

Rethinking decentralisation of WASH services in Ghana:

Strengthening local assemblies to deliver services for all



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This discussion paper is based on a district-wide approach programme review conducted by an in-house team consisting of: Timeyin Uwejamomere (WaterAid Programme Support Unit, London, UK), Tanko Azzika (WaterAid West Africa Regional Learning Centre – Citizens Engagement, Accra, Ghana), Ludovic Tapsoba (WaterAid West Africa Regional Learning Centre – Decentralised Water Supply and Sanitation Services, Bamako, Mali) and Matilda Akua Afriyie (Programme Monitoring and Evaluation Adviser, WaterAid Ghana) in the summer of 2014 in Ghana, initiated by WaterAid Ghana's Country Representative, Afia Zakiya.

Cover image: Amina Kombat (left) and Rahama Ishawa (right) in front of latrines built by WaterAid with funding from HSBC Malta at a senior high school in the Northern Region of Ghana. Credit: WaterAid/ Nyani Quarmyne/ Panos.

Introduction

Local Government Administrations or Metropolitan, Municipal and District Assemblies (MMDAs) are central to the WASH governance system in Ghana. The constitution mandates the central governments ‘to take appropriate measures to ensure decentralisation in administrative and financial machinery of government and to give opportunities to people to participate in decision-making at every level in national life and government’ (Article 35 (5d) Ghana Constitution).

In 2014, WaterAid Ghana conducted a study to review the district-wide approach as a mechanism for delivering sustainable and inclusive water, sanitation and hygiene (WASH) services for all by 2030. The review found that deeper issues and blockages to the successful operations of district governments and achievement of the constitutional mandate for MMDAs to implement decentralisation exist, despite sector reforms dating back to 1984.

This paper summarises aspects of the research, identifying some key implications for the WASH sector in Ghana. It attempts to strengthen understanding of how far the constitutional mandate has been realised. It ends with proposed policy recommendations for the Government of Ghana, relevant ministries, development partners, and the MMDAs to strengthen delivery of sustainable WASH services closer to the people.

The research

The research explored a central assumption: MMDAs are central to the WASH governance system in Ghana. It concludes that the lofty goal of Article 35 (5d) of the Constitution for the Government – ‘to take appropriate measures to ensure decentralisation’ is far from realised in the WASH sector, despite the 1984 reforms which led to the creation of the Community Water and Sanitation Agency (CWSA). The study gives voice to several key stakeholders who expressed concern that it is now time for a reform of the 1984 service delivery structure to bring the sector in line with decentralisation principles, principles of aid effectiveness, and to re-energise the drive for improved services now envisaged under the more recent universal access aspirations in the Sustainable Development Goals (SDGs).

The research found that, overall, local governments’ capacity and the support network and systems to deliver WASH services are weak. However, it also found that there are barriers to implementing the delivery system designed in 1984, and to generally strengthening the sectors’ governance. For instance, although local assemblies have the powers to set and collect revenues and receive grants and transfers for development purposes, this is not the norm. Most grants and loans from international financial institutions for rural and small town WASH projects are centrally disbursed through the CWSA. Half of the centrally allocated Common Fund, a major source of the statutory Government transfers to local government authorities (LGAs), is spent on behalf of the LGAs by the central Government. It is also important to note that about 80% of WASH investments still come from donors.ⁱ The failure of substantive fiscal decentralisation and other practices thus stifle LGAs’

ability to lead and manage development processes and to build the necessary competences and capacity.

The review method included desk/literature review, key informant interviews and reflective discussions with major stakeholders,^a WaterAid Ghana leadership, and work by programme and policy teams in both the Accra and Tamale offices. The research team had very interesting discussions with many actors and citizens who freely declared their views and interests.

The local government system and decentralisation in Ghana

Ghana is a constitutional democracy with two spheres of government – central and local.^b The Local Government Act of 1993 further outlines the key structures, modalities and responsibilities of local governments and the decentralisation process. Overall supervision of local assemblies is delegated to the Ministry of Local Government and Rural Development, with the support of the Local Government Service (LGS) Secretariat.

The central Government coordinates internal relationships with and between the local assemblies through ten administrative regions, each headed by a regional minister appointed by the president. The regional ministers chair Regional Coordinating Councils which comprise representatives from the district assemblies and traditional authorities in the region. In all, there are 216 local assemblies (six metro, 49 municipal, and 161 districts – Table 1).

