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DEMOCRATIC GOVERNANCE & ACCOUNTABILITY PROGRAMME



Gender Transformation & Empowerment

SIMPLIFIED HANDBOOK ON THE ROLES AND RESPONSIBILITIES OF DISTRICT AND SUB-COUNTY POLITICAL AND ADMINISTRATIVE LEADERS

Civil Police



November 2012

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ACRONYMS

ACAO:	Assistant Chief Administrative Officer
CAO:	Chief Administrative Officer
CBO:	Community Based Organization
CDO:	Community Based Organization
LC:	Local Council
NGOs:	Non-Governmental Organizations
MPs:	Members of Parliament
PDCs:	Parish Development Committees
RDC:	Resident District Commissioner



Introduction

One of the tenets of good governance is participation of citizens in planning, budgeting, implementation of government programs and monitoring and evaluation. In order for participation to yield the required benefits, citizens should know the roles and responsibilities of leaders and be informed about the different stages at which they can participate in decision making and related governance processes. The handbook is written bearing in mind the limited knowledge amongst local citizens about the roles and responsibilities of both their political and administrative leaders. Each of the leaders has defined mandates that should ultimately ensure that services are delivered to citizens. The main objectives of the handbook are:

1. To provide information to citizens on the roles and responsibilities of political and administrative leaders in their districts; and
2. To create awareness amongst citizens on the different stages at which they can participate in governance processes.



About the Handbook

The first part of the handbook outlines the roles and responsibilities of administrative leaders. Administrative leaders in each district are charged with implementing government programs. Public taxes that are collected are budgeted for by the Executive and allocated by Parliament to different sectors including: education, health, roads and water among others. The administrative leaders including the: Chief Administrative Officer (CAO) and his/her assistant CAOs; the heads of department in the district including the district engineer, the gender officer, the district planner, the water engineer, the district health officer among others are entrusted with the responsibility of managing public funds and implementing government programs. At sub-county level the sub-county chief is in charge of implementing government programs and managing public funds.

The second part of the handbook outlines the roles and responsibilities of political leaders. The political leaders as will be discussed in the handbook are elected by citizens every five years during general elections in Uganda as prescribed in the Constitution of Uganda and the Local Government Act. One of their major roles is to monitor and evaluate the implementation of government programs. Oversight by political leaders ensures that public funds are used as planned in the district and sub-county development plans. They also monitor Central government programs and those conducted by other actors like the Private sector and Non-Governmental Organizations in their districts. The section also highlights the roles of Parliament and Judiciary.

The third part of the book highlights the various stages in the governance process at which citizens can participate.
The fourth part is a conclusion of the handbook.

Administrative leaders in local Governments**1.1. The Chief Administrative Officer**

The Chief Administrative Officer (CAO) is the head of the administrative wing in the district. CAOs are appointed by the Central Government through the Public Service Commission. The CAO is deputized by the Assistant CAOs. The CAO is responsible for supervising the deputy CAO(s), the Chief Finance Officer, the District Education Officer, the District Health Officer, the District Planner, The Personnel Officer, the District Engineer, the District Natural Resources Officer, the District Community Based Services Officer and the Senior Assistant Secretaries.

1.1.2. Whom does the CAO report to in the district?

The CAO reports to the district chairperson.

1.1.3. What are the roles and responsibilities of the CAO?

The CAO is the head of the District Public Service and the overall duty is to provide leadership in developing district plans, reviewing, monitoring and implementation of government policies and plans of Central government and District council. The specific duties of the CAO are:-

- Ensures that planning is done
- Oversee the use of public resources and ensures that they are used well and accounted for;
- He/she ensures that lawful district council decisions are implemented;



- Provides technical advice and guidance to district political leadership to ensure effective and lawful council decision making;
- Advises and guides local councils and the departments responsible for implementing government programs on education, health, roads, water, agriculture among others;
- The CAO must ensure that accountability for public resources is done and that they are used transparently;
- Supervises district and lower council staff and ensures that they implement their activities as planned.
- Coordinates district and lower council staff and monitors implementation of Central government and district programs;
- Acts as a liaison between the district councils and Central government to ensure that government policies are effectively implemented and that national objectives of the country are achieved.
- Ensures safe custody of district properties, records and documents of council;
- In partnership with security agencies in the district, the CAO ensures that law, order and security in the district is maintained.

