

**MANAGEMENT AND
FUNCTIONAL REVIEW
OF MINISTRY OF
ENERGY AND WATER
RESOURCES**

PUBLIC SECTOR REFORM UNIT
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Contents

ABBREVIATIONS	3
EXECUTIVE SUMMARY	4
SUMMARY OF RECOMMENDATIONS	6
MAIN REPORT	9
1.0 INTRODUCTION	9
2.0 TERMS OF REFERENCE	9
3.0 APPROACH TO THE STUDY	11
4.0 RESPONSIBILITY	12
5.0 ACKNOWLEDGEMENTS	12
OVERVIEW OF PRESENT ARRANGEMENTS	13
LEGISLATION	13
THE WATER SECTOR	14
National Water Resources Agency (NWRA)	14
THE ENERGY SECTOR	16
STRATEGIC OBJECTIVES	16
FUNCTIONS/STRUCTURE.....	18
NATIONAL POWER AUTHORITY	18
GUMA VALLEY WATER COMPANY	19
SALWACO	19
STAFFING.....	19
DONOR SUPPORT AND PROJECTS	20
WORKING ARRANGEMENTS	21
DECENTRALIZATION.....	21
ANALYSIS AND RECOMMENDATION	22
<u>APPENDICES</u>	
APPENDIX 1- SURVEY QUESTIONNAIRE.....	29
APPENDIX 2 - CURRENT ORGANOGRAM OF THE MINISTRY OF ENERGY AND WATER RESOURCES	34
APPENDIX 3 - PROPOSED ORGANOGRAM OF DIRECTORATES OF THE MINISTRY OF ENERGY AND WATER RESOURCES.....	35
APPENDIX 4 - PROPOSED ORGANOGRAM FOR THE MINISTRY OF ENERGY AND WATER RESOURCES	36
CIVIL SOCIETY VIEWS	37
LIST OF PEOPLE CONSULTED	39

ABBREVIATIONS

ADB	African Development Bank
CMT	Change Management Team
CSO	Civil Society Organizations
DFID	Department for International Development
GOSL	Government of Sierra Leone
GVWC	Guma Valley Water Company
HRMO	Human Resources Management Office
IDB	Islamic Development Bank
PRSP	Poverty Reduction Strategy Paper
PSRU	Public Sector Reform Unit
PS	Permanent Secretary
MEWR	Ministry of Energy and Water Resources
MTEF	Mid Term Expenditure Framework
MFR	Management and Functional Review
NWCA	National Water Resources Agency
NPA	National Power Authority
NAC	National Agenda for Change
SALWACO	Sierra Leone Water Company

EXECUTIVE SUMMARY

In keeping with Government of Sierra Leone's policy to strengthen public sector institutions for effective and efficient delivery of services, the Public Sector Reform Unit has undertaken a Management and Functional Review of the Ministry of Energy and Water Resources with a view to (i) aligning the mandate and vision of the Ministry to the National Agenda For Change, and (ii) creating effective structures and processes. The team reviewed and made recommendations on the mandate of the Ministry, alongside its functional and managerial structures. The methodology included interviews with staff including top management and document reviews, for the identification and analysis of problems and possible solutions.

The ultimate goal of the Ministry, as reflected in its mission statement, is to ensure effective supply of safe pipe borne water, generation, distribution and marketing of electricity which contribute to overall socio-economic development. These objectives are vital considering the affordability and adequate provision of safe water and power supply and its attendant socio-economic and political challenges for the government and its citizenry. Therefore, the effective and efficient management and distribution of these resources are crucial for the socio-economic development of the country.

As the central authority for the delivery of water and energy to the people of Sierra Leone, the Ministry is required to set policy on the effective and productive use of these resources. The mandate of the Ministry should not be limited to oversight responsibility over these service providers but also extend to the formulation, implementation and coordination of the activities of the utility Companies, as well as collaborate with MDAs whose activities relate to the management and use of these resources.

However, in spite of the ambitious goal of the Ministry in pursuing a wider energy sector policy, there is no comprehensive and coordinated approach between the respective ministries. Also, it was noted during the review process that the Ministry lacks the technical capacity to function effectively.

The water sector has been, for a very long time, the only technical wing of the Ministry. In spite of this attachment, the laws relating to the management and use of water are provided for in different enactments. For example, the Licensing of water abstraction is the shared responsibility of the Guma Valley Water Company, Sierra Leone Water Company and the Chief Engineer of the Water Sector Department. Legislation guiding the management of water resources around catchment areas is also provided for in the Forestry Regulations and the Environmental Protection Act. In essence, there is no

effective arrangement to implement the laws at the Local Level despite the 2004 Local Government Act.

Factors affecting the effectiveness, efficiency and productivity of the Ministry include the lack of adequate storage facility for water, lack of essential tools and resources, lack of well-trained professionals to carry out technical functions (Engineers, Lawyers and energy experts), limited implementation and employment of good management systems and processes resulting in increased opportunity for improper practices by the utility companies; and inadequate coordination and supervision over the Ministry's implementing Agencies. These concerns were also raised by Civil Society Organisations during a focus group discussion.

Several developments at the national level have had implications for the work of the Ministry. The Vision of President Ernest Bai Koroma to enhance service delivery saw the change of the nomenclature of the Ministry from Energy and Power to Energy and Water Resources, with accompanying modifications to its functions. In particular, the decentralisation process endorsed by the Local Government Act 2004 will have to be appropriately coordinated to be aligned with the goals of the Ministry.

SUMMARY OF RECOMMENDATIONS

Effective Implementation and Management

1. *We recommend the immediate creation of a Change Management Team) to take ownership and leadership of the reform initiatives and other management activities relating to the Ministry*

Legislation

2. *We recommend that the Ministry reviews its Energy Policy taking into account the changes in the sector and structural changes that are recommended in this report.*
3. *We recommend that the draft National Water and Sanitation Policy be urgently considered by Government.*
4. *We recommend that the legislations be reviewed as appropriate in order for the laws to become harmonised with the new national policy and the proposed new Act.*
5. *We recommend that a National Water Coordinating Agency (NWCA) be established.*

Functions

6. *We recommend that the Ministry develop a strategy to implement the Local Government Act 2004 with respect to community water supply.*
7. *We recommend that SALWACO should move its offices to Mile 91 in the former Ministry of Works Compound.*
8. *We recommend that ALL staff of the Rural Water Supply Division working for SALWACO presently should immediately be transferred to SALWACO and become full time staff of SALWACO.*
9. *We recommend that the Sierra Leone Water Company Act 2001 should be reviewed to take cognisance of the Decentralization Act 2004, and to widen the scope and responsibilities of SALWACO, taking into*

consideration the new activities and roles stipulated in the new water and sanitation policy.

10. We recommend that in reviewing the Sierra Leone Water Company ACT, SALWCO should be giving the responsibility of supervising all District Rural water supply programmes to be managed by the District Councils.

11. We recommend the establishment of a Public Utilities Commission.

Structures

12. We recommend the adoption of a directorate structure inclusive of Policy and Planning Units, as at Appendix 3

13. We recommend that if and when Cabinet approves the new structure, the Human Resource Management Office and the Civil Service Re-Grading Committee take immediate action to operationalize the structure.

