and poor road network. Service delivery is severely challenged by the lack of timely and sufficient allocation of financial resources from central Government and poor management of own source revenue. As a result, core sectors such as education and agriculture that have time bound activities (i.e., the school year and planting season) face a constant struggle against time to deliver services to their communities. Local councils have failed to establish minimum standards to meet the rising expectations of citizens for better quality services. The endless waiting times to receive seed input or to see a doctor continue to contribute to widespread disaffection and frustration among the public. The commitment of the leadership of both central Government and local councils to develop a culture of service performance that is driven by the needs of local citizens is essential to strengthen the social contract between citizens and the state. This chapter describes twelve interrelated strategic issues identified during the consultations and review process, which together have had a negative effect on the decentralisation process and local governance.

5.1. The Confusion over Type of Decentralisation and Form of Local Governance

The exigencies of the post-war environment prior to the drafting and enactment of the LGA 2004 allowed little time for a careful consideration of what type and form of decentralisation and local governance system was needed in

The question of what type of local governance system and the lack of clarity with that, continues to present challenges for the structure and exercise of authority. In a democracy, the direction for any government should be guided by the principles of subsidiarity, good governance, transparency and accountability.

Sierra Leone. The absence of a guiding principle and clear policy objectives led to a failure in articulating a clear strategic direction. There was no attempt to design a completely modern system of local governance. The LGA 2004 failed to re-examine the territorial structure of the old district system and the multiple layers of authority required within a renewed democratic context. Instead, the old district structures were retained with almost the same boundaries and systems in place. Indeed, over the past 16 years attempts were made

to merge the old system with new and evolving systems. Although the district officers (DO) were initially integrated with local councils as their first chief administrators, the central appointment of chief administrators was later re-introduced. Chiefs also retained their seats in councils as part of an attempt to strengthen capacity-building and the implementation process respectively. Consequently, for the most part, the last 16 years have witnessed experimentation in the decentralisation process, which has been fraught with conflict, tensions, inconsistencies, and contradictions that have sometimes provided arguments for advocates of recentralisation.

The challenges mentioned above were compounded with the return of centrally appointed chief administrators in 2010, with their roles separate from that of local councils but without clear analytical and political guidance. Some of the arguments proffered for the return of the 'district officer' system included the need to ensure a clear link between central Government and deconcentrated (i.e. non-devolved) aspects of local governance such as the sub-national coordination of central Government activities, chieftaincy issues, land and boundary disputes, and inter-ethnic relations. Proponents of this system also argued that since local councils are led by elected politicians, when central Government is headed

by a different political party, they may not receive the level of cooperation and support at the local level that they may require. As such, they argued that the vital role of centrally appointed chief administrators as the link between central Government and citizens at the local level may not necessarily be performed properly by elected local council politicians. However, these arguments revealed a centralised mindset and were shrouded in a cloak of political patronage which is inconsistent with the democratic and modernisation aspirations of the country.

In relation to the non-devolved chieftaincy matters, it is important to note that chiefs already sit in local councils and thus contribute to the decision-making processes at the local level. The management of their affairs is guided and overseen by the MLGRD. Even though chieftaincy elections are now the overall responsibility of the National Electoral Commission (NEC), if empowered to do, local councils could facilitate development at the chieftain level in the spirit of devolution.

It is evident that while the focus has been on whether the councils can effectively take over the roles currently performed by agents of administrative deconcentration from the centre such as the provincial officers, district officers, and chief administrators, the real strategic question is what type of decentralisation and model of local governance could be found that bridges the colonial legacy (of Resident Ministers, Provincial Secretaries and District Officers and chieftaincy) with the devolved local council system. There is a lack of clarity on the difference between deconcentration and devolution, resulting in a parallel system of local governance. On the one hand, there are central appointees (such as Resident Minister, Provincial Secretaries, District Officers and Chief Administrators) who manage various public sector functions at the local level. On the other hand, there are local councils sandwiched by the complex institution of chieftaincy. The rights and responsibilities of these multiple layers of authority are not well defined, and often contribute to tensions over “who has responsibility for what”. In addition, this confusion does not help local citizens who often do not know whom to hold accountable for failures in service delivery, thereby defeating the very purpose of decentralisation and the essence of local governance.

Significantly, this lack of clarity has meant that no serious attempt was undertaken to address the gamut of legal registers on which these various local authorities and their counterparts from central Government ministries base their respective interference in local governance. Some instances of conflicting legal registers include the Provinces Land Act (1960); the Chieftain Council’s Act, 1960; the Administrator of Estates Act, 1960 (Cap. 45); the Chieftaincy Act, 2009; the Education Act, 2004 (Act No. 2 of 2004); the Hospital Boards Act, 2003 (Act No. 6 of 2003), the Development of Tourism Act 1990 (Act No. 11 of 1990) and the Minerals Act 1994 (Act No. 5 of 1994). These legal contradictions and inconsistencies remain a constant threat to the progress of devolution and complicate the development of new policies and legislation. Some of the laws that are undermining devolution are obsolete and should be repealed and replaced.

Figure 1-Typologies of Decentralisation

Typologies of decentralisation

There are three main forms of decentralisation.

Deconcentration

In **Deconcentration**, responsibilities are transferred 'downwards' within MDAs from the central headquarters to regional and local field offices. This vertical movement in the location of decision-making authority takes place within the 'silo' of the MDA. It does not involve other 'actors' such as an elected local government or civil society organisations. The shift in decision-making powers does not require a new law and can be approved simply by a ministerial decree. In practice this means that deconcentration is often a temporary phenomenon and can easily be reversed—either when a new minister takes over or when problems arise, and the same minister changes his or her mind.

Delegation

In **delegation**, responsibilities are transferred from central government to two types of non-elected bodies operating at the local level. The first type consists of semi-autonomous government bodies, such as state-owned enterprises or urban or regional development corporations, to whom aspects of governance are delegated through legislation or through a contract. The second type consists of delegation to bodies that are either partly or wholly-owned by the private sector or non-government organizations, to which the service delivery activities are contracted-out. Delegation of this type is sometimes confused with privatization but they are not the same. Under privatization, central government transfers ownership to the private sector through the sale of assets. Under delegation, the private sector carries out activities for government through a contractual arrangement.

Devolution

In **devolution**, responsibilities are transferred to elected local governments which have a degree of political autonomy from interference by central government, protected either in the Constitution or by a Local Government Law. While deconcentration and delegation involve a reorganisation of central government, devolution means relinquishing political power and so is the strongest form of decentralisation. Historically it has been closely linked to wider processes of democratization following the overthrow of autocratic regimes. For this reason devolution is often referred to as “democratic decentralisation”.

5.2. The Absence of Constitutional Provision for Local Government

One of the major problems of the LGA 2004 is that the 1991 Constitution contains no general provision for decentralisation. Consequently, there has long been unease among local government practitioners and civil society activists that any Government wishing to recentralise could simply abolish the local councils as happened back in 1972. This concern was voiced very widely during the decentralisation policy consultation as well as during the constitutional review process that is yet to be completed. Although most other countries in Sub-Saharan Africa have pursued a similar experience of experimentation in their decentralisation processes, Kenya took the decision to incorporate a decentralised system of governance in its new 2010 Constitution. To further strengthen the decentralisation process, the share of central Government revenue that is allocated to local councils could be entrenched in the constitution, together with the requirement of a substantial majority (e.g., two-thirds) in Parliament that would be required to effect any changes to the share and the method of allocation of such funds to localities.

The benefits of enshrining decentralisation in the national constitution include wide ranging protection of democratic good governance because it serves as a check against the tendencies of dictatorship, minimisation of the threats of re-centralisation, promotion of local accountability and transparency. This constitutional backing can also help to resolve the inconsistencies between a multitude of current legislation and the commitment to devolution. It can provide a framework for devolution and the form of local governance that will be practised. In many constitutions, the relationship between central and local Government is clearly articulated with clearly defined powers for each. The constitution can provide the means to address the long-term future of the local councils by strengthening the enforcement of provisions relating to local governance and by preventing impunity in the violation of those provisions.

Figure 2- The Importance of Legal Clarity in Local Governance

Clarity in the legal mandate of local government is essential for effective decentralised governance. Without the protection of rights enshrined in a constitution, local government will also be at the mercy of arbitrary interference from central government. Ideally such legislation should clearly determine the specific responsibilities of local government. When particular services are simply defined as the “joint responsibility” of central and local government, this lack of clarity opens the door to abuse by central government. The legislation should spell out the mechanisms for accountability of local government to central government as well as the procedure to follow for the resolution of disputes between different levels of government.

5.3. The limitations of Political Decentralisation

The review process has exposed the lack of definition of the powers of local councils, both ‘vertically’ in their relation to central Government’ and ‘horizontally’ in relation to the executive (chairperson/mayor). The LGA 2004 makes the councils “the highest political authority in the locality” but in practice they have very limited powers. Although mandated to do so, councils can hardly make byelaws or set local taxes without the permission of central Government. The policy consultation exposed multiple gaps including incomplete devolution of functions, personnel, and resources to local councils. Some devolved functions are still performed by MDAs and local councils have little or no control over staff for functions already transferred to them. Respondents in the consultations also identified a range of services that could also be decentralised so that citizens would not have to travel to Freetown to access services such as licensing of vehicles, passport applications, processing pension benefits, and business registration.

In addition, there is ambiguity in ‘horizontal accountability’ within the local governance arena because the chairperson/mayor is – at the same time - the executive head (chairperson/mayor) and the head of the council (legislature). As a result, councils have limited ability to hold their local executive accountable for their actions. Most of the statutory oversight committees of councils are redundant or their activities limited to tokenism, limiting the ability of councillors to undertake effective oversight over the executive decisions of the chairperson or mayor. This has resulted in the emergence in some localities of political autocrats, operating in league with local administrators. This has given rise to the emergence of what is called “the quartet”, a term that is now commonly used to refer to a group of four people (chairperson, chief administrator, finance officer and procurement officer) who exercise enormous powers over local councils through their control over its financial resources.

The consensus, which is for nonpartisan elections, is germane with the suspicions of the wider public of partisan politics as divisive, ethnicised, corrupt and a conspiracy against the poor.

