



GOVERNMENT OF SIERRA LEONE

## **PUBLIC SECTOR REFORM UNIT (PSRU)**

# **MANAGEMENT AND FUNCTIONAL REVIEW OF THE MINISTRY OF LANDS, HOUSING AND COUNTRY PLANNING**



## **FINAL REPORT**

**JUNE, 2021**

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## 1. EXECUTIVE SUMMARY

As part of the effort of government to reposition and enhance the management and functional capability of the land, housing and country planning sector, the Public Sector Reform Unit was requested by the Office of the Chief Minister to conduct a Management and Functional Review of the Ministry of Lands, Housing and Country Planning. This management and functional review had key deliverables, which were focused on: (i) aligning the mandate and vision of the Ministry to the Medium-Term National Development Plan (MTNDP), and (ii) developing structures and processes aimed at strengthening service delivery.

This management and functional review is intended to provide the operational framework for advancing land sector structural and institutional reforms necessary to promote structural and institutional transformation to Sierra Leone's land tenure system; streamline and modernize land delivery services; encourage optimal use of land and facilitate broad-based socio-economic advancement without overburdening and threatening the national ecological balance. This functional review is a dynamic management tool that will be used to direct attention to key issues and concerns in the land sector to ensure the cumulative effects of land sector reforms and intervention promoted by the government creates a positive environment for achieving national development goals as outlined in cluster 1.8 in the MTNDP.

Given the mandate of the Ministry as the institution primarily responsible for the management of land in Sierra Leone, functional review is critically important at this time considering the multiplicity of land ownership categories. The Ministry is expected to direct the government on matters relating to ownership, acquisition and use, as well as all the implications for sustainability. As the central authority for land use and management, the Ministry is required to develop policy on the efficient and sustainable use of land. Therefore, the mandate of the Ministry is not only limited to land surveying but extends to the formulation and implementation of sustainable human habitat development policies, a process which includes land mapping. The ultimate goal of the Ministry, as reflected in its Mission statement, is to administer effective policies for land use which contribute to the overall socio-economic development. These objectives are vital considering the issues of rural-urban migration and its attendant social, economic and political challenges. Similarly, issues surrounding land tenure outside of the Western Area also requires urgent attention.

Numerous laws, some dating as far back as colonial period, have been formulated to regulate land acquisition and use in Sierra Leone. Efforts have been made to update and revise some of the legislations to take account of modern practices and developments. However, much has not to be done to ensure effective land management in the country.

In as much as the role of the Ministry is defined within the policy framework of Sierra Leone, for a variety of reasons identified during this review, it has not been able to translate its mandate into first-rated policy and work processes.

Factors affecting the productivity of the Ministry include the lack of the political will to strengthen and further implement national policies on land use and management, lack of essential tools and resources, lack of well-trained professionals, limited implementation and employment of good

management systems and processes resulting to increased opportunity for corrupt practices, and weak coordination amongst stakeholder institutions.

Several developments at the national level have had implications on the work of the Ministry. Over the years, there have been several changes made in its nomenclature as well as its structure, with accompanying modifications to its functions. In particular, the devolution process as provided for in the Local Government Act 2004 will have to be appropriately coordinated if at all it is to be aligned with the mandate of the Ministry. Therefore, it is against these perennial challenges that recommendations have been proffered, which if thoroughly implemented will help to translate policies into action for better service delivery.

## 1.2 KEY FINDINGS AND RECOMMENDATIONS

### 1.2.1 Summary of Key Findings and Recommendations

The findings and recommendations of the Management and Functional Review are summarized by thematic areas. The Review Team wishes to note that the ability to implement the mandate of the Ministry is largely dependent on the capacity of the Ministry to have the full complement of human, material and financial resources to optimize its functions.

Looking at the mandate of the Ministry at the time of review and with the separation of the Environment Ministry from its remit, it has been left with fewer staff having the technical capacity to coordinate the activities of the Ministry at policy and operational levels. It was the against these observable facts that the findings and recommendations are thematically summarized below:

### 1.2.2 Operational Functions of the Ministry

#### Findings:

- The review revealed a number of challenges that affect the efficiency and productivity in the performance of staff roles and responsibilities. It emerged from interviews conducted with staff at the headquarters and the regional offices that staff are faced with plethora of land related issues that are reported on daily basis.
- Though there is an overwhelming number of junior staff, most of whom are surveyors, the lack of technical competencies to perform their roles and responsibilities in the most professional manner, has affected the credibility of the Ministry. The expectation of high impact functions with limited resources and technical capabilities continue to affect productivity and performance optimization.

#### Recommendations:

- The review team would like to **make a case** to fast track the appointment of highly trained and qualified central and Regionally-based staff with specific competencies on land, housing and country planning related functions. This is in view of the reality on the ground that the Ministry's

ability to implement its mandate is also dependent on having the full complement of central and Regional staff, backed by adequate resources.

#### **Findings:**

- **The Day-to-Day Operational Functions:** A significant number of staff interviewed expressed dissatisfaction regarding the ways and manner in which the Ministry performs its day-to-day administrative and operational functions. Most of the comments were directed at the lack of effective structure, ineffective operational systems, as well as the lack of an internal central coordinating mechanism of technical processes and procedures.