14. We recommend that the Ministry be represented on the Board of Institutions it supervises.

15. We recommend that the Ministry should facilitate comprehensive restructuring in the institutions it supervises.

Projects

16. We recommend that the ministry reviews the current water supply and sanitation projects to ensure maximisation of available resources and that they take cognisance of the Local Government ACT 2004.

Procurement

17. We recommend that the ministry should implement the rules as prescribed and the procurement committee should lead the process.

Projects

18. We recommend that a mechanism be put in place for all projects in the ministry to submit a monthly report to the Change Management Team.

Budget Committee

19. We recommend that the Change Management Team should insist and make sure that the Budget Committee meets regularly.

Internal Audit

20. We recommend the deployment of an Internal Auditor to the Ministry.

Record Keeping

21. We recommend that the HRMO takes urgent steps to train the records officers and develop a system for records management in the ministry.

Schemes of Service

22. We recommend that all professional, administrative and clerical staff are provided with a written job description.

Training

23. We recommend that the ministry should develop a human resources Training Plan, which will identify and plan for the human resources requirements of the Ministry and the sector.

Oversight Responsibilities

24. We recommend that the ministry should establish appropriate institutional frameworks for the regulation and supervision of state institutions.

Effective Implementation and Restructuring

25. We recommend the creation of a Change Management Team (CMT) to take ownership and leadership of the reform initiatives and other management activities relating to the Ministry (Draft composition and TORs for CMTs are available at the PSRU).

MAIN REPORT - MANAGEMENT AND FUNCTIONAL REVIEW OF THE MINISTRY OF ENERGY AND WATER RESOURCES

1.0 INTRODUCTION

1.1 As part of the Government of Sierra Leone's continued effort to capacitate institutions for increased service delivery, the Public Sector Reform Unit in the Office of the President has recently undertaken a Management and Functional Review (MFR) of the Ministry of Energy and Water Resources, among five other MDAs.

1.2 The review of the five Ministries is in continuity with an integrated programme that is funded by DFID and Government under the on-going activities of the Public Sector Reform Unit (PSRU). The programme includes transforming the Establishment Secretary's Office into a modern Human Resources Management Office (HRMO), a Records Management component and capacity building.

2.0 TERMS OF REFERENCE

2.1 The following terms of reference were agreed for the study:

a) **Review and Redefine the Ministry's Mandate**

- **Objectives:** Review and Redefine the mandate and role of the ministry to ensure that it directly relates to, and is consistent with the development objectives of Government, including the on-going decentralization process and the devolution plans of the Ministry, budget reforms and its role in the Poverty Reduction Strategy Paper II.
- **Output:-** Redefined mandate of the Ministry - its Vision and Mission statement, and functions of Ministry.

b) **Review of Organizational Structure**

- **Objective:** Review organisational structure to determine how the functions and responsibilities of the various units relate to the attainment of the mandate and mission of the Ministry.
- **Output:** Reviewed, and redefined organisational structure setting out functions, responsibilities and priority areas of the units within the Ministry.

c) **Review of Administrative Procedures**

- **Objectives:** Review of administrative procedures, processes and facilities to determine efficiency and effectiveness in delivering mandate.
- **Output:** Recommendations on changes required to administrative procedures to enhance decision making and service delivery.

d) **Existing Staff Inventory and Staff Requirements for the Ministry**

- **Objective:** To document existing staff inventory, qualifications and skills; undertake any sample job inspections, additional job analysis and evaluations, develop selected job descriptions and establish the future staffing requirement with necessary skills to achieve the mandate and perform the functions identified.
- **Output:** Detailed existing staff inventory, job descriptions and detailed staff requirements which can be used for manpower planning.

e) **Staff Rationalization**

- **Objective:** Determine the “fit” between existing and future staff requirements of the Ministry.
- **Output:** Detailed information on the rationalization of staff to be retained, retired, devolved to Local Government and retrenched.

f) **Communication**

- **Objective:** To review the pattern of communications between the Ministry and the public to assess whether their interests are being satisfactorily communicated to the Ministry and whether Ministry decisions and policies are being satisfactorily communicated and understood.
- **Output:** Recommendations on improvements in communications.

g) **Equipment Estimates.**

- **Objective:** To support the Ministry in the preparation of estimates for essential equipment.
- **Output:** Equipment estimates.

3.0 APPROACH TO THE STUDY

3.1 The main tool employed is the process approach which entails the involvement of the staff of the Ministry particularly top management in the identification of the problems, finding solutions to them and decisions on implementation of the necessary changes/recommendations.

3.2 Prior to the commencement of the assignment, the Minister and top management of the Ministry were briefed about the review, the parameters and the expected roles they are to play in the process, particularly the setting up of the Change Management Team/Contact Group. This was to ensure acceptance, ownership, transfer of skills and smooth implementation of the recommendations.

3.3 Questionnaires (Appendix 1) were used as the basis for the structured interviews. Completed questionnaires and the follow-up interviews gave a picture of the existing situation with regards to mandate, vision, mission, functions, and organizational structures, staffing and working arrangements including policy formulation processes as well as internal and external relationships.

3.4 In addition to the interviews and meetings, information on workloads, staffing numbers, skills mix and vacancies where available were collected and analyzed. Relevant Reports and Documents e.g. MTEF Reports, Poverty Reduction Strategy Report, Study on the formulation of a National Energy Policy for Sierra Leone, Draft Revised National Water Policy Report and Water and Sanitation Policy for Sierra Leone.

3.5 Contentious issues identified during the review were discussed thoroughly with the Minister, the Permanent Secretary (PS) and Director for their views.

4.0 RESPONSIBILITY

4.1 The Public Sector Reform Unit takes full responsibility of this report. The report will be presented to the Public Sector Reform Steering Committee before submission to Cabinet for approval.

5.0 ACKNOWLEDGEMENTS

5.1 We are very grateful for the support and facilities provided by the Minister, Permanent Secretary, and staff of the Ministry of Energy and Water Resources.

OVERVIEW OF PRESENT ARRANGEMENTS

LEGISLATION

The Ministry of Energy and Water Resources is entrusted with the responsibility of providing safe pipe borne water supply, generation, distribution and marketing of electricity, the promotion of safe application of radioactive materials and the development of all forms of energy and their relevant applications. The goal of the Ministry in pursuing a wider energy sector policy is also shared by other Ministries. For instance, the Ministry of Agriculture and Food Security handles issues relating to biomass, especially fuel wood, the sale and marketing of petroleum products is being handled by the Ministry of Trade and Industry. The Ministry of Finance and Economic Development also plays a significant role in the petroleum sector; whilst the Ministry of Mineral Resources deals with extraction of minerals, including energy related minerals. The Presidential Petroleum Commission deals with Petroleum exploration and development.

Despite the ambitious goal of the Ministry of Energy and Water Resources in pursuing a wider energy sector policy, there is no comprehensive and coordinated approach between the respective ministries. Besides, the Ministry also lacks the technical capacity to effectively carry out its mandate. The then Minister acknowledged this fact in the “Second State of the Nation’s Symposium” (4th-14th December 2000) and promised to institute an appropriate institutional framework for the ministry to develop the necessary technical capacity in energy policy analysis and planning.

