
*AFRICA LOCAL COUNCIL OVERSIGHT AND SOCIAL
ACCOUNTABILITY PROJECT (ALCOSA)*

**TANZANIA COUNTRY REPORT
ON
ACCOUNTABILITY IN LOCAL COUNCILS**

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Executive Summary

Africa Local Council Oversight and Social Accountability (ALCOSA) project focuses on good governance. It aims to link good governance strategies to local decision making and service delivery mechanisms. Phase I of the project focused on documenting the local government system. The current phase (phase II) involved data collection, analysis and preparation of country reports. In Tanzania, phase II was implemented by carrying out a study in four councils: Morogoro Municipal Council, Bagamoyo, Karatu and Same district councils. Over 180 people were interviewed in the four councils. They included councilors, council staff, citizens, representatives of NGOs and other civil society organizations.

The findings of the study paint a mixed picture. At first glance, there are elaborate systems of accountability in place. The planning and budgeting process at the local authority level is supported by a system that has the basic systems in place. The elected council has the mandate to scrutinise and approve budgets. They examine expenditure statements. They also have the mandate to perform checks on service delivery, which they do make use of both formally, by undertaking formal inspections, and informally, through interaction with constituents, often in bars, and consequent follow up on reports of suspected irregularities. There are also examples of where the elected council has managed to exert accountability over appointed officials, although the disciplinary measures rarely go beyond transfer of alleged transgressors. Councils are also reported to have the basic tools that they need, such as office facilities, access to documentation and resources for performing inspections.

In practice, however, the basic accountability functions in the surveyed councils are poor or non-functioning. The elected councils are in a much weaker position vis-a-vis the administratively and politically appointed officials than might be suggested by a superficial investigation of the situation. They are much more likely to be overruled by the central government and their appointees than having their decisions and recommendations respected. Also, the information they are provided with, is in a format that makes it difficult for them to ascertain whether plans and budgets have indeed been respected. Oversight is also made more difficult by the generally low level of education of councilors.

The situation appears to be slightly better from an accountability perspective in the one council visited that is controlled by the opposition, namely Karatu District. This is probably both due to the relatively higher level of education of the councilors there, but also due to the fact that they are in a better position to withstand pressure from politically appointed officials (the DC and RC) than are councils controlled by the ruling party.

At the lower levels of local government, the wards, which is an administrative level, and the villages, which are a political governance level with an elected village council, the situation is worse. The basic infrastructure, such as well equipped offices with computers, electricity and information management systems, is missing. Also, the village councils are first and foremost accountable to the higher local authorities, and only secondly, if at all, to their constituents through the village assembly.

Also the elected councilors at the local authority level have only limited accountability to their constituents between elections, with there being no functioning system of recall for misperformance.

Although the governance discourse assign an important role to civil society, the study found that very few NGOs at the local level actually engage in accountability work. They are mostly engage in service delivery, often in collaboration with the local authorities. Some cases of advocacy NGOs doing innovative work was observed, however. This was in expenditure tracking. This is a promising area of work that deserves further follow up.

The study makes eight recommendations organised under the three themes of information management and transparency; legal framework for electoral representation; and social accountability at local level:

Information management and transparency

- 1. There needs to be clear regulations in place stating what information should be publicly available,.** Information which should be covered by this regulation includes the following:
 - Budgets, plans and budget execution reports;
 - Council minutes;
 - Documentation on the procurement process
- 2. The regulations should also specify how availability of the information should be ensured.** The following mechanisms are proposed:
 - Key documentation should be posted on notice boards at the relevant levels (local authority, ward and village) for three months.
 - Copies should also be deposited in public archives at least level, where they should be kept for a mandated period (say 10 years).
 - There should be a specific time provided for citizens to visit the archives to access the information (for example every Friday between 9 and 12AM). At the district level, there should also be facilities for making photocopies, the cost of which will be paid by the person requesting the copy.

- 3. Special attention needs to be paid to the ward and village levels, to ensure that the infrastructure is in place to manage the information according to the regulations.** This would include designated Ward and Village Noticeboards, and the establishment of Ward and Village Archives.

Legal framework for elected representation

- 4. Recall of councilors for failure to perform needs to be made more straightforward and easy for citizens.** Currently, the LGA Act No. 7 of 1982 specifies very easy conditions for recalling a village chairperson. These conditions can with modifications be applied to the situation of councilors.
- 5. The level of education of the councilor should be more clearly defined but should be high enough to make it difficult to allow incompetent people to become councilors.** This is an issued that needs to be debated.
- 6. Consideration should be given to allow for independent candidates** This would strengthen the councilors position vis-a-vis their respective parties, which could swing their balance of accountability more towards their constituents.

Social accountability at the local level

- 7. The O&OD planning process should be reviewed to improve ownership over entire planning and budget process for villages.** They should be provided with IPFs, and have full discretion for making priorities. Combined with solid provisions for transparency (see recommendations 1-3) this should assuage fears that there are not sufficiently solid mechanisms of accountability in place to ensure reasonable integrity.
- 8. Innovative approaches for civil society facilitating accountability should be supported.** This would include the type of expenditure tracking activities referred to in the report.

In conclusion, the present state of accountability in Tanzanian local authorities is poor and at times non-functioning. However, the basic building blocks, such as provisions for separation of powers and public oversight are provided in the Local Government legislation. There is therefore no need for a complete rebuilding of the system. Instead, gradual adjustments in regulations and practices, as suggested in the recommendations above, could go a long way in strengthening provisions for popular accountability.

Acronyms

A-CBG:	Agriculture - Capacity Building Grant
CC:	Committee Clerk
CCM:	Chama Cha Mapinduzi
CBG:	Capacity Building Grant
CDG:	Capital Development Grant
CDH:	Council Designated Hospital
CHADEMA:	Chama cha Demokrasia na Maendeleo
CUF:	Civic United Front
CMT:	Council Management Committee
DADG:	District Agricultural Development Grant
DADP:	District Agricultural Development Plan
DASIP:	District Agriculture Sector Investments Project
DC:	District Commissioner
DDP:	District Development Plan
DED:	District executive Director
DMO:	District Medical Officer
LAAC:	Local Authorities Accounts Committee
LGA:	Local Government Authority
LGCDG:	Local Government Capital Development Grant
LGTP/VTTP:	Local Government/Village Transportation Grants
MOFEA:	Ministry of Finance and Economic Affairs
MOH:	Medical Officer of Health
MTEF:	Medium Term Expenditure Framework
NGO:	Non Governmental Organization
O & OD:	Opportunities and Obstacles to Development
OC:	Other charges
PADEP:	Participatory Agriculture Development and Empowerment Project
PCCB:	Prevention and Combating of Corruption Bureau
PE:	Personnel Emoluments
PEDG:	Primary Education Development Grant
PFM/SWM:	Participatory Forest Management/Sustainable Wetlands Management
PMO-RALG:	Prime Ministers Office, Regional Administration and Local Governments
PO-PSM:	Presidents Office, Public Service Management
PPAA:	Public Procurement Appeals Authority
PPPs:	Public-Private Partnerships
PRA:	Participatory Rural Appraisal
RAS:	Regional Administrative Secretary
RC:	Regional Commissioner
REPOA:	Research on Poverty Alleviation
RWSSP:	Rural Water Supply and Sanitation Programme

RWSSP-CBG: Rural Water Supply and Sanitation Programme – Capacity Building Grant

SAWODE: Same Women Development

UDEM: Urban Development and Environmental Management

VAH: Voluntary Agency Hospital

VEO Village Executive Officer

WDC: Ward Development Committee

WEO: Ward Executive Officer



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1: Introduction and methodology

1.1 Introduction

Africa Local Council Oversight and Social Accountability (ALCOSA) project focuses on good governance. It aims to link good governance strategies to local decision making and service delivery mechanisms. In a decentralised context, social service delivery, principally education and health, are the responsibility of the local authorities. The state of service delivery are affected by the local context and face significant challenges where the local authorities are characterised by weak capacities and weak practices and traditions of transparent and accountable governance.

Phase II of the ALCOSA project builds on work performed in the earlier phase. Phase I focused on documenting the local government system. The current phase (phase II) involved data collection, analysis and preparation of country reports. The Terms of Reference that guided the study are outlined in part 1.2 of this report. A detailed case council report has been submitted as a stand alone report.

1.2 Terms of Reference (in brief)

The Africa Local Council Oversight and Social Accountability (ALCOSA) Project which covers four East African countries; Uganda, Tanzania, Ethiopia and Kenya aims at:

1. Improving knowledge and increasing awareness about oversight of elected local councilors and citizens on local governments; and
2. Supporting in-country and regional dialogues and building partnerships among the local councils, the executive branch of local governments (appointed officials), NGOs, and community based organizations towards building more transparent and accountable local governance mechanisms.

The project focuses on oversight and accountability relationships between:

1. Local elected representatives (councilors) and the local appointed officials
2. Citizens and local elected representatives

The focus on elected councilor oversight would complement ongoing in-country activities that centre on civic engagement and community based capacity building. It would foster social accountability agenda that is currently mostly defined in relation to executive decision making processes and service delivery (i.e. budget literacy, citizen report cards).

1.3 Methodology

The study was carried out in four Councils: Morogoro Municipal Council, Bagamoyo, Karatu and Same district councils. In the selection of the council the following factors were considered: a mixture of urban and rural councils hence the inclusion of an urban council (i.e Morogoro municipal council) and the remaining three rural districts. This was considered important in order to obtain perspectives from both rural and urban councils. The level of political competition in a council was another factor considered in the selection of councils (hence the inclusion of Karatu District Council). Karatu District Council is among a few councils in the country where political competition is high. A certain degree of diversity in terms of geographical location was also considered necessary although the extent to which this could be achieved was limited by budgetary considerations. The visited are shown in the map of Tanzania in figure 1. In each Council two wards were visited. One village or street was visited in each ward. In the end, a total of eight wards, seven villages and one mtaa were visited. Table 1 provides a list of councils, wards and villages/streets visited during the fieldwork.

Table 1 Councils wards and villages/streets visited

S/N	Council	Ward	Village/Mtaa
1	Bagamoyo District Council	Kiromo Ward	Buma village
		Kaole Ward	Kaole Village
2	Morogoro Municipal Council	Kihonda Ward	Kihonda village
		Sultan Ward	Sultan area street
3	Karatu District Council	Baray Ward	Qangeded Village
		Tluway Ward	Slahhamo village
4	Same District Council	Ruvu Ward	Ruvu mferejini village
		Bombo Ward	Bombo village

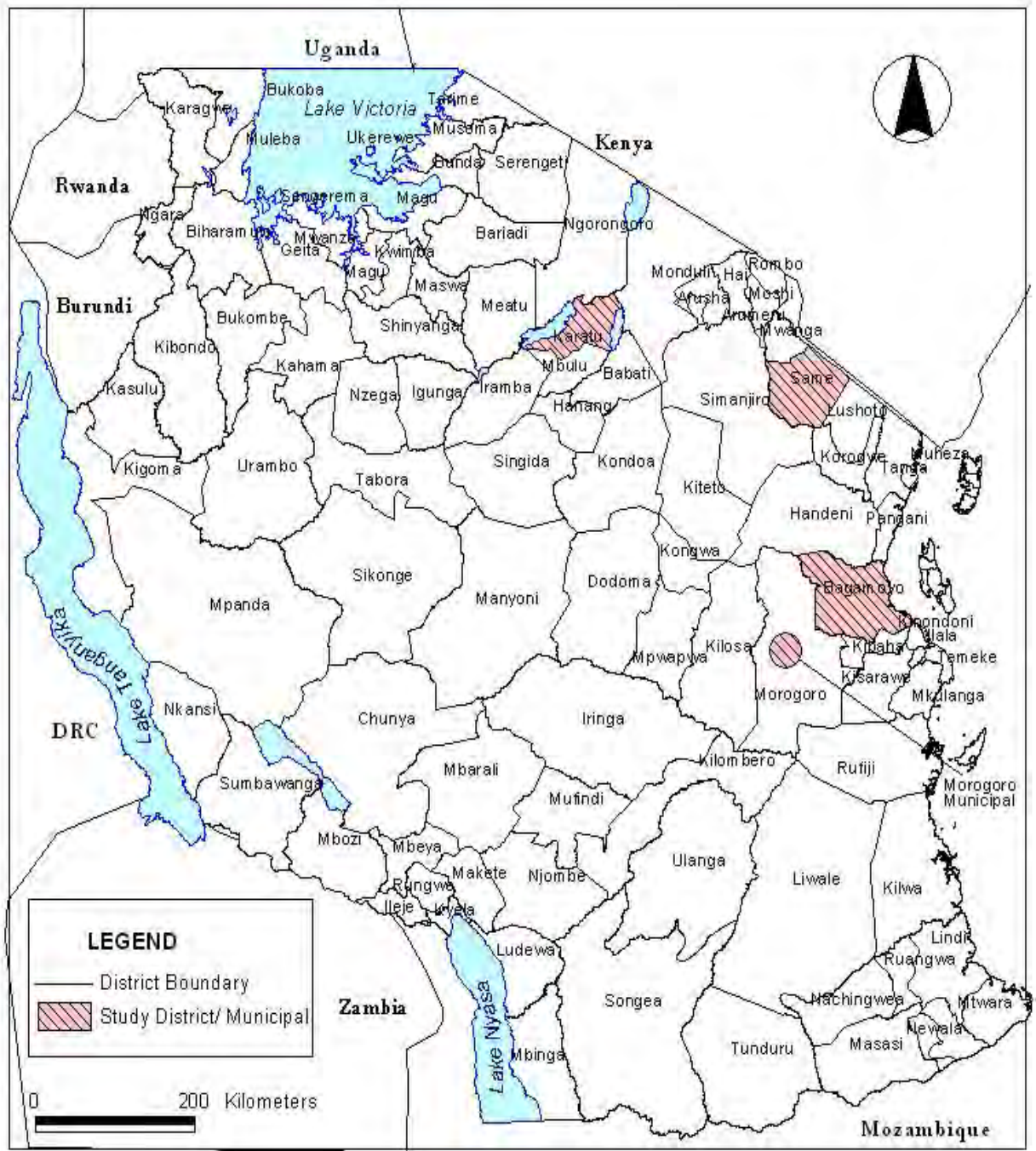


Figure1: Map of Tanzania showing all districts

Over 180 people were interviewed in the four councils. These included District Commissioners (or District Administrative Secretaries where the DC was not available), councilors, council (District) executive directors, heads of departments and units/sections. Others were divisional officers, committee clerks, representatives of civil society organizations (including NGOs and Faith Based Organizations), ward and village executive officers and ordinary citizens (those who were not involved in administration or political leadership). The list of interviewees is provided in Appendix 1. Various documents were also accessed and used where possible. These include the strategic plans, minutes of standing committee meetings and council standing orders. Obtaining some documents such Medium Term Expenditure Framework (MTEF) and District Development Plans (DDP) for previous years was a challenge to the Team. Only current documents were available and only in one copy.