#### **Recommendations:**

- In view of the day to day operational and functional challenges, the team **recommends** that the present Directorate system be retained but should be reinforced by an excellent management and operational system that will help to ensure effective reporting line, effective team building, promote vertical and horizontal coordination and staff welfare.
- In order to attain the intended goal, the team also **recommends** that the professional wing of the Ministry be headed by a professional head, supported by other technical directors in the management of the day to day technical operations of the Ministry; and in the spirit of decentralisation, the team further **recommends** that the Ministry implement the Regional and District Structure proposed by the Review Team by ensuring clear reporting lines and coordination established between the HQ and District Offices and local councils.

#### **Recommendation:**

- The Review Team is making a case for the creation of **Information, Education and Communications Unit (IEC)** to oversee media relations, such as writing and publishing information, broadcasting programmes on radio and television and help raise awareness on land acquisition, use and management to the public.

#### **Finding:**

- The Review Team noted the existence of a Geographic Information System and Remote Sensing as part of the management structure of the Ministry. As critical as this Directorate is, much support in terms of technical and financial resources have not been allocated to support and strengthen the performance of this Directorate.

#### **Recommendation:**

- The review team further recommends that the Directorate of GIS and Remote Sensing should be maintained as a Directorate and strengthened with the full complement of staff and management structure to provide technical support in cadastral mapping to the other technical Directorates.

#### **Recommendation:**

- The Review Team is making a case for **Regional Offices, to be headed by Assistant Regional Directors with complimentary support from core staff** to ensure adequate representation of the Ministry in the regions and the districts. The post holder will play critical leadership role in

coordinating and providing technical oversight function on land, housing and country planning related matters at regional and district levels.

#### **Findings:**

- It was noted that the security of land registration is weak and the arbitration mechanism in cases of land dispute is totally absent. It was also observed that collaboration between the Ministry and Office of the Administration and Registrar-General, which is principally responsible for the registration of lands is weak. These weaknesses in structures and systems continue to undermine the performance of the Ministry and generate chaos within the system that is already exposed to data manipulation.

#### **Recommendations:**

- As a way of sanitizing the system, the Review Team is further reinforcing the policy directive for the establishment of a National Land Commission, with statutory authority limited to perform the following functions;
  - Registration services
  - Conflict resolution
  - Sensitization and education etc.
- However, the Review Team wishes to advise in the most technical term to consult with critical players, whose functions will be affected by the proposed establishment. In order to also avoid confluences and conflict of mandates between the Ministry and the proposed Commission, the Team further underpins the statutory functions of the proposed establishment support the work of the Ministry without conflict.
- The team further **recommends** that the proposed Commission is reinforced with high level of independence, greater scope for objective thinking, and avoid the phenomenon of unprofessionalism and conflict in the execution of mandate. The digitalization of land registration is should be the utmost priority of the proposed Commission.

### **1.2.3 Human Resource Management**

#### **Findings:**

- The Review Team observed that the Ministry lacks trained and qualified staff at both central and regional level to occupy technical positions. This is considered a serious challenge that undermines the professionalism of the Ministry and its ability to efficiently and effectively deliver on its mandate. For example in areas of Surveying and Country Planning, the Ministry only has few staff with the requisite skills and competence to perform the functions.
- It was also noted that the functions of the human resource management is relatively silent at the regional offices of the Ministry. Presently, HR functions are only limited at the central level, which makes it challenging for staff at regional offices to proceed on annual leave and enjoy

other HR benefit like promotion, upgrade etc. There is an urgent need to develop a more proactive and decentralized HR functions at regional level.

- Another critical observation by the Team was the amount of volunteers that serve in the Lands and Survey Division, which is considered as one of the most critical and highest revenue generating divisions in the Ministry. This is a big challenge that needs to be dealt with by the Ministry and HRMO as the environmental manager of the Civil Service work force.

### **Recommendations:**

On this note the team is making the following recommendations;

- The review team recommends that PSRU in collaboration with HRMO and PSC conduct a comprehensive human resource audit with the view of carrying out staff placement according to grade and qualifications, especially for technical positions in the Ministry.
- HRMO should facilitate the enforcement of the internship and volunteering policy for all Civil Service entity.
- Development of a functional organogram that incorporates all functions performed by the Ministry as stated in its mandate.
- Collaborate with PSRU and HRMO to develop competency framework along with job descriptions for all divisions and positions within the Ministry;
- Collaborate with PSRU and HRMO in the development of a comprehensive Training Plan to ensure improvement in the technical capacity of the Ministry.

### **1.2.4 Training and Development**

#### **Findings:**

- Responses from questionnaires submitted by staff indicated that training opportunity is completely absent in the Ministry. Most of the technical staff in the Ministry have not benefitted from trainings specific to their functions within the last five years.

