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Abbreviations

ACAO	Assistant Chief Administrative Officer
ALCOSA	Africa Local Council Oversight and Accountability
BFP	Budget Framework Paper
CAO	Chief Administrative Officer
CBG	Capacity Building Grant
CBO	Community Based Organisation
CBP	Capacity Building Plan
CDO	Community Development Officer
CG	Central Government
CP	Conservative Party
DDPG	Decentralisation Development Partner Group
DEC	District Executive Committee
DP	Democratic Party
DSC	District Service Commission
FBO	Faith Based Organisation
FDC	Forum for Democratic Change
FDS	Fiscal Decentralisation Strategy
FGD	Focus Group Discussion
FY	Financial Year
GoU	Government of Uganda
GT	Graduated Tax
HIV/AIDS	Human Immuno Virus/Acquired Immune Deficiency Syndrome
HLG	Higher Local Government
HPPG	Harmonised Participatory Planning Guide
HRM	Human Resource Management
HRM/D	Human Resource Management/Development
HUMC	Health Unit Management Committee
IGA	Income Generating Activity
IGG	Inspector General of Government
IPF	Indicative Planning Figures
JARD	Joint Annual Review of Decentralisation
KII	Key Informant Interview
LC	Local Council
LCD	Local Council Development

LDG	Local Development Grant
LG	Local Government
LGA	Local Government Act
LG FAR	Local Government Finance and Accounting Regulations
LGFC	Local Government Finance Commission
LGPAC	Local Government Public Accounts Committee
LLG	Lower Local Government
MADDO	Masaka Diocese Development organisation
MC	Minimum Conditions
MoLG	Ministry of Local Government
MPs	Members of Parliament
NAWOU	National Association of Women Organisation in Uganda
NGO	Non-Governmental Organisation
NLGCBP	National Local Government Capacity Building Policy
NRM	National Resistance Movement
OAG	Office of the Auditor General
PAF	Poverty Action Fund
PDC	Parish Development Committee
PDU	Procurement and Disposal Unit
PMC	Project Management Committee
PPDA	Public Procurement and Disposal of Public Assets Authority
PRMT	Poverty Resource Monitoring and Tracking
PSF	Private Sector Foundation
RDC	Resident District Commissioner
SMC	School Management Committee
STPC	Sub-county Technical Planning Committee
SWOT	Strength Weakness Opportunities and Threats
TASO	The AIDS Support Organisation
TC	Town Clerk
UAAU	Urban Authorities Association of Uganda
ULGA	Uganda Local Government Association
UPC	Uganda People's Congress
UWESO	Uganda Women Efforts to Save Orphans

Executive Summary

Background and approach

The World Bank is implementing the African Local Council Oversight and Social Accountability (ALCOSA) Project in Uganda, Tanzania, Ethiopia and Kenya. The project is intended to: improve knowledge about how elected local councillors oversee local appointed officials and account to the citizens; and support in-country and regional dialogue and learning for improving the effectiveness of service delivery within the decentralised context.

Mentor Consult Ltd¹ was commissioned to collect and analyse data and case studies from fieldwork and other sources in Uganda. Data was collected from elected councillors, appointed staff and non-state stakeholders at district/municipal, sub-county/town/ municipal division, as well as lower local councils from all regions of the country. Information collected from the field was corroborated at the national level as well as with information from secondary data. The consultant compared notes with the Tanzania counterparts and received constant technical support from the World Bank from the inception to the end of the assignment.

Key Findings and Recommendation

Councillors' responsiveness to the needs and preferences of local populations:

Functioning local council oversight relies on the assumption that local elected representatives have more incentives to respond to the needs and preferences of local populations. The study noted that in Uganda, councillors have diverse channels through which they gather information about the needs of citizens. These are: consultations and participatory formulation and council approval of development plans and budgets incorporating needs of the citizens; allowing citizens to voice their concerns through local FM radios; and use of informal mechanisms, functions and created spaces. There are many cases where Civil Society Organisations empower citizens to articulate issues concerning them to the councillors. In place are also a number of mechanisms through which the councillors respond to the expressed needs of the citizens. Notable among them is implementation of the investment priorities identified through the participatory planning process and institution of byelaws. In addition, there are formal and informal channels through which councillors give feed back to the citizens. The council meetings are open to and minutes available to the public on sale. The councillors use radio to air resolutions as well as to hold talk shows. They also post notices in public places as a mechanism of giving feedback to citizens and communicate during informal meetings like funerals and religious gatherings.

It was however noted that implementation of priorities is constrained by: inadequate local revenues and Central Government transfers; frequent de-linkages between the plans and budgets; and limited discretion of councillors due to the conditional nature of the central government transfers. Large proportions of local revenues are spent on operating the system other than investment in service delivery. There are cases where councils delay to approve plans and budgets over contentions with the amounts allocated to council emoluments. This is one of the reasons explaining why councillors rarely give feedback to the citizens in regard to inclusion of their priorities in the development plans. In a few cases where feedback is given, it mainly focuses on the provision of information but not sustained discussion of issues and rarely stimulates action.

¹ Mentor Consult Ltd was backstopped by Dege Consult Ltd.

Recommendations

- *Enhance local councils autonomy through among others: supporting the generation, allocation and administration of local revenues; furthering the implementation of the fiscal decentralisation strategy especially increasing the volumes, proportions and predictability of discretionary funds transferred to the local governments to allow them make plans and budgets that are responsive to the local needs; and increasing the discretionary transfers to lower local governments in order for investment decisions to be made closer to the beneficiaries.*
- *Further support the efforts initiated by the Ministry of Public Service to facilitate local governments in the development and implementation of client charters that spell out among others the key services to be provided by the local governments and the mechanisms for channelling complaints.*
- *Strengthen the use of radio programmes to communicate major council decisions and revive village meetings as a mechanism for councillors to give feedback to the citizens.*
- *The Chairperson's annual report to the council on the state of affairs of the district should be made mandatory, popularised and publicised on radio. The MoLG should specify and guide the chairpersons on the format for presentation including among others providing information on the targets, achievements, challenges and way forward for service delivery as well as council performance of the oversight and accountability functions. Such state of affairs would be the basis for talk shows on the radio where the local councillors answer the concerns of the citizens.*

Citizens holding councillors accountable:

It is further assumed that elected representatives are more downwardly accountable compared to bureaucrats. It was found that local government council elections are regularly conducted every five years and since 2005, multi-party politics has been introduced. Voters have a choice and voting is still mainly based on individual competence and expression of trust by the citizens in the elected councillor. The councillors therefore strive to represent constituency interests, lobby for and ensure proper use of resources. Moreover, the councils have required representation of the different levels and marginalised sections of the community. In addition to the elections, there are also provisions for petitions and appeals directly by the citizens or through councillors and an opportunity for created/invited spaces with support from CSOs.

The study informants complained about limited and delayed civic education and widespread buying of votes leading to dwindling demand for accountability from councillors. The constituents also perceived the councillors who were reported to be buying votes as according preference to their personal interests as opposed to constituency preferences. This was evidenced by many councillors agitating to be paid from the consolidated fund other than the locally raised revenues. Other issues of concern include: potential challenges of implementing the multi-party dispensation in lower local councils; though improving, the inadequate representation of issues affecting marginalised groups; and low voter turnout in local council elections as compared to the Presidential and Parliamentary elections.

Recommendations

- *Provision of timely and intensive civic education focussing on rights and responsibilities of citizens, councillors, technical staff, service providers, central government agencies and non-state stakeholders. Civic education should among others provide information on the roles of councillors at the different level of LGs*

especially in regard to ensuring the provision of services and democratic processes as well as roles of citizens for holding councillors accountable including procedures for appeals and petitions.

- *As per the First Schedule of the LGA Cap 243, Government should resist the pressure and temptation to pay councillors from the consolidated fund and insist that councillors should be paid from local revenue generated from the respective local governments. Payment of councillors directly from the CG will distort the desired lines of accountability.*
- *Ensure that the councillors are more accountable and represent the interests of the citizens by either making the party preliminary elections more transparent or making it easier for the independent candidates to stand and compete for elections.*
- *The power and institutional relationships as well as mechanisms through which the religious and cultural leaders can be utilised in the decentralised context to contribute to the development agenda need to be further studied, elaborated and formalised as these religious and cultural leaders are also legitimate representatives of their constituents.*

Provision for councillors to provide checks and balances to the appointed staff

The legal framework provides for clear division of roles where councillors are responsible for setting the policies and overseeing that the technical staff implement them. It was reported that people elected as councillors at LG level possess clout sufficient for them to hold the technical staff accountable. Council meetings are held and technical staff provide information to the councillors during sector committee meetings. The councillors also provide feedback to the technical staff after monitoring activities and physical inspection of projects. Overall council and executive committee performance was reported good as they meet and deliberate on a wide range of issues affecting the constituents. However, their effectiveness is constrained by the fact that information is sometimes presented in complicated formats not easy to be internalised by most of the councillors. There are also many cases where councillors venture into direct implementation rather than overseeing the performance of staff leading to role fusion and conflict.

Recommendations:

- *The LG appointed staff should present information to the councillors on time, in simplified formats and local languages where applicable.*
- *There is need to further empower the accounting officers to ensure that procedures and regulations are adhered to as they provide on-spot technical support to the councillors*
- *The councillors proved guilty for violating procedures should be made personally liable for the consequences of these violations.*

Public Expenditure Management

Councillors ensure that the technical staff submit work plans and financial reports on time as they have implications on the flow of resources to the local governments. There is tremendous improvement in financial management manifested in proper maintenance of books of accounts, timely submission of financial reports and reduced audit queries. The Local Government Public Accounts Committees in particular analyse reports, interview staff with audit queries and make recommendations.

However, the bulk of local government revenues are central government transfers, conditional and recurrent in nature affecting the discretion of local councils. Local revenues are low and have negatively impacted on accountability, ownership, interrelationship between councillors and citizens as well as long term sustainability. The low revenues

paralyse implementation of activities that are mainly dependent on them. The audit departments are inadequately staffed and facilitated as compared to the entities they are supposed to audit and audit reports are not sufficiently discussed in councils, with negative implications for public expenditure management. Some councillors reportedly manipulate human resource management procedures especially in regard to recruitment and disciplinary actions. Many established positions are not filled and these vacancies lead to inefficiencies. There are also concerns in regard to manipulation, collusion in pricing of tenders and poor quality work in regard to procurement and contract management.

Recommendations:

- *The Chief Administrative Officer (CAO) in a district and Town Clerk in a municipal council are key to ensuring proper public expenditure management. To ensure that they properly perform this role, in a situation where they are recruited by the Public Service Commission, the Ministry of Local Government in liaison with Ministry of Public Service should further support the District Chairpersons to conduct the performance appraisals for the CAOs and TCs involving setting annual targets and reviewing the extent to which they have been attained.*

Improvement of service delivery

The division of tasks for service delivery per sector among the different levels is clearly defined. There is increasing involvement of user committees with demonstrated good working relationship between the user committees and local councils. The user committees support the local councils in performing their oversight and accountability functions. The level of service delivery at least in quantitative terms has increased.

Recommendations

- *It is important to clarify the relationships and take advantage of the user committees to complement the role of local councillors, whilst not overlooking the interests of marginalised sections of the community. The user committees are likely to elicit more public/community participation, interest, ownership leading to community empowerment to demand for accountability from the councillors.*

Role of Central Government

The role of the CG is to guide, inspect, monitor, and ensure compliance with the provisions of the law. The routine inspections conducted by ministries, departments and agencies and annual local government performance assessment were reported to be triggers for improving performance. In particular, they have supported the reduction of corruption, abuse of authority and of public office. However, there is inadequate coordination manifested in multiple missions, reviews, inspections and workshops. There are also parallel guidelines undermining discretion, power and accountability of the LGs.

Recommendations:

- *There is need to clarify the roles, relationships and implications of Ministries, Departments and Agencies (MDAs) interventions to LGs and to implement mechanisms of coordination to avoid duplication, contradictions and to improve efficiency.*

1 Introduction

1.1 Background and Objectives of ALCOSA Project

The Africa Local Council Oversight and Social Accountability (ALCOSA) Project, covers four East African countries - Uganda, Tanzania, Ethiopia, and Kenya. The objectives of the project are to:

- a) Improve knowledge and increase awareness about oversight of elected local councillors and citizens on local governments; and
- b) Support in-country and regional dialogues and building partnerships among the local councils, executive branch of local governments, Non-Government Organisations (NGOs), and Community Based Organizations (CBOs) towards building more transparent and accountable local governance mechanisms.

The project focuses on oversight and accountability relationships between:

- a) Local elected representatives (councillors) and the local appointed officials; and
- b) Citizens and local elected representatives.

Africa Local Council Oversight and Social Accountability (ALCOSA) project focuses on good governance and it aims to link good governance strategies to local decision making and service delivery mechanisms. Many services such as education, health, water and sanitation are delivered at the local level and affect the poor. They therefore have direct impact on the performance towards achieving the Millennium Development Goals (MDGs). Not surprisingly, they are also affected by the local policy environment –shaped more and more by the decentralized contexts. Stronger accountability and increased oversight provide a better institutional framework for effective delivery of such social services aiming at reducing poverty and promoting shared growth².

Local council oversight in decentralizing countries is an important component of institutional checks and balances and a critical entry point to achieve good local governance and effective public services. Functioning local council oversight relies on the assumption that local elected representatives have more incentive to respond to the needs and preferences of local populations and that they are more downwardly accountable compared to local bureaucrats.

The project is particularly interested in the local council overseeing of service delivery and involvement in the public financial management processes. Ideally, local councillors should seek to best represent the interests of the local citizens and their involvement in local planning processes would help reflect the local preferences in these processes. Thus, they would set the development policies in line with local preferences using existing structures and processes and guide budgeting and policy implementation. This project aims to understand the degree and effectiveness of the involvement of elected local councillors in the formal and informal processes that respond to local needs and the extent to which this involvement actually results into a reflection of the local preferences.

² See TOR

Ensuring proper accountability and oversight in service delivery between the local executive branch and local councils requires a constant information flow between the two on how local services are delivered. Ideally, local service producers, in other words, the local bureaucracy, carry out the production of local services according to policies that the local elected representatives decide on.³ Local service producers answer primarily to the local government's executive branch. The project is interested to find out if local council oversight improves service delivery and how local councillors link up with citizens about service delivery issues and vice versa.

The relationship between elected local councillors and executives (appointed officials) also pertains to budget planning, execution, and monitoring and evaluation. Local councillors oversee local government's executive branch during the entire public financial management process and provide local executives with constant feedback to guide improved service delivery. The effectiveness of this system can be assessed with regard to how well budgets reflect planned priorities, the link between planned and executed budgets as well as the response of the budgets to demands and preferences of local citizens. Local council oversight and accountability are important because they are the main way through which citizens influence decision making in service delivery, by exerting influence on their representatives. There is therefore considerable interest in seeing that the system and linkage between citizens, local councils and the executive is functional. Part of this equation concerns the role central government plays in supporting (or undermining) the capacity of local councils to play their role.

Local council oversight is affected by the accountability relationship between councillors and citizens, which as indicated in the literature, is dependent on the robustness of the set oversight mechanisms. It is also affected by the capacity to implement the oversight function amongst both appointed and elected officials and the necessary incentives to ensure both the elected and appointed arms of local government play their role.

Following the descriptive phase of this project which identified local actors and structures, this leg of the assignment involved collecting and analyzing data and case studies from field work and other sources. It includes relevant policy conclusions and recommendations regarding enhancing the effectiveness of council oversight and accountability within the local government and decentralised context.

1.2 Overview of Decentralisation in Uganda

This section provides the legal framework in Uganda that provides the basis for the councils to perform their oversight and accountability functions.

In Uganda, decentralisation refers to the transfer of power over decision making and implementation to lower administrative levels to improve efficiency and effectiveness in service delivery.⁴ Decentralisation seeks to promote popular participation, empower local people to make their own decisions and enhance accountability and responsibility. It aims at

³ In the case of private production of local public services, they oversee the private contractors.

⁴ Decentralization Policy Strategic Framework, January 2006 page 13.

introducing effectiveness and efficiency in the generation and management of resources and delivery of services⁵. This decentralization process is legally and institutionally well anchored, supported by a strong legal framework, especially the Constitution of the Republic of Uganda, the Local Governments Act (LGA) Cap 243 as well as various Regulations and Guidelines for Finance, Administration, Personnel, Council Procedures and Procurement.

Article 176 (1) of the Constitution and the LGA Cap 243 (section 3), stipulates that the system of local governments shall be based on a district as a unit under which there shall be lower local governments and administrative units. It further provides that, the local governments include: district and sub-county councils in rural areas, city and city division councils in a city; municipal and municipal division councils in a municipal; and town councils in a town. Section 6 (1) of the LGA Cap 243 stipulates that every local government shall be a body corporate with perpetual succession and a common seal, and may sue or be sued in its corporate name and may, subject to the provisions of the Constitution, enjoy or suffer anything that may be done, enjoyed or suffered by a body corporate. Section 45 of the LGA Cap 243 specifies that the administrative units include: the county, parish and village in rural areas; parish or ward, town board and the village in urban areas.

Politically, section 9 (1) of the LGA Cap 243 specifies that a council shall be the highest political authority within the area of jurisdiction of a local government and shall have legislative and executive powers to be exercised in accordance with the Constitution and the LG Act. The district councils have powers to make laws not inconsistent with the constitution or any other law made by Parliament which power is exercised by the passing of local bills into ordinances by the council and signed by the chairperson. Similarly urban, sub-county, division or village councils may, in relation to their powers and functions, make byelaws not inconsistent with the Constitution, or any law enacted by Parliament, or an ordinance of the district council or a byelaw passed by a higher council.

Administratively, subject to the Constitution and any other law, a district or an urban council may establish or abolish offices in the public service of a district or urban council in accordance with staff regulations made under the LGA (Cap 243 section 52). Fiscally, the LGA Cap 243 section 80 (1) empowers the local governments to levy, charge and collect fees and taxes, including rates, rents, royalties, stamp duties and registration and licensing fees and the fees and taxes that are specified in the Fifth Schedule to the LGA. In addition Section 83 (6) specifies that the Government shall remit conditional, unconditional and equalization grants direct to district, city, municipal and town councils. In turn, section 77 (1) states that the local governments shall have the right and obligations to formulate, approve and execute their budgets and plans provided the budgets are balanced.

Therefore the main decentralization policy thrust in Uganda is inclined towards devolution where responsibilities for delivery of services are transferred to local governments which elect their own chairpersons and councils, raise their own revenues and have independent

⁵ Please refer to the overview of the status of decentralisation (1993-2004) presented in the Joint Annual Review of Decentralisation 2004, page 2.

authority to make investment decisions. Devolved powers have to be used in the best interest of the people to enhance service provision, reduce poverty and improve livelihoods⁶.

Therefore, the legal framework in Uganda is in line with the oversight and accountability relationships illustrated in figure 1. The study explores and analyses the extent to which this legal framework has been implemented and the impact on service delivery.

