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UGANDA

POLICY NOTE ON SOCIAL ACCOUNTABILITY



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SOCIAL ACCOUNTABILITY IN UGANDA

“According to our mission, social accountability is where the voice of the voiceless is heard so that people in the community are serviced without discrimination. Social accountability is where people’s rights are observed and if there is violation, people have where to report and such problems are resolved.” (Focus Group Discussion, Community-Based Organization, Bushenyi District)

1. This Policy Note is based on a wider study that analyzed how various stakeholders in Ugandan society can better engage to improve social accountability in service delivery.¹ The study conducted a rapid assessment of selected public officials in three districts (Bushenyi, Lira and Mukono), NGOs and other civil society organizations, media associations, and Parliamentary Committees. Focus group discussions with members of selected community-based organizations were also held in the three districts. It also included an in-depth study of selected community-based organizations, brief literature reviews and a public opinion poll. The Policy Note synthesizes the report’s main findings and focuses on key policy recommendations. It is intended as an input into ongoing dialogue and a number of processes and efforts that aim to strengthen civil society participation to improve governance in service delivery in Uganda.

A. SOCIAL ACCOUNTABILITY: CONCEPT AND PERCEPTIONS

2. Social accountability is an approach toward building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability. Social accountability mechanisms refer to a broad range of actions (beyond voting) that citizens, communities and civil society organizations can use to hold government officials and bureaucrats accountable. These include citizen participation in public policy making, participatory budgeting, public expenditure tracking, citizen monitoring of public service delivery, citizen advisory boards, lobbying and advocacy campaigns.²

3. Accountability can be addressed through various mechanisms:³ (i) political, such as constitutional provisions, separation of powers between the executive and legislature, and legislative investigative commissions; (ii) fiscal, such as formal accounting and auditing systems; (iii) administrative, such as hierarchical reporting, norms of public sector probity, public service codes of conduct, rules and procedures on transparency and public oversight; and (iv) legal, such as anti-corruption agencies, ombudsmen and the judiciary. These mechanisms are frequently referred to as the formal or “supply” side of governance or accountability, but to be effective they generally require that citizens and civil society “demand” accountability through various forms of civic engagement, also referred to as social accountability. The basis for accountability

¹AFTCS. 2007. “Promotion of Social Accountability in Uganda: A Rapid Assessment of Civil Society Organizations,” October 2007, unprocessed draft.

² World Bank. n.d. “Social Accountability Sourcebook.” Social Development Department. <ftp://ftp.worldbank.org/pub/dfgg/socacc.htm>.

³ C. Malena, R. Foster, and J. Singh. 2004. “Social Accountability: An introduction to the Concepts and Emerging Practices.” *Social Development Papers, Participation and Civic Engagement*. World Bank.

is incorporated in the 1995 Constitution of Uganda, which adopts the principle that public offices are held in trust for the people and requiring that all public officials be answerable to the people. Although Uganda has made considerable progress in strengthening the supply side of governance the findings of this study suggest that more needs to be done to strengthen the demand side of accountability.

4. In focus group discussions and key informant interviews social accountability was interpreted to mean holding civil servants, service providers and elected leaders accountable for carrying out their roles and responsibilities in delivering services. These discussions and responses, however, also revealed some practical constraints. Not surprisingly, civil society organizations articulated their understanding of social accountability in relation to the purposes for which they were established. These ranged from advocacy on education policies, human security in conflict areas, gender responsive policies and legislation, and monitoring of government programs and policies. Other roles include networking and creating space for information exchanges, and acting as the voice of communities to influence policies. Many civil society organizations and community groups see their first priority as helping constituencies meet their basic and most urgent needs, with other objectives, such as holding leaders accountable, as second order priorities. Parliamentarians tend to view social accountability as a tool for field-based auditing, monitoring and evaluation of the use of public resources and their cost-effectiveness. Although many community-based organizations viewed their role as giving voice to citizens and communities and promoting civic engagement, they were less clear in defining means and ways to demand social accountability. A number of respondents were also concerned that demands for accountability would be perceived as threatening or confrontational by public officials, and thus leave them vulnerable to retaliation.