Councillors are voted into office every four years, standing for office either under party tickets or as independent candidates. However, the bulk of those elected as councillors/mayors/chairpersons belong to political parties that select and support them as candidates. Over the past 16 years, this political arrangement has created an uneasy relationship between councils and central Government, especially in localities which are considered strongholds of opposition parties. Closely tied to this is the perception that councils controlled by members of the ruling parties are favoured and provided with more financial and technical support, with reduced opportunities for accountability and transparency. This perception of being unfairly treated undermines the relationship between some councils and central Government.

The issue of partisan and nonpartisan elections was extensively debated in the policy consultations. Many argued that partisanship creates a culture of secrecy, breeds patronage, tribalism, and nepotism, tolerates mediocrity, deprives vibrant independent leadership, and sometimes leads to adversarial politics and dictatorship in the councils.

The consensus view expressed was for the need to reduce partisanship in the form of adversarial politics because it obscured development, suppressed transparency and undermined the fight against corruption. In contrast, it was felt that non-partisan elections could stimulate grassroots participation, engender civic dialogue, and promote inclusivity. In particular, it could encourage female participation and release the energy and exuberance of youth. Most respondents also suggested a five-year term limit for councillors instead of the current four-year term.

The policy consultation also highlighted the fact that the qualifications required to be a councillor remains contentious. Proposals were made to strengthen the decision-making capacity of local councils by ensuring that their quality of leadership can drive a developmental agenda capable of lifting people out of poverty. The dominant view was to recommend a qualification of the West African Senior School Certificate (WASSCE) or equivalent for councillors and a bachelor's degree or equivalent for chairpersons and mayors. Finally, it is important to consider these suggestions

Partisanship, it is argued, creates a culture of secrecy, breeds patronage, tribalism and nepotism, tolerates mediocrity, deprives vibrant independent leadership and leads to sometimes adversarial politics and dictatorship in the councils.

for radical change within the context of the widespread public perception that the current leadership in councils have failed to fulfil their roles and expectations.

Figure 3- Nonpartisan Politics in Local Governance

Nonpartisan Elections
In a non-partisan electoral system, candidates for district City and municipal office are not allowed to stand as representatives of a political party and no party affiliation is mentioned on the ballot paper. The attraction of such a system is to achieve faster local economic development and higher quality service delivery by avoiding the instability and corruption that often characterises adversarial party politics at the local level.

It is practical however for the term limit of councillors to be extended and at par with the current presidential term limit of five years as this has some cost efficiency arguments to have all elections at the same time. Nonetheless, the issues of an upgraded academic qualifications for councillors and chairpersons/mayors as well as the introduction of a non-partisan electoral system for local government, will need to be informed by a future constitutional review process.

5.4. The Shortcomings of Administrative Decentralisation

The process of administrative decentralisation involved the transfer of many functions previously managed at the centre to the local councils. The process gave authority to the councils for the planning, budgeting, and implementation of these functions while central MDAs were to focus on the strategic framework, as well as providing technical guidance to councils and monitoring their performance. In reality, while functions have been devolved, efforts to build capacity for councils to take ownership of implementation have been very limited. MDAs also continue to resist the complete devolution of functions. This is partly because the current legislation and associated enabling instruments remain unclear, thus creating a legal loophole enabling them to claw back central Government authority. Over the last 16 years, new laws have even been promulgated regarding key basic public services such as education and health that contradict the spirit of decentralisation as envisaged by the LGA 2004 and the Decentralisation Policy 2010. Furthermore, pre-existing laws on taxation, agriculture, and fisheries, and tourism have not been repealed or amended and have therefore created obstacles to the proper implementation of devolution.

Most significantly, administrative decentralisation has failed to address the issue of devolved sector personnel. The devolved staff members of MDAs have been assigned to councils with little or no consultation in their deployment, transfer, or appraisal. The lack of involvement of the councils themselves in this process has limited the accountability of the devolved sector staff to councils for their activities, performance, and related responsibilities. Too often, these agencies of these devolved sectors in the localities maintain separate accounts, even when this is contrary to Government policy requiring single treasury accounts for Government institutions. They have continued to carry out activities directly from the centre without the involvement of local councils, leading to duplication, waste, and corruption. This not only undermines devolution as spelled out in the LGA 2004 and the Decentralisation Policy 2010 which require MDAs to work through the councils, but has also meant that, councils have struggled to ensure a locally coordinated response to emergencies and natural disasters due to this lack of experience in working together.

5.4. The Weakness of Fiscal Decentralisation

Fiscal reform is a fundamental element of the decentralisation process. Since the passage of the LGA 2004, the Government has pursued fiscal devolution through the transfer of previously centralised taxes to local councils. It established the Local Government Finance Department (LGFD, later 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 allocations and as 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 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 IGFTs 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 local economic development (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 experience of Nigeria and Ghana where legislative provisions ensure that an agreed percentage of national fiscal revenue is earmarked for capital expenditure by local councils.

The current approach to determining the IGFT 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 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 must finance them from their own revenue. The implementation of a transparent formula based IGFT system is urgently needed to ensure that councils can 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 IGFTs, enabling central Government to use them to strengthen its political control over them.

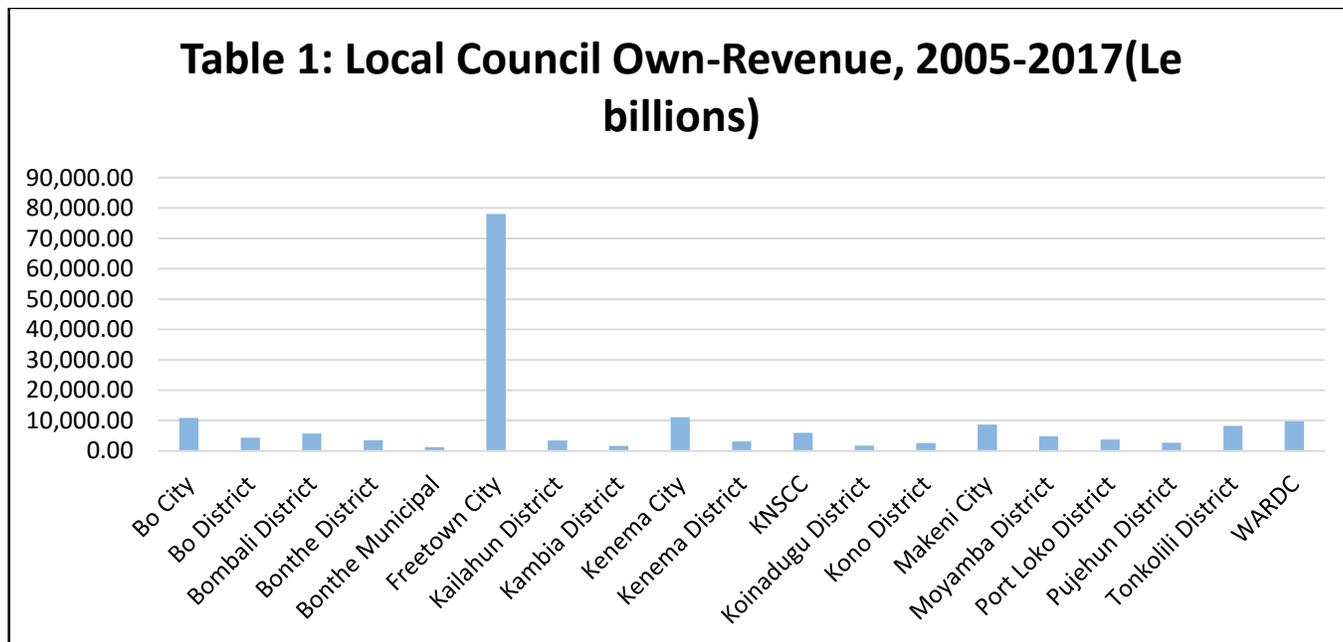
The failure of the LGA 2004 to repeal a number of laws relating to own-revenue mobilisation has further aggravated the economic challenges facing local councils. In particular, the fact that the Chiefdom Administration Act 1974, the Factory Act 1975, the Forestry Act 1988 and the Tourism Act 1990 still 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.

... the current legislation and associated enabling instruments remain unclear, creating a legal loophole to claw back central authority. The focus of contestation has been around the issue of financial control and this has led to functions being devolved with insufficient or no accompanying resources. In some instances, direct implementation of activities has continued to be undertaken by MDAs.

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.

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.



Source: Public Financial Management Reform Programme

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. 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.

FFF Principle in Decentralisation

“Finance should Follow Functions” (FFF) is a very important general good practice guideline for programming of decentralisation. This implies that revenue decentralisation should follow the decentralisation of expenditure responsibilities, and revenues and expenditures should be matched across levels of government, so that local governments receive neither unfunded mandates nor funds without accompanying responsibilities. When functions are transferred from central to local government, it is important that local government has the finances needed to carry the new devolved functions - this is usually done by increasing inter-governmental transfers (IGFTs) or (less often) by granting new powers of own-revenue generation. If more finance is given to local government through IGFTs without new functional responsibilities, there is a danger of misuse by local government of the extra resources. On the other hand, if new functional responsibilities are devolved to local government without the extra finance needed to carry them out, this can lead to sharp deterioration in the quality of service delivery. If citizens start to protest about this, then local government authorities may turn against decentralisation and instead call for these responsibilities to be handed back to central government.

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 widening horizontal inequality. For example, IGFTs for devolved functions such as agriculture and primary health care should consider 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.

5.5. The Conflictual Relationship Between Central Government and Local Government

The LGA 2004 and the Decentralisation Policy 2010 provided a framework for the relationship between central and local government. The Inter-Ministerial Committee on Decentralisation (IMC) and Provincial Coordinating Committees (PCCs) chaired by the Vice President and Resident Ministers respectively, were important mechanisms for strengthening centre-local relationships. However, the focus in this relationship has been more about the devolution process and very little on the harmonisation and strengthening of an integrated system of policy development, governance, and oversight. MDAs continue to have direct engagement within the localities with little recourse to the councils. To a large extent this is a legacy of decades of centralised governance and a state-centric approach to

Some experts have proposed to strengthen such cooperation and collaboration by granting ex-officio membership in local councils to MPs as is the case in Ghana. This would provide a solid foundation for an integrated approach to development through which MPs and councils can better share information. MPs could use council meetings as an opportunity to understand the priorities and needs of their constituents in order to give more voice to their issues at the national level.

politics, leadership, and power, during which successive governments have been reluctant to devolve power and commit themselves to decentralisation. As a result, limitations on the powers of central government over councils remain unclear as does the amount of autonomy

that councils should enjoy. This lack of clarity has enabled central government to override the authority and powers of local councils in areas that are clearly within their remit.