Table 1: Distribution of MMDAs and 2010 population census

Region	Number of assemblies			Population (census 2010)
	Metropolitan	Municipal	District	
Western	1	2	19	2,376,021
Central	1	6	13	2,201,863
Greater Accra	2	9	5	4,010,054
Volta		5	20	2,118,252
Eastern		8	18	2,633,154
Ashanti	1	7	22	4,780,380
Brong Ahafo		8	19	2,310,983
Northern	1	1	24	2,479,461
Upper East		2	11	1,046,545
Upper West		1	10	702,110
Total (Ghana)	6	49	161	24,658,823

Sourceⁱⁱ: Deductions from Ghanadistricts.com and Ghana statistical service website

^a See Appendix 1 for a summary list of stakeholders consulted.

^b Country profile: Ghana – the local government system in Ghana, p70 www.clgf.org.uk

The LGS Secretariat, established in 2003 by Act 656, supports the coordination and supervision of MMDA departments, staffing requirements and postings, and provides the service delivery standards for the 88 functional areas of the MMDAs. The LGS engages with development partners through established Sector Working Groups, in collaboration with sector/thematic ministries and departments of governments. The LGS publishes annual status reports which list MMDAs achievements in the thematic areas.

Findings on sector performance related to decentralisation and WASH delivery

The 2014 review confirmed another initial assumption: there is a key difference in the approach to and the actual implementation of decentralised WASH service delivery between rural and urban districts. The current structures are:

- District assembly – for rural and small town settlements
- Municipal assembly – for small towns
- Metropolitan assembly – for cities and metropolitan areas

The review identified several important lessons and findings regarding decentralised services in the urban and rural water and sanitation sectors since 1984:

Long-term strategic planning

All district assemblies are expected to produce medium-term development plans (MTDP) with WASH components. These components have been expanded into full WASH plans by several MMDAs with support of development partners, principally UNICEF, Danish International Development Agency (DANIDA), World Bank, Northern Region Small Towns Project (NORST) (mainly urban) and WaterAid. The review found that such capacity building support to LGAs for long-term planning is a critical need. For example, the review found that although the Akuapem North Municipal Assembly uses a single plan jointly funded by all its development partners, sometimes district assemblies develop parallel WASH plans, influenced by donor conditionality for funding. Furthermore, the MMDAs fund the MTDP process principally because it triggers central Government funding. Hence, research findings question whether it is possible to incentivise districts to develop five-year WASH plans as part of the criteria for awarding the district and/or urban development funds.

Roles, structures and capacity to implement:

Granted that the WASH district water and sanitation team (DWST) structures for rural districts are in place by policy, a mix of institutional arrangements exist side by side. The more matured district assemblies have embedded the DWST in the District Works Department. Most DWSTs were set up as project structures with the support of CWSA, yet they too have varying levels of capacity and competencies. The review found that a major gap in the implementation of decentralisation is inadequate personnel and staff for MMDA-level positions. The DWSTs are supposed to have an Engineer, an Environmental Health Officer and a Community Development Officer,

but this is not usually the case, often due to low pay and incentives and frequent transfer and attrition of district assemblies' staff. Senior CWSA staff pointed to anecdotal evidence which shows district assemblies with longer tenured staff have better planning, monitoring and data management systems.

The review found there is tension between CWSA and the district assemblies over roles and responsibilities, with the perception, not uncommon among CWSA and Government Ministries/Directorates' staff, that once the district assemblies become strong then the job of CWSA would phase out, from project implementation to a focus on regulation – a possibility for which CSWA's senior management have a plan. The Government has already released a legislative instrument to inform the process. The reviewers were told the concern of how to fully devolve implementation to the districts or resolve a general capacity gap within the districts, with CWSA still 'hand-holding' many district authorities to deliver services. The recent CWSA Sustainable Rural Sanitation and Water Supply Project, started in 80 regions, for example, continues this hand-holding trend.

There is an understanding among stakeholders that the district assemblies should lead WASH services delivery. District assemblies are aware that they are the centre for local governance and development. However, awareness about their capabilities and use of power as key drivers of change in development is low. The role of CWSA in coordination of sector project and key activities reinforces this gap. There is always the concern that MMDAs do not have the capacity to adequately play this role. This leaves a dilemma – do you devolve the functions to local assemblies to enable them to learn by doing and thereby develop the required capacities, or do you first build the capacity of district assembly staff, to enable them to assume the function when devolved?



WASH committee members in Kunyevilla, Tamale, Northern Ghana.

Stakeholder coordination and dialogues

At the central level, there are a few sector coordination mechanisms. These include the water and sanitation sector working groups and a national-level learning alliance platform. At the district level, there are statutory district social services sub-committees with sub-committees for education, health, agriculture, etc. However, there are no sub-committees on WASH, and District Inter-Agency Coordinating Committees on Sanitation were not functional due to funding issues.