A major limitation of this study was the time the Team spent in each council. On average four days were spent conducting interviews. The first day was used for administrative purposes including paying courtesy calls and making a programme of visits: agreeing who to see, and how to reach them and when. Making communication with villages/wards was also important. Although a letter of introduction had been sent to the councils, the team always found officers busy with their daily schedules and not expecting the Team. This meant the Team had sometime to wait until officers were ready to be interviewed. The Team, which consisted of three persons divided itself into 2 groups consisting of one person and two persons, respectively, depending on the situation to ensure that the Team met as many people as possible.

2: Socioeconomic and political situation of the case councils

2.1 Introduction

This section addresses the socioeconomic and political situation of the councils in order to provide a context in which council oversight and social accountability in the case councils can be understood. The main message is that the socio-economic factors such as poverty level of people, illiteracy and the physical distances between wards/villages the council head office affect access and use of information for accountability purposes.

2.2. Socioeconomic situation in case councils

Tanzania covers an estimated area of over 945,200km², has a population of the about 40 million people with a population density of 41/km². Of the four councils visited Bagamoyo DC was the least densely populated and had the lowest population growth rate. This is likely to change in near future as there is currently a developing trend that Dar es Salaam residents are looking for and buying land for large-scale farming or for future use or speculation. Morogoro MC is typical of the many urban areas in the country- it is densely populated largely due to

migration into the town. A major attraction for Morogoro is its growing business potential. The neighboring districts also have lots of land suitable for agriculture.

Karatu DC has a population density slightly higher than the national average. The district is located on the way to the national parks of Ngorongoro and Serengeti. It is therefore a stop point for tourist which in turn is interesting for people keen to exploit the business opportunities presented by the tourist industry. Same DC has almost the same population density and growth rate close to the national average. Table 2 summarises data relating to the population characteristics of the case councils.

Table 2: Size and population characteristics of the case councils

Council	Area size (sq. km)	Population (Based on 2002 Census)			Population Density	Population growth
		Male	Female	Total		
Bagmoyo DC	9842	113,991	114,976	228,967	23	2.00%
Morogoro MC	531	113,516	115,347	228,863	431	9.60%
Karatu DC	3300	92,895	85,539	178,434	54	3.10%
Same DC	5186	113,296	108,853	222,149	42	3%

Sources: Council Strategic Plans and MTEF documents, various years

The rural councils visited have the typical features of rural councils in Tanzania. For example, the distance between the District headquarters and most of the wards or villages tends to be significant. In Karatu for example, the distance between the council head office and the village which was visited (Qangeded) was about 70 km. The situation is the same in Same and Bagamoyo DCs and very typical of rural areas generally in Tanzania (see figure 1 above for approximate size of districts). The road networks in all the rural councils are poor and access to some parts remain a challenge. Only Morogoro MC had wards and streets close to each other and close to the municipal headquarters.

In terms of administration, the four case councils have a total of 73 wards, 213 villages and 274 streets. Only Morogoro Municipal has streets (mitaa). Table 3 below provides this information. As discussed in the local government system covered in Phase I of the ALCOSA study, a ward in Tanzania is an administrative unit in a council. A village which is feature of rural councils is a democratic unit with an elected Village Council but a street found in urban areas is not. It means, in rural councils there are two levels of democratic governance: the council level (exercised by councilors) and the village level (exercised directly by citizens through the Village Assembly). In urban areas there is one democratic governance level- the council level. Thus, in rural areas, citizens have a mechanism to directly hold government accountable at village level

(the village assembly, which consists of all adult residents of the village). In urban areas there is no similar mechanism for directly holding of government accountable.¹

Table 3 Administrative/governance units in the case councils

S/N	Council	Ward	Villages/street
1	Bagamoyo DC	16	85
2	Morogoro MC	19	274 (streets)
3	Karatu DC	13	45
4	Same DC	25	83
Total		73	213 villages; 274 streets

Source: Council strategic plans, interviews

The major economic activity in the case councils is small scale agriculture employing an average of 80% of the population in each of the case councils². Animal keeping is another major activity and in these two economic activities are being carried out together. Even in Same DC, where part of the population is pastoralist community, small scale agriculture is still being practiced. Similarly, in Karatu DC agriculture and animal keeping are two key activities especially in rural parts of the Council. Although Morogoro MC is densely populated as shown in Table 2 above, agriculture constitutes the main economic activity of the majority of people. People who are employed as well as those doing trade also involve themselves in farming activities. These agricultural activities being carried out on leased or bought land in Morogoro District (often referred to as Morogoro Rural, which is a neighboring district). A key message is that the majority of the people in the case councils are generally leading a subsistence economy.

2.3 Social services in case councils

The data available from councils' documents address in detail two types of social services. These are education and health. The number of institutions that currently exist to provide these services are listed in Tables 3 for education. The enrolment of children who have attained the school-going age was over 90% in each of the councils by 2007. Although the enrolment rates are high, this is a recent phenomenon linked to programme-based initiative to expand enrolment of children into schools. Therefore illiteracy of older generations is still a problem cited in strategic plans of each of the case councils. The currently expanded enrolments is being criticised even in the case councils for emphasizing quantity over quality. For example, it was mentioned in Karatu and Same that the problem of teachers was acute. Part of the problem being that teachers posted to rural areas often did not turn up for the reason that social services in rural areas are either poor or non-existent. Problems facing rural areas tend to reinforce themselves.

¹ Villages have village governments which report to Village Assembly. Streets (mitaa) do not have a government.

² Bagamoyo - 85%; Morogoro - 75%; Karatu - 85%; Same - 80%

Table 4: Educational institutions in the case councils

Council	Type of Educational institution				
	Pre-school	Primary	Secondary	College	University
Bagamoyo DC	61	116	8	5	0
Morogoro MC	47	71	29	12	3
Karatu DC	108	89	28	0	0
Same DC	0	182	35	0	0

Sources: Council Strategic Plans and MTEF documents, various years

With respect to health services, the presence and involvement of faith-based organizations in development of health facilities is significant in Same and Karatu DCs. In each of these councils the Lutheran Church owns a hospital and a number of primary and secondary schools and kindergartens. The Catholic Church owns one of the only two hospitals in Same DC and had recently funded major rehabilitation of the only government-owned hospital. In Bagamoyo and Morogoro, the hospitals are owned by the government. Given the relative distances between wards or even villages, basic health is still a challenge in most rural councils. Even when the facility exists, supply of medicines, especially in rural areas, is a problem.

Table 5: Health institutions Found in the Councils

Council	Type of Health Facility		
	Dispensary	Health Centres	Hospital
Bagamoyo DC	32	5	1
Morogoro MC	36	11	1
Karatu DC	44	8	1
Same DC	52	6	2

Sources: Council Strategic Plans, various years

Social services are also being provided in the case councils by nongovernmental organizations (NGOs). Indeed, the majority of NGOs operating at district level are largely involved in the provision of services. These services include supply of medicines to the people infected with HIV/AIDS, doing AIDS/HIV awareness campaigns and providing home based care. Other NGOs are involved in addressing the needs of vulnerable groups such as street children and orphans.

Overall, the common problems facing these councils are low level of education of the large populations, inadequate access to health services especially in rural councils and poor communication and transport infrastructure. The one positive trend is in communication, which is improving due to the increased ownership and use of mobile phones.

The socioeconomic situation and geographical distances have effect on social accountability: they affect citizen's access to information and use of information where available for purposes of accountability. Distances between council head quarters and wards/villages affect access to information. Most of the information about council affairs is found at the council head office or nearby (mainly posted on the notice boards). Far away wards/villages are likely to miss this information. As of yet, the authorities have not made any innovative use of mobile phones to disseminate official information.

In study carried out in 2005, it was found that the further away citizens lived from the head office, the greater the chance that they missed out on most information³. This is because it is more expensive to send information to such places, due to the poor transport network (poor/impassable roads) and the poor infrastructure ward/village level, where systems for information management are poor. Typically, only one copy of letters or announcements are sent to wards/villages, which means that officials at that level would have to decide whether to file it or to post it on the notice board since photocopying facility or electricity are not available. The same study found, that financial information provided by councils were largely useless for accountability purposes, due to figures being too aggregated and not tied to identified activities.

With respect to use of information, the low levels of education and the poor economic situation of most residents make them less likely to read information provided through the print media such as newspapers, TV etc. (e.g. notice board). Radio remains the most important source of information in rural areas. Lack of education or illiteracy causes people to not develop the culture of reading published information and acting on it. They are also often preoccupied with survival issues. Rural residents are more likely to be manipulated by politicians since they often do not have alternative sources of information.

2.4 Political competition in the councils

Following the introduction of multi-party politics in 1992, a number of political parties were established in the country. In the case councils visited, TLP, CHADEMA, CCM, and CUF were found to be active and influential to varying degrees. PPT, a smaller party that unlike the ones listed is not represented in the national Parliament, was found to be active in Same District only. CUF had a few representatives in the Council Morogoro Municipal council before the 2005 elections.

CCM remains the dominant political party. It controls three of the four councils visited. Table 6 below indicates the number of elected councilors belonging to the major parties at national level and in the case councils. The Table indicates that though not significant yet, CHADEMA and CUF are increasingly growing to challenge CCM. Karatu Council is the only one

³ See Mushi *et. al*, 2005.

where an opposition party has the majority in the council (it is also represented by a Chadema MP at the national level).

Table 6: Level of political competition in Case Councils

	No. of councilors belonging to a political party ⁴					Others	Total
	CCM	CHADEMA	CUF	TLP	PPT-Maendeleo		
National Level Figures	2371	61	61	27	1	31	2552
National Level %	92.9%	2.39%	2.39%	1.06%	0.04%	1.21%	100%
Situation in Case Councils							
Bagamoyo DC	20 (100%)	-	-	-	-	-	20
Morogoro MC	19(100%)	-	-	-	-	-	19
Karatu DC	6(46.2%)	7(53.8%)	-	-	-	-	13
Same DC	24 (96%)	-	-	-	1 (4%)	-	25

Source: Report of the National Electoral Commission on the 2005 Presidential, Parliamentary and Councilor Elections, 2006; field interviews.

The level of political competition in Karatu was significant that in recently contributed to a decision to dissolve a village government for leasing village land contrary to procedures. Box 1 provides details.

Box 1: Accountability in a politically competitive setting

PADEP, a World Bank-funded project, coordinated from Dar es Salaam operates in a number of Districts in the Country including Karatu (in 30 villages). At village level, it supports two types of projects: community projects (managed by a committee) and farmer groups. Qangded village in Baray ward is one of those villages receiving PADEP funds. Two political parties are active in the ward. The village chairperson comes from CCM party and the Councilor comes from CHADEMA party. The committee project chairperson is an ex-councilor of the ward and belongs to the CCM party. He lost in the previous election.

In 2005, an irrigation scheme was agreed to as a community project to irrigate 60 acres of the village-owned farm. The councilor was fully involved in the project from the start. The project was aimed at addressing unemployment of youth by guaranteeing availability of water for irrigation all year round. As per PADEP policy, Tsh 35 million (around USD 35,000) was released for the project. The community was also to contribute in kind by digging the terrace and other work to realize the project. The committee chairperson was asked to order the pump engine from Dar es Salaam, other accessories to be bought in Arusha. He ordered and paid Tsh 9.8 million (approx. USD 9,800) the full cost (with order) with delivery to be effected in 3 weeks from the date of the order. Water pipes were procured, the community dug the terrace, 3

⁴ Excluding special seats councilors

weeks elapsed but no pump was delivered. More time passed-by no engine was delivered. The dug terrace filled up again and became unsuitable and community was asked again to clear it. The Councilor discouraged people from re-digging the terrace because it was not clear when engine would arrive. *'How can you dig a grave when you have not seen the corpse?'*

The project committee met and agreed travel to Arusha and Dar es Salaam to ascertain the genuineness of the order. The order and payment were confirmed to be genuine. While the engine was being awaited, the village government leased out 25 acres of the farm to a private individual (who happens to be a CCM member) for 5 years in return for funds to complete a secondary school for the village. However, there was a school within the ward which was why citizens were not willing to contribute to the construction of village school hence the need to raise money by leasing out village land. The majority of the citizens (village assembly) were not involved in the decision to lease out farm. The engine finally arrived but was claimed to be of less capacity than the one ordered but experts said it could do the job as the one that was ordered.

