



REPUBLIC OF ZAMBIA

REPORT

OF THE

COMMITTEE ON CABINET AFFAIRS

FOR THE

FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

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REPORT OF THE COMMITTEE ON CABINET AFFAIRS FOR THE FIFTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

1. MEMBERSHIP OF THE COMMITTEE

The Committee consisted of Dr M Imakando, MP, (Chairperson); Mrs M C Chonya, MP (Vice Chairperson); Mr L Kintu, MP; Dr M Malama, MP; Mr S Tembo, MP; Mr C M Zulu, MP; Mr S Chungu, MP; Dr C K Kalila, MP; Ms G Katuta, MP; and Mr R Mwewa, MP.

The membership of the Committee changed after the demise of Mr R Mwewa, MP, who was replaced by Mr K Kampampi, MP.

The Honourable Mr Speaker
National Assembly
Parliament Buildings
LUSAKA

Sir

The Committee has the honour to present its Report for the Fifth Session of the Twelfth National Assembly.

2.0 FUNCTIONS OF THE COMMITTEE

The functions of the Committee were in accordance with the National Assembly Standing order No 157 of 2016.

3.0 COMMITTEE'S PROGRAMME OF WORK

Committee's Programme of Work for the Fifth Session of the Twelfth National Assembly was as set out below.

- (a) Consideration of the Action-Taken Report for the Fourth Session of the Twelfth National Assembly.
- (b) Consideration of the topical issue: *“Review of the Operations of the Teaching Service Commission in the Welfare of Teachers in Zambia”* and

4.0 PROCEDURE ADOPTED BY THE COMMITTEE

The Committee held a total of eleven meetings to interact with various stakeholders in line with its programme of work during the Session. The Committee requested for detailed written memoranda on the topic under consideration from various stakeholders. The stakeholders also appeared before the Committee and made oral submissions.

5.0 ARRANGEMENT OF REPORT

The Committee's Report is organised in two parts. Part I contains the topical issue on which the Committee undertook a study. This part also presents the findings, observations and recommendations of the Committee. Part II contains outstanding issues arising from the Action-Taken-Report on the Committee's Report for the Fourth Session of the Twelfth National Assembly and the Action-Taken Report on the Report of the Committee on Cabinet Affairs on the Auditor General on the Performance Audit of Preparedness for Implementation of Sustainable Development Goals in Zambia for the Period 2015 to 2018.

PART I

CONSIDERATION OF TOPICAL ISSUE

6.0 REVIEW OF THE OPERATIONS OF THE TEACHING SERVICE COMMISSION IN THE WELFARE OF TEACHERS IN ZAMBIA

6.1 Background

In the recent past, stakeholders in the education sector expressed concern over the continued delays in the confirmation of teachers by the Teaching Service Commission. The Terms and Conditions of Service for the Civil Service in Zambia clearly stipulate that teachers need to be confirmed six months after being employed. The delays in confirmations disadvantaged the affected teachers as they could not benefit from some of the incentives enjoyed by confirmed teachers such as study or vacation leave.

The service commissions, among others, included the Civil Service, Police Service, Correctional Service, Local Government Service and Teaching Service fell under the ambit of the Cabinet Affairs portfolio. In performing its oversight role on the Executive, the Committee on Cabinet Affairs resolved to review the operations of the Teaching Service Commission in the welfare of teachers in Zambia.

The mission of the Teaching Service Commission was to manage human resource in the Teaching Service for quality education. The goal of the Teaching Service Commission was to perform its constitutional roles and functions diligently, effectively and transparently taking into account merit, experience, fairness and justice.

In light of the above, the Committee resolved to study, in detail, the operations of the Teaching Service Commission in Zambia.

6.2 Objectives

The objectives of the study were to:

- (i) ascertain the policy and legal context in which the Teaching Service Commission operates;

- (ii) appreciate the role of the Teaching Service Commission in the welfare of teachers;
- (iii) ascertain the effectiveness of the operations of the Teaching Service Commission;
- (iv) ascertain the level of collaboration between the Teaching Service Commission and relevant stakeholders in the provision of services to teachers;
- (v) appreciate the challenges, if any, faced by the Teaching Service Commission in performing its functions; and
- (vi) make recommendations on the way forward.

In order to gain insight in the inquiry, the Committee interacted with the stakeholders listed below.

- (i) Teaching Service Commission (TSC);
- (ii) Basic Education Teachers Union of Zambia (BETUZ);
- (iii) Secondary Schools Teacher's Union of Zambia (SESTUZ);
- (iv) Zambia National Union of Teachers (ZNUT);
- (v) Professional Teachers Union of Zambia (PROTUZ);
- (vi) Munali Boys Secondary School;
- (vii) University of Zambia- School of Education;
- (viii) Kitwe College of Education;
- (ix) Zambia Institute for Special Education (ZAMISE);
- (x) Ministry of Higher Education;
- (xi) Immaculate Teacher's Training College;
- (xii) Makeni College of Education;
- (xiii) Propenum University;
- (xiv) Copperbelt University;
- (xv) Teaching Council of Zambia (TCZ); and
- (xvi) Ministry of General Education.

SUMMARY OF SUBMISSIONS BY STAKEHOLDERS

Below is a summary of submissions received from stakeholders.

7.0 SUFFICIENCY OF THE LEGAL AND POLICY FRAMEWORK GOVERNING THE TEACHING SERVICE COMMISSION

Stakeholders submitted that the Teaching Service Commission was created under *Article 123 (2) of the Constitution of Zambia (1996)* and its function and modus operandi specified in the *Service Commission Act, Chapter 259 of the Laws of Zambia*. Currently, the Teaching Service Commission was among the Service Commissions that were re-established under *Article 223 of the Constitution of Zambia Act as amended by Act No. 2 of 2016*. It drew its mandate from the *Service Commissions Act, No. 10 of 2016*, and *Service Commission Regulations of 1971*.

The Committee heard that the term “teacher welfare” referred to working conditions that enabled teachers to render a professional service, offering excellent service and created a conducive working environment. The Teaching Service Commission working with other stakeholders such as the Ministry of General Education, Teaching Council of Zambia, Cabinet Office, Teacher Unions and the Public Service Management Division provided direct staff welfare of teachers such as housing, loans, medical insurance, funeral schemes and wages.

7.1 Legal Framework

The Committee was informed that the legal framework within which the Teaching Service Commission operated included, among others, the:

- (i) *Constitution of Zambia (Amendment) Act, No. 2 of 2016;*
- (ii) *Service Commissions Act, No. 10 of 2016;*
- (iii) Teaching Service Commissions Regulations of 1971; and
- (iv) Government Gazette Notice No. 816 of 2016.

The purpose of the legal framework was to establish and regulate the functions of the Teaching Service Commission. Specifically, Articles 223 and 224 of the Constitution provided for the establishment of the Teaching Service Commission, constitution of offices in the Teaching Service and regulation of its functions. Further, the *Service Commissions Act*, provided for a principled and value based decentralised human resource management system for the public service; composition, additional functions, operations and financial management of the Teaching Service Commission.

The Committee was informed that the legal framework within which the Commission operated was adequate. However, the Commission relied on the old *Teaching Service Regulations of 1971* which had not been amended and hence were inconsistent with the *Service Commissions Act, No. 10 of 2016*. This posed some challenges. For instance, where as the 1971 regulations provided for delegation by the Teaching Service Commission of appointment of officers from teachers to principles of colleges of education to the responsible officer who was the Permanent Secretary, the *Service Commissions Act, No. 10 of 2016*, delegated these functions to the Human Resource Management Committees (HRMCS).

The Teaching Service Commission had made tremendous progress in ensuring that the *Service Commissions Act, No. 10 of 2016*, was operationalised in as far as the delegating of some of its functions to the lower levels through the Human Resources Management Committees was concerned. This would empower the lower levels in processing human resource cases in an efficient and effective manner, while upholding the principles and values of human resource management in the public service.

7.2 Policy framework

Stakeholders submitted that the policy framework guiding the operations of the Teaching Service included the:

- (i) Teaching Service Commission Strategic Plan and Balanced;
- (ii) Score Card 2019-2021;
- (iii) Terms and Conditions of Service for the Public Service;
- (iv) Disciplinary Code and Procedures for Handling Offenses in the Public Service; and
- (v) Code of Ethics for the Public Service and Teachers.

The Committee was informed that the above policy documents were complemented by other administrative circulars and instructions issued by Cabinet Office. The purpose of the policy documents was to provide a framework for the efficient and effective day to day operations of the Teaching Service.

The Committee was informed that the policy framework within which the Commission operated was adequate. At the moment, the Commission working with other Government institutions was aligning some provisions in the Terms and Conditions of Service with the provisions of the *Employment Code Act*. For instance, the *Employment Code* provided that an officer should have served for three months before they were due for confirmation. However, the terms and conditions of service provide for a six months period.

8.0 THE ROLE OF THE TEACHING SERVICE COMMISSION IN THE WELFARE OF THE TEACHERS IN ZAMBIA

Stakeholders submitted that the functions of the Commission were stipulated in the *Service Commissions Act, No. 10 of 2016*, which included, among others, to:

- (i) second, transfer, re-grade and separate employees in the Teaching Service;
- (ii) facilitate the transfer of staff across the Service Commissions;
- (iii) transfer employees from one Government institution to another within the Teaching Service;
- (iv) authorise the holding, reduction, deferment or suspension of salary of an employee in the Teaching Service;
- (v) hear and determine complaints and appeals from employees whose cases had been referred to it by Government institutions within the Teaching Service;
- (vi) in consultation with the Teaching Council, set and promote a code of ethics and human resource management principles and values for the Teaching Service;
- (vii) establish standards and guidelines for human resource management in the Teaching Service;

- (viii) impose appropriate sanctions, including withdrawal of human resource management functions, on erring Government institutions within the Teaching Service; and
- (ix) to perform such functions as are necessary or incidental to the regulation of human resources management in the Teaching Service.