1.3 Process and Methods

The consultant executed the following tasks and activities

1.3.1 Preparatory activities

- a) *Fact finding mission and design of methodology:* The consultancy and World Bank team⁷ conducted a fact finding mission in Wakiso District in July 2008. The fact finding mission involved interviews with key stakeholders to identify potential survey respondents and interviewees and to clarify the methods to be used for further data gathering. The methodology and key issues (results framework) were discussed and agreed on with support from the World Bank team.
- b) *Tanzania meeting:* Discussions and final agreement was made on the scope, methods and results framework based on the initial findings from the fact finding mission in Uganda and Tanzania, with guidance from the World Bank Headquarters.
- c) *Selection of units of analysis:* In liaison with Ministry of Local Government (MoLG), Local Council Development Department (LCD), 4 districts were sampled for study. The criteria for sampling the districts include:
 - i. Representation of the four regions in the country: Central, East, North, and West. This was meant to ensure the capturing of issues from different agro-economic zones, socio-economic characteristics as well as ethnic divides;
 - ii. A mix of urban and rural councils: 1 Municipal Council and 3 District Councils were selected. This rural – urban mix was intended to enable the team capture differences between the services assigned and delivered to the different categories of Local Governments (LGs);
 - iii. Good and poor performing districts as per the annual assessment of minimum conditions and performance measures for LGs and public accounts committee reports; and
 - iv. Mix of LGs with reported poor or good working relationships between the councillors and technical staff.

The LGs sampled are presented in table 1 below.

⁶ Decentralisation Policy Strategic Framework, January 2006, page 17.

⁷ The Consultancy team was composed of: Emmanuel Ssewankambo, Santa Vusia, Patrick Okuma, John Max Bwetunge, Irene Among and Aloysius Kigongo. The World Bank Team was composed of Serdar Yilmaz and Varsha Venugopal.

Table 1: LGs sampled for field work data collection

District/Municipality	Sampling Criteria
Nebbi District	<ul style="list-style-type: none"> • Representing the LGs in Northern Uganda • Relatively stable relationship between local councillors and staff
Tororo District	<ul style="list-style-type: none"> • Representing the LGs in Eastern Uganda • Formerly very poor relationships between the local councillors and staff but now stabilizing
Kasese District	<ul style="list-style-type: none"> • Representing the LGs in Western Uganda • Representing a change from very poor to stable and good working relationship between the local councils and technical staff
Masaka Municipal Council	<ul style="list-style-type: none"> • Representing Urban Councils • Strained relationships between and among the executive, councillors and technical staff

1.3.2 Data collection and fieldwork model

- a) *Team composition and coordination arrangements:* The team split into two sub-teams. Sub-team A was composed of Santa Vusia I.K, Patrick Okuma and John Max Bwetunge. Sub-team B was composed of Emmanuel Ssewankambo, Irene Among and Aloysius Kigongo. Sub-team A was responsible for conducting field work in Nebbi District and Masaka Municipal Council. Sub-team B was responsible for conducting field work in Kasese and Tororo districts. All team members were responsible for compiling district specific field notes. Emmanuel and Santa were in addition responsible for synthesising the findings and compiling the country synthesis report.
- b) *Review of secondary data:* Before field level data collection, the team reviewed the legal framework regarding local governments as well as the relevant sector laws. The purpose of reviewing the legal framework was to capture the stipulated process and rules of how LGs should operate as well as discerning the actors, powers/discretions and relations of accountability. Based on the reviewed legal framework as well as findings of previous evaluations and studies, the team made initial reflections that provided the basis for probing while collecting information from the field. Further, data collection in the field was complemented by documentary review and capturing of descriptive information about the local councillors as individuals as well as the local councils as institutions. The key documents reviewed are attached in annex 1.
- c) *Consultations with technical staff:* Consultations were made with technical staff at Higher Local Governments (HLGs) using Key Informant Interviews (KII) with inbuilt triangulation. The key staff interviewed included the: Chief Administrative Officers (CAO); Town Clerks; Clerks to Council; Planning Officers; Finance Officers; Internal Auditors; Human Resource Management (HRM) Officers; Procurement and Disposal Unit (PDU) staff; District/Municipal Engineers; Community Development Officers (CDOs); Health, Education and Production sector staff.
- d) *Consultations with local councillors:* Using a mix of KII and Focus Group Discussions (FGD), local councillors representing constituents near and far from the local council headquarters were interviewed. In particular, the councillors interviewed represent the District Executive Committee (DEC); Standing Committees; Special Interest Groups; Opposition Parties; and the District Speakers. In addition members of the statutory committees namely: the Local Government Public Accounts Committee (LGPAC) and District Service Commission (DSC) were interviewed.

- e) *Consultations with other institutions:* Members from other relevant Institutions including the Resident District Commissioner (RDC), NGOs and customary agencies were consulted to seek their views on the extent to which the local councils are performing their accountability and oversight functions.
- f) *Consultations in Lower Local Governments (LLGs):* In each of the HLG, consultations were made with two LLGs including Sub-counties, Town Councils, and Municipal Divisions. To ensure adequate rural - urban coverage: two municipal divisions were sampled from Masaka Municipal Council; a Sub-county and Town Council were sampled from Tororo District; two sub-counties from Kasese District; and two sub-counties from Nebbi District were sampled. In each of the LLGs KII were conducted with technical staff including the Sub-county Chiefs / Town Clerks, Planning Focal Point Persons, Sub-Accountants, Community Development Officers, and Health Assistants. In addition FGDs were conducted with the local councillors representing the LLG Executive Committee, Standing Committees, Special Interest Groups, members of user committees, some community members, Opposition Parties and Speaker. Table 2 below provides the LLGs sampled in each of the HLG.

Table 2: Sampled Lower Local Governments

District/Municipal Council	LLG Sampled	Sampling Criteria
Kasese District	Bwera Sub-county	<ul style="list-style-type: none"> Rural Sub County Has a new LLG (Bwera Town Council) carved out of it Cases of citizens demanding accountability through non-elected networks
	Kilembe Sub-county	<ul style="list-style-type: none"> Rural Sub County Elected representatives demanding accountability
Masaka Municipal Council	Kimaanya/Kyabakuza	<ul style="list-style-type: none"> Municipal Division Cases of detected shoddy work and failed community projects Varied political party affiliations
	Nyendo/Ssenyange	<ul style="list-style-type: none"> Municipal Division Cases of successfully implemented community demanded projects
Nebbi District	Paidha Sub County	<ul style="list-style-type: none"> Rural Sub County Part of an area agitating for a new district (Zombo) Recently sub-divided and part of it became a town council (lost most lucrative revenue source) Case of bylaws developed as a result of citizen demands
	Panyango Sub County	<ul style="list-style-type: none"> Rural Sub County Cases of demand for services by women
Tororo District	Malaba Town Council	<ul style="list-style-type: none"> Urban area To capture cross boarder issues (bordering with Kenya) Ongoing recalling of the Youth Councillor and LCIII Chairperson Malaba Town Council is a newly gazetted LLG and the current council of 15 members is the first. Poor working relationship between councillors and technical staff
	Molo Sub-county	<ul style="list-style-type: none"> Rural Sub-county Good working relationship between council and technical staff Citizen demand for efficient service delivery In an area that is demanding for a new district

- g) *Consultations in lower local councils:* Further consultations were conducted at parish level with the Parish Chiefs/Town Agents, members of the Parish Development

Committees (PDC) and Parish Council. At village level, FGDs were held with the village executives, community meetings with the community members (citizens) as well as KIIs with Councillors and other community leaders.

- h) *Documentation of case studies:* The study focussed on documenting case studies and tracing stories. Therefore to complete the network of people in a story, KII, and observations were conducted at service delivery units. The stakeholders at the service delivery units consulted include members of the: Health Unit Management Committee (HUMC); School Management Committee (SMC), Water User Committees and Farmer Forums.
- i) *Quantitative information:* The team formulated and tried to administer a questionnaire to councillors at the district and sub-county level as well as community members. However, there was a very high non response rate as members preferred to discuss the issues rather than filling a pre-coded questionnaire.
- j) *National level data collection:* The information collected from the field level were validated and substantiated with national level interviews with MoLG – LCD, Local Government Finance Commission (LGFC), Uganda Local Government Association (ULGA) and Urban Authorities Association of Uganda (UAAU); Decentralisation Development Partner Group (DDPG); and Political Party Officials.

1.3.3 Analysis and Reporting

- a) *Compiling district specific reports:* The report format was developed and agreed on during the preparatory phase. This allowed for progressive generation of the report where the teams on daily basis compiled field notes, discussed them, drew inferences and identified issues to follow up on subsequent days. The field notes were the basis for compiling the district reports with documented case studies.
- b) *Compiling the synthesis report:* The reporting format for the synthesis report is similar to that of the district reports which were the main input. In addition, the synthesis report benefited from secondary data, national level perspectives as well as the authors' analysis.
- c) *Local and national workshops:* The draft findings were presented and discussed during the Joint Annual Review of Decentralisation (JARD) 2008.
- d) The consultant also collaborated with consultants in other project countries (Tanzania) and the World Bank headquarters throughout the project.

1.4 Background to the LGs studied

Table 3 below provides an overview of the key characteristics of the LGs sampled for study

Table 3: Overview of LGs studied

HLG	Location	Population			Administrative Units		
		Male	Female	Total	LLG	Parishes	Villages
Kasese District	West	305,861 (49%)	318,345 (51%)	624,206	23 (19 S/C, 4 TCs)		
Nebbi District	North West	207,422 (48%)	226,044 (52%)	433,466	19 (16 S/C, 3 TCs)	87	1229
Tororo District	East	Sex ratio is 94.9%		427,165	19 (15 S/C, 2 TCs & 2 MDs)	69	630
Masaka MC	Central/ South	36,498	40,502	77,000	3 divisions	6 wards	54 cells

Source: The respective District Development Plans

From table 3 above, there are a number of issues having implications on local council oversight and accountability that can be noted from the LGs sampled:

- a) They represented the different regions of the country, were relatively far from the capital, captured different socio-economic and cross-border issues;
- b) Have a population ratio with more females, following the overall female male ratio in the country. Other population characteristics in the sampled LGs reflecting the national character include ethnic diversity and high dependency ratio (young population)
- c) Have representation of all types of LLGs - sub-counties, town councils, and municipal divisions as well as wards/parishes and villages/cells.
- d) Have been affected – save for Masaka MC and Kasese District, by the recent creation of new districts. For example Tororo District (formerly Bukedi) has been split several times over the decades with the new districts encumbering the parent district with liabilities. The districts split from Tororo include: Busia, Pallisa (Budaka) Butaleja and still with agitation of further split. Similarly, a number of new LLGs have been formed like Bwera town council from Bwera sub-county.
- e) Have different political party affiliations in the councils, with both the national ruling party and opposition having a majority in different local governments (please refer to section 2.1.2 for detailed analysis of multi-party composition of councils)

From the above characteristics, and notwithstanding the qualitative nature of the study, one can infer that the field findings are representative of the general situation in the country.

2 Institutional Assessment of Councils (Local Council System)

The study sought to improve knowledge about how elected local councillors oversee local appointed officials and how the elected local councillors account to the citizens. This chapter discusses how the local council system including the political and electoral system, council capacity and citizens power impacts on local council oversight and accountability.

2.1 The Political and Electoral System

This section starts by describing and discussing the political and electoral system in Uganda, the incentives for one to stand as a councillor, the electoral process and results and how they impact on local council and oversight.

2.1.1 Overview of the political and electoral system in Uganda

Under decentralised systems, it is assumed that when citizens elect their local leaders, the local leaders would put into consideration and be responsive to the citizen's priorities. Therefore the political system through which local leaders are elected is a key determinant of the extent to which the local leaders would address the citizen's interests. This sub-section describes the political and electoral system in Uganda focussing on the recently introduced multi-party political system and discerns implications to accountability and oversight.

In Uganda, it is a Constitutional right of every citizen of eighteen years of age or above to vote. Regarding local councils, article 176 (3) of the Constitution stipulates that the system of local government shall be based on democratically elected councils on the basis of universal adult suffrage and article 181 (4) provides for election of all local government councils every five years.

The LGA Cap 243 section 10 (1) provides that District councils shall consist of: the district chairperson; one councillor directly elected to represent an electoral area of a district; two councillors, one of whom shall be a female youth, representing the youths in the district, two councillors with disabilities, one of whom shall be a female, representing persons with disabilities; women councillors forming one-third of the council; two elderly persons a male and a female above the age of sixty years. Save for the two elderly councillors that were not in place in most of the councils, the councils have the required representation of the different levels of local structures and marginalised sections of the community.

Until 2005, national and local government elections were conducted under a movement political system. The movement political system was broad-based, inclusive and non-partisan. The key principles that governed the movement system were: participatory democracy; accountability and transparency; accessibility to all positions of leadership by all citizens; and individual merit as a basis of election to political offices.

In 2005, multi-party political system was re-introduced at the national and local levels. Each political party is required to be of national character and democratic with membership not based on sex, ethnicity, religion or other sectional division.

Under this system, the District/City as well as Sub-county/Town/Municipal Division Chairpersons, directly elected councillors representing an electoral area of the respective local government and women councillors forming one-third of the council stand and compete either under a political party or as independent candidates. The electoral areas are: sub-county or municipal division for a district council; city division for a city council; and parish or ward for sub-county, municipality, city division or town council. However, electoral areas for women councillors may bring together two or more local council units using a population quota determined by the Electoral Commission to get at least 30% of council being women. The election procedure is by universal adult suffrage through a secret ballot using one ballot box for candidates at each polling station. Though not yet conducted, the village chairpersons will also stand either under a political party or as independent candidates and elections will be by universal adult suffrage through a secret ballot.

However, the two youth councillors at the district and lower local governments (one female and another male) are elected by an electoral college consisting of all sub-county youth councils for districts and all parish youth councils for a sub-county and the respective district and lower local governments youth executives elects the youth councillors through a secret ballot. The two councillors (female and male) representing persons with disabilities are elected using a secret ballot by the National Union of Disabled Persons of Uganda forming an electoral college, including all members of the district executive committee and sub-county executive committee. The two elderly persons a male and female above the age of 55 years in LLG councils are nominated by the respective executive committees for approval by their respective councils.

Therefore, apart from youth councillors, councillors representing persons with disabilities and those representing the elderly, who are elected by electoral colleges, all other councillors are elected under a multi-party dispensation and through universal adult suffrage.

Table 4 below provides information on the number of nominated candidates for each political party in the 2005/2006 local government council elections at the district/city level and at the sub-county/town/municipal division level while table 4b provides the political party affiliation of councillors in sampled districts.

Table 4: Number of Nominated Candidates for Each Political Party in 2005/2006 LG Council Elections

	CP	DP	FDC	FIL	JEEMA	Independent	NRM	PAP	UPC	MVMO
a) District/City Level										
Chairperson	0	8	22	0	0	64	66	0	11	0
Directly Elected Councillors	1	116	350	0	1	601	983	0	100	1
Women Councillors	0	52	152	0	0	264	649	1	35	0
Sub-total	1	176	524	0	1	929	1698	1	146	1
b) Sub-county, Town, Municipal Division Level										
Chairperson	2	119	426	1	3	841	972	1	108	0
Directly Elected Councillors	5	395	1261	0	1	1964	4873	0	257	0
Women Councillors	5	221	685	0	0	1279	4350	0	166	0
Sub-total	12	735	2372	1	4	4084	10195	1	531	0

Source: Report on the 2005/06 General Elections by Electoral Commission, August 2006.

Table 4 shows that most of the political parties cannot afford to have people nominated for the different positions countrywide. For example CP, FIL, JEEMA, PAP, and MVMO did not have any person nominated as a district/city chairperson countrywide. One could therefore safely infer that many parties lack countrywide grassroots support. Many of the informants argued that the political parties are weak because of the long period the country operated under the movement system. For multi-party political dispensation to elicit the required accountability between the councillors and citizens there is need for civic education and support to both the citizens and councillors on the virtues and operational modalities of political parties.

Table 4 further shows a high number of candidates standing as independent candidates at all levels. The informants attributed this to the long history of people standing on individual merit under the movement system and alleged non-transparency in political party preliminary elections. They argued that many people who stand as independents first attempt to compete on a political party ticket and when they lose, they opt to stand as independents. In many councils, candidates who lost elections in party preliminaries and stood as independent candidates won the formal elections.

The general finding is that whereas competitiveness may have been affected by political party considerations, people often voted on the basis of individual merit/personal qualities of the candidate rather than the political party to which they are affiliated. In Nyendo-Ssenyange, Masaka Municipal Council, the community members argued that multi-party politics at local council level was introduced without sufficient civic education hence voting patterns are still influenced more by the qualities of the individual councillors rather than their political party affiliations. The parties and their ideologies, though important, are not the main basis on which candidates are vetted by the majority of constituencies. Moreover, in many cases, the candidates fund their campaigns with little or no financial support from the

respective parties. The community members perceived the councillors that funded themselves to be behaving in an independent manner at times challenging party policy lines they deem not beneficial to their electorate.

It was reported that many councillors still have stronger links to their constituents than the parties. That is perhaps the reason why all LGs visited argued that the debate in councils is more influenced by the constituency of the councillor (where one comes from) than the party agenda. They argued that once elections are over, there is a tendency to focus on the needs of the constituencies, except in a few areas where party rivalries are heightened which affects attention to the service delivery needs of the people. *“Most of the councils have been able to put aside party differences and focus on the interests and needs of the respective constituencies”* said a Councillor in Panyango, Nebbi District. Efforts to corroborate this information with the citizens were not very successful as citizens claimed not to be getting information about the debates in councils. In most of the cases, they only get access to council resolutions and decisions on investment priorities which are more often than not greatly affected by the constrained resource envelopes other than the extent to which councillors articulate constituency concerns in the councils. Nevertheless, the study team finds this scenario where local priorities and specific qualities of candidates are used to determine who is elected a healthy occurrence that can enhance the bond and accountability lines between the councillors and citizens.

The Government has conducted orientation exercises on the operation of councils under a multi-party dispensation but they are still insufficient, given the fact that people operated under the movement system (where people were voted on individual merit) for so long (from 1986 to 2005). It was reported that in a situation where there is a dominant party in council, there is no effective mechanism to protect the interests of the minority. The situation is likely to be more challenging in the lower local councils where the system is yet to be practically introduced. Notwithstanding the fact that many councillors acknowledged that the multiparty system had led to freedom of association in the councils, one could infer that multi-party politics is yet to satisfactorily enhance democratic processes and accountability in local councils. Therefore it is paramount that it is made easy for the independent candidates to stand and compete for elections as they are likely to be more accountable and represent the interests of the citizens.

Civic education is done by very few organisations sent and funded by the NRM (ruling party) few weeks to the election day. The civic education teams are doing campaigning for the NRM not providing civic education. ... “This multi party politics is not well understood. We are still voting based on individual merit. Civic education is not done well to reduce the elements of individual merit and competitors hating each other” – Community members, Nyendo Ssenyange Division, Masaka Municipal Council.

2.1.2 Incentives to stand and be elected as a councillor

The foregoing sub-section has provided an overview of the political and electoral system in Uganda. One of the major conclusions is that whereas elections are formally conducted under a multi-party political system, voting patterns are still greatly influenced by the qualities of individuals standing to be voted as councillors. This sub-section analyses the factors that motivates individuals to compete to be elected as councillors and how they impact on the performance of the oversight and accountability functions once they are elected.

There are a number of reasons the informants (councillors, technical staff and citizens) mentioned as incentives for one to compete as a Councillor. Each of the motivating factors pose different implications to oversight and accountability as discussed below:

There are councillors driven by the **representation motive** where they argued that the zeal is to represent their electorate, serve their people, provide good leadership for the development of their respective areas including lobbying for resources to invest in service delivery, and addressing perceived inequalities. A number of them reported that deciding to vie to be elected as a councillor was based on **popular demand** from the citizens and respective political parties. Such councillors are likely to bring issues affecting their constituents to the agenda of the respective councils, work to improve the lot of their constituencies through lobbying for allocation of resources and ensuring that the resources are spent on community priorities and put to proper use.