Citizens were not amused by this response. Adding to this, the community refused to implement the project on the ground that, the scheme was supposed to irrigate 60 acres but only 35 acres were available as the rest had been leased to an individual. They demanded an answer to one question: why did the village government lease out land without involving the rest of the community? The village government has been insisting that they did so to raise money to complete a secondary school for the village. This answer was not accepted by the community. After several rounds of consultations, it was resolved to dissolve the village government and install a transition one. The opposition councilors played a central role in achieving the resolution.⁵

3: Council constitution and processes

3.1 Constitution of Councils

Elections to the District or Municipal Councils are conducted every fifth year Since the onset of the multi-party politics in 1992, political parties have been fielding their candidates to compete for seats in local councils. Three elections have been conducted since the multi-party system began in Tanzania; in 1995, 2000 and 2005. In all these elections, CCM emerged the dominant party. The term of office for a councilor is five years. However, there is no limit to the number of terms a councilor can be elected. For example, in the case councils, there are

⁵ For a similar case see Kelsall 2000. This is an account of the tax revolt in Arumeru district, when residents refused to pay the then mandatory development levy after the Council increased it significantly. Kelsall's account of the Arumeru tax revolt is particularly interesting because it provides the details of a local power struggle, which sows doubt on the popular perception that the revolt was a democratic victory, suggesting instead a local big man who had lost out to the District Chair in a CCM power struggle, absconded to the opposition and used the dissatisfaction to further his own political agenda.

councilors who served for the three terms. See Table 7 for a turnover of councilors in each council. In the cases of Bagamoyo and Karatu 40% and 50% of the councilors, respectively, were in their first term. A major reason given for the turnover rate is public dissatisfaction with the performance of the councilors.

The age characteristic of the councils varies from council to council. While the age category of between 36-45 years constitutes 70% of the council in Bagamoyo the same category constitute only 4% in Karatu DC. It was explained that in Karatu getting into politics and winning an election was more challenging because of political competition. Councilors there explained that one needed more financial resources to become councilor in Karatu than in any other council. It is therefore more likely that people above 46 years of age had more resources to spend on politics than younger people. The higher rate of competition in Karatu is also reflected in the high turnover rate of 50%.

Table 7: Terms of office and age characteristics

Characteristic		Council			
		Bagamoyo	Morogoro*	Karatu	Same*
Age category of councilors	21-35	3 (15%)		3 (16.7%)	
	36-45	14 (70%)		4 (22.22%)	
	46 and above	3 (15%)		11 (61.11%)	
Total		20 (100%)		18 (100%)	
Term of Officer	1 st Term	8 (40%)		9 (50%)	
	2 nd Term	10 (50%)		8 (44.4%)	
	3 rd Term	2 (10%)		1 (5.6%)	
Total		20 (100%)		18 (100%)	

Source Interview results and council files

*Data from Morogoro MC and Same DC could not be obtained by the Team. Councils did not maintain these records.

Recalling an elected councilor is difficult. The law states that if circumstances occurred that made an elected councilor appear as though he/she had no qualification to be elected in the first place, such councilor would be disqualified and would cease to be a member of the council. For example, if a councilor ceases to be a member of a registered political party through which he/she became councilor, such councilor would be disqualified.

Generally citizens can **not** recall a councilor if the only reason is his/her poor performance before elections. Recalling a councilor through his/her party was cited as the only way to terminate a councilor's term before the next elections. A registered political party can withdraw the party membership of a councilor. This causes the councilor to lose his or her seat, as one can

only be elected into office as the candidate of a party. Independent candidates cannot contest elections in Tanzania, and candidates also lose their seat if they “cross the floor” to become member of a different party than the ticket on which they were elected. The interviewed councilors confirmed that the only way they could lose their seat was if the party terminated their party membership. In the case of councilors representing the ruling party, it was reported that some had experienced threats of reprimands from the party, if they didn't toe the party line.

This reflects the sometimes close affiliation between certain appointed officers, particularly political appointees such as the District or Regional Commissioners. Although, no actual cases of this happening was reported, the threat of “party” disciplining was mentioned several times by central government agents. For example Regional Commissioner (RC) in Rukwa region recently threatened to take disciplinary action against councilors elected through CCM party. The full story in Kiswahili is provided as appendix 2. A translated extract from the main story reads as follows:

‘The Regional Commissioner for Rukwa Mr. Daniel Ole Njoolay made public his intention to take disciplinary action against Councilors elected through CCM for failing to implement the Party Manifesto.....’⁶ Translation supplied.

The dependence of councilors or candidates on their parties has been criticised for encouraging corruption. For example, vote buying by candidates was reported in the 2000 elections (Kelsall and Mmuya, undated). This is took place contrary to the Local Authorities (elections) Act of 1979 states that ‘no candidate shall expend any sum in furtherance of his campaign for election. This also reflects another common problem in Tanzania - poor enforcement of laws (URT, 1996).

The impact of the multi-party politics on the council oversight was observed in the case of Karatu, where the opposition party controls the council. For example it helped to bring more educated people into the council. These people also had stronger economic power that they used to bring benefits to their wards. Several respondents in Karatu argued that the better education and higher economic power of the councilors translated into more effective oversight. Such councilors understood their role better and more difficult to be compromised through money/allowances. The staff interviewed noted that these councilors were more serious and critical of the reports presented to them. They were also more thorough reading the reports and more self-confident. This is in contrast to the situation with councilors from CCM who behaved as though someone above them had more power. As evidence of seriousness and self-confidence, the opposition councilors in Karatus locked out the DED in 2005 when the DED went to attend a meeting called by the DC when Full Council was in session. It was not possible to contemplate such action being taken by a CCM dominated council.

⁶ See Majira of 27th January, 2007

It should be noted, however, that this observation is partly contradicted by another recent study of accountability in Tanzanian local councils, which was released after the field work of the present study was completed. This is the Strategic Governance, and Corruption Analysis (SGACA) conducted by Max Mmuya, which covered also covered five local councils, including Karatu. Mmuya concludes that in terms of governance, there was no substantive difference between Karatu and other councils. In both Karatu and CCM controlled councils, elected councilors tended to form alliances with appointed officials and local business for their own political and economic benefit (Mmuya 2008). The article by Kelsall on the Arumeru tax revolt, cited above, also strongly suggests that one should be careful to conclude that multiparty competition automatically leads to better governance.

One consequence of party politics, which was reported to have an impact on the transparency of the work of the councils was the use of party committees. Usually, before full council meetings are held, councilors from the dominant party meet as a party committee to agree on issues to be raised at the full council meeting and the position to take. Unlike council meetings, party committees meet in camera and their proceedings are not publicly recorded. This reduces the level of debate at the full council which in turn reduces transparency..

Citizens in Morogoro MC told the Team that when the Council had councilors from more than one party the debates were more lively, transparent and interesting. People would pick issues up at the full council and question their councilor back in their ward. As a result, more people were attending full council meetings. Since the council became an all-CCM council, citizen lost interest because there were no useful discussions at full council anymore. The only opposition councilor in Same DC supported this view.

3.2 Composition of councils and consequences on accountability

The LGA Act No. 7 and 8 both of 1982 in sections 35 and 19 respectively provide for the composition of the District and Urban councils. This composition is interesting to discuss because the accountability of councils takes place in practice by having individual councilors rendering account to their constituencies⁷ in their ward. Accordingly, council consists of:

- i Members elected from each ward in the district or urban council,
- ii The member or members of parliament representing constituencies within the district or urban council in parliament. Any other Member of Parliament who has been nominated through the party system is also member of the council.
- iii Appointed women who constitute at least one third of all members referred to in (1) and (2). These are to be proposed by the political parties represented in the council.

⁷ To draw a parallel with corporations, unlike corporate entities in which boards of directors render to the shareholders at annual general meetings, councilors are held accountable by the people who elected him/her

The inclusion of appointed councilors has consequences for accountability. First while the appointment of women through the party system is meant to address the issue of gender it raises the problem of constituency to be accountable to/for. In the case councils visited, this issue was raised by councilors because not only did the appointed councilors lack a clear constituency to represent but also lacked one to be accountable to. Elected councilors represented their wards and sent feedback to them. In all the four councils, citizens did not understand the role of the appointed councilor.

In their opinion the appointed councilors thought they had no forum/mechanism through which to be accountable to citizens. For example, they could not hold public meetings as the elected councilors would view them as attempting to campaign to take over their seat in the next elections. Hence they often faced resistance from elected councilors. In Karatu it was mentioned that some elected councilors would not invite the appointed councilors to the WDC meetings.

A further issue that appointment of councilors raises is the extent to which it addresses representation of the interests of the vulnerable/marginalized groups. Interviews held with various people revealed that appointments are not being used to achieve inclusiveness. Instead they were being used to reward people or provide opportunities to friends. This is therefore not being used to bring the voices of the weak to the decision making process. This perspective challenges the belief discussed in the literature (see Yilmaz et al., 2008) which holds that the inclusion of women is meant to make the council inclusive and useful for making the council more accountable to local constituencies.

Another aspect of council constitution that affects oversight over staff is the fact that the chairman and vice-chairman of the councils are elected by members from amongst themselves. In Urban councils, the Mayor and Deputy mayor (who become chairman and vice chairman) must be elected from the elected members. While the chairperson is required to hold office for a term of five years, the vice-chairperson can only hold office for a term of one year but may be re-elected. The chairperson and vice-chairpersons may be removed from office by the council's resolution supported by two third of the members.

In terms of the four categories of assigning weight to the representatives and executive bodies listed in Yilmaz et al., 2008, the Tanzanian system may be considered a strong-council form⁸. The literature states that this type of council would have considerable legislative authority as well as administrative power in supervising the bureaucracy (Sisk, 2001 cited by Yilmaz et al.2008). Again this is challenged by the reality on the ground in the Tanzanian case. A strong council would have a certain level of discretion and authority over the law making process and over local government appointed staff. In the case of Tanzania, the councils' ability

⁸ Other forms are: strong mayor, Council-Manager and Commissioner (see Yilmaz et al., 2008 for details)

to effectively supervise staff is significantly reduced. Indeed, views were expressed during the interviews that local government were being protected by senior officials in central government. This made it difficult for councilors to feel that they were in control of staff. For example, when staff misbehaved in one council and councilors decide that disciplinary action be taken against him/her, that staff would at most get transferred by central government to another council. In a recent case in Singida District, the Full Council impeached the District Executive Director for documented cases of corruption. The Council's decision was consequently overturned by the Minister for Local Government, who informed the Council that they had exceeded their authority.⁹

3.3 Councilor's qualification and consequences on accountability

The law stipulates a number of minimum requirements to be met by people wishing to be elected councilors. Two of these conditions are interesting from the point of view of oversight and social accountability: level of education and party affiliation¹⁰. With respect to education, the law stipulates that a person must be able to read and write in Kiswahili and English. This requirement is seen to be too soft and creates opportunities for incompetent people to be elected councilors and hence would not be able to supervise the bureaucrats. This is viewed being a reason for most of councils to be filled with people with primary level education.

Table 8 summarises the educational levels of councilors in the case councils:

Table 8: Educational profile of councilors in the case councils

Council	No. of councilors with a given level of education								Total by Gender		Overall Total
	Primary		Secondary		College		University		M	F	
	M	F	M	F	M	F	M	F			
Bagamoyo	11 (55%)	5 (25%)	3 (15%)	1 (5%)	-	-	-	-	14	6	20
Morogoro*											
Karatu	9 (50%)	3 (17%)	4 (22%)	2 (11%)	-	-	-	-	13	5	18
Same*											

*Source: Councils' files: *Data from Morogoro MC and Same DC could not be obtained by the Team, as the councils did not maintain these records.*

⁹ This case was observed by Orgut at the time (in 2006), who had an office in the district. The case was only partially covered in the national press.

¹⁰ Other conditions include: to be a Tanzanian national; to attain the age of 21; to must have lawful means of livelihood; to not have been convicted of an offence of tax evasion within a period of five years before election; and One is not disqualified for election by any written law (see Local Government Acts, No 7 sec 38 and No 8 se 21)

The Table shows that a large number (80%) of councilors in Bagamoyo DC had a formal education of primary school level. Only 20% had attained a secondary level education. By comparison, Karatu had a lesser of councilors who had a primary level education (67%) and a more had reached secondary school (33%). The majority of councilors are primary school graduates. This low education of case councils has been blamed on the law.

The low level of education of the majority of councilors has impact on councilor's accountability to citizens. This is because people who were just able to read and write would possibly not have sufficient skills to handle the reports supplied to them by district staff. The current budget books in local governments are over 200 pages and prepared in a manner that only well educated persons can follow them. It should be noted, however, that the format and quality of the district budgets and plans are of a quality that makes it hard even for educated people to follow them and use them for accountability purposes. In the cases of Morogoro MC and Karatu DC, councilors observed that having well educated people made a difference in their councils and motivated other councilors to read reports. In the Councils of Same and Bagamoyo it was reported that some councilors attended council meetings without first having read the reports. Some councilors and council staff insisted that there was need to review the law on this aspect and define an appropriate higher level of education for councilors as a strategy to improve council performance.

As regard, gender, table 7 also reveals that men constitute the majority of the councilors in the four councils. In deed most of the women Councilors are appointed councilors. Only one councilor was an elected councilor in Karatu DC. Factors that contributed to election of more men as councilors were said to include citizens bias in favour of men based on the belief that leadership in politics is for men. The lack of self-confidence on the part of competent women to contest in the elections was cited as one of the reasons. The effect of domination of the council by men with respect to accountability is unclear.

3.4 Other capacity and incentive related aspects of the council

In this section, the capacity of councils in terms of education, facilities available for the council and the presence of dedicated personnel to council issues are discussed. It is shown that the capacity of the councils in terms of education is generally low and that equipment and human resources to support council work are made available in all the case councils.

3.4.1. Human resources and facilities

The performance of councils is dependent on the availability of sufficient financial and human resources. The council directors in all the four councils provided staff (called committee clerks) to support council activities. In all the council we visited, staff support was seen to be adequate. Besides, councilors had access to any other staff they required to accomplish any

task. Most of the councilors' interaction with staff was limited to provision information required by councilors.

In each of the council visited, council chairpersons had offices which were well furnished although they were not equipped with tools such as computers. These offices had telephones and some basic furniture. Other councilors used this office when they had business transact at the council. This arrangement was generally seen by councilors to be working well and which enabled them to carry out their work smoothly.

