



## **POLICY BRIEF PAPER**

# **THE RESOURCING OF WARD DEVELOPMENT COMMITTEES (WDCS) AND ITS IMPACT ON THE EFFECTIVENESS IN EXECUTING THEIR FUNCTIONS**

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## 1.0 INTRODUCTION

The success of Zambia’s ongoing development process relies heavily on several factors including the appropriate institutional capacities and arrangements to deliver this development. According to scholars, institutional arrangements are essential for coordination of efforts and information towards the achievement of Sustainable Development Goals (Mills et al, 2019). One of the key institutions for national development planning, implementation of the Constituency Development Fund and decentralization is the Ward Development fund, hereinafter referred to as WDCs.

Although WDCs are critical for functioning of rural development efforts, considering their envisaged role in sub-national development in Zambia. However, they continue to face challenges and inadequate capacity to execute their functions. This policy brief explores the challenge of resourcing of WDCs and the impact this has on the effectiveness of the Committees as part of the institutional framework for development in executing their functions.

## 2.0 SPECIFIC OBJECTIVES OF THE POLICY BRIEF

The following were the objectives of the Policy Brief:

- I. To Provide an overview of WDCs and their role in Zambia’s development agenda
- II. To give an assessment of the constraints affecting WDCs in implementing their functions
- III. To discuss the mechanisms and means of resourcing WDCs
- IV. To provide recommendations for policy makers

## 3.0 METHODOLOGICAL APPROACH

The development of this policy brief utilized an analytical research method as well as a qualitative approach. Primary information was drawn from interactions with WDC members in field visit of 6 Wards based in Lusaka and Kabwe Districts (3 WDCs in each district) through monitoring exercises involving interviews and discussions with members of WDCS. For Lusaka, the target Wards were Chilenje, John Howard and Chawama whereas for Kabwe, Kalonga, Highridge and Lwangwa were involved in the study.

Secondary data was drawn from the legal and policy framework for WDCs. Components of this framework were chiefly Article 148 of the Constitution of Zambia, the Decentralization Policy 2023, the Planning and Budgeting Act No.1 of 2020, the Local Government Act No.2 of 2019, the National Planning and Budgeting Policy 2014, the Constituency Development Fund (CDF) Act amongst others.



#### 4.0 OVERVIEW OF WDCS & THEIR ENVISAGED ROLE IN DEVELOPMENT

In recognizing the potential for decentralisation to spur rural development, the Zambian Government developed the Decentralisation policy of 2002, which was revised in 2013, with the aim of attaining a thoroughly decentralized and democratically endorsed governance framework distinguished by transparent, predictable and open policy formulation and execution. This was to be accomplished by fostering robust engagement of local communities in decision-making, development, and administration, while concurrently preserving substantial connections between the central government and peripheral entities. The policy further made commitments to transfer functions as well as resources to the districts while seeking to increase citizen participation through the creation of sub-district structures (Siachisa et al, 2023).

The Local Government Act No. 2 of 2019 provides for the establishment of Ward Development Committees under the District Council while outlining the composition and parameters for dissolution of WDCs. The functions of the WDCs are to:

(a) prepare annual ward development plans; (b) collect revenue, levies and fees on behalf of a local authority on appointment by resolution of the council; (c) monitor and evaluate ward development projects; (d) promote community engagement in ward development planning; (e) formulate and submit project lists and budget proposals to the Constituency Development Fund Committee established under the Constituency Development Fund Act, 2018; (f) support research on an area of study for the advancement of the local community; (g) facilitate the identification of potential areas of investment and promote sustainable local economic development; (h) promote and participate in the co-management of natural and trans-boundary resources between or among wards; (i) provide a forum for dialogue and coordination on ward development issues; (j) identify areas for capacity building within the ward; (k) promote and encourage village regrouping and urban renewal activities; (l) identify in the ward, and submit to the local authority, potential areas of revenue sources likely to broaden the revenue base of the local authority; (m) prudently manage resources allocated to the ward by the local authority in line with principles of public financial management; (n) manage and keep a record of resources allocated to the Ward Development Committee; (o) prepare quarterly reports on developmental activities within the ward to the appropriate committee of the local authority; and (p) develop and maintain a ward based database as guided by the local authority (Local Government Act No. 2 of 2019).