Many citizens alleged and most councillors confessed to be propelled by **livelihood motives**, where being a councillor, was reported as a source of employment and income for the councillor. Such councillors were reported to be giving preference to their individual benefits as opposed to improved service delivery for the constituents. Many informants reported that councillors only monitor and conduct physical inspection of district activities and projects where they are paid an allowance to do so even in cases where the projects being monitored/inspected are situated in their areas of residence. In Nebbi District for instance, it was reported that in some cases, individual perceptions or grievances of the councillors may be reflected in the monitoring report which then has to be further corroborated consuming more LG resources. Individual interests were also reported as the major cause of the blurred division of roles and conflicts between the councillors and technical staff where the councillors venture into implementation space rather than restricting themselves to policy making and oversight. In Malaba Town Council, the technical staff reported that councillors frequent the Town Council offices wanting to scrutinise payments to be made in a bid to benefit as opposed to waiting for scrutinising financial and audit reports.

There are also councillors, especially the relatively old ones who argued that standing as a councillor was driven by **self actualisation motives**. A member of the District Executive of Tororo District for instance argued that being a councillor is a source of prestige and an opportunity to exploit one's political potential.

In general, personal drivers such as status, access to resources and the 'corridors of power' appear to be stronger motivators for one to vie for councillorship rather constituent representation. This is one of the reasons advanced by community members for the non-responsiveness of the councillors to their needs affecting downward accountability. The community members in all districts asserted that councillors are more vigilant to oversee the activities of technical staff where there are anticipated monetary incentives. They further asserted that they receive feedback from councillors in periods that precede elections.

2.1.3 The Election Process

In addition to the incentive for one to vie to become a councillors, the manner in which the elections are organised and conducted also impact on the extent to which the councillors can perform their oversight and accountability functions. This section discusses the key issues in the election process that have practical implications to way councillors perform their oversight and accountability functions.

The local council elections are supposed to be free and fair. To ensure that this fairness is attained, there are legal provisions to ensure equal treatment and rights of candidates. For instance, it is stipulated that every candidate in an election shall be afforded reasonable access to and use of State-owned communication media, if he or she requires it. However, in practice this is far from being the case as the councillors reported that they receive virtually no facilitation support while campaigning. The issues in the electoral process that

have implications to local council oversight and accountability unearthed by the study are discussed below.

Monetisation of the election process:

Notwithstanding the fact that it is prohibited, the behaviour of 'buying votes' during elections was reported as widespread. The informants reported that most candidates bribe voters and returning officers and this compromises competition. The community members argued that since they are not sure whether the councillor will represent their interests, they decide to demand for a monetary or other token from them during the campaign/election process. Several of them could not visualise themselves confronting their representatives and demanding for accountability, although they had a number of issues they wanted addressed. This in effect means that the electorate have sold their right to demand for accountability from the councillors. The councillors in turn look for avenues of generating funds from the councils as a means of compensating for the funds they spent in the election process. Many councils have advocated for increased emoluments to among others payback the resources they used in the campaigns. This affects the extent to which the councillors provide the required checks and balances to the administration as they are either party to or agitators of some of the reported wrong-doings.

Shift from joint to individual candidate rallies:

Before the introduction of multi-party politics, candidates for the same post used to conduct joint rallies. The councillors and community members alike reported that this previous joint rally arrangement was very good, easy and cheap for candidates, election supervisors and community members. They complained about the current system of individual candidate's rallies as being too expensive and not able to give the citizens a good comparative scrutiny of candidates.

The shift to secret ballot system

Before 1997 when the Local Government Act was enacted, elections were conducted by lining behind the preferred candidate by the community members at village level and by members of an electoral college at other levels. Currently, the elections are conducted through a secret ballot, using one ballot box for all candidates at each polling station. Whereas this change was reported to have improved choice of the voters whereby voters could not be coerced, it was reportedly constrained by low levels of literacy. Many votes cast are often declared invalid due to non-adherence to the election procedures. Nevertheless, illiterate voters can be helped by a family member and symbols are also used to ease the election process. Therefore the secret ballot was seen as important for the citizens to express their opinion in voting and the councillors have limited space for manipulation.

Voter turn out

The extent to which citizens participate in an election is one of the indicators to demonstrate the interest and importance of that election to them. Table 5 gives an overview and comparison of the voter turn-out between local government and central government elections.

Table 5: An overview of trends of voter turn-out between LG and CG:

Type of Election	Year	Registered Voters	Total Cast Votes	Voter Turn Out
Parliamentary	2006	10,164,988	6,894,800	67.8%
	2001	10,394,464	5,784,532	55.7%
	1996	7,880,553	4,782,536	60.7%
Presidential	2006	10,450,788	7,230,456	69.2%
	2001	10,775,836	7,511,746	69.7%
	1996	8,492,231	6,193,816	72.9%
Local Council	2006	10,450,788	4,249,842	46.3%
	2001	8,181,720	4,063,635	59.7%

Source: Report on the 2005/2006 General Elections by Electoral Commission, August 2006

Notes: Voters in districts where candidates were nominated and declared elected unopposed are excluded when computing voter turnout.

From table 5 above, one notes that (i) there is higher voter turnout at the Presidential and Parliamentary elections than the local council elections for the 2 previous consecutive elections and (ii) the voter turnout in Parliamentary elections is increasing whereas turnout in LG elections is decreasing. The informants attributed this trend to a number of reasons. They reported that Presidential and Parliamentary elections are more publicized than the local council elections; and that there is election fatigue of the electorate by the time of local council elections which are always organized after the Presidential and Parliamentary elections. More fundamentally, the scenario may imply that the LG system has been weakened in this period whereas the role of the Parliament has been strengthened.

The implications to oversight and accountability are that;

(i) the more charismatic, qualified, reputable, and experienced people in public administration, legislation and mobilization may opt to stand for Parliament elections rather than local council ones affecting the quality of oversight and accountability. The informants quoted a number of cases where District Chairpersons and Councilors are contemplating to compete for Parliamentary seats in the next elections rather than continuing in the local councils; and (ii) the citizens may be looking at the President and Members of Parliament as being responsible for service delivery as opposed to the local councilors who are directly mandated to oversee the provision of the services.

2.1.4 Councillor turn-over

The main available channel through which the citizens hold the councillors accountable is through the elections. It is assumed that when the citizens are not satisfied with the services of the councillor, they would not re-elect him or her. This sub-section (table 6) gives an overview of the councillor turn-over in the sampled districts/municipality and analyses the implications to the execution of the accountability and oversight functions.

Table 6: Overview of Councillor Turn-Over in the Sampled LGs between 2001 and 2006

Local Government	Old Councillor	New Councillor	Total
Kasese District	8	30	38
Masaka Municipal council	7	15	22
Nebb ⁸ i (Jonam County)	8	2	10
Tororo District	10	24	34

Source: Clerks to Council of the respective districts

Table 6 shows that whereas some councillors are re-elected, many of them are not because they are dropped during the party preliminaries, main elections or have not offered themselves for re-election. The situation is not different in lower local governments. For example only one out of the fifteen councillors was in the previous council in Bwere Sub-county, Kasese District.

The informants reported that for those that are re-elected, it is an expression of increased trust and satisfaction with their performance. In Kimaanya-Kyabakuza Division, Masaka Municipal Council, the informants reported that their chairperson who belongs to the NRM Party was elected in a Democratic Party (DP) dominated area based on his good performance as a councillor in the previous council. They noted that non re-election of a councillor demonstrates citizen's loss of trust in the councillor for failure to meet election promises. For example, in Tororo District, the councillors argued that the former Chairperson was not re-elected because of his failure to bring harmony and development in the district. They reported that he initially lost preliminary elections where he stood as a candidate for the NRM Party and even the local council elections when he insisted to stand as an Independent candidate. The informants also reported that there are also councillors not standing again because of loss of interest for failure to realise their expectations. Many of such councillors were reported to be civil servants who opted not to stand again as contesting required them to resign from their permanent jobs, a condition which was not a requirement previously. This requirement addresses the danger of civil servants being at the same time councillors that would pose a conflict of interest during the execution of the council oversight function.

Councillor turn-over implies that (i) the councillors are more concerned about performance and showing results to the electorate for fear that they may not be re-elected. Therefore, in many cases, the informants reported a frenzy of activities towards elections rather than sustained action during the councillor's tenure. There are also tendencies for councillors to 'pull strings' towards their own constituencies at the expense of LG wide development. They are faced with a challenge of reconciling constituency with the overall LG level needs⁹; and (ii) notwithstanding the need for continuous capacity building and induction, the new councillors were reported to be enthusiastic to prove themselves as performers as opposed to councillors who have served many terms.

The study in addition tried to establish whether some councillors are forced to drop-out before the end of their term of office. It was noted that the system of recalling councillors exists but does not work effectively¹⁰. The citizens reported that procedures are too complicated, so they wait until the time of elections to express their displeasure towards a

⁸ Nebbi district officials indicated that 50% of the old councilors were returned, although the exact figures were not indicated.

⁹ The constituencies are: sub-county or municipal division for a district; city division for a city; parish or ward for a sub-county, municipality, city division or town council.

¹⁰ A few attempts were made or the possibility of recalling councilors explored by citizens

councillor. In addition, the system is further rendered faulty by the fact that even those councillors who no longer perform due to loss of interest or other circumstances often do not step down and their positions are often not filled. Posts have been filled mainly where the councillor concerned has died.

2.2 Council Capacity

This section discusses the individual qualities of councillors as well as the council capacity as an institution and how they impact on the execution of the oversight and accountability functions.

2.2.1 Information on individual councillors

The qualities of an individual elected as a councillor, are a major contributory factor to the extent to which that individual performs the oversight and accountability functions. The LG Act Cap 243 section 116 (1) provides that a person is qualified to be a member of a district or city council other than the chairperson if the person (a) is a citizen of Uganda; and (b) is a registered voter. The legal framework provides an opportunity for all citizens to compete and represent their constituents and assumes that the citizens would be in position to scrutinise these individuals and elect those that possess the skills necessary to perform the oversight and accountability functions and ensure that the citizens access services. This sub-section analyses the characteristics of individual councillors and how they impact on local council oversight and accountability functions.

Gender composition of councils

Women form the majority of the population in Uganda. Unfortunately, most of the development indicators show that women are poorer, more vulnerable, isolated and powerless and that they have very peculiar needs. A number of initiatives have therefore been initiated and implemented to address the gender imbalances and ensure that the women get equal access to opportunities as their male counterparts. One of the initiatives is affirmative action in among others the areas of leadership including local councils. The law provides that women councillors should form at least one-third of each of the councils. The table 8 below provides for the gender composition of the councils in the sampled LGs.

Table 7: Composition of the Councils by Gender in the Sampled LGs

District/Municipal	Male	Female	Total
Kasese District	23	15	38 ¹¹ (they were 40 but 2 resigned)
Masaka Municipal	14	8	22
Nebbi district	22	14	36
Tororo	22	12	34

Source: Clerk to Councils of the respective LGs

Table 7 shows that all LGs adhered to the legal provision where at least one third of the council is composed of women. This is the same scenario in the lower local governments. The study sought to establish the implication of the gender composition of councils to the representation of women specific issues in council deliberations and action.

It was noted that:

- Women have been empowered and their participation in councils – though not yet adequate - was reported to have improved. There is now improved gender responsive planning, budgeting and budget execution.

¹¹ As noted in the earlier section, although these two resigned, they were not replaced.

- However, women councillors were reported to be seldom articulating issues specific to women in council and their capacity for debating in general was considered limited. Their strength was reportedly at the constituency level, where they are considered good mobilizers and able to articulate constituency level issues. In Nebbi District for example, the informants reported that while the district council is composed of about 39% of women councillors, the majority of them do not eloquently articulate issues concerning women during the council sessions, which many people still consider to be their main role, despite the fact that both men and women are elected by universal adult suffrage and are supposed to address all issues concerning their constituents. The limited eloquence of women in council was attributed to their relatively low levels of education and cultural upbringing which inhibits women's participation as compared to the men. Nevertheless, during our interviews, women councillors were able to articulate issues they considered to be important to their constituents demonstrating potential for becoming more effective during council debates. There are also a number of initiatives under LG capacity building activities and NGOs geared towards improving the capacity of councillors especially women to better represent issues of special interest groups in the councils.

Education levels of councillors

Apart from the District Chairpersons who must have completed a minimum education of Advanced Level standard or its equivalent as stipulated in the LGA Cap 243, section 111 (3e), there are no minimum education qualifications for other LG councillors. Attempts have been made by Parliament to put in place minimum academic qualifications of councillors but His Excellency the President vetoed it. He argued that it was not possible to 'legislate' people out of governance of their country. Table 8 gives an overview of education levels of councillors at district level in some of the districts.

Table 8: District Councillors by Highest Level of Education

DLG	Degree	Diploma	Certificate	A-level	O-level	Primary	None	Total
Bugiri	3	3	3	7	11	3	0	30
Bundibugyo	2	8	3	2	6	0	0	21
Bushenyi	12	14	19	2	4	0	0	51
Busia	2	5	2	9	4	0	0	22
Gulu	4	8	0	4	10	0	0	26
Kalangala	0	2	0	4	11	1	0	18
Kaliro	0	4	1	2	8	1	0	16
Kampala	21	9	0	0	0	0	0	30
Kayunga	2	3	7	3	4	1	1	21
Kiboga	0	7	7	4	4	4	0	26
Kiruhura	4	5	5	0	12	0	0	26
Lira	2	14	2	3	10	0	0	31
Lyantonde	3	3	1	0	2	1	0	10
Masindi	1	10	5	4	6	0	0	26
Mpigi	2	5	7	2	11	3	0	30
Mubende	3	6	4	2	13	0	0	28
Pallisa	2	1	10	1	20	1	0	35
Soroti	2	3	0	5	16	7	0	33

Source: Uganda Local Government Association

From table 8, one notes that out of the 429 councillors in 18 districts spread in all regions of the country from which data was collected only 20 had not attained O-level certificate, the minimum academic qualification proposed for district councillors. And these are from districts like Bugiri (3), Kalangala (1), Kaliro (1), Kayunga (2), Kiboga (4), Lyantonde (1), Mpigi (3), Pallisa (1) and Soroti (7) whose literacy levels are low and which may encounter challenges

of filling all the councillor positions with electorate preferred candidates should the minimum academic qualification requirement be legalised. One can therefore infer that the electorate scrutinises the candidates based on their capacity to perform the expected functions which more often than not coincides with the education qualifications.

However, many technical staff in all districts sampled, argued that notwithstanding the fact that most councillors have basic education qualifications, the level of internalisation of issues and debate is still constrained by limited and untimely access to appropriate information.

The information in councils is presented in English and quite often in complicated formats. The councillors reported challenges in interpreting it let alone using it to check the technical staff and account back to the constituents. The informants however argued that the solution to this challenge is not the introduction of minimum academic qualifications but rather presenting the information to councillors on time to internalise the issues and in a language and format that is user friendly to the councillors. In Masaka Municipal Council for instance, council conducts business in *Luganda* but the minutes are recorded in English. The informants further argued that election of a councillor should be based on the experience and exposure of the individual rather than merely education qualifications. They advocated for continuous and tailored capacity building activities on rules and procedures as well as roles and responsibilities and how to execute them.

Social Status of Councillors

Discussion of the status of councillors at LG level was premised on the individual councillor's occupation, age and social status in the society. It was reported that many of the people elected as councillors at LG level possess clout sufficient for them to hold the technical staff accountable. Some of them are retired civil servants and business persons with ample knowledge of public sector procedures as well as the basic legal framework. Usually opinion leaders and those persons with time for community work were elected. For instance many of the women councillors were considered to be good community mobilizers. However, some people argued that several councillors were considered to be unemployed, taking councillorship as a source of employment. The implication to council oversight is that many councillors spend a lot of time at the LG headquarters 'supervising' staff and trespassing into implementation. This was very common in Malaba Town Council and Masaka municipality, where the councillors were reported to be frequenting the offices and often conflicting with staff.

2.2.2 Council Capacity as an institution

This sub-section analyses the physical capacity of council as an institution as the basis for performing the oversight and accountability functions. The extent to which the council performs its mandated functions is discussed in the remaining sections of the report.

Physical infrastructure, tools and staffing

Whereas the individual councillors may possess the basic education qualifications and clout, the performance of their roles can only be attained if they have in place the required infrastructure, tools and staff to make their working environment conducive. This section analyses this supportive environment at both the district and lower local government levels.

Table 9 below provides an overview of the key physical infrastructure, tools and staff possessed by the districts and municipal council sampled.

Table 9: Overview of Physical Infrastructure, Tools and Staff

	Kasese	Masaka	Nebbi	Tororo
Office space	Each DEC member has 2 offices – one at the Council premises and another at the respective department	Mayor, Deputy mayor, speaker and Senior committee clerk have offices; Well furnished municipal chambers	Have office space for the chairperson and executive committee members	Each DEC member has an office
Equipment	Two computers	Computer and cabinets	Typewriter	Furniture, computer available to the chairperson
Transport	One vehicle for the District Chairperson – DEC use department vehicles	One vehicle for the mayor	3 vehicles (chairperson, vice chairperson, speaker) 3 motorcycles	Chairperson has a council car
Dedicated Staff	One Clerk to Council	Senior clerk, a secretary, driver, office messenger and security officer	clerk to council and his assistant	Clerk to Council (seconded) Deputy Clerk to Council – substantive, Sector Accountant, Office Attendant

Source: Clerks to Council of the respective districts

Table 9 shows that the councils have reasonable office space, computers, transport and dedicated staff. The councils (through the clerk to council and the business committee) were reported to be preparing council/committee schedules of meeting and ensuring that meetings and schedules are adhered to.

Unlike the district level, the sub-counties do not have a dedicated office of clerk to council, staff, transport and equipment for council. Nevertheless, the chairpersons who are on full time are provided with office space with the basic office furniture at the LLG headquarters. In addition, the Municipal Divisions in Masaka had Assistant Committee Clerks who perform the functions of Clerk to Council.

As if insufficient facilitation is not enough, the study found out that LLG councils are not sufficiently mentored by the Clerks to Council regarding council procedures yet they are not very conversant with them. For instance Bwera and Kilembe Sub-counties in Kasese District reported that they do not interface with the District Clerk to Council in anyway. The Clerks to Council expressed ignorance of this responsibility and hence are not likely to execute it unless they are specifically instructed and supported to do so. In general local councillors have access to LGs and can provide oversight to the technical staff. However, sometimes they are too close to allow for sufficient division of roles.

Capacity of council and council organs

The oversight and accountability framework requires the council and its organs to be legally buttressed and sufficiently positioned to check the administration and at the same time provided with the incentives to put into consideration the interests of citizens and account back to them. This framework is strengthened by the LGA Cap 243 section 9 (1) that stipulates that a council shall be the highest political authority within the area of jurisdiction of a local government and shall have legislative and executive powers to be exercised in accordance with the Constitution. Each District has a Chairperson who is the political head of the district, elected by universal adult suffrage through a secret ballot. The chairperson is answerable to the citizens through the district council and makes a report to the council on the state of affairs of the district, at least once a year as a form of accounting to the citizens.

Each District Council has an executive committee which performs the executive functions of the council. The district executive committee consists of: the chairperson; the vice chairperson; and such number of secretaries, not exceeding three, as the council may determine. The members of the District executive committee are on full time service of the council and are paid emoluments. A district council has a speaker and a deputy speaker elected by the council from among members of the council (LGA Cap 243, section 11 (1)). The district council may appoint such standing committees as are necessary not exceeding the number of secretaries for the efficient performance of its functions. No council member belongs to more than one committee.

From the above, it is clear that there are sufficient legal provisions for council and council organs to perform their functions. It can also be argued that the council and executive committee performance is good as evidenced by a total of 76 districts (95%) earning a reward regarding this indicator in the annual assessment of minimum conditions and performance measures for LGs 2007.