Against that background, a consultancy firm CEMMAT group Ltd in 2004 undertook a study on the formulation of a National Energy Policy for Sierra Leone. The main policy goal for the energy sector was:

“To provide an enabling environment for the efficient management of Sierra Leone’ energy resources aimed at ensuring energy security for its citizens, in an environmentally benign manner for sustainable development”.

The Ministry adopted the policy but little or no action was taken in terms of implementation.

THE WATER SECTOR

The Water sector is one of the technical wings of the Ministry for the past decades.

The Ministry has key pieces of legislation guiding its operations with respect to the Water Sector. The laws for managing water are in different enactments. For example, the licensing of water abstraction is given to Guma Valley Water Company, Sierra Leone Water Company and the Chief Engineer of the Water Sector Department. The same haphazard nature of legislations guiding the management of water resources applied to catchment management which is also provided for in the Forestry Regulations and the Environmental Protection Act. There is no effective arrangement to implement the laws at the local level. The Sector is guided by the following Legislations;-

- The Guma Valley Water Act(1961)
- The Water (Control and Supply) Act (1963)
- The Sierra Leone Water Company Act (2001)
- The Environmental Protection Act (2000)
- Local Government Act (2004)
- Public Health Act 1996 and the 2004 Addendum
- Mines and Mineral Act, 2003 and the Forestry Regulation Act 1999

National Water Resources Agency (NWRA)

In one of the policy draft documents available to the team, it has been suggested that the Water Division should establish a National Water Resources Agency. We endorse this recommendation and hope that it will be included in the final draft of the Water Policy the ministry should include it with the necessary justification.

Water resources management requires an effective institutional set-up to perform the core functions, which include:

- (i) water resources exploration
- (ii) water resources assessment both in quantity and quality, monitoring and evaluation
- (iii) water allocation
- (iv) pollution control, and other cross-sector activities such as catchments management, planning and development

Water resources can also be effectively managed within river basins or catchment areas. Since administrative boundaries divide catchments basins, and because water is a strategic national resource, water resource management should be a national function to be carried out by a central agency.

A National Water Resources Agency (NWRA) will be established. The agency power should be legislative and with a clearly defined role to regulate distribution and the use of water resources. It must also be empowered to deal with violations in a more robust manner. In effect, the agency will be responsible to implement the Water Resources Management Strategies. The NWRA will comprise of a small technical and expert team that will be initially funded by Government budget. Its functions among others will be to:

- (i) Develop equal and fair procedures in access and allocation of the water resources, ensuring that social and productive sectors and the environment receive their adequate share of the water resources.
- (ii) Develop principles and procedures for managing the quality and conservation of water resources, as well as improve and protect the ecological systems and wetlands. It will be responsible for pollution control
- (iii) Carry out water resources research and determine appropriate technology in collaboration with local and international research institutes
- (iv) Carry out an inventory of water experts, human resource needs-assessment and develop training programs in collaboration with the Ministry responsible for water and other stakeholders and ensure that the sector has adequate number of experts for the implementation of different water sector activities
- (v) Carry out needs assessments and strategies for utilization of trans-boundary water resources in collaboration with trans-boundary water bodies
- (vi) Raise public awareness and broaden stakeholders' participation in the planning and management of water resources at national district and community levels
- (vii) Be overall responsible for Water Resources Management (WRM) continuum from upstream freshwater sources to freshwater-seawater

interface, in collaboration with relevant stakeholder institutions. It will be responsible for implementing the WRM strategies

- (viii) In collaboration with Ministry responsible for water seek financial resources to meet the costs for water resources management

THE ENERGY SECTOR

The energy sector is governed by the National Power Authority Amendment Act of 2006 which is an Act to amend the National Power Authority Act of 1982. The existing legislation does not make provision for the regulation and legal framework for the power sector reform, including the amendments of existing electricity laws. The energy sector depends mostly on the National Power authority for advice.

The supply of electricity to the entire country falls within the ambit of the National Power Authority except for the Provincial Headquarter Towns of Bo, Kenema and their environs where the semi-autonomous Bo-Kenema Power Services (BKPS) with its Headquarter' located in Bo provides electricity.

STRATEGIC OBJECTIVES

The overall goal of the Ministry as reflected in its Mission Statement is:

“To ensure effective supply of Safe Pipe borne water, generation, distribution and marketing of electricity, the safe application of radioactive materials for the benefit of mankind and the development of all forms of energy and their applications taking into account their impact on the environment.”

Primary Objectives include:

- A reliable and affordable power supply to businesses and homes across the country
- Improving thermal generation
- Exploiting hydro and other energy potential
- Upgrading and expanding transmission and distribution across the country

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- Access to safe drinking water and sanitation facilities to the entire population
 - Providing dams, boreholes and wells to allow access to safe drinking water
 - Delivering latrines to rural areas to improve sanitation
 - Protection from harm from radioactive sources to people and the environment

Short Term Goals of the Ministry include:

- To improve the electricity generating capacity in the Western Area
- To reduce technical losses in the transmission/distribution network in the Western Area
- To improve upon the overall revenue collection by NPA
- To expand access to electrical power in Bo-Kenema Region
- To complete phase1 of the Bumbuna Hydro-Project
- To expand access to wells and latrines in rural areas
- To improve access to potable water in Bo, Kenema, Makeni, Koidu, Kabala and Lungi

FUNCTIONS/STRUCTURE

The present structure of the Ministry provides for a Permanent Secretary, who is the administrative Head. There are two political Heads, the Minister and a Deputy Minister. Section 62 of the Sierra Leone Constitution 1991 provides although only tenuously, clarification on the roles of the Minister and Permanent Secretary. The Minister and his Permanent Secretary must co-exist to manage the establishment. In practice, however, the functions of the Permanent Secretary do not seem to be clearly defined, except for the fact that he/she provides advice to the Minister and the Minister delegate' functions to him as appropriate. The Permanent Secretary is Head of administration, and it is expected that Human Resources and other related matters are within his competence, as provided for in the Civil Service Regulations. There is coordination and consultation between the administrative Head and the political Head.

The Ministry currently has a Water Supply Division, the Radiation Protection Unit, the National Energy and Water Policy Unit, Planning and Coordination Unit. Efforts are also being made to broaden the structure and functions of the Ministry in order to respond to the growing development challenges that have been facing the Ministry for decades. The proposed Organisational structure submitted by the Ministry takes cognisance a Legal Affairs directorate because of the nature and complexity of the Ministry's work, which entails large international contracts that required comprehensive legal support that does not currently exist in the Ministry.

The role of the Water Supply Division (WSD) needs to be clarified and reviewed to take on board its technical oversight responsibility. Although a DFID sponsored Water and Sanitation Policy document approved by Cabinet addresses some of the management and technical lapses that exist in the Ministry, NPA, GVWC and SALWACO are not adequately structured and rationalised to achieve their overall objectives.

