Best Practices in Civil Service Reform for Sustainable Development

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SUSTAINABLE DEMOCRACY and development depend on realization of access to economic resources, legitimacy and equity, human emancipation, political participation of citizens respect for human rights and also on continually readapting them to new problems set by rapidly changing political and social environment.

Africa has been admonished time and time again that it must have a credible agenda for recovery and development by encompassing, better govenance for development, create sound policy framework and financial discipline, focus on capacity building, particularly increasing investments in human resources and institutions and develop a sustained approach to long term development. Uganda has religiously accepted these proposals in the democratization of political and development process; *sine qua non* for sustainable development. We know that the broader changes are required, where there is, development and economic justice for all, not just growth; where there is democracy and accountability, despotism, authoritarianism and kleptocracy and where the governed and their government are moving hand-in-hand in the promotion of the common good; where it is the will of the people rather than the wishes of one person or group of persons, however powerful that prevails. The democratization of the development process by which we mean the empowerment of the people, their involvement in the decision-making process, in implementation and monitoring is a pre-condition *sine qua non* for socio-economic recovery and transformation.

Self-reliance and sustainable development require that power be redistributed in favor of society as a whole not concentrated in the hands of a few, and that it be accompanied by adequate and effective accountability. Self-reliant development requires, and indeed demands universally in Africa, the politics of consent and consensus, conviction and commitment and the politics of compassion and accountability.

The National Resistance Movement fought a protracted war (1981-85) and took over the reigns of Government in January 1986. In retrospect it took three courageous bold steps at inception in macro economic management in 1987 by demonetization of our old currency whereby 100 *old* Uganda shilling were exchanged for ONE *new* Uganda shilling, imposed a development tax levy of 30 percent on balances in the banks, or on the counter and set a new exchange rate of one US$=60 Uganda shillings. The purpose of this reform was to remove excessive liquidity from the economy which had been pumped in by irresponsible dictators so that the currency in circulation would be in proportion to the level of GDP requirements at the time. Secondly, in May 1987, the government of Uganda launched the Rehabilitation and Development Plan, for the Fiscal Year 1987/88-1990/91, with comprehensive proposals designed to build an independent, integrated and self-sustaining economy.
Our Government has never looked back, it has embraced structural adjustment programs with IMF/IBRD and it has been rewarded to be one of the first African countries to benefit from debt relief under the (HIDC) program. But you need a government with strong will and political commitment, with a vision of the future and political clout to undertake reforms for the common good in the democratization of the political and development process.

In the process of fashioning the plan referred to above, it became immediately apparent that the vital link between plan conception and plan achievement, that is performance capability was lacking or seriously inadequate in the machinery of Government. The Public Service, the operational wing of the Executive arm of Government, responsible for responding to the needs and implementing policies was so deficient in many respects that it was itself on the brink of collapse and in need of rehabilitation.

The common observation was that the Public Service had over the years suffered a serious decline in quality and effectiveness in performance of its duties. The most typical criticism of the Public Service was that it had become bloated, inefficient, unproductive, unresponsive to national needs, and utterly demoralized.

The Public Service Review and Re-organisation Commission (PSRRC) was set up against the backdrop of past neglect, as an expression of the Government’s dissatisfaction with the previous state of the Public Service and, in particular, its concern about the urgent need to rehabilitate, refashion and re-orientate the Public Service to improve its responsiveness, efficiency, and ability to deliver.

It was evident from the Commission’s wide-ranging Terms of Reference that the Government was dissatisfied with the Public Service in several aspects: its structure and functions; the level and quality of its performance; its work methods and procedures; the number and distribution of personnel in the service; the suitability of the personnel in terms of academic qualifications, job-related experiential background, effectiveness, integrity and even patriotism; issues of probity, accountability and value of money consciousness in public management; the problem of corruption in the Public Service; the general state of personnel management of the Service, with reference to the cause of inefficiency and low morale, career and incentive problems, and the future role of the Public Service Commission.

In short, Government’s basic concern was to achieve efficiency in public management within set priorities centered around its overall economic, political and social policies.

Towards this end, the re-building of the Public Service—especially, the national civil service—was seen as a pre-requisite for long-term stability in the country, as well as a necessity for the restoration of the faith of the citizens in their Government.

