



The Future of Local Government Reform Programme

Workshop organised by the Policy Forum Local Government Working Group in conjunction with the Leadership Forum in Kibaha Town 26th – 27th November 2007

Preliminary Report

Abbreviations

CSOs – Civil Society Organisations
D-by-D – Decentralisation by Devolution
DCC - District Consultative Committee
DPs – Development Partners
GoT – Government of Tanzania
ICT – Information and Communication Technologies
LGAs - Local Government Authorities
LGCDG - Local Government Capital Development Grant
LGRP – Local Government Reform Programme
O & OD - Opportunities and Obstacles for Development Programme
PETS – Public Expenditure Tracking Surveys
PMO-RALG – Prime Minister's Office Regional Administration and Local Government
RS –Regional Secretariats

Introduction

In 1998, the Government of Tanzania commenced on a major programme to reform Local Government Authorities as part of improving the delivery of services to the public. It was envisioned that the main strategy of achieving this was by Decentralisation-by-Devolution (D-by-D). In other words, the approach involved 'political devolution and decentralisation of functions and finances within the framework of a unitary state'. This had four main components:

- Political decentralisation – the formation of operational, effective and autonomous governments at the local level that are multi-sectoral
- Financial decentralisation – creating environments whereby LGAs have unhindered and discretionary financial capabilities and central government providing unconditional and other forms of grants
- Administrative decentralisation – creating environments whereby LGA staff are answerable to local councils
- Transformed central-local interaction – Building and sustaining a system of inter-governmental interactions.

This programme was hence named the Local Government Reform Programme and its implementation began in January 2000 and is to end in June 2008. In order for the reforms by D-by-D to continue, PMO-RALG on behalf of the GoT and DPs has begun

the process of formulating a new restructuring programme. A Formulation Team has subsequently been formed and it is currently having consultations to identify key issues for the new programme including the main priorities and interventions needed.

It is from this backdrop that a workshop for CSOs was called for so as to enlighten them on the achievements of the LGRP that is soon to end and to brief them on the processes involved in the Formulation including an examination of the technical aspects of the reform work, institutional preparations required, and the main objectives post-June 2008. Consequently, CSOs would be in a position to make recommendations to the GoT on the future of Local Government Reforms. The following is an account of deliberations between the LGRP officials and CSOs.

Day 1

Opening

The workshop began by participants introducing themselves and the Local Government Working Group's co-convenor, Hebron Mwakagenda, outlining the workshop's main objective which was to give PMO-RALG officials an opportunity to report to members of civil society the status of the current Local Government Reform Programme's progress and allow CSOs present at the event to make recommendations for the next programme (2008 – 2013).

Local Government Reform Programme to-date

Ms. Lesley Saunderson made a presentation on the Local Government Reform Programme. She began by giving participants a historical context of Local Government reforms, discussing the previous policy paper implementation plan and the main principles of governance reforms including the need for intergovernment relations governed by laws, LGAs being multi-purpose (holistic) government bodies, and public participation. She also mentioned how other aspects relate to the LGRP: the constitution, Vision 2025, Millennium Development Goals and the Civil Service and Public Sector reform programmes.

Mr. Charles Citinka, the Outcome Manager of the LGRP then gave an overview of LG reforms including presenting on the status, achievements and challenges involved to-date. He began by briefing participants on the political, administrative, and fiscal responsibilities devolved from central to local government with the aim of enabling LGAs to provide more appropriate, equitable and quality services to Tanzanians especially the poor. He said that although there was a strategy in place and high level government support with regards to Decentralisation by Devolution (D-by-D), there was still slow progress in reforms. However, there were notable attempts to empower LGAs on fiscal and human resource management. This included facilitating capital development transfers (LGCDG), improving financial management systems, capacity building and giving LGAs more autonomy with regards to Human Resources.

Questions emanating from presentations:

- Does restructuring in systems include information systems (IS) and what is the depth in terms of helping LGAs in data analysis and decision-making?
Saunderson said Information Systems are being used for data collection and analysis for the LGAs own use not just sending them to central government.

Training of staff is ongoing to increase their capacity. Citinka also added that IS are now being used to put information centrally through a web enables system so that PMO-RALG in Dodoma can see the latest financial reports. Also social economic indicators are also collected and analysed using IS then distributed in Swahili to lower levels so that the public can access them for better decision-making and being able to compare their locale with other areas.

- *What is D-by-D? Hebron Mwakagenda explained the concept in brief and Citinka elaborated further by mentioning political, fiscal and administrative decentralisation plus changed relations between central and local governments.*
- *Has Public Participation improved? Saunderson said this has been a challenge but efforts are ongoing to train the grassroots leaders and make information more accessible. A participant said there were many tools and forums currently being used to communicate to the public so that they can engage in meaningful decision-making.*
- *How many LGAs are fully independent from central government in terms of decision-making? Citinka explained that because LGAs depended financially on central government it was difficult for them to be fully independent. Directives were being sent to LGAs and they were constantly being inspected because they are recipient of money allocated for certain development activities that needed to be successful. Some of those funds were from donors who needed to ascertain if they have been used correctly. He said if LGAs were fully financial independent, they would have full autonomy on how they used money they obtained from their own sources. However, a participant challenged this rationalisation saying it was a justification for central government to continue interfering in LG affairs. Citinka also added that the culture of compliance is still widespread making it difficult for LGAs to become fully independent in decision-making.*

Reform Programme Formulation

Ms. Saunderson said the current LGRP finishes in June 2008 and there was a general agreement that reforms must continue and that development partners are willing to finance ongoing reforms as long as the government takes the lead and a credible programme must be developed and proposed by PMO-RALG. An evaluation report was published in May 2007 and a formulation TOR was agreed in July 2007. The formulation tasks include identifying the key issues to be addressed and establishing a PMO-RALG team which will be facilitated by external consultants. The key issues are:

- D-by-D – monitoring compliance, general oversight, further decentralisation to lower levels.
- Finance – financial management further improved, revenue sources are in line with D-by-D.
- Human Resources – autonomy on HR.
- Legal – constitutional amendment.
- Governance – PETS, public awareness, involve CSOs, include gender and equity and grassroots elections.
- Capacity Building – at both central and local levels
- Institutional arrangements – financing and management arrangements (what types of task forces will be involved in the new program? What technical assistance needs?).