#### **Recommendation:**

- The team **recommends** that the Ministry prepares capacity building strategy specific to the mandate and functions of the Ministry. The document should be developed by sector stakeholders to serve as a tool for future planning and budgetary purposes. This should be done based on job specification and requirements.
- The Review Team is strongly recommending for mandatory staff training in Ministry.



### 1.2.5 Financial Resources

- The reveal that though the Ministry is a key revenue-generating institution, it continues to ironically fall within the category of most under-funded MDAs and lacks the requisite resources and wherewithal to effectively on its mandate.
- The impact of limited resource can be seen in the overall lack of human and material resources to coordinate programmes at central and regional levels.

#### Recommendations:

- **The team recommends that** the Ministry engages the Ministry of Finance for significant increases to be made to its annual budgetary allocations and to ensure that quarterly allocations are disbursed in a timely manner.
- **The team recommends that** the government develops a mechanism through which the Ministry retains a percentage of the revenue it generates offset operational and other expenses.

### 1.2.6 Records Management System

#### Findings:

- The Records Management capability of the Ministry is weak evident by the fact that the Ministry neither has a Records Management Unit or Officer.
- There is need for the Ministry to upgrade its Records Management system/infrastructure from the traditional paper-based system, to the Electronic Records Management Systems.

#### Recommendations:

- The team therefore, **recommends** that the Ministry create a records management unit with a dedicated officer assigned to it. It is further **recommended** that Records Management Officers are recruited and given adequate training and have manuals developed on procedures, policies, and practices for effective records management.
- **The team relatedly recommends that** the Unit transitions from paper-based to Electronic Records Management system with a reliable and verifiable records management framework built-in.

## 1.2.7 Communications and Information Sharing

### Findings:

- It was revealed that the Ministry lacked an effective communications strategy that serves as the Ministry's internal and external communications blueprint.
- The review revealed that due to the lack of an existing Communications strategy, the Ministry struggles with effective external communications and awareness raising on land policy and accompanying arbitration mechanism.

### Recommendations:

- There is a need to improve on the image of the Ministry, through public education. Therefore, the Review Team therefore **recommends** that the Ministry develop a comprehensive Communication Strategy that will express the policy guidelines for communications and related outreach activities. This strategy once developed should be reviewed and updated annually as and when necessary to contest with contemporary trends. The team also **recommends** that the Ministry enhances its internal communication strategy to ease the flow of information. The review team is of the view that effective internal communication will enhance institutional productivity. It is further **recommended** that the Ministry embarks on effective public education and information sharing campaign across the country to inform citizens, of their rights and responsibilities with respect to land rights, housing and country planning policies.

### 1.2.1.1. Overlaps and Duplication of Functions

#### Findings:

- The Team observed that coordination with other institutions and duplication of functions are critical challenges that continue to undermine the mandate of the Ministry. The review team also noted that functions related to allocation of lands are also performed by other established institutions like the Ministry of Agriculture and Local Councils. The relationship between institutions performing similar functions is not clear and well defined. As such, the vision and mission of the Ministry and how it collaborates with other sister institutions on land rights, housing and country planning issues, and vice versa should be clearly defined.

#### Recommendations:

- Given the fact that, the environmental component has been separated from the Ministry and the housing division subsumed into the Ministry's management structure, the team accordingly **recommends** that the Ministry develops a clear mission and vision statements specific to its mandate in order to address any potential or existing functional overlaps. To implement this recommendation, the team further **recommends** for the establishment of a sector stakeholders' engagement Committee at policy coordination level.

### 1.2.1.2. Stakeholders Engagement and Coordination

#### Findings:

- Interviews with the staff at central and regional offices of the Ministry revealed that collaborations with MDAs, especially local councils seem to be largely weak at the moment. The reason for this was associated with facts given to the Team, which was specifically focused on the absence of clearly defined structures and policies for coordination and collaboration with councils at central and district level.

#### Recommendations:

- In order to address this challenge of weak collaboration and partnership, there is a need to establish a platform for coordination among state and non-state actors. The Team therefore **recommends** that the Ministry establishes Committees and development planning mechanism at regional and district level to collectively address issue relating to land use, management and physical planning. The team is further **making a case for the mandates** of the various MDAs responsible for land use planning and development control to be clearly defined and harmonized.

### 1.2.1.3. Management of State Lands at Central and Decentralized Levels

#### Findings:

- The Review Team observed that the land administration system has been inadequately resourced and performing below expected standards with the tendencies of resorting to irregular and illicit practice in service delivery. The dual system of land administration (the formal/statutory and informal/customary) breeds conflict, confusion and overlaps in institutional mandates. For the larger part of Sierra Leone, where land tenure system still prevails, the roles of traditional institutions of land management, dispute resolution and land governance have not proved to be effective.
- Decentralized services are underfunded and grossly understaffed and thus could not live up to expectations. Several relevant pieces of land related legislation are obsolete and do not conform to the provisions of recent event or the technology driving modern land administration today. Corruption, inadequate enforcement of land use regulations and standards are all major challenges.
- Mapping capability to support national development has not been upgraded. It was also noted that a large percentage of the urban and rural centres have no maps to guide their planning. Inadequacy of the current regulatory framework for property agents/estate developers has contributed to a high prevalence of graft and land fraud and continues to pose a serious challenge to the sector. These constraints in the sector has led to poor service delivery by the Ministry of Lands, Housing and Country Planning.
- The Team also observed that government has constantly had to either physically confront or negotiate with encroachers on what is considered government lands. The lack of proper awareness

and adequate documentation needed to clearly define government's land and how it can be obtained on lease have created room for encroachment and poor management.