1.2. Deputy Chief Administrative Officers

Deputy CAOs are commonly called Assistant Chief Administrative Officers (ACAOs). The ACAO reports to the CAO. A district will usually have a deputy CAO and ACAOs in charge of a county.



1.2.1. Why are ACAOs relevant?

They deputize the CAO in managing and coordinating the implementation of government and council policies and laws in order to improve the welfare of citizens in the areas in which they work.

1.2.2. What are the roles and responsibilities of ACAOs?

- Provide administrative support services to the District Council and the technical Departments;
- Initiate and formulate/develop District policies, plans, strategies and bylaws in partnership/liaison with other Heads of Department;
- Supervise and coordinate proper management of the human resource issues in the District;
- Manage and provide efficient utilization and accountability of all resources of the administration department;
- Deputizes the CAO;
- Provide technical support and guidance to the technical departments on matters relating to administration.
- Coordinate safe custody and proper management of Council records; and
- Supervise the upkeep and provision of the safe custody of Council properties and assets.

1.3. Assistant Chief Administrative Officer (ACAO) in charge of a county

The ACAO in charge of a county reports to the Deputy Chief Administrative Officer. The ACAO in charge of a county assists the CAO in coordinating and monitoring all administrative and development programs in the county.



1.3.1. What are the roles and responsibilities of the ACAO in charge of a county?

- Enforce accountability for financial and other public resources in the County;
- Assess the service delivery performance levels in the County; Enforce compliance to Government policies by NGOs in the County
- Monitor County abidance/adherence to National and District priorities, policies, programmes and legal obligations;
- Prepare periodic reports regarding activities in the County and submitting them to the relevant authorities; and
- Provide technical support on implementation of Government policies in the county.

1.4. The Senior Assistant Secretary.

The sub-county chief/ Senior Assistant Secretary is appointed by the District Service Commission after successfully passing through an interview. The Sub-County Chief reports to the Local Council III chairperson and the CAO.

The Sub-County Chief supervises the Community Development Officer (CDO), Agricultural Officer, Veterinary Officer, Fisheries Officer, Parish Chief, Senior Accounts Assistant and Head Teachers of Primary schools.

1.4.1. What are the roles and responsibilities of the Senior Assistant Secretaries?

- Manage the implementation of all Districts bylaws and Government policies, projects, programmes and lawful directives;



- Carry out general administration of the sub-county in conformity with Government
- regulations and policies; District Ordinances or bylaws; and
- Trust Fund or Secretariat by lower Councils;
- Collect and account for Local Government revenue in the sub-county;
- Execute orders and warrants issued by any court of competent jurisdiction;
- Assist in the prevention of crime and maintenance of law, order and security in the Sub-County;
- Collect data and keep records of Council;
- Provide technical support to the Local Council III in planning, budgeting and Implementation of Government programmes; and
- Supervise and monitor the implementation of socio-economic development projects.

1.5. Parish Chief

The parish chief carries out the overall administration and management of a Parish Unit in the Local Government. He/she reports to the Sub-County Chief.

1.5.1. What are the roles and responsibilities of the Parish Chief?

- Prepares and compiles reports on parish operations for the attention of the Sub-County Chief;
- Collects and accounts for Local revenue in the Parish; Prepares work plans and budgets for the operations of the parish;



- Enforces the implementation of National and Local Government policies, programmes and Council bylaws in the Parish;
- Undertakes the mobilization of the Parish Community for government development programmes and projects; and
- Provides technical support to the Parish Council on any matters relating to lower Local Government governance.