The Committee was also informed that the provisions of the *Service Commissions Act, No. 10 of 2016*, did not expressly provide for the Teaching Service Commissions to collaborate with the relevant employee representatives such as teachers' unions on reviewing Conditions of Service and remuneration of teachers through collective bargaining. However, this function was carried out by the Ministry of General Education which was delegated to carry out some of the human resource functions of the Commission and the Public Service Management Division. On the other hand, the Teaching Council of Zambia was assigned this function under section 6(i)(1) of the *Teaching Profession Act, No. 5 of 2013*. However, many of the provisions of various collective agreements signed between the Government and the teachers' unions had a direct bearing on teacher's welfare.

Part IV of the *Service Commissions Act, No. 10 of 2016*, provided for Human Resource Management and the establishment of Human Resource Management Committees in every Government institution which among other functions, would make recommendations to the relevant responsible officer on all appointments, confirmations, promotions, separations, re-gradings,, secondments, transfers and disciplinary actions.

In term of discharge or retirement from the Public Service, the legal framework was provided through the:

- (i) *Public Service Pension Fund Act, of 1996*, read together with Statutory Instruments No. 63 of 2014, and No. 24 of 2015, with regard to public service retirement age; and
- (ii) *National Pension Scheme Act, Chapter 256 of 1996*, as amended through the *National Pension Scheme (Amendment) Act, No. 7 of 2015*, on retirement age to the public and private sectors for employees who were engaged on or after 1st February, 2000.

9.0 THE LEVEL OF COLLABORATION BETWEEN THE TEACHING SERVICE COMMISSION AND STAKEHOLDERS IN THE PROVISION OF SERVICES TO TEACHERS

The Committee was informed that the importance of collaboration between the Teaching Service Commission and stakeholders in the provision of services to teachers could not be over emphasised. The Committee learnt that when individual persons and institutions worked together openly, processes and goals became more aligned, leading the group towards a higher success rate in terms of achieving a common goal. Collaboration spurred creativity, improved productivity and increased employee satisfaction with the right mindset. The Teaching Service Commission of Zambia collaborated with a number of stakeholders as outlined below.

- (i) **Ministry of General Education:** The Teaching Service Commission collaborated with the Ministry of General Education in matters of human resource management which, among others, included: supervision, deployment or transfer of staff within the Ministry, recommendation, for promotions and disciplinary matters.
- (ii) **Teaching Council of Zambia:** The Teaching Service Commission collaborated with the Teaching Council of Zambia on professional regulation. Teaching Service Commission in consultation with the Teaching Council of Zambia set and promoted a code of ethics and ensured compliance. In the event of a dismissal after a disciplinary process, the Teaching Service Commission informed the Teaching Council of Zambia for appropriate action in accordance with the *Teaching Professions Act, No.5 of 2013*.
- (iii) **Teacher Unions:** The Teaching Service Commission collaborated with the teacher unions on a number of issues which included consultancy but above all disciplinary issues against employees (teachers) because of failure to follow the code of ethics. Unions sat in disciplinary committees to hear and defend their affected members. Further, the unions had a duty to propagate any instruction and directive issued by the Teaching Service Commission. Unions also acted as a watchdog in the manner the Teaching Service Commission was discharging its duties towards teachers.
- (iv) **Civil Society Organisations:** The Teaching Service Commission collaborated with civil society organisations (CSOs) in a number of ways, which included consultancy to do with teacher recruitment, and girl-child education, among others. CSOs supported the provision of services to teachers such as construction of houses and provision of teaching and learning materials for teachers and learners, respectively.
- (v) **Faith Based Organisations (FBOs):** The Teaching Service Commission collaborated with faith based organisations on a number of issues aimed at providing services to teachers. Apart from running schools in which the Teaching Service Commission sent its teachers, the FBOs also provided consultancy to the Commission when contracted.

10.0 EFFECTIVENESS OF THE OPERATIONS OF THE TEACHING SERVICE COMMISSION WITH REGARD TO THE WELFARE OF TEACHERS IN ZAMBIA

The Committee was informed that a number of strategic plans, interventions and guidance had been developed by the Commission to ensure that teachers were served effectively. This could be seen in the effectiveness of the Commission's operations in the monitoring of the payments of the Rural Hardship Allowance as well as Housing Allowance for those that were entitled to such incentives. However, there was room for improvement in other areas. For example, it took too long for one who was employed as a teacher at a lower salary scale to be upgraded to an appropriate scale to match the qualifications possessed. Further, it had been observed that the Commission had failed to effectively collaborate with the Ministry of General Education with

regard to handling of transfers, appointments and promotions on a number of occasions. This was evident through the large numbers of victims who continued to complain against the ineffective collaboration between the Ministry and Commission when it came to addressing the aforementioned matters.

11.0 CHALLENGES, IF ANY, FACED BY THE TEACHING SERVICE COMMISSION IN PERFORMING ITS FUNCTIONS

Stakeholders submitted that despite the Teaching Service Commission being able to perform its functions adequately, it appeared to be facing a number of the challenges as outlined below.

(a) Non Implementation of the Teaching Service Commission Structure

The structure that was approved in November, 2016, had not been implemented due to lack of Treasury Authority. Efforts to obtain Treasury Authority had proved futile. Needless to say, the non-implementation of the new structure was affecting the operations of the Commission.

(b) Payroll mismatch

Some teachers had physically moved from rural to urban schools whilst still drawing salaries from those establishments. This meant that the vacated positions could not be filled, hence causing artificial shortages of teachers in the rural areas, while schools in urban areas were over staffed. As a result, it was difficult for the Commission to replace the teachers who migrated to urban areas because of limited space on the payroll ultimately perpetuating a shortage of teaching staff in affected rural schools.

(c) Frozen positions and schools without Treasury Authority

Stakeholders noted that a good number of administrative positions in schools were frozen and some schools did not have Treasury Authority to fill those positions. This resulted in officers acting on higher positions without getting the equivalent of the required pay, thereby demotivating the teaching staff. The lack of Treasury Authority made it difficult for the Commissioner to confirm and pay teachers who had been acting on higher positions to be upgraded to appropriate salary scales.

(d) Schools with lean establishments or structures

Stakeholders submitted that over the years, the population in the catchment areas where these schools were situated had grown tremendously. However, some schools were operating with an old establishment. This called for the expansion of these establishments. Stakeholders observed that because school establishments remained unrevised to match the growing population in certain areas, it was difficult for the Commission to deploy teachers in such areas.

(e) Ungazetted and gazetted Schools

Stakeholders noted that some schools were fully operational, but without funded establishments. Officers appointed to administrative positions in these schools performed administrative duties without being paid appropriate salaries. This demotivated the teachers and negatively affected their welfare. Additionally, teachers were drawn from other schools to provide a service in these schools without funded establishment. This created a shortage of teachers at schools where teachers were drawn. Further, the lack of funded establishments made it difficult for the Commission to replace teachers drawn from fully funded establishments as well as paying appropriate allowances to those appointed to administrative positions.

(f) Remunerations and Conditions of Service

The Committee was informed that the Commission did not play a direct role in improving remunerations and conditions of service for its employees. Instead, this was done by proxy through the Ministry of General Education and the Public Service Management Division (PSMD) which was generally responsible for human resource issues in the Public Service. As a result, it was difficult for the Commission to address issues that were related to conditions of service as the role was assigned to the Ministry.

(g) Appointments

The Committee was informed that appointments by the Teaching Service were made on behalf of the President, subject to the provisions of the Constitution of Zambia. No appointment could be made unless the post was approved, funded and vacant. Except where authority to make appointments had been delegated by the Commission, no appointment could be made without prior approval by the Commission. The Ministry of General Education was facing a huge deficit of teaching personnel, despite the availability of trained teachers who were unemployed. In the last two to three years, the Commission had not carried out any net recruitment to increase the numbers over and above the current levels. Very few new teachers had been employed to replace the retired, deceased, dismissed or those who had resigned.

The deficit of more than 30,000 teachers meant that those available were often overburdened with work. This was very true with schools in rural areas and in subject areas such as Science, Mathematics, Design and Technology, Computer and Business Studies in the secondary school sector. The case of the low number of teachers in these subject areas was twofold: low numbers of teachers who graduated in those subject areas and attractive incentives elsewhere compelled the teachers to resign or, indeed, not take up jobs offered by the Government. The lack of incentives to attract and retain teachers in the subject areas such as Mathematics, Design and Technology, Computer and Business studies made it difficult for the Commission to retain teachers in the service.

(h) Promotions

The Committee was informed that generally promotions were made when a vacancy occurred, taking into consideration the qualifications, competence, experience, good conduct and good

performance of eligible officers. A vacant post could be advertised internally or through the public media. However, it was observed that the Teaching Service Commission did not advertise vacant positions as often as they occurred. Instead, recommendations were silently raised by supervisors at the instigation of others higher up the administrative ladder. This method lacked transparency and was subject to abuse. As a result, accusations of favoritism, tribalism and nepotism were common because the vacant posts were not subjected to fair competition.

Another aspect which created discontent was the situation where a vacant position in a particular district was filled up by an “outsider” even when there were competent local officers. Further, in some cases, teachers who had been sent to hard-to-reach areas and had endured the hardships for a long time were overlooked in terms of promotion in preference to teachers who developed their career in a relatively comfortable environment.

In addition, the last five to eight years, a number of primary schools had been ‘upgraded’ into secondary schools. However, more than 600 such schools were not gazetted and, as such, had no establishment and, therefore, no Treasury Authority. A number of subject teachers had been ‘promoted’ to act as heads of department, deputy head teachers as well as head teachers for administrative convenience only. Similarly, officers had been promoted to positions of District Education Board Secretaries, District Education Standards Officer and Standards Officers in newly created districts which had no establishments.

In the two scenarios above, the promoted officers were not receiving the substantive salaries for the positions they held and some had been reverted to their old substantive positions without any form of compensation for the work they carried out. Since the Commission only received recommendations for promotion through the line Ministry, it had limited control on who was finally promoted.