### **Recommendations:**

- The team **therefore recommends** for the provision of reliable and up-to-date land information system and strategy for clarifying land rights and security of tenure. Availability of information on land rights, land administration and land management processes will be necessary to ensure consensual implementation of potentially controversial aspects of the strategy.
- The team also **recommends for the** systematic demarcation of individual and communal lands, government lands, through the development of a digitalized Land Information System (LIS) at the MLHCP.
- The team wants to further make a **case for adequate support** to be provided to perform functions related to physical planning, surveys, GIS and Remote sensing, valuation and land inspection which functions are silent to the public as a result of inadequate funding. The strategic focus of government to further strengthen the performance of the Ministry and heighten service delivery can be achieved with the implementation of the following recommendations:
  - Review, roll out and sustain the Land Information System (LIS)
  - Develop Policy, Regulations and Guidelines for geo-spatial information production and management
  - Establish National Spatial Data Infrastructure that integrates data for planning and development.
  - Establish an appropriate infrastructure for geodetic reference frames to facilitate surveying, mapping, construction industry and other services.
  - Develop a national program of systematic adjudication, demarcation, survey and certification or registration of land.

#### **1.2.1.4 Housing and Country Planning**

##### **Findings:**

- The review revealed that the Ministry has shifted its focus from the Country Planning Division, which is primarily responsible for physical/land use planning in the country, providing guidelines for the growth of settlements to surveys and lands. Part of the implications of this shift is that it has resulted in a surge in environmental disasters and congestion in the urban areas. This has had serious effects on urban and rural planning.
- The review also revealed the gross resource constraints the Ministry is grappling with especially its Housing division, which has hindered its ability to perform critical functions at even suboptimal levels. The inability of the housing division of the Ministry to function at close to optimal levels, has had significant adverse effects on planning and settlements. This, the team notes, has led to the stark surge in unwarranted and unsanctioned construction of structures that are of environmental or residential consequences.

## Recommendations:

- **The team recommends that** the Ministry pays equal attention to both the physical planning, and Country planning aspects of its mandate. The team consequently recommends that the Ministry engages in high-level/pre-legislative/legislative engagements that will culminate in the enactment of a new Town and Country planning Act that will address issues relating to land use planning, development and control.
- **The team also recommends that** spatial planning should be integrated into the sectorial development strategy of all MDAs. **The team further recommends that** the Ministry ensures the new Spatial planning mechanism incorporates the following: 1. the provision of a framework for the coordination of urban policies and major infrastructure projects 2. Harmonize development standards 3. Address the salient issue of urbanization-related ecological footprints 4. Creates a platform for citizen's engagement through the development of a platform for public discussion around these issues.
- As a way of strengthening the Housing and Country Planning divisions of the Ministry and enhancing the optimization of service delivery, **the team further recommends that** the Housing and Country Planning Directorate be separated with specific mandates and functions assigned to each of the 'demerged' directorates. **The team further recommends** the conduct of a Management and Functional Review of the Sierra Leone Housing Corporation (**SALHOC**), which will re-align its organizational structure/processes and systems with its mandate/mission and mitigate issues arising from confluences in mandates and functions between the **Ministry and the Corporation**.
- As it relates to legislative reform, **the team recommends that** that the Ministry proposes amendments to be made to the existing legislation (the Town and Country Planning Act) so that it will become a critical reform tool. Consistent with this recommendation, the team recommends that the revised/amended version incorporates the following amendments:
- Have only one type of permitted development i.e. the expressed application for planning permission. The permission procedures must be revised and include the complete permission process.
- Set out procedures to guide the planning authority in determining which development should be granted or refused planning permits.

## 2. INTRODUCTION

The Public Sector Reform Unit (PSRU) provides leadership, co-ordination and strategic guidance in the design, implementation and monitoring of Public Sector Reform initiatives. Its Mission is to facilitate the creation of a lean, performance-oriented, highly motivated, modern and efficient Public Service that delivers high quality services to the people of Sierra Leone in a timely and cost-effective manner.

PSRU undertakes Management and Functional Reviews (MFRs) as an entry point to identify capacity, systems and process challenges affecting the performance of MDAs. The key objective of the MFRs is to ensure that systems and organizational structures are aligned with the National Development agenda. Since its inception, PSRU has undertaken MFRs for MDAs, which can be viewed at [www.psrugov.sl](http://www.psrugov.sl).