During the field visits, it was found that the Clerks to Council and Speakers prepare and

MASAKA MUNICIPAL COUNCIL

His Worship the Mayor
Mr. Speaker
All Honourable Councillors

1st July, 2008

RE: SCHEDULES OF COUNCIL AND COMMITTEE MEETINGS FINANCIAL YEAR 2008/2009

Months	July	August	September	October	November	December	January	February	March	April	May	June
Council												
Executive	31 st	28 th	30 th	29 th	28 th	22 nd	20 th	22 nd	23 rd	23 rd	25 th	19 th
Finance	30 th	27 th	25 th	28 th	27 th	19 th	23 rd	26 th	26 th	21 st	22 nd	18 th
Planning & Administration												
Education, Health, Production and Community Services	24 th	19 th	18 th	24 th	20 th	18 th	18 th	19 th	18 th	18 th	20 th	4 th
Works & Roads	1 st	20 th	19 th	22 nd	31 st	1 st	22 nd	20 th	20 th	1 st	31 st	3 rd

NFTUMUKISA Mwanuzi
Senior Committee Clerk / M/MC
cc: Town Clerk,
cc: All Heads of Departments
cc: All Notice Boards

display on notice boards a schedule of council and standing committee meetings that is agreed at beginning of FY as indicated in the figure above. In Tororo and Nebbi Districts, it was reported that the agenda (Order Paper) for Council meetings is determined by the Business Committee, composed of the Speaker as Chairperson, District Chairperson, Chairpersons of Standing Committees, and Clerk to Council as Secretary. The Order Paper is communicated to all councillors at least two weeks in advance to allow for consultation and meaningful discussion. The meetings of local government councils and their executive committees are often conducted in English and the minutes recorded in English and properly kept by the Clerk to Councils Office. The council meetings are open to and minutes available to the public on sale. The procedures are followed and council has the space and time to discuss issues concerning the local government.

The above notwithstanding, there were reported cases of limited in depth discussion of some of the issues. Though provided with space, the public does not actively participate in council meetings and seldom scrutinizes issues documented in the minutes. Although minutes are available the fact that they have to be bought affects accessibility to ordinary persons. Nevertheless, all districts consulted reported to be having radio programmes on which they communicate major council decisions.

It was also noted that some Councils are too small to have all the required council organs in place. For example a District like Lyantonde with a total of 10 Councillors finds it difficult to have more than one standing committee of council after forming the executive with 5 councillors and election of the District Speaker and Deputy Speaker. This scenario is very common in lower local governments where the councils are far smaller. Moreover, there are several vacant positions in the sub-county councils yet there is no time limitation on when they should be filled as the case is for Members of Parliament. Because of this some sub-counties are forced to have only one sectoral committee (the General Purpose Committee) which compromises their oversight function. The Sub-county Chief of Kilembe Sub-county, in Kasese District, reported that having one sectoral committee is the major cause of role fusion between the councillors and technical staff. The same problem applies to Panyango sub-county in Nebbi district (FGD with councillors).

Nevertheless, Uganda has largely succeeded in increasing the democratic legitimacy and accountability of the local government system. For example during the Joint Annual Review of Decentralisation (JARD) 2004, it was argued that the local councils routinely exercise power and authority over a broad range of issues including planning, budgeting, monitoring and supervision of local government activities, as well as passing district ordinances and 'byelaws'¹²

Council emoluments

One of the key factors that maintain the accountability link between the citizens and the councillors is the capacity of the citizens to meet the costs of council operations including payment of council emoluments. It is assumed that when councillors emoluments are paid by the citizens, on one hand, the citizens would feel obliged to demand for accountability from the councillors and on the other, the councillors would support local revenue generation initiatives part of which will meet their operation expenses but the bulk of which should be used for the provision of prioritised services to the citizens.

The legal framework provides that the salaries of district chairpersons, chairpersons of municipal councils and chairpersons of town councils and sub-county councils shall be paid from local revenue generated from the district, municipality, town or sub-county as the case may be (First Schedule of the LGA Cap 243). Other councillors are paid from local revenue – not to exceed 20% of local revenue collected in the previous financial year. This implies that council emoluments must be commensurate with local revenue realisations. For long, local governments have been paying different rates leading to numerous instances where councillors delay to approve the budgets over contentions with amounts allocated to council emoluments. In Kimaanya – Kyabakuzza Division, Masaka Municipal Council, the councillors queried and sought an interpretation from the Attorney General in terms of what the 20% really entailed. Their interpretation was that the 20% was of total revenue collected *before* submission of the 50% to the Municipal Council. This issue delayed deliberation for months and affected service delivery during that period. Other councils have requested for permission to spend beyond the 20% ceiling yet others have accumulated arrears. There are also many cases of audit queries in regard to council emoluments as demonstrated in the text box below.

¹² Overview of the status of decentralization 1993 – 2004 presented to the Joint Annual Review of Decentralization 2004, page 5.

Text box: Audit query on council emoluments

The Principal Internal Auditor reported that expenditure of Shs. 6,460,000/= out of the total expenditure of shs 9,605,867/= which is 67% was spent on the chairperson and vice chairperson's emoluments for the current and previous period leaving 33% for mobilisation and development activities.

While examining the issue, the Local Government Public Accounts Committee observed that a total of shs 6,360,000/= out of the total expenditure of shs 9,605,867/= representing 66.2% was spent on emoluments of the chairperson and vice chairperson including their arrears (i.e. previous bills) for the previous financial years. During the 2004/05 FY, emoluments for the chairperson and his vice remained the same, as for the 2003/04 FY.

The committee however noted with great concern that the chairperson and vice chairperson continued to draw emoluments which had not been authorised as in the 2004/05 FY, no council meeting was convened to approve them.

Although the Assistant CAO explained that emoluments (figures) of 2003/04 FY, which has been approved were the ones carried forward, the committee told him that that line of reasoning was faulty and, therefore, presented no justification to have these emoluments paid without council approval.

Source: Report of the LGPAC on the Audit report of the principle internal auditor of Kasese District Local Government on financial management and keeping of books of accounts for Busongora County for financial years 2003/04 and 2004/05.

To deal with these challenges, the MoLG has issued guidance on the emoluments and allowances for political leaders in local governments. The benefits for District Chairpersons, members of Executive Committees, District Speakers (and members of District Service Commissions) have been monetized and are no longer paid in kind. They have now been consolidated into a minimum salary determined by the Minister of Local Government. Likewise all allowances payable to political leaders and members of the District Service Commission and all local government committees and boards are determined by the Minister of Local Government in consultation with the Minister responsible for Finance and the Minister responsible for Public Service. The rates of salaries and allowances for local government elected leaders with effect from 1st March, 2008 are presented below¹³.

¹³ Please refer to letter ADM/F75/102/01 dated February 14, 2008 by the Minister of Local Government to all District Chairpersons and Mayors of Municipalities.

Table 10: Rates of Salaries and Allowances for LG Elected Leaders

Category of Elected Officials	Minimum Salary (Consolidated in Shs.) ¹⁴	Sitting Allowance (Shs) ¹⁵	Fixed Safari Day Allowance (Shs) ¹⁶	Fixed Night Allowance in Uganda (Shs)	Fixed Night Allowance Abroad (US\$)
District Chairperson	2,000,000	N/A	12,000	100,000	260
District Vice Chairperson	1,000,000	N/A	9,000	95,000	210
Members of District Executive Committee	500,000	N/A	8,000	80,000	180
District Speaker	600,000	N/A	9,000	95,000	180
District Deputy Speaker	400,000	100,000	7,000	80,000	180
District and City Councillors	N/A	100,000	6,000	70,000	180
Mayors of Municipalities and Chairpersons of City Divisions	1,000,000	N/A	10,000	80,000	180
Deputy Mayors of Municipalities	500,000	N/A	7,000	80,000	180
Sub-county/Town Council and Municipal Division Chairpersons	300,000	N/A	6,000	65,000	180
Councillors of Lower Local Governments	N/A	30,000	6,000	55,000	180

There are a number of implications to local council oversight and accountability. Despite the fact the MoLG has set and standardised the rates, big proportions of local revenues are spent on meeting council emoluments as opposed to being invested in service delivery. The technical staff pointed out that overspending on maintaining the system has de-motivated the tax payers and changed their opinion towards councillors from being their representatives. The failure by many LGs to pay council emoluments in full and on time has led to councils either not meeting or spending a lot of time debating their emoluments as opposed to service delivery, oversight and accountability to citizens. This problem was commonly experienced (but not exclusive) in rural councils as opposed to the urban councils. For example, till this financial year, councillors in Malaba Town Council, Tororo District were being paid Ushs 400,000/= per sitting from revenues raised from taxi and bus park fees, market dues, loading fees, trading licences and now the local service tax and hotel tax. On the contrary, councillors in Molo Sub-county experienced challenges to pay councillors allowances given the limited local revenues raised from the two markets in the sub-county. In Bwera Sub-county for instance, the councillors who used to receive 100,000/= per sitting will now receive 20,000/= because the sub-county will lose revenue to the newly created Bwera Town Council.

Payment of the district executive, the speakers and LLG chairpersons a minimum salary has increased the vigilance of councillors as well as checks and balances within the council organs. In Nebbi District, it was reported that the performance of the Executive Committee in their oversight function in their respective sectors improved when they started to be paid a

¹⁴ Local Governments are free to pay a reasonable salary above the minimum if they so choose and can afford.

¹⁵ The Local Governments can pay a reasonable sitting allowance above the minimum if they so choose and can afford

¹⁶ Duty facilitating allowances (safari day allowance and night allowances) are fixed and are the same as those which are used in the Central Government.

fixed salary from local revenue¹⁷ because they are now motivated to stay in office and perform their functions.

Many councillors interviewed agitated that all councillors should be paid from the consolidated funds rather than local revenues. However, if this is done, the accountability lines are likely to shift from the constituents to the central government, who are paying the allowances. The cost of the councils would also be huge.

Understanding roles and relationships between councillors and staff

For the accountability and oversight system to work, each of the players (in this case councillors and technical staff) must clearly understand the respective roles and how they relate and reinforce the other players. In Uganda, the Constitution and LG Act permits a district or an urban council to establish or abolish offices in the public service of a district or an urban council in accordance with staff regulations made under the LGA Cap 243, section 52. The LGA Cap 243 section 67 further provides that staff shall be responsible to council. In particular, sub-section (1) stipulates that the chief administrative officer shall be responsible to and subject to the general directions of the chairperson and the district council. This implies that the legal framework provides for clear division of roles where councillors are responsible for setting the policies and overseeing that the technical staff implements them.

The informants reported that at all local government levels, there is improved understanding of the roles by both technical and elected leaders. It was for instance reported that technical staff provides information to councillors during committee meetings and during the monitoring events and physical inspections that are jointly undertaken. The councillors are furnished with copies of procurement plans, budgets, bills of quantities and construction schedules, information on each contractor (for those collecting revenues, information is provided on the contractors, the revenue services, the amount they are to remit monthly and the type of service for which funds are collected and lastly, the contract period).

The above notwithstanding, there are still cases of role fusion and conflict in LGs as depicted by the cases below.

- In Malaba Town Council, a councillor forcefully influenced a contractor to open a road in an un-gazetted area against the urban plan and against the direction of the engineer and the urban planner. Councillors also interfered with the public health officer's implementation of the council resolution to rid the streets of roaming animals. Councillors also locked the former Ag. Town Clerk out of office.
- In Nebbi District, a demand was made by a councillor for the health department to forego a departmental vehicle and instead utilise it as a sub county ambulance. There are still demands for resources and projects to go to specific areas. There is a fear among some civil servants that councillors will interfere in their work if they do not act as per individual councillors' wishes. Sometimes councillors demobilise communities who technical staff have mobilised for a particular purpose, e.g. Water and sanitation, claiming to stop them from '*harassing voters*'¹⁸.

It was argued that managing relations between councillors and technical staff and supporting either group to play their role effectively and by the book depends on the capacity of the chief executive (CAO or TC). In Tororo District which had previously experienced tensions between technical staff and councillors, the staff and councillors alike reported that conflict is

¹⁷ It should however be noted that amounts categorized as local revenue are inclusive of funds collected from within the local government as well as central government transfers where the local government has total discretion for allocation. Such central government transfers categorised as local revenue include: Graduated Tax Compensation, Equalisation Grant and Un Conditional Grant.

¹⁸ Various Key informant interviews

exhibited when procedures and regulations are not followed like in planning and budgeting, human resource management especially posting, transfer and disciplining of staff.

Capacity building initiatives

To address some of the challenges hampering council capacity, the MoLG has initiated a number of capacity building initiatives implemented in the framework of the National Local Government Capacity Building Policy (NLGCBP). The NLGCBP among others provides for formulation and approval by district and municipal councils of Capacity Building Plans (CBPs). The CBP specify activities to benefit the technical staff, councillors as well as non-state stakeholders at both the higher and lower local government levels.

All local governments visited had formulated and approved CBPs where most of the prioritised capacity building activities are implemented using the Capacity Building Grant (CBG). Capacity building for councillors has mainly focused on the legislation and rules of procedure, leadership skills, community and revenue mobilisation, management skills, good governance and leadership training, communication training, induction on roles and responsibilities of council and councillors etc.

The modes of capacity building include exposure visits and study tours in addition to short-term performance improvement courses (workshops). The training activities sometimes focus on councillors alone and at other times on both technical staff and councillors. The informants argued that on a number of occasions, the joint workshops and study tours have been used as a means of bridging the relationship gap between technical staff and councillors. Some of the study tours have been outside the country. In Masaka Municipal Council, the councillors reported to have conducted exposure trips to Entebbe Municipal Council, Mwanza City and Kisumu within Uganda, Tanzania and Kenya respectively in the last two financial years. Based on the lessons learnt and citizens expressed needs, the Council enacted a miscellaneous bye-law covering, urban management (orderliness in town, street parking, garbage disposal, public sanitation, green parks and another one on professionals and big service providers remittance of revenue). Council has also established a Municipal Court to deal with enforcement of Municipal Laws.

2.3 Mechanisms for Holding Councillors Accountable

This section discusses the mechanisms through which the citizens, central government institutions as well as NGOs/CBOs and informal institutions/organisations hold the councillors accountable and make them perform the oversight function.

2.3.1 Mechanisms through which the Citizens hold Councillors accountable

The ultimate aim of the council oversight and accountability framework is to ensure that the citizens get access to services and improve their livelihoods. Therefore the citizens have a key role to play to ensure that this system functions. This sub-section discusses the mechanisms through which the citizens channel their needs to the councillors, how the councillors respond to the citizens needs and give feedback and finally how the citizens hold the councillors accountable with regard to the attainment of their needs.

Mechanisms for channelling citizens needs to councillors

There are a number of mechanisms through which citizens channel their needs and issues to the councillors.

Commonly, as stipulated in the harmonised participatory planning guides, the citizens on annual basis are supposed to analyse their problems and prioritise investments to address them. The councillors taking part in the community planning meetings are supposed to ensure that some of the community priorities are addressed at the community level and others incorporated in the respective LG development plans. The citizens are also given an opportunity to participate in the LG budget conferences¹⁹. However, the community members reported that quite often their priorities are not implemented. The councillors and technical staff attributed this to the limited resource envelop at the disposal of the councils.

The LGs also post information on notice boards seeking input into issues affecting the people in a LG: For example, in Malaba TC the Physical and Detailed Structural plans were posted in a number of public places and a book was provided at all such points for people to provide their opinions and give feedback. This is the practice in all urban councils in Uganda.

Sometimes community members have voiced their concerns through local FM radios. Several issues are raised through this medium and the councillors often listen to them. The moderators sometimes write down the issues so that they can be channelled to the relevant organs for action.

There are also cases where NGOs have gone beyond direct service delivery and empowered and supported the citizens to articulate issues to the local councillors and in some cases influencing national agenda. In some cases, this has followed the identification of issues at each stage of the local government planning cycle as well as accountability at the end of it. Such NGOs as well as NGO networks involved in ensuring that citizens concerns reach the policy agenda have been supported by national programmes like the DFID funded Civil Society Umbrella Programme.

CSOs engagement in development of a pro-poor policy environment – a case of CSUP II

Some of the activities implemented under the CSUP to contribute to CSO engagement in the development of pro-poor policy and plans are: increase in numbers and diversity of CSOs bringing voices of the poor to influence Government policy through participatory process; evidence that a diverse range of CSOs are producing policy analyses from a poverty perspective and using this to influence government policy and resource allocation; and GoU incorporating CS contributions into national policies and district plan.

Some of the realisations of this engagement include: The space for CSO-Government interaction has been expanded and Government is increasingly recognizing civil society input to policy and planning processes. The CSOs by Government invitation (including local governments) increasingly participate in the national and local government planning processes. The CSOs are represented in the discussions of issues affecting their respective constituencies notably through the Sector Working Groups (SWGs) at the national level as well as the technical planning committees and sector committees at the local government level. During the process, the CSOs are availed with an opportunity to participate in the allocation of resources in their respective sectors and the development of pro-poor sector plans and policies. As a result, citizens were reported to have started gaining confidence and

¹⁹ For detailed discussion, may you please refer to section 3.1 regarding development planning.

are actively participating in policy and planning processes as well as taking action through coalitions, seeking space for participation in policy and plan formulation especially at LG level.

The above notwithstanding, the impact of CSOs was reported constrained by: lack of up to-date and representative evidence based data which compromises the degree of CSO effectiveness in advocating for pro-poor policy development; questioning the legitimacy of some CSOs as genuine representatives of their constituents; CSOs involvement is sometimes done in retrospect or at best late and taken as a form of either “window dressing” or “rubber stamping” government decisions.

Source: Extracted from Emmanuel M. Ssewankambo (April 2007), Annual Review of the CSUP II

Citizens also channel their concerns through informal mechanisms including functions like burial ceremonies and religious functions. For example, Nagongera-Paya road, in Tororo District was rehabilitated because of demands by the people at a function attended by the District Chairperson. The same happened in Paidha sub-county where a road was opened to link up a village and the health centre II of Otheko. In addition, councillors’ homes are often open to the public who may go in at most times to consult with them, as an informal mechanism.

The study also noted the potential of religious and cultural leaders in articulating and channelling the needs of the citizens to the local councils. This is because of the support and trust expressed by the citizens in these institutions and individuals. In Kasese District for example, it was expressed that the previous elections of 2006 were directly tagged to the attitudes of the candidates towards the re-establishment of the ‘Obusinga’ cultural institution. The informants reported that the king/kingdom attracts a lot of respect from the people. However, the power and institutional relationships between the religious and ethnic leaders on one hand and the local councils on the other are not elaborated, formalised and are sometimes conflicting. The power and institutional relationships and mechanism through which the religious and ethnic leaders can be exploited in the decentralised context to contribute to the development agenda need to be further studied, elaborated and formalised as in some cases these religious and cultural leaders are legitimate representatives of their constituents.

The implications for oversight and accountability are that councillors have the requisite (and diverse) channels for gathering information about the needs of citizens and for direct interaction with citizens. However, there is a jostle to take services and resources to particular sub counties. How influential a councillor is may determine how many projects there are in his/her constituency. The team came across a sub county in Nebbi District which had health centres in each parish, with one parish having even two, while some areas lacked health centres. Despite the fact that this was a large sub county, the fact that its needs were comprehensively addressed while those of other areas were not can lead to the inference that in this case, the allocation of resources was not based on analysis of need or the principle of fair allocation of resources.

Mechanisms for councillors giving feedback to citizens

When the citizens channel their concerns to the councillors, they expect feedback on the extent to which these concerns have been addressed. There are formal and informal channels through which councillors are expected to give feedback to the citizens.