(i) Transfers

Stakeholders submitted that as a general rule, an officer could be transferred to any duty station where his or her services were required. Transfers could also be initiated by the officer to fill a vacant and funded post, other than on promotion. In respect of the first appointment or a transfer initiated by a responsible officer or the Commission, an officer would be eligible for payment of Settling-in-Allowance as provided for in the Terms and Conditions of Service for the Public Service or Collective Agreements between the Government on one hand and the teachers’ unions on the other.

However, the Committee learnt that transfers did not always arise from the principles outlined above and neither did the Commission have a direct bearing on the same. Teachers had observed as outlined below.

- (i) Some transfers were done as disciplinary measures, often without the responsible officer clearly establishing the offence committed.
- (ii) Supervising officers could sometimes instigate a transfer on grounds of perceived threats to their authority by an individual or a group of teachers.

- (iii) Some teachers were transferred for their perceived involvement in partisan politics and such teachers were often sent to hard-to-reach areas as a form of punishment or to separate them from the communities which they were perceived to be influencing.

The above scenario created discontent and mistrust in the system, resulting in poorly motivated teachers because teachers transferred under the circumstances described above would not feel comfortable in their new stations and neither would their new colleagues.

Another demotivating factor was the non-payment of Settling-in Allowance to officers who had been transferred and the failure to provide transport logistics by the concerned authorities. In many instances, officers were forced to report to their new stations at their own cost, failure to which they were threatened with disciplinary action. This practice had been allowed to go on to the extent that it had become the norm and was not considered to be a breach of the Terms and Conditions of Service. Since the Teaching Service Commission had not explicitly come out to stop or condemn the practice, the Commissioner was perceived as an accomplice.

(j) Confirmations

The Committee was informed that generally, an officer appointed to the Public Service on probation shall not be admitted as an Established Officer until he or she had served for a minimum six months satisfactory service. Such an officer could apply to the responsible officer for admission as an established officer three months before the expiry of the probation period. This entailed that an officer's application to be admitted as an established officer must reach the Commission in the shortest possible time.

The current practice where the Commission sat periodically in a given region to deal with human resource matters which were submitted through the bureaucratic arrangement, often delayed confirmations. The Committee was informed that field visits by some stakeholders revealed that some teachers had not been confirmed even after being employed for periods ranging from one to ten years. In a letter dated 28th February, 2020, and addressed to the Secretary to the Cabinet, the Commission did admit that because of being highly centralised, cases took long to move from districts to provinces and the Ministry of General Education headquarters before finally reaching the Commission. The process caused some cases to reach the Commission after a delay of between six months and one year. Naturally, the anxiety created by the delay in confirmations demotivated the teachers.

(k) Re-grading

The Committee was informed that in the Teaching Service, employees were appointed either as subject teachers or class teachers and were placed in salary scales according to their qualifications at the point of entry. However, teachers were permitted to further their training as outlined hereunder.

- (i) Teachers could undertake a course of studies within the same sector in order to attain a higher qualification. For instance, they could upgrade from a secondary school diploma to a degree qualification.

- (ii) They could also undertake a course of studies in another sector in order to attain a qualification which would enable them to switch to that sector. For example, a primary school diploma holder could upgrade to a secondary school degree qualification.

For purposes of paying the appropriate remuneration, the officer's salary scale must be re-assessed or re-graded. As pointed out earlier, the Ministry of General Education formed part of the Government Collective Bargaining Unit to consider reviews of remunerations and Conditions of Service for teachers. The Ministry also acted as a conveyor of the Commissions functions and, therefore, played a key role in ensuring efficient delivery of service. Some of the shortcomings of the Commission could be attributed to the inefficiencies inherent in the Ministry's bureaucracy.

In 2013, a Joint Technical Committee of Government and Teachers Unions undertook a survey to establish the extent of the number of teachers who needed to be re-graded. The survey revealed that approximately 44,000 teachers needed to be re-graded. This huge number entailed that a corresponding number of vacant and funded posts be available.

To circumvent this challenge, the Government and unions agreed that these teachers be automatically migrated to appropriate salary scales without regard for the existence of vacant and funded posts, which situation was the direct result of using an outdated establishment of the Ministry of General Education. The process commenced in January, 2016, but was halted by the Treasury on account of the huge cost.

In 2017, the Government and unions once again carried out an assessment to determine the number of teachers to be re-graded or re-assessed. The number was currently standing at approximately 15,000. Some of these teachers obtained higher qualifications five to eight years ago and, in most cases, at a great cost to themselves. The teachers' hopes to have their expectations met were not being fulfilled resulting in a lot of frustration and demotivation. The Commission's attempt at partially resolving this challenge by using funding earmarked for net recruitment of teachers had failed because the Treasury had not released the funding over the last two to three years. Failure by the Treasury to consistently release funds, made it difficult for the Commission to migrate teachers to appropriate salary scales.

12.0 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Arising from its interactions with the various stakeholders during the long meetings, the Committee makes observations and recommendations outlined below.

1. Review and Harmonisation of Legislative Frame

The Committee observes that the Commission relies on the outdated Teaching Service Regulations of 1971, which are inconsistent with the provisions of the *Service Commissions Act, No. 10 of 2016*. In this vein, the Committee recommends that the *Teaching Service Regulations of 1971*, be realigned to bring them in tandem with the *Service Commissions Act, No. 10 of 2016*.

2. Decentralisation of the Teaching Service Commission

The Committee notes that the *Service Commissions Act, No. 10 of 2016*, provides for a principled and value-based decentralised human resource management system for the public service, composition, additional functions, operations and financial management of the Teaching Service Commission. The Committee is aware that the Commission launched Phase I of the formation of District Human Resource Management Committees in Chibombo District of Central Province in June 2018. The Committee is of the view that given the composition of the Human Resource Management Committees, it is believed that matters of appointments, confirmations, promotions, transfers and disciplinary action will, if decentralised at district level, be dealt with more fairly than what is obtaining currently.

In this regard, the Committee recommends that the rolling out of these Committees to other districts be expedited. This will empower the lower levels in processing human resource cases in an efficient and effective manner while upholding the principles and values of human resource management in the public service.

3. Commission's collaboration with stakeholders

The Committee observes that the provisions of the *Service Commissions Act, No. 10 of 2016*, do not expressly provide for the Teaching Service Commission to collaborate with the relevant employee representatives such as teachers' unions on reviewing Conditions of Service and remuneration of teachers through collective bargaining. However, this function is being performed by the Ministry of General Education which is delegated to carry out some of the human resource functions of the Commission and the Public Service Management Division.

In light of this, the Committee recommends that the *Service Commissions Act, No. 10 of 2016*, should provide for collaboration among relevant stakeholders such as the Public Service Management Division, Ministry of General Education, and Teachers' Union on reviewing conditions of service and remuneration of teachers through collective bargaining.

4. Lack of Treasury Authority

The Committee observes with concern that the Teaching Service Commission's structure that was approved in November, 2016, has not been implemented because of lack of Treasury Authority. The non-implementation of the new structure is negatively affecting the operations of the Commission. For instance, frozen positions could not be reactivated because of lack of Treasury Authority. This has resulted in officers acting on higher positions without getting the equivalent of the required pay thereby demotivating the teaching staff.

In view of the foregoing, the Committee strongly urges the Government to ensure that the approved structure of the Commission is adequately funded and filled in order to facilitate the full implementation of its mandate.

5. Confirmations

The Committee observes that the *Employment Code Act*, provides that an officer should serve for three months before being confirmed, but the Terms and Conditions of Service for the Civil Service provide for a six-month period. In this regard, the Committee recommends that the Executive should ensure that the period to be served before teachers are due for confirmation in the Terms and Conditions of Service for the Civil Service are harmonised with the provisions of the *Employment Code* in order to avoid ambiguities.

6. Artificial shortage of teachers in rural areas

The Committee notes that some teachers have physically moved from rural to urban schools but continue drawing salaries from the establishments of the rural schools resulting in a payroll mismatch. As a result, school positions in rural areas cannot be filled and this causes artificial shortages of teachers whilst urban schools are over staffed.

In this regard, the Committee recommends that the Government should put in place measures to ensure that salaries of teachers who are transferred to urban areas are not drawn from their previous establishments in order to avoid artificial shortages of teachers in rural areas and also facilitate the filling of vacated positions.

7. Salaries for administrative positions

The Committee observes with concern that some schools are fully operational but without funded establishments. The Committee is further concerned that officers appointed to administrative positions in these schools perform duties on higher positions without receiving appropriate salaries. The Committee finds both of these developments totally unacceptable.

In this regard, the Committee recommends that the Government should ensure that appropriate financial resources are earmarked for newly upgraded schools. The new schools must be gazetted and their establishments approved and funded appropriately without undue delay.

8. Commission's regional sitting

The Committee observes with concern that currently, the Commission sits periodically in a region to deal with human resource matters submitted through the bureaucratic arrangement which often delay confirmations. In this vein, the Committee recommends that there is need for the Government to ensure that the Teaching Service Commission introduces a fast track teacher confirmation system.

9. Re-grading of teachers

The Committee observes that the last assessment carried by the Government in 2017, revealed that about 15,000 teachers needed to be re-graded or re-assessed. The Committee is aware that the Executive's attempt to resolve this challenge using funds earmarked for net recruitment of teachers failed because the Treasury has not released funds over the last two to three years. In

light of this, the Committee strongly urges the Government to provide adequate resources to ensure that teachers are upgraded to correct salary scales.

10. Allowances

The Committee observes that the non-payment of Settling-in Allowance to officers who have been transferred and the failure to provide transport logistics by the concerned authorities is a demotivating factor to teachers. The Committee finds it unacceptable that in many instances, officers are forced to report to their new stations at their own cost, failure to which they are threatened with disciplinary action.