NATIONAL POWER AUTHORITY

This is responsible for the planning, development, utilization and conservation of the power resources of the country including that of hydro-power. The organisation largely focuses its operations in the Western Area. It is under the Ministry of Energy and Water Resources. The current installed capacity of NPA is inadequate; breakdowns are frequent leading to constant load shedding. NPA suffers serious liquidity problems due to high technical and commercial losses

and poor revenue collection. However, the Government of Sierra Leone through its donor partners are making effort to increase the capacity of electricity supply not only in Freetown and its environs, but to other parts of the country.

GUMA VALLEY WATER COMPANY

Guma Valley Water Company was established in 1961 by an Act of Parliament, and charged with the responsibility of providing water to the city of Freetown and its environs. Due to population explosion in the city, the company is incapable of providing adequate water supply for the people of Freetown. This shortage of water supply in Freetown is also attributed to the fall in water storage since the GVWC solely relies on the Guma Dam for the supply of water. The Company is also faced with technical problems due to the lack of maintenance of the Company's outdated Trunk Mains and pipes. However, the Ministry of Energy and Water Resources has undertaken series of study for the construction of another dam at Orugu in order to help alleviate perennial water shortages facing the people of Freetown.

SALWACO

The Sierra Leone Water Company which was established in 2001 is charged with the responsibility of providing urban water supply in the whole of Sierra Leone outside the jurisdiction of the Guma Valley Water Company. The current mandate of SALWACO is as a result of the growing urban and rural settlement which predicated the transfer of the Water Supply Division from the Ministry of Works. However, the Company has not been able to provide effective water services to the urban areas in accordance with its mandate. Urban Centres like Bo, Kenema, Koidu, Kabala, Makeni, Lungi, amongst many others, still continue to suffer from acute shortage of water supply. The management of SALWACO based in Freetown is to re-double its efforts in order to salvage the perennial water crisis facing the urban settlements. SALWACO's operation is more centralised in Freetown competing with GVWC in the supply of Water through the use of water tanks than in provincial urban settlements.

STAFFING

According to the information provided by the Ministry, there are 215 names on the staff list. A total of 214 staff from the Ministry were captured during the 2008 Civil Service Personnel and Payroll Verification Exercise. None of the staff interviewed during this review has a job description and there is no recent scheme of service available. As with other similar government establishments,

the Ministry also has a number of personnel who have not been absorbed into the Government payroll. The review team also observed that a substantial number of Ministry of Energy and Water Resources staff, especially the Water Supply Department is on SALWACO payroll whilst receiving government salaries on a monthly basis. It was further learnt that the Ministry is in the process of implementing numerous projects; it is important that project staff are competitively recruited and must possess the necessary pre-requisites if they are to add value to the Ministry and the people of Sierra Leone.

DONOR SUPPORT AND PROJECTS

The Ministry of Energy and Water Resources is carrying out series of water supply and sanitation projects. The ongoing water supply and sanitation projects comprise:-

- The RWSS for the districts of Bo, Kenema, Bombali and Tokolili Districts. This project is funded by the World Bank.
- The RWSS for the districts of Kenema, Kailahun, Kono and Tonkolili. This project is funded by the Islamic Development Bank
- The Rehabilitation of existing Kabala water supply to be funded by BADEA
- Improvement of Bo, Kenema and Makeni water supplies funded by the African Development Bank (ADB)

The World Bank RWSS Project is designed to provide drilled and dig wells equipped with hand pumps for water, and VIP Latrines with simple superstructure. This ongoing project commenced in November 2005 and was expected to end in 2008 but due to delays arising from the project management, the duration of the project has been extended to 2010. However, the overall existing situation clearly indicates the need to review the project with the view of improving its integrity in terms of technology, maximising resources and socio-economic impacts.

The RWSS project for the districts of Kenema, Kailahun, Kono and Tonkolili funded by IDB was suspended in 2005 due to similar mismanagement problems encountered in the World Bank counterpart project. As it is, the Bank has instituted a Technical Audit mechanism to determine the status of the project prior to a definitive answer on the future of the project. The Review Team noted that the rehabilitation of the Kabala water supply project is in the pre-implementation stages; whilst the improvement of Bo, Kenema and Makeni water supplies project funded by ADB is in the design stage for implementation.

Although we are aware of the existence of projects in the energy sector, we were unable to receive this information from the ministry in time for finalizing the report. This is an indication of the weakness in the sector and the absence of a professional wing in the ministry.

However, considering that all the projects have different financial arrangements, it is important for the Ministry of Energy and Water Resources to strictly observe the principles of transparency, accountability, efficiency and productivity in order to ensure maximisation of these resources. Similar concerns have been expressed in UNICEF's Report of August 2008 based on the 2008 Global Transparency Report by Transparency International.

WORKING ARRANGEMENTS

DECENTRALIZATION

The Local Government Act 2004 devolves certain functions of central Ministries to Local Authorities throughout the country. The Local Government Act with respect to community water supplies is part of the central government policy to decentralise social services to the local authorities. Though the aim is to increase efficiency and empower local authorities to manage their own affairs, the capacity of these local authorities is however inadequate and largely deficient in terms of requirements for technical, managerial and financial functions. The Review Team observed that the process of decentralizing water supply functions is still at the Decentralization Secretariat. Therefore, the status quo in water service delivery remains unaltered.

ANALYSIS AND RECOMMENDATION

This section deals with the analysis of the findings and our recommendations on the way forward. The issues that emerged during our investigations are discussed and recommendations offered. We conducted approximately 20 interviews with staff of the Ministry of Energy and Water Resources, the Water Supply Division, SALWACO, Guma Valley Water Company, Radiation Protection Board, the Water Group Consultancy Limited and Civil Society Organizations. Views and issues were discussed for the purpose of clarifications. We also studied the National Policy Guideline and Action Plan on Water Supply and Sanitation; CEMMATS Group study on the formulation of a National Energy Policy for Sierra Leone; and Waters Group Draft Report on the revised water policy.

In order to ensure efficiency in the restructuring process, **we recommend the immediate creation of a Change Management Team) to take ownership and leadership of the reform initiatives and other management activities relating to the Ministry** (Draft composition and TORs for CMTs are available at the PSRU).

We note that there is no comprehensive, harmonized and coordinated mechanism between the various ministries. This being so we also noted that the Ministry does not have the technical capacity to effectively manage this arrangement and pursue its mandate. In “The Second State of Nation Symposium” from 4th to 14th December 2000, the former Minister acknowledged this fact and promised an appropriate institutional framework for the ministry in order to develop the technical capacity in energy policy and analysis, planning and project implementation.

As a result of this situation, the CEMMATS Group Ltd in 2004 conducted a study on the Formulation of a National Energy Policy for Sierra Leone. The main policy goal for the energy sector was, “To provide an enabling environment for the efficient management of Sierra Leone’s energy resources aimed at ensuring energy security for its citizens, in an environmentally benign manner for sustainable development.” The Ministry adopted the policy but very little was done in implementation. In the absence of a professional wing in the Ministry of Energy and Water Resources, the National Power Authority meanwhile acted as a de facto policy adviser to the ministry. We note this challenge and make provision for it in the designing of the new structures.