In particular, the decentralisation process did not spell out a new type of relationship between the national legislature and local councils. The former continues to perform its oversight function over resource management by councils and local Members of Parliament (MPs) continue to have significant interaction with them over local development. However, the relationship between local councils, their executive and the national legislature is fraught with tension, competition, and duplication. The lack of cooperation between these different political representatives of citizens at the national and local level continues to undermine local accountability and development. Some experts have proposed to strengthen such cooperation and collaboration by granting ex-officio membership in local councils to MPs as is the case in Ghana. This would provide a solid foundation for an integrated approach to development through which MPs and councils can better share information. MPs could use council meetings as an opportunity to understand the priorities and needs of their constituents to give more voice to their issues at the national level.

Coordination of devolved functions continues to pose significant challenges for local governance. This is partly attributable to the lack of capacity and management skills, as well as the shortage of staff in local councils. Central MDA activities and their relationship with international development partners in the district often lead to confusion and resistance to cooperation with local councils. The lack of a national strategy for development coordination at the local level continues to deprive councils of the necessary authority to coordinate local development and harness the collective potential of all actors in the locality towards improved outcomes for local citizens. In many districts, huge

losses are reported because developmental activities are duplicated or implemented without local consultation or because corrupt practices have led to siphoning off much-needed finance for marginalised communities.

Figure 4- The Role of MPs in Local Councils

The Role of Members of Parliament in Local Councils

In some countries, Members of Parliament (MPs) representing constituencies within the district have been granted ex-officio membership in local councils. This is designed to strengthen coordination and collaboration in local development, with the MPs acting as a conduit in sharing information between local and central government. However, many argue that this is contrary to the spirit of devolution and increases the threat of centralised control as MPs usually have easier access than local officials to national decision-makers. The undefined relationship between the MPs and the executive head of local government may produce severe difficulties in managing the power balance between them. These problems can be made worse if MPs are granted direct control over local expenditure.

5.6. The Weakness of Human Resources Management and Capacity Building

Local councils have experienced strong challenges in the management of their own human resources. Even though the LGA 2004 empowered them to appoint their own staff, sometimes in consultation with the Local Government Service Commission (LGSC), the implementation of the Act seemed to have pursued a contrary arrangement based on national civil service procedures under which the LGSC have recruited, transferred, and promoted staff without any consultation with local councils. This skewed interpretation of Articles 31 and 32 of the LGA 2004, has meant that, in practice, local councils do not exercise effective control of even their own core staff. Instead, staff are promoted or transferred without their involvement. As a result, councils have minimal opportunity and incentive to build staff capacity, hold their staff accountable and promote sustainable institutional development. Even in the event of staff misdemeanours, councils can only report the matter to the MLGRD.

An assessment of capacity in local councils by the European Union in 2020 noted: “In some instances, this seemingly flawed legal interpretation of the LGA has hampered implementation, led to delays and loss of funding as some staff are sometimes transferred to other institutions or councils in the middle of a project cycle. This issue was a major source of discontent among most staff and council leaders during field consultations as they argued that the lack of autonomy over the recruitment, transfer and development of their staff undermines the potential for sustainability or increased accountability for performance. Most council staff work under an atmosphere of uncertainty not knowing when a transfer occurs, or when they could be sent on irregular leave.”

The problem of human resource management in councils has been further compounded by a poorly resourced and weak LGSC, which has only ten staff. Its inability to provide policy guidance, monitor human rights performance, establish a modern skills-based system of recruitment, and support capacity building strategies has left it focusing mainly on recruitment, transfer, and promotion of staff. It functions with a small budget which has left it unable to procure and maintain essential equipment such as laptops, to fund monitoring visits to councils, and to secure the necessary technical capacity to manage a performance management system. The weakness of the LGSC raises serious questions about the type of human resources management system that is appropriate for the council system.

It remains unclear whether a civil service style arrangement as currently operated by central government or one that allows greater autonomy for the council would be preferable.

At the heart of the administrative problems of decentralisation is the lack of a clear policy on the system of reward and remuneration for council personnel. A combination of low wages, lack of secure tenure and pensions have contributed to a high turnover of staff. Those who have remained in post have often used council resources and influence to promote their private interests. Widespread disquiet was expressed during the policy consultations on these issues and the negative impact that they have had on the psycho-social wellbeing of staff members and the institutional capacity of the councils. As a result, the council system continues to suffer from an acute shortage of skilled personnel needed to improve productivity and ensure the delivery of quality services.

The management capacity of most councils is weak, and they need significant investment in capacity-building to provide them with the knowledge and skills required to perform their roles and responsibilities efficiently and effectively. Linked to this, some chief administrators have a poor work ethic as well as a lack of motivation and inability to provide the right leadership environment, inspire their staff, manage conflict and drive change. All this has contributed to making councils 'routine-based' organisations without any strategic vision. Councils also have limitations in providing gender responsive services, which denies women the support that they require in their communities. The consultations revealed that because of the lack of outreach and public awareness-raising, a significant share of the population, especially in isolated communities, are not familiar with the existence and activities of the councils nor do they know how to demand services and accountability from them. This highlights the need for public engagement initiatives that inform citizens about the activities of councils.

5.7. The Lack of Clarity over the Role of Chieftaincy in Decentralisation

Chieftaincy is an essential element of Sierra Leone's governance architecture and has been enshrined in its constitutional history since the end of the colonial era. Chieftaincy performs two distinct roles, ceremonial/cultural and administrative. It represents the bastion of Sierra Leone's ethno-cultural heritage with varying customs and traditions that go back to ancient times. Ethno-cultural groups trace their heritage and form their identities within chieftaincy. In this ceremonial role, chieftaincy carries out functions of judicial and social order, socialisation, and preservation of cultural tradition.

Since independence, the expanding role of the state subjected the administrative role of chieftaincy to many changes and the abuse of power by chiefs was a major factor that led to the outbreak of civil war. Chiefs have seen their role in judicial affairs clipped with the introduction of the Local Courts Act 2011, although they still exercise significant influence over local court chairperson, chiefdom development, and land issues, as well as issues outside the public domain such as secret societies. Devolution failed to clarify the appropriate role of chieftaincy in a democratic environment. While chiefs are represented both in parliament and in local councils, as well as collecting local taxes and coordinating security and national disaster response, there are growing calls for greater accountability in the conduct of their administrative functions. Clarifying the role of chieftaincy in the decentralisation process is critical to the future of local governance in two ways – first, by providing additional opportunities for harnessing development potential in the chiefdoms, and second by ensuring greater accountability and transparency at the local level.

Figure 5: The Role of Traditional Authorities

The Role of Traditional Authorities in Democratic Local Governance

Decentralisation has raised questions about the role of non-elected traditional authorities in a democratic system of local governance. This is a controversial issue about which there are strong differences of opinion in many countries. Traditional leaders are accorded prominent roles in Ghanaian local government, in acknowledgement that a number of district council areas have been carved out of areas of jurisdiction of traditional authorities and 9% of local council seats are reserved for traditional leaders. In the case of Sierra Leone, traditional chieftaincy played a major role in maintaining the system of 'indirect rule' during British colonialism and their male-dominated 'leading houses' and associated secret societies are seen as inimical to inclusive development. Discrimination by chiefs in land allocation against unmarried young men was a major causal factor that gave rise to the recent civil war. On the other hand, chiefs can play a positive role in promoting local development as the embodiment of their own communities. For example, following the end of the civil war, chiefs were helped to return to their villages, thereby providing the trust for Internally Displaced Persons to also return home. But in recent years, misappropriation of taxes directly collected by chiefs has led to major conflicts with some elected local councils. In order to maximise the positive contribution of traditional authorities to local governance, some countries have put in place a hybrid system under which chiefs elect representatives to sit on local councils, either with or without voting rights.

5.8. The Challenge of Inclusive Citizen Participation

Local councils face a major challenge in ensuring social inclusion at all levels of decision-making. They have often failed to appreciate that good governance means improving the ability, opportunities, and dignity of those who are disadvantaged based on their identity, be it gender, age or people with disability (PwDs). The composition of the council itself has been the subject of intense national debate. The extent of diversity and inclusiveness that it practices remains unsatisfactory to advocates of gender equality and democratic participation. The current composition of most of councils displays a disproportionate representation of elderly males with very limited representation of women, youth and PwDs. At the heart of this matter is a history of patriarchy that is deeply intertwined in socio-cultural and institutional processes that has been reinforced, bypassed, and excused by successive political regimes ever since colonial times.

To overcome the challenges related to inclusion and participation of vulnerable groups, one option could be a system in which 70% of the seats would be contested in local council election using the "First Past the Post" system, while 30% of the seats would be allocated to marginal groups such as women, PwDs and youth.

Others have also argued that perhaps a Proportional Representation System can not only increase participation but promote tolerance and inclusivity. The benefits of a PR system can go beyond promoting a democratic culture but can be helpful in moderating the ethno-regional tensions that have come to cloud political participation in post-war Sierra Leone. This option can also serve to allay the fears of those opposed to non-partisan elections and address the concerns of those advocating for greater representation of women and other marginalised sections of society in politics.

During the consultations, many respondents criticised the lack of inclusiveness and citizen participation in service delivery. It became apparent that many people are not familiar with the range of services provided by local councils

and the locations where they are provided. The only exception was among those living in district headquarters. The failure to include vulnerable and marginalised groups in development initiatives have denied them the opportunity to benefit from service provision.

Furthermore, councils have failed to adopt innovative approaches to inclusiveness in service delivery. For example, they could learn from the decentralisation process in Liberia that provides vulnerable groups and isolated communities with accessible services, saving them considerable time and cost. Local councils have established County Service Centres (CSC) which serve as one-stop facilities that house branches of all MDAs. Liberians can now access services such as birth certificates, driving licenses, and marriage and death certificates for which they previously had to travel to the capital city, Monrovia. The CSCs also have gender units that assist women with information and services.

Figure 6 - The Quota System

The Quota System

Quota systems have been introduced in local councils of many countries to increase the presence of under-represented groups (especially women) and marginalised (especially indigenous peoples) groups in the local governance arena. This can take the form of requiring that a minimum share of seats on local councils are allocated to representatives of such groups. Under the **system of non-elected reserved seats**, there is a quota for appointed members of minorities or socially disadvantaged groups.