WaterAid has supported creation of district coordinating platforms to bring all the NGOs working in a specific MMDA together to coordinate plans, organise interventions, and avoid duplication for maximum impact. For instance, Tamale Metro Assembly and Bongo District Assembly have had success in their respective areas coordinating partner plans and incorporating these into their MTDPs. Not all the MMDAs are able to independently sustain and use these platforms.

Financial inputs

Funding for LGAs come from three main sources:

- **Common fund** – direct departmental transfers to MMDAs. The District Assemblies' Common Fund (DACF), established by the constitution, has a provision that not less than 5% of the total revenues of Ghana are paid into it for use in district assemblies' development (capital) works. Presently, 7.5% of Ghana's revenue is allocated to the DACF for transfer to the MMDAs. The review found that approximately 50% of the fund is allocated for 'direct transfer' to the Assemblies. In fact, it was revealed that some of the funds are used for social interventions that are considered 'important' by the central government as 'indirect transfer' – such as for the school feeding programme and sanitation/waste management. About 4% of the DACF fund is shared by Members of Parliament for constituency projects, 1.5% is shared among the ten regional co-ordinating councils for supervision of the Assemblies, and 2% is reserved for contingency expenditures.ⁱⁱⁱ
- **District development fund and urban development fund** – provide substantial grants available to MMDAs based on performance in regular assessments using the Functional Organisation Assessment Tool (FOAT) indicators. The Government provides a \$20m allocation to the district development fund, in addition to development of partners' contributions.
- **Internally generated funds** – funds generated by MMDAs from rates and collections. The Ministry of Finance and Economic Planning has recently issued guidelines for the use of the funds.

Salaries and emoluments of MMDA staff are paid directly by the Government.

The review found that most districts do not really allocate funding and budget lines to WASH and WASH is not prioritised in the use of internally generated funds by district assemblies. With sanitation now an indicator of the FOAT it is expected that some of the awarded district development fund or urban development fund would be applied to WASH investment by district authorities. A high percentage of WASH investments come from project funds; DWSTs and CWSA are therefore donor dependent, suggesting that the Government priority for WASH is still low. The MWRWH was expected to receive 598,902,647 Cedis in 2013, with donors contributing 78%. In 2014, the MWRWH was expected to receive 622.3 million Cedis, with donors providing 70% of the funding.^{iv}

There are also financial resource and financial flow gaps which constrain the delivery of the district assemblies. During the 2014 review, Tamale Metropolitan Assembly, for instance, had not received their first quarter grants in August, and DWSTs and CWSA reported delays of three quarters and three years, respectively, in the release of central Government funding for administrative and operational purposes.

Accountability

Decentralisation requires upward and downward accountability, which are currently not strong in the sector. The study team was told, for example, that the procurement processes at the district assemblies are faced with corruption and that public participation could make them more transparent. CONIWAS could potentially be a strong force for advocacy, but there was a feeling from informants that serving on government and sector boards, including the CWSA Board, could compromise CONIWAS' agency and effectiveness.

Empowering citizens for social accountability is a key requirement for sustainability, and may improve transparent services delivery by district assemblies. The research found three things related to accountability that negatively impact decentralisation:

1. Lack of district assembly (and CWSA) accountability to citizens and of space for their substantive participation in decision making
2. Weak civil society, from CONIWAS down in advocacy for WASH rights
3. Negative implications of district chief executives being appointed (one in three of them) by the president versus all being elected by citizens. Linked to this is their high mobility.

Thematic areas of concern for urban assemblies

The district-wide approach review identified that metro and municipal assemblies face peculiar issues which are not completely addressed by current practice. The most crucial of these is that WASH structures and plans in metropolitan (and sub-metro areas) or municipal assemblies have no clear guidelines for the role of the assemblies. Ghana Water Company Limited (GWCL) has the sole responsibility for water services across most metro and municipal assemblies. Responsible for providing water to town and cities with a population of over 2,000, GWCL manages 81 urban water systems across Ghana. However, the company operates without the direct input of metro and municipal assemblies, and thus its operations are not integrated into their decentralised structure.

Finally, the review found two challenges somewhat related to decentralisation: the extant challenges faced by MMDAs that may lead to the shifting of additional responsibilities to communities that might not be able to manage or to sustain an acquired WASH system; and, secondly, a voiced concern that decentralisation also introduces new challenges, e.g. assemblies running private 'public toilets'? The review team was told assembly men have been found to frustrate the take up of household toilets as it reduces the customer base for 'their' operation as public toilet managers.