Although there were not vehicles earmarked for councilors, they were provided with transport allowance when they visit the council office for meeting or any other official activity. Some complaints were raised by staff that some councilors wanted to use council vehicles for their private business contrary to procedures. Although this was seen to be abuse of authority, staff found it difficult to reject these requests. This was particularly because staff feared that if they did not act in line with the councilors interest, that councilor would have give them a hard time at committee meetings or at full council even if there were no real issues. This seems like the kind of 'you scratch my back, I scratch yours situation. This supports Mmuya's observation, cited above, that there is a tendency for alliances to be formed between elected councilors and appointed staff. One should therefore not assume a "natural antagonism" between the two. This affects oversight.

3.4.2 Budget for council

The Team found that there was no specific budget for the elected council. However, the general administration budget funded from council own sources was used to meet costs related to council affairs. This also covers Councilors' allowances. The types of allowances and the amounts are determined by the central government ministry responsible for local governments. Allowances and amounts that councilors are currently entitled to are summarised in Table 9.

Table 9: Current levels of allowances for councilors

S/N	Allowance	Amount in TShs
1	Monthly allowance	60,000
2	Sitting allowance (per meeting)	40,000
3	Allowance for chairpersons of standing committee	40,000
4	Allowances for Chairperson/Mayors	
	Chairpersons of District and Town Councils	Between 100,000 and 200,000
	Municipal Mayor	Between 200,000 and 250,000
	City Council Mayor	Between 250,000 and 350,000

Source: Government to circular local governments, 26, Nov. 2007

In addition to the allowances indicated in Table 9 above, councilors are also entitled to a gratuity equal to 55% of the monthly allowance for the period a councilor has been in office (currently this figure stands at TShs 2,145,000). These payments are made out of the central government funds. Proposals to provide with tax relief when they purchase vehicles or other means of transport and support for funeral arrangements when a councilor dies are still being considered by central government.

3.5 Council meetings and effect on oversight and social accountability

The LGA Act of 1982 provide for the meetings of the council. These meetings as well as those of council committees are regulated by standing orders. Apart from these aspects of council processes provided for in law, there are interesting aspects of processes that are decided upon by councils which are said to enhance oversight of the council over staff. These include the length of the council meetings, the manner in which information is provided to councilors and the committee meetings. In all councils visited council meetings lasted for an average of 1 to 2 hours. When asked if this was enough time for debating all council issues, most councilors said it was enough because most of the issues would normally have been covered through the mechanisms of the council committee and party committee.

The planning, finance and administration committee meet every month while the other committees meet once per quarter. Committee meetings are held before the full council meets. The committee members find information (papers for the meeting) at the council- usually the office of the Council Chairperson. They are given one day to study the papers before the meeting. However, councilors are not allowed to take this information/reports home or outside the room in which they are placed. This is because the reports are not public information before full council deliberates on them. These meetings may take a full day depending on whether or not consensus is reached. Most councilors interviewed about the duration of these meetings answered that it was sufficient. In their view, one full day for individual study of the reports was adequate. There were a few councilors who said time was not enough especially when the discussions are about the Council budget.

Another mechanism that was considered to be powerful is, as mentioned earlier, the party committee meeting. These party meetings discuss all issues in the agenda for the Council including the type of questions to be asked and the councilors to ask those questions. Only councilors attend these party meetings along with District party Chairperson. The role of party committee meetings is to how well the party manifesto was being implemented. A certain degree of informality is said to exist in these meetings which allows for collegial consultation on issues. In a council with several parties represented each party would hold its own meeting.

Information files (council papers) are usually sent to councilors (in their wards) seven days before the meeting. This is meant to allow them sufficient time to study and consult among themselves before the meeting. All councilors confirmed that information reached them in good time.

There are two aspects of council meetings which could potentially enhance social accountability: full council meetings and full council minutes. Full council meetings are open to the public and the press. However, the extent to which this provision is known to ordinary citizens appears to be very limited, especially in rural districts. In addition, in some situations, citizens know that they are allowed to attend these meetings but do not. Apart from the reason mentioned earlier (party meetings) distance between the council head office where full councils meetings take place away from their locality. Citizens found it too costly to attend full council meetings. This is the case considering the geographical distances involved as discussed earlier. As regards minutes of the full council, these are open to the public upon payment of fee to be determined by the council, interviews with informants in the four case councils revealed that citizens have not asked for the minutes. Many citizens interviewed did not know they had access to this information.

4: Council discretionary space and oversight role

The discretionary space of the Council and the councilor's oversight role over staff are discussed. The key message from this section is that discretionary space of the councils is limited because financial and human resources are controlled by central government. Although councils can be held within the limited framework, this too is made difficult by late disbursement of funds to local councils.

4.1 Discretionary space of the Councils

4.1.1 Earmarking of funds

In practice central government issues planning and budgeting guidelines every year to local governments. These are intended to provide a framework for planning and budgeting at the local level. These guidelines require that planning and budgeting be performed in a participatory manner with citizens being provided with planning budget ceilings. However, for each of the last four years, these guidelines have been late to arrive at LGAs. The consequence of this is that citizens have been planning without budget ceilings and therefore generating a wish list. Nevertheless, the planning and budgeting guidelines provide the following information:

- a) Priority policy areas that government wants to focus on in a particular year. In Tanzania, the priority areas are defined in the National Strategy for Economic Growth and Eradication of Poverty commonly called MKUKUTA. There are also non-MKUKUTA areas. However, the MKUKUTA areas consume 80% of the LGAs budget.

- b) List of grants available and estimates of available resources in each grant. A list of available resources for the FY 2008/09 is provided in appendix 2.
- c) Formulae for allocating different types of grants.
- d) Various instructions including, access conditions, reporting, and monitoring and evaluation and type of allowed expenditures and percentages of expenditure to be spent on specified areas/aspects.

Upon receipt of the guidelines, council staff proceed to allocate resources to the various plans submitted by communities. This process leads to production of MTEF for a 3 year period for an LGA. With respect to discretion, the planning guidelines define different levels of discretion for different grants. Of all the grants provided by central government, the General Purpose Grant (about 10% of the total grants) is possibly the only truly discretionary grant in practice. The grant is used for administration and assisting councils that have low revenue bases. The general purpose grant can be used in the same way as own revenue: in the way the council determines.

The capital development grant (CDG) which is the largest discretionary fund available to all councils that qualify¹¹ to access it earmarked (see appendix 2). For example, councils are required to spend 50% of it to fund development activities proposed by communities through a participatory planning process. The remaining 50% of the funds are to be used to fund projects proposed by the council staff. In both situations, the extent of discretion of the funds is further limited by a defined menu of investments. A list of expenses that cannot be met using these funds has been stipulated.

The sectoral development funds follow the principal of CDG. While, they can only be used for the specified sector which by itself is a form of earmarking, there are usually specific conditions specified regarding the manner in which funds to be used and accounted for. Likewise, the sectoral block grants for recurrent expenditure come with detailed guidelines/conditions. The guidelines and conditions include proportions of the funds to be used to fund specific items. For example the Block Grant for primary health has conditions specified in Table 8 below.

There are other funds in which specific proportions of funds to be used on defined items are defined in advance by central government. They include capacity building funds and specific project funds. For example, under PADEP, a project that provides funds specific for investments and capacity building and there is no flexibility. Further, orders/instructions are frequently given to local governments. Some of these orders require financial resources to implement them.

¹¹ To qualify to access these funds, a local authority must achieve a defined number of scores in the local assessment carried out annually to assess how well a council is operating.

Table 10: Pre-defined allocation for funds for LGAs in Health sector

Cost centre	Allocation range
office of the DMO/MOH	15-20%
Council Hospital/CDH/Regional Hospital	25-35%
VAH (if present)	10-15%
Health Centre (public and Voluntary agency owned)	15-20%
Dispensary (public and Voluntary agency owned)	15-20%
Community initiatives in Health	5-10%

Source: LGAs Planning and Budget Guidelines for the FY2008/09-2010/11

For example, in the FY 2005/06 central government instructed all LGAs to build a secondary school in every ward. This un-funded order forced most LGAs to shift funds meant for other projects proposed by citizens to fund construction of schools. In Karatu DC, funds were shifted from construction of a dispensary (which citizens had asked and planned for) to funding a school. The local council had to fabricate a story to appease angry citizens. They told them government would provide other funds for the dispensary even though councilors knew that no funds were forthcoming. It is estimated that around 20% of the so-called discretionary funds are usually used to fund activities related to central government un-funded orders.

The majority of councilors interviewed acknowledged that attaching conditions to funds limited their discretion to choose projects to fund. However, there were also those who thought it was useful to attach conditions to the grants. The latter reasoned that the limited capacity of local authorities to plan well meant that if central government did not provide guidance on how funds were to be used, certain areas/aspects of development may receive no funds. Another effect of the limited discretion of the councils is that it gave them an easy excuse, as the blame was always shifted to central government if certain services were not provided.

4.1.2 Interference in implementation of projects

In addition to earmarking of funds and the issuing of unfunded orders, there are additional interferences in the decisions made by local councils to address local needs. The case of developing settlement area for a part of the population in Karatu District illustrates the point. See Box 2.

Box 2: The difficulty of implementing local solutions

When participatory planning was carried out in Karatu DC in 2005 one of the problems that citizens identified in part of the districts was related to settling areas. During the colonial times, some settlers settled in Karatu DC and acquired large tracks of land for farming. They then employed laborers from communities from outside Karatu. As time passed these people

reproduced and increased in number. However, they did not have permanent places to settle and develop 'homes' as they could not settle in the settlers' farms. In recent years, younger generation of this community began to ask for a land to settle on. This lack of a place to settle came up as an issue in the planning processes in 2005. In responding to this local need, the Council resolved to address the issue by requesting the president of the United Republic of Tanzania to revoke some of the long-term contracts to allow part of this land to be distributed to this community so that it could settle there. The council would compensate the settlers for the lost land. The president approved the request, land was bought and plots were established as required.

Part of the farm was allocated to the landless persons/community while part of it was sold at a high price (to any body who was interested in it) in order to obtain funds to be used to compensate settlers for all the land whose contracts were revoked. According to informants, the move became popular and credit was going to the dominant party for the bright idea. The DC (a representative of central government) stopped the process of selling land at a high price claiming that there was not fairness in the distribution of the land. He spent Tshs 1.3 million to investigate the matter, but did not find any fault with the process. He ordered the DED to pay the cost of the investigation, but the Full Council did not endorse the expenditure. The Council went to the RC, who instructed them to discuss the matter further with the DC. Instead, the Council resolved to go ahead with the implementation of their decision to sell the land and be ready for consequences.

Although the council went ahead to implement a decision that responded to local needs, the attempt by central government agents to stop its implementation illustrates the sort of challenges that local councils face when addressing locally defined needs¹². Councilors interviewed noted that it took a lot of effort and confrontation with central government agents to finally implement the decision. They also asserted that the decision to go against the recommendation of the powerful DC was only possible when the party in control of the council was an opposition party.

4.1.3 Human resources aspects

As discussed above, a further limitation of the discretionary space is with respect to human resources management. Central government is involved in recruitment, disciplinary action, transfer and even termination of staff. For example, certain categories of staff: teachers, accountants, nurses and agriculture extension officers are recruited by central government (upon LGAs indicating that they are needed) and then deployed to LGAs. Any other staff that LGAs wish to recruit, can only be recruited after receiving permission from central government.

¹² On one hand, it can be said with certainty that, if this council were not controlled by an opposition party, the decision would not have been implemented. On the other hand, if the proposal was made by the ruling party, government would not try to interfere in its implementation because it brought credit to the ruling party.

The reason for this is more than 80% of the LGA budget for salaries is met by the central government.

The transfer of staff is another aspect of human resources management that LGAs have no control over. PMO-RALG can transfer staff based at local government to other places as it deems fit. Some power to transfer staff has recently been delegated to RAS to transfer staff within regions. These transfers are usually implemented without consulting LGAs.

In view of foregoing, it is clear that LGAs are operating within limited discretion both in terms of policy space and resources. This has implication for accountability. It is hard to hold councilors accountable for not responding to the needs of their people because the resources to do so are not in their control. Additionally, even holding them accountable for implementation of projects agreed within the limited space is also problematic. This is because funds are generally disbursed to LGAs very late. This affects implementation of activities. For example, up to September, 2008 the CDG funds for the first quarter of FY 2008/09 which began on July 1st, had not been received by any of the visited councils. Funds for the second quarter were disbursed in the third quarter. It was not unusual to have third quarter disbursements made at the end of the financial year. Various other studies reported this issue in the past¹³.

4.2 Accountability of Councils to central government and parliament

Accountability of local government authorities to central government is extensive. There are various central government agents that LGAs have to respond to. They include central ministries, PCCB, PPRA among others. All quarterly reports and resolutions passed by full councils are usually sent to PMO-RALG. Besides, national level leaders: president, ministers and their assistants do visit councils regularly to inspect developments and other services being provided by local councils and react to what they find accordingly. During these visits ad hoc reporting occurs. These officials also issue a variety of orders to local governments. These tours were claimed to be too many that they LGA staff spent a larger part of their time receiving orders and preparing reports than actually implementing activities. These officials have in some cases demanded accountability from LGA officials and actually applied sanctions. For example, in 2005, the district executive director for Same DC was suspended in public by the then PM for allegedly failing to distribute food aid to hunger stricken families in the district. These are typical ways in which local authorities are held accountable by central government (see Ribot, 2004, Yilmaz et al., 2008)

Accountability is also extracted from Local authorities by way of audits. The Public Finance Act, 2001 (amended in 2004) requires the Controller and Auditor General to audit accounts of all government entities including local authorities. The audited reports are presented to the Parliament through the Local Authorities Accounts Committee (LAAC). A significant aspect of

¹³ See For example, PEFAR 2006, Melyoki, 2007.

these audits is the auditor opinion. The recent performance of the case council in terms of the audit received is given in Table 11. Although the audit reports are usually issued one year late, their value is significant in informing future years. Interest in these reports by the president in the FY 2007/08 was very noticeable and on the basis of these reports local governments were heavily reprimanded. Ironically, according to the Controller and Auditor General, central government had lost more funds (80% of improperly used funds) than LGAs but little was discussed about central government in this respect.