The Zambian Constitution provides for the existence of Wards, which it defines as a unit into which a district is divided for the purposes of electing Councilors. It further mentions the representation of the Ward at the District Council (The Constitution Amendment No. 2 of 2016).



Other legal provisions include the Constituency Development Fund Act which mandates the WDCs to provide project lists to the Constituency Development Fund Committee in Section 16 (The Constituency Development Fund Act No. 11 of 2018). Furthermore, the CDF Guidelines of 2022 emphasize the role of the WDC to facilitate citizen participation in submission of proposals for CDF projects as well as lists of beneficiaries for empowerment under CDF and to monitor CDF project implementation in the wards (Constituency Development Fund Guidelines, 2022). Section 11 (d) of the National Planning and budgeting Act also indirectly refers to the role of WDCs in the function of the District Development Committee by stating that the District Development Committee must incorporate the ward development plan into the district development plan and the medium-term budget and annual budget at district level (National Planning and Budgeting Act No. 1 of 2020).

#### 5.0 ASSESSMENT OF CONSTRAINTS AFFECTING WDCS IN IMPLEMENTING THEIR FUNCTIONS

Although the functions of WDCs are quite elaborate as outlined in the various legal provisions, there are significant challenges that Ward Development Committees face in attempts to execute these functions. Some of these constraints are the following:

- No allowances for WDC members in the execution of their functions despite their role in facilitating financial benefit for others, thereby also creating a corruption risk. This has also led to reduced motivation among WDC members many of whom have abandoned their positions on the Committees.
- WDCs have no provisions for establishment or construction of physical office spaces. This makes the execution of their functions cumbersome and further creates a risk of WDC members demanding transportation costs in order to fulfil their functions.
- Some WDCs have been plagued by political interference through having members affiliated with political parties and thus politicizing decision making in the committees.
- There is a lack of effective coordination between the councils (local authorities) and the WDCs in the implementation of decentralisation, particularly in the long term and annual planning & budgeting processes at the local level.
- Some WDCs face capacity constraints emanating from the educational qualifications of their members making them ill-equipped to execute their functions effectively. Furthermore, the Ministry of Local Government and Rural Development has not provided adequate capacity building to WDCs on their roles and responsibilities.
- The WDCs are not supported administratively in the same way local councils are provided for through the CDF Guidelines in which they are allocated 5% of CDF allocation for administrative purposes at the local authority.



## 6.0 MECHANISMS AND MEANS OF RESOURCING WDCS

As seen from the constraints faced by WDCs in executing their functions, it can be noted that the majority of these challenges are resource-based as they are seen as volunteers despite their critical role in sub-national development.

Article 148 of the Zambian Constitutions clearly states, firstly, that local government shall be undertaken by sub-structures, which in Part X of the Constitution are mentioned as Provinces, Districts and Wards; and secondly, that Government shall provide adequate resources for the performance of the functions of these sub-structures. Despite this fact, this provision of the Constitution has not been actualized in the context of Ward Development Committees.

One of the reasons for the failure to implement the Constitution's provision may be the absence of any subsidiary legislation or guidelines outlining how this ought to occur. The National Planning and Budgeting Act, the Constituency Development Fund Act, the Constituency Development Fund Guidelines and the Local Government Act all fall short of prescribing mechanisms on how the WDCs should be resourced whereas the Constituency Development Fund Guidelines are clear in ensuring that Local Authorities have resources to undertake their functions in relation to the CDF by allocating a 5% of the CDF allocation to the Local Authority for administrative purposes.

## 7.0 THE WARD DEVELOPMENT COMMITTEE MEMBERS' PART-TIME STATUS AND THE IMPLICATIONS ON "REMUNERATION"

The Ward Development Committee (WDC) is established under **PART V, Section 36** of the **Local Government Act**. The Act provides for the appointing authority of the committee members, the status of the committee members, and the composition of the committee.