1.6. The NAADS Coordinator

NAADS is the National Agricultural Advisory Services, which is a new programme in the Ministry of Agriculture Animal industry and Fisheries created under the Plan for Modernization of Agriculture (PMA), as one of the government efforts to reduce poverty. The Programme is responsible for provision of agricultural advice to farmers. It gives farmers, particularly the poor, women and youths, powers to ask for advisory services for their priority enterprises.

1.6.1. The role of the District NAADS Coordinator.

The activities undertaken by the coordinator include:

- Participating in compiling work plans from sub-counties and ensuring that district plans are prepared on time.
- Supervising implementation of NAADS activities.
- Seeing to it that NAADS work plans and budgets are included in the district plan.
- Ensuring that service providers are selected according to the laid out criteria.
- Acting as secretary to the District Farmer's Forum.
- Supervising use of NAADS funds and ensuring they are properly accounted for.



- Coordinating with the District Finance Officer and CAO on matters of managing funds.
- Ensuring that sub-counties and Farmer Foras are provided with technical support in conducting NAADS activities.

1.6.2. The role of the Sub-county NAADS Coordinator

The sub-county NAADS coordinator

Undertakes the following functions;

- Putting together annual work plans based on priority needs of the farmers.
- Facilitating the planning process and ensuring that work plans, budgets and financial reports are submitted in time.
- Seeing to it that NAADS work plans and budgets are included in overall Sub-county development plan.
- Ensuring that selection of service providers is according to laid out criteria.
- Acting as secretary for the farmers' forum.
- Supervising implementation of NAADS programme in the sub county.
- Working together with the District Finance Officer and Sub-county chief on management of funds and ensuring proper accountability.
- Seeing to it that the district tender board provides technical assistance to the Sub county and farmers forum for ease of tendering and procurement
- Ensuring full participation of farmers in implementation of NAADS activities.

1.7. Resident District Commissioner

1.7.1. Who is a Resident District Commissioner?

The Resident District Commissioner (RDC) is a public officer appointed by the President in accordance with Article 203 of the Constitution of Uganda as amended.

1.7.2. Who is an assistant RDC?

An assistant RDC deputizes the RDC. In the absence of the RDC he/ she carries out the roles and functions of the RDC.

1.7.3. What are the roles and responsibilities of RDCs?

The roles and responsibilities of the RDC are provided for in the Constitution of Uganda and include:

- Coordinate the administration of government services in the district;
- Monitor and oversee local government programs more generally on behalf of Central government;
- Advise the district chairperson on matters of a national nature that may affect the district or its plans and programs and particularly the relationship between the district and the government; and
- Carry out such other functions as may be assigned by the President or prescribed by parliament.



1.8. The Police

The Uganda Police Force is provided for under Article 211 of the Constitution of Uganda and regulated by the Police Act.

1.8.1. What are the roles and responsibilities of the Uganda police Force?

- To protect life and property;
- To ensure that law and order is maintained; To prevent and detect crime; and
- To cooperate with the civilian authority and other security organs like the army, local defence units among others and with the general population of Uganda.

1.8.2. What roles does the public need to play to make the Police function well?

- Report any wrongdoers to the nearest police station in your community;
- Share information with police on any matter that affects law and order in the community;
- Attend meetings organized by the police force to sensitize the community on security matters and other issues that are relevant for enabling the police perform its roles;
- Come forward as witnesses in cases where their input is required to enable the courts to punish wrongdoers;



1.8.3 What roles can the police play to gain public trust in the force?

- Educate the public about their roles and responsibilities;
- Re-brand itself as a force that can cooperate with civilians to maintain law and order;
- Reduce on corruption and bribery that has characterized the police force and reduced public respect for it.

Political leaders in Districts

The administrative officers in the district work hand in hand with the politically elected leaders and the RDC's office to ensure that government programs are implemented in line with national and district policies, plans and budgets.