Reserved seats for elected representatives is the most common system used as the basis for quotas in local government elections. In India a minimum of one-third of seats across all types of local government bodies must be reserved for women, and in many states this has now been raised to 50%. Six months prior to local elections, one-third/half of wards are earmarked for women representatives, on a rotation basis. However, in many states, women councillors have become 'mouthpieces' for their male partners rather than the voice of gender issues. In Uganda, in addition to the universally elected councillors, two more councillors, at least one of whom must be a woman, are directly elected by members of their respective local organisations to represent youth, disabled and older people's groups. At least one-third of all councillors must be women. However, the opportunities generated by quotas have often benefited elite women who have pursued individual interests rather than those of grassroots women.

5.9. The Insufficient Promotion of Local Economic Development

The economic potential of several districts remains underdeveloped. A combination of factors - low employment opportunities for youth, women and PwDs, weak infrastructure, absence of private sector actors, low investment opportunities and weak fiscal transfers - explain the lack of economic development in these localities. In turn, this creates a vicious circle of stagnant own-revenue potential thereby further limiting in ability of local councils to drive local economic development (LED). The political fallout of this situation has ramifications that go beyond the locality as it undermines the confidence of citizens in the state as a trusted institution to promote their well-being and - by default - a loss of faith in democratic governance. The long-term implications are already visible as some districts suffer from massive youth migration to more prosperous districts, further reducing the potential of the affected local councils to drive economic growth and development.

5.10. The Need to Redraw Territorial Boundaries of Localities

Very little changes have taken place with regard to the territorial dimensions and architecture of local governance since the colonial era. For the most part the district system has remained intact regardless of the increase in population and greater socio-economic importance of certain localities. This is exacerbated by the road network system inherited from the colonial era. Most districts continue to exist in the shadow of the main regional towns of Bo, Kenema and Makeni, while the population in other districts remain disproportionately dispersed. For instance, although Karene borders four districts (Port Loko, Kambia, Bombali and Kabala), it has no tarmac road, and its citizens can only access Bombali directly. Similarly, in Tonkolili District the largest community is Mile 91 and not the district headquarters, Magburaka. In the Western Area Rural District Council, communities such as Leicester, Gloucester, Goderich, and Regent are more prosperous and socially distinct from the headquarter township of Waterloo. Consequently, the collection of taxes and participation in local governance in these communities are problematic because they are far removed from the respective district headquarters. The long distances from the district headquarters also place a serious burden on local citizens to hold their local authorities to account.

5.11. The Insufficient Utilisation of Regional Integration and International Cooperation

The decentralisation process to date has been inward-looking and its designers and implementers have made insufficient effort to promote alignment with regional integration and international cooperation initiatives. Very little guidance is offered to local councils on how to integrate with regional initiatives and forge cooperation links with local government bodies within Africa and beyond. The focus of international interaction has largely been on securing funds from donor institutions such as the European Union and the World Bank. Organisations such as the Economic Community of West African States (ECOWAS), the United Nations and the African Union (AU) all have extensive experience in supporting Member States in implementing decentralisation programmes as part of their regional integration and international cooperation activities. Sierra Leone could benefit from knowledge exchanges from countries within and outside the region. Lessons learned and best practices could be used to strengthen the decentralisation process. Other countries could also learn from the experience of Sierra Leone. This is an area in which the MLGRD and the Ministry of Foreign Affairs and International Cooperation could collaborate by providing guidance for local councils.

6. Policy Positions and Actions

The Government is acutely aware of the need to strengthen decentralisation over the long-term. The aim is to ensure that local governance becomes fully embedded in the economic and political landscape of the country in a sustainable way that contributes to improving the wellbeing of citizens. Based on its overall vision and guiding principles (Chapter 3), this chapter presents its decentralisation policy positions and actions for each of the twelve strategic issues identified by the policy review and consultations (Chapter 5).

6.1. Type of Decentralisation and form of Sub-National Governance¹

The Government shall continue to promote decentralisation and local governance as a key element of its economic transformation agenda and the democratic aspirations of the people. It shall pursue a simplified, multi-tier and integrated system of local governance based on the principles of devolution and subsidiarity. To achieve this objective, the Government will carry out the following reforms to the structure and system of sub-national governance:

6.1.1. The Territorial Structure of Sub-national Governance

The structure of sub-national governance shall comprise:

- Regions (Eastern, Northern, Southern, Northwest and Western Area Regions)
- Locality (District, Municipality, City and Towns)
- Chiefdom
- Ward
- Village

6.1.2. Regional Coordinating Offices

Regional Coordinating Councils (RCOs) shall be established to provide regional coordination of Government policy implementation, a forum for experience sharing, and law and order. It shall carry out the following functions:

- i. harmonisation of national development processes and regional policy dialogue
- ii. cooperation, synergy and collaboration between local authorities and central government agencies,
- iii. response to national emergencies,
- iv. resolution of conflicts between and within local authorities (including local councils, chiefdoms, and agencies of non-devolved sectors).

The RCO shall be chaired by the Resident Minister, who shall provide overarching coordination of government policy at the regional level in areas of non-devolved functions such as security, emergencies, presidential visits, inter-district conflict resolution, chieftaincy, justice, and boundary disputes. Its membership shall include the Regional Secretary (previously Provincial Secretary) as Secretary, Chairpersons and Chief Administrators of the localities in the respective region. The Local Unit Commander of the Police, representatives from the Office of National Security (ONS) and the Ministry of Justice (MoJ) as well as any other member may be incorporated when deemed necessary.

¹ Sub-national governance means the entire local governance architecture below the central government level including regions, districts, municipalities, chiefdoms, sections, towns, and villages.

6.1.3. The Democratic System of Sub-National Governance

The democratic system of sub-national governance shall be based on principles of electoral representation, transparency, and accountability. It shall comprise:

- i. Chairperson/mayor who shall be the executive head of the locality (district, city, or municipality).
- ii. Chief Administrator, who shall supervise the administration and other service delivery agencies in the locality.
- iii. Chiefdom Council, which shall report to and be supervised by their respective local councils.
- iv. Ward Development Committee (WDCs).
- v. Village Development Committees (VDC) (see Annex 2).

6.1.4. Transitional Arrangements Prior to Local Council Elections

- a) Previously elected members of local councils will remain in office until a formal handing over process is conducted with the incoming Chairperson and Councillors.
- b) An audit exercise will be conducted in local councils by external auditors to make record of all assets and resources that will be handed over to the incoming Chairpersons and Councillors.
- c) The assets, facilities and structures of all devolved sectors and district offices shall henceforth be at the disposal of the Local Councils.
- d) In the case of a regional or national declared emergency, the Local Council shall make available such resources as deemed necessary by the respective RCO.

6.2. Constitutional provision for local government

Enhancing the constitutional provision for local government is central to the development agenda of the Government. Hence it is imperative that sound principles of decentralisation and local governance be enshrined in the National Constitution. To achieve the objective of ensuring legal clarity, consistency, and coherence in the implementation of the decentralisation programme, the Government will carry out the following:

6.2.1. Amendments to the 1991 Constitution

- a) Amend the Constitution to include a specific article on local government and decentralisation.
- b) Amend the Constitution to provide legal guarantees for the transfer of the functions devolved under this policy;
- c) Amend the Constitution with a view to ensuring harmonisation between central and local government and resolving contradictions to the principles of decentralisation and local governance.
- d) Amend the Constitution to guarantee that financial transfers from central government are made directly to local councils.

- e) Amend the Constitution to make provision for the suspension and abolition of a local council to be approved only by a two-thirds majority of Parliament and for the suspension or abolition of the entire local council system by a referendum respectively.
- f) Amend the Constitution to guarantee a minimum of 15% of the development budget (capital expenditure) to be allocated through an IGFT to local councils.
- g) Amend the Constitution to make it illegal for MDAs or Government officials to interfere, bypass, override or resist the authority of District, City and Municipal Councils.
- h) Amend the Constitution to make provisions for the creation of a new local council area.
- i) Amend the Constitution to declare an annual National Day of Local Governance and Local Development.

6.2.2. Local Governance Legislative Reform

The Government will implement a comprehensive local governance legislative reform which shall take into consideration the following:

- a) The LGA 2004 will be amended.
- b) The new Act will reflect this decentralisation policy and its positions.
- c) The new Act will include a list of local government functions already devolved as well as new functions which are considered appropriate for devolution under the terms of this policy.

6.3. Political Decentralisation

The Government recognises the need to strengthen the exercise of local authority and modernise the structures of local governance. In pursuit of this objective, the Government will carry out the following:

6.3.1. The Devolution of Authority

Local Councils shall be established as the highest political authority in the locality and shall comprise the following members:

- i. Councillors from Wards, who shall be directly elected by residents under universal suffrage.
- ii. All Paramount Chiefs within the locality where such institutions exist and four Tribal Headmen/Village headmen in the case of councils in the Western Area.
- iii. A Chairperson/Mayor, who shall be responsible for managing the affairs of the local council with the support of the administration and who shall be accountable to the Council.

6.3.2. Local Elections

- a) The tenure of office for all elected officials of Local Councils shall be five years.

- b) The requirement to be elected for any public office in the locality shall be a minimum age of 18 years and continuous residence in the locality of no less than three years. Proof of residency shall be by voter registration identifier and local tax receipts or other taxes in the name of the applicant. In accordance with the Constitution and the guiding principles of this policy, no provision shall be allowed to discriminate against a candidate based on his/her gender, ethnicity, origin, class, or physical ability.
- c) Chairpersons/Mayors shall be elected directly by the people in the locality.
- d) All Deputy Chairpersons/Mayors shall be elected as running mates to Chairpersons/Mayors in local councils.
- e) Representatives of Village and Tribal Headmen in the Western Rural and Urban respectively shall be part of the local council.
- f) Members of Parliament within the localities shall be ex-officio members of local councils within their localities as non-voting members.

6.3.3. The Functions of the Local Council

The Council shall perform the functions of promoting democratic local governance and the efficient, effective, and equitable delivery of local public services. It shall have the following powers:

- i. Approve the budget and development strategy of the local council submitted to it by the Chairperson.
- ii. Conduct oversight and monitor the performance of the local council administration and all devolved sector agencies and delivery units.
- iii. Summon public and private officials including Community Based Organisations (CBOs), national and international Non-Governmental Organisations (NGO) in the locality to provide answers to questions and queries.
- iv. Regulate its own affairs, including the setting up of committees to manage aspects of its functions.
- v. Determine the rates of local taxes.
- vi. Perform other functions as may be provided under enactment by central Government (e.g., social protection).
- vii. Request the removal from office of the Chairperson through a two-thirds majority vote.