5. Although the concept of social accountability is broadly understood, civil society organizations did not generally see themselves as empowered change agents. Even where entities such as School Management Committees appeared to have the mandate to demand and enforce social accountability, they often had poor knowledge of their roles and responsibilities, or interpreted their social mandate in relatively narrow terms.

B. SOCIAL ACCOUNTABILITY AS AN INTEGRAL COMPONENT OF DEVELOPMENT

6. The study finds that Uganda's typically top-down approach to service delivery, and vertical accountability from service providers to development partners and national level government through reports and audits do not effectively engage civil society. There are few opportunities for civil society and end-users to systematically exercise voice on the effectiveness, quality, timeliness/ reliability and equity of service delivery. The study argues that integrating social accountability into Uganda's development process should focus on a common definition, advocacy, and mainstreaming social accountability throughout policy formulation and program implementation.

Need for a Common Definition of Social Accountability

7. The study noted that although citizens and civil society in Uganda understand social accountability in very broad terms, there is far less conceptual clarity in terms of operationalizing social accountability, relevant practical approaches, and how to exercise rights and responsibilities. Operationalizing and mainstreaming social accountability needs to be based on a

common definition that can be easily understood by both public officials and civil society. There is also a need to unpack and demystify the concept of social accountability by explaining clearly how it can be applied in practice and the various tools and approaches that can and, in some cases, have at one time been used in Uganda (e.g., participatory poverty assessments, public expenditure tracking surveys, and citizen report cards and community score cards). Gender offers a useful example of a concept that was little understood initially but which has been demystified and made concrete through concerted efforts by the Government working with civil society and development partners.

8. A common understanding of social accountability needs to be presented and marketed in a user-friendly manner and translated into key local languages or slogans in a way that it can be easily popularized and internalized across society. Useful examples include the Tanzania National Strategy for Growth and Poverty Reduction, MKUKUTA (*Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Tanzania*), and Uganda's *Bonna Basome* (Universal Primary Education). Although defining and popularizing the concept of social accountability is a necessary first step, there is also a need for advocacy and championing of the concept and its application, especially by the Government.

Advocacy for Social Accountability

9. The Government needs to be at the forefront in championing and advocating social accountability in partnership with civil society. It needs to advocate but also create the space to bring in the voice of beneficiaries and communities, especially those that tend to be marginalized, into policy formulation, planning and implementation by central and local governments. Although existing strategies and processes, such as the Poverty Eradication Action Plan and the Harmonized Participatory Planning and Budgeting for Local Councils can provide both an overall framework for government leadership and advocacy on social accountability, establishing an institutional champion, such as the Ministry of Ethics and Integrity, Directorate of Information and National Guidance, Office of the President, could be especially effective in signaling a strong government commitment to the concept and principles.

The Need to Mainstream Social Accountability

10. In addition to having a common understanding of social accountability and a champion, there is a need to deliberately mainstream social accountability throughout the development process. Most critically, mainstreaming social accountability requires a change in mindset, especially among public officials and service providers, but also among beneficiaries and civil society organizations. Social accountability needs to be presented and seen as a long-term investment by the government, development partners and civil society to improve the efficiency, cost-effectiveness and equity of service delivery. To reduce the risk that social accountability will be interpreted as mere rhetoric, it is important that social accountability efforts be part of deliberate government policy, embedded in the Community Mobilization and Empowerment Strategy (CMES), are clear on the instruments to be used, and include measurable goals and targets.

11. The public opinion poll⁴ carried out for this study suggests that citizens and civil society representatives have little awareness that they can, and have the right, to influence policies,

⁴ AFTCS, 2007. "An Opinion Poll on Civic Engagement and Social Accountability in Uganda," October, 2007, unprocessed draft

programs at a national level. While many respondents expect that only the President can effect meaningful change, there is a sense that social accountability can and should operate at the local level. The public opinion poll found that about three-quarters of respondents do not have a good understanding of citizens' rights and obligations, especially those that relate to participation in the affairs of the Government, and influencing policies and service provision. Only one third of respondents indicated having ever participated in decision-making related to service delivery. At the same time, between one half and two-thirds of respondents indicated that social accountability applied to local governments and local councils, in contrast with only 10% of respondents who believed that communities and their organizations had a key role to play in holding national leaders accountable.