The Water Sector is guided by the following Legislations:-

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- The Sierra Leone Water Company Act 2002
 - Water (Control and Supply) Act, 1963
 - The Guma Valley Water Act 1961
 - The Environmental Protection Act 2000
 - The Local Government Act 2004
 - The Public Health Act 1996 and the 2004 Addendum
 - Mines and Mineral Act, 2003 and the Forestry Regulation Act 1999

All the above Acts relate to water resources. However we need a national Water Policy for these Acts to be effective in addressing the challenges of the Water Sector.

A draft policy was prepared in August 2008 and was approved by the Government of Sierra Leone. To date this document does not have an implementation plan and has been overtaken by events. The Ministry is now asking for a review of this draft and has requested the Water Group Consultants to review the policy. At the time of this study, a redraft of the first policy has been reviewed and is awaiting approval.

We recommend that the Ministry reviews its energy policy taking into account the changes in the sector and structural changes that are recommended in this report.

We recommend that the draft National Water and Sanitation Policy be considered by Government without further delay.

After the review of the water policy, we recommend that the legislations need to be reviewed as appropriate in order for the laws to become harmonised with the new national policy and the proposed new Act.

During the study it was suggested that as a result of the numerous public institutions with vested interest in the country's water resources, a National coordinating Agency should be established. This has also been recommended by the 'waters Group Limited' a consulting engineering firm who has drafted the new water policy. **We endorse and recommend that a National Water Coordinating Agency (NWCA) be established.**

Functions

In examining the functions undertaken by the Ministry, we identified a number of activities that were either not clearly defined or were being undertaken in a limited and unproductive way. For example, the roles and functions of both the Sierra Leone Water Company and the Rural Water Supply Division are not clear.

We note that both institutions are under the responsibility of the ministry but the structural and functional relationships make it for efficient and transparent implementation.

The Sierra Leone Water Company was designed and established to provide water for District Headquarter Towns. However its location and subsequent management relationships with the Rural Water Supply Division has tainted its vision from the original intentions. We observe overlapping functions with the Water Supply Division and workers have dual roles as they are both employees of SALWACO and paid by the Rural Water Supply Division.

The Local Government Act of 2004 transferred the functions of the provision of water to District Councils to manage the district water supply, and they will collect revenue and take responsible for the system. The process for devolution has been extended to 2010 but as it is, there is no strategy in place of how it should be done. However the councils do not have the expertise to run these systems and most of them are currently being managed by either SALWACO or the Water Supply Division. It is pertinent to note that this is a window of opportunity to increase the capacity of staff in the District Councils in the short run. SALWACO can play a major role in this regard as it is presently doing in some districts. We therefore recommend as follows:

That the Ministry of Energy and Water Resources develop a strategy to implement the Local Government Act 2004 with respect to community water supply.

SALWACO should move its offices to Mile 91 in the former Ministry of Works Compound. This will help SALWACO to be nearer the districts without one district headquarters claiming its location. It will also reduce the distortions with the Rural Water Supply Division of the Ministry and GUMA Water Company. The local authorities will take over the role of service providers.

ALL staff of the Rural Water Supply Division working for SALWACO presently should immediately be transferred to SALWACO and become full time staff of SALWACO. This action will reduce the Government wage bill and will slowly transfer responsibilities to District councils.

The Sierra Leone Water Company Act 2001 should be reviewed to take cognisance of the Decentralization Act 2004, and to widen the scope and responsibilities of SALWACO, taking into consideration the new activities and roles stipulated in the new water and sanitation policy.

In reviewing the Sierra Leone Water Company ACT, SALWCO should be giving the responsibility of supervising all District Rural water supply programmes to be managed by the District Councils.

We also note that the ministry is involved in contractual arrangements with different companies, donors and service providers, but does not have a Legal Adviser to facilitate the interpretations of the numerous agreements they signed. We have taken care of this in the new structure by proposing a directorate of Legal Affairs that in collaboration with the Law Officer's Department/Attorney General's Office, will handle legal issues including bilateral and multilateral agreements.

We also note that although the ministry is responsible for Energy in its various forms, it has no professional wing to take care of this function. We have taken this into consideration in designing the new structure to make provision for this.

We also note that in the draft policy, the ministry will be establishing a "Public Utilities Commission" **We therefore recommend the establishment of a Public Utilities commission that will be considering the tariffs levied by the public utilities.**

As the functions of the ministry expands, there will be an increase in top level management to actualize its vision. We have, therefore, recommended the following units in the Energy sector namely:

- Energy Adviser
- Environmental & Technical Adviser
- Renewable Energy Planning Unit
- Electricity Planning Unit
- Petroleum Planning Unit
- Radiation Protection Unit

Structures

During their analysis of the Ministry's current organization and Working arrangements, the ministry had identified six Directorates, and the existing requirements recognised the need to restructure. We noted the work already

done by the ministry and we commended them for their foresight. However we prevailed on the ministry to regroup the directorates to four without losing their original requirements. They agreed to go by our suggestion and accepted the establishment of four directorates namely:

- Administration and Finance Directorate
- Water and Sanitation Directorate
- Energy Directorate
- Legal Directorate

The functions suggested for the four directorates have been presented in Appendix 4. The Energy Directorate will have within its structure, an Energy Adviser, an Environmental Adviser, Renewable Energy Planning, Petroleum Planning Units and a Radiation Protection Unit.

We recommend the adoption of a directorate structure, inclusive of Policy and Planning Units, as reflected in Appendix 4.

We also recommend that if and when Cabinet approves, the ministry will formally submit the relevant details to the Human Resource Management Office and the Civil Service Regarding Committee so that they can review the posts for the new organization structure.

We observe from the structure and functions that the ministry has oversight responsibility for the GUMA, SALWACO and NPA. However we are informed by the ministry that they do not seat on the Boards of these institutions. **We recommend that a technical officer in the ministry should be nominated to seat on each of these boards without voting rights.** This appointment will enable the ministry to have a full knowledge of the working arrangements in the various institutions and will help in their oversight responsibilities.

The terms of reference of the study does not extend to the associated agencies of the ministry. However we note that in reviewing the inter-relations between the ministry and the agencies, we realized that they are not structured adequately or rationalised to perform effectively and efficiently. **We recommend that the ministry should facilitate comprehensive restructuring in these agencies urgently.**

Projects

We observed the following projects in the water supply division:-

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1. The RWSS for the districts of Bo, Kenema, Bombali and Tonkolili funded by the World Bank
 2. The RWSS for the districts of Kenema, Kailahun, Kono and Tonkolili funded by the Islamic Development Bank.
 3. The Rehabilitation of existing Kabala water supply to be funded by BADEA
 4. Improvement of Bo, Kenema and Makeni water supplies funded by the African Development Bank (ADB)

We understand from the reports available to us that each of these projects has challenges for implementation. **We recommend that the ministry reviews the current water supply and sanitation projects to ensure maximisation of available resources and that they take cognisance of the Local Government ACT 2004.**

Structures and Management Arrangements

There are six particular areas in our view that should be addressed in terms of the Ministry's standing procedures or common administrative practices. These are:

- Staffing
- Procurement
- Projects
- Budget committee
- Internal Audit
- Record Keeping
- Schemes of Service

Staffing

The Ministry of Energy and Water Resources reported that it was understaffed and lacks the required skills and capabilities to deliver against the President's Agenda. We note that the ministry has an administrative staff of 22 officers with 80 % of them in the lower grades. The water supply Division representing the water sector has 185 staff distributed mostly in the district towns. On examination, we realize that over 50% of these workers are also part of the work force of SALWACO.

