



GUIDELINES FOR THE IMPLEMENTATION OF

THE NEW LOCAL GOVERNMENT STRUCTURES



MINISTRIES OF PUBLIC SERVICE

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1.0 BACKGROUND

1.1 Introduction

The Government of Uganda has continued to implement reforms aimed at improving the quality of services that are easily accessible by citizens of Uganda. Some of the reforms in the Public Service include:

1.2 Rational for the Comprehensive Review and Restructuring of the Local Governments, and Job Evaluation for the Jobs in the Local Governments

In line with the above Public Service Reforms, the 2013 Comprehensive Review and Restructuring of the Local Governments, and Job Evaluation for the jobs in the Local Governments had their basis in the following specific reforms mentioned below:

- 1) The enactment of the Local Governments Act, **Cap 243** that resulted in the Decentralization of some of the functions Local Governments.
- 2) The comprehensive review and rationalization of the structures of Central Ministries/ Departments in 1998 and 2012 which had effects to the public service delivery structures and systems in the Local Governments.
- 3) The last review of the Local Government Structures was done in 2005 using the Model Framework Approach which time frame is far beyond the acceptable duration of 10 years during which another comprehensive Review and Restructuring of Local Government structure should have taken place.
- 4) The recommendations of the Review of the Local Government Set-up Study of 2012 whose recommendations paved way for the comprehensive Review and Restructuring of the Local Governments and Job Evaluation of 2013 for the jobs in the Local Governments.

2.0 SCOPE OF THE GUIDELINES

These guidelines do not apply to:

- i. Implementation of the approved structures of Statutory Bodies that are awaiting review and reform of the relevant legal instruments.
- ii. Primary and Secondary School Teachers in the Education and Training Institutions, and Health Workers in the Health Centres managed under the different local government levels.

3.0 OBJECTIVES OF THE GUIDELINES

The main objective of the guidelines is to establish and provide a standard framework across all Local Governments that will facilitate the implementation of the recommendations of the comprehensive restructuring of Local Governments (2013) in a cost effective manner.

Specific Objectives

The specific objectives of the Guidelines are to:

- i. Provide guidance on how the new structures will be customized.
- ii. Provide guidance on the roles of MDAs in implementation of the approved Local Government structures.
- iii. Provide guidance on the roles of Local Governments in implementation of the approved structures.

4.0 APPROVAL OF THE STRUCTURES

- a. The new structures of the Local Governments; District, Municipality, Divisions Towns, Town Boards and Sub-Counties were developed on a generic basis which were approved by Cabinet on 13th April 2016.
- b. The generic structures developed shall be customized taking into consideration peculiarities and local needs in each Local Government. The

customization will be both number and budget neutral, except where staffing levels shall be determined by the number of municipal Divisions, sub counties, Parishes and Wards.

- c. Wakiso District has unique challenges owing to its proximity to the Kampala Capital City. Over time the areas identified as highly urbanized have been gazette as Town and Municipal Councils. The structure of Wakiso will be customized to take account of its uniqueness and any other developments that will be identified in the course of the exercise.
- d. The Ministry of Public Service will provide Technical Support to all the Local Governments during the customization of the structures.
- e. The Ministry of Local Government will continue to provide policy guidance and advocacy to all Local Governments during the customization of structures.
- f. The customized structures shall be approved and adopted by the District and Urban Councils as provided for in Section 52; Local Government Act, **Cap 243**.
- g. The Accounting Officer of the District or Municipal Local Government shall communicate in writing the approval and adoption of the recommended Structure and staffing by the Council to the Permanent Secretary Ministry of Public Service. The communication shall be accompanied by the Council Minutes and shall be copied to:
 - i. Permanent Secretary, Ministry of Local Government;
 - ii. Permanent Secretary/ Secretary to the Treasury, Ministry of Finance, Planning and Economic Development;
 - iii. Secretary Local Government Finance Commission; and
 - iv. Secretary Public Service Commission

5.0 INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE NEW STRUCTURES

The following institutions will perform various roles in line with their respective mandates as outlined below:

5.1 Ministry of Public Service

- i. To provide technical guidance in customizing the structures to the Local Government public service delivery needs.
- ii. To communicate the approved Local Government structures and staffing for implementation by the Local Governments.
- iii. To guide and monitor the overall implementation exercise of the new Local Government structures.
- iv. To monitor the consistency between the payroll and the approved establishment.
- v. To approve the Local Government recruitment plans and requests for filling vacant positions.
- vi. To guide on payment of terminal benefits.
- vii. To monitor the performance of the approved structures.