The Commission’s findings were equally wide-ranging. The problems and weaknesses of the Public Service are inseparable from those of the society in which it operates; and also reflective of problems within the organization of Government itself.
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It was found, as a basic problem that Government had, over the years, over-extended itself, competing with its own citizens by straying into area of economic, industrial and commercial activity otherwise not the traditional domain of Government. This over-extension had affected the machinery of Government, resulting in a sprawling, cumbersome organizational set-up with the mandate of the various units and organs in an amorphous state, thereby fostering proliferation of activities, overlaps in jurisdictions, duplications of functions, and poor coordination.

On the part of the Public Service structure, the old colonial frame and traditions had remained largely unchanged. The structure of the civil service was characterized by a high degree of centralization, leading to excessive legalism and over-dependence on rules and regulations with little or no encouragement for exercising initiative and resourceful improvisation of the kind necessary for speedy, flexible and imaginative response to new challenges and opportunities in a changing environment. Despite the increasingly critical role of technocrats in managing the problems of modern development, the old generalist tradition and its class structure, dominated by the administrative cadres, still prevailed, eclipsing the technical/professional personnel in the central policy decision-making process.

One result of the persistence of the generalistic/class ethos is that the system was still highly bureaucratic in its methods of work. The standard or quality of management, as distinct from administration, was very low in the Public Service and this deficiency constitutes one of the more serious obstacles to achievement of modern methods of management, even those previously accepted by Government for adoption were simply shrugged off as impracticable—without any serious effort to try them in practice. This gap between what was possible and what was acceptable was a problem of attitude for the most part; (especially among top officials) and our subsidiary finding was that the training efforts of the Public Service was not dynamic and innovative enough to effect the much-needed re-orientation that Uganda’s problems and programs call for.

Concerning staffing and personnel management, there was evidence of extensive breakdown of procedures. Despite all the efforts of the Public Service Commission to maintain standards by insisting on correct procedures, several years of turbulence and political upheavals had left a legacy of patronage and evasion of controls. The fact that the number of civil servants had become an unsolved riddle bears testimony to the extent to which rational systems of establishment control and related record-keeping collapsed.

On the subject of records, the lack of reliable information in the Public Service was an appalling gap that we found most disturbing, in view of the dangerous implications of such a deficiency for the whole planning system. We found ourselves compelled to generate our own set of data to supplement the attempts of the World Bank-sponsored Public Service Performance Improvement Project (PSPIP). From the results of the base from Census, we believe that we established a reliable base from which an up to date data-bank could be built and maintained. The PSRRC Consensus Reports were issued separately as Volume II of the Main Report.
As regards performance, there is a dismal picture of resource deprivation, with many Government offices trying to manage without the most basic equipment and office furniture such as chairs and tables. This situation was partly the result of massive looting during the war years; but it was also a reflection of poor maintenance culture in the Service with lax security and consequent pilferage being major contributory factors.

There was deprivation of another kind, in the abysmally low salaries and wages operating in the Public Service as a whole. This, together with the lack of equipment and shortage of supplies constitute the most prominent cause of inefficiency and low morale in the Service. It was a condition that made corruption and other malpractices endemic in the Public Service; and the massive brain drain that is still going on at the upper (critical) professional levels was also a reflection of the depressing state of remuneration and other incentives and benefits available.

On the whole the Public Service was in a parlous state. The Government’s worries about its being inefficient, ineffective, unresponsive, and demoralized were fully justified. But the causes of the present predicament were multifarious, and some of the problems, had been compounded by past neglect by Government itself, especially in failing to take decisive action on accepted recommendations by previous Commissions/Committees set up, to identify problems and proposed solutions.

The report made a several major recommendations aimed at achieving drastic, even revolutionary reforms. The first major recommendation related to Government itself. With regard to the problem of over-extension, it recommended that Government should stop fighting shy of divesting itself of some of the activities and responsibilities it had assumed unto itself, but which could equally be done by the private sector, perhaps even better. The present number of Ministries was too large; and it is recommended that the whole Ministerial lineup should be streamlined to bring down the total to twenty or twenty one ministries altogether. The array of Ministries (of different levels) was largely superfluous and inconsistent with efficiency. It was not necessary to have more than one or two Ministers in a Ministry.

Apart from the Ministerial line up, one of the causes of lack of coordination in Government was the present attempt at using a hybrid between Presidential and Parliamentary systems of Government. The Institution of the Prime Minister and Deputy Prime Ministers and the President Executive Committee (PEC) had, jointly, also tended to weaken the position of Cabinet as the major national decision making organ. Besides, the role of the President as Chairman of both the NRM and NRC blurred the distinction between the Executive and legislative arms of government. The weaknesses inherent in the “hybridization” could be avoided by adopting a Presidential form of Government, with Ministers being selected by the President on merit and from outside Parliament. The intention was to professionalize Government at that level for his Cabinet, undeterred by considerations of party or constituency loyalties.