The devolution plan of the Local Government Act of 2004 calls for the transfer of human and financial resources for the provision of water to district councils. The ministry has to develop a strategy for this which will entail the regularisation of its provincial staff. Meanwhile we have recommended the transfer of these staff to SALWACO. **We recommend that the ministry**

should develop a strategic plan for devolving the functions of the provision of water to district Councils.

Procurement

The procurement Act does not discriminate against MDAs with respect to size or volume of activities. We understand that although there is a procurement committee, this committee ceased to function after the initial discussions in the budget allocation. The committee is not involved in the procurement process.

The procurement rules should be followed in consonance with the act and no half measures should be accommodated. The procurement rules and guidelines is specific on these issues as it promotes accountability and transparency. **We recommend that the ministry should implement the rules as prescribed and the Procurement Committee should lead this process.**

Projects

We observe that the ministry has many projects and it is finding it difficult to coordinate their implementation. We note the problems of coordination but believe that with a strong Change Management Team the ministry can overcome this problem. A monitoring mechanism should be established by which all project will report to the ministry every month as the case may be. **We recommend that a mechanism be put in place for all projects in the ministry to report every month to the Change Management Team.**

Budget Committee

We understand that there is a budget committee but its functions are limited to the discussion on the budget call circular and after presentation of the budget, it is no longer operative. The planning process for the budget is a continuous process and does not cease after the preparation of the budget. Under the change management process, the budget committee is part of the planning committee for the ministry and should continuously meet to discuss the priorities of the ministry.

We recommend that the Change Management Team should insist and make sure that the Budget Committee meets regularly.

Internal Audit

The ministry is without an internal Auditor and we have made provision for this in the new structure of the ministry. It is envisaged that the Internal Auditor will

guide the ministry in the implementation of not only its financial management systems but also other processes like procurement. **We recommend the deployment of an Internal Auditor.**

Record Keeping

As in the general civil service, a number of the current administrative systems and working practices had been operating in the ministry for many years and no longer meet the requirements of the users. As a result informal systems and administrative practices have been introduced to circumvent the prescribed arrangements. For example, lack of confidence in the services provided by the filing units has resulted in officers maintaining their own filing systems. It was difficult to trace pertinent records that could help the review team with this study. **We recommend that the HRMO takes urgent steps to train the records officers and develop a system for records management in the ministry.**

Schemes of Service

The ministry has a number of schemes of services, but these will have to be reviewed in line with the new polices and activities of the ministry. For this activity the HRMO should provide technical support in developing the new schemes of service. **We recommend that all professional, administrative and clerical staff in the Ministry are provided with a written job description.**

Training

The Ministry of Energy and Water Resources is at the cross-roads of its development. With the new structures in place, it most not only be concerned about the Human Resources in the Ministry, but also that of the Local Councils. The new institutional framework of the ministry will need considerable and concerted effort to build its human resources to achieve its vision and objectives. It will require technical and managerial staff and well trained middle level technicians. **We recommend that the ministry should develop a human resources Training Plan that will identify and plan for the human resources requirements of the sector.**

Oversight Responsibilities

The ministry has oversight responsibilities for some state institutions that are managed by appointed boards. The implementation and administration of these institutions are totally under the control of these boards. However there are instances of overlapping directives from the ministry which some refer to as

executive interference or overuse of power. We note that the responsibilities of the actions of these boards finally rest with the ministry and the ministry will be called to account. We also note that the term ‘Oversight’ of parastatals is an ambiguous word which creates confusion in its interpretation. To avoid this situation, **we recommend that the ministry should establish appropriate institutional framework for the regulation and supervision of these state institutions.** In other words the responsibilities of the ministry in terms of oversight should be clearly defined.

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2. Are there agreed work plans to implement the functions/ activities of your ministry/ department/ division/ agency/ unit? **If not**, how is work organised, coordinated and monitored?
 3. Please state any problem (s) encountered in carrying out these functions.
What procedures/processes could be improved?
 4. Does your ministry/ department/ division/ agency/ unit collaborate with other ministries/ departments/ divisions/ agencies/ units in the performance of functions? If **any**, please indicate.

SECTION B: ORGANISATION/ OPERATIONAL STRUCTURE

5. Please indicate the number of staff for whom you have managerial/ supervisory responsibility within the ministry/ department/ division/ agency/ unit. Do you have responsibility for staff elsewhere?
6. Are you in charge of any donor-supported programme? (**Yes / No**).
If **yes**, what are the programmes and outline the budget, purpose and your own or / department/ division/ agency/ unit role.

SECTION C: PERFORMANCE MANAGEMENT AND TRAINING

7a. Are staff provided with job descriptions? (**Yes / No**)

b. Is a staff performance appraisal scheme in place and operating? (**Yes/No**)

8. Are training opportunities available for staff? (**Yes / No**)

If **yes**, what type and how frequent do they take place?

9. What skills and competencies are lacking in your ministry/ department/ division/ agency/ unit?

SECTION D: COMMUNICATION

10. What are the methods of communication between your ministry/ department/ division/ agency/ unit and the following:

(i) **Staff:**

(ii) **Departments:**

(iii) **Provincial offices:**

(iv) **Public:**

(v) **Other MDAs:**

What difficulties arise in these communications?

Please complete Table 1 and 2 with any information you hold

Table 1. Please complete for staff under your command *(by grade)

NO. OF STAFF in min/ depT/ DIV agency/ unit	STATUS			NO. OF VACANCIES
	PERMANENT	TEMPORARY	CASUAL	

Table 2 Please fill in the following information on equipment in the table below:

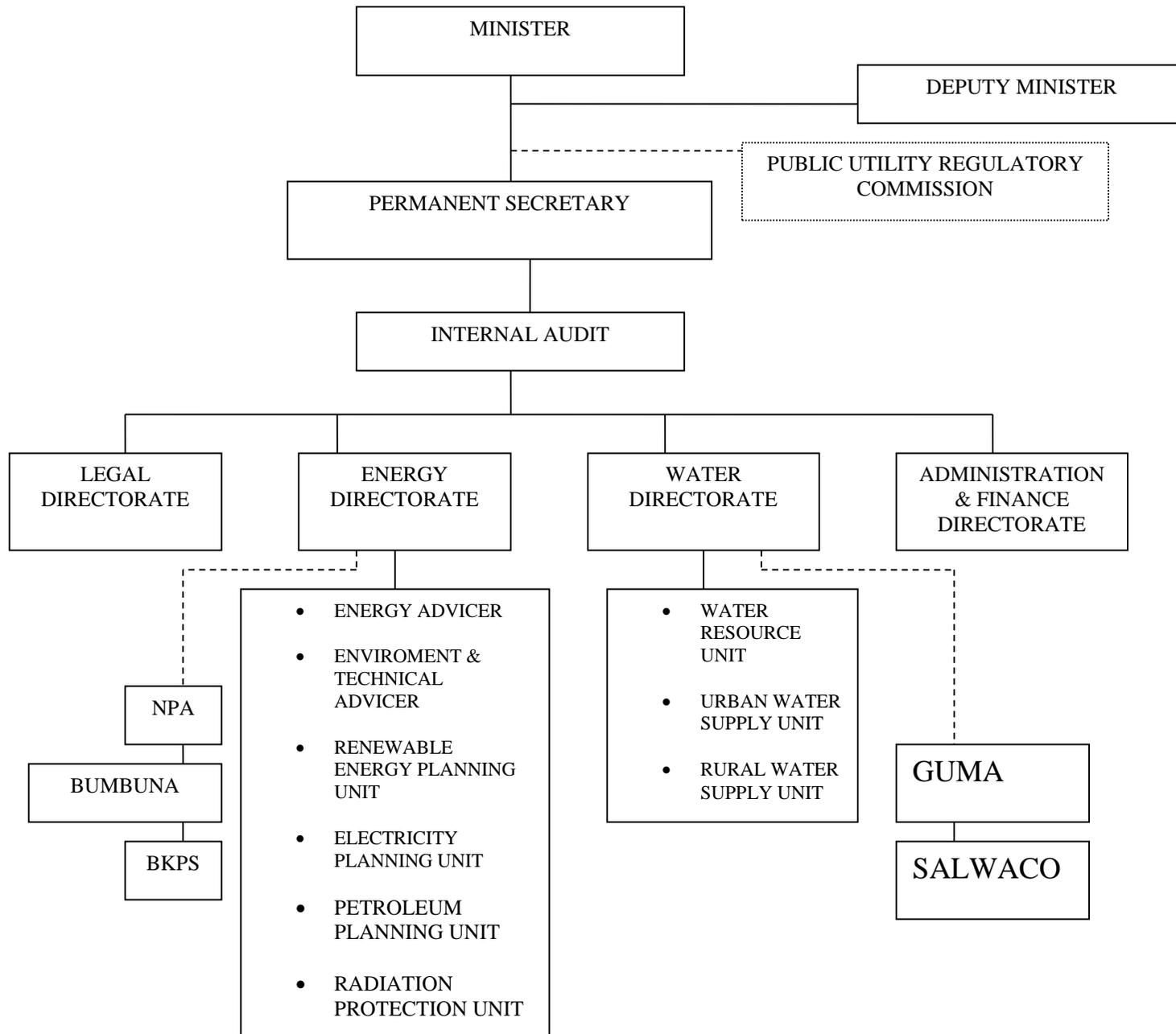
AVAILABLE EQUIPMENT		STATUS (TICK APPROPRIATE)			Comment (NUMBER REQUIRED)
Type	Number	Good	Requiring service	Obsolete	

If there is any additional information which you would like to draw to the Review Team's attention please make a note here or discuss it with the Review Team directly during the research and interview phase.