In exercising the above stated mandate and expertise, the Review Team was able to analyze the structure and also explore whether the Ministry has the requisite system in place to provide effective policy coordination and operational management of lands, housing and country planning. The team was also able to explore whether the Ministry has the requisite staff compliment at the Headquarter and provincial levels to provide effective service delivery. Part of this exercise, has particularly been to ensure that MLHCP leadership and management has the requisite and relevant staff strength to foster the strategic policy objectives enshrined in the five-year national development plan. This has also been to ensure that the Ministry has the necessary logistics and equipment to perform its functions effectively.

So far, findings have indicated areas where improvement is necessary and possible, for which the team has proffered recommendations. The Review Team is also of the conviction that some of the recommendations have the potential to make positive change, for which additional financial support is urgently needed from the Government of Sierra Leone. Most importantly, support is needed to address the numerous problems noted with respect to supervision, monitoring and inspection of state lands, housing and country planning mechanism.

### 2.1. Technical Scope and Strategic Objective of The MFR

This MFR aimed at strengthening Management and Operating systems of the Ministry to ensure effective land management service delivery is consistent with the National Development Agenda of the Government of Sierra Leone. Therefore, the MFR is specifically focused on management and operational functions of the Ministry, as such, extending its scope to identifying gaps and challenges, as well as deepening understanding of the management culture and operational functions of the Ministry. In other words, the review is focused on how the Ministry is structured and managed, as well as its strength and weaknesses.

With the support from HRMO and PSC, PSRU was able to carry out the following tasks:

- Review the Mandate, responsibilities as well as the management functions of the Ministry.

- Assess the Ministry's Administrative procedures, processes and facilities to determine efficiency and effectiveness in delivering on its Mandate.
- Examine the organizational structure and staffing of the Ministry to determine their degree of efficiency with respect to service delivery.
- Examine the human resource issues currently affecting the Ministry with a mind-set on staff competencies.
- Identify gaps and challenges within the management and operational function of Ministry to be able to effectively handle their human resource issues.
- Examine whether the Ministry has the technical competence in-house to implement the policy priorities outlined in the MTNDP
- Proffer recommendations and suggestions to help the Ministry conduct effective technical oversight, supervision, and monitoring the implementation of its Mandate.

### **2.1.1. Methodology and Approaches**

The Review Team generally acquired a wide range of views from all Directorates and Units of the Ministry, and also from some District Offices across the country. The personnel from the Headquarter and the Provincial Offices expressed significant degree of willingness to respond to questionnaires, engage in one-on-one structured, semi-structured interviews as well as Focus Group Discussions. However, majority of the views were divergent against the Management and Operational Functions of the Ministry.

Furthermore, the Review Team was also able to review challenges of the land sector to proffer general recommendations that are not only specific to MLHCP but could form the basis for discussion at sectoral level to address some of the broader changes needed for better service delivery in Sierra Leone.

These approaches involved an initial roundtable briefing with the leadership of the Ministry. Series of meetings were held afterward and individual and departmental interviews conducted to ascertain the roles and responsibilities, as well as the internal operational and management functions of the Ministry to inform sector specific recommendations. As already stated, the scope of work as well as the methods and approaches adopted for the review were discussed during the preliminary inception meeting, and copies of different questionnaires made available to the Ministry.

Desk review documents including staff payroll, audit reports, strategic plan and manpower plan were reviewed alongside other related documents. The Team was also able to review documents and reports provided by the Ministry relating to the current structure, including the staff list and organogram. The literature review was extended to strategic national reports, including annual reports, academic publications and experts' opinion, speeches of H.E the President and the Minister of Land, Housing and Country Planning, as well as comparative study of similar institutions within the sub-region.

The essence of all these is to ensure that, on submission of the draft report to the Ministry, all Directorates and Units of the review the report submitted for clarifications and comments in a timely manner. Upon receipt of these comments, PSRU will then hold a bilateral meeting with the leadership

and senior officials of the Ministry to discuss gaps and critical areas requiring changes and enforcement of the report. Once a general consensus is reached, the final report will be issued and approved by the leadership of the Ministry.

### **2.1.2. Summary of Documents Reviewed**

Innumerable documents were reviewed to obtain an understanding of the statutory mandate, general operations and activities of the Ministry to determine its performance against set objectives. The documents include:

- Strategic plan
- Annual Work Plan
- Monthly Payroll Details
- Human Resource Plan with Job descriptions and Scheme of Service
- Civil Service Training Policy
- Published materials from websites.
- The Government Technical Transition Report
- Local Councils Audit Reports
- Any other published and unpublished Official Government documents
- The Crown Land Act 1960 No. 19 of 1960, otherwise known as the State lands Act
- The 'Protectorate Lands' Act Cap. 122, Act No. 14 of 1960
- The Survey Ordinance, Act No. 42 of 1961
- Surveys Act, Cap. 128
- Registration of Instrument, Cap 256
- The 'Compulsory Acquisition of Property' Act, Cap 116
- The 'Public Lands' Act, Cap. 117
- The 'Unoccupied Lands' Act, Cap. 118
- Crown Land (Amendment) Act No. 18 of 1963,
- Transfer of Defence Lands No. 8 of 1961,