6.3.4. The Functions of the Chairperson/Mayor

The Chairperson shall perform the executive role of providing leadership and strategic direction of public sector functions in the District, City or Municipality and shall have the following powers:

- i. Formulate the development strategy and development plans for the locality and present them to the Council for approval.
- ii. Supervise the Chief Administrator of the locality.
- iii. Oversee Chiefdom Councils in the performance of functions delegated to them by the Council.
- iv. Ensure an integrated approach to development in the locality.
- v. Manage, develop, and improve human settlements and the natural environment of the locality.

- vi. Promote and support human capital development, capacity building, productive activity, and social development in the locality.
- vii. Initiate and maintain programmes for the development of basic infrastructure in the locality.

6.3.5. The Functions of the Chief Administrator

- a) The Chief Administrator shall be the vote-controller and head of the administration of the local council. S/he shall be supervised by the Chairperson/Mayor and shall be responsible for all administrative staff of the council.
- b) The Chief Administrator shall be responsible for the overall coordination of the administration and devolved sector agencies and resource mobilisation.
- c) The Chief Administrator shall be recruited by the Council in collaboration with the office responsible for Local Government Service.

6.3.6. The Functions of the Service Delivery Coordinator

- a) The Service Delivery Coordinator shall be responsible to the Chief Administrator and will support the coordination of local development strategy, service delivery, service performance, monitoring and evaluation, public works programme and management of devolved functions.
- b) The Service Delivery Coordinator shall coordinate the various devolved sector agencies and create a unified direction to meet the expected standards for service delivery in the locality.

6.3.7. Remunerations

- a) All elected or nominated officials of the locality (Councillors, Ward Committees Members, Village Development Committee Members and Chiefdom Committee Members) shall be paid allowances.

6.4. Administrative Decentralisation

It is essential that local councils possess the relevant capacity, professionalism, skills, and human resources to manage devolved functions and deliver decentralised services to the people. In pursuit of this objective, the Government will carry out the following:

- a) The Government shall strengthen the LGSC to perform its statutory role to include the overall development of human resource policy, performance appraisal system, service delivery standards, and the monitoring of compliance of such by the localities.
- b) A unified public service shall be pursued across all levels of the government. A harmonised human resources management system that would consider grading, pensions, gratuity, recruitment, promotion and disciplinary

systems and procedures shall apply across central government and local government. Such human resources policies shall be led by the Public Service Commission (PSC) and the Human Resource Management Office (HRMO), in consultation with other government actors including local councils. Such policies shall facilitate intra-governmental and inter-council personnel transfers and promote sustainable professional and career development that is consistent with the “whole of Government” approach and unity of the country.

- c) Local councils shall be responsible for the recruitment, promotion, and discipline of their staff in collaboration with the LGSC, PSC, HRMO, and such institutions responsible for managing the public service. Such bodies shall determine the appropriate procedures and grading system.
- d) All administrative officers of the locality (including, core, assigned and devolved sector staff) shall be permanent and pensionable. Salaries, allowances, pensions, and gratuities shall be paid by and/or through the local council in collaboration with the Ministry responsible for finance the LGSC, PSC, HRMO, and such institutions responsible for managing wages, salaries, and compensation.
- e) The LGSC shall in collaboration with the ministry responsible for finance, PSC, HRMO and such institutions responsible for managing wages, salaries, and compensation, ensure that administrative officers of the locality be paid salaries, allowances, pensions, and gratuities by and through the local council.
- f) The LGSC shall prepare an annual report of its activities to the President, which shall include compliance by local councils with its guidelines and performance standards.
- g) The capacity of the LGSC will be strengthened to perform its functions. This will include the provision of technical secretariat, operational grants for developing core expertise and for conducting analysis of council performance and organisational audits.
- h) Employment in local government shall be based on the principles of merit, impartiality, political neutrality, non-discrimination, and fairness.
- i) There shall be a minimum educational requirement for public financial management staff in all local councils. This shall be set by the LGSC in line with the established grading system in central government.

6.5. Fiscal Decentralisation

An essential element of devolution is the transfer of sufficient financial resources from the central Government to local Government and the authority for local government to raise, mobilise and manage its own revenue. The present arrangement for Inter-Governmental fiscal transfers (IGFTs) including the vertical remains ad hoc and is based on the existing budget provision for devolved functions. This shall be replaced by a model that is based on local needs and a rule-based system. The horizontal allocation will continue to be formula based on the principles of equity and equalisation.

The viability of the local governance system hinges significantly on the ability of local councils to speed up local economic development. The Government recognises the herculean and urgent nature of this task. To achieve these objectives, the Government will carry out the following:

- a) The Government shall develop a stand-alone and independent fiscal decentralisation policy and strategy that will guide the conduct of the overall government fiscal decentralization programme.
- b) The Government shall enact a local government finance act.
- c) The expenditure assignment (functions to devolve to councils) shall be guided by the principle of subsidiarity.
- d) Government shall allocate a minimum percentage (%)² of domestic revenue as direct transfers to local councils for devolved functions.
- e) Inter-Governmental fiscal relations shall be informed by the principle of subsidiarity and the Inter-Governmental Fiscal Transfer System (IGFTs) system will be formula-based and will address the horizontal imbalance across local councils. Allocations will be calculated by an approach based on the relative needs of each local council and their capacity to generate own revenue.
- f) The Government shall allocate a minimum percentage (%) of the national development budget (capital expenditure) through an IGFT to promote local economic development in local councils.
- g) The local council budget shall be prepared annually and shall include recurrent and development expenditures as well as chiefdom councils' budgets.
- h) All financial resources for local economic development shall be administered by the local council which shall maintain a single financial account (except otherwise by permission of the Accountant General).
- i) The fiscal environment of local governance shall be improved by ensuring that local councils have the legal authority to determine and collect own revenue from various sources.
- j) The fiscal space of local councils will be enhanced to reduce the gap between expenditure and revenue assignments. To that end the base for taxing property shall include buildings, land, and other taxable resources.
- k) The authority to determine and collect local taxes shall be solely in the hands of local councils who shall have the right to delegate such authority to competent local authorities such as Chiefdom Councils in consultation with the Ministries responsible for Local Government and Rural Development and for Finance.
- l) The Government will strengthen the public financial management capacity of local councils, including systems and procedures that will enhance accountability and transparency.

² The percentage will be determined by the fiscal decentralisation policy.

- m) Local councils shall be permitted to enter into loan agreements in compliance with existing laws, regulations and policies on public sector borrowing and public sector debt management. In his/her annual budget speech to Parliament, the Minister responsible for finance shall establish the borrowing limits of local councils, based on an objective risk assessment. This shall allow local councils to carry out financial planning in a predictable manner and shall provide guidance to financial institutions such as banks from which councils would seek loans.
- n) The Government shall ensure that all activities relating to devolved function will go through the inter-Government transfer system and will eliminate all such indirect transfers.

6.6. Relationship between Central and Local Governments

The Government is determined to preserve the territorial integrity, unity and diversity of the nation while utilising the full potential of its citizens. Through devolution it will promote equal opportunities and ensure that all parts of government are working in harmony. Structural alignments shall be introduced to promote greater information sharing and coordination. In pursuit of these objectives, the government will carry out the following:

- a) The Public Sector Reform Unit shall undertake management and functional review of MDAs which shall inform their reorganisation to ensure a leaner and effective capacity to coordinate national policy, set targets and undertake monitoring and evaluation of policy implementation and the delivery of devolved functions carried out by local councils.
- b) Inter-ministerial dialogue with local government authorities shall be institutionalised, strengthened, and promoted to ensure synergy and complementarity.
- c) MPs shall be encouraged to become actively involved in promoting local economic development. Their inclusion as non-voting members of Local Councils will enable them to be a link between Parliament and their communities, to guide Local Councils on legislation passed or under consideration by Parliament, to identify problems experienced by the electorate, and to provide feedback on government projects and programmes.
- d) Issues concerning local governance and decentralisation will be taken into consideration in any on-going or future comprehensive public sector reform.

6.7. Human Resource Management and Capacity Building

The Government recognises the need to build institutional memory, to promote continuous professional development, and to document and share good practices and expertise among local councils. This will require the establishment of a national institution of learning dedicated to the promotion of excellence in local governance. In pursuit of this objective, the Government will carry out the following:

- a) A Local Government Centre of Excellence (LGCE) will be created, which shall be responsible for providing tailor-made courses and training programmes. It will also undertake studies that document best practice in local governance and challenges and emerging fields requiring expertise in local government.
- b) A research fund will be established in the LGCE to promote the development of evidence-based courses, to research into the current practice of local governance and service delivery, and to advise the Government on the best ways of improving local governance in the country.
- c) The Ministry responsible for local development will collaborate with MDAs to develop a comprehensive capacity-building strategy, as well as a plan to fast track the development of technical capacity in local councils. A Local Council Capacity Building Fund will be established under the management of the Decentralisation Secretariat.

6.8. Role of Chieftaincy in Decentralisation

Chieftaincy continues to play an important role in local governance. The Government believes that devolution represents a critical phase of the modernisation of public sector management and that the traditional institution of chieftaincy must be integrated into the devolution process. Therefore, the Government shall preserve the ceremonial aspects of chieftaincy (including its rituals, accoutrements, customs, and cultural practices). However, such preservation should not impugn the reputation and commitment of the Government to international standards of democracy and human rights. In the spirit of modernisation, it will therefore, seek to avoid conflicts by creating harmony and common purpose in local governance. In pursuit of this objective, the Government will carry out the following:

- a) Paramount chieftaincies throughout the country will be empowered and positioned to represent the cultural traditions and identity of the people while advancing the principles of devolution, inclusive participation, human rights and good governance.
- b) The dignity, sanctity, authority and relevance of the paramount chieftaincy will be preserved by ensuring that resources are earmarked (through local councils) for the upkeep, welfare, and maintenance of Paramount Chiefs. The Government shall construct Chieftain Lodges for external guests.
- c) Paramount Chiefs will be insulated from the pressure of partisan politics and the dangers of participation in party politics that may interfere with their neutrality and ability to represent all shades of opinion.
- d) The status of Paramount Chiefs and their royal integrity will be maintained by undertaking a comprehensive study in order to codify the list of ruling houses.
- e) The Government shall reconstitute the Chieftain Development Committees to include Paramount Chiefs, the Speaker, a local council representative, councillors within the chieftain, three women of note ordinarily resident in the chieftain, two youths and the MPs within the chieftain.