The formal channel is the council meetings which are legally open to the public. However, the informants in all districts reported that a small proportion of the public can practically attend.

Use of radio to air resolutions as well as holding talk shows: the radio is becoming a very common mechanism of giving feed back to the citizens. For example the Chairperson of Kasese District has airtime on Radio Messiah to inform people about council plans and achievements as well as to answer any emerging questions. It was reported that through this mechanism, land disputes between the Basongola and the Bakonjo were discussed and mitigated. Radio Paidha in Nebbi District and Rock Mambo in Tororo do the same. Masaka Municipal Council plans to start radio programmes on radio Buddu and Equator to provide information to the citizens. Some council sessions were reportedly broadcast live on local radio stations in Tororo District.

Village meetings: The informants reported that village meetings were the commonest mechanisms through which councillors gave feedback to citizens. However, given the irregularity of village meetings now, this mechanism is no longer effective. They reported that the village meetings currently concentrate on issues such as security and land dispute settlements rather than receiving feedback from the councillors.

Posting notices in public places especially by the lower LGs. In Molo Sub County, Tororo District information on grants, Indicative Planning Figures (IPFs), project profiles, etc is displayed on the walls in the Sub County Chief's office. A notice board has been procured so that all this information can be displayed outside for easy access to the public. This is very common in all LLG and includes displays of information that can also be accessed from elsewhere, such as plans, proposed bylaws and ordinances (see figure ...).



The team however encountered difficulties in establishing how much action is taken as a result of community *reaction and feedback* on the basis of this information. Community members in Molo Sub-county argued that high illiteracy rates and low access to LLG headquarters (distance and fear of such places by the ordinary citizen) are important obstacles to the effective use of this medium of communication and feedback.

Councillors often attempt to give feedback to citizens through informal meetings such as funerals (for which they have gained notoriety) and religious gatherings as well as through opportunities created as a result of mobilisation for particular service delivery programmes.

The latter sometimes leads to misrepresentation of what role the councillors have played in 'ensuring' service delivery for their constituencies.

An important opportunity for councillor and citizen interaction is through monitoring events and physical inspections such as those carried out jointly with technical staff on specific programmes.

There are other avenues for providing feedback, which are not directly accessed by any members of the local community but rather their 'representatives' at a different level. This includes feedback to community management entities such as Parish Development Committees and Area Programme Management Committees like in Masaka Municipal Council.

From the above discussion, one can argue that the feedback mechanisms are not well developed, usually involving just the provision of information rather than a sustained discussion of the issues, which in turn may compromise the quality of action. Feedback is not usually done jointly by all stakeholders in the leadership, meaning that there is room for misrepresentation, sometimes with negative impacts for projects or specific officials or communities.

There are cases where the technical staff have also not been helpful in providing the correct information to councillors, although this too could be addressed if councillors used the rules and procedures to support their work effectively.

It is clear that although councillors can and do receive information from citizens, they use very few opportunities to provide feedback to the community members. Many citizens do not know through what channels councillors use to serve them and so they demand for services outside the remit of the councillors or hold them accountable for deficiencies which they could not have possibly had an influence on as representatives of their constituencies and sometimes even as LLG councils, where Central government has been the main actor. This is a particularly important concern in a situation where increasingly funds are earmarked by central government and the local revenues that councillors could use at their discretion are meagre, especially in the rural LLGs.

Mechanisms for citizens holding councillors accountable

From the foregoing discussion, it has been emphasized that when the citizens express their needs to the councillors, they expect to get feedback regarding the extent to which they have been addressed. When the citizens receive the feedback, they are expected either to express contentment or dissatisfaction with work done by the councillor as a mechanism for holding the councillor accountable. There are a number of mechanisms through which citizens could hold the councillors accountable.

The main form is through elections. The councillors reported that if they do not perform well, they would not be re-elected. They attributed the high councillor turnover rates to their poor performance. However, it was reported that councillors work hard with the intention of being seen and appreciated towards the election period.

Petitions and Appeals: There are provisions for petitions and appeals and there are many cases in LGs. Some of the petitions are done directly by the citizens and others are implemented through the councillors.

Petition by the youth of Malaba recalling their representative from council

Malaba Town Council
Youth Executive & Youth Ward Councils
Malaba.

The Chairman LCV,
Tororo District Local Government

RE: REVOCAION OF MANDATE OF THE YOUTH COUNCILLOR OYESE CHARLES

We the Ward youth councils and youth executive committee of Malaba Town Council under regulation 3 of the 3rd Schedule of the Local Governments Act CAP 243 of the laws of Uganda petition you to forward our request for revocation of the seat of the youth councillor of Malaba Town Council OYESE CHARLES for having failed to fulfil his duties of councillor or for having committed acts incompatible with his position as a member of the council by:

- a) Participating in hooliganism locking the office of the Town Clerk, therefore causing disrepute to council;
- b) Arrogance by abusing fellow youths of Malaba that we are idle, beggars and opium smokers;
- c) Failing to conduct any meeting with us since being elected;
- d) Failing to get the youth informed about council programmes and also get views from the youth about intended activities to be carried out;
- e) Failing to report to the electorate the general decisions of the council and the actions it has taken to solve these problems;
- f) Failing to take part in communal and development activities in his electoral area;
- g) Participating in an illegal council meeting of 9th May 2008

We therefore as the Electoral College for the Malaba Town Council Electoral Area revoke participation of councillor OYESE CHARLES in the activities of the council as the youth councillor and request that the clerk to council notifies the electoral commission under Section 171 of the Local Governments Act CAP 243(3) the existence of the vacancy of the youth councillor for Malaba Town Council. This will ease the tension that has been made worse by the abuse of the councillor by electing a person who will portray the good of the youth as future leaders of the council and Country at large.

We request action.

CC: RESIDENT DISTRICT COMMISSIONER TORORO
CC: REGISTRAR OF THE ELECTORAL COMMISSION TORORO
CC: ASSISTANT CLERK TO COUNCIL MALABA TOWN COUNCIL
NB: The letter had 45 signatures appended to it

Councillors may also on behalf of the citizens seek the removal of elected officials for abuse of office using legally specified procedures. A case in point was the attempted removal of the former District Chairperson of Tororo District by members of the district council as outlined in the text box below.

The attempted removal of the former District Chairperson of Tororo District

A tribunal was constituted by the Honourable Minister of LG to investigate allegations made by the councillors of Tororo District Council against the Chairperson Tororo District Council- Mr. Owora Nuwa. The key allegations made by the councillors were: abuse of office (illegal termination of probationary appointments); causing financial loss; wrongful removal of CAO from being signatory to Tororo District Bank Accounts; failure to cause council to receive quarterly reports from DLGTB and DSC; appointment of an illegal and excessive number of DEC; failure to promote unity among the major tribes in the district. The tribunal heard testimonies from 17 petitioners and responses from 6 witnesses. "In conclusion, the tribunal's finding is that no PRIMA FACIE case was established in respect of all the allegations to the required degree of proof."

Source: Report of the Tribunal constituted to investigate the conduct of the LCV Chairperson Tororo District- Dec 2003

It was however noted that in many cases the right procedures are not followed and the appeals are often rejected.

Difficulty recalling leaders

Nebbi district councillors wanted to move a vote of no confidence in their Speaker. They followed all the prescribed procedures but when it came to voting those pushing for the removal of the speaker failed in their quest because they were one vote short of the required two thirds majority provided by the law.

Panyango sub-county citizens were not satisfied with the performance of their area councillor and wanted to recall him from the district council. During the process of gathering the required signatures, they were threatened that they would suffer the repercussions (costs) if their move failed so they abandoned the idea.

The above case clearly illustrates that whereas provisions are made for citizens to hold councillors ultimately accountable for their actions (putting their job on the line), in practice, citizens find it hard to do during the term of office. The team did not come across success stories of citizens going through with and succeeding in the process of recalling councillors. They have too little power or resources to maintain the course and are easily intimidated as a result.

The citizens also demand for accountability through uninvited/created spaces. For example, the CSOs were found to be increasingly holding leaders accountable on behalf of the citizens. For example Karughe Farmers Partnership, in Kasese District wrote to the District Chairperson raising a number of development concerns that included: carelessness by people in positions of authority; laziness by the masses; politicisation of the development agenda; theft of the district meagre resources; and provided a set of recommendations to address the issues raised²⁰. In this case, the Chairperson of Bwera Sub-county gave a direct response to the issues raised and pledged to resolve them. Bwera Sub-county has already drafted a bye-law on drug abuse and proper agricultural practices as a response to the issues raised by the citizens.

CSOs also play an important role in preparing citizens, enlightening, empowering and lobbying with them to hold councillors and service delivery organs accountable and to enable them utilise the available channels. In Nebbi, several NGOs were reported active at the district and sub county level and worked with technical officials, councillors, women councils (who fed their information and interests to the women councillors of the LG), and traditional leaders. They play a crucial role in facilitating citizens to hold councillors accountable to the people. Capacity building of women councillors by NGOs such as Actionaid and AFARD is done to enable village women demand for services. World Vision has also trained some village councillors on their roles and responsibilities.

Demand for placenta pits, beds and mattresses at health units in Nebbi District.

Women in Panyimur sub-county demanded for a placenta pit at the health unit and told the councillors that they would not use the Maternity Unit unless it was constructed. Attendance of maternity services dropped drastically until their demand was met. In another sub-county, women threatened not to use the maternity centre unless it was equipped with mattresses and beds sheets claiming that there is no

²⁰ For the detailed case study, please refer to Kasese District Report.

use for them to leave their homes and deliver on mats at the health unit. Their demand was met by the council through the planning process. This was a direct result of NGO involvement in capacity building of citizens.

In a similar development, a new placenta pit was demanded for jointly by the women councillor, technical staff (the nurses) and the community members, especially the women. The nurses threatened to close the maternity centre and took women and councillors to see their reason for doing this i.e. a placenta pit in dangerous condition. In this way, institutional checks were instituted by the women going through community leaders and also directly to the sub county LLG and the district. A number of fact finding and later monitoring visits by councillors, NGOs, the health department, the district engineer etc were made several times. A new placenta pit was constructed. The monitoring highlighted some inadequate work, which the District Engineer also corroborated and the contractor was prevailed upon to correct it. This case is interesting because it shows how collaboration of different stakeholders can lead to addressing of the citizens' concerns and needs. The first placenta pit was dug by a contractor who was contracted without the participation of the different stakeholder groups (nobody seemed to know how the contractor was sourced and what his exact terms of reference were). The second contractor was supervised by several people and the stakeholders were involved at different stages. Culturally, the placenta and umbilical cord is not supposed to be left unburied, thus, having an impact on whether facilities were used or not. Below is a picture of the old and new placenta pit.



In Masaka MC, citizens have sought for answers with regards to delayed or shoddy work on roads, health services, education/schools, IGAs, sanitation, illegal developments, tender wrangles etc. In one of the divisions, enforcement officers have often relied on citizens or councillors respectively, to bring information about illegal structures. In the municipal divisions, village councils are still active and are involved in several (service delivery type) activities.

There are many examples of citizens monitoring implementation of projects in all the HLGs and LLGs sampled. Several times, contractors were reported for doing shoddy work. The Engineers check these reports, sometimes with the participation of councillors. In a number of cases, the Engineers confirmed the allegations, which led to remedial action by contractors. In some cases councillors have faulted the Engineers for flaunting standard contract management procedures and approving shoddy work. For example two Engineers in Masaka MC were interdicted for influencing payment of a contractor up to the tune of 70% of the contract fee before executing works of the same value and without a security bond.

The Case of the Shoddy VIP!

At Kasajjagirwa Army Barracks, a Contractor was awarded a tender to construct a four stance ventilated improved pit latrine but did a shoddy job. Citizens demanded that the area Councillor and Chairperson stop the contractor. Matters rose up to the Town Clerk and Municipal Engineer. A team of councillors from the MC and Kimaanya/Kyabakuza Division was constituted to assess the situation. The team ascertained that the work was badly done, prompting the MC to use the contractor's retention fee as a means of forcing them to re-do sections of the works before final payment was effected.

2.3.2 Mechanisms through which CG Institutions hold councillors accountable

The Central Government institutions are responsible for the guidance, inspection, monitoring and coordination of local governments to ensure compliance with the provisions of law. They are supposed to inspect, monitor and, where necessary, offer technical advice, support, supervision and training within their respective sectors. This sub-section discusses the extent to which some of the central government agencies perform this function and how it impacts on the councillors' performance of their oversight and accountability functions.

The Ministry of Local Government and other line Ministries

To support the councils to perform their oversight and accountability functions, the MoLG offers support supervision and conducts routine inspection as well as annual assessment of minimum conditions and performance measures of local governments. The key thematic areas assessed and which also form the basis for support and inspection include: development planning; staff functional capacity, monitoring and mentoring; communication and accountability; budget allocation; procurement; local revenue performance; gender mainstreaming; operation, maintenance and sustainability of investments; council and executive committee performance; performance of standing committees; as well as functionality of the LG in the education, health, water, roads, production, environment and HIV/AIDS. All local governments reported that the support supervisions, inspections and annual assessments are triggers for improving performance by all council organs and in all functional areas as local governments seek to receive rewards and avoid penalties.

As a result, local governments submit quarterly financial and progress reports to the respective line ministries. In turn the sector ministries offer technical guidance and support and advise the Ministry of Finance, Planning and Economic Development on the resources to be transferred to the respective LGs.

The local councillors perform their accountability and oversight function in response to the performance assessment requirements. When the LG performs poorly in the assessment, councillors always prevail on those responsible for poor performance to improve. As a result there is reported improvement in working relationships and adherence to the stipulated procedures.

The above notwithstanding, there are still challenges of coordination where LGs reported to be receiving multiple missions, reviews, inspections and workshops. Further, they reported cases of parallel guidelines like in planning and reporting among ministries, thereby undermining discretion, power and accountability of the LGs. These issues are expounded in the text box below.

A case of parallel planning guidelines

Since the late 1990s most of the sectors in Uganda adopted a sector wide approach as a mechanism for: rationalising relations with donors; improving the rationality and consistency of planning; helping to build the capacity of local institutions; and removing the uncertainty associated with the time limits on project funding. However, sector wide approaches have a tendency (or perceived tendency) of undermining the LG discretion by conditioning the local government units to implement plans that are sector specific and that are not integrated with other sectors in LGs as a whole. While an attempt has been made to develop some degree of integration between the local government wide and sector specific planning, cross sector integration at LG level does not easily happen. For instance in the health sector, the Health Sub-district annual work plans are used to develop the District Health Plan as opposed to directly getting the inputs from the lower local governments, hence the health sector work plans are not effectively discussed by the lower local government technical planning committees. The health sector plans that are effectively discussed by the TPC are those funded using local government sources notably the local development grant. All in all, despite numerous efforts, the health sector planning system runs parallel to the LG planning. In particular, the LLGs are not involved in health planning because it is done at the HSD and there are no sector grants transferred to that level. Harmonization among sectors is also complicated by the fact that sectors have specific funding modalities and planning guidelines, which make the incentives to join the overall LG planning system minimal. This has resulted into limited cross-sectoral and integrated planning and some LLGs planning for health facilities for which the health sector is unable to meet the recurrent cost implications as manifested by a number of dysfunctional HC IIs.

A case of uncoordinated inspections

A major complaint of LGs vis-à-vis their relation to the Central level ministries, aired during the field visits and in a number of forums is that LGs spend far too much time entertaining missions from different (line and cross cutting) ministries. All ministries have their own methods and timeframes for assessing LG performance. While the MoLG has attempted, it has not succeeded to coordinate and implement joint supervision missions by various ministries, e.g. quarterly mentoring visits and annual supervision cum performance assessment missions.

Departments and Agencies

The departments and agencies directly relevant to council oversight and accountability are discussed below.

Inspectorate of Government: Article 223 of the Constitution provides for the Inspectorate of Government consisting of the Inspector General of Government (IGG) and such number of Deputy Inspector Generals as Parliament may prescribe. The informants reported that the IGG is very active in the elimination and fostering the elimination of corruption, abuse of authority and of public office. In Nebbi District for example, acting on tips from whistle blowers, the IGG was involved in removing an officer who was inappropriately recruited and recommended the recruitment of a suitably qualified one, which was done. The LGs however claimed that the role and powers of the IGG was not very clear to them. In Tororo District for example, councillors asked what happens in case the LGs are sued and penalised for implementing the IGGs recommendations. The LGs are liable for their actions yet they are bound to implement the recommendations of the IGG and other government agencies. This scenario is further complicated where different agencies give differing or contradictory recommendations on the same case.

The IGG has directed the CAO of Tororo District to remove the Chairperson of Malaba Town Council for abuse of office through influence peddling and conflict of interest when he rented his house to the Town Council for one and half years.

Office of the Auditor General: The LGA Cap 243 section 87 (1) provides that the accounts of every local government council and administrative unit shall be audited by the Auditor General or an auditor appointed by him or her. The Auditor General is getting more up to-

date with LGs audits including those of LLGs. The reports of the OAG are analysed by the District Public Accounts Committee and the Parliamentary LG Public Accounts Committee which interview the concerned staff and recommend the required action. The members of the District Public Accounts Committee in Tororo District reported that most of their recommendations are implemented and the councillors reported that the reports of the OAG, and the public accounts committee help to ensure that the technical staff neither misallocate nor divert funds.

Public Procurement and Disposal of Public Assets Authority: The PPDA provides guidelines, training and conditions to LGs in the area of procurement. For instance it is stipulated that all Districts should have a functional district procurement unit. In Tororo District, this has led to filling of 3 positions of procurement officers and constitution of the contracts committee comprised of technical staff. As part of their mandate, there are several cases in which the PPDA came to advise the councillors on what procedures to follow and how to resolve a number of issues e.g. procurement and tenders in Masaka Municipal Council.

Local Government Finance Commission: The LGFC reviews the Local Government Budget Framework Papers (LGBFPs), provides comments and feed back to LGs and has supported the development of Fiscal Decentralisation Strategy (FDS) budget manuals and guidelines as well as LG to implement intergovernmental fiscal transfer issues. Further, the LGFC conduct studies and supports implementation of LG revenue initiatives, and coordinates initiatives across the various actors, providing guidance such as grant allocation formulas, budget guidelines etc. The local governments reported that the functions of the LGFC are key in supporting the council to perform its oversight function especially in regard to public expenditure management.

Parliamentary LG Public Accounts Committee: Annually Accounting Officers appear before the LGPAC to explain audit queries and provide for accountability of public funds. All districts reported that the Parliamentary LGPAC has been helpful in reducing the amount of unaccounted funds. The LGPAC in some districts were actively making recommendations to address issues identified through the scrutiny of audited accounts. In Nebbi District for example, some changes were made, on construction and accountability. For instance some staff members recommended by the Internal Auditors for disciplinary action were found to be innocent of the alleged misconduct when a follow-up was undertaken by the LGPAC.

“For a long time, in the absence of a PAC, people abused public funds with impunity, but the situation has now improved- This is even helping accounting officers to recover debts. It has given us the teeth to bite!”
(CAO KII)

The informants viewed the LGPAC as an important check and balance because it compels technical officers and councillors to think about their actions and their possible consequence.

‘This business of appearing before the parliamentary committee ...! has assisted people to be on guard because you appear as if you are the one (who has defaulted or been corrupt); you know you are liable so you have to be tough on those who may default by applying the rules’. (KII Masaka MC).

The LGPAC is taken seriously because its recommendations, after examining reports of the auditor general may lead to refund of monies, and disciplinary action. The LGPAC examines recommendations of the DPAC

and if these recommendations were not followed by the accounting officer/concerned official, it immediately recommends disciplinary action. The system has the potential to lead to improvements, so the re-examination of reports by the LGPAC is very useful.