### 3. SITUATIONAL ANALYSIS

#### 3.1. Critical Issues and Concerns

This MFR is indicative of high-level commitment by the Ministry of Lands, Housing and Country Planning (MLHCP) to restructure and strengthen its functional and operational capacity with a view to ensuring a successful implementation of the Government's strategic policy objective to 'ensure effective land management and administration that is environmentally sound and sustainable for equitable access to and control over land, including providing affordable housing for low- and middle-income groups to alleviate poverty and promote economic growth', as envisioned in the MTNDP<sup>1</sup>. It is also aimed at addressing the functional and structural changes caused by separation of the former Ministry of Lands, Country Planning and Environment (MLCPE) into two separate Ministries: the Ministry of Lands, Housing and Country Planning and the Ministry of Environment respectively. Therefore, this MFR is expected to foster significant changes to the management and operational functions of MLHCP, with considerable expected impact to the wider lands sector.

Lands and housing are two critical sectors for Sierra Leone's socio-economic and spatial development. Managing the country's valuable land resources and scarce housing stock is imperative for achieving sustainable development and social inclusion. The land space in Sierra Leone is rich in minerals, including iron ore, diamonds, rutile, bauxite, and gold, and is fertile for agricultural production. Economic growth is driven heavily by agriculture and mineral production, both of which are highly dependent on access to land. Nearly 95 percent of the land territory on which agricultural and mining activities take place is administered under customary law (leasehold)<sup>2</sup>.

In Western Area, land tenure is administered under general law (freehold system) and is plagued by inadequate land survey data, which results in the cadastre being outdated and inaccurate. The absence of a proper technical and administrative system within the Ministry promote several other challenges which include land conflicts, difficulty in the collection of lease rent, distorted land market, and the associated risks which continue to undermine proper urban and rural planning mechanisms. Successive governments have attempted to address land ownership and management issues, which most recently culminated in the development of a National Land Policy (which is currently under review).

Lack of awareness and recognition of the importance of effective land management and spatial planning in the implementation of development projects and programmes has resulted to reduced internal rates of return on urban investment and the creation of agglomeration of negative externalities, which impede economic growth and development. Furthermore, urban growth and expansion has occurred in Sierra Leone without proper strategic and detailed land-use plans, public service infrastructure, and community services. Therefore, a spatial strategy for Sierra Leone is required to transform towns, cities, and districts to generate linkages in other associated sectors, such as transportation, agriculture, tourism, and telecommunication. Enhanced spatial planning will facilitate the mobility of people, goods, and services, and, crucially, access to markets and resources.

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<sup>1</sup> GoSL Medium Term National Development Plan

<sup>2</sup> MTNDP

The right to housing is a fundamental human right, as recognized in the Universal Declaration of Human Rights. The housing situation in Sierra Leone is appalling. This is seen, in part, in overcrowding: according to the MTNDP, the average household size is 8.8 persons per dwelling. This situation is compounded by the lack of adequate water and sanitation facilities, leading to health issues such as diarrhoea, malaria, and cholera, and even the recent global pandemic (COVID 19). There is an overdependence on imported building materials, which keeps the cost of housing construction out of reach for most Sierra Leoneans. There is, therefore, a need to promote the use of local materials, which are environmentally friendly, and to adopt low-cost construction technologies.

The lack of adequate physical planning, enforcement of development control, and an effective spatial planning system have exacerbated the already weak system, making it complex to manage land use. This has further been worsened by overlapping and conflicting mandates, coupled with weak collaboration and coordination among agencies involved in land use planning and land management.

Previous MFRs conducted for the sector has had little or no positive impacts on the Ministry. This is because, most of the recommendations were either partially implemented or ignored. As such, up to the time of the separation the Ministry from the Environment component and the subsumption of the Housing component within its remit, the Ministry has been experiencing several management and operational challenges which have been worsened by lack of adequate and competent man-power to deliver services.

Despite the number of Reforms Programmes and projects already implemented by stakeholders of this Sector, many challenges remain to be addressed. The document reviewed backed by on-one-one interviews within MLHCP has also helped to affirm some of the problems identified. Some of these problems are also clearly articulated in the MTNDP including weak human resource capacity, inadequate material and financial resources etc. The review further ascribes the poor performance of the land management and administration Sector to the low priority accorded by the Ministry of Finance, as reflected in the low budgetary allocation and disbursement. The weak policy implementation, combined with inadequate funding continues to undermine the effectiveness and efficiency of service delivery.

In view of the above, documents reviewed for this MFR has helped to identify number of inadequacies that justified the need to review the management, operational and administrative functions of MLHCP. Part of this include weak implementation of mandate of the Ministry which justifies the need for MFR with the mind-set to maximizing the effective and efficient policy directive towards better land management administration in Sierra Leone.

### **3.1.1. Overview of the Lands, Housing and Country Planning Sector and Analysis**

This section provides a brief analytical overview of the land Sector and offers an evidence-based diagnostic analysis of different engagements conducted in this sector as a whole with a view to determining the successes and challenges made so far and proffer recommendations on how to build on the successes and overcome the challenges. It also provides relevant analytical information to nourish the discussion on mutually reinforcing functions of all stakeholders of the land Sector towards achieving the Government's policy objective.