In light of this, the Committee recommends that the Ministry of General Education should only transfer teachers when funds are available to pay Settling-in Allowances and provide transport logistics. Further, going forward, no teacher should be penalised for failure to report at a new station if transport logistics have not been provided.

PART II

CONSIDERATION OF THE ACTION-TAKEN REPORT FOR THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE TWELFTH NATIONAL ASSEMBLY

11.0 THE ROLE OF THE FINANCIAL INTELLIGENCE CENTRE IN THE FIGHT AGAINST CORRUPTION AND OTHER FINANCIAL CRIMES

Committee's Observations and Recommendations

Arising from its interactions with various stakeholders during the long meetings, the Committee made the observations and recommendations as outlined below.

11.1 Legal/Policy framework

(i) National policy framework

In the previous Session, the Committee had recommended that the Government should expedite the finalisation of the Anti Money Laundering/Counter Terrorist Financing (AML/CFT) National Policy as this would ensure that key money laundering and terrorist financing risks were addressed through collaboration among the various stakeholders.

Executive's Response

The Committee was informed in the Action-Taken Report that the Government through the Ministry of Finance, was finalising the draft AML/CFT National Policy following stakeholder consultations. The Policy gave direction on collaborative mechanisms among stakeholders for effective response in addressing Money Laundering/Terrorist Financing risks in Zambia. It was expected that the Policy would be approved by Cabinet within the year 2020.

Committee's Observations and Recommendations

The Committee notes the submission and requests a progress report on the finalisation of the **AML/CFT National Policy** as this will ensure that key money laundering and terrorist financing risks are addressed through collaboration among the various stakeholders.

(ii) Specific legal or regulatory framework

In the previous Session, the Committee had recommended that the Government should establish a legal, regulatory and institutional frame work to detect, control and adequately develop targeted financial sanctions specific to proliferations financing in order to create awareness on proliferations financing obligations amongst reporting entities.

Executive's Response

The Committee was informed in the Action-Taken Report that the legal, regulatory, and institutional framework to detect and control targeted financial sanctions, specific to proliferation financing obligations existed in Zambia. However, deficiencies were noted in the 2018 mutual evaluation for Zambia relating to the above recommendation which needed urgent attention. The Committee also heard that the Government, through the Ministry of Home Affairs, would be presenting the proposed amendments to the *Anti-Terrorism and Non-Proliferation Act. No. 6 of 2018*, which addressed the deficiencies identified.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

11.3 Efforts made by the FIC and the law enforcement agencies

(i) Information sharing

In the previous Session, the Committee had observed that information sharing was inadequate and inefficient due to non-existence of a shared computer based system between the FIC and state investigative and law enforcement agencies for inputting, storing and retrieval of intelligence information.

In this regard, the Committee had recommended that a computer based information system be installed at FIC through which to input, store, retrieve and share intelligence information for the members of the Anti-Money Laundering Authority.

Executive's Response

It was reported in the Action- Taken Report that the Financial Intelligence Centre had been positioned to undertake analysis in order to validate information meant to establish the main crimes associated with money laundering and terrorist financing. The FIC, law enforcement agencies and other competent authorities had computer systems that were, in some instances, not

interconnected. The Government through Smart Zambia would expedite connectivity among agencies involved in the fight against corruption and other financial crimes.

Committee's Observations and Recommendations

The Committee notes the response and urges the Government to expedite connectivity among agencies involved in the fight against corruption and other financial crimes.

(ii) Case management system

In the previous Session, the Committee had recommended that the Government should set up a case management system to assist in tracking and monitoring the execution of requests.

Executive's Response

The Committee was informed in the Action-Taken Report that the Government was in the process of developing a case management system through Smart Zambia to assist in tracking and monitoring the execution of requests.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the development of a case management system to assist in tracking and monitoring the execution of requests.

CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE THIRD SESSION OF THE ELEVENTH NATIONAL ASSEMBLY.

12.0 OPERATIONS OF THE DISASTER MANAGEMENT AND MITIGATION UNIT

(i) Evolution of the Disaster Management and Mitigation Unit

In the previous Session, the Committee had requested an update on the incorporation of Disaster Risk Management at all levels of the educational curricula.

Executive's Response

In the Action-Taken Report, the Government stated that the Disaster Management and Mitigation Unit had over the years been liaising with the Ministries of General Education and Higher Education to initiate and introduce the development of a curriculum for schools at all levels that was, primary, secondary, colleges and universities on disaster risk management. The inclusion of elements of Disaster Risk Reduction (DRR) in the education system and to mobilise all stakeholders including communities and the private sector had been high on the DRR agenda to ensure that the DRR was fully integrated into school curricula.

The approach to implement the activities by way of development of a school curriculum, training of teachers for teaching the curriculum, building a culture of safety and last but not least an analytical study of the level of understanding of teachers and students in disasters and their risks was very important. It was essential to critically probe the Education Policy and curriculum revision cycle and plan ahead, so that the necessary steps could be taken to introduce disaster risk reduction concepts to the curriculum development board. This would provide enough time for the concerned agencies to develop a relevant curriculum related to disasters, train the teachers and also pilot test the curriculum so that any necessary revision could be carried out before the curriculum was adopted for teaching nationwide.

The Committee learnt that it was essential that the policy on disaster risk management highlighted the need for integrating disaster risk reduction into the national curriculum and assigned the responsibility to the Ministries of General Education and Higher Education. Though the process of integration should be led by the education authorities, DMMU should provide technical support to them as well as help in sourcing funds to initiate the process.

DMMU would also play a vital role and help generate political will, since it was strategically placed in the Office of the Vice President.

Committee's Observations and Recommendations

The Committee notes the response and requests an update on the matter.

(ii) National Disaster Relief Trust Fund

In the previous Session, the Committee had requested a progress report on the establishment and management of the National Disaster Relief Trust Fund. Further, the Committee had requested the Government to clearly state the timeline in which the Fund would be implemented.

Executive's Response

It was reported in the Action-Taken Report that the Trust Fund was meant to act as a safety net where resources could be deposited in readiness for any eventuality that could fall within the mandate of the DMMU. An account had since been opened with Zambia National Commercial Bank and that the fiduciary processes for management of the Fund had been developed and the documents "Disaster Risk Financing Strategy" and "Trust Fund Operating Guideline" had been produced. Currently, the Standard Operating Procedures (SOPs) were being worked on.

The Trust Fund would enable financing of all Disaster Risk Management activities for the Government and non-state actors in the Zambian humanitarian sphere. In addition, it would afford DMMU to run **a one-year account** allowing the country to provide continuous service to the humanitarian sphere.

The Fund was to have a donor and business component to ease pressure on the National Treasury.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the implementation of the National Disaster Relief Trust Fund.

(iii) Revision of the Disaster Management Act

In the previous Session, the Committee had requested a progress report on the revision of the *Disaster Management Act, No 13 of 2010*.

Executive's Response

The Committee was informed that the *Disaster Management Act, No 13 of 2010*, was an important milestone in the evolution of a legal framework for disaster management in Zambia. From the time of its enactment, there had not been a comprehensive review of the Act. An analysis and evaluation of the disaster management system in the country needed to be undertaken.

No progress report was available. However, steps had been initiated to review the legislation governing disaster management in the country. An inter-ministerial committee would be constituted that would gather information from all stakeholders, that is, line ministries and agencies, international organisations, the private sector, the media, civil society and academicians regarding the concerns or limitations in the implementation of the Act. The inter-ministerial committee would also study best practices on the subject of disaster management in a selected number of countries as well as hold workshops at the district, provincial and national levels for consultations with all stakeholders regarding the need, if any, for amendments of the Act.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the revision of the *Disaster Management Act, No 13 of 2010*.

(iv) Poor quality houses

In the previous Session, the Committee had requested for a progress report on the provision of support to the communities to build stronger structures.

Executive's Response

It was reported in the Action-Taken Report that a team was constituted to have community engagement and sensitisation in the affected areas (for new buildings and structures being built now) on the need to build structures capable of resisting and withstanding the seismic effects caused by blasting from mining activities. Further, for houses with cracks, a more robust and detailed valuation by the valuation department, and the budget amounting to K13, 276,510.00 was generated, whose budget was awaiting release of funds from the Treasury.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(v) Kapompi bridge

In the previous Session, the Committee had recommended that funds be made available to repair the bridge in order to avoid the loss of lives. The Committee had requested for a progress report on the matter.

Executive's Response

The Committee was informed that the repairing of Kapompi bridge was complete with a better version of the previous structure. It had been strengthened and would stand the test of time despite a few areas of concern such as the following:

- (a) the drainages were not visible on both sides of the roads making the structure exposed to strong water currents from the road. This was currently being addressed; and
- (b) an extension of the road to connect the bridge on both ends of the bridge was being undertaken.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the completion of the works on the drainage and the road extension.

13.0 REVIEW OF THE OPERATIONS OF THE DEPARTMENT OF RESETTLEMENT

(i) Land dispute between Government and Traditional leaders

In the previous Session, the Committee had recommended that the Government should ensure that steps were taken to expeditiously conclude this matter and intensify the sensitisation exercise on the provisions of the draft land policy so as to address the concerns that traditional leaders had over the draft policy, in particular the administration of land. The Committee had requested an update on the matter.

Executive's Response

It was reported in the Action-Taken Report that the concerns that the traditional leaders raised with regards to the administration of land were ironed out and some issues were incorporated in the National Land Policy. The series of meetings with their royal highnesses through the House of Chiefs marked the end of consultations on the draft National Land Policy. The Ministry had planned to hold a national validation meeting in the first week of April 2020 but this had not materialised due to COVID 19 outbreak.

The Ministry, went further to consult Cabinet Office on the validation of the National Land Policy in view of the epidemic. Cabinet Office advised the Ministry to go ahead to have the policy validation through written comments and submissions. The Ministry had since received written comments from a number of stakeholders representing an array of sectors which included but not limited to, the academia, private sector, non-governmental organisations and cooperating partners.