Such reorganization of Government would have direct implications for the civil service. Professionalization required that the generalistic/class system should be abolished. The
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combined Office of Head of Civil Service/Permanent Secretary, President’s Office could be split. The management of the Civil Service itself would become very important and the responsibility for it should not be paired with any other office. It is recommended that the logical home for the Head of Civil Service should be the Ministry responsible for the Public Service. To emphasize the need to concentrate on improving the Public Service, half of the Ministries “Cabinet Affairs” present title should be dropped, and the inherent responsibilities assigned to the President’s Office. The President’s Office itself should then have a top level “Secretary to the President” equivalent to Chief of Staff of the Office responsible for managing that office and coordinating the affairs of all Ministries as they come to the President. To facilitate such coordination, the Secretary to the President/Government should also be head of the Cabinet Secretariat.

The operational implications of these proposals were radical. First with the phasing out of generalist approach, officers would now develop their careers within particular sectors or Ministry. The emphasis on professionalism required that Civil Service jobs then be defined in specific functional terms as against the former terms like “Administrative Officer” or “Executive Officer.” Furthermore, each Ministry was to be managed on the basis of the integrated management team approach, with the Head of Ministry and his immediate deputies constituting a team to manage the affairs and functions of the Ministry. This change, in turn required that the old post of Permanent Secretary be abolished. The term Director General being more appropriate to the new management role envisaged for the incumbent, would be specially selected and appointed on renewable terms, subject to competent performance. By being specially “selected” there should be no automatic conversation from Permanent Secretary to Director General. The latter was intended to be an entirely new breed. Accordingly, selection would not be limited to the existing Civil Service or to the erstwhile administrative class. The selection process would have to be open.

These structural changes were also meant to cover parallel changes in work methods. The adoption of results oriented management throughout the Public Service should be pursued to make for maximum performance against predetermined targets. This would also be the basis for budgeting and the allocation of resources as well as for the evaluation of performance and value for money.

There should be moves towards decentralization and the acceleration of the process both within and between Ministries and their outposts in the field. It was an expectation that with results oriented management and the introduction of the related methods of management and accounting (such as management by objectives and program performance and budgeting system), a palpable degree of performance and accountability would improve. And the avenues for corruption (due to lax management) would be closed.

There should be a bold four phased program to improve salaries from the then deplorably low levels successively through minimum living wage to living wage, then appropriate wage (Uganda average), and ultimately, appropriate wage (PTA average). On the question of affordability, the prevailing notion that Government could not pay its own employees a reasonable wage is viewed as escapist, infra-dig and untenable. Accordingly, proposals were
made indicating cost saving and revenue enhancing methods as well as review priorities to conserve funds and make the necessary first step towards better remuneration in the service.

Arising out of the salary issue was the question of size. The report viewed that the Public Service was oversized and would have to be drastically cut down, both in the interest of economy and efficiency. As to how cuts were to be effected, the selection methods and compensation and other arrangements had to be put in place to cushion the traumatic effect of premature retrenchment. It was noted that the proposed retrenchment exercise were/would be tiered starting from the top, so that the selected i.e., (retained) senior officers would assist in the selection of retrenchment candidates lower down. For the lower levels (groups, employees, etc.) assistance would be available under PAPSCA auspices. For the regular staff compensation arrangements were to be made, and there is a proposed formula plus modalities for working this out. The initial outlay for retrenchment would be heavy, but the rationale was that with the reduced size performance would improve and it should then be easier to pay better salaries to a trimmed public service.

For the service, after the reduction in size there would be a need for massive retooling both in terms of equipment, supply and retraining of staff. Without a deliberate program in this regard, the service will simply lapse into its (bad) old ways.

As a further step to improve performance, the creation of additional Service Commissions (in particular for the Police and Prisons) as well a decentralization of all the Service commissions to Ministerial/District or Service committee level with Guidelines from the Public Service Commission is recommended to ensure uniformity and fairness in their operations.

Concerning the problem of corruption in the Public Service and the Nation generally, Government should demonstrate sincerity by the counter measures it takes and the penalties imposed. Accordingly, proposals were made to strengthen the agencies fighting corruption to plug the loop holes for corruption as well as new measures such as the setting up of an anti-corruption tribunal with corresponding decentralized District Committees.