6.9. Inclusive Citizen Participation

The Government recognises the huge inequalities that exist between social groups and the fact that these can be worsened by the lack of sensitivity in policymaking and implementation at the local government level. It is critical that action be taken to ensure the dignity, participation and opportunities for socially disadvantaged groups such as women, youth, aged, PwDs and ethnic minorities. In pursuit of this objective, the Government will carry out the following:

- a) A national policy for social inclusion will be established and implemented by local councils.
- b) Local councils will be required to ensure gender-sensitive and gender-responsive programming.
- c) Local councils will be required to submit data on social inclusion in all aspects of its operations to the Ministry responsible for local government through the RCOs.

6.10. Local Economic Development

Local economic development is a critical priority for the Government as part of its national development agenda. In pursuit of this objective, the Government will carry out the following:

- a) Government shall ensure that local councils are sufficiently empowered and resourced to ensure that LED is promoted to improve peoples' incomes and well-being.
- b) Government through the ministry responsible for local government shall ensure that LED related functions are defined clearly in the Local Government Act and that the resources commensurate with these functions are devolved to the local councils in a systematic and coordinated manner.
- c) The Government shall allocate a minimum percentage (%) of the national development budget (capital expenditure) through an IGFT to promote local economic development in the local councils.
- d) Investment in local physical infrastructure will be prioritised. The Sierra Leone Roads Authority (SLRA) and the Road Fund will develop a roads master plan including inter district and ring roads to reduce distances between localities. The Sierra Leone Cable Ltd (SALCAB) and National Communications Commission (NatCom) will roll out broadband internet to increase Information and Communications Technology (ICT) connectivity in localities.
- e) The Ministry responsible for finance and local councils will map local economic endowments and development potentials and formulate a comprehensive Local Economic Development (LED) strategy and action plans.
- f) The Public Private Partnership Unit will promote the use of public-private partnerships by developing a manual for local councils and a dossier of local and international businesses.

- g) A comprehensive land survey master plan and land management policy will be developed in order to guide local councils in the management of land for local economic development and human settlement.

6.11. Redrawing Territorial Boundaries of Localities

6.11.1 Reasons for redrawing territorial boundaries

The Government recognises the constancy of demographic change caused by a multiplicity of social and economic factors such as population growth, the dynamics of aging, migration, natural disasters, and political upheavals. This will require changes to the territorial structure of local government to ensure that the needs and interests of local citizens are adequately served. The central Government retains the power to reconfigure territorial boundaries of localities, including the creation of new districts, cities, or municipalities. In so doing, it shall be guided by the following considerations:

- a) Where census data demonstrates significant population shift that could stretch the resources of a local council, undermine the ability of citizens to participate and hold local councils to account, or undermine national security, including in cases where such population movements may result in a threat to social harmony between communities.
- b) Where there is strong evidence that citizens in some communities are isolated from a local council by road, water or other natural geographic features, thereby creating extreme difficulties in accessing public services, with negative impact on their political, economic and social well-being.

6.11.2. Procedure for redrawing territorial boundaries

The procedure for reconfiguring the administrative boundaries of localities and other administrative sub-units such as ward boundaries to ensure that they are politically viable, administratively efficient and financially feasible, shall be the following:

- I. The Ministry responsible for local government shall undertake consultation with citizens in the affected areas over the proposed creation of new districts, cities, municipalities, or wards.
- II. The Ministry responsible for local government shall, after a thorough assessment of the latest Census Report and other studies and evidence from these consultations, request the Cabinet to consider a proposal to reconfigure or create new districts, cities, municipalities, or wards. Such a Cabinet paper from the Ministry responsible for Local Government should receive the concurrence of the Ministry responsible for finance, the National Electoral Commission, Statistics Sierra Leone, and the Inter-Ministerial Committee.
- III. With the approval of Cabinet, the Ministry responsible for local government shall initiate a legislative proposal in consultation with the Ministry of Justice to request changes, reconfiguration or creation of new districts, cities, municipalities, or wards.

6.11.3 Minimum level of short-term support for new localities

If the Government, in following the procedures outlined above, secures the approval of Parliament for the creation of a new district, city, municipality or ward, there shall be a minimum level of short-term catalytic support to new local councils shall be the as follows:

- a) Political support, in the form of sufficient resources to conduct free and fair elections that result in the assumption of office of elected leaders of the council.
- b) Administrative support, in the form of sufficient capacity assigned to the council, including core staff, essential equipment, a bank account, and a recurrent budget.
- c) Fiscal support, in the form of sufficient provision in the national budget for the construction of office space, staff salaries and an operational budget.

6.12. Regional Integration and International Cooperation

The Government believes that linking up the Ministry responsible for local government and local councils with regional and international partners will promote cross-learning, exchanges, and cooperation, which together will greatly assist the strengthening of the decentralisation process and local governance. In pursuit of this objective, the Government will carry out the following:

- a) The Ministry of Foreign Affairs and International Cooperation (MoFAIC) shall become a member of the Inter-Ministerial Committee on Decentralisation (IMC). The MoFAIC shall work with the Ministry responsible for local government to identify opportunities to develop and strengthen working relationships between the sub-national governance structures in Sierra Leone and those in the region and other parts of the world.
- b) A regional integration and international cooperation strategy will be established to guide the engagement of local councils.
- c) Platforms for learning and exchange will be created with regional institutions such as the Mano River Union (MRU), ECOWAS, the African Union and the United Nations and with decentralisation programmes in other countries.
- d) The establishment or strengthening of 'twinning' between districts, cities and municipalities in Sierra Leone and their counterparts in other countries will be encouraged.
- e) Educational visits will be financed that expose local council members and administrators to the decentralisation experience and approaches used in other countries.
- f) The forthcoming Local Government Act will make provision to enhance the role of local councils in promoting regional integration and international cooperation, especially in the MRU and ECOWAS regions.

7. Policy Implementation Framework

The ability of the Government to achieve the strategic aims and objectives set out in this decentralisation policy depends on a solid framework for implementation. This Chapter presents the roles of the different stakeholders involved as well as the logistical aspects and timeframe of the implementation process.

7.1. Stakeholder Roles

This section presents the organisational arrangements for the implementation of the decentralisation policy. It defines the institutions involved and their respective roles and responsibilities

7.1.1. The Inter-Ministerial Committee on Decentralisation

The Inter-Ministerial Committee on Decentralisation (IMC) is the overarching organ responsible for decision-making and implementation of the decentralisation programme. It is chaired by the Vice President and includes representatives of all relevant MDAs. Its main role is to ensure continuous high-level political will for the implementation process, promote inter-Governmental coordination, build synergy and ensure the harmonisation of these efforts. For the decentralisation process to be effective and achieve the stated objectives, the IMC must demonstrate its commitment and the strategic vision, and the direction needed to motivate all levels of the process. In pursuit of these objectives, the IMC will carry out the following:

- a) Promote effective implementation of the principles and policy statements, strategies and actions contained in this policy and the corresponding legislation.
- b) Ensure political commitment across government and provide the strategic direction for a coordinated and harmonised policy intervention in local government.
- c) Serve as a forum to ensure ministerial compliance and consistency with the principles and strategies of this policy.
- d) Meet on a quarterly basis with mandatory attendance by its members. Senior members of the respective MDAs will attend and make contributions to its meetings.
- e) Reconstitute its membership to include, in addition to the core MDAs, six members of the LoCASL (comprising the President and five regional Vice Presidents) and the Resident Ministers in the four regions.
- f) Receive regular reports from the Resident Ministers of the RCC meetings and also reports related to strategic national issues.
- g) Establish a Technical Committee with the function of providing professional advice to the IMC in its policy and oversight functions.
- h) Monitor implementation of the decentralisation process every two years to assess progress and existing gaps. Such exercises will allow the IMC to adopt corrective measures and better frame the approach to decentralisation.

7.1.2. The Ministry responsible for local Government

The Ministry responsible for local Government is the principal institution responsible for the implementation of the decentralisation process. It is primarily responsible for the development of laws, policies and strategies related to

decentralisation. It facilitates, coordinates and supervises the various structures and their actors to ensure that they deliver their mandates. Such a vanguard role will require providing policy guidance and explanatory notes, as well as intervening and mediating in potential breaches of the principles and strategies of this policy document and related legislation on decentralisation and local governance. In pursuit of these objectives, the Ministry will carry out the following:

- a) Serve as bridge between central Government and the regional, district, chiefdom, and ward authorities.
- b) As the secretariat of the IMC, facilitate capacity-building activities guided by the needs and gaps assessments of the different stakeholders.
- c) Strengthen the coordination mechanisms for decentralisation and guide the formulation and implementation of laws, policies and cabinet papers that are related to decentralisation.
- d) Work with national and international partners to promote an effective implementation of the decentralisation process. In the event of clashes or overlaps in laws and policies, the Ministry will inform the IMC of the appropriate measures needed to address such challenges.
- e) Establish a Local Governance Development Partners Coordination Mechanism (LGDPCM) which shall comprise all national and international development partners and civil society organisations working in the arena of decentralisation and local governance. The LGDPCM shall meet every three months to determine the allocation of external resources based on the principles of this policy and the formulae developed by the Fiscal Decentralisation Department in the Ministry responsible for finance.
- f) Facilitate Monitoring, Evaluation and Learning (MEL) processes and use their outcome to improve the implementation of the decentralisation process.
- g) Facilitate the preparation of amended Local Government Act with the aim of ensuring that it is a modern and transformative Act that will help to devolve power and functions from the central to the local level.
- h) The Ministry shall undertake a strategic reorganisation of its structure including its technical directorates through the development and implementation of a strategic plan and management and functional review.

7.1.3. The Decentralisation Secretariat

The Development Secretariat (DEC-SEC) is a technical unit within the Ministry responsible for local government, which was established in 2006 to support the efficient, effective, and sustainable implementation of the decentralisation process. It shall continue to provide technical and advisory roles within the Ministry by monitoring, documenting, and evaluating the decentralisation process. It will also provide regular reports to the IMC and donor partners. The DEC-SEC shall continue to provide capacity-building support to local councils to enable them to effectively perform their mandate and to the MDAs to enable them to perform their monitoring, oversight, standards setting and quality assurance responsibilities with respect to the devolved functions. In pursuit of these objectives, the DEC-SEC will carry out the following:

- a) Establish a Technical Working Group on the implementation of this decentralisation policy and accompanying legislation which shall comprise professional heads of key devolved sector MDAs. Its primary responsibility will be to provide a coherent and coordinated approach to technical assistance and capacity-building of the key devolved sectors. The MDAs will work with the Ministry through DEC-SEC to establish monitoring and oversight mechanisms and establish requirements for district level data collection on key sectors to inform policymaking.