Table 11: Audit opinions obtained by the case councils

Councils	Opinion		
	2004/05	2005/06	2006/07
Bagamoyo DC	Unqualified	qualified	unqualified
Morogoro MC	Unqualified	unqualified	unqualified
Karatu DC	qualified	unqualified	unqualified
Same DC	Unqualified	unqualified	unqualified
<i>National Performance</i>			
Type of Opinion	<i>No. Councils with given opinions</i>		
Qualified	51	67	24
Unqualified	62	53	100
Adverse	4	4	0
Total	113	120	124
%			
Qualified	45%	56%	19%
Unqualified	55%	44%	81%
Adverse	4%	3%	0%
Total	100%	100%	100%

LGAs are usually called to appear before the LAAC and respond to the committee's questions. Indeed, the most comprehensive report that LGAs ever prepare is presented to the LAAC. LAAC can apply sanctions to LGA officials. For example, it may order that a particular percentage of the DED's salary be withheld due to late submission of reports. LAAC also tours local authorities during the budget circle, to inspect projects and issue instructions.

In sum, the discretionary space of local councils is limited through earmarking of funds, interfering in implementation of activities/policies to address local needs and through unfunded mandates. The constrained control over human resources is another means by which discretionary space has been reduced.

4.3 Council oversight over technical staff

The Council oversight over staff can be assessed at the various stages in the budget cycle. At the planning and budgeting stage councils council approves the council budget as well as the procurement plan. During implementation, council reviews reports of implementation of

planned activities including audit reports. Council oversight is also exercised through the monitoring of service delivery which includes physical inspection of facilities and interviews with communities. The involvement of councilors in the budget process is discussed next followed by a discussion of the mechanisms used by the council to exercise oversight over council staff.

4.3.1 Councilor's involvement planning and budgeting processes

As mentioned earlier, council staff receive guidelines from central government which inform council about available resources/grants and the associated conditions. Because these guidelines usually arrive late, the practice over the last four years has been that even before the guidelines are received, councils staff instruct WEOs ward development plans. WEOs in turn instruct VEOs to submit village developments plans so that they are consolidated into ward development plans. Councilors themselves do participate in the community/village level planning and budgeting process. At the ward level, councilors are involved in the process as chairpersons of WDC. The role of WDC is to consolidate the plans submitted by village governments.

When the ward development plans are received via WDC, council staff screen them, compile and cost them to become budgets. These are then combined with budgets prepared by council staff (for the 50% of CDG funds). These are put together with sector and non-sector (cross-cutting) plans and budgets to produce a district development plan (DADP) and the MTEF for a year. Council staff also interact with RAS in the planning process to ensure that national policies are adhered to. Up to this stage, council staff have discretion in the selection of projects to be implemented based on budget ceilings.

These budgets have to be justified before council committees and full council as they can not be submitted to PMO-RALG or Ministry of Finance and Economic Affairs (MOFEA) for funding without the approval of the council. At the point of approval, councilors would assess whether or not the budget addressed the party manifesto (list of promises). Every councilor would also usually want to have plans submitted by his/ward to be funded. These kinds of negotiations are usually settled by ensuring that every ward receives at least one project.

The approval though necessary, is considered by many to be a 'ticking the box' exercise because the budget is not respected. Budgets are said to change many times. Once the budget reached MOFEA it is changed based on new budget figures. It would then hurriedly be sent back to council for another approval. These frequent changes in the budget undermine the integrity of the budget process..

4.3.2 Councilor's involvement in procurement processes

Tender boards are the key mechanism in the procurements of goods and services in local government. It awards contracts/tenders to service providers. Councilors have two roles in the procurement process: to approve the procurement plan and to review the quarterly

procurement reports. According to the new regulations, councilors are not members of the tender board.

Interviews in the four case councils revealed that there are mixed views regarding the inclusion of councilors in the tender board. Some councilors opposed to the inclusion of councilors in the tender board cited possibilities for collusion between councilors and council staff which could cause contracts to be corruptly awarded. They stated that the existing arrangement is acceptable because it encouraged councilors to exercise oversight without bias. The arrangement protects them from the influence of bidders or fellow politicians. Since the awarding of certain contracts was sometimes done in response to directives from 'higher up', the exclusion of councilors in the awarding process makes it possible for them to impede the award of dubious contracts. The short case below illustrates how this separation can be helpful.

In Karatu DC orders were issued by ministers in central government instructing the DED to award a contract to a friend who was also a member of his party. The contractor was awarded the tender (to construct a bridge). However, this contractor did not meet the bid requirements. The day the contractor began work, the council chairman stopped him and yelled loudly calling for support from the community. The contractor ran away and de-mobilized his work force and equipment. He did not continue with the work.

However, other councilors thought that since the tender board was dominated by council staff, it locked councilors out, denying them access to information about how tenders were awarded. They claimed that reviewing plans and reports was not sufficient to give them adequate information. On the whole, all councilors interviewed supported the idea of making the tender board more participatory by including other constituencies such as NGOs, faith-based organizations or individuals from the community selected by the council. This would enhance social accountability of the council with respect to procurement processes.

With respect to dealing with complaints, councils have mechanisms for dealing with complaints arising from the tendering processes. These are provided in the procurement regulations. For example, unsatisfied bidders can lodge their complaints with the council management. In Bagamoyo DC, bidders had written to Prevention and Combating of Corruption Bureau (PCCB) to complain about the award process. These were subsequently investigated but PCCB did not find irregularities in the tendering processes. Bidders could also write to the public procurement appeals authority (PPAA) if they felt that their cases were not adequately addressed by a council management. In the case councils, there had been no experience of people having written to PPAA. In sum, there are mechanisms in place for handling complaints. In reviewing tender board reports, councilors also assess the extent of compliance with the procurement act. For example, they would ask if any complains were raised and how they had been handled.

4.3.3 Councilor's involvement in budget management and monitoring

Council too is involved in budget management and monitoring. The main way in which this is done is by reviewing period reports supplied by council staff. These reports contain information on revenues collected and expenditures incurred for the period as well as information on variances. These reports are reviewed by the finance, planning and administration committee and the full council. The internal auditors' reports are considered very critical in budget management as well as service monitoring. For example, in the case of Morogoro MC, the internal auditor pointed out to the finance, planning and administration committee the anomalies involving funds paid for ferrying sand. The level of service was found to be low that it did not justify the funds claimed by the suppliers of the said sand.

The committee ordered revision of the claim for reflect the amount sand ferried. The Engineer involved was also reprimanded and issued with a written warning. Despite being useful, the internal audit departments in councils is one of the under-resourced departments. In some councils (e.g Bagamoyo) the internal auditor did not have an office and lacked equipment as well dedicated budgets. Internal auditors also come under pressure to produce reports that portray a popular view rather than what they consider to be the actual one. The Case of Karatu DC as summarised in Box 3 illustrates this point.

Box 3: Internal audit accountability in a politically competitive setting

A councilor from one of the wards, asked the DED to instruct the internal auditor to audit the accounts of one of the villages due to suspicion of embezzlement of funds by the Village Executive Officer. The internal auditor went to the village, carried out the audit and found several shortcomings such as lack of proper record keeping, entries not entered on the right dates, and found out that some of the funds were not banked but kept in the office safe. The auditor failed to find evidence of embezzlement of funds. His findings were doubted and councilors refused to accept the report. After, several rounds of discussions with the village finance committee and the councilor the report was finally accepted but the interviewed persons thought the initial refusal of the report was motivated by the political differences within the ward as the village chairperson was from a different political party than the councilor.

Although in this case the internal auditor was able to resist the pressure to give 'a popular report' but managed to stick to facts, the case helps to highlight the political pressure that council staff may come under.

4.3.4 Councilor's involvement in service delivery monitoring

The monitoring of service delivery is one of the key activities performed by councilors. Practices vary among the Districts in terms of how this is achieved. In three of the districts visited (Bagamoyo, Morogoro and Same), each of the council committees visits projects under their sector on a quarterly basis. In Karatu, the monitoring of service delivery relied on each individual councilor monitoring service delivery in his/her area and informing colleagues during

committee meetings. During these visits/tours, committees interview citizens about their perceptions regarding the quality of services. Councilors also pick signals about service delivery through complains brought to them by citizens. They would act on this information by communicating directly to the council director or head of department. For example, in Same DC, it was reported that in one ward, citizens complained to the Councilor about the harsh treatment they had experienced from a nurse who worked in community dispensary. The Councilor reported such incident to the DED and the nurse was reprimanded and transferred.

Although we found a formal complaint system in place such as the 'opinion box', it was not used too often. Citizens preferred to report their complaints directly to the councilors through face-to-face communication. Some written complains tended to be anonymous. Citizens also did use the tours of the national leaders: president or minister to voice complains. Some decisions as mentioned earlier are usually taken immediately.

4.3.5 Mechanisms of oversight over staff in the budget cycle

The foregoing description of the councilors' involvement in the budget cycle reveals that there are several mechanisms by which councilors exercise oversight over the local staff. These are arranged in a hierarchy: the Full Council, Council Committees, investigation committees (these can be considered formal mechanisms) and informal mechanisms. Informal mechanisms involve the individual councilor initiatives exercising oversight by getting information about service delivery and informally taking action such as communicating with the responsible staff or the council director.

Full Council

The Full Council is the apex organ which exercises control over council affairs. The full council receives recommendations from the council committees discussed below and directs council staff on the course of action to be taken. As stated before all plans and budgets must be approved by full council before they become binding. These plans and budgets are first tabled at the committees where they go through the first round of discussions. The approval itself is part of the oversight and involves review of information, debate and endorsement. During implementation, the full council exercises oversight by reviewing of reports and recommendations forwarded to it by the council committees. Although this review of plans and implementation reports by full council was seen by many people interviewed as being a matter of procedure, it is a useful process because it provides an opportunity for the entire council to agree on issues and collectively endorse them. It is also second chance for extracting accountability from council staff. It is a powerful mechanism because council staff are made to justify their decisions and/or receive directives.

Council Committees

As discussed in ALCOSA I, every council in Tanzania has at least three committees: planning, finance and administration committee; social services committee (covering education, health and water) and economic affairs, works and environment committee. Recently the HIV/AIDS committee has been added to the list. Each committee supervises/oversees the work of staff its area of jurisdiction. It receives plans and budgets and recommends adoption or rejection of these plans and budgets to the full council. While no examples of rejections were given, it was said that it was normal for the committee to direct staff to revise plans/reports before they went to the next stage.

The planning, finance and administration committee must first approve all plans and budgets before they are tabled at full council. It is through this process of determining what to recommend to full council that the committee exercises oversight. The process involves reviewing plans and budgets, asking questions to the staff and finally endorsing the plans and budgets. The committee also reviews implementation of activities and issues related to procurement as presented by the tender board as well as re-allocation of funds. This is also the committee that ratifies and approves the names and qualifications of the members of the tender board.

In a similar way, the other committees exercise oversight by receiving sector plans and budgets from council staff, discuss and question staff on the plans and budgets. They then recommend them to the planning, finance and administration committee for further debate and recommendation to the full council. These committees also monitor implementation of projects and service provision in their areas. The monitoring is performed through the review of reports presented by council staff. These meetings are held on quarterly basis. Oversight is exercised by having responsible staff report progress and answer questions from councilors. However, as discussed earlier committees also tour projects and service delivery points to assess service delivery. Council staff accompany councilors during these tours. This is also a point for extracting accountability by councilors as council staff have to provide information by answering questions and providing clarification at the site.

Investigation committees

Apart from council committees, council also exercises oversight by forming investigation committee when necessary. Council investigation committees tend to be very effective because councils act on their recommendations. This is the mechanism that is most feared by Council staff. These committees are formed by the Full Council on recommendation of council committee and are disbanded as soon as they complete their work. They are usually given specific terms of reference to guide their investigation. Example of work performed by this type of committee is given in the Box 4 for Same DC.

Box 4: Investigation committee as mechanism for oversight

In Same ward, when the council was dissolved to allow for elections to take place, a councilor learned that school teaching materials meant for a school in his ward were not delivered at that school. Council staff claimed that they had delivered such materials to another school within the same ward. But the councilor knew that no teaching materials were delivered to any school in his ward. He reported the matter to council committee which in turn formed a **sub-committee** to investigate the matter. The sub-committee found that the councilor's suspicion was correct: not teaching materials ever reached the school and in fact staff had diverted the materials away for personal gain. The implicated staff were transferred to another council.

Informal mechanisms

All projects or service delivery in a council take place at ward, where councilors reside. Individual councilors may take individual initiatives to inspect projects and services provision in their areas of jurisdiction. All councilors interviewed in the case councils told the Team that they exploited the proximity to project sites by informally touring and inspecting progress in service delivery. Councilors also interact with citizens on daily basis in the areas they come from in various social events such as burials, religious celebrations and in places where socializing occurs such in bar or restaurant. In the process they come across information which they could use to question council staff/exercise oversight.

For example, a councilor in Morogoro informed obtained information informally about shoddy work that a road contractor was doing in his ward. The councilor obtained this information from citizens in a bar. He decided to informally visit the site and found that the claims were correct. He reported the matter to the council director who followed up and the anomaly was rectified. On the basis of this the councilor advised the council that information about contractors and the value of the contract be made public to citizens so that citizens can participate in monitoring contractors. This has been approve by the council and now all WEOs and Councilors are provided with key information on contracts being executed in the wards including bills of quantities are other relevant information. The same information is also posted on the ward notice board to facilitate citizens' monitoring of contracts.