### SECTION 6 LOCAL GOVERNMENT ACT

***"(1) There is established in each ward a Ward Development Committee in the area of a local authority consisting of the following part-time members appointed by the Town Clerk or Council Secretary ..."***

The matter of interest to us is the categorization of the members of this committee as "part-time members". This is contrary to the popular belief that the WDCs members are engaged voluntarily. The part-time membership designation is the general designation of most institutional committees in Zambia. For example, the Constituency Development Fund Committee, which is established under Section 5 of the **Constituency Development Fund Act**, provides that of this Act provides to this effect:



***“There is established a Constituency Development Fund Committee in each constituency (5.1). A Committee consists of the following part-time members appointed by the Minister ...(5. 2)”***

Furthermore, the Schedule to this Act is wholly dedicated to matters about the CDF committee. Under Section 4 it provides for the remuneration of Committee Members stating that;

***“The members of a Committee shall, in carrying out the duties of the Committee, be entitled to sitting allowances as may be determined by the Emoluments Commission” (4. 1); “The sitting allowances referred to in subparagraph shall be categorized into rural and urban-based allowances for the constituencies” (4.2.1).***

It is worth noting that the Fourth Schedule of the Local Government Act is dedicated to making further provisions as regards procedures and processes of the WDCs, but no provision is made for remuneration of these part-time members.

This misconception of WDCs being labeled "voluntary members" and not "part-time members" as expressly provided for by the Act has led to the deprivation of the members of their entitlements.

Article 232 of the Constitution of Zambia (Amendment) Act of 2016 establishes the emoluments commission with the mandate to determine, on the recommendation of the relevant authority or commission, the emoluments of public officers, chiefs, and members of the House of Chiefs. This commission governs the remuneration of Community Development Fund Act committee members.

Another example of an institution that has part-time committee members who are remunerated is the Zambia Institute of Human Resource Management. The ZIHRM Act under section 4 provides that;

***“The Council shall constitute a Disciplinary Committee consisting of the following part-time members:... (41.1)”***

The committee members are designated as part-time members under this Institutional Board. Despite this, there is a provision for remuneration for these committee members.

Section 5 of the ZIHRM Act provides that;

***“The Council shall pay to a council member, a member of a committee of the Council, a member of a Professional Conduct Committee, and a member of the Disciplinary Committee an allowance as the Council may determine (5).”***



This remuneration is provided for within the institution's systems.

This analysis demonstrates that the designation of the WDC committee members as part-time members does not entail that their services are voluntary in nature. This speaks more to the frequency of activities when their services are required.

Furthermore, a review of the establishing Act of WDCs does not reveal any categorization of WDC members as volunteers. Besides, the Act does not show any justification for the non-payment of WDC members for services provided. There is a need for a thorough investigation into why the Central Government has created an impression that WDC membership is voluntarily. This is because no legal basis can be found to support this fact.

## 8.0 RECOMMENDATIONS

Given the constraints on Ward Development Committees, the mechanisms and means of resourcing them, the following policy recommendations are made:

- The Ministry of Local Government and Rural Development should amend the Constituency Development Fund Guidelines to ensure that administrative support for WDCs be included at the rate of at least 2% of the total CDF allocation in line with Article 148 of the Constitution (Amendment) No. 2 of 2016.
- The Ministry of Local Government and Rural Development must provide for allowances or a salary for WDCs as compensation for their efforts in executing their duties.
- The Ministry of Local Government and Rural Development should amend the Constituency Development Fund Guidelines to make mandatory the Construction of WDC Offices under the Fund.
- The Ministry of Finance and National Planning should amend the National Planning and Budgeting Act as well as the policy to emphasize and ensure a compulsory role of WDCs in an inclusive budget formulation process.
- The Ministry of Local Government and Rural Development should conduct comprehensive capacity building of WDCs to understand and execute their roles and responsibilities.

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