5.2 Ministry of Local Government

- i. To continue to play the role of coordination and advocacy for the Local Governments as provided for under Sections 95, 96 and 97; Local Government Act, **Cap 243**.
- ii. To arrange counseling services in close collaboration with the Ministry of Public Service for the staff affected by the Comprehensive Review and Restructuring of Local Governments.

5.3 Ministry of Finance, Planning and Economic Development

- i. To provide funding for the implementation of the new Local Government Structures.
- ii. To provide adequate and timely funding to meet the payment of the severance packages and terminal benefits arising out of the implementation of the new structures.

5.4 Local Government Finance Commission

To guide on the criteria for allocation of the wage bill component of the Unconditional Grant across all the Local Governments.

5.5 Public Service Commission

- i. To guide the District service Commissions on the recruitment process.
- ii. To handle appeal cases from the staff of Local Governments arising from the implementation of the new Local Governments structures.

5.6 District Service Commissions

- i. To consider staff for retention through validation, placement, re-designation, re-deployment and promotion.
- ii. To identify staff for retirement in line with provisions of the Uganda Public Service Standing Orders, 2010.
- iii. To undertake recruitment exercise to fill vacant posts in the new Local Government structures.
- iv. To prepare and submit reports to the Public Service Commission with copies to Ministry of Public Service, Ministry of Local Government and Ministry of Finance, Planning and Economic Development arising out of validation,

placement, redeployment, promotion, re-designation and retirement of staff in line with the new structure.

5.7 District, Municipal and Town Councils

- i. To adopt the customized structures.
- ii. To implement the new structures in line with these Guidelines.
- iii. To secure funding for the implementation of the new Local Government structures.

5.8 Implementation Committees:

5.8.1 Composition of the Implementation Committees

a) District

Shall be chaired by the Chief Administrative Officer and will comprise all Heads of Departments and Town Clerks of all town councils in the jurisdiction of the district. The head of Human Resource Management in the District will be the Secretary to the Implementation Committee.

b) Municipal Council

Shall be chaired by the Town Clerk of the Municipal Council and will comprise of all Heads of Departments. The head of Human Resource Management in Municipality will be the Secretary to the Implementation Committee.

The Implementation committee will operate until the implementation of Local Government structures is completed.

5.8.2 Roles of the Implementation Committees

- i. To provide guidance on the overall implementation of the new structure of the District, Municipal and Town Councils.

ii. To receive and address concerns raised by staff in the District, Municipal and Town Councils.

iii. To monitor and evaluate the implementation exercise in the District, Municipal and Town Councils.

5.9 Chief Administrative Officer and Town Clerk of Municipality

i. To communicate any changes in the structure and staffing of the Local Governments to the Ministry of Public Service.

ii. To ensure that all staff records are up to date.

iii. To implement decisions of the District Service Commission arising out of the implementation of the new structures.

iv. To prepare recruitment plans and submit to Ministry of Public Service for approval.

v. To provide counseling services to staff who may have been affected by the restructuring exercise.

vi. To prepare, determine and pay severance packages to the affected staff.

vii. To prepare pay change reports and effect changes on the payroll in line with the existing procedures.

viii. To submit quarterly progress reports on the overall implementation process to the District or Municipal Council.

ix. To prepare and submit a staff list for the Local Government to the Ministry of Public Service to support monitoring of the changes on the establishment and copied to the District Service Commission.

x. To prepare and submit a comprehensive report to the Ministry of Public Service at the end of the implementation exercise with copies to the

Ministry of Local Government; Ministry of Finance, Planning and Economic Development; Public Service Commission and Local Government Finance Commission.