Table 12: Summary of mechanisms and tools for exercising oversight over staff

Stage in Budget Cycle	Typical mechanisms	Tools used	How oversight is exercised
Planning and budgeting	full council	Council plan and budget (DDP and MTEF)	Full council receives, questions, discusses and approves plans and budgets and directs council staff
	planning, finance	Council plans and	The committee receives,

	and administration Committee	Budget documents (DDPs and MTEF)	discusses, questions and recommends to the Full Council. The committee also approves the names of the Tender board.
	Other council committees	Sectoral plans and budgets	The Committee receives, discusses, questions and recommends to the Planning, Finance and Administration Committee
Budget Implementation (execution and monitoring)	full Council	Quarterly physical and financial reports from Council committees	Receive, discuss, seek clarification and note or guide.
	Council committees	Quarterly physical and reports presented by heads of departments through the director, own findings based on visits or individual information, internal audit reports	Receive, discuss, seek clarification and forward to the full council.
	WDC	Quarterly physical and financial reports submitted by WEO and other staff based at the ward	The Councilor is chairman of WDC so he/she notes progress in implementation of projects and the state of service delivery in his/her ward and extract additional information he/she might use in the council committees or full council.
Procurement	Full Council	Procurement plans and procurement reports	Notes or guide/direct
	Council Committees	Procurement reports, information acquired through visits and informal mechanism	Receive discuss, question and recommend to the full council
Service delivery	Full Council	Physical implementation progress reports	Note or guide/direct
	Council Committees	Physical implementation progress reports, physical tours of service delivery	Receive and discuss reports, question staff (e.g. Agriculture extension officers, nurses, community development officers etc) at

		points, informal mechanisms of obtaining information	the sites and recommend to full council.
	WDC	Ward Physical implementation progress report, physical inspection of service delivery	Questing staff and service providers e.g contractors, teachers, nurses etc

5. Social Accountability in the Case Councils

There are several social accountability mechanisms and initiatives that were found in the case councils. The challenge is that these mechanisms and initiatives were not being effective in achieving impact. These mechanisms include participatory engagement in the budget cycle (budget formulation, budget monitoring, monitoring of service delivery); the provision of information to citizens (e.g posting of annual reports and information of receipt/disbursement of funds in newspapers and on the notice boards of councils). There are also community mechanisms of social accountability such village assembly meetings and official tours of politicians (president, party leaders, members of parliament and councilors) to villages/wards. Each of these is discussed briefly.

5.1 Participatory planning and budgeting process

The nationally approved planning process is required to be participatory and inclusive. It is called: Opportunities and Obstacles to Development (O & OD) planning methodology. At the local government level, this process is required to start at the village level with facilitation provided by the district staff and those staff found at the ward.

The process allows citizens to tell government what their priorities are. The major challenges that has rendered this process not effective for social accountability purpose are both in design and execution.¹⁴ The planning process consists of a facilitated and participatory exercise of planning at village and ward levels. According to regulations, villages should receive Indicative Planning Figures (IPFs), which tell them the maximum amount they are entitled to receive. In practice, however, villages rarely receive these. This means the villages essentially produce what amounts to wish lists, as they can not engage in an informed exercise of prioritization when they don't know the budget ceiling.

The planning facilitators are appointed staff from the Local Authority, and these also influence the choices made by the villages. For example, due to the ruling party's stated priority

¹⁴ See Annex 1 for a more detailed analysis of the O&OD process, which was prepared for the 2006 PEFAR which focused on the Local Government level.

to build secondary schools in all wards and more classrooms in all villages, villagers are likely to be told that if they ask for funds for school building they are much more likely to be successful in mobilising funds from the Local Authority. Effectively, this eliminates much of the power of ordinary citizens to make their own priorities in line with the stated objectives of the O&OD.

The produced plans are then passed to the Ward Development Committee to be consolidated with the plans from the other villages in the ward. Consequently the plans are forwarded to the Local Authority where they are supposed to be used as inputs in the preparation of the District Development Plan. Finally, the villages will receive the approved plans and budgets, which often bear very little resemblance to what they originally submitted. Typical feed on the planning process is a list of projects approved to be implemented in a FY as given in appendix 3.

Because of the flaws in the process, citizens increasingly do not participate. Important mechanisms through which participatory planning happens are now being avoided by citizens. For example, increasingly citizens do not attend village assembly meetings. This is because once they plan for projects, implementation takes a long time, or it never happens. Lack of financial transparency has also contributed to making citizens not to want to attend village assemblies.

5.2 Budget monitoring

Local councils provide information to communities to enable them monitor the implementation of the budget. The idea is that if they are provided with a list of projects (such the one in appendix 3), then they would need information about actual disbursement in order to assess how well the budget is being implemented. An example of the information that is provided is shown in Figure 2 below. The announcement is addressed to WEOs and VEOs asking them to post it on their notice within Bagamoyo Council.

'We have received funds for community projects for the first quarter amounting to Tshs 160, 495, 100. Projects that will be funded using this money are those that you submitted. You will be informed of such projects'. (Translation supplied)

The major problem with this information is that it is not useful for budget tracking purposes. It is too aggregated to allow links to be made between disbursement for particular projects and the budgeted amounts for such projects. This is was a huge concern for citizens. Posting aggregated financial data on the council or ward notice board is not limited to the case council, it is widespread behavior.

TANGAZO

HALMASHAURI YA WILAYA BAGAMOYO

"DISCO" BAGAMOYO
Simu Na. 023 - 2440338

Nukushi Na.023 - 2440338
Kumb.Na.HWB/A.20/53



Ofisi ya Mkurugenzi Mtendaji(w),
S.L.P. 59,
BAGAMOYO,
MKOA WA PWANI.
29/9/2008

Watendaji wa Vijiji Wote,
Halmashauri ya Wilaya,
BAGAMOYO

YAH: MAPOKEZI YA FEDHA ZA (CDG)MIRADI YA JAMII

Tafadhali husikeni na kichwa cha habari hapo juu. Tumepokea fedha za Miradi ya Jamii za robo ya kwanza 08/09. Shs. 160,495,100/=. Miradi itakayotekelezwa na fedha hizi ni kwa kadiri ya makisio ambayo mmeyaleta. Miradi hiyo mtajulishwa.

Bandikeni kwenye mbao za matangazo ya maeneo yenu na kuwajulisha wananchi katika maeneo yenu.


(Wage Karoli)

KNY: MKURUGENZI MTENDAJI(W)
BAGAMOYO

Nakala kwa: Madiwani wote,
Halmashauri ya Wilaya,
BAGAMOYO. - Kwa taarifa

Watendaji wa Kata wote,
Halmashauri ya Wilaya
BAGAMOYO. - Kwa taarifa

Figure 2: Financial information for posting on the ward and village notice boards

5.3 Procurement and service monitoring

The involvement of communities in the procurement process is limited to the projects being implemented at village or ward levels. Most of these procurements are performed by a community-based committees, like school or health committees. These committees are also involved in monitoring service delivery. A school committee helps to ensure teaching materials procured are for example in line with the order and a fit for purpose. These committees report to village governments which in turn report to the village assembly in rural areas. In urban areas they report directly to the WDC. The monitoring of services by citizens also occurs informally in the course of consuming the service such as when they visit a hospital or school. Observations that citizen have are communicated to councilors through meetings with councilors or informally at a restaurant or bar. It was found that councilors had the habit of meeting people in their offices at least once a week. However, this varied between councils and wards.

5.4 Politicians' tours and meetings

It a common practice for political leaders to visit/tour their constituencies from time to time. They use these tours to receive complains from citizens and where possible give directives to the technocrats. These leaders include the president, ministers, regional commissioners, district commissioners and councilors. Citizens use these opportunities to express their concerns and ask for explanation on various issues. Councilors usually use these tours to give feed back council decisions. Although this mechanism is sometimes effective, for example council staff have been suspended in some cases, it is unsystematic. For councilors, the mechanism depends on the individual councilor. For example, some citizens complained of not having see their councilor often enough.

5.5 Community level meetings (village assembly)

The Village Assembly (VA) is potentially the most democratic in the country. The VA consists of all adult residents of the village and provides a forum for villagers to interact directly with their elected Village Council. There are reported cases where Village Assemblies have succeeded in recalling the village chairperson or the entire village government, although it is equally likely that attempts by the Village Assembly to recall their leadership will be stopped by the Local Authorities.

Village Assembly meetings are required to be held every three months but there are many villages in Tanzania where village assemblies are rarely or never held. Increasingly, citizens do not attend village assembly. The main reason cited was the lack of financial transparency by the village governments. For example, the income and expenditure statements are not presented. The non-implementation of agreed projects is another reason.

Table 13: Summary of Mechanisms for social accountability

Mechanism	How it works	Weakness in Tanzania
Participatory planning	Council staff required to facilitate planning at community (village or mtaa) level	Citizens are not provided with financial information at planning stage and hence produce wish lists. Increasingly citizens do not take part in these processes because they thought it was a waste of time since planned activities were either not implemented or not implemented in the agreed time frame.
Posting of information on newspapers on grant transfers, annual reports ect	By law, LGAs have to post annual reports in the national newspapers. Transfers to councils are posted on newspapers too.	Newspapers do not reach rural areas. Annual reports are technical information not understood by citizens. Financial information is too aggregated and not tied to specific activities, rendering them of little use for accountability purposes.
Posting of financial information on public notice boards at council, ward and village level	Council staff send information to wards and village executive officers to be posted on notice boards	Posted information is too aggregated to be informative to citizens; culture of reading and acting on posted information is lacking; physical infrastructure affects this information: most notice boards are the wall of the village GoT or ward and can easily be swept away by wind or rain.
Community level mechanisms such as village assembly meetings	These are statutory meetings to be held once per quarter. Here citizens can interact directly with government leaders	Citizens are increasingly sceptical of village meetings and actually do not attend them. Reasons include lack of transparency in financial affairs and poorly defined authority of the Village Assembly vis-a-vis the Village Council and the Local Authority.
Tours by national leaders, councilors and party leaders	Political leaders periodically tour/visit their constituencies	Can be effective but they are not systematic

5.6 The Role of NGOs in enhancing Accountability

NGOs at district level are mainly involved in provision of services. However, recently NGOs through their networks have begun to be involved in accountability work. For example, a coalition of NGOs in Karatu (KANGONET) and Morogoro (UNGONET) have undertaken what they

have called Public Expenditure Tracking Studies (PETS) in their councils. A PETS was also recently carried out in Karatu (at the time of the study) in the education sector and the results are yet to be made public. However, NGOs that participated in that study have suggested that they discovered anomalies relating to financial management and were only waiting for formal report to take action. It is understood that these preliminary reports have been shared with the Member of Parliament (MP) from Karatu.

The PETS carried out in Morogoro region in 2006 by a coalition of NGOs revealed a number of weaknesses in the way local councils provided their services:

- i Shortage of teacher and health workers in the councils
- ii Inadequacy of funds provided to schools
- iii School teachers being asked to manage and prepare books of accounts without having had any training
- iv Late payment of teachers' transfer fees.
- v Cost of supplying reports to the Council not being fully met by Council
- vi High cost of following up monthly salaries of teachers. Teachers in rural areas suffered the most.
- vii Cost of building of building not reflecting the cost incurred to build them.

Although the findings were communicated to the council director and other stakeholders, interviews with the UNGONET showed that there had not been any action taken to address the problems the PETS revealed. The reason given for inaction was councilors' inability to hold the councils staff (especially the director) accountable. It should be noted that the UNGONET study mainly focused on the planning and budgeting process and captured expenditures at the school level only. It did not succeed in accessing transfer data from the Local Authority, so it was not actually able to calculate any leakage, as such. The implementers of the study were also apparently unaware that there were set amounts (capitation grants) that were supposed to reach the schools, which was another opportunity missed for capturing leakage.

There are cases, however, of more informed and successful cases of NGO expenditure tracking. Based on other PETS work in a community in Arusha, the northern part of Tanzania managed to take action motivated by the PETS results.¹⁵ The decision to conduct a PETS was made at a village assembly following a capacity building efforts by an NGO. The village assembly decided to form a committee to track funds in the education sector. The result of the survey was that funds had been misappropriated by the village chairman and the school head teacher. The councilor and the DED were informed. Initially no action was taken. However, disappointed by inaction by authorities, villagers decided boycott public meetings or refused to contribute to any

¹⁵ This case is also reported in Sundet 2008.

government-funded project. The DED office was forced to take action to investigate the matter further. The results: the village chairman and the head teacher lost their jobs and subsequently taken to court. The case was still continuing at the time of this report.

6. Conclusions and Recommendations

Several conclusions and recommendations can be made from the foregoing discussions. These can be categorized under the themes of information management and transparency; legal framework for electoral representation; and social accountability at local level.

6.1 Information management and transparency

The management and availability of information together with the regulatory framework and practices affecting transparency, particularly of the budget process, has a profound impact of accountability at all levels. The present conditions are in this respect not conducive to good governance. The following recommendations suggest ways in which systems may be significantly strengthened:

Recommendations:

- 1. There needs to be clear regulations in place stating what information should be publicly available.** Information which should be covered by this regulation includes the following:
 - Budgets, plans and budget execution reports;
 - Council minutes;
 - Documentation on the procurement process

- 2. The regulations should also specify how availability of the information should be ensured.** The following mechanisms are proposed:
 - Key documentation should be posted on notice boards at the relevant levels (local authority, ward and village) for three months.
 - Copies should also be deposited in public archives at least level, where they should be kept for a mandated period (say 10 years).
 - There should be a specific time provided for citizens to visit the archives to access the information (for example every Friday between 9 and 12AM). At the district level, there should also be facilities for making photocopies, the cost of which will be paid by the person requesting the copy.

- 3. Special attention needs to be paid to the ward and village levels, to ensure that the infrastructure is in place to manage the information according to the regulations.** This

would include designated Ward and Village Noticeboards, and the establishment of Ward and Village Archives.