- b) Undertake research, planning and monitoring in order to inform policy and develop best practice in decentralisation.
- c) Develop a short to medium term strategy for development coordination, assistance and capacity building, including a coherent and coordinated approach to donor support for decentralisation.

7.1.4. The Ministry responsible for finance

Since 2004, the Ministry of Finance has provided technical leadership in support of local councils through its Fiscal Decentralisation Department (FDD), previously known as the Local Government Finance Department (LGFD). Working in collaboration with the Ministry responsible for local Government, the FDD is responsible for determining the size of the annual grant (both for devolved functions and development) allocated to each local council. The FDD directly monitors the use of resources by local councils and ensures that they are familiar with the financial management system and reporting framework set by itself and the Ministry responsible for local Government. This policy will ensure that the FDD is able to provide a more harmonised and coordinated approach to strengthening public financial management capacity in local councils. It will play a lead role in establishing an equalisation and distribution formula for the IGFT to localities. It will support the Ministry in the establishment and management of a Basket Fund for Decentralisation.

7.1.4. The Ministry of Planning and Economic Development

MoPED in collaboration with the MLGRD will issue out planning guidelines and support local councils in the development of district level capital projects. It will ensure that the Public Investment Programmes will be decentralised to capture capital projects developed at the district level. MoPED will also oversee all District Level Development Coordination Structures, ensuring that they are functional in following up and reporting on local development activities of the district, including promotion of village/chiefdom level planning and integration of plans therefrom with district development plans anchored on the 'Wan Fambul Framework'. MoPED will also support monitoring and evaluation needs of councils.

District development plans will be fully aligned with national plans and can only be operational through certification by the Ministry of Planning and Economic Development. MoPED will support general resource mobilisation of the Local Councils in cooperation with other MDAs and ensure effective coordination of NGOs at local council level, including contribution of these organisations to council budget.

Through MoPED, NGOs shall be required to share their development plans with sector MDAs and inform Local Councils before operating in any locality. Local councils shall issue a certificate of acknowledgement of operations to NGOs for a fee stipulated by Government. NGOs shall operate at district/ local level consistent with the National Development Cooperation Framework provisions guiding their operations.

7.1.5. Joint MoPED/MLGRD PPP/WFF Oversight

The PPP/WFF policy guidance and oversight shall be jointly provided by the Ministry responsible for Planning and the Ministry responsible for local government and rural development. The People Planning Process – Wan Fambul Framework (PPP/WFF) model places emphasis on the building block of the development planning processes to be rooted at the village level. The village representatives include Village Development Committees (VDCs) that are

invited to be part of ongoing Community Welfare and Mediation Committee and Peace Mother's Groups. These are the sectional level 'platforms' responsible for local implementation. These structures will track the implementation of development priorities; support each other; and address community conflicts through the PPP/WFF processes.

7.1.6. The Ministries, Departments and Agencies

The role of the central Ministries, Departments and Agencies remains critical in the implementation of decentralisation and this policy. MDAs will continue to provide policy direction, set regulations and standards, monitor implementation, build capacity for implementation of devolved functions, evaluate overarching policy implementation, and guide future policy reforms.

7.1.7. The Regional Coordinating Office

The Regional Coordinating Office (RCO) is one of the decentralised structures of the Ministry responsible for local Government, coordinating the activities of the local councils within each region. The RCO currently perform a dual role, both representing central Government and fulfilling oversight responsibilities on the operations of local councils. The limited financial and human resource capacity of its predecessor, the Provincial Coordinating Committee, gravely limited its ability to adequately undertake these roles and responsibilities in the past. The Ministry responsible for local government and its DEC-SEC will strengthen the capacity of each RCC and provide them with the resources required to carry out their functions as stipulated in the LGA 2004, including the preparation of regular reports to DEC-SEC that are forwarded to the IMC. The Ministry responsible for local government will supervise the RCOs, including Resident Ministers, to ensure synergy between central and local government policies and activities, and to promote accountability and transparency.

7.1.6. Local Councils

The Local Councils are among the most important components of the whole decentralisation process and are the highest socio-political and development authority in the locality. The roles and responsibilities of the local councils are derived from the LGA 2004 which also determines the limitations of their powers. They are responsible for the provision of public services and the promotion of LED and the welfare of citizens and residents in their localities. They shall use inclusive and participatory approaches in the delivery of their mandates, ensuring that vulnerable groups and people living in isolated communities also benefit from the services that they provide.

7.1.7. The Traditional Authorities

Traditional authorities such as Paramount Chiefs have played a significant role in the political history of Sierra Leone and they continue to be a symbol of peace, stability and unity in their communities. This rich cultural tradition has shaped the contributions of chiefs to the implementation of the decentralisation programme. Among the key roles they play are promoting peace, security and stability, revenue mobilisation, provision of land and local resources for development, and mobilising communities for development programmes. The traditional authorities shall continue to play important development and governance roles in their communities and the enactment of a new Local Government Act will provide clarity on the specific roles that Chiefs shall play within local councils.

7.1.8. Other Stakeholders (Non-State Actors and NGOs)

In addition to the actors listed above, local councils will involve other vital stakeholders such as civil society, the media and private sector that play significant roles in the decentralisation process. Civil Society Organisations (CSOs) will be instrumental in mobilising the public for undertaking community development initiatives and in delivering essential services in collaboration with local councils. Together with the media, CSOs will undertake awareness-raising and sensitisation activities in the decentralisation process. This will involve educating citizens and residents on their civic duties and responsibilities in promoting democratic good governance, especially through demanding accountability and transparency in service delivery. The private sector is also a crucial partner in promoting employment opportunities through LED and in providing essential services in localities. Local councils will mobilise and engage such actors to maximise their involvement in and support for the decentralisation process. As such, public-private partnership will be promoted.

7.2. Logistical Issues

In order to facilitate the implementation process, a National Decentralisation Strategy and Implementation Plan will be developed that will set out short, medium and long-term strategic priorities, with realistic and achievable time frames for their delivery. The activities to be undertaken will be extensive and the necessary human and financial resources are massive. Hence, a pragmatic and realistic approach will be used that will ensure that the activities are delivered within the time frame stated in the implementation plan.

7.3. Time Frame

The time frame for the implementation of this policy shall be ten years commencing the in the year of adoption. However, the National Decentralisation Strategy and Implementation Plan will be reviewed every five years. The Government shall work with all stakeholders in monitoring and reviewing the strategic priorities of the decentralisation process to ensure that they are regularly updated to maintain relevance and effectiveness and at the same time achieve the expected results. The approach to implementation will be flexible and adaptable, especially where there will be the need to shift priorities or address changes in context. In line with this, the focus will be to gradually upscale activities undertaken to promote sustainability and improve outcomes. The implementation timeframe of short-term priority actions is shown in Annex 4.

7.4. Financing

The Government is fully committed to financing the implementation of decentralisation programme. With the support of development partners, it will ensure that the required financial resources are provided and are used efficiently to ensure value for money and the maximisation of benefits to its citizens. The Government shall establish a Basket Fund for Decentralisation to ensure that the implementation of this policy and the entire decentralisation process receive sufficient financial and other logistical support. The Government will encourage its development partners and the private sector to contribute to the Basket Fund to enhance the funding of activities that are related to decentralisation.

7.5. PPP/WFF Financing

The integrated PPP/WFF model when integrated into the National development planning processes shall be financed initially from both the National budget – Consolidated Revenue Fund as well as externally mobilised resources. In the medium to long term, the Government of Sierra Leone shall assume full responsibility for the integrated (current + PPP/WFF model) community to national development planning. The integrated framework shall be rolled out through scaling up from current districts across all 22 Local councils within the five years from the year of adoption by the Government of Sierra Leone of the new National decentralisation policy.

7.6. Communication, Partnerships and Stakeholder Engagement

The Government shall strengthen communication and stakeholder engagement as part of its efforts to deliver on its commitment to the decentralisation process. A communications strategy will be developed to promote transparency and accountability, and foster communication with the public and other stakeholders on the progress made and the challenges that it is facing. The capacity of local councils to design and undertake communication initiatives will be strengthened in order to foster constructive engagement with their citizens.

Partnership with international organisations and NGOs can bring complementary skills and capacities that are required by the Government and its decentralised structures. A nation-wide partnership strategy shall be developed that will build on the existing strengths of the Ministry responsible for local Government and some local councils. This strategy will enable development partners to understand the priorities and expectations of the Ministry responsible for local Government, thus forming a stronger basis for potential partnerships. The communication and partnership strategies shall guide engagement between the Ministry responsible for local Government and its DEC-SEC with both national and international partners on the one hand and local councils and their partners and stakeholders on the other hand.

7.7. Monitoring, Evaluation and Learning

One of the major gaps in the decentralisation process to date has been the limited investment in undertaking Monitoring, Evaluation and Learning (MEL) and the use of evidence-based data analysis to guide the implementation of the LGA 2004. This gap shall be addressed through a well-designed process for MEL, which shall include the following:

- i) Capacity Building of M&E Units at the national and the local level: The Ministry responsible for local Government will strengthen its own capacity for MEL as well as in all decentralisation structures, especially the M&E Units within local councils. This will include setting up or improving MEL systems and structures such as the Comprehensive Local Government Performance Assessment System (CLOGPAS) and ensuring that trained and qualified MEL staff are employed at the ministry and in local councils. Capacity building will not be limited to training but will include mainstreaming MEL in all activities of the Ministry and local councils and providing MEL staff with the tools and equipment they need to perform their roles and responsibilities.
- ii) Monitoring Exercises: In collaboration with representatives of CSOs, the media, the private sector and the public, the IMC will undertake bi-annual monitoring visits to local councils to assess the activities undertaken in terms of their efficiency, equity and effectiveness. DEC-SEC staff will produce reports of such monitoring

visits, which will be used as tools to improve the decentralisation process. LoCASL will also undertake monitoring visits at least three times a year and will use their findings to engage local councils and the Ministry responsible for local Government and its DEC-SEC on the necessary corrective measures where challenges and gaps are identified.