6.0 PLACEMENT OF STAFF

The District Service Commissions will conduct interviews to identify staff for retention, promotion, redeployment, re-designation and retirement as follows:

a) Excess Staff:

Where excess staff exist, all substantive post holders will be subjected to interviews to select those to be retained, promoted, re-deployed, re-designated or retired on abolition of office.

b) Abolished Posts:

Staff occupying posts which have been abolished shall be interviewed for either:

- i. Appointment to existing higher posts provided they possess the requisite qualifications and work experience;
- ii. Appointment on transfer within the service to an existing post at the same level within the Local Government provided they possess the requisite qualifications and work experience; or
- iii. Retirement on abolition of office.

c) Where Posts Have Been Up-Graded

Officers occupying posts which have been upgraded and the job content and specifications have changed; such officers will be interviewed and appointed if they possess the requisite qualifications and working experience. If the officer does not have the qualifications for the upgraded post, he/she should be

interviewed and considered for re-deployment, re-designation or retirement on abolition of office.

d) Where Job Titles Have Changed:

Where new cadres have been introduced as a result of changes in the schemes of service, the existing staff shall be:

- i. Validated for appointment in the new jobs if they meet the requirements;
- ii. Re-designated where possible in accordance with the new schemes of service; or
- iii. Be retired on abolition of office.

e) Where New Posts Have Been Established:

Where a new post has been created in the structure with functions covering areas that may previously have been performed by more than one person, the Chief Administrative Officer or Town Clerk should make appropriate recommendation to the District Service Commission for re-designation of existing officers who have the requisite qualifications, work experience and competences.

f) Where Job Content has Changed

Where the job content has changed for posts in the new structures, the Chief Administrative Officer or Town Clerk should make appropriate recommendation to the District Service Commission for re-designation of existing officers if they have the requisite qualifications, work experience and competences.

g) Re –deployment Within a Local Government

Before declaring staff redundant and/or advertising posts for new recruitment, the Chief Administrative Officer/ Town Clerk should consider avenues for placement of staff within the Local Government on transfer of service in accordance with the existing procedures. Such staff however, should possess the job requirements.

h) Officers on Contract:

If the restructuring has not resulted into abolition of a post of an employee on contract terms, such contract should prevail to the end of the agreement. Thereafter, the Local Government will review the need to renew the contract or not. However, if the post is abolished, the contract shall terminate within the provisions of the agreement.

i) Officers on Study Leave:

- i. Staff on official study leave abroad should be retained at present levels until end of their study leave. On return from abroad, the Officers should be interviewed and considered for placement in the new structure. In the event of failure to place the officer, he or she will be retired in accordance with the existing regulations. This applies in circumstances where the job has been upgraded or job content has changed.
- ii. Staff on official study leave within the Country shall be called for interviews along with others and considered for placement in the new structure.

j) Staff on Leave without Pay:

Staff on leave without pay shall be handled in accordance with section C-c of the Uganda Public Service Standing Orders as amended under Establishment Notice No.1 of 2015.

k) Re-employment:

Re-employment of public officers shall be in accordance with Section A-i of the Uganda Public Service Standing Orders 2010.

l) Retirements on medical grounds:

Retirement on medical grounds shall be handled in accordance with the Standing Orders Section L-i.

m) Staff who are due for Retirement:

Staff that are due for retirement within six months of the implementation of the new structures shall be handled in accordance with Section L-a of the Uganda Public Service Standing Orders, 2010.

n) Disciplinary Cases

All cases of officers on interdiction or other disciplinary cases should be handled in accordance with Sections F-r, F-s and F-t of the Uganda Public Service Standing Orders, 2010

o) Confirmation in Appointment:

Officers who are due for confirmation should be confirmed before the commencement of the exercise in accordance with Section A-e of the Uganda Public Service Standing Orders, 2010.

p) Filling of Vacant Posts:

Vacant posts that will not have been filled during the placement exercise should be advertised and filled through the existing public service recruitment procedure.

q) Management of redundancies

The affected Public Officers shall be paid severance packages in accordance with the provisions of the Local Governments Act, **Cap243** and pension in accordance with the Pensions Act, **Cap 286**.

CONCLUSION

Where a Local Government requires further guidance on a matter that is not addressed by these Guidelines, relevant Government institutions shall be consulted.