The Resident District Commissioner: The RDC is a senior civil servant appointed by the President and is the representative of the President and the Government in the District. The informants reported that RDCs are invited to meetings of council and may intervene where there is an outcry from council. However, they complained that the office is not well facilitated in general yet resources play a big role in its effectiveness. The oversight function is hard to exercise when they get resources such as fuel from the very people they oversee. There were also reported cases of role overlaps with the councils leading to duplication of functions and often a lot of tension between RDCs and especially the chairpersons of the HLGs is experienced. In Masaka Municipal Council, it was noted that under multiparty dispensation, it's a challenging situation when the HLG is mainly composed of an opposition political party. Advice and oversight can be construed as interference by the national ruling party in the administration of the LG. For example, an attempt by the RDC in Masaka to guide the Council in the award of the tender to manage the taxi park was interpreted as interference by most of the local councillors as opposed to an appropriate intervention. However, some RDCs have not been averse to '*influencing*' issues so that the interests of the ruling party are protected. This office seems to depend a lot on the background and personality of the individuals filling the post which was a comment of several councillors and technical staff.

2.3.3 Mechanisms through which CSOs/NGOs hold councillors accountable

Local Government Associations

In Uganda there are two Local Government Associations: the Urban Authorities Association of Uganda (UAAU) and Uganda Local Government Association (ULGA). UAAU was established in 1959 and ULGA was established in 1994²¹. Both associations are registered as non-profit making organizations composed of LGs in Uganda. In addition, there are also Professional Associations of LG officials in place affiliated to UAAU and ULGA. These include the Associations of Speakers, Chief Administrative Officers, Town Clerks, etc. Both ULGA and UAAU were known and appreciated by the informants in the local governments. The key functions and roles of UAAU and ULGA the informants reported that can be related to local council oversight and accountability include:

Advocacy and negotiation on behalf of LGs: The informants reported that ULGA has been instrumental in lobbying for increasing the amount of money transferred by central government to local government as compensation for revenues lost when graduated tax was suspended. Another area reported is the lobbying by ULGA to accord local governments more discretion in the allocation of central government transfers. Interviews at the national level confirmed that ULGA was key in the formulation and implementation of the grant system under the FDS that promotes among others discretion of local governments in the allocation of resources.

Capacity building for LGs: In addition to initiatives being implemented by the MoLG, LMs, donors and NGOs, local governments reported to have benefited from a wide range of capacity building activities organised and implemented by ULGA.

Economic policy analysis: ULGA is very active in economic policy analysis, especially for aspects that impact on LGs and local governance. For instance, ULGA publishes national budget analysis documents with regard to local government in Uganda. These budget analysis documents were available in local governments.

²¹ Initially ULGA was called Uganda Local Authorities Association (ULAA)

Upholding good governance: The Uganda local government associations developed, adopted and enacted a 'Charter on Accountability and Ethical Code of Conduct' to ensure efficiency and transparency in service delivery (April 2003). All councillors had a copy of the Charter and claimed to be abiding by it.

Non-Government Organisations and Faith Based Organisations

NGOs, as indicated earlier play several, mainly facilitative roles from the constituencies (in their work with building capacity of citizens to determine and articulate their interests) right up through the structures that amplify these voices and interests to the structures responsible for ensuring that the relevant actions take place with the requisite allocation of resources to do so. The examples of civil society action, therefore cover a wide range of sectors and actors.

Their activities are seen as foundational activities to enable communities understand and articulate their rights. Politicians have also been involved in some of the actions of NGOs or in founding them. This is because: NGOs have an opportunity to access additional funding; reach the people; their results are easily attributable; address specific needs of the citizens; and in many cases are seen as stepping stones by the councillors to get voted. Some politicians mobilised resources to set up 'Uganda Cares' a foundation whose primary mandate is to address HIV/AIDS. This was a direct response to demands from the people in the region in which Masaka lies. NGOs in Masaka are also involved in education of communities on civil rights and liberties, public expenditure and implications for economic growth and governance, urban management and consumer protection etc. Some of the NGOs include; ACODE (Advocates for Development and environment, TASO, UWESO, World Vision, MADDU, NAWOU and Kitovu mobile clinic).

A case of KADDENET in Kasese District

- KADDENET is a network of NGOs and CBOs in Kasese District; it has a registered membership of 800 NGOS/CBOs clustered under six main thematic areas: Health; Microfinance; Education; Human Rights and good governance; Community development; and Environment (Production).
- Under the Human Rights and Good Governance sector; emphasis is put on Community participation; Advocacy for ethnic minority groups (Basongera, Banyabindi, Bakingwe);
- Accountability: using a model of Poverty Resource Monitoring and tracking (PRMT) developed by KADDENET, KRC, Gulu, Kitgum, Pader NGO forums, UBOS, Tororo and Mbale CSO networks with funding from DANIDA & EU. The PRMT has six parameters:
 - Participation: Orient the community to participate in planning, implementation, M&E of the development programs in their locality (both government and NGO programmes) to enhance ownership
 - Accountability
 - Social inclusion: For marginalised groups such as ethnic minorities, the elderly, youth, PWDS, etc
 - Gender
 - Equitable Distribution
 - Sustainability: Community contribution e.g. for school construction (in the mountains, communities contribute stones and bricks because it is difficult for contractors to transport them uphill)

According to the reports by KADDENET, the outcomes of the PRMT include; reduced corruption; willingness by communities to offer support for development projects in their localities; some PRMT community monitors were co-opted in the Sub-county Technical Planning Committees (STPC) e.g. in Mungunya, Kabusandara, Muliba, Majumbu. Through advocacy; there's now a Musongora on the DEC because people have seen that a section of the community has been excluded for long.

User Committees/Groups

User committees/groups are increasingly involved in service planning and operation under sector specific programmes. Community Management Committees (CMCs) are constituted and trained to manage the different services in liaison with the local councillors. The local councillors are represented and have the mandate to support and oversee the performance of these committees and account back to the community members. They include: School Management Committees (SMCs); Health Unit Management Committees (HUMCs); Water User Committees (WUCs); and farmer groups. Here below are some of the cases that demonstrate how councillors perform their oversight and accountability functions in service delivery in collaboration with user committees.

Experiences from Tuba Health Centre II

The citizens at Tuba elected the Health Unit Management Committee to monitor the construction of Tuba Health Centre II. Selection of people on the committee was based on their previous experience with community work, transparency, honesty and expertise in monitoring the contractor's work. The Parish Councillor is also a member of the committee. Despite the fact that members of the committee are not paid allowances, they are vigilant in monitoring the work. The members of the committee come to the site whenever the contractors are on duty to ensure that they make the accurate mixtures of materials to avoid shoddy work. In one instance, the committee was not satisfied with how the contractor had constructed the veranda – they had not put aggregate in their mixture. As part of their oversight function, they reported the concerns to the technical staff of the sub county. The sub county officials (technical and councillors) had discussions with the contractor and the veranda was re-built. The committee periodically updates the community members on the progress made and resources utilised. There is optimism that the quality of the health centre will be good.

Experiences in the education sector from Nebbi District

Councillors reported to be attending meetings of SMCs and PTAs. For example the councillors in Nebbi reported to have attended a PTA meeting which among others discussed; lack of female teachers, inadequacy of furniture, classrooms and latrines and poor performance of head teachers. The actions that arose were: posting of female teachers to all primary schools; relocating those who were working in towns; and transferring of teachers who have overstayed and those working in their home areas...to prevent drunkenness and negligence in their work as an effect of indigenisation.

With regard to UPE and fees, community members in Nebbi are demanding for some changes which are contrary to government policy guidance, such as: stopping automatic promotion of pupils; re-introducing corporal punishments in schools; and sending home children of parents who do not contribute to the development fund. These areas are outside the capacity of the committee but illustrate well the challenges of working with community expectations within an overall policy framework. They argued that limited research was carried out before abolition of user fees and other payments. People like free things but the perception that things are free has a negative implication for implementation...*abolition of these payments has come along with unrealistic expectations... and the policy makers do not live with the conditions created e.g. they take their children to private schools' (KII Nebbi)*

The abolition has had serious effects on service delivery both in quality and quantity. It led to some parents not wanting to contribute anything, not even meals for their children, which affects children's learning. The abolition disempowered community members as they cannot question head teachers or health workers about absenteeism or lack of service. As the old adage goes *'He who pays the piper plays the tune'* (KII Masaka).

The two cases demonstrated that the user committees support the local councils in performing their oversight and accountability functions. However, it is important to clarify the relationships and take advantage of the user committees to complement the role of local councillors, whilst not overlooking the interests of marginalised sections of the community. The user committees are likely to elicit more public/community participation, interest,

ownership leading to community empowerment to demand for accountability from the councillors.

3 Role of Local Councils in Public Expenditure Management

The main purpose of local council oversight and social accountability is to ensure that the citizens access services required for enhancing their livelihoods. In order for these services to be delivered, there are a number of processes that must be undertaken including planning and budgeting, budget execution, auditing, human resource management, procurement and contract implementation. This chapter discusses the role of local councils in the public expenditure management cycle.

3.1 Oversight in Development Planning and Budgeting

As discussed in section 2.3, one of the mechanisms through which citizens can channel their priority needs to the councillors is through the development planning and budgeting process. The legal framework in Uganda provides for the consultation of the citizens in the development planning process. For example, the LGA Cap 243 section 35 (3) stipulates that the district council shall prepare a comprehensive and integrated development plan incorporating plans of lower level local governments for submission to the National Planning Authority, and lower level local governments shall prepare plans incorporating plans of lower councils in their respective areas of jurisdiction (also refer to the Constitution 190). Further section 77 (1) stipulates that local governments shall have the right and obligation to formulate, approve and execute their budgets and plans provided the budgets shall be balanced.

This section describes the planning and budgeting process giving the implications to council oversight and accountability. It should be noted that the analysis is made based on the planning and budget process that has been in use over the last few years (resource constrained, three year rolling development plans). It has not put into consideration the anticipated changes under the National Development Planning process (vision based five year development plans).

3.1.1 Planning and budgeting in lower local councils

The lower local councils include the parishes/wards as well as villages/cells. The village council is constituted by all citizens above the age of eighteen residing in that area. The procedure for planning in lower local councils is elaborated in the Harmonised Participatory Planning Guide (HPPG) for Parishes/Wards. The HPPG describes the planning steps including: holding pre-planning meeting; village level consultations; parish level situation analysis; visioning and goal setting; parish/ward meeting; developing an action plan; writing up the plan; approval of the plan; and community feedback meeting.

The informants reported that village level consultations are held. However, what they described demonstrated that this process focuses on identification and prioritisation of needs and projects and developing village action plans without a detailed situation analysis. The community members prioritise strategies/projects rather than problems as a basis of strategy formulation. The expectation of citizens at the village level to take action towards addressing their problems is seldom realised.

There are no Indicative Planning Figures (IPFs) at the village level hence prioritisation is not resource constrained. What is generated is a wish list subject to re-prioritisation at respective higher levels thus limiting the discretion of the village councils.

The village priorities were reported to be scrutinised at parish level to come up with parish priorities. Many priorities selected at the village level are not implemented due to resource

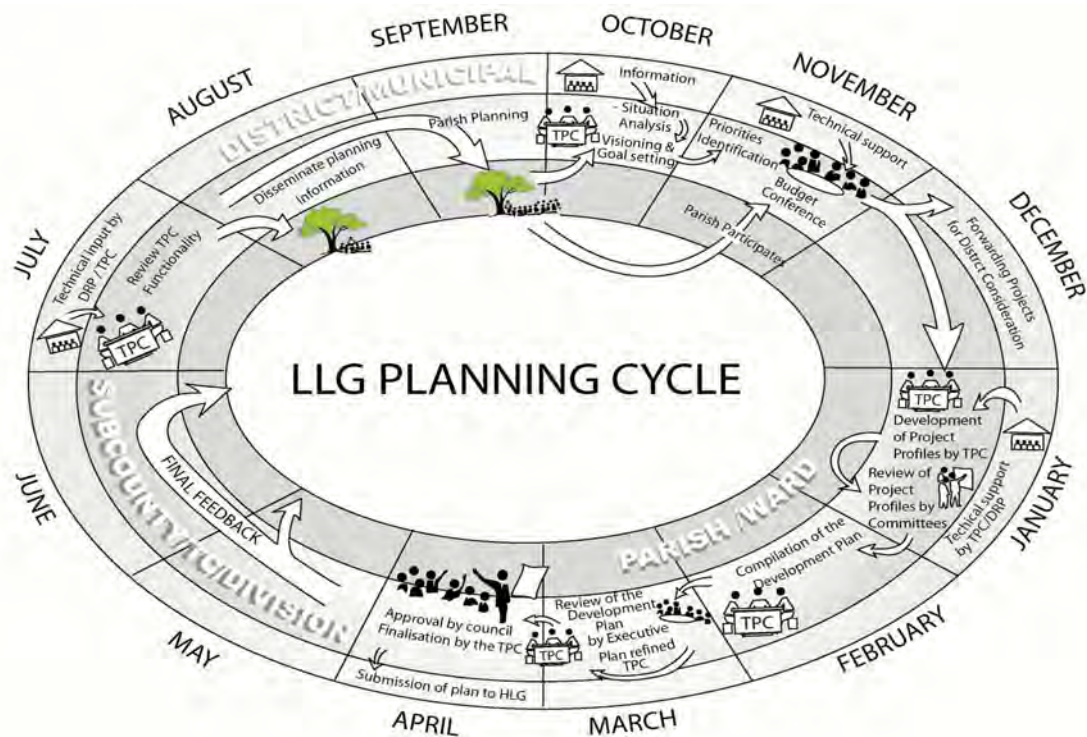
constraints which stifles subsequent participation in the planning process. For example in Molo Sub-county, Tororo District, all the Local Development Grant is being used to finance only one project – a Health Centre II in Tuba Parish whose expenditure spans more than a financial year. On the contrary, relatively high levels of participation were reported in lower local councils where projects were implemented. For example, it was reported that levels of community participation in planning meetings increased in Kimaanya – Kyabakuza Division of Masaka MC since FY 2006/07 when piggery and poultry projects for Special Interest Groups were implemented.

The prioritisation at the parish level is spearheaded by members of the Parish Development Committee (PDC) with technical backstopping from the LLGs, spearheaded by the LLG planning focal point person. There are also incidences where other community level agencies, resource persons and structures facilitated the planning process. For example Masaka Municipal Council use the Project Management Committees (PMC) established under the Peri-Urban Infrastructure Project (PUIP) to support planning, supervision and monitoring of projects at the division levels. The Parish Councils were reported not active. Many of the informants attributed this to the long period of time they have taken without being re-elected and the fact that their legality was questioned. They hence rarely account and give feedback to the citizens in regard to inclusion of the community priorities in the development plans. Nevertheless, the two people that were nominated to represent the parish council on the PDCs were reported still active within the PDC structures.

3.1.2 Planning and budgeting in lower local governments

The procedure for planning in lower local governments is elaborated in the Harmonised Participatory Planning Guide for Lower Local Governments. The HPPG describes the planning steps including: review of TPC functionality; dissemination of planning information for parishes/wards; support to parish/ward level planning; situation analysis at LLG level; LLG SWOT analysis; LLG visioning and goal setting; identification of LLG investment priorities; holding the budget conference; forwarding projects for district level consideration; development of the project profiles; review of the project profiles by standing committees; compilation of the development plan; discussion and approval of the development plan by the council, submitting the approved plan to the HLG; giving feedback to LLG and LLC and monitoring the performance of the development plan as depicted in the figure below

The Planning and Budgeting Process in LLGs



The annual assessment of minimum conditions and performance measures of local governments, 2007 revealed that 802 (85%) of the LLGs had in place three-year rolling development plans approved by the respective councils and 679 LLGs had functional Technical Planning Committees (TPCs). In Malaba TC there is evidence of linkage between development planning and physical planning. The physical plan is in place and the development plan ensures that gazetted roads on the physical plan are opened. The councillors as representatives of the people were reported to sometimes choose development projects that stimulate development in the LG on behalf of their constituents as part of representative democracy.

The councillors are supposed to participate in this process and ensure that the needs of citizens are addressed by the planning process and that adequate feedback is given to the constituents. It was therefore reported that as part of their accountability to the public, projects approved by council for implementation are displayed on notice boards for public information. The council is also required to provide feedback to the citizens on what priorities have been approved and what was not considered with the reasons. It was reported that this is normally left to the area councillors to implement.

Whereas all priorities of the ensuing financial year must be provided with a budget, only 44% of the LLGs had budgets well linked with the development plans. The informants reported that councillors are always tempted to approve priorities more than what their budgets can finance in a bid to satisfy the needs of the electorate. Another challenge mentioned by the technical staff is the difficult to harmonise local government wide planning with sector specific planning. They complained that most of the sector funds are planned for using parallel planning processes and structures from the bottom-up participatory processes provided for under the HPPG.

Nevertheless, the field findings indicated that HLGs normally give feedback regarding the quality of the LLG plans. In Kasese District for example, the District Planner scrutinised all LLG plans and gave feedback regarding focus towards achieving the Millennium

Development Goals (MDGs), the national priority areas, district vision as well as generating impact to the community.

3.1.3 Planning and budgeting in District and Urban Councils

The procedure for planning process is elaborated in the District and Urban Councils Development Planning Guides. The guide describes steps including: situation analysis; strategic planning; formulation of the Budget Framework Paper (preparation of the BFP, LG budget call circular, project appraisal and compiling the BFP); consolidating the district/municipal development plan (production of draft Development Plan, production of the budget and approval and submission of the plan and budget).

The annual assessment of minimum conditions and performance measures for LGs, 2007 indicated that 78 districts (97%) had council approved three-year rolling development plans. The two districts that failed this condition, Abim and Nyadri, were newly created. In addition, 76 districts (95%) had technical planning committees which were fully functional.

The field study revealed that the councillors through participation in the standing committees get the chance to discuss the development plans tabled in March, before they are approved by the full council in June. There were even cases where the councillors refused to approve the development plan because they did not have enough time to scrutinise it. There is further improved linkage between development planning and physical/structural planning process.

However, like in lower local governments, there were challenges of linking the budget, development plan and BFP. A total of 35 districts (44%) failed to meet this indicator. In many cases, the development plans were approved together with the budgets or even in some cases the budgets approved before the plans which is practically and legally wrong.

Another major challenge highlighted especially by the councillors, is limiting their discretion by the conditional nature of the central government transfers. They argued that the bulk of the grants are earmarked compelling the councils to give precedence to national level priorities over LGs ones. Notwithstanding the fact that councillors make critical decisions like determining the location of the project, their power and discretion to decide on priorities to address constituent needs was reported constrained.

In 2002, the GoU enacted the Fiscal Decentralisation Strategy (FDS) intended to among others increase LG autonomy in the utilisation of grants. The 10% flexibility across the Poverty Action Fund (PAF) service areas (recurrent non-wage) was implemented for the first time in FY 2006/07 and many LGs used the increased flexibility to reallocate funds across sectors according to local needs. This started a sound dialogue on local priorities across sectors. However, the technical staff reported that the sector budget guidelines still contain many restrictions in the utilisation of each grant (budget lines) and provides limited local flexibility. Further, the sector development grants have not been folded into the non-sectoral grants or targeted by the FDS initiatives; hence the LG flexibility in resource allocation on development expenditure has not been improved beyond the Local Development Grants (LDG).

There were also cases where councillors put their personal interests in the forefront when discussing and approving development plans and budgets. For example there are cases where councillors refuse to approve the plan and budgets pending agreements on their council emoluments (like in Kimaanya-Kyabakuza Division of Masaka Municipal Council).