The political head of the district is the local council V Chairperson. At the local council III level (sub-county) the LCIII chairperson is the political head of the sub-county. In municipalities (LC IV) the Mayor is the political head of a municipality. The LCV and III chairperson and the Mayor work with councillors to enable the district and central government to achieve its objectives. The district councils, LCIVs and III councils are set up in a way that enables them perform their functions. Each council has an Executive Committee and Standing/ Working committees through which council conducts its business and makes decisions. Each council elects a Speaker to oversee council business.

Within council, an Executive committee is appointed by the LC chairperson and approved by council. Each Executive committee is made up of at least five persons, one of whom should be female. This does not prevent the chairperson from appointing more females onto the Executive committee of a local council at the three levels.

The roles and responsibilities of local councils at various levels are spelt out in the Constitution of Uganda and the Local Government Act.

2.1. What are the roles and responsibilities of local councils?

- **Financial management and oversight:** Local councils at LCV, IV and III levels are responsible for monitoring and evaluating delivery of government programs. In collaboration with the administrative leaders in the district, they monitor and evaluate government programs to ensure that there is value for money. In cases where they detect anomalies, they should bring their findings to the attention of the CAO and relevant head of department.
- **Political functions & Representation:** Local councillors are elected every five years to represent Ugandans of various categories including: men, women, youth and People with Disabilities (PWDs). As representatives of the people, they are charged with the responsibility of finding out the concerns of their electorate and ensuring that these concerns are brought before council and to the attention of the CAO and relevant head of department for discussion and redress where possible.
- **Legislative and related legislative functions:** Local councils at district level make ordinances while at Sub-County level they make bylaws. These laws are made to address concerns where no legislation is in place to do so. For instance, where councillors detect gaps in education provision, child labour or drug abuse and there are no national laws in place to address the gaps, they can make ordinances at district level of bylaws to address the problem. It should be noted here that laws are made to address a problem particularly where none is in place to deal with the issue at hand.
- **Development Planning:** Local councils are responsible for planning for their districts, municipalities and sub-counties at the various levels. For them to be effective, government



through the Ministry of Local Government has put in place a planning and budgeting cycle to guide their work right from the Parish Development Committee. The councils are charged with the responsibility of ensuring that citizens participate in the planning and budgeting cycle.

- Constituency servicing and monitoring service delivery: Leaders are expected to address issues affecting their electorate. They can do this in a number of ways. For instance, they can work with various partners in the Non-governmental Organizations, Private sector and individuals to address the challenges facing their constituencies. In order to effectively do this, they must identify the concerns of their electorate and network with partners who can complement existing government programs to address arising issues in their constituencies. For example, some councillors have successfully partnered with NGOs to advocate for improving education for both boys and girls, others have advocated for better water services in their electoral areas while others have attracted private sector investment in their constituencies.
- Attend meetings of lower local councils: This enables councillors to listen to issues and concerns of their sub-counties. In some cases, councillors at district level have used the meetings to communicate to local councillors at sub-county level on pertinent issues and also provide guidance to the lower local councils on issues where they may not have knowledge and expertise.

District Chairperson:

This is the political head of the district with a duty to:

- a) Preside at meetings of the executive committee of the district;
- b) Monitor the general administration of the district; coordinate

the activities of urban councils and councils of the lower local administrative units in the district; and coordinate and monitor Government functions as between the district and the Government.

Speaker:

Each district council shall have a Speaker elected by the district council from among its members.

District Executive Committee:

An Executive Committee consisting of the District Chairperson; (b) the Vice Chairperson; and Secretaries (determined by the Council) shall perform the executive functions of the council.

The functions of the District Executive Committee shall include:

- a) Initiating and formulating policy for approval of the council,
- b) Overseeing the implementation of the Government and the council's policies and monitoring and coordinating activities of nongovernmental organizations and council programs in a district.