12. The poll results suggest that while there is much to do educate to people and communities on their rights, a good place to start to operationalize social accountability is at the local level, especially since civil society is expected to play a key role in the consolidation of the decentralization process in Uganda. The Harmonized Participatory Planning Guide (HPPG), for example, is an innovative and inclusive tool for promoting participatory planning and budgeting at local council levels and helping service providers respond to user preferences. Its application revolves around communities and their representatives and it was designed through a joint effort between government and civil society. However there has been no assessment of how this tool has worked in practice; such an evaluation would help draw lessons on how to strengthen citizen participation and voice. Community-driven development programs can also provide fertile grounds to imbed principles of social accountability and community engagement, especially when linked with and supportive of broader decentralization efforts.

C. LEGAL AND REGULATORY FRAMEWORK

Legal Framework for Social Accountability

13. In addition to the Constitution, a number of laws promote and regulate the space for civic engagement, participation and association. Key legal frameworks are the Local Governments Act, NGO Registration Act, Access to Information Act, Communications Act, Press and Journalism Statute, Public Procurement and Disposal of Public Assets Act, Finance Act, Budget Act, and the Political Parties and Organizations Act. Although given the limited scope of the study it was not possible to carry out a detailed analysis of Uganda's legal framework, civil society organizations pointed to a number of obstacles to civic engagement that are attributed to the country's legal and regulatory framework. The Government should consider carrying out a systematic and independent review of the laws and regulations that affect social accountability, and consider reforms that could enhance the scope for greater civic engagement and social accountability.

14. For example, in addition to the need to better disseminate and translate into local languages information about key laws and regulations, civil society organizations emphasized the need to operationalize the Access to Information Act. Operationalization and implementation of the Act has been delayed because the Government has not issued the regulations that are needed to guide implementation, and by lack of resources and staffing constraints. Public Procurement⁵ is an area where civil society could play a greater role in monitoring to ensure the public gets value for money. This includes taking steps to raise awareness and increase risk to those causing flaws in the procurement process.

15. The Public Procurement and Disposal of Public Assets Authority would enhance its collaboration with civil society. The Agency is engaging with civil society organizations, but the latter could play a more active role if: (i) public entities display annual procurement plans on their public notice boards;⁶ and (ii) civil society organizations are represented in the public procurement forum, an equivalent of the sector working group; (iii) the agency would have a deliberate program to educate the general public (including private sector-contractors, suppliers and consultants) on how to access procurement information, check on going contracts, and where and how to report on potential flaws, and follow up on required actions; and (iv) the agency should ensure that all cases of non compliance with public procurement regulations and actions taken on cases of fraud and corruption are appropriately reported for public information. This will increase the level of risk to and discourage impunity in processing and administering public contracts.

16. Not surprisingly, civil society organizations had a number of observations and concerns regarding the NGO Registration Act. Beyond specific concerns on the Act itself, it is clear that there is no overall policy guiding activities of civil society organizations, and their relationship

⁵ Procurement is one of the major risks to public funds, next to payroll and Pension funds. There is a lot of waste of public resources in public procurement due to (i) poor procurement performance, (ii) the erosive corruption in Public Procurement, (iii) non-compliance with procurement regulations (often noncompliance with impunity), (iv) under delivery on contracts, use of wrong technical options, etc.

⁶ Public entities display contract awards in their public notice boards as required by the Act. Public entities also prepare annual procurement plans which specify contract descriptions, estimated amounts, and procurement method, but these plans are not published as this is not required by the Act.

with national and local governments. Developing an overall policy framework to guide relations between the Government and all forms of civil society organizations would provide more coherence and consistency to social accountability efforts, and serve to address concerns over the NGO Registration Act. Tanzania already has a policy on NGOs while Kenya is developing one.⁷

Self-Regulation of Civil Society Organizations

17. It was repeatedly stated by a range of key informants that in order for civil society to be a credible actor in social accountability, its organizations themselves must be transparent and accountable, not only to their own members and development partners but also to the general public. An encouraging sign has been the positive and proactive response by civil society organizations to the recent development of an NGO Quality Assurance Certification Mechanism. Adopting and abiding by an appropriate code of conduct will enable civil society organizations to self-regulate, and demonstrate high standards of transparency and accountability. To be effective, however, such a mechanism needs to be widely disseminated and publicized to members and non-members, supported by the Government and development partners, and its implementation monitored regularly, with evaluation results shared widely among stakeholders and the public at large.