The Ministry through its internal technical committee on the National Land Policy had proceeded to consider the submissions received from various stakeholders and was yet to be guided by policy makers whether or not physical validation could take place notwithstanding the epidemic of COVID19.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(ii) Increased number of internally displaced citizens

In the previous Session, the Committee had expressed concern over the delay in harmonising the relevant legislation so as to protect settlers and had urged the Government to expedite the process. The Committee had requested an update on the matter.

Executive's Response

The Committee was informed that the recommendation by the Committee was well noted. However, the Ministry was still in the process of finalising the National Land Policy. Once the policy was in place, the pieces of legislation which pertain to land management and administration would be aligned to the Policy.

Committee's Observations and Recommendations

The Committee notes the response and requests the Government to expedite the finalisation of the National Land Policy. The Committee resolves to await a progress report on the matter.

(iii) Management of schemes by local settlers

In the previous Session, the Committee had recommended that the Government should ensure that the staff structure at the Department of Resettlement was reviewed as a matter of urgency, so that schemes could be managed by staff from the Department who could be held accountable for their operations. The Committee had requested for an update on the matter.

Executive's Response

The Committee was informed that the thirty-nine positions were still frozen. The status quo remained the same. The letter of request to un-freeze positions was written to Public Service Management Division, but there was no response yet.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(iv) Secondary schools at Meheba and Miengwe Resettlement Schemes

In the previous Session, the Committee had requested an update on the construction of secondary schools in Meheba and Miengwe Resettlement Schemes.

Executive's Response

It was reported in the Action-Taken Report that through the District Education Boards Secretary (DEBS) at Kalumbila that there had been no funding allocated for a secondary school because of the delay in the approval of the District Investment Plan.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(v) *Inadequate school infrastructure*

In the previous Session, the Committee had recommended that the Government should ensure that adequate school infrastructure was provided to the schools in the scheme. The Committee had requested for an update on the matter.

Executive's Response

The Committee was informed that in Meheba Resettlement Scheme, there had been no additional classrooms built in the period under review, except for twenty-one toilets that would be built in the four schools before the end of 2020, with support from UNICEF and the Germany Government.

Further, a borehole had been drilled at Block G school in the scheme with support from UNICEF. A play park was constructed with support from UNDP at the same school at the cost of \$9,000 so as to encourage children to attend school. In addition, seventy desks had been donated to the same school.

At Miengwe School, a water borne ablution block had been constructed.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(vi) Inadequate Staff accommodation

In the previous Session, the Committee had recommended that the Government should ensure that adequate accommodation was provided to teachers, health workers and agricultural staff at the schemes in order to enable them to perform their duties effectively. The Committee had requested an update on the matter.

Executive's Response

It was reported in the Action-Taken Report that in Miengwe Resettlement, two blocks of four (2x04) housing flats had been constructed at Miengwe school and were due for occupation by a total of eight members of staff. The Government partnered with an NGO called Copperbelt Development Foundation (CDF) on this project.

As for Meheba, the Government in partnership with UNDP had released \$130,000 for the construction of five standard houses for different sector staff in the Scheme. The Project was at valuation stage.

Committee's Observations and Recommendations

The Committee notes the response and requests for a progress report on the matter

(vii) Poor road connectivity

In the previous Session, the Committee had requested an update on the construction of roads in the resettlement areas.

Executive's Response

It was reported in the Action-Taken Report that due to limited fiscal space, the Government did not release the budgeted amount of K160,000 for road renovation in North-Western Province. However, working with partners, UNDP funded rehabilitation of three small bridges and graded a 4 kilometre road in Meheba. Works were carried out by Zambia National Service (ZNS)-Solwezi.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(viii) Poor telephone network

In the previous Session, the Committee had urged the Government to consider constructing more communication towers in order to enhance telephone connectivity in the resettlement schemes. The Committee had requested an update on the matter.

Executive's Response

The Committee was informed that the Government was still implementing the construction of Communication Towers Phase II Project and was on track in meeting the schedule of completion by fourth quarter of 2020. The Government had commenced the construction of 776 towers with 774 currently completed and 717 operational. In addition to the new constructions, 729 towers were upgraded and 720 of these were operational.

Further, the Government would only undertake surveys to determine the gaps of network coverage once it had completed the construction of Communication Towers Phase II Project.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(ix) Lack of farming inputs

In the previous Session, the Committee had recommended that the Government should facilitate titling of properties in the scheme in order to enable the settlers to have access to finances through the acquisition of loans. Further, the Committee had urged the Government to expedite the land titling process to enable the settlers have access to loans and requested a progress report on the matter.

Executive's Response

It was reported in the Action-Taken Report that the Ministry of Lands and Natural Resources was committed to ensuring that properties in resettlement schemes were issued with Certificates of Title. This was to ensure that settlers were guaranteed security of tenure as well as collateral to access finances from financial institutions. The implementation of this Programme had been hindered by limited resources to undertake the most critical activity of surveying. However, from the limited resources, the Ministry in collaboration with private surveyors had surveyed about 2,826 properties. Out of these, 222 properties in resettlement schemes were on Title and 689 were at offer and application stages. The slow pace in the process of issuance of Certificates of Title had been attributed to the non-payment of statutory fees by the property owners. With the up-scaling of the National Titling Programme (NLTP), the resettlement schemes would also be targeted so that more properties were issued with Certificates of Title.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(x) Extension Services

In the previous Session, the Committee had requested a progress report on procurement of motor bikes for extension officers in the resettlement schemes.

Executive's Response

It was reported in the Action-Taken Report that the Land Resettlement Programme was an inter-ministerial activity executed by the department of resettlement under the Office of the Vice-President. The department was concerned with resettling the unemployed, retired, retrenched, displaced and disabled persons in order to make them self-sufficient. It also coordinated the provision of infrastructure to resettlement schemes and conducted mobilisation and provision of extension and other support services to settlers in order to promote household food security

The Committee was informed that all the resettlement schemes fell under the Ministry of Agriculture and camps that were manned by extension officers. The Government, through the Ministry of Agriculture had been procuring motor bikes for use by these extension officers to make their work easier. For instance, 258 and 150 motor cycles were procured in 2017 and 2018 respectively. A further 213 motor bikes were procured in 2019 for the extension officers.

However, the procured motor bikes were not enough for all the extension officers. It was for this reason that the Ministry of Agriculture was making constant efforts to procure motor bikes for all the remaining extension officers and priority would be given to extension officers in resettlement schemes.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the procurement of motor bikes for extension officers in the resettlement schemes.

(xi) Bridges at Meheba Resettlement Scheme

In the previous Session, the Committee had recommended that the Government should consider constructing bridges on Mwafwe, Meheba and Shikudwe rivers so as to connect to the community in Matebo, Shilenda through to the general hospital and linking block G and F respectively. The Committee had requested a progress report on the matter.

Executive's Response

The Committee was informed that a total of K1,200,000.00 was committed towards the construction of the bridge at Mwafwe stream in Meheba. Kalumbila Town Council had managed to raise K650,000 towards the bridge project and there was a shortfall of K550,000. When the shortfall was raised, then the bridge would be constructed.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(xii) Solar fridges at Meheba Resettlement Scheme

In the previous Session, the Committee had urged the Government to ensure that solar fridges were made available to the clinics. The Committee had requested an urgent update on the matter.

Executive's Response

The Committee was informed that the solar lighting system had been installed at Block H clinic as planned at a cost of \$35,000 by United Nations Development Programme. However, the Ministry of Health was yet to provide the fridges.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the provision of solar fridges to the clinics.

(xiii) Unsafe drinking water

In the previous Session, the Committee had recommended that the Government should put in place measures to ensure that the water in the boreholes was treated in order to prevent epidemics. The Committee had requested for an update on the matter.

Executive's Response

The Committee was informed that the Department of Resettlement had budgeted for funds to drill boreholes in the Schemes. However, due to limited fiscal space, the funds were not released by the Treasury for the activity.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the matter.

(xiv) Provision of electricity

In the previous Session, the Committee had recommended that the Government should ensure that the provision of electricity was extended to all the people living in the schemes.

Executive's Response

The Committee was informed that a feasibility study of connecting power to Meheba Scheme was conducted by Rural Electrification (REA), and a quotation had been handed to the Office of the Commissioner for Refugees, who had initiated the process. The envisaged electrification of the Refugee Centre would also benefit the local integration area of the Resettlement Scheme.

On the other hand Miengwe Scheme was already electrified.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the connection of power to Meheba Resettlement Scheme.

(xv) Inadequate water supply and irrigation

In the previous Session, the Committee had recommended that the Government should ensure that industrial boreholes were drilled so that the settlers could have access to piped water in order to ensure high productivity amongst farmers and mitigate the spread of diseases.

Executive's Response

It was reported in the Action-Taken Report that a total of thirty-seven boreholes had been drilled in Meheba. Twenty-nine of these were in the Refugee Area while two were in the Local Integration Area. The thirty-eight non-functional boreholes had not yet been rehabilitated. They were however receiving active attention.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY

14.0 Establishment of the Parliamentary Committee on Cabinet Affairs

In the previous Session, the Committee had requested an update on the special sensitisation programme to appraise all the concerned institutions on the functions of the Committee on Cabinet Affairs.

Executive's Response

It was reported in the Action-Taken Report that Cabinet Office in conjunction with the Office of the Vice-President (Parliamentary Business Division) planned to hold the special sensitisation programme to appraise all concerned institutions on the functions of the Committee on Cabinet Affairs at a time when the House was not sitting. This was in view of the fact that the programme would require some technical input from some National Assembly Staff. The special sensitisation programme was, therefore, set for April, 2020. The implementation of the programme was, however, disrupted by the onset of the Corona Virus Disease 2019 (COVID-19). The Government still remained committed to having all the concerned institutions sensitised on the functions of the Committee on Cabinet Affairs as soon as the conditions were favourable.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(i) Public Service Reforms

In the previous Session, the Committee had resolved to wait for a progress report on the implementation of the reforms which were expected to be registered in the third and fourth quarter of 2018. The Committee had requested a further update on the matter.