2.2. PARLIAMENT

The Parliament is established under Article 77 of the Constitution of Uganda. The current 9th Parliament of Uganda is made up of 375 members. Of these 112 are district women members of Parliament (MPs); 10 represent the army; 5 represent the youth, 5 represent persons with disabilities (PWDs) and 5 represent workers. The others not elected by citizens are appointed by the President. An example of MPs not appointed by citizens was the former Prime Minister of Uganda Hon. Apollo Nsubambi. Most of the work of Parliament is done through committees.



2.2.1. What are the roles and responsibilities of Members of Parliament?

- To make laws for peace, order, development and good governance in Uganda;
- Oversight role: Just like local councillors Parliament oversees how public funds are used;
- Conduct investigations and enquiries: Through the various committees discussed below, parliament investigates and makes enquiries over the use of public funds and management of public affairs.
- Constituency servicing: Just like local councillors, MPs network and attract support for the constituencies through NGOs and the private sector.
- Attend meetings of local councils as ex-officio members;

2.3. Oversight role of Parliament

- Article 164 makes Permanent Secretaries accountable to Parliament for funds in their ministries and gives MPs powers to monitor all expenditure of public funds.
- Every year, Parliament, through committees, considers the details of how money that was given to Government Departments has been spent in service delivery.
- The committee members may question ministers and public service officials in the course of committee deliberations of how the money was spent and why it was spent in a particular manner.
- These checks and balances ensure that Government funds are well spent.

- A member of the public may write to a specific committee raising concern about the inefficiency or failure by a particular Government body to deliver services.

2.4: THE JUDICIARY

The Judiciary (also known as the judicial system) is the system of courts that interprets and applies the law in the name of the state. The judiciary also provides a mechanism for the resolution of disputes. In Uganda, the judicial system starts right from the community level and the following Courts of Law are available.

The Local Council Court

These are established under the Executive Committees (Judicial Powers) Act. They handle light cases involving children, light civil matters in their areas of jurisdiction, infringement of byelaws duly made under the Local Government Act and some cases of domestic violence.

The Magistrate Courts

The majority of the civil and criminal cases in Uganda are handled by the Magistrate's Courts. There are three levels of Magistrates Courts: Chief Magistrates, Magistrates Grade 1 and Magistrate's Grade 11.

These are subordinate courts whose decisions are subject to review by the High Court.

The High Court

The high court of Uganda has unlimited original jurisdiction which means that it can try any case of value or crime of any Magnitude.



The Court of Appeal of Uganda

This court handles appeals from the High Court.

When constituted as a constitutional Court, the Court of Appeal determines any question regarding the interpretation of the Constitution.

The Supreme Court

The Supreme Court is the final Court of appeal in Uganda. It decides civil and criminal cases on appeal from lower courts.

The Supreme Court only handles a direct petition where the matter is pertaining to a Presidential election.

2.4.1. What are the roles and functions of the Judiciary?

- To hear and make a judgement/decision on civil and criminal cases: In Uganda civil and criminal matters are handled by the lower Magistrate courts (Grade One and Grade II and Chief Magistrates) and the superior courts of record on Appeal.
- To interpret the Constitution and the laws: In Uganda, the judiciary has the power to pronounce laws null and void/non-functional. The Constitutional Court may make a law non-functional if it is not in agreement with the provisions of the Constitution.
- To promote human rights, social justice and morality; The constitution provides that judicial power is realized/got from the people and shall be exercised by the courts in the name of the people and in line with law and with the values, norms and aspirations of the people.

SECTION THREE:

Public participation in enhancing service delivery

Public participation is a key element/factor for good governance.

3.1. What are the benefits for public participation in the governance process of their areas?

- It leads to informed plans and government policies and programs;
- Creates ownership for government programs;
- It creates more transparency and accountability for public resources because people are aware of the money available for implementing government programs and can monitor how it is used;
- It increases the pace of development as resources are used better;
- It leads to overall development and improves service delivery;
- It deepens democracy because leaders become more answerable to the people who elected them;
- It is a requirement of government of Uganda and international organizations and institutions like the World Bank due to its benefits.