Apart from the major separate services examined extensively were the problems of the Institutions of higher learning, in their capacity as producers of needed high level manpower. Their problems were mainly resource related and recommendations urged Government first to do better planning before setting up these institutions so as to minimize the problems usually attended upon by hasty establishment without fully appreciating their long term resource support needs.

Finally, in line with the Commission's recommendations for Government to shade off some of its present activities which can be better performed by the private sector, suggestions were made for liberalization and simplification of the procedures for taxation, licensing, etc. so as to remove the frustrations that impede the private sector participation, both formal and informal. Once the private sector was encouraged to expand and become more dynamic, the economy would be stimulated to generate more avenues for employment, thereby providing
an opportunity for those retrenched and new graduates from the training institutions unable to find work.

Implications of Recommendations

Given the wide-ranging nature and effect of PSRRC’s recommendations, it was important that certain implications be noted to ensure that the proposals stood together and not lead to a lop-sided implementation.

In the first place, several of the recommendations required legal amendments, fresh enactments as well as some Constitutional amendments. In meetings with the Constitutional Commission, intending to bring some of these issues to their attention, it was realized that our move was premature as their timetable had not reached the stage where the two Commissions could synchronize views and proposals. It is therefore hoped that due action would be taken (in the NRC, for instance) to expedite action on some of the key action on the key measures such as those affecting a number of Ministries and the mandates of new Ministries to give the reform efforts the required momentum until the new Constitution was actually ready, which could be a couple of years away.

Apart from the Legal/Constitutional aspect, some of our recommendations affecting appointments involving the President, proposed that the President’s nominations be vetoed (in some cases) by an appropriate committee of the NRC. The President should protect himself first, from lobbyists, and second, by ensuring greater care in selecting nominees, so as to spare him the embarrassment from direct appointees turning out to be mere adventurists or opportunists, which had often been the case.

Furthermore, Leadership would become very important from the political leadership at the national level as well as managerial leadership within the ranks of the Public Service. Given wise and courageous leadership, a lot of the abuses of the past could be stopped from re-emerging in the new Public Service that we all wanted to see installed. From the Ministry of public service in particular, a lot would be expected in this regard, because once the Ministry lost its grip in the service then everything would again get out of hand.

Implementation

The touchstone of Government’s sincerity in its expressed desire to see a reformed Public Service, more in tune with its own sense of mission, would be the extent to which it took steps to implement those recommendations and proposals that it found acceptable. This was a test that many previous Governments had failed to detriment of the Public Service in particular and to the nation at large.

In this respect, we emphasize the greatest importance to the membership of the body or team that will organize and supervise implementation of the recommendations. Already, we had become aware of some jockeying for positions on whatever body would be set up, and we are not impressed by the quality of names we have heard.
The selection of the implementing body would be the most crucial set up next to the preparation of our report. We want persons of impeccable integrity, with the courage of their convictions and objective in their approach to problems. Ideally the chairman should be a prominent public individual with intimate knowledge of the workings of Government and its administrative machinery. We realized that if we made a false step at this stage then the whole reform exercise would be doomed and all efforts put into setting up our Commission wasted. To avoid such a tragedy, we urge that the criteria of qualities desired to be carefully outlined and that the Public Service Commission should be directly involved in helping to access the suitability of the possible nominations. On no account should it be seen as a routine Civil Service exercise with automatic posting of officers to serve on or work with the proposed body.

Finally, Government in need to move fast in setting up this body, to ensure that the sequence of the steps that need to be taken is clear from the very start. This is particularly important if it is hoped to convince the donor community of the seriousness of the Government of Uganda, and thereby make it possible for them to cooperate in the difficult but worth task of national reconstruction.

Most of the recommendations of civil service reform have been constitutionalized in the 1995 Uganda new Constitution and are being operationalized in the governance of Uganda. The Constitutional Commission took a cue from our recommendations and the Constituent Assembly which discussed, approved and promulgated the Constitution embraced our recommendations wholly.

The countries that would like to undertake reform of their civil services and make new constitutions can borrow leaf from our experiences. They might not be perfect but they are worth looking at. They have worked.

The professionalism of civil service is a key to the development and sustenance of the badly needed capacity in government. Creating a professionally oriented public sector remains one of the primary areas of capacity building. The reform referred to above have addressed some of the more serious shortcomings in the public sector, but the process will be a continuous process where systems are built-in to monitor actual performance against the changing needs of government.