Executive's Response

The Committee was informed that in line with the existing institutional framework for implementation of the National Decentralisation Policy, the Government constituted the Decentralisation Policy Implementation Committee (DPIC) through Cabinet Minute Circular Number 6 of 2016. The Decentralisation Policy Implementation Committee was chaired by the Secretary to the Cabinet and deputised by the Deputy Secretary to the Cabinet (A). It comprised the Secretary to the Treasury, Sector and Provincial Permanent Secretaries and Chairpersons of Service Commissions. The DPIC was mandated to provide leadership and direction on the decentralisation implementation process.

In view of the Corona Virus Disease 2019 (Covid-19) situation and the Public Health Regulations put in place by the Ministry of Health, DPIC had so far only convened once in the first quarter of 2020 and provided guidance on decentralisation implementation. The Committee was also informed that the decentralisation reforms formed part of the indicators for the Seventh National Development Plan. The indicators were closely monitored by the Executive under the Cluster on Pillar 5 (Creating a Conducive Governance Environment for a Diversified and Inclusive Economy).

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(ii) Outdated Public Service Documents

In the previous Session, the Committee had resolved to await a progress report on the review of the policy documents and the finalisation of the guidelines. The Committee had requested a progress report on the matter.

Executive's Response

In the Action-Taken Report, the Executive stated that the vision of Government for decentralisation remained the achievement of a fully decentralised and democratically elected system of governance within a Unitary State in Zambia and one which encouraged community participation in decision-making. In this regard, the Committee may wish to note that the new Service Commissions Regulations have now been issued by the respective Service Commissions. These Service Commissions Regulations have also been gazetted. The regulations would

operationalise the Service Commissions Act, No. 10 of 2016 whose objective was to implement a decentralised human resources management system in the Public and Local Government Services.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the matter.

(iii) Tracking of Progress on Decentralisation

In the previous Session, the Committee had expressed concern at the fact that the Executive launched the pilot implementation of the Decentralisation Programme without taking into consideration some of the critical issues which needed to be ironed out to facilitate the smooth implementation of the Programme. Among the issues which needed to be addressed were the legal framework and the salary structure of the staff to be devolved. The Committee was also concerned that there was lack of matching financial resources to support the devolved system of governance, resulting in delays in the implementation of the programme.

The Committee was further concerned that despite the devolution programme being a Constitutional issue, little had been done by the devolving sectors to actualise the implementation of the Decentralisation Programme.

Furthermore, the Committee had registered disappointment at the slow pace at which the pilot of the Decentralisation Programme was being implemented. The Committee had observed that there was nothing tangible that had been done towards implementation of the pilot project, and operations at the piloted Council were the same as at any other district council in the country. In view of the above, the Committee had recommended as outlined below.

(iv) *Conflicting allocations of functions*

The Committee had recommended that the Executive should urgently address the conflicting allocation of functions to the local authorities and the central Government in the National Decentralisation Policy and the Constitution in order to facilitate the implementation of the Decentralisation Programme. The Committee had requested for a progress report on the matter.

Executive's Response

In the Action-Taken Report, the Executive acknowledged the need to rectify the conflicting functions between the Constitution, Chapter 1 of the Laws of Zambia and the National Decentralisation Policy which were dependant on the outcome of Bill 10. Since the Bill did not succeed at second reading, the Government would decentralise functions as specified in the Constitution. The process would be informed by the Decentralisation Implementation Plan (2021-2025) to ensure a coordinated and smooth transfer of functions.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(iv) Issuance of service regulations and non legislative documents

The Government should ensure that the service regulations and non legislative documents such as Terms and Conditions of Service, Disciplinary Code and the Appeals Code were expeditiously issued by the relevant authorities so as to facilitate the implementation of the Programme. The Committee had requested for a progress report on the matter.

Executive's Response

The Committee was informed in the Action-Taken Report that the Ministry of Justice had since cleared the Service Commissions Regulations and was now awaiting publication. Prior to the clearance of the Service Regulations, the document underwent a validation process by all the relevant stakeholders comprising of Cabinet Office, Public Service Management Division and the four Service Commissions, namely Civil Service, Teaching Service, Local Government Service and the Zambia Police Service Commissions.

The Government had now commenced the review of the non-legislative documents to align them to *the Service Commissions Act No. 10 of 2016, Employment Code Act, No. 3 of 2019, Service Commissions Regulations* and other relevant laws and governing documents. The process was expected to be concluded during the third quarter of 2020, and would facilitate the smooth implementation of the reforms.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(v) Intensify sensitisation on the decentralisation programme

The Government should ensure that sensitisation on the Decentralisation Programme was intensified to avoid resistance and allow for its smooth implementation.

Executive's Response

The Committee was informed in the Action-Taken Report that sensitisation on decentralisation implementation had continued and intensified using multiple platforms. In December 2019, a national conference on decentralisation was held which attracted participation of various stakeholders and whose outcomes were shaping the future of decentralisation implementation in the country. This workshop was followed by yet another workshop focusing on fiscal decentralisation in January 2020 which was attended by various stakeholders including the civil society organisations, media personnel, Government ministries and departments as well as the local authorities. Plans were also underway, to conclude work on the design of the decentralisation website which would increase decentralisation information sharing coverage.

Committee's Observations and Recommendations

The Committee notes the response and requests for a progress report on the establishment of the decentralisation website meant to increase decentralisation information sharing coverage.

(vi) Human resource management reforms

In the previous Session, the Committee had requested an update on the full implementation of the human resource management reforms and the revision of the State Functions Manual. Further, the Committee had recommended that there was need for the Executive to urgently address the conflicting allocation of functions to the local authorities and the central Government in the National Decentralisation Policy and the Constitution in order to facilitate the implementation of the Decentralisation Programme.

Executive's Response

It was reported in the Action-Taken Report that the mismatch between the provisions of the Constitution, as amended by Act No. 2 of 2016 and National Decentralisation Policy was being addressed through the constitutional amendments process which was still on going. In this regard, resolution of the matter would await the outcome of this process.

In the meantime, the following districts had been selected by the Service Commissions for the initial implementation phase of the Human Resource Management Reforms: Chibombo, Kapiri Mposhi, Kitwe, Mansa, Samfya, Lusaka, Kafue, Mazabuka,imba, Choma, Solwezi and Chipata.

The structures and job description for the local authorities were approved. Further, staff audit in Chibombo District was conducted and Registers for employees performing functions to be devolved were prepared by line ministries with approved devolution plans and submitted to the Public Service Management Division. The HIV/Aids Management function had so far been fully devolved to the local authorities.

Committee's Observations and Recommendations

The Committee notes the response and requests a further update on the matter.

(vii) National School of Government

In the previous Session, the Committee had resolved to await a progress report on the establishment of the National School of Government.

Executive's Response

It was reported in the Action-Taken Report that the National Institute of Public Administration (NIPA) was established in 1962, initially as a staff training college for the civil service of the then Northern Rhodesia. At independence on 24th October, 1964, most, if not all key and

strategic positions were occupied by expatriate personnel. Therefore, the decision to establish NIPA arose out of the scarcity of experienced African Administrators and skilled personnel, to take over the administration and management of the Public Service.

Over time, NIPA's various operational constraints became apparent, especially financial resources from Treasury. Therefore, in line with the Public Service Reform Programme (PSRP) introduced in 1993, the Institute was restructured along with other Government ministries and organisations. NIPA underwent various processes, culminating in the enactment of the *National Institute of Public Administration Act, No. 15 of 1998* which paved the way for the transformation of NIPA from a conventional Government training institution, into an autonomous and self-financing one, thereby attracting more learners from outside the public sector.

Public Service Training Gap

The new commercialised NIPA under *National Institute of Public Administration Act, No. 15 of 1998* began its operations in January, 2000. The functions of the Institute under the Act are to:

- (i) provide high quality training, research and consultancy;
- (ii) develop high quality training, research and consultancy in public administration;
- (iii) provide high quality training, research and consultancy in private sector management; and
- (iv) do all such things connected with and incidental to the foregoing.

Consequently, gaps had emerged in the civil service resulting in low levels of skills, competencies, experience and work ethics among public service workers to deliver service according to public expectations.

Establishment of the National School of Government

Given the “damage” occasioned over a period of twenty years in the civil service due the gap left out by the commercialisation of NIPA, there was need for another public institution responsible for learning and development programmes in the public sector with the objective of developing a professional, responsive and capable public sector, driven by the imperative of a developmental state. Further, Zambia was party to the United Nations and African Union Charters on values and principles in public administration. The establishment of the National School of Government under the framework of Gazette Notice No. 836 of 2016 was not sufficient to give effect to the National School of Government to operate as a legal entity thereby placing limits on the operations of the School. Therefore, the operationalisation of National School of Government, both administratively and legally would move the country towards attaining the broad vision of a smart and value centred public service.

Progress to Date

Activities Undertaken

Since the pronouncement of establishing of the National School of Government through Gazette Notice No. 836 of 2016, the main activities undertaken in 2017 and 2018 were to lay the groundwork for institutionalising the School through desk-based benchmarking studies in the region, commonwealth and other countries with similar institutions performing the same mandate. This activity revealed that most Commonwealth countries which adopted the NIPA model had moved to the proposed model of the National School of Government due to changes in the public service such as adopting career based civil service versus a professional civil service or a mix of the two. Further, to the above activities, the construction of the National School of Government building took centre-stage in this period. The School was now operational and was domiciled within NIPA main campus in Lusaka, although operating as a separate entity from its own building.