As already enumerated in Section One and Two, the administrative and political leaders in the district have to work hand in hand in order to effectively deliver services. In cases where matters are concerned with service provision, the CAO who is the technical head of the district and the district chairperson should be informed. There are different methods that the public can use to bring their issues and concerns to the attention of the CAO and LCV Chairperson. For instance, the concerned communities can:



- Write a letter to the CAO about the issue and copy the district chairperson;
- Call in to radio talk shows to express their concerns with implementation of services particularly where the CAO or his/her representative if being hosted;
- Seek for appointment to meet with the CAO and district chairperson;
- Petition the CAO and copy the district chairperson;

In all cases, it is important to have facts about the project in question and clearly write down concerns with it.

The councillors are responsible in collaboration with the CAO and sector heads to ensure that public funds are used effectively. Where anomalies are detected, the public can use various methods to bring this to the attention of councillors and technical heads at various levels. For instance, if a road which is being constructed in a village is not being done in accordance with the specifications/contract, the parish chief should be notified. In case a letter is written on the issue, it should be copied to the sub-county chief, concerned sector head and the CAO as technical leaders. The same letter should also be copied to the area councillor and LCIII and LCV chairpersons who are the political heads of the Sub-County and District respectively. For this process to happen, the citizens should seek for information on projects that will be undertaken in their areas from the parish chief or sub-county chief. It should be noted that the parish chief is the first point of contact with regard to technical matters in the district. Where a letter is written on the matter, the sub-county chief whom the parish chief reports to should be copied in on the letter in addition to the CAO. Bringing the issue to the attention of the concerned technical staff and political leaders in an area can assist in ensuring that the issues are addressed.

The government has put in place various mechanisms through which citizens can participate in governance. They include:

- Parish Development Committees (PDCs) through which planning begins at grassroots level. The time and venue for holding the PDC should be got from the Parish Chief.
- Budget conference which is usually held in December to review and prioritise interventions including proposed re-allocations across sectors and within budget lines. CSOs and individuals in the community should review the priority lists and see if some issues which communities regard as priorities are excluded from the list and raise them.
- During the budget conference, consensus is sought about objectives, priorities and budget allocations in order for the Budget Desk to prepare a final draft budget framework paper, including a tentative annual and medium-term revenue and expenditure budget.
- Community meetings which are usually organized by elected political leaders to inform the community on various government programs and issues. These are organized by area councillors and the timing and venues at which they are held can be got from the area councillor(s). In cases where the councillors or technocrats do not call any meetings to inform the community on various government plans, policies, programs and projects, the community can call for a meeting with the area councillors and technocrats.

Conclusion

Technical staff headed by the CAO in the district cannot work in isolation of the political leaders of the district. Citizens should therefore be vigilant in accessing information on government policies, plans and programs if they are to become indispensable players in the governance process. Having knowledge about the roles and responsibilities of various actors in the district, sub-county and parish levels equips the citizens with tools on whom to approach when they require attention to issues in their community. The handbook provides a brief highlight of the roles and responsibilities of administrative and elected political leaders and should be used hand in hand with the various guidelines that the two sets of leaders have in ensuring that the national objectives and development is achieved in Uganda.



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About UWONET

Uganda Women's Network-UWONET, is an advocacy and lobby network comprising of 16 national women's organizations, institutions and 9 individuals. It was established in 1993 to provide space for collective engagement of organizations advocating for women's rights especially the eradication of gender based discrimination.

Vision

A Ugandan society free of all forms of gender based discrimination

Mission

To coordinate collective action among members and other stakeholders through networking, capacity building, resource mobilization, policy research and advocacy for the attainment of gender equality in Uganda

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