3.2 Oversight in Budget Execution

3.2.1 LG revenues

Local governments have the power to levy, charge, collect and appropriate fees and taxes (Constitution article 191 and LGA Cap 234 section 80). The local governments are also entitled to receive unconditional, conditional and equalisation grants from the Consolidated Fund (Constitution article 193).

In practice, the bulk of local government revenues are central government transfers rather than own generated revenues. Moreover most of them are conditional and recurrent in nature. This scenario is depicted by table 11 below.

Table 11: Tororo District Budget Performance

Source	Estimate 2006/2007	Actual 2006/2007	%
Local revenue	345,095,438	202,750,899	1.7
Central	16,080,586,527	11,334,046,885	92.6
Donor	3,463,169,591	697,378,815	5.7
Total	19,888,851,556	12,234,176,599	100

Source: Tororo District Development Plan

CG transfers were reported more predictable so long as the local governments meet their planning, reporting and accountability obligations. The local councils as part of their oversight function are therefore pre-occupied with making sure that the technical staff have submitted all the work plans, reports and accountability on time. The consultations revealed that apart from the national publishing of transfers in newspapers and posting of LDG budgets and releases on notice-boards, councillors rarely account to the citizens in regard to amount of funds received and expended from CG.

Regarding local revenues, and despite the fact that LGs were supported to develop local revenue enhancement plans, budget realism is low and there is a big difference between urban and rural areas in terms of revenue potential and performance. Local governments mentioned a number of challenges in raising local revenues from both the old and recently introduced sources.

They argued that the abolition of Graduated tax (GT) not only affect the volumes of local revenue collected but also impacted negatively on accountability, ownership, interrelationships between councillors and citizens and long-term sustainability, and created general citizen aversion against all LG taxes. In Kasese District, the informants argued that exempting the poor from paying taxes, would in principle mean that the few economically active people eligible to pay taxes will be subsidising the majority. This was reported as a disincentive for more active involvement in the monetary economy.

The local service tax and hotel tax were reportedly encountering the following challenges: LGs are unfamiliar with the use of Electronic Fund Transfer System; partial deductions on salaries where employees whose salaries are transferred directly on their bank accounts from the centre are not deducted; double taxation; and under declaration of hotel data. It was also reported that many LGs have few enterprises that fall within the taxable ceilings, hence the revenue to be realised from this source may remain low. Further, the informants argued that the Hotel Tax is likely to be collected in Town Councils only.

The LGs have also been involved in legal battles as they struggle to increase their revenues. Several challenges are faced in this regard, both with the private sector and even the central government. The text box below illustrates one of the cases.

Legal battles between URA & Malaba TC over collection of parking fees

Malaba TC was receiving 50% of parking yard fees collected by Uganda Revenue Authority at the border post, through Multiplex, a private company. The collections amounted to approximately Shs 17,000,000 per month for the Town Council. However, URA claimed that the Town council was operating in its area and therefore sued the Town Council. The High Court in Mbale on 23/05/2008 judged for the plaintiff against the defendant as follows;

- a) A permanent injunction issued against the defendant/its officers/servants/agents prohibiting them from collecting parking fees from the plaintiff's customs area/parking yard or in any way interfering with the flow of traffic into Uganda
- b) Special damages of shs 407,500,000
- c) General damages of shs 8,000,000
- d) Costs of the suit
- e) Interest on a) and b) at 15% per annum from date of judgement till payment in full

Source: Ruling HCT-04-CV-CS-0048-2006 before the High Court in Mbale

In Masaka MC, clashes occurred between Municipal Divisions and contractors over the rights to parking lots and therefore the fees charged. The parking lot that is the subject of the controversy was originally not indicated in the tender documents by the contractor in Nyendo- Ssenyange Division. Later, the contractor claimed the area as part of his operating area. This case has some political affiliation undertones; with some councillors from one political party supporting one side while others support another.

The districts were also reported to have failed to share revenue with LLGs as stipulated in the law. For example, Kasese District was reported not to be remitting funds from Hima Cement factory to Hima Town Council.

After the abolition of graduated tax (GT), central government came up with a system of GT compensation as part of the revenue that local governments could use. This compensation is however reportedly too low to meet most of the council obligations. There is also often uncertainty on how much the Local government will eventually be able to access during each period, making planning and implementation much more difficult.

As a result, many LGs are highly indebted (like Tororo District); and departmental activities heavily dependent on local revenues are often paralysed.

Tororo District LG has arrears (inherited from the districts that were carved out of it and accumulated from un paid pensions of retired civil servants including those from the new districts carved out of Tororo). Sharing of assets and not liabilities when new local governments are created leaves the parent local governments highly indebted.

Nevertheless, local governments are striving to increase the volumes of local revenues collected. For example, Kasese District introduced CESS on produce as one of the strategies to enhance local revenue collection. At the national level, focus has been put on promotion of investment and local economic development as a means of local governments creating a conducive environment for wealth creation at household level thereby broadening the tax base.

3.2.2 Revision of work plans and budgets (estimates)

In section 3.1, the planning and budgeting processes up to approval level are discussed. This sub-section discusses the revisions that could be made to the plans and budgets during the process of budget execution. The Local Governments (Financial and Accounting) Regulations, 2007 (section 25) provides that revision of estimates may fall into one of the following categories:

- a) Virement, which involves the reallocation of approved funds between votes or items under the same sub-program, excluding any transfers between “employee costs” and “other charges”. It is provided that a virement may be approved by the chief executive and subsequently reported to the executive committee. For example, Nebbi District had approved the procurement of 3 exotic bulls but changed to artificial insemination which was deemed more appropriate. The executive committee endorsed this virement as part of their oversight function.
- b) Re-allocation, which is the re-allocation of approved funds between “employee costs” and “other charges” and between items under different programmes of expenditure. A re-allocation can only be done with the prior approval of the executive committee. This is possible at the district level, since the executive committee members are on full time service of council.
- c) Supplementary estimates, involving additional funds required for recurrent expenditure or capital development purposes. Supplementary estimates involve an increase in the total approved estimated expenditure for the year. Supplementary estimates require prior approval of the council. For example, Kasese District reported to have prepared supplementary budgets during FY 2007/08 when they received extra funds for Ebola preparedness, mass immunisation and preparation of the District HIV/AIDS Strategic Plan.

3.2.3 Oversight in accounting

Sub-section 3.2.1 discussed the role of councillors in revenue mobilisation and section 3.2.2 discussed the role of the council in resource allocation after the approval of the plans and budgets (during budget execution). This sub-section examines the oversight role of the councillors in regard with proper accounting of the resources.

The legal framework provides for every local government council and administrative unit to keep proper books of account and other records in relation to them and to balance its accounts for that year and produce statements of final accounts within three months from the end of each financial year in accordance with the Public Finance and Accountability Act, 2003 (LGFAR, 2007 – 68).

The LGs consulted revealed that in place are dedicated staff and books of accounts are being kept up to-date. This finding is validated by the fact that a total of 78 (97%) districts had prepared draft Final Accounts for FY 2006/07 and had evidence of submission to the Office of the Auditor General (OAG). In Tororo District, interviews with the Internal Audit section and DPAC revealed tremendous improvement in financial management as evidenced not only in proper maintenance of books of accounts but also the reduction in the number of audit queries. The above notwithstanding, accounting problems were reported in some lower local governments and service delivery units like schools. Interviews in Nebbi District attributed this to the insufficient support offered by the Sub-accountants to these service delivery units (schools and health units).

Whereas, the councils have no direct role in maintaining the books of accounts, the finance committee receives and reviews monthly financial statements and the councillors were reported to be exerting pressure to the technical staff to ensure that the final accounts are submitted on time. This is especially because submission of final accounts on time is a minimum requirement for LGs to receive the discretionary local development grants.

3.3 Oversight in Auditing

3.3.1 Functionality of Internal Audit Departments

The LGA Cap 243 section 90 stipulates that every district, city, municipality or town council shall provide for an internal audit department. The head of the internal audit department shall prepare quarterly audit reports and shall submit them to the council giving a copy to the local government public accounts committee. Table 12 below gives an overview of the capacity of internal audit departments in sampled districts

Table 12: Capacity of Internal Audit Departments in sampled LGs

	Kasese District	Masaka MC	Nebbi District	Tororo District
Staffing	<ul style="list-style-type: none"> • 8 staff 	<ul style="list-style-type: none"> • 3 staff 	<ul style="list-style-type: none"> • 4 staff instead of 9 	<ul style="list-style-type: none"> • 5 staff
Equipment	<ul style="list-style-type: none"> • 1 computer • 1 grounded vehicle 	<ul style="list-style-type: none"> • 2 computers 		<ul style="list-style-type: none"> • 1 computer • 1 motorcycle
Funding	<ul style="list-style-type: none"> • 13,505,550 (2006/07) 			<ul style="list-style-type: none"> • 6,000,000/= (budget)

Table 12 shows that internal audit departments have limited staffing, equipment and budgets as compared to entities to be audited. For example, the internal audit section of Kasese District has to audit 9 departments, 19 sub-counties, 258 primary schools, 14 secondary schools and 60 health centres. The internal audit departments have resorted to risk based auditing and the independence of auditors may be undermined as they sometimes rely on the audited entities for funding.

Notwithstanding the constraints encountered, all districts except Gulu DC had functional internal audit departments in the period 2006/07. The internal auditors reported and were supported by the members of the public accounts committees, councillors and staff alike, to have registered a number of achievements. For example in Tororo District, cheque payment rather than cash payment system was introduced upon recommendation by the internal audit section, as was the case in Masaka municipality. In Nebbi District, quarterly audit reports are submitted to the Local Government Public Accounts Committee (LGPAC) and several issues have been followed up.

Notwithstanding the foregoing, councillors in Masaka Municipal Council reported that they do not discuss audit reports in council. They claimed that the scrutiny of audit reports is restricted to the Municipal Executive, Town Clerk and some staff. They were not able to ensure the inclusion of this vital aspect of their oversight function on the council agenda. This was similar in the other councils sampled.

A case of council oversight in Internal Audit

The Ministry of Local Government advanced Kasese District two double cabin vehicles in 1998/99 for capacity building. The vehicles were to be paid for from local revenue. However, in the course of paying local revenue dwindled with the suspension of graduated tax. The District failed to continue paying. MOLG decided to withhold some of the conditional grants to the District. The Council got to learn about this and demanded an explanation from the technical staff. It was difficult for the staff to explain the reductions in the conditional grants because they did not have any receipts from the MOLG to prove that the deductions were actually being made from the Central Government level. The Councillors interpreted this as deliberate misappropriation of funds by the technical staff. As a result, the technical staff have requested MoLG to provide receipts for all deductions.

3.3.2 Functionality of Local Government Public Accounts Committee

LGA Cap 243 (88) provides for the establishment in each district, of a local government public accounts committee consisting of four members appointed by the district council on the recommendations of the district executive committee. The local government public accounts committee is supposed to examine the reports of the Auditor General, the head of internal audit and any other reports of commissions of inquiry and produce reports for submission to the council and the Minister (LGFAR 16)

The local government public accounts committees are paid from the consolidated fund and the informants attributed their improved functionality to the reliability of meeting their operation costs. In all districts sampled, it was reported that the public accounts committees analyse the reports, interview the staff with audit queries and make recommendations to council with copies to MoLG, MoFPED, LGPAC, OAG, IGG, and RDC. Text box gives an extract of the LGPAC report as a sample.

Excerpts from a LGPAC report

Report on FY 2002/2003 – Tororo District

Establish whether revenue collected is handled as per local government finance and accounting regulations 1998

Auditor general's observation: The sub county did not maintain continuous watch over collections by frequent surveys of cash and by reconciliation with the books of accounts and registers as provided in R.181 (4), LGFAR, 1998

Sub County response during interviews: The sub county now maintains a continuous watch over revenue collections by frequent surveys of cash tickets and counter foil receipts and by signing bank reconciliation statements after cross checking transactions.

DPAC findings and observations: The sub county did not implement the recommendations of the previous financial year. There should be finance staff charged with carrying out financial checks on books of accounts, reconciliations, etc instead of the sub county chief. The un-reconciled differences may mean that the graduated tax revenue in the financial statements was understated. There could have been irregularities in the handling of various revenues- particularly local revenue arrears.

DPAC recommendations: All Auditor General's and DPAC recommendations should be implemented immediately. The sub accountant should improve on book keeping in areas where there are still loopholes.

The informants however, complained about limited discussion of LGPAC reports in the councils. Other informants reported that some LGPAC members possess limited skills in accounting and auditing.

Nevertheless, there are a number of reported realisations from the work of the LGPAC. These include: reduced losses, addressing of audit queries, changes in the policies on personal advances and increased vigilance by the technical staff. The LGPAC is an important institution in supporting the councils to perform their oversight and accountability function as depicted below.

“DPAC has reduced losses to the District e.g. before PAC, there were many personal advances which were not accounted for. But now, if an officer has not accounted for previous imprest, he/she cannot be given another imprest. If the unaccounted imprest goes beyond one month, it is handled as a personal debt to the officer. The CAO writes to the officer to pay the money. If this does not happen, the officer’s salary is withheld until outstanding debts are paid. Outstanding advances have now become fewer. People used to ‘chase’ vouchers, but now, it is a cheque payment system which does not favour taking of advances for personal use...”

Chairman DPAC Tororo District

In Nebbi district for instance the LGPAC was able to access information from a youth group, which was formed to fight corruption and which drew the attention of the committee to anomalies in tendering of construction work. The LGPAC was able to ascertain that double payment had been made for roofing a school, which came about as a result of using more than one contractor. The information enabled the LGPAC to recommend corrective action through the set channels. Some other examples of corrective action taken as a result of the work of the LGPAC in Nebbi District included interdiction of a District Engineer, the DEO and other Engineers as a result of construction related problems, refund of monies and the dismissal of two sub county chiefs and a sub accountant. The LGPAC actions also led to reinstatement of a Sub county Chief and a Community Development Officer who had been dismissed unfairly because of a report by the Internal Auditor, which was reinvestigated.

3.4 Oversight in Human Resources

3.4.1 LG Staff Appointment, Confirmation and Discipline

The power to appoint persons to hold or act in any office in the service of a district or urban council, including the power to confirm appointments, to exercise disciplinary control over persons holding or acting in such offices and to remove those persons from office, is vested in the district service commission - LGA Cap 243, section 55 (1). A district service commission shall consist of a chairperson and such other members as a district council shall determine, at least one of whom shall represent urban authorities and all of whom shall be appointed by the district council on the recommendation of the district executive committee with the approval of the Public Service Commission - LGA Cap 243 section 54.

The DSC are in place and functional in all LGs sampled. However, interviews with members of the DSC, technical staff and councillors revealed that DSCs still face a multitude of challenges: some councillors sometimes attempt to influence the decision of the DSC; most of the established posts are not filled due to challenges of meeting the wage bill but also attracting staff to fill some of the key positions. There are also cases where councillors demand for dismissal or transfer of some staff if they have evidence that they are not performing to the councils expectations.

Although Councillors have no role to play in the appointment of Council staff, they do lobby the DSC for particular candidates when positions fall vacant. The candidates often contact the councillors to help them be recruited – KII Masaka MC

3.4.2 Appointment and Disciplining of the CAO, DCAO and TC

The appointment and disciplinary control of chief administrative officers, deputy chief administrative officers and town clerks of cities and municipalities is effected by the Public Service Commission (PSC) in accordance with article 200 of the Constitution. The LGA Cap 243 section 64 (1) further stipulates that the chief administrative officer shall be the head of the public service in the district and the head of administration of the district council and shall be the accounting officer of the district. Notwithstanding the appointment of the CAO by the PSC, the LGA Cap 243 section 67 (1) stipulates that the chief administrative officer shall be responsible to and subject to the general directions of the chairperson and the district council.

The informants argued that the appointment of the CAO by the PSC protects them from local political interferences and pressures; makes the CAO centrally accountable to protect the CG transfers; ensures the recruitment of suitable CAOs; makes the transfer of CAOs easy without being re-interviewed; is likely to (has) re-introduce sanity in the Districts; is likely to reduce turn-over of CAOs; and will avoid equating decentralisation to localization. The informants reported that both the CAOs and the Town Clerks are considered to have more 'backbone' to play their roles as accounting officers and to advise council. For example, the Town Clerk in Masaka MC was able to advise the councillors on the correct procedures to follow, when 'dismissing' the chairperson of the finance committee. Although his advice was not taken by the council, it is clearly seen at whose door the consequences lie as depicted below.



The appointment of the CAO and the Town Clerks by the Public Service Commission was welcomed by many civil servants as shown in the case below.

Comments on PSC appointment of the CAO

Any serious council should be able to perform its oversight function regardless of the appointing authority of the CAO. 90% of LG funds come from the Central Government and this necessitates the central government to appoint an accounting officer to protect the funds and use them frugally for maximum service delivery. Councils should continue to monitor and supervise public funds.

The CAO can only be effective if the DEC and LGPAC are performing their roles as required. This minimizes illegal expenditure.

The advantage of the central appointment of the CAO by the PSC is that it creates an environment for the CAO to operate within the provisions of the law - There is no more pressure on the CAO to approve illegal expenditure.

CAO KII

However, the Councillors argued that a locally accountable CAO is a pillar of devolved governance and without the local control of the CAO, the councils would have limited control over the entire LG performance. The central recruitment of the CAO in practice cuts the crucial accountability and oversight link between the councillors and LG staff, undermines local accountability mechanisms, lead to confused reporting and accountability and risks re-centralising more officers further undermining council oversight and accountability. The CAOs are likely to focus more on reporting and accounting to the central government rather than the local government, thus making the oversight function of councillors difficult to perform, especially where most resources are from the central government. The proponents of decentralisation argue that it would have been better for the old system where the CAOs are recruited by the DSC to continue with checks and balances implemented to make the DSC and the councillors act in an ethical, fair and just manner with regard to their interactions with the accounting officers. It would also be important for the central government to further support the District Chairpersons to conduct the performance appraisals for of the CAOs.

3.4.3 Human Resource Management/Development

Councils overseeing the administration/technical staff is one of the mechanisms through which the staff are made to perform their functions. However, staff performance is also hampered by their skills, knowledge, and attitudes/behaviour as well as the environment/system in which they work. This sub-section discusses the initiatives implemented at the local government level to enhance the functionality of staff, complementing the council oversight function to ensure that the administration supervises the service providers and delivers the needed services to the citizens.

First the GoU formulated the National Local Government Capacity Building Policy (NLGCBP). The NLGCBP among others stipulates the institutional arrangements for coordination of CB activities for technical staff, councillors and non-state stakeholders, defines roles, responsibilities, relationships, powers and discretion of the different actors and describes procedures for capacity building needs assessment, CB planning, funding and implementation, monitoring and evaluation.

In the above vein, the MoLG has given support to LGs in form of: short-term performance improvement courses delivered by pre-qualified private service providers using the generic standardised training materials; career development courses, on-job training, mentoring and backstopping as well as exposure trips to implement the provisions of the LGCBP to enhance HRM/D.

As a result, LGs reported that they have in place functional HRM/D Units, have formulated, approved and implemented capacity building plans linked to the development plans and budgets and improved their functionality in a wide range of performance areas. The LGs are also in the process of developing client charters that will stipulate service delivery standards expected of them by the clients.