The Formulation Process: Priorities and Interventions.

Mr. Citinka brought to the attention of members that the first phase of the formulation process is the collection of information in preparation of a strategic framework for a new programme document. The formulation point has identified seven major issues:

1. There is no shared vision and commitment to a model / system of decentralisation at all levels of society. There is a sense of mutually frustrating expectation among stakeholders which has implications for the strategy and content of the LG reform.
2. The capacity of local governments at all levels remains low in finance, human resources, systems and logistics. In other words, there are skill gaps, inadequate autonomy for LGAs, underused ICT potential and poor record keeping.
3. The capacity of central agencies (PMO-RALG and RS) is inadequate to lead and oversee decentralisation. 50% of staff unqualified and 20% due to retire according to reports.
4. The legislative framework not yet enabling D-by-D. Sector and central laws are not D-by-D compliant and D-by-D is not enshrined in the constitution.
5. There is weak demand side of accountability for quality service delivery and resources use caused by poor public participation and limited public access to information.
6. Resources allocation is not fully aligned to strategic priorities at the levels of PMO-RALG, RS and LGA.
7. There is weak accountability, monitoring and evaluation caused by poor LGAs' record of measuring and reporting outcomes and reporting in different formats to many different partners.

Mr. Joost Noordholland de Jong, the person facilitating the section on the formulation process' priorities, subsequently welcomed participants to add more issues to the list. After three hours of deliberations, it was determined that many of the issues being raised were reflected in the above list. However, there were three matters that participants agreed to note for discussion the next day:

- Civic elections 2009
- Local Government Laws amendment 2006 (councillors)
- Central Government Directives Vs local priorities through opportunity and obstacles development (O & OD)

Day 2

The morning session began by Semkae Kilonzo recapping on the previous day's discussion before Hebron Mwakagenda taking over to introduce the purpose of the group work segment which was to allow participants to deliberate in small groups so as to determine the areas they would like to focus on and would like to influence as members of civil society. Other matters that were to be discussed were information provision and access, shaping lobbying and advocacy forums, and the role of CSOs in LG reforms.

Participants were divided into two working groups to look at the issues CSOs can focus on in the next reform programme; the role of information provision in such

issues; what can be done to improve lobbying and advocacy; and to make recommendations for the government.

Group 1 presentation

Chairman: S. Toroka
Secretary: A. Swenya

The two key issues the group felt CSOs should focus on and would like to influence were:

- Community participation in decision-making: communities should be part of planning, implementation and evaluation. CSOs and the community as a whole is by and large used as a rubber stamp to confirm decisions already made by officials (e.g. being invited during openings and closings of meetings but not the substantial deliberations). It was also seen as important for CSOs to have some kind of representation in the full circle committees.
- Transparency was seen as an important good governance principle and an area that CSOs could focus strongly on.

A two-way information flow between LGAs and CSOs was seen as crucial to community participation and transparency within LGAs. Information also had to be simplified, relevant, timely and accessible. Information was also important during the enactment of laws especially if disseminated early and widely to stakeholders for inputs.

On lobbying, it was suggested that CSOs be allowed representation in Full Council meetings. However, during plenary, it was warned that the representation should not be in the form of taking part in decision-making as that would amount to co-option by the council. It was brought to the participants' attention that there were forums and other channels available for CSOs to air their concerns.

Group 2 presentation

Chairman: J. Luhende
Secretary: B. Lema

The key issues the group felt CSOs should focus on and would like to influence were:

- Transparency – it has been seen as lacking at LG level and needs to be improved.
- Accountability – CSOs must have full knowledge of plans and make efforts to update themselves on the relevant information at local level. There was importance to stress the significance of participating in Full Council meetings.

Two-way information flows for the above processes was seen as important especially when there is adequate feedback. Also, information on community issues, if useful, can help in the day-to-day running of councils hence people should be given wider public information on the issues that affect them.

On lobbying, civil society should be able to petition and advocate for more positive change in the LGA by placing independent forums for CSOs in which representatives will be appointed for positions in the DCC and an ex-officio in the

full council. However, it was noted that CSOs are not sure of their roles, rights and responsibilities and they need empowerment to become more effective.

Other issues raised:

- Government not responsive to community needs and this should be rectified.
- Councillors should be groomed from when they are young so that they can take over from their elders.
- There are dangers of national disunity if LGAs have too much autonomy. LG laws should protect national unity.
- PETS should be formalised by government.
- Equity and gender issues should be reflected.
- Ensure media is involved as a way of improving access to information.
- PMO-RALG should not administer LG elections.

Task Force

Thereafter, a task force of 5 people was appointed to concretise the above proposals and produce a quality report as recommendation to the LGRP and PMO-RALG then print 1000 copies that will be circulated widely.



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