Analysis and recommendations

The final section of this discussion paper highlights some of the key recommendations from the WaterAid Ghana decentralisation study, designed to ascertain the viability of a district-wide approach embedded in sector strengthening for universal coverage.

Roles and responsibilities

District assemblies are generally aware of their value and centrality to service provision. What is missing is their power and influence to fully secure and devolve the right level of financial resources and get the right staff capacity to enable them to take leadership of WASH sector operations. However, given the bottlenecks in acquiring DACF and other funds on time, turnover in district assemblies, and political appointment of district chief executives, issues of sector power and interest must be unpacked, especially the ability of central government to spend ‘on behalf of’ MMDAs and to award contracts. There is also the issue of ideas – key actors or institutions may not actually believe in decentralisation, especially fiscal decentralisation. This demonstrates how central the Ministry of Finance is as an actor able to constrain or enable decentralisation, or both.

Most MMDA staff interviewed see CWSA as the seat of power, where decentralisation has stopped. Not only does CWSA retain the technical knowledge, funding and capacity for sector delivery rather than MMDAs, as a result district assemblies perceive their role as providing programming implementation and monitoring support to CWSA – a reverse of the actual statutory provision.

The LGS is aware of these findings and attributes them to a gap in achieving true decentralisation (i.e. a situation in which institutions working in districts do not exist at district level). This results in the perverse consequence that the MMDAs hold the functional responsibilities but not the capacity and right levels of funding to deliver.

We present the following options for the Government of Ghana to consider:

- The immediate implementation of the recommendation by the LGS (proposed Inter-Service Collaborations Framework) that the technical assistance arm of CWSA be devolved and integrated into the MMDAs while CWSA provides the frameworks and standards oversight.
- Organisation of a national sector conference on the decentralisation of WASH services delivery may be necessary to jumpstart creation of a consensus roadmap for the sector to deliver universal services, similar to the one in 1984 that established CWSA, to now strengthen the decentralisation process and establish full WASH departments at the MMDAs or within the LGS structure in regions, with clearer articulation of roles and responsibilities across the board.

Strengthening sustainability through stakeholder participation and coordination

Most key stakeholders are not aware of the level of community engagement and prioritisation between MMDAs and communities on WASH services. For instance, interactions with Queen Mothers show they are unaware of WASH plans or of how much money comes to the common funds for WASH, and other similar issues that determine sector performance. Most MMDAs still hold the view that citizens cannot afford to pay for WASH services. Although more evidence is needed beyond the study to enable generalisations on paying ability, the review found book-keeping evidence that citizens are willing and able to pay for WASH services, especially where they are involved in the planning, implementation and management of WASH facilities. For instance, over the past ten years New Energy, a local WaterAid partner NGO, has been operating the Gusheigu, Tamale Post Office, and Tamale Stadium Water Systems, with claims that the communities operate the systems as financially viable facilities.

WaterAid invites the Government of Ghana to:

- Strengthen local governments to provide the leadership for frontline state and non-state institutions and actors to deliver services at scale, and to improve their competences and performance in coordination. Overall, district coordinating platforms provide space for planning officers to report on progress, enhance coordination and accountability of districts, and improve citizens' participation and voice in the process.
- Consider strengthening the local government training institute to provide local assemblies with the necessary training to develop the leadership skills local authorities need to achieve universal services. Sector performance has been attributed to strong leadership and commitment provided by the district chief executives and chief directors. Several stakeholders consider leadership an essential condition for achieving universal access. They believe communities and citizens should be empowered to demand this quality and determine who is best placed to provide the required leadership through direct election of district chief executives. This suggests that, where elected, district chief executives are more responsive to citizens because they could be recalled for non-performance at elections.
- Scope and document all useful models of pro-poor services delivery, including evidence that communities are operating water supply systems as financially viable facilities, using community management approaches based on water management boards.
- Planning is an important building block, and deepening understanding of the extent to which districts can build an evolving picture of progress being made – what is working and what is not – was identified as important. Any sector reform must strengthen processes for monitoring, review and course correction. The

present data management system – districts information monitoring and evaluation system (DIMES) – which DWSTs are expected to report data into on project investments and functionality, as well as the proposed ‘Smarter WASH’ programme being developed to improve sector sustainability and reporting, must address these challenges of using reported data for decision making to improve performance.