With a clear mandate based on comparative and country-specific needs, international best practice and availability of physical infrastructure, the Government appointed an Interim Board of Directors on 16th April 2019 to spearhead the operationalisation of the National School of Government; the first Board meeting took place on 25th April 2019. The Board had conducted business of the National School of Government resulting in the attachment of three senior public service officers at management level to the School while two support staff had also been attached to the School due to non-availability of a budget line in the 2019 budget under the Office of the Vice President. In this regard, apart from providing strategic focus and oversight, securing a budget allocation of K216,000 for the National School Government in the 2020 budget as part of operationalising the School was accomplished as a priority for the Board and Management. In this regard, it acquired office assets including a utility motor vehicle for use by the interim chief executive officer.

In 2020, the main focus of the interim Board and Management was to ensure that critical activities towards implementing the mandate of improving the skills, competencies, attitudes and experience among public service workers to deliver according to public expectations were done. In this regard, the National School of Government had since conducted specialised training to 135 non-finance managers in the Ministries of General Education and Health in financial management in collaboration with USAID-AGIS (Accountable Governance for Improved Service Delivery). This specialised training, which was held from 2nd to 6th March, 2020 for Lusaka managers and from 16th to 20th March, 2020 for Kafue managers, was aimed at enhancing financial prudence in the public service in line with the *Public Financial Management Act*. Further, the Induction Curriculum had been revised to include other emerging needs in the public service to make the training relevant to the needs of current staff in the public service. The National School of Government had already commenced Induction, Refresher and Specialised courses in order to enhance performance and appreciation of Government procedures and practices. In this regard, induction programmes for Ministers, Permanent Secretaries and District Commissioners, to start with, had been designed in readiness for implementation in conjunction with Cabinet Office.

Development of the Legal Framework

Efforts to provide for legislation to operationalise the National School of Government was another focus of the Board and Management. As a starting point, seeking Cabinet approval in principle to introduce the National School of Government Bill in Parliament had advanced. It was expected that by the end of 2020, the Layman's Bill which had commenced with input from various stakeholders in the public service would be in place. Once Cabinet gave a seal of approval, the thrust for National School of Government in 2020 and 2021 was to accelerate the process on enacting the National School of Government Bill. The Bill was expected to address the grey areas in terms of mandate, management, resource mobilisation and operational matters of the School thereby enhancing clarity on the roles and responsibilities of the School within the public service in areas such as capacity building through skills development, competencies, and promoting professionalism in order to achieve peak performance in the public service. This effort would significantly contribute to the achievement of a smart and value centred public service as a broad vision of government.

2021 and Beyond

The Committee was informed that through the Office of the Vice President, the Interim Management team had developed a layman's draft legal framework for the National School of Government to provide for the functions, duties and powers to enhance public service delivery in anticipation of Cabinet approval in principle. The Cabinet Memorandum seeking approval in principle had reached an advanced stage.

Beyond 2021, the National School of Government would intensify the public service capacity building programmes in order to enhance service delivery and improve the image of the public service. The National School of Government intends to hold four induction sessions, four in-service sessions, four specialised training programmes and four sessions of obligatory examinations, all organised on quarterly basis. In this regard, an appeal to Treasury to increase the budget allocation to National School of Government had been made in the 2021-2023 Medium Term Expenditure Framework so that the National School of Government was financially enabled to fully undertake and achieve its mandate.

Sustainability of the National School of Government

It was reported in the Action-Taken Report that given the pitfalls of the old NIPA model, efforts had been made as part of benchmarking studies to look at other models that most Commonwealth countries had adopted since the reforms. Due to the resource constraints, the model adopted by the Kennedy School of Government at Harvard University was very appealing due to less staff costs. However, in the development of the National School of Government legal framework, attention would be paid to this model for purposes of maintaining financial viability of the School.

Committee's Observations and Recommendations

The Committee notes the response and requests the Government to expedite the enactment of the National School of Government Bill. The Bill is expected to address the grey areas in terms of mandate, management, resource mobilisation and operational matters of the School. This will enhance clarity on the roles and responsibilities of the School within the public service in areas such as capacity building through skills development, competencies, and promoting professionalism in order to achieve peak performance in the Public Service

(viii) Delayed Funding to Ministries, Provinces and other Spending Agencies

In the previous Session, the Committee had urged the Government to ensure that a funding profile was established. The Committee had resolved to await a progress report on whether the status of funding to MPSAs had improved.

Executive's Response

It was reported in the Action-Taken Report that Treasury internally prepared annual funding profiles were broken down quarterly, monthly and weekly. However the execution of these funding profiles had been challenging due to the revenue constraint. The Treasury would endeavour to inform MPSAs on a quarterly basis on the available resources to enhance budget predictability. Further, the Committee was informed that the status report of funding to the MPSAs would be made available at the end of the 2020 fiscal year.

In addition, the Committee was informed that the Covid-19 pandemic had an adverse effect on the revenue collections and on the funding pattern.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(ix) Classified Daily Employees

In the previous Session, the Committee had requested a progress report on the implementation of the revised human resource management reforms.

Executive's Response

In the Action-Taken Reported, the Government stated that the revision of the non-legislative human resources management documents which included the Terms and Conditions of Service for Public Service and Local Government Service employees had been finalised. The revised non-legislative documents were currently undergoing a quality assurance process before they could be approved for implementation. The process was expected to be concluded in April this year, 2021. Once approved, the provisions would apply to all employees in the respective Service Commissions.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

(x) Dual Reporting System in Government Departments

In the previous Session, the Committee had resolved to await a progress report on the full implementation of the decentralisation policy and urged the Executive to expedite the process.

Executive's Response

It was reported in the Action-Taken Report that in line with the existing National Decentralisation Policy, the Government had continued to streamline structures of Government departments at the provincial and district level. The Government was reviewing the structures for the Provincial Administration. So far, the structures for Eastern Province had been completed and a team of officers were in Southern Province reviewing the structure at the Provincial Administration.

The structure and job descriptions for the local authorities had been developed. The full implementation of the decentralisation policy awaited the outcome of the Constitution amendment process to address the inconsistencies between the Constitution and National Decentralisation Policy.

Committee's Observations and Recommendations

The Committee notes the response and requests a progress report on the matter.

CONSIDERATION OF THE ACTION TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON CABINET AFFAIRS ON THE REPORT OF THE AUDITOR GENERAL ON THE PERFORMANCE AUDIT OF PREPAREDNESS FOR IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS IN ZAMBIA FOR THE PERIOD 2015 TO 2018

15.0 PREPAREDNESS FOR IMPLEMENTATION OF SUSTAINABLE DEVELOPMENT GOALS IN ZAMBIA FOR THE PERIOD 2015 TO 2018

The Committee considered submissions from various stakeholders who included provincial administrations, district and city councils, civil society organisations, the Minister of National Development Planning, the Secretary to the Cabinet and Permanent Secretaries from the Ministry of Local Government, Ministry of Finance, and the Public Service Management Division. The submissions from the stakeholders and the Permanent Secretaries, as well as the observations and recommendations made by the Committee are as set out hereunder.

15.1. MINISTRY OF NATIONAL DEVELOPMENT PLANNING

(i) UN Partnership

In the previous Meeting, the Committee had appreciated the need to extend the current UN Partnership Framework beyond 2021, as the country still needed support towards achieving the SDGs. However, the Committee strongly urged the Ministry to ensure that the cooperation framework was adequately aligned to the 8NDP.

Executive's Response

In the Action-Taken Report, the Ministry stated that the need to have the cooperation framework aligned to the 8NDP, was the principal reason for the Government's decision to have the current Zambia-United Nations Sustainable Development Partnership Framework (2016-2021) extended to 2022.

The Government planned to finalise the 8NDP in 2021, in readiness for its implementation starting in 2022. Hence, the subsequent Zambia-United Nations Sustainable Development Partnership was expected to be fully informed by the priorities and objectives that would be set out in the 8NDP.

Committee's Observations and Recommendations

In noting the submission, the Committee awaits a progress report on the matter.

(ii) Uptake of SDG Targets not aligned to the 7NDP

The Committee had observed that although not all the SDGs had been taken on board, the 7NDP had adequately mainstreamed the SDGs. The Committee had urged the Government to ensure that all the relevant missing targets and indicators were included in the 8NDP.

Executive's Response

In the Action-Taken Report, the Ministry appreciated the guidance to include all the relevant missing targets and indicators in the 8NDP. The Government took cognisance of the various regional and international protocols to which the country was a signatory in order to provide for their implementation by mainstreaming them in the national development agenda. As such, in preparing the 8NDP, the Government would review the various development protocols to which the country was a signatory, including the 2030 Agenda for Sustainable Development Goals to ensure that the relevant missing targets and indicators were included.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

(v) Alignment of Sectoral, Provincial and District implementation plans to 7NDP and SDGs

The Committee recommended that the Ministry of National Development Planning should expedite the development of the National SDGs Indicator Framework in order to provide real time and quality information for policy-making and resource allocation to implement the SDGs.

Executive's Response

In the Action-Taken Report, the Ministry submitted that the National SDGs Indicator Framework had been finalised and was in the process of being printed in readiness for dissemination.

The National SDGs Indicator Framework only contained baseline information against which progress would be measured for various indicators. As regards the targets for the SDGs that had been mainstreamed, these were contained in the 7NDP, as was the case for all other national programmes.

Committee's observations and Recommendations

In noting the submission, the Committee awaits a progress report on the matter.

(vi) Review of the 7NDP and SDGs

The Committee recommended that the Government should ensure that it conducted policy audits and reviewed strategies and plans in order to align policy developments, legislation and frameworks to priority SDGs and the 7NDP.

Executive's Response

In the Action Taken Report, the Ministry submitted that the Government would work to undertake policy audits in order to ensure the alignment of policies and legislation to the Agenda 2030, and other national development priorities through the integrated multi-sectoral approach.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

(ix) Availability and Quality of Data

The Committee, in the previous Meeting, recommended that the Government should ensure successful implementation of the second generation of the National Strategy for the Development of Statistics in order to enhance availability and quality of data, and to improve capacities for SDGs indicator compilation.

Executive's Response

In the Action-Taken Report, the Ministry acknowledged that the increasing need for data and statistics for sustainable development could not be over-emphasised.