The review of the Ministry revealed that, there are two main types of land tenure in the country, these include; the Statutory System in the Western Area and the Customary System in the Provinces. The former is regulated by statutory law and the latter by customary laws. But the legal framework governing land delivery in both systems is complex, as there are no fewer than twenty different statutes and regulations and most of them having conflicting provisions, which present implications for land use and management.

The concept of traditional or communal land tenure system tends to be used in a static way, with some referring to the notion of customary tenures instead. A range of commonly used concepts of land tenure such as agreements, or the sale of land and freehold tenures, family lands and ownership or holding of the land are used unclearly.

The dualistic land tenure system in the country is relatively unreliable, because it is based on registration of instruments of conveyance. This means it is the conveyance itself that confers title, and not the registration of the instruments that execute the conveyance. In other words, registration of deeds or instrument is a record evidencing a transaction has taken place and not legal proof of ownership. Proof of ownership rests with the courts.

Even more unreliable is the latter system, because it is based on different forms of unwritten customary rules in different parts of the regions, and subjected so much to the whims, caprices and captivations of family, community or chieftom heads.

In spite of the challenges, the customary land tenure system is still operative and functional. Although the system is not fully effective, customary rights are legally recognized, but not adequately protected. This is mainly because land rights are not registered.

Only a small percentage of all lands in the rural and urban areas are recorded and mapped. Recording and mapping these lands will greatly reduce the many conflicts that arise from land grabbing. It will also make it easier for agribusiness enterprises to negotiate better with landowners.

The constitutional provisions that guarantee right holders a legitimate right to access the justice system to remedy a breach may not be accessible or do not necessarily result in timely and just decisions.

Amidst these challenges highlighted, the Ministry has developed a comprehensive National Land Policy (NLP) that was approved by Cabinet in 2015 and launched by the President. The 2015 NLP seeks to individualize land. It is hoped this policy will make provisions for all forms of all land ownership or interests, which include private (lease and freehold) State Land (lease freehold) both individuals, families and institutions.

Gender relations on land matters in Sierra Leone have remained largely unaddressed over the years. This is the reality for many women in rural Sierra Leone, a country where at least 95 percent of its land is governed by customary law. This means that for the majority of citizens, the unwritten traditional rules and practices of tribes or communities determine who is able to hold, use or transfer land. In many ways, the application of rules of customary law in ordinary life has tended to affect

women more adversely than men. On important issues, women are often treated as minors - needing the agency of a man to act. In worse case scenarios, they are regarded as chattels.

The draft National Land Policy 2014 (which is under review) concedes that women, children and youth suffer discrimination and denial of land rights under customary law. The policy makes some concrete proposals to address these shortcomings.

There are a number of governmental ministries, departments and agencies (MDAs) operating in the land sector. The most important of these is the MLHCP. However, the review of the Ministry shows that there are lots of capacity gaps in the outfit. This capacity gaps include both human and equipment. The same can be said of the other MDAs.

There are several instances where there are conflicting mandates. In addition to some Ministries, Department and Agencies (MDAs) deliberately usurping the mandates of others, creating further confusion in the land management arena.

There are hardly any town planning schemes against which change in land use or development is approved. Where there are schemes, enforcement has been weak or lacking. In practice, effective land use planning at national, regional and local levels does not really exist.

A policy on common property under condominium is lacking. However, in practice, very few private developers have started offering common property under condominiums. In such instances, they allow for effective management of urban properties. This Management and Functional Review seeks to establish a platform to address the plethora of challenges that hinder the growth of the Ministry.

### **3.1.2. Decentralization**

The Local Government Act 2004<sup>3</sup> devolves certain functions of central Ministries to local authorities throughout the country. With relation to the Ministry of lands, Housing and Country Planning, the schedule states that the 'functions of land surveying, land registration and control of illegal sale of land, leasing government land, strategic local plans, issuance of building permits, "sand dues", preparation of land use plans, and education and sensitisation on environmental issues, should be devolved to local councils".

The decentralisation of land management has been easier in the provinces because of the strict limits placed on communal land which predominate in those regions. In the Western Area however, the Ministry has understandably found it difficult to concede these most essential functions, some of which are of a highly technical nature and require substantial staff and equipment. Nevertheless, the Freetown City Council continues to make claims to these functions.

Presently, the City Council only handles the function of collecting sand dues. Regardless of the provisions of the Local Government Act 2004, the local councils are not equipped to undertake their intended roles. Not only do they lack the capacity, they may not be able to effectively handle the volume of work this would entail. Regarding the issue of land registration, best practice and logic

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<sup>3</sup> Local government act 2014

as reflected in Cap 255 of the Registration Act and Cap 256 of the Registration of Instruments Act suggests that it must remain a centralized activity done only by the Office of the Administrator and Registrar-General. As such, Government has to review the Local Government Act 2004 and the decentralization policy to assess its relevance and implementability.