Finance

Generally, funding to the district assemblies has been irregular and inadequate, especially to the DACF. Although overall financing of the sector has been inadequate, various stakeholders expressed a concern that the district development fund could perpetuate imbalance and inequality because MMDAs performing poorly on the FOAT indicators will continue to miss out on development grants, even though they may be in the greatest need of such grants, while financially able MMDAs that do well on the FOAT assessment will continue to benefit. WaterAid Ghana recognises that more effective budget tracking is needed to understand well how funds are used at district level. Decentralisation does seem to offer the possibility of Ghana achieving full WASH coverage. It must be made to work; however, this means fiscal and administrative decentralisation and the politics of the WASH sector that block success must be urgently addressed.

WaterAid requests the Government of Ghana to consider the following options:

- Support effective budget tracking to understand how funds are used at district level.
- Stop the practice by which about 50% of development funds are spent by central Government, Members of Parliament and CWSA, on behalf of local assemblies. This is still a huge bottleneck for the sector to overcome, especially to improve system transparency and accountability. The challenge is whether there will ever be the will to practice true fiscal decentralisation in Ghana.
- Support organised civil society to engage with state actors to proactively demand their right to participate and work together for the change we want to see. A viable dual-pronged strategy is required to address both supply and demand sides of the WASH equation for sustainable universal access to WASH.
- Adopt the district-wide approach which strengthens MMDAs to take leadership to coordinate development that encompasses the needs and desires of people and communities throughout Ghana.
- Strengthen MMDAs to solve the lack of locally generated revenues, going beyond dependence on central Government allocations to achieve the SDGs and Ghana’s medium-to-long-term development agendas for universal WASH coverage by 2030 and 2025 respectively.

Regarding the dilemma raised to either devolve the functions to local assemblies to enable them to learn by doing and/or first build the capacity of district assembly staff to enable them to assume the function when devolved – WaterAid believes both are necessary, with better prioritisation, systematic approaches, less politics of and competition among stakeholders and sector actors, and intentional reduction of duplication of efforts. The centrality of the Ministry of Finance as an actor able to constrain or enable decentralisation, or both, requires both the Ministry of Local Government and Rural Development and Ministry of Water to seek innovative ways to push the WASH agenda and decentralisation.

WaterAid calls on development partners, who, collectively, have brought most of the sector finances at consistent levels of 70–80% for the past years to achieve WASH goals, to:

- Ensure their development finance strengthens local governments as duty bearers. Where MMDAs lack capacity to fulfil their mandate, donor funding must support LGAs to develop capacity for managing contractual relationships with service providers who address issues of planning and implementation.
- Proactively work with and within Government of Ghana development priorities, at the national level, to unblock sector bottlenecks that prohibit sector strengthening and effectiveness.
- Become a voice for local assemblies and work at national level to improve aid effectiveness, and help to engender WASH justice.

References

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- ⁱ Analysis of 2014 Budgetary Allocations to Water, Sanitation and Hygiene (WASH) Sector (CONIWAS, 2014).
- ⁱⁱ (http://ghanadistricts.com/pdfs/all_mmdas_in_ghana.pdf) (http://www.statsghana.gov.gh/docfiles/2010phc/2010_POPULATION_AND_HOUSING_CENSUS_FINAL_RESULTS.pdf) (downloaded 14/10/2014)
- ⁱⁱⁱ The Common Fund Newsletter: Districts Assemblies Common Fund (DCAF), p9, Issue 1 June 2014.
- ^{iv} Analysis of 2014 Budgetary Allocation to Water, Sanitation and Hygiene (WASH) Sector (Coniwash, 2014).

Appendix 1: WaterAid Ghana district-wide approach study – key stakeholders consulted

Southern Ghana contact list, 21 July – 1 August 2014:

- ProNet Accra
- Accra Metropolitan Assembly
- Ablekuma Central Sub-Metro
- IBIS Ghana (education sector NGO)
- CHF, Global Communities
- Ministry of Water Resources Works and Housing
- Ministry of Local Government and Rural Development
- UNICEF Ghana; ActionAid Ghana
- Birim North District Assembly
- Oboomma Rural Action Programme
- Ghana Water Company Ltd.
- CWSA – Koforidua
- Local Government Service Secretariat, Accra
- IRC/Triple S. Ghana.

Northern Ghana contact list, 18–22 August 2014:

- Northern Region – CWSA
- Gusheigu District Assembly
- Tamale Metropolitan Assembly
- NORST TEAM, Tamale
- Rural Aid – Bolgatanga
- Bongo District Assembly
- CWSA – Bolgatanga
- Bolgatanga Municipal Assembly
- New Energy – Tamale
- Intagrad – Tamale
- BIDO – Tamale.