According to best practices and guidelines from PARIS 21, the design process of the Second National Strategy for the Development of Statistics (NSDS2) was highly interactive and spanned period of at least eighteen months. The process of developing the NSDS2 for the period 2021-2025, was close to completion with a final draft almost complete.

It may further be noted that the process of developing the NSDS2 had brought to the fore strategic issues which Government had focused on in all technical discussions and various statistical project formulation. This was in addition to the *Statistics Act, No.13 of 2018*.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

15.2 MINISTRY OF FINANCE

(iii) Partial identification of the financial resources required to implement the SDGs.

In the previous Meeting, the Committee had recommended that the Ministry should ensure that the comprehensive cost estimation exercise be undertaken as a matter of urgency in order to realistically determine the financing requirements for the effective implementation of the SDGs.

Executive's Response

In the Action-Taken Report, the Ministry submitted that the budgeting process had been aligned with the National Development Plan whose objectives had further been aligned with the SDGs. With regard to the long-term cost of realising the SDGs by 2030, the Treasury shall continue engaging the Ministry of National Development Planning to ensure that this was mainstreamed in the 8th National Development Plan. The Ministry engaged the United Nations Development Programme with the aim to accessing support for the costing of SDGs for Zambia. However, it was not possible for the support to be provided mid-way into the year, as the activity was not part of the 2020 work plan.

Further, the Ministry, in preparing the 2021 UNDP/MNDP joint Annual Work Plan (AWP) had included the SDG costing exercise as one of the key items to be undertaken in 2021. Once approved by both parties, the MNDP would commence the SDG costing exercise in collaboration with the Ministry of Finance.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

(iv) Innovative ways of mobilising resources

The previous Committee strongly urged the Ministry of Finance to remain committed to working with its partners to develop a more innovative financing strategy for the SDGs.

Executive's Response

In the Action-Taken Report, the Executive submitted that the Treasury shall enhance engagements with the private sector which had great potential to contribute to the development of the country. The Government would continue to work with the private sector on public private partnerships, especially on infrastructure projects. This would not only contribute to national development but also alleviate the fiscal constraints the Treasury was facing to deliver on infrastructure projects. In 2020, the Treasury and cooperating partners launched the Government Service Bus (GSB) which was one of the initiatives aimed at improving resource mobilisation. The GSB would make payments for Government services simple and less costly on both the Government and the public. Further, the GSB would seal revenue leakages, leading to an increase in revenue generation for the Government. The Ministry of Finance would, in addition to the medium-term resource mobilisation strategies promoted in the Economic Recovery Programme (ERP), continue to explore alternative innovative financing options. These included leveraging on the private sector, philanthropy and climate change financing, among others.

Furthermore, the Government made some strides around alternative financing, particularly as it related to climate change financing. As an example, the National Designated Authority for the Green Climate Fund, housed in the Ministry of National Development Planning, recommended climate change projects and plan to the Green Climate Fund Board and other financiers in the context of national priorities. In addition, other projects such as the Zambia Integrated Forest Landscape Project, currently being implemented in the Eastern Province, provided significant climate financing for the country to leverage on. Such alternative financing options also provided the country with a multifaceted approach to addressing the issues of SDGs as they not only enhanced sustainable development, but also contributed to the mitigation of climate change and poverty, among others.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

15.3 CABINET OFFICE

(iii) Legal and Institutional arrangements

The Committee, in the previous Meeting, had recommended that the Government puts in place measures to ensure clarity in institutional arrangements for identifying, creating and managing partnerships between the Ministry of Finance and the Ministry of National Development Planning.

Executive's Response

In the Action-Taken Report, the Government stated that the allocation of portfolio functions was currently under review. In the revised allocation of portfolio functions which would be released, care had been taken to ensure that ambiguities and role conflict between various ministries, provinces and spending agencies were reduced to the bare minimum.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

15.4 MINISTRY OF LOCAL GOVERNMENT

(i) Suspension of Ward Development Committees

The Committee had recommended that the Ministry should ensure that the remaining 298 Ward Development Committees (WDCs) were formed country wide.

Executive's Response

In the Action-Taken Report, the Ministry submitted that the term of office for the existing Ward Development Committees (WDCs) would come to an end upon their dissolution ahead of the general elections set for August, 2021. In this regard, local authorities that were yet to form WDCs have been encouraged to form them after the general elections along with the rest of the local authorities countrywide. Thus, it was expected that all WDCs would be newly formed upon election into office after the general elections. The Ministry had ensured that all local authorities provided a budget line in their 2021 budgets to facilitate the formation and operation of WDCs after the general elections.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

15.5 DECENTRALISATION SECRETARIAT

(i) Fiscal Decentralisation

The Committee had recommended that the Decentralisation Secretariat should remain committed in liaising with the Central Government on the full implementation of the Decentralisation Policy. The Policy had implications on the coordination mechanism put in place for implementing projects which was the same mechanism the SDGs would use.

Executive's Response

In the Action-Taken Report, it was stated that the Decentralisation Secretariat liaised with other wings of the Government with a stake in the implementation of fiscal decentralisation

particularly the Ministries of Finance, Local Government, National Development Planning and the Auditor General's Office. Accordingly, the Secretariat took note of the implications that decentralisation had in the achievement of SDGs and committed to sustained stakeholder engagement in the implementation of the Policy using already established channels such as Decentralisation Policy Implementation Committee (DPIC), Technical Working Groups and Devolution Task Forces.

The implementation of fiscal decentralisation and actualisation of direct transfers to local authorities in support of devolved functions had lagged behind owing to the need to clarify the functions earmarked for devolution and subsequently determine the extent of financial support for specific functions to be transferred to the local authorities. Currently, the development of a Sector Granting System was underway and was expected to be concluded by the end of March, 2021. The system would come up with sector specific formula for disbursing sector resources directly to the local authorities in accordance with the principle of "Finance follows Function" and as guided by the Decentralisation Implementation Plan 2021-2025.

Committee's observations and Recommendations

In noting the submission, the Committee resolves to await a progress report on the matter.

15.6 PARLIAMENTARY CAUCUS

(i) Institutionalisation of Parliament Caucus

The Auditor General's Report revealed that even though the Parliamentary Caucus on SDGs had been established to perform oversight roles on SDGs implementation, it was observed that the Caucus was not operational or conducting any business pertaining to SDG implementation. The audit also revealed that in spite of the caucus recognition at Parliament, it was not part of Parliamentary Committee system. This meant that the Caucus on SDGs did not have any resources for any operations, and that its membership was on a voluntary basis. Lack of activities by this parliamentary caucus reduced the level of effective contribution and oversight services that were specific to the SDGs by Parliament.

Response by the Parliamentary Caucus

The Committee was informed that during its meeting to validate the Constitution, held from 2nd to 4th December, 2017 at Protea Chisamba Safari Lodge, the Caucus had come up with resolutions highlighting mechanisms that needed to be put in place in order to make it relevant to the implementation and realisation of SDG's. It had however been difficult for the Caucus to implement these resolutions due to lack of support, particularly from the Government. Efforts by the Caucus to pay a courtesy call on the Minister of National Development and Planning in order to acquaint him with the aspirations of the Caucus and, thereby, leverage support from the Government had proved futile. The Caucus received a lot of support from the Resident Coordinator of the United Nations System in Zambia and the management of the National Assembly, but very little from the Executive.

The Committee heard that as long as the Caucus remained a caucus and voluntary, it was very difficult to envisage how it could be institutionalised by Parliament. The solution was to create a Committee on SDGs whose mandate would be to provide oversight on the implementation of Sustainable Development Goals by the Executive.

Committee's Observations and Recommendations

The Committee observes with concerns that there is no institutionalised mechanism for oversight specifically on SDGs within the National Assembly. The Committee, therefore, resolves to refer this matter to the Parliamentary Reforms and Modernisation Committee for consideration and appropriate action.

16.0 CONCLUSION

The Teaching Service Commission working with other stake holders such as the Ministry of General Education, Teaching Council of Zambia, Cabinet Office, Teacher Unions and Public Service Management Division provide direct staff welfare of teachers such as housing, loans, medical insurance, funeral schemes and wages.

A number of strategic plans, interventions and guidance have been offered by the Commission to ensure that teachers were served effectively. This could be seen in the effectiveness of the Commission's operations in the monitoring of the payments of the Rural Hardship Allowances as well as Housing Allowance for those that needed such services. However, the Commission continues to face significant hurdles in the execution of its mandate. In particular, matters such as non implementation of the Teaching Service Commission structure, payroll mismatch, frozen positions and schools without Treasury Authority amongst others tend to have a negative impact on the Commission's performance.

The role played by the Teaching Service Commission in the welfare of teachers was very critical and there was need for the Government to ensure that the approved structure of the Commission was adequately funded and filled in order to facilitate the implementation of its mandate. There was also need to ensure that the *Service Commissions Act, No. 10 of 2016* is amended to provide the legal platform for the Teaching Service Commission to collaborate with relevant stakeholders such as the Public Service Management Division, the Ministry of General Education and Teachers' Unions on reviewing conditions of service and remuneration of teachers through collective bargaining.

The Committee wishes to thank all the stakeholders who made both written and oral submissions to it. The Committee also wishes to thank you the Hon Mr Speaker and the Clerk of the National Assembly for the guidance and support services rendered to it during the deliberations.

Dr M Imakando, MP
CHAIRPERSON

March, 2021
LUSAKA

APPENDIX I – LIST OF OFFICIALS

Ms C Musonda, Principal Clerk of Committees

Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)

Mrs C K Mumba, Senior Committee Clerk (FC)

Mrs E M Z Banda, Committee Clerk

Ms C R Mulenga, Committee Clerk

Mrs M H Mweele, Committee Clerk

Ms L Chilala, Typist

Mr M Chikome, Committee Assistant

Mr D Lupiya, Committee Assistant

Mr M Kantumoya, Parliamentary Messenger