- iii) Evaluation: The decentralisation programme will be evaluated by internal and external evaluation mechanisms. Internal evaluation will be carried out on an annual basis by the M&E Unit of the Ministry responsible for local Government. External evaluation will be carried out every two years by independent experts contracted by the Ministry. The evaluation will assess the following criteria: efficiency, equity, effectiveness, and sustainability, as well as cross cutting issues such as gender, PwDs, human rights, and environmental impact. The recommendations of both evaluation exercises will be used by the Ministry responsible for local Government and its DEC-SEC and local councils to improve on the delivery of services in the decentralisation programme.

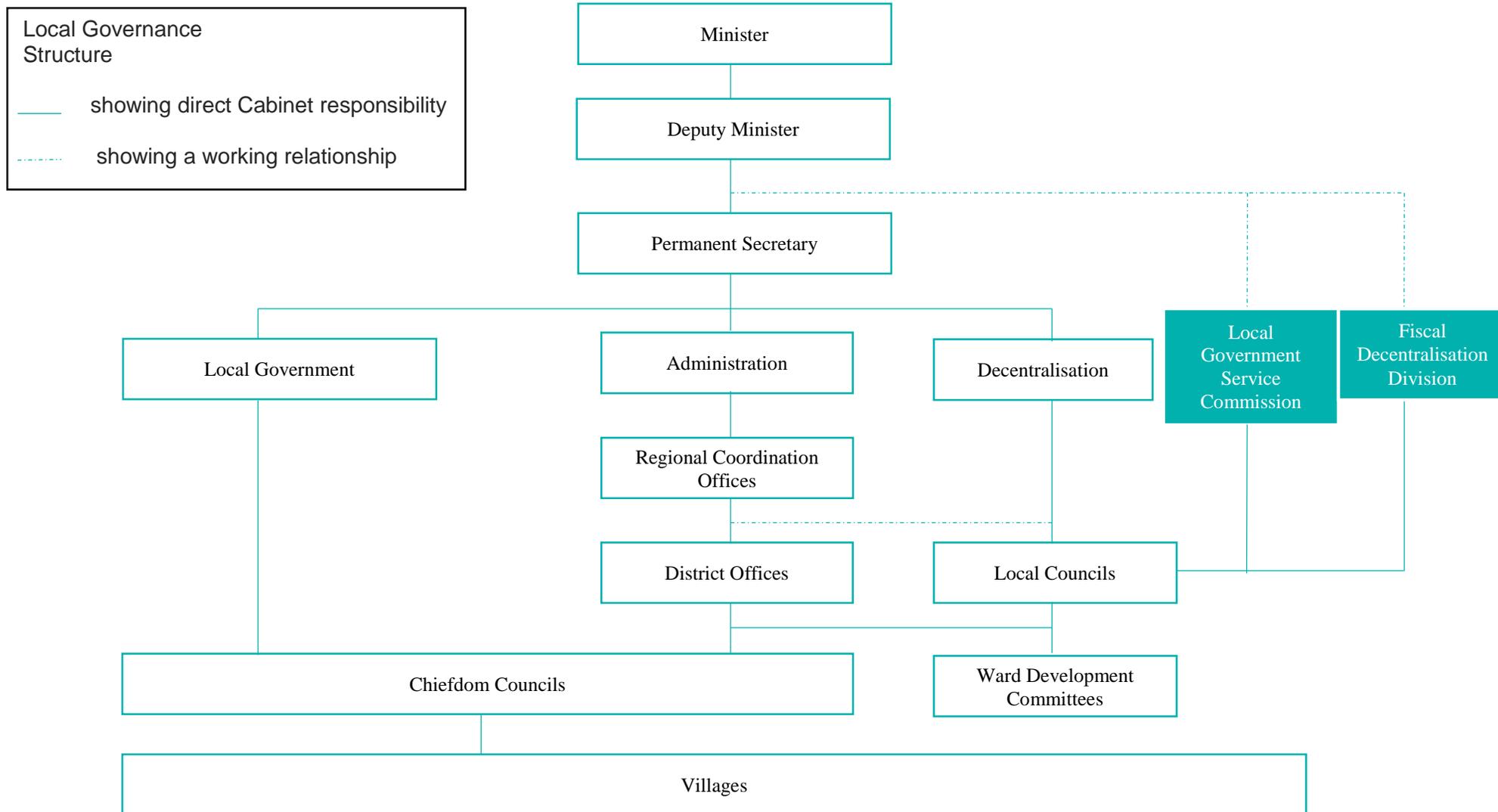
The results of the various M&E processes shall be used to foster learning not only for the actors charged with implementing the decentralisation programme, but also for partners and stakeholders that require data collected from the localities. Learning platforms, such as seminars and workshops, as well as on-line information sharing platforms will be established to promote cross-learning and exchanges among local councils and also between councils and their citizens. This mechanism will serve as an additional form of accountability and transparency.

8. Annexes

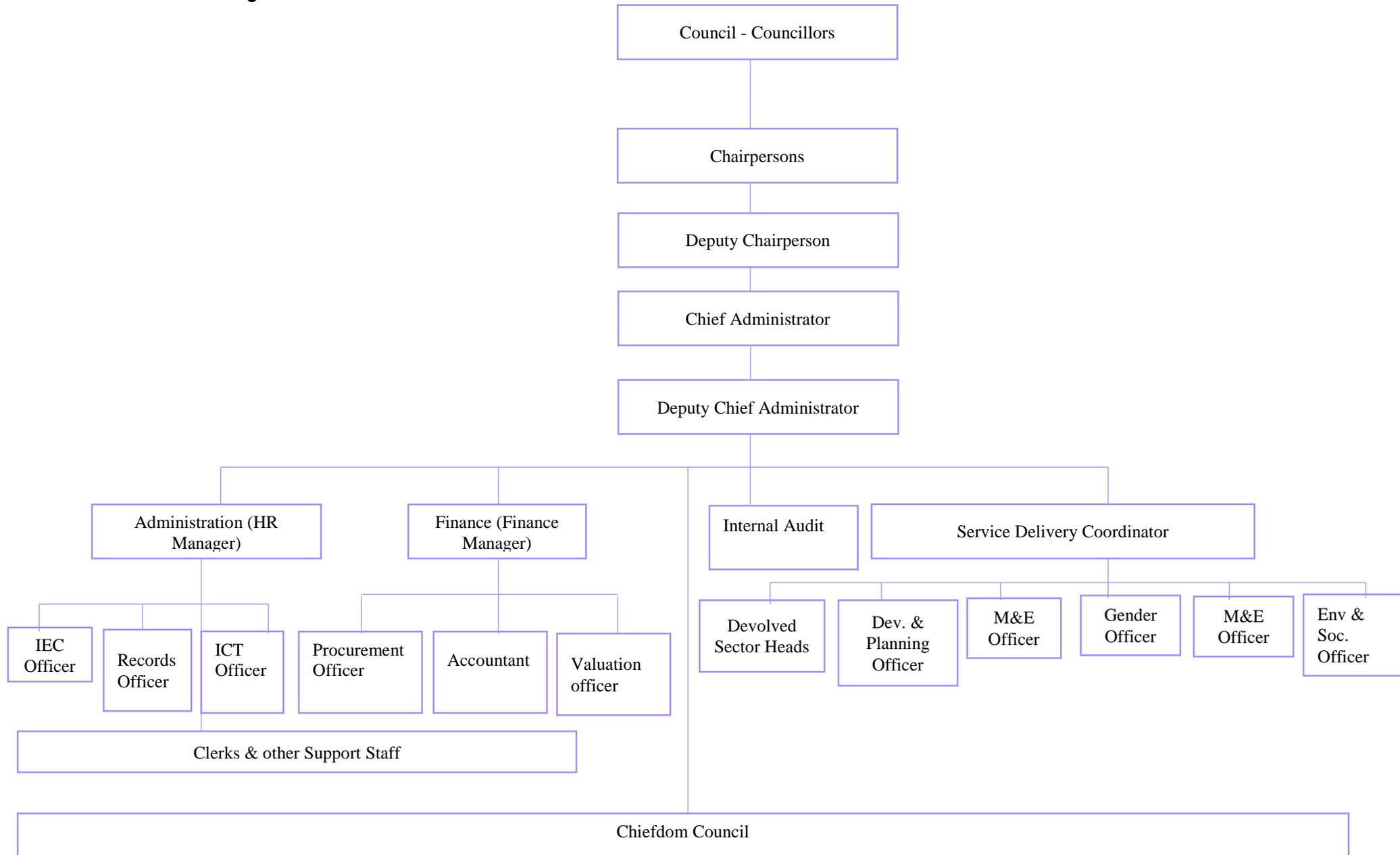
8.1. Local Councils of Sierra Leone

1. Bo District Council
2. Bombali District Council
3. Bonthe District Council
4. Kailahun District Council
5. Kambia District Council
6. Kenema District Council
7. Falaba District Council
8. Koinadugu District Council
9. Karene District Council
10. Kono District Council
11. Moyamba District Council
12. Port Loko District Council
13. Pujehun District Council
14. Tonkolili District Council
15. Western Rural District Council
16. Bo City Council
17. Bonthe Municipal Council
18. Kenema City Council
19. Koidu-New Sembehun City Council
20. Makeni City Council
21. Port Loko City Council
22. Freetown City Council

8.2. Annex 2: Organisational Structure of Local Governance in Sierra Leone



8.3. Annex 3: Organisational Structure of Local Councils



8.4. Annex 3: Implementation Timeframe of Short-Term Priority Actions

No.	Priorities	Year 1	Year 2	Year 3	Year 4
1.	Review and enact a new legislation	X			
2.	Launch of the National Decentralisation and Local Governance Policy	X			
3.	Amend the Constitution to take into consideration the proposals, strategies and actions of this policy			X	
4.	Establish a basket fund for decentralisation to support a coordinated strategy for strengthening decentralisation and local governance.		X		
5.	Develop a national decentralisation and local governance implementation strategy	X			
6.	Harmonisation of Local Government pay and grading system with the center Government			X	
7.	Development of a fiscal decentralisation policy, including an equalisation and distribution formulae		X		
8.	Establishment of the Decentralisation Implementation Technical Working Group in the Ministry	X			
9.	Establishment of a Local Government Development Partners Coordination Mechanism	X			