D. CAPACITY BUILDING FOR SOCIAL ACCOUNTABILITY

18. The study revealed that weak capacity among government, parliament and civil society organizations represents a major challenge to the promotion of a social accountability agenda. The study identified a number of areas where capacity building efforts could usefully concentrate: civil servants and service providers, the media, civic education, civil society organizations, and monitoring and evaluation.

Public Servants

19. An important starting point in promoting social accountability for service delivery is to ensure that civil servants and service providers are aware of their legal duties and obligations, as well as the rights of citizens and community organizations to demand and receive appropriate services. This partly involves ensuring that civil servants receive appropriate training on the legal frameworks under which they are required to operate, but also awareness raising on the role that an informed and empowered civil society can play in improving service delivery.

Parliament

20. The study suggests the need to strengthen the capacity of Parliament to play a more active role in leading and supporting social accountability efforts. Parliamentarians interviewed for the study recognized the need for greater capacity to analyze laws and policies that could strengthen social accountability mechanisms. Interested legislators and the Office of Parliament should be included in any capacity building efforts to improve social accountability.

⁷ The National Policy on Non-governmental Organizations. Office of the Vice President. Dar Es Salaam. November 2001. http://www.bot-tz.org/MFI/Library/NGO_Policy_2002_English.pdf . Proposed Kenya Non Governmental Organizations Policy. NGO Co-ordination Body. May 2004 http://www.ngocouncil.org/Downloads/Revised_Policy_Paper_2.pdf

Media

21. The study also highlighted the role that an independent and well-informed media can play in social accountability. Although most informants understand that the media is by and large driven by a profit motive rather than altruistic goals of social responsibility, a more professional approach to investigative journalism can serve both objectives. The study found that journalists in particular have weak capacity to report on and analyze various aspects of development, especially those defined broadly as governance. A social accountability agenda therefore should include capacity building for the media in investigative journalism, especially in areas related to governance and social accountability.

Civic Education

22. As noted earlier, the study found that individuals and groups of civil society do not know their rights, including as they relate to holding governments accountable and the relative roles and responsibilities of the three branches of the state. This gap suggests the need for a more systematic approach to civic education throughout Uganda's education system. The study noted that civic education in Uganda has tended to focus primarily on voter education. Lessons from Kenya suggest that a policy and curriculum for civic education needs to be developed with active involvement of both the Government and civil society, implemented on a continuous basis and politically neutral.⁸

Civil Society Organizations

23. A necessary ingredient for an active and robust social accountability agenda is the existence of civil society organizations with the necessary skills and capacity to influence policies and hold civil servants and service providers accountable. The study finds that most civil society organizations in Uganda have extremely weak capacity, low skills and, partly as a result, tend to concentrate on relatively narrow areas of operation or activities. The study found that capacity and skills are particularly weak in research, advocacy, negotiation and resource mobilization. There is also a need to train and disseminate among civil society organizations tools and techniques commonly used in social accountability, including emerging worldwide experiences and lessons on which approaches work, where, why and when.

Monitoring Impact

24. Individual social accountability mechanisms should have strong and clear monitoring and evaluation components built into each intervention. In addition, if social accountability becomes a broader national priority—aggregating and scaling up its various components, and becoming institutionalized throughout the development process—it may be desirable to establish broader systems or approaches to evaluate social accountability interventions, especially in terms of impact and beneficiary satisfaction on service delivery. Too often, social development interventions pay insufficient attention to the ultimate impact on beneficiaries, with many monitoring and evaluation efforts tending to concentrate more on participatory processes rather than results. If the Government, development partners, civil society organizations and citizens are being asked to invest resources and time in holding service providers accountable, a monitoring and evaluation system must be able to determine the effects on the actual service being delivered—what changed, by how much, and whom did it benefit.