## 4. OVERVIEW OF PRESENT ARRANGEMENTS

### 4.1. LEGISLATION

The review team observed that, there are a plethora of laws regulating to land acquisition and use in Sierra Leone, many dating back to the colonial days. A good number of these laws are obsolete and should be reviewed with the aim of enhancing the effective management of land in Sierra Leone. Indicated below are the several key pieces of legislation relating to the work of the Ministry:

- The Crown Land Act 1960 No. 19 of 1960, otherwise known as the State lands Act
- The 'Protectorate Lands' Act Cap. 122, Act No. 14 of 1960
- The Survey Ordinance, Act No. 42 of 1961
- Surveys Act, Cap. 128
- Registration of Instrument, Cap 256
- The 'Compulsory Acquisition of Property' Act, Cap 116
- The 'Public Lands' Act, Cap. 117
- The 'Unoccupied Lands' Act, Cap. 118
- Crown Land (Amendment) Act No. 18 of 1963,
- Transfer of Defence Lands No. 8 of 1961,
- The Legal Practitioners (Amendment) Act No. 5 of 1984.
- The Freetown Improvement Act, Cap. 66
- The Town and Country Planning Act, Cap. 81
- The (SLEPA) Act

The large number of outdated legislation and rules dealing with land management has in a lot of ways affected the work of the Ministry at both policy and operational level. It was clearly evident from the review that a good number of staff are not familiar with these numerous rules and regulations, including the numerous customary law and practices which provide guidelines for provincial lands. Some work had begun on revising key pieces of legislation and policy including the National Land Policy, Town and Country Planning Act and the Freetown Improvement Act. These should be pursued urgently as way of addressing the so many challenges that continue to hinder the work of the Ministry.

#### 4.1.1. Land Ownership

There is a range of land ownership in Sierra Leone, including state land, private land, communal land, and family land. State or Public lands are defined as lands ceded by the Colonial government to the government of Sierra Leone after independence in 1961, unoccupied lands and land compulsorily or otherwise acquired by the government. Private land is land in which the owner has a freehold interest. Communal land sometimes referred to as chiefdom or community land, is land held in trust by a Chief on behalf of the community, while family land is that in which the principal interest in the land is vested in a family group with a common ancestry. The state land and private land categories predominate in the Western Area while communal and family

land categories are predominant in the Provinces, although private freehold is progressively creeping into the tenure system, particularly in the urban centres. Land holding in the Western Area is governed by the general law, derived from the English law of property, while that in the Provinces is governed by customary law. Laws governing provincial land are outdated and must be reviewed especially within the context of facilitating private sector investment.

The Ministry is primarily responsible for the facilitation of a rational and effective system of land administration in Sierra Leone. This is especially important, given the multiplicity of land ownership. To this end it is expected to advise the government on matters relating to land management, including ownership, acquisition and use, as well as the implications for sustainability.

This has proven difficult because of a variety of issues including lack of professionals, limited equipment and tools, and the absence of a comprehensive national land policy and other relevant legislations.

#### **4.1.2. Mandate, Mission and Vision of the Ministry of Lands, Housing and Country Planning**

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

“To contribute to national development by ensuring security of land for all citizens and investors; ensure spatial planning of cities and towns that should lead to the evolvement of new communities as well as enforcing development control”

The Vision Statement of the Ministry similarly emphasizes planning and efficiency in land use:

‘Attain secured land ownership status that will eliminate or reduce land conflicts and tensions in communities through the Land Title Registration Process by 2027; properly planned communities and settings and ensure that majority of Sierra Leoneans can pride themselves in having a house they can call their own.’

Primary policy objectives include:

- Achieve an equitable distribution of land with secure land titles
- Facilitate the provision of affordable housing, and upgrading informal settlements, including slums.
- Prevent land conflict and reduce disputes.
- Promote inclusive and participatory approach involving traditional leaders, local authorities and community in the management and administration of land in the country.
- Enhance effective land administration, land use planning, and land management.
- Control rapid urban growth of spontaneous informal settlements by enforcing development control.

- Ensure effective land and housing delivery services.

#### **4.1.3. Mandate of the Ministry of Lands, Housing and Country Planning**

The Ministry of Lands, Housing and Country Planning is mandated to ensure an effective, efficient and transparent land management and administration system in a sustainable manner, ensure equitable access to and control over land, and lay the foundation for the provision of affordable housing facilities to all Sierra Leoneans.

The Ministry's mandate is guided by various statutes and policy instruments such as The Survey Ordinance of 1950, Town and Country planning Act of 1946 (as amended in 2001), National land Policy of 2015, Freetown Improvement Act, and the National Housing Policy of 2009. All these have been carried out through the following activities:

- a. Administration of all State/Public Lands
- b. Acquisition of Property and the payment of compensation
- c. Undertaking of National Lands Surveys and Mapping
- d. Licensing of Land Surveyors and verification of Survey Plans
- e. Maintenance of up-to date Scientific Data, Maps and Plans
- f. Production of Geographic Database and Land Information Systems
- g. Preparation of Town Planning Schemes and Land Development Standards
- h. Approval of Settlement Development Plans
- i. Preparation of Development Control guidelines and procedures
- j. Undertake the Enforcement of Town