However, the informants reported a number of challenges in regard to HRM/D. They noted that GoU developed, customised and implemented LGs structures. However, many of the established positions have not been filled as the cost of the proposed structures is high and unaffordable to most of the local governments. The situation is made worse by the creation of new districts. Staff motivation is still a challenge pending the implementation of pay reforms. However the MoPS is in the process of developing and implementing a non-monetary incentive scheme. The major incentive technical staff reported was training and exchange programmes. Some councillors attempt to violate proper procedures by directly disciplining staff. There are also difficulties to attract staff in under-resourced and remote LGs, common recruitment of sons and daughters of the soil and delays in confirmation and promotion of staff.

3.5 Oversight in Procurement and Contract Implementation

Every district shall have a procurement and disposal unit staffed at the appropriate level and shall be headed by a procurement officer who shall be the secretary to the district contracts committee and who shall have no right to vote at a meeting of the district contracts committee. The district contracts committee shall comprise a chairperson, a member representing the town councils and three other members, all of whom shall be nominated by the chief administrative officer from among the public officers of the district council and approved by the Secretary to the Treasury (LGA Cap 243 91). The abolition of Local Government Tender Boards (LGTBs) in favour of the contracts committee was intended to among others harmonise the LG tendering and procurement regulations with the Public Procurement and Disposal of Public Assets Act and reduce influence peddling from elected leaders.

Jinja CAO roughs up workers

Foreman flees from Budondo site as CAO strangles porter

BY DONALD KIIRYA
AND CHARLES OKALEBO

THE Jinja district chief administrative officer, Iporotum Okiror, on Tuesday roughed up two porters of Sterio Construction Company, accusing them of doing shoddy work on the Budondo sub-county market fence.

The five-minute scuffle took place at the site as Okiror and other district officials were monitoring and commissioning projects.

The foreman, Ronald Mayanja and an unidentified porter were constructing a gate but Okiror noticed that the pillars lacked iron bars.

Mayanja claimed the pillars had already been inserted but Juma Muyita, a councillor, dismissed the claims. The contract indicated that the bars should be inserted.

An enraged Okiror attacked the pair, holding the porter by the neck but Mayanja took off with res-



Councillors confront Mubiru (right), a contractor, over shoddy work

idents giving chase.

"I am in danger of losing my job over shoddy work done by incompetent contractors and here you are doing the same, just to eat the district's funds," Okiror said as he strangled the porter.

It took the intervention of the district vice-chairman, Moses Batwala, for Okiror to let go the porter's neck. Still fuming, Okiror said: "I swear I will not allow shoddy work in Jinja district for as long as I am serving here."

Not done, Batwala drove to Namwendwa health centre, where he picked John Mubiru, the proprietor of Sterio Construction Company, to come and explain the sub-standard work.

He blamed the workers

for the anomaly, prompting the officials to order the Police to arrest him and Mayanja.

They were herded to Budondo Police post where they recorded statements.

"We cannot allow incompetent contractors to eat district funds as we just look on. In fact, they must be charged with robbery," Batwala said.

Batwala added that the district budgeted sh25m for the construction of the Budondo market fence.

District speaker Agnes Nabirye said the company was blacklisted last year over shoddy work but wondered why its contracts had not been terminated.

The officials also accused M/S Mayanja General Services, which is constructing a parking lot at Namulesa Market, of doing shoddy work.

They ordered the proprietor, Paul Mayanja, to re-tarmac the parking lot.

The officials also declined to commission Namwendwa Health Centre II when they saw cracks on the floor.

The informants reported that the councils provide oversight in procurement by approving the annual procurement plan, derived from the approved development plans and work plans. The contract sum determines the procurement method proposed by the Procurement officer and approved by the Contracts Committee. An Evaluation Committee, approved by the contracts committee is named to evaluate and make a report recommending award of contract, which is executed by the CAO or TC. The Procurement Unit submits periodic procurement reports to Council. In addition summaries of tenders awarded are displayed as evidenced on the notice boards in Masaka Municipality and in Kimaanya-Kyabakuza divisions.

As per the results of LG annual assessment of minimum conditions and performance measures 2007, there was no district penalised, while 77 districts (96%) earned rewards in regard to procurement and contract management. This indicates improved adherence to the procurement guidelines.

However, the informants still raised concerns of manipulation, collusion in pricing of tenders, and poor quality of work. They argued that the problem of collusion with politicians has not stopped because the staffs involved are still under the control of the local government. The Procurement and Disposal Units are not independent and they undergo various pressures. This is more so because the procurement units are recently recruited but not yet adequately staffed.

In Masaka Municipal Council, it was reported that award of contracts is influenced by the political affiliation of the bidder which often breeds conflicts. At municipal level the majority of the councillors

are from the Democratic Party yet at the national level, NRM-O dominates. It was asserted that wrangles emerge in cases where tenders are awarded to supporters of the DP and NRM members try to sabotage and vice versa. One of the staff reported that the Council must fight you if the tender is awarded to a supporter of the NRM. In the case of the tender to manage the taxi park for instance, a decision was made to divide the park into three, so that each division tenders its own park taking into consideration political party affiliation when awarding contracts. It was however reported that such problems emerge in cases of big tenders. For the relatively small ones and for tenders that need technical/specialised skills political party considerations do not arise to the same magnitudes and award of tenders is more transparent.

Members of the PDU and other staff reported to be periodically moving with councillors to monitor project implementation. The councillors are given information on contracts awarded, location, contractor, amount and schedule of work. This enables them to provide feedback to the citizens and execute physical inspection and monitoring. During monitoring visits, councillors show concern about expenses, especially how resources are spent on projects. Due to unearthing of the losses during political monitoring and other accountability processes, councils have instituted measures to curb loss and corruption in the bidding process which include: compulsory scrutiny of contractors; security and performance bonds; and paying through the banks. The informants reported that improved vigilance of staff and councillors as well as functionality of internal audit, LGPAC, IGG, OAG is widely believed to lead to improvements in contract implementation.

3.6 Synopsis of Oversight and Accountability in Public Expenditure Management

The preceding sections of chapter 3 have described and discussed the role of councils in the different stages of public expenditure management. This section gives a synopsis of how the council oversight and accountability mechanisms work in the public expenditure management in reference to the respective service delivery sectors. Reference is given to the second schedule of the LGA Cap 243 part 2, that provides for the functions and services for which district councils are responsible subject to article 176 (2) of the Constitution and sections 96 and 97 of the Act. It is noted that local governments have the primary mandate for service provision and the line ministries are responsible for policy, setting standards, issuing guidelines and sector coordination.

Planning for the health sector specific grants is spearheaded by the health unit management committees, through the Health Sub-District (HSD) to the District Directorate of Health Services with guidelines and backstopping from the Ministry of Health. In the education sector, planning is also spearheaded by the School Management Committees, District Education Office, discussed by the District Technical Planning Committees and approved by the Councils. The same is the case for the agriculture sector where the planning process is conducted through the Farmers fora created under NAADS. Therefore, and notwithstanding the fact that the councils approve the respective sector plans as part of the comprehensive local government development plans, the power of local governments in planning is limited to investments funded by the discretionary development funds notably the LDG and PMA-NSCG.

Further, the power and discretion of local councils is constrained by the nature of funding which compromises the performance of the oversight and accountability functions. In the health sector funding is mainly by CG transfers for salaries, supplies and development. The user fees were abolished in public health facilities in 2001 save for patients in private health

facilities and/or private wings of public facilities. There is limited financing by the local governments from other sources like local own revenue, LGDP and NUSAF. For primary education nearly all funding derives from CG transfers under UPE (apart from private schools). Despite attempts to introduce flexibility, most of the grants are largely earmarked. For the agriculture sector, mainstream CG funding for local service delivery is mainly for wage and recurrent non-wage, but is also limited. The main funding from the CG is through NAADS and PMA NSCG.

Procurement and contract implementation is done by the Contracts Committees that procure private contractors who are in charge of construction. The private contractors are supervised by the respective sectors with technical support from the District Engineer. The local councils and user committees are also supposed to oversee construction but are not very effective.

Regarding monitoring and inspection which is at the core of local council oversight, higher level units are supposed to inspect lower levels. Whereas the technical staff are active like District Directorate of Health Services supervising HSD, the role of the local councils and user committees in inspection is limited especially after the abolition of user fees in the health and education sectors.

Service delivery operations and facility management is often done by the user committees with the technical staff performing as the secretaries.

4 Lessons and Proposals for Consideration

4.1 Lessons

- a) A robust legal framework with clear division of roles where councillors are responsible for setting the policies and overseeing that the technical staff implement them. The councillors should desist from venturing into direct implementation and should concentrate on overseeing the performance of staff
- b) Regularly conduction of local council elections provides voters with a choice and opportunity to hold the councillors accountable and for councillors to give precedence to respective constituency interests. However, the local council elections must be preceded with adequate and timely civic education and conducted in a free and fair manner.
- c) People elected as councillors at LG level should possess clout for them to hold the technical staff accountable
- d) Councils require reasonable physical infrastructure, tools and staff to effectively perform their functions
- e) There is need for effective information flow and communication between and among the councillors and technical staff. The technical staff should provide information to the councillors on time and in easy to internalise formats and the councillors should provide feedback to the technical staff.
- f) To effectively respond to the preferences of citizens, the councillors need to have diverse channels (both formal and informal) for gathering information about the needs of citizens, for giving feedback as well as sufficient discretionary resources, mainly from local revenue sources.

- g) Local council oversight provides institutional checks and balances and contributes to good local governance and effective public service. They ensure that the technical staff submits work plans and financial reports, and routinely monitor implementation of projects.
- h) Local council oversight contributes to improvement in financial management manifested in proper maintenance of books of accounts, timely submission of financial reports and reduced audit queries. However, the technical staff responsible for ensuring proper financial management (like Audit) must be adequately staffed and facilitated.
- i) CG inspection, supervisory support and monitoring triggers performance improvement and supports the elimination of corruption, abuse of authority and of public office. However, the missions, reviews, inspections and workshops by CG agencies have to be adequate coordinated and guidelines harmonised to ensure the discretion, power and accountability of the LGs.

4.2 Proposals for Consideration

- a) Regarding the electoral process (i) further study the implications of introducing multi-party politics at lower local councils and (ii) either make party preliminary elections more transparent or make it easier for the independent candidates to compete for elections
- b) To enhance the responsiveness to councillors to citizen priorities, enhance local council autonomy by (i) supporting local revenue generation through among others supporting local economic development initiatives and efficient and transparent tax assessment, collection and administration (ii) increasing discretionary funds and transfers to LLGs and (iii) supporting LGs to develop and implement client charters.
- c) To empower citizens, there is need to intensify civic education focussing on rights and responsibilities; strengthen radio programmes to communicate major council decisions; revive village meetings for giving feedback and clarify the oversight and accountability roles and relationships between the user committee and local councils
- d) To enhance council capacity, the technical staff need to present information to councillors on time, in simplified formats and local languages where applicable. There is also need to further empower the accounting officers to ensure that procedures and regulations are followed and organise joint capacity building activities for the staff and councillors.
- e) To enhance CG Coordination there is need to clarify the roles, relationships and implications of Ministries, Departments and Agencies interventions to LGs as well as organising joint support, inspection and review missions.

Annexes

Annex 1: Documents Reviewed

Annual assessment of minimum conditions and performance measures for local governments 2005, final national synthesis report, February 2006

Council Monitoring Reports from Kasese, Nebbi and Tororo Districts and Masaka Municipal Council

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Jesse C. Ribot and Phil Rene Oyono (2006); *Africa Development Afrique et Development: Special Issue: Decentralisation and Livelihoods in Africa*

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Ministry of Public Service, Guidelines for Developing and Implementing Client Charters in Ministries, Departments, Agencies and Local Governments, April 2007

Minutes of Council, from Kasese, Nebbi and Tororo Districts and Masaka Municipal Council

MoLG Joint Annual Review workshop on LG CB programs, July 2006

National Local government Capacity Building policy, MoLG, April 2005

Overview of the status of decentralisation 1993 – 2004 presented to the Joint Annual Review of Decentralisation 2004.

Poverty Eradication Action Plan 2004/5-2007/8, Ministry of Finance, Planning and Economic Development (MoFPED), 2004

Pro-poor budgeting and the Poverty Action Fund (PAF): A critical evaluation of the effectiveness of the PAF in delivering pro-poor budgeting in Uganda, BPED and MoFPED, 2007

Public Financial Management and Performance Report, PEFA partners in Uganda, 2006

Ssewankambo Emmanuel, Steffensen Jesper, Tidemand Per (2008), Local Service Delivery, Decentralisation and Governance: A Comparative Study of Uganda, Kenya and Tanzania Education, Health and Agriculture Sectors, Uganda Case Report, March 2008-10-31

Steffensen, Jesper, Tidemand Per, Ssewankambo, Emmanuel (2004): *“A Comparative Analysis of Decentralisation in Kenya, Tanzania and Uganda”*, Country Report Uganda, August 2004, the World Bank.

The Constitution of the Republic of Uganda 1995 (as at 15th February 2006)

The Local Government Act CAP 243 (as at 15th February 2006)

The Republic of Uganda, Ministry of Health, Health Sector Strategic Plan II 2005/06 – 2009/2010, Volume 1.

ULGA (2005) Submission on the Constitution (amendment) (No. 2) Bill 2005, other provisions pertinent to local governments and local governments (amendment) Bill No. 8, 2005 to the parliamentary session committee on public service and local government, May 2005.

World Bank (2004): *Country Integrated Fiduciary Assessment 2004, Volumes 1-5, - Promoting the Efficient Use of Public Resources for Poverty Eradication*”, 2004 the World Bank.

Annex 2: List of People Met

Kasese District

Alfred Baluku (Clerk to Council); Musa Samuel (Accountant); John kyamakya Bwambale (Internal Auditor); Masereka Katiko Enos (Procurement Officer); Kule Ezra (Kilembe Sub County); Christopher Bwambale (KADENET Coordinator); Mugisa Police Charles (District Planner); Mukirane George (LC III Chairperson Bwera Sub County); Bosco Baluku (Sub County Chief Kilembe Sub County); Willy Bataringaya (Deputy CAO); Coordinator Bwera Information Centre; George Kalende (Sen. Asst. Engineering officer); Erikana Bwambale (Sen. Health Inspector); Kyamatonwa Stephen (Sen.Asst. Engineering Officer).

Masaka Municipal Council

Bamusede Bwambale (RDC); Tebyasa Matovu J (Mayor); Kasibante Charles (D/Mayor); Nantongo Irene (Councillor); Mitanda Semwogerere (Councillor); Mulindwa Emmanuel (Councillor); Kayiwa Eddy (Councillor); Nakaana K. Simon (Councillor); Tumusiime Mariam (Councillor); Sseddugge Mulumba (Councillor); Tamale Helen (Councillor); Mukasa JB (Councillor); Ssesimba Joseph B (Councillor); Lukanga Majwala Denis (Councillor); Namuddu Teddy (Councillor); Yiga Benon (D/Town Clerk); Maito Ponsiano (Planner); Mpagi Vicent (Treasurer); Mfitmukiza Mohamad (S/Committee Clerk); Kizza Wilson (SCDO); Turibulungi (Engineer); Olet- Mayanja S S (Physical Planner); Kannamwangi Henry (Roads Inspector); Matovu Mugagga (Mechanical Engineer); Ddiba Nakawungu M (Councilor – Nyendo/Ssenyange); Musoke Stephaen (Town Agent); Kamala Eddie (Committee Clerk); Nabukenya Grace (OS); Najjuuko Carorline (Div. Treasurer); Nnansubuga Florence (Cashier); Wasswa K Absolom (NAADS coordinator); Kabyanga Edison (SHA); Kafeero Joseph (Asst Law Enforcement); Ssengendo John (Asst. Enforcement Officer); Ninsiima Ebrahim (Asst. Law Enforcement offic); Namatovu Christine (Lab. Assistant); Sarah Namyalo (Youth Councilor); Getrude Musoke (Councilor PWD); Wasswa Dominic (Speaker); Ssemakula N Daniel (Councilor); Lukwago Angela (Kimaanya/Kyabakuza); Lubega Samuel (Law Enforcement Officer); Nsubuga Hamidu (Asst. Law encement officer); Ssekyondwa Vicent (Asst. Law Enforcement); Namaganda Ruth (Secretary); Sserwanja Rashid (AA); Ssemazzi Fred (SHA); Kweyunga Sarah (PMC); Kakande Philip (PMC); Male Ssebabi (PMC); Mulindwa Judith (PMC); Yiga Ivan (Councilor/ Speaker); Kityamuweesi Andrew (Councilor); Ssemwanga Robert (Councilor); Kyeyune Ramathan (Councilor); Mutaawe Atanansio (Councilor); Mayanja Mohamad (Councilor); Kalibbala Apolo (Councilor); Kakeeto Ibra (Councilor); Kaggwa Liino (Councilor).

Nebbi District

Ngarombo Samson (DCAO); Thigitho Festo (Clerk to Council); Ksamba Alex Ofoyuru (Procurement Officer); Ongei Alfred (District Councillor); Mary Ogentho (District Councillor); Nyakuni Liverus (Production Coordinator); Geoffrey Okilla (District Inspector of Schools); Ringwegi Kasamba Omar (Secretary for Social Services); Oduba Angela (In charge); Edrungi Faustin (Deputy Head Teacher); Okethuwengu Vincent (Nursing Assistant); Ringtho Hassan (Chairperson LCIII); Mamadi Kizito (Vice Chairman LCIII); Okaba Nicholas (Councillor); Atimango Viola (Councillor); Omaka Emmanuel (Councillor); Oryanga Geoffrey (Councillor); Valentine Agentho (Councillor); Farida Rashid (Councillor); Onegiu Bosco (Speaker); Mandawun Margaret (Councillor); Uwothi Florence (Councillor); Pimer Colleens (CDO); Dr Opio Peter (Veterinary Officer); Olal Martin (Sub-county Chief); Opio Hannington (Chairman LCIII); Florence Ayungaraca (Councillor); Anyolitho William (Councillor); Olama Florence (Councillor);Kerunga James (Councillor);Anichan Felix (Councillor); Ozinda Apolonia (Councillor); Ongiertho S (Councillor); Oloya Lucy (Councillor); Okol Donathan (Councillor); Ayiorwoth Yerua (Health Assistant); Jakisa G (i/c Station); Paruka Julius (Forest Ranger); Okethuwun caroline (CDO); Oyikuru Tom (GISU)

Tororo District

Felix C. Esoku (CAO); Francis Orono (DCAO); William Mulabya (District Planner); Christine Achieng (Assistant Clerk to Council); Samali Sabano (ACAO & Clerk to Council); Simon Peter Opio (District Speaker); Stephen Kikaya (Chief Internal Auditor); Charles Odoi (Examiner of Accounts); Jaloli Jeremia (Senior Accountant); Deborah Onyango (Sen. Accounts Assistant); Wasaba Shaban (Personnel officer); Timothy Asangai (Procurement Officer); Shem Noah Jatiko-Otheino (Chairman DPAC); Osuna Emmanuel (District Chairman); Owori Jox Jakwena (DEC member); Onyango Emokol John (DEC member); Sarah Apadeit Okumu (DEC member); Martin Etoori (Vice Chairperson Tororo District); Wendo Wilber (Ag. Town Clerk Malaba TC); Alowo B.Sarah (CDO Malaba TC); Omam Patrick (Ass. Vet Officer Malaba TC); Apero Catherine (Sen. Treasurer Malaba TC); Obore George (Chairman LCIII Malaba TC); Ebere Steven (Sec. Finance & Admin Malaba TC); Yatuwa Christine (Sec. Health Malaba TC); Atiang Alice (Vice C/p & Sec. Production Malaba TC); Emiriat John (LCIII Molo Sub County); Egitat Andrew (Sub Accountant Molo Sub County); Ekwaro Paul (Chairman HMC Tuba Health Centre); Osiro Richard (Member HMC Tuba Health Centre)