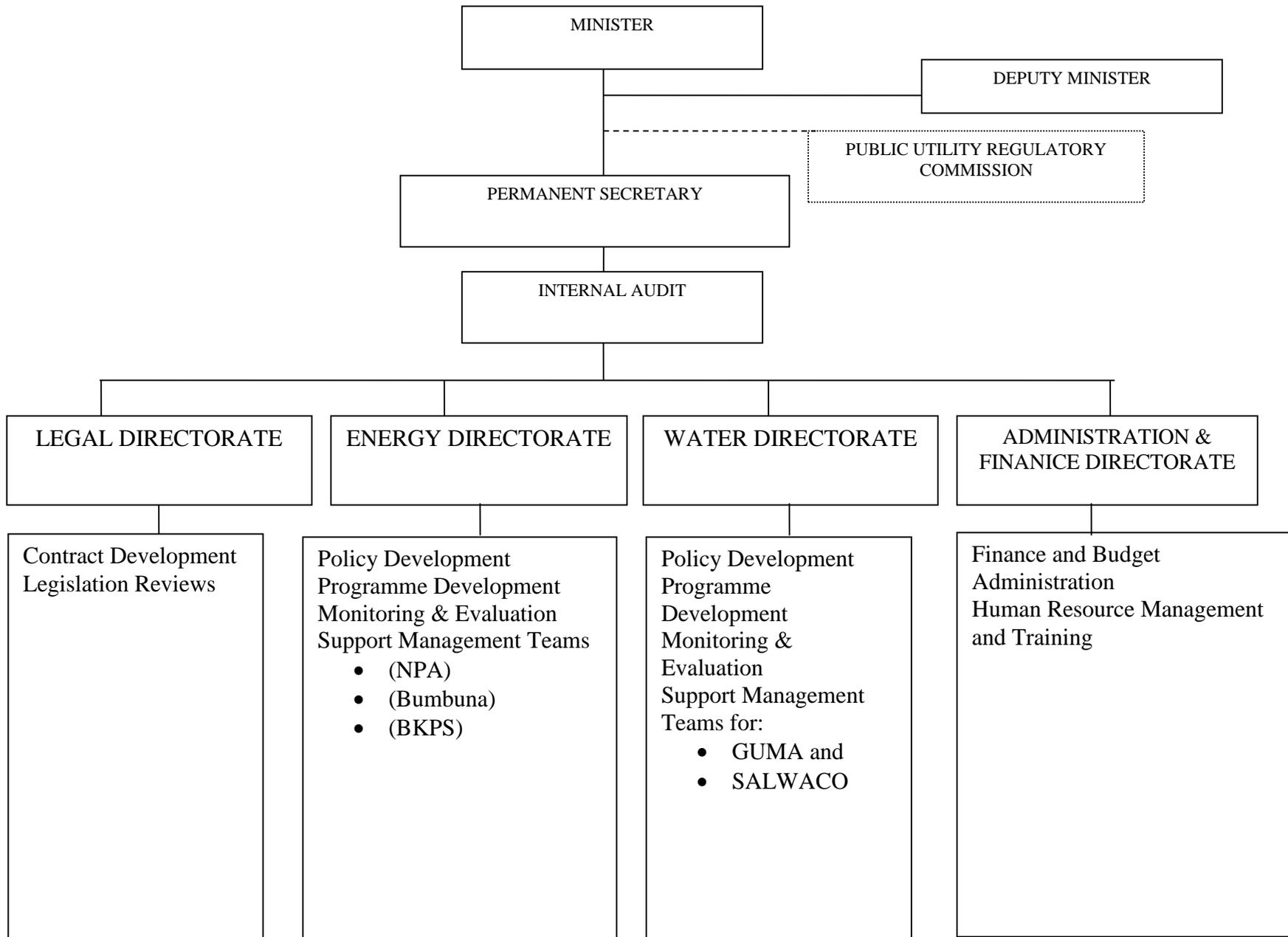
ADDITIONAL COMMENTS

Thank you very much for your cooperation

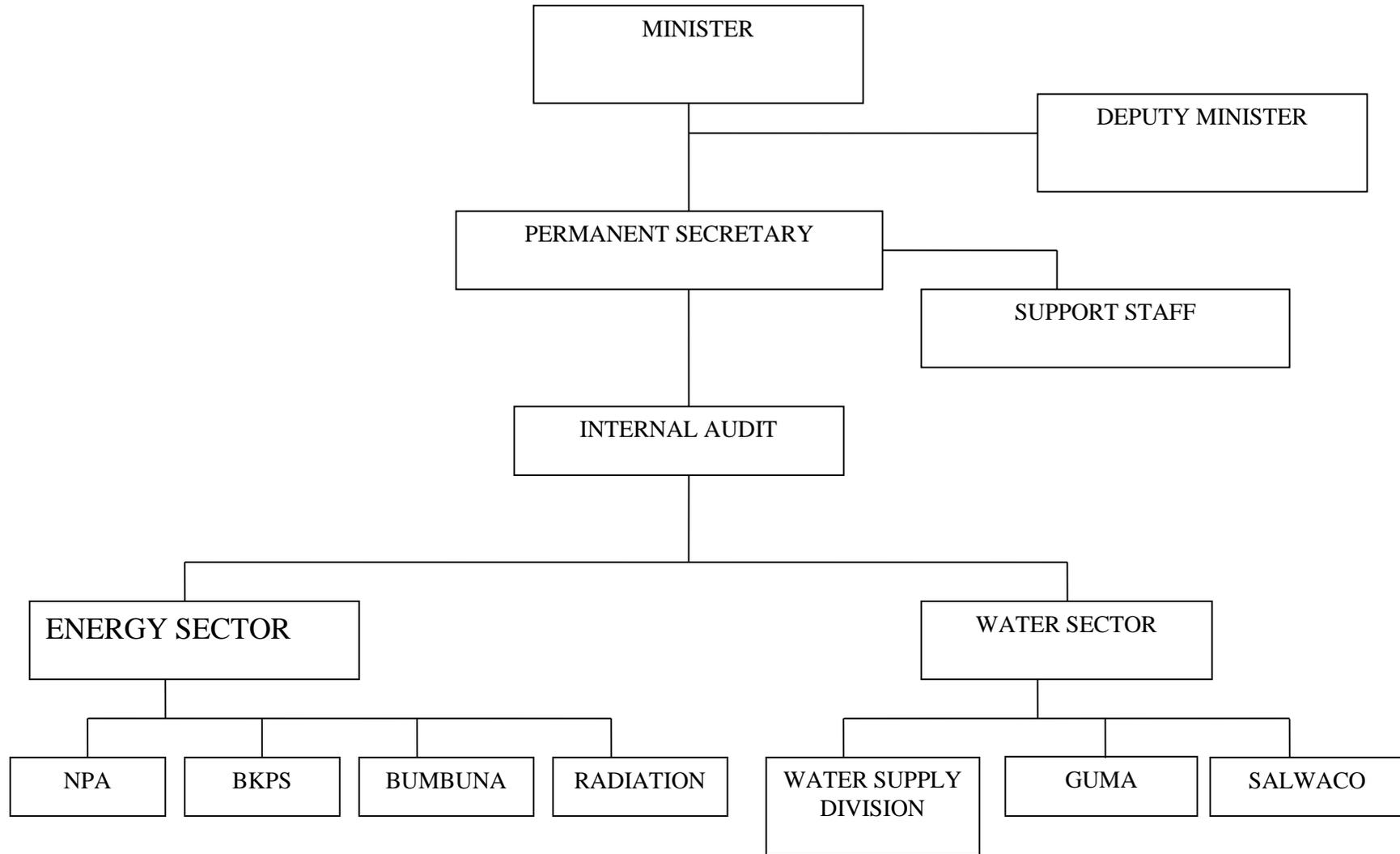
APPENDIX 2 – CURRENT ORGANOGRAM OF THE MINISTRY OF ENERGY AND WATER RESOURCES



APPENDIX 3 - PROPOSED ORGANOGRAM OF DIRECTORATES FOR THE MINISTRY OF ENERGY AND WATER RESOURCES



APPENDIX 4 - PROPOSED ORGANOGRAM OF THE MINISTRY OF ENERGY AND WATER RESOURCES



CIVIL SOCIETY VIEWS

CIVIL SOCIETY VIEWS AND RECOMMENDATIONS ON THE SYTEMS AND PROCESSES OF THE MINISTRY OF ENERGY AND WATER RESOURCES

The following problems were identified as factors for the low output of the Ministry:

1. Lack of professionals to provide expert advice for the efficient functioning of the Ministry.
2. No proper collaboration between the Ministry and the utilities giving rise for to be working on their own.
3. No proper monitoring and supervision of parastatals activities making it difficult to be distributed proportionately to the general public.
4. No proper auditing system on the activities of parastatals.
5. Lack of coordination among the utilities resulting to emerging and new settlements to be denied of basic utilities.
6. The Ministry lacks professional lawyers on energy and water issues to negotiate contracts for the benefit of the public.
7. Water and electricity bills are done indiscriminately without proper regulations.
8. Deforestation in the Western Area is said to be responsible for the inability of Guma to provide pure drinking water to the Freetown populace.
9. Guma is incapacitated to supply the current population of Freetown.

The following recommendations were made by civil society:

1. More professionals particularly engineers should be recruited by the Ministry to provide expert advice.
2. A lawyer with expertise in energy law should be recruited to assist the Ministry in contract negotiations and other technical areas.
3. There should be proper monitoring and supervision of parastatal activities for efficient and effective service delivery.
4. There should be proper coordination among parastatals for the supply of utilities especially with the new and emerging settlements.
5. There should be proper regulation for electricity and water bills.
6. The government should construct another dam to supplement the efforts of Guma
7. Participants called for proper collaboration between the utilities and the Ministry for efficient and effective service delivery.

LIST OF PEOPLE CONSULTED

MINISTRY OF ENERGY AND WATER RESOURCES

Professor Ogunlade Davidson, Minister of Energy and Water Resources
Mr. Martin Bash Kamara, Deputy Minister, Energy and Water Resources
Mr. A.R. Bayoh, Permanent Secretary
Mr. Usman C. Conteh, Senior Assistant Secretary
Ms. Elizabeth D. Khonte, Staff Superintendent
Mr. Bakie Kemoh, 3rd Grade Clerk

WATER SUPPLY DIVISION

Mr. W.A. Koroma, Chief Engineer, Water Supply Division
Mr. Lamin K.S. Souma, Senior Executive Engineer
Mr. Francis Moijueh, Executive Engineer

SIERRA LEONE WATER COMPANY

P.K Lansana, Director-General

RADIATION PROTECTION BOARD

Mr. J.S. Kongo, Executive Secretary

NATIONAL POWER AUTHORITY

Mr. Zubairu Kaloko, General Manager

GUMA VALLEY WATER COMPANY

Mr. Ibrahim Wilson, General Manager

WATER GROUP LIMITED

Mr. Ibrahim Samuel Kabia, Consultant
Mr. Alfred H.U. Barlatt, Consultant