6.2 Legal framework for elected representation

As regards the legal framework for elected representation, a number of conclusions can be made to improve the efficiency of the council in ensuring accountability. Accountability of councilors at the local authority and village level is weakened by unclear provisions for recall, in cases of proven mismanagement. At the moment the elected councilors are first and foremost accountable to the central government, or their local appointees, and only secondly accountable to their constitutions, if at all (apart from election time that is, when a high turnover indicate a high degree of accountability).

Also, the low level of education of a majority of councilors does not put them in a good position to exercise oversight over the functions of appointed staff. Finally, the legal framework which restricts elected office to party members, and the resulting power of parties over their elected representatives, also eschews accountability away from the constituents:

Recommendations:

- 4. Recall of councilors for failure to perform needs to be made more straightforward and easy for citizens.** Currently, the LGA Act No. 7 of 1982 specifies very easy conditions for recalling a village chairperson. These conditions can with modifications be applied to the situation of councilors.
- 5. The level of education of the councilor should be more clearly defined but should be high enough to make it difficult to allow incompetent people to become councilors.** This is an issued that needs to be debated.
- 6. Consideration should be given to allow for independent candidates** This would strengthen the councilors position vis-a-vis their respective parties, which could swing their balance of accountability more towards their constituents.

6.4 Social accountability

The study found that public participation in planning, implantation and oversight, is not functioning well. The official participatory planning and budgeting process which should have insured public ownership of the planning process is not functioning well. On the other hand, there are encouraging experiences of civil society managing to exert accountability, especially from some recent innovative initiatives of public expenditure tracking.

Recommendations:

- 7. The O&OD planning process should be reviewed to improve ownership over entire planning and budget process for villages.** They should be provided with IPFs, and have full discretion for making priorities. Combined with solid provisions for transparency (see recommendations 1-3) this should assuage fears that there are not sufficiently solid mechanisms of accountability in place to ensure reasonable integrity.

8. Innovative approaches for civil society facilitating accountability should be supported.

This would include the type of expenditure tracking activities referred to in the report.¹⁶

In conclusion, the present state of accountability in Tanzanian local authorities is poor and at times non-functioning. However, the basic building blocks, such as basic provisions for separation of powers and public oversight are provided in the Local Government legislation. There is therefore no need for a complete rebuilding of the system. Instead, gradual adjustments in regulations and practices, as suggested in the recommendations above, could go a long way in strengthening provisions for popular accountability.

¹⁶ A more detailed discussion of the challenges of civil society budget monitoring and expenditure tracking is provided in Sundet 2008.

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8: Annex and Appendices

1. Appendix 1: People Interviewed

A: Bagamoyo District Council

1. C.D.J.B. Mumba, District Administrative Secretary (DAS), Bagamoyo
2. Mr. Joakim Valence Assey, Ag. District Planning Officer, (DPLO), Bagamoyo
3. Anthony Nyange, Head, Community Development Department, Bagamoyo
4. Tumainieli Kamnde, Ag. Head Management Procurement Unit, Bagamoyo
5. Dr. Athumani A. Pember, Ag. District Medical Officer, Bagamoyo
6. Lucifer Sanga, Legal Officer, Bagamoyo
7. Wage Karoli, District Treasurer, Bagamoyo
8. Ramdhani Teggo, Ag. District Agricultural and Livestock Officer
9. Beatrice Sempuya, Committee Clerk.
10. SAID O. Zikatim, Councilor, member social services committee
11. Ubaya Abdalah, Village Chairperson, Buma village Bagamoyo
12. Bakari M. Nakuchele, Village Executive Officer, Buma Village, Bagamoyo
13. Stambuli Y. Mbegu, Councilor, Kiromo Ward, Bagamoyo
14. Hamad Omari, Member, Buma, village Government, Bagamoyo
15. Ramadhani Sanze, Member, Buma, village Government, Bagamoyo
16. Issa M. Sanza, Member Buma, village Government, Bagamoyo
17. Fadhili S. Ally, Member Buma, village Government, Bagamoyo
18. Peter V. Nditi, Member Buma, village Government, Bagamoyo
19. Zainab J. Kibodogo, Member Buma, village Government, Bagamoyo
20. Mwanahawa Mitwanga, Member Buma, village Government, Bagamoyo
21. Maimuna Maarifa, Member Buma, village Government, Bagamoyo
22. Fatuma Juma, Member Buma, village Government, Bagamoyo
23. Kulwa K. Mbegu, Member Buma, village Government, Bagamoyo
24. Asha A. Kitambi, Member Buma, village Government, Bagamoyo
25. Yusta Francis, Member Buma, village Government, Bagamoyo
26. Fanyeje Salum, Member Buma, village Government, Bagamoyo
27. Sultani Minsheshe, Member Buma, village Government, Bagamoyo
28. Rehema Makame, Kaole village
29. Yusuph S. Yusuph, Kaole village
30. Rajab Amir, Kaole village
31. Salum Mohammed, Kaole village
32. Salama Juma, Kaole village
33. Josephine Gugu-land officer
34. Saidi bakari-Secretary ccm Bagamoyo Branch
35. Stephan Masinde Busigara –Divisional officer
36. Sultan Mwarami –Ag. WEO, Kaole village
37. Masukuzi.A. Masukuzi WEO Kiromo ward
38. Salum Iddi-chairperson Kaole village
39. Habiba amir-member Kaole village
40. Tuhuma miraji- member Kaole village
41. Husna Hossen- member Kaole village
42. Pili Juma- member Kaole village

43. Mwanaidi Rajabu- member Kaole village
44. Mwanaharusi sultan- member Kaole village

B: MOROGORO MUNICIPAL COUNCIL

1. Prof. Ishengoma, Mayor, Morogoro Municipal Council
2. Mr. Nondo, Deputy Mayor, Morogoro Municipal Council
3. Ms. Mwisongo, Chairperson, Social services Committee
4. Ms. Fatuma Mabira - Ag. Municipal Human Resources Management Officer
5. Shadrak Mkondo – Senior Human Resources Officer, municipal Council
6. Hamis Ryoba, Ag. Head, Town Planning, Morogoro municipal Council
7. Daniel M. L. Mangweha, Municipal Economist (Head of Department), Morogoro Municipal Council
8. Eneidy Mwanakatwe, Council HIV/AIDS coordinator
9. Samson Msemembo, Executive Director, MORETEA
10. Engineer Edwin Chambo, Councilor, Kihonda Ward and member of the Planning, Finance and Administration Committee
11. Hilda Job, Councilor, Sultan Ward and member of the Planning, Finance and Administration Committee
12. Moshi, Benedict – Internal Auditor, Morogoro Municipal Council
13. Winfrida Tausi, WEO, Kihonda ward
14. Paulo Edward- Chairperson, Mguru wa Ndege street and member of ward finance committee
15. Fatuma Thabiti - Kilongo street and member of ward finance committee
16. Leopard Madega – Tuelewane Street, and member of ward finance committee
17. Juam Diha, member of ward finance committee, Sultani Ward
18. Mohammed Saed, member of ward finance committee, Sultani Ward
19. Abdala Mahemu, member of ward finance committee, Sultani Ward
20. Omary Nyanza, TCCIA regional Executive officer
21. Raphael Ndunguru, Municipal director
22. Bruno .K. Njovu, District Administrative Secretary
23. Dr. Abraham Maizo, Municipal Medical Officer
24. Julius Matiku Acting Municipal Treasurer
25. Monica Lindi, Community Development Officer
26. Paulo Edward, chairperson Mguru wa Ndege street
27. Nyandalo Chaya-Procurement officer
28. Leopord Madega Chairperson Tuelewane Street
29. Felisiana Katemala, Community development officer
30. Salma Mbando, Street executive officer kihonda
31. Mariam Rajabu Street executive officer Kihonda
32. Zuhuru Almas, Street executive officer Kihonda
33. Leovin Masenyi Street executive officer Kihonda
34. Moses Mwangu, Street executive officer Kihonda
35. Ally Nasoro Street executive officer sultan area
36. Godfrey Maumba Street executive officer Sultan area
37. Aziza Makoa Street executive officer Sultan Area
38. Chuma Lukwele Street executive officer Sultan Area
39. Florence Balongo Street executive officer Sultan Area
40. Asteria H. Kigonamanda Ward Executive Officer sultan area
41. Kuruthumu Musongo, Councilor Special seats
42. Daud Ally. committee clerk.
43. Amir Juma Nondo, councilor Boma Ward
44. Dr. John Mwansombeo, Executive Director HACOCA NGO.

45. Temu Kelvin, Executive Director MAVUNO
46. Mpoki Jongo, Project accountant, HACOCA
47. Tide Mwakapala, Social worker HACOCA
48. Veronica John, Field Officer HACOCA
49. Joseph Kipupe, citizen Maghorofani street
50. Mr. Temba, Citizen Maghorofani street
51. Mr. Meridadi, citizen maghorofani street
52. Ally Samwel, Citizen Magorofani street
53. Benjamin Gabriel, Citizen Magorofani street
54. Arcado Mnishi, Citizen Mji mwema Street
55. Ms. Neema, Citizen Bima Street
56. Ms Chiku, Citizen Bima Street.
57. Venance Mlali, UNGONET, Morogoro

C: KARATU DISTRICT COUNCIL

1. Mansweta Mbena – Legal officer, Karatu DC
2. Philip Nducha - District Administrative Secretary, Karatu DC
3. Clement Leo Berege – District Human Resource Officer, Karatu DC
4. Emmanuel Matay – Councilor, Buger ward, Karatu DC
5. Enosi R.S Gombe – Ag Committee Clerk, Karatu DC
6. Maro Martin – Land officer, Karatu DC
7. Stanley Mruma – Natural resources, forest and environment officer, Karatu DC
8. Edmond Komba – District procurement Officer, Karatu DC
9. Philemon Sukumsi – Councilor, Mbulu mbulu, Karatu DC
10. Peter Ayasi Qamara – Councilor, Qurus ward, Karatu DC
11. Lazaro T. Masay – Councilor, Ganako ward and Council Chairperson
12. Mpina Severine Soyari – District engineer, Karatu DC
13. Babu Rogart – District planning officer, Karatu DC
14. Peter Zakaria – member of Slahhamo village Planning and Finance committee
15. Urusula Gaudensia – member of Slahhamo village Planning and Finance committee
16. Paulo Joseph – member of Slahhamo village Planning and Finance committee
17. Matei Sarawaight – member of Slahhamo village Planning and Finance committee
18. Dr Clement Kambarangwe – District Medical Officer, Karatu DC
19. Qward Girgis – Qangded village, ordinary citizens
20. Chief Girgis – Qangded village, ordinary citizens
21. Samwel Butaka – Qangded village, ordinary citizens
22. Rose Mrita – Qangded village, ordinary citizens
23. Thresia Bajuka – Qangded villager, ordinary citizens
24. Ali Kimak – Qangded village, ordinary citizens
25. Gaga Merus – Qangded village, ordinary citizens
26. Rose Yakobo – Qangded village, ordinary citizens
27. Yahya Hamis – Qangded village, ordinary citizens
28. Evergerald Kayambage, Internal Auditor, Karatu, DC
29. Winston W. Msuya, Deputy District Education Officer, Karatu DC
30. Maro Martin, Head, Lands, natural Resources and Environment, Karatu, DC
31. Joseph Awet, VEO, Slahhamo Village, Karatu DC
32. Majid, A. Mayao, District Agriculture and Livestock Development Officer, Karatu DC
33. Emerson Njumbo, Agriculture and Livestock Extension Officer, Karatu DC
34. Tumaini Mgasi, WEO, Baray ward, Karatu DC
35. Lucas Tluway, Ward Education Coordinator, Tluway ward, Karatu DC
36. Solomon Mziray, Agriculture Extension Officer, Baray Ward, Karatu DC
37. Jovita Ferdinandi, villager Witchame village

38. Basil Michael,Genda A village
39. Martin Josephat,Villager Tloma village
40. George hinindriko,Villagerwitchame Village
41. Leonald petro,Villager Genga A village
42. Tajaeli Paulo,villager Genda A village
43. Zitto John, villager Tloma Village
44. Amir Chora, Planning, Finance committee Qangdend village
45. Nestrory diame, Member financial committee Qangdend Village
46. Pius Hondo, member financial committee Qangdend village
47. Safari deemay, Acting district water Engineer
48. Felix Sule,district community development officer
49. Agripina Emanuel, Councilor special seats Baray Ward
50. Best Mambea, Karatu NGO Network

D: Same District Council

1. Juma .R. Iddi, District Executive Director (DED)
2. Ibrahim Wankanga Marwa, District Commissioner (DC)
3. Dr.Macheku Godwin, Ag District Medical Officer .
4. Upendo Titus Mshana, Executive Secretary SAWODE.
5. Fatma Mamatola, SANGONET
6. Anna Merisa, Coordinator KIWAKUKI.
7. Dr.Norbat Mchomvu, RC head of development department
8. Antonia James Ndawi, District Tresurer.
9. Geoffrey Mbaji, ELCT head department of planning and project.
10. Vitus Kapinga, District engeneer
11. Mwanahawa Ally, Committee Clerk
12. Pamphil .A. Kikweshi, Councilor Vunje Ward.
13. Pili Amir Msangi, Ruvu Mferejini Village
14. Rehema Taleki Hiri, Muungano Village
15. Mbonea Kamba, Ruvu Mferejini Village
16. Naziel Mmasa, Member, financial committee Ruvu Mferejini.
17. Tatu Juma, Member, financial committee Ruvu Mferejini
18. Yagongo Yoel, Member, financial committee Ruvu mferejini.
19. Bakari Juma, Member, financial committee Ruvu Mferejini
20. Oliva .B. Kisanga, Agriculture Officer.
21. Salvatory Ndekia, Animal officer
22. Eliad Mashika, Ag. Head, Department of Community Development
23. Lazaro .K. Elirehema,VEO Ruvu Mferejini
24. Pili Sereky, Divisional Secretary
25. Peniel Tito, Ag. District Planning officer
26. Mohamed Mrutu,Assistant planning officer
27. Samwel sempeho, ward executive Officer Bombo ward
28. Hamad Ramadhani Sempombe, Councilor Maore ward
29. Bimbalirwa Eusdendit,District Education Officer
30. Agnes John,Statistics and Educational Officer
31. Joseph Mziray, Same qard and member of the social service committee
32. Karimu R. Lushino, WEO, Ruvu ward
33. Paulo K. Ole Munga, Councilor, Ruvu ward