⁸ *Uraia* (citizenship) is the second phase of Kenya's National Civic Education Programme, focusing on what it means to be a citizen. It has five main themes—nation-building, democracy, good governance, constitutionalism, and human rights—and three cross-cutting themes—gender, environment, and HIV/AIDS (<http://www.uraia.or.ke/>)

E. SUMMARY RECOMMENDATIONS

25. The study and this policy note take as a starting premise that social accountability can play a major role in improving the quality, reliability, effectiveness and equity of service delivery in Uganda. Although there are a number of efforts underway that fall under a broad framework of social accountability and civic engagement, the study argues that social accountability in Uganda can and should be approached more systematically, as part of a conscious policy to strengthen governance broadly, and service delivery more specifically. Neither the study nor this policy note attempt to provide a comprehensive analysis and evaluation of all social accountability interventions in the country. Rather, the aim is to present a rapid assessment of perceptions and constraints on social accountability. Recommendations are offered as a contribution to future policy discussions and public debate on approaches to improving service delivery. Recommendations are grouped around two key objectives: (i) institutionalizing social accountability throughout development processes in the country; and (ii) building capacity for social accountability.

Institutionalizing Social Accountability in Public Affairs

- The Government should operationalize and monitor implementation of the Access to Information Act.
- The Public Procurement and Disposal Authority should review the information it places in the public domain (especially procurement plans at the beginning of each fiscal year) in order to ensure civil society organizations have access to all relevant information. In addition, although the Authority is making efforts to engage civil society, much more could be done to ensure that civil society can play an increased role in monitoring public procurement, and consider including civil society representation in the Annual Procurement Forum. In addition, the agency would have a deliberate program to educate the general public on how to access procurement information, check on going contracts, and where and how to report on potential flaws, and follow up on required actions. Further, the agency should ensure that all cases of non compliance with public procurement regulations, and actions taken on cases of fraud and corruption are appropriately reported for public information.
- The Ministry of Local Government should consider carrying out a comprehensive evaluation of the use and impact of the Harmonized Participatory Planning Guide. The evaluation would provide lessons and recommendations on ways to improve application of the guide to strengthen citizen participation and voice.
- The Government should consider elaboration of an NGO Policy, in consultation with stakeholders and development partners that can build stronger partnerships between government and NGOs, especially in social accountability for service delivery.
- As part of its decentralization strategy, the Government should evaluate the application of community-driven development approaches in terms of their impact on social accountability, both within project interventions but also more widely on local governments and service providers. Responses collected for this study suggest that there is considerable scope to expand and deepen social accountability efforts working in the local space. Community-driven approaches that are able to link with decentralization processes appear to offer potential to develop social accountability at the local level, and

that over time, may help the process of changing mindsets and imbedding principles of accountability throughout the development process.

- Civil society organizations should be encouraged to popularize and adopt the NGO Quality Assurance Certification Mechanism, monitor and evaluate its implementation, and disseminate findings to government, development partners and other stakeholders.
- The Government and civil society representatives should jointly define and explain social accountability in a simple form that can be popularized and easily disseminated. As part of this process, the Government should consider: (i) identifying, promoting and supporting a champion for the social accountability agenda; and (ii) developing and implementing a policy and tools for mainstreaming social accountability throughout government policies and programs, and in partnership with civil society.

Capacity Building for Social Accountability

- The Government should ensure that civil servants and service providers have the basic skills and are sensitized to the need to work with civil society and community representatives on accountability for service delivery. As the study revealed, there is still some level of mistrust among civil society on government processes and attitudes, which may affect the willingness of communities and their representatives to exercise voice and demand better services.
- Development partners should consider supporting regular training in investigative journalism for media professionals, perhaps associated or imparted by a tertiary education institution to ensure that these skills are developed and sustained in-country.
- The Government and civil society representatives should consider establishing an appropriate mechanism to periodically monitor and evaluate social accountability efforts in the country, especially to assess impact in improving service delivery across the development process.
- Development partners especially, but also the Government, need to support civil society organizations to build their capacities, especially in research, access and dissemination to information, policy advocacy, community and resource mobilization as well as lobbying and negotiation.
- The Government should consider developing and applying a civic education curriculum, in collaboration with civil society organizations. As part of this process, it would be useful to evaluate the experience of other African countries that are implementing civic education programs.
- Parliament (interested legislators and the Office of Parliament) should consider strengthening capacity on the analysis of laws and policies, including on the role that social accountability can play in improving service delivery in Uganda.