Appendix 3: List of projects approved in FY 2008/09- Bagamoyo DC

HALMASHAURI YA WILAYA YA BAGAMOYO

Anwani ya Simu:
"DISCO" BAGAMOYO
Simu ya Mdomo:
023 – 2440338

Fax: 023 – 2440338

Kumb. Na.
HWB/20/121/Vol. IV/8



Ofisi ya Mkurugenzi Mtendaji (W),
S.L.P. 59,
BAGAMOYO

20 Septemba, 2008

TANGAZO KWA WANANCHI WOTE

**ORODHA YA MIRADI ITAKAYO ITAYOGHARAMIWA KWA RUZUKU YA
MAENDELEO MWAKA 2008/2009**

NA	SEKTA	KATA	MRADI	BAJETI
1.	BIASHARA	MAGOMENI	Soko la Tandika	40,000,000
2.	BIASHARA	DUNDA	Soko la Samaki – Dunda	32,762,000
3.	ELIMU		Uchimbaji na Ujenzi wa Vyoo Shule za Msingi	31,500,000
4.	ELIMU	Magomeni, Zinga, Kiromo, Chalinze, Msata, Mbwewe	Madarasa ya Awali(ya Shule za Awali Bigilo, Zinga, Mataya, Pingo, Pongwemsungura na Mbwewe	33,000,000
5.	ARDHI	Ngazi ya Wilaya	Masijala ya Ardhi ya Wilaya	30,000,000
6.	ARDHI	Ngazi ya Wilaya	Upimaji Ardhi	24,000,000
7.	UJENZI (LGCDG)	Vigwaza, Mbwewe, Talawanda, Miono	Barabara Vigwaza – Visezi 9.6Km, Kwang'andu Mjembe 17 Km, Kibaoni- Kifuleta 4 Km Pera – Malivundo 9 Km, Miono – Rupungwi 12 Km) 48.6Km	58,320,000
		Dunda, Magomeni	Bagamoyo mjini mifereji ya maji km 1.6	90,000,350
		Chalinze, Kiromo, Mkange, Magomeni	Chalinze mjini km 2.6, Mataya – Kitopeni Km 4.5, Gongo – Matipwili Km 3.5 , Kingani Sekondari km 4)	146,000,000

NA	SEKTA	KATA	MRADI	BAJETI
8.	AFYA	Lugoba	Ukarabati wa OPD Lugoba Kituo cha Afya	15,000,000
9.	AFYA	Lugoba	Ununuzi wa Jenereta Kituo cha Afya Lugoba	15,000,000
10	AFYA	Ngazi ya Wilaya	Kukamilisha jengo la Maiti – Hospitali ya Wilaya – Bagamoyo	32,000,000
11	AFYA	Magomeni	Kujenga Zahanati Kitame	40,000,000
12	AFYA	Chalinze	Ununzi wa viyoyozu kituo cha Afya Chalinze	10,000,000
13	AFYA	Chalinze	Ujenzi wa Wodi Kituo cha Afya Chalinze	45,206,050
14	UTAWALA	Ngazi ya Wilaya	Kukarabati nyumba za Watumishi	55,000,000
15	UTAWALA	Ngazi ya Wilaya	Kukamilisha Ukumbi wa Mikutano	80,000,000
16	KILIMO	Kata zote	Miradi ya Kilimo DADPs	438,448,000
17	UJENZI (ROADS FUND)	Zinga, Miono, Vigwaza, Lugoba, Talawanda, Dunda, Magomeni	Matengenezo ya sehemu korofi (Spot improvement) Zinga – Mlingotini – 7 km, Kikaro – Kweikonje 17 km, Vigwaza – Buyuni – 10 km, Pande – Mlingotini – 5 km, Lugoba – Talawanda 16 km, Bagamoyo mjini 6 km	41,220,000
		Dunda, Magomeni	Matengenezo ya muda maalum – Bagamoyo mjini	15,000,000
		Dunda, Magomeni, Miono, Ubenazomozi	Matengenezo ya kawaida(routine maintenance) Bagamoyo mjini – 8km, Bagamoyo – Kaole - 4.8 km, Miono- Mihuga 12 Km Msoga – Msolwa 6 km, Ubenazomozi – Tukamisasa 15 km	73,200,000
		Talawanda	Matengenezo daraja Talawanda – Bago	20,000,000
		Kata zote	Usimamizi na ufuatiliaji kazi za barabara	8,458,000
18	UJENZI (VTTP)	Msata	Matengenezo barabara ya Mkoko na usimamizi	20,000,000
		Kiwangwa	Barabara ya Mwavi - Mkenge	62,000,000
		Mkange, Kiromo,	Sehemu korofi km of Mkange – Gongo – Matipwili	15,000,000

Appendix 1

Some Development Grants available to LGAs and the associated guidelines/conditions

S/N	Grant	Guidelines/conditions
1	CDG	To construct new infrastructure or to rehabilitate existing ones according to locally defined priorities against a broad investments menu.
2	CBG	This is a capacity building grant to assist LGAs to improve their capacity and performance to enable them meet the CDG minimum access conditions to access additional funds through performance measurement process. 40% or 50% of CBG funds are required to be used at sub-district level for ward, village and mtaa (stree) councilors and officers. There are also additional conditions provided in the LGCDG system implementation and operational manual that indicate how these funds are to be used.
3	DADG	The agricultural grant is meant to fund local public agricultural investments and is seen as an earmarked top-up to the CDG to be allocated to LGAs that meet the DADG minimum conditions. Investments to be funded have to be identified through a participatory planning process in line with the LGCDG system.
4	A-CBG	This is a capacity building grant that all districts receive irrespective of whether they meet the minimum conditions to access DADG and A-EBG top-up. The fund is to be used to improve functional areas to meet the minimum conditions and the performance criteria in subsequent years.
5	RWSSP	This is the LGCDG water sector window for RWSSP consisting of a capital development grant (RWSSP-CDG) and a capacity building grant (RWSSP-CBG). The RWSSP-CDG can be used for implementation of infrastructure such as drilling of boreholes, construction of dams and piped systems, installation of pumps and construction of demo latrines.
6	PEDG	This is a grant received by all LGAs and is meant to fund education-specific development investments.
7	Other grants	LGAs also receive other development grants limited to regions (area-based programmes), sectors and purposes. These include PADEP, DASIP, UDEM, PFM/SWM, LGRP/VTTP, council premise development grant, and UNICEF support for social planning and budgeting. Each of these development grants are earmarked for specific purposes and allocated based on earmarked, purpose-specific criteria. LGAs receiving these grants are required to consult the specific requirements and regulations and discuss with PMO-RALG and other sector ministries for guidance as required and appropriate.

Source: LGAs Planning and Budget Guideines for the FY2008/09-2010/11

Annex 1: The O&OD process

Note for the PEFAR team on Local Government Finance

Observations on the planning and budgeting process at district level prepared by Geir Sundet (gsundet@gmail.com) for the 2006 Public Expenditure and Financial Accountability Review (PEFAR), March 2006

The purpose of this note is to put together a tentative analysis of certain aspects of the planning and budgeting cycle at district level. The emphasis is on the official methodology for district level planning - Obstacles and Opportunities to Development (O&OD) – with a discussion of how it tends to be implemented and the impact this has on both financial management and the participatory nature of the budget processes, including considerations of transparency and predictability.

Background

In 2002, the GOT adopted the National Framework for Participatory Planning and Budgeting, which was developed by the Ministry responsible for Local Government with assistance from UNICEF and UNDP. The National Framework decreed that all district plans should be developed in a participatory manner from the village level up, using a planning methodology called Obstacles and Opportunities to Development (O&OD).

The LGCDG planning manual also requires councils to use the O&OD process [need to check whether the LGCDG manual requires local councils to use O&OD]

O&OD is an expert led planning process that seeks to identify both obstacles (e.g. lack of income generating opportunities) and opportunities (e.g. land available for intensive cultivation) to development at village level. District facilitators, drawn from planning officers and extension staff, have been trained in most districts, and these are supposed to go to the villages to facilitate the planning there.

There is surprisingly little written about O&OD or even about the district budget process in general. Due to the paucity of material on the approach, this note is not a literature review. Rather it is an analytical mosaic of anecdotal evidence that has been at least partly corroborated by numerous discussions with officials and consultants who have first and second hand experience of dealing with district and village level planning.

Cost

There has been a bit of quiet criticism of the approach, although nothing written that I am aware of. The major objection that is commonly raised against the methodology is tied to cost. It has been estimated that it costs around 100 million shillings to do O&OD in each districts (around one million shilling per village). This would work out to an average of about 330 shillings per capita¹⁷, or a third of the LGCDG grants which are 1,500 shs. per capita, of which only half are required to be spent at village level. It may also be relevant to note that a district typically receives about 150 shillings per capita in development budgets, most of which would normally already be earmarked. Other charges are higher, at about 2500 shs. per capita, but it would be rare for more than 20% of that to be spent at village level. The cost of the planning exercise is

¹⁷ The average population for a district is approximately 300,000.

part of what makes it attractive for the local authorities. Most of the costs are absorbed by allowances for district and ward based officers,

What the above cited figures show, is that the cost of the O&OD methodology would seem to expend at least a quarter of the money that is available for development at village level. This is a high cost of planning by any account. It could be argued that the above cited cost will be lower in the subsequent years and that it has a capacity building component that would pay off in the long run. The next section looks attempts to take a closer look at how the O&OD process is implemented in practice. This may also give some indication as to whether the initial investment in O&OD is likely to develop capacities for true bottom up planning.

A typical planning and budget cycle from the village point of view

The O&OD planning cycle starts with the arrival of district facilitators. A [how many?] day working session is facilitated that leads to the production of a village development plan. To date, it is not common practice to provide the villages with an Indicated Planning Figure (IPF) to inform them of how much money is available. It goes without saying that this is not the most efficient way of planning as a wish list of activities and outputs are produced, without much regard to the realism of the proposals. Likewise, this gets in the way of any useful prioritisation of activities. Most village plans, therefore, are basically non-prioritised wish lists of activities.

After the village finalise their plans, they are sent to the Ward Development Committee (WDC) where the village plans (typically 4-5 in a ward) are compiled into a ward plan. The WDC consists of the Ward Executive Officer, extension officers based at the ward level and the Village Chairs. The consolidation obviously require some decisions and omissions, as the WDC decide which activities to include in the ward plans and which to leave out. These meetings are rarely minuted, and there is no feed-back to the village on the decisions taken. The ward plan is then sent to the District authorities.

At the district level, there is new round of consolidation, as the district considers what could be 15-20 ward plans. Some activities are taken from these plans and inserted into the annual district plan. By the time the district plan is completed and the budget passed in the District Council, at least a year is likely to have passed from the time the O&OD planning sessions were taking place at the village level.

After the passing of the district plan and budget, some funds may be passed on to the village with instructions on what they are for. The funded activities were probably, but not necessarily, part of the original O&OD plan. The reason why these activities were funded, and not others, is not communicated to the village. It is also relevant to note that the villages see the receipt of these funds as a grant from the district and that they are generally grateful for having received funds. There appears to be little feeling of entitlement. It is the district sharing their resources with them, rather than the villages receiving a share of what is rightfully theirs.

“What we expect from our government? It is like the rain; if it does not rain we try to survive, when it rains we are grateful.”
A village resident, cited by Kees et al. 2005.

Planning by whom and for what?

O&OD and the Agricultural Sector Development Plan (ASDP)

The O&OD village plans tend to prescribe activities relating to service deliver, such as primary and (especially) secondary schools, dispensaries and water holes. This is perceived as a problem by the agricultural sector people who are concerned with developing District Agricultural Development Plans (DADPs), which are financed by the Agricultural basket fund. The directions from PMO-RALG has been for ASDP been to develop the DADPs based on inputs from the existing village and district plans, so as not to duplicate the O&OD process. However, as one Agricultural Advisor noted, few 'O&OD' plans have address productive areas, such as agriculture, for that reason, they have to do their own plans (interview, 23 February 2006). On the question whether this was an indication that village communities prioritise social services over productive areas, he said that that was not necessarily the case, rather that it was due to the way the O&OD facilitators posed their questions.

Assessing the implications for village and district governance

The above observations should be read while keeping in mind the general context of the areas under discussion. Many villages lack village offices, and most lack any meaningful filing system. There is little meaningful sharing of information at village level. Communications are generally ad-hoc, and tend to consist of orders going down, and required reporting going up. There is little or no meaningful two-way dialogue. These observations are not meant to cast aspersions on the government's ambitions of institutionalising bottom-up participatory planning or the villages' potential capacities for managing their own development. On the contrary, it is to underline that these are the basic prerequisites for democratic, pro-poor development, but that the present approach does seem to place rather unrealistic assumptions on the existing capacities at the village *and* district level. Moreover, it is suggested that there are powerful incentives present for maintaining the present system as it provides an attractive vehicle for allowances while ensuring that all critical decisions regarding resource allocation remain vested in the district authorities.

The following are some relevant questions to be considered by the PEFAR team:

- Are the basic pre-requisites for the meaningful application of O&OD present at the village level?
- To what extent could one talk about a meaningful village level budget cycle?
- How does O&OD and other modalities of participatory planning (e.g. under the ASDP) fit in with the district planning cycle?
- How do multiple planning processes impact on the district planning cycle?
- Is there a meaningful application of the MTEF at district level?

Although I realise that this note comes too late to inform most of the PEFAR district visits, I hope it can be useful to focus our discussion and analysis on some of the key issues underlying Expenditure Management and Financial Accountability, namely the transparency of the process and the resulting accountability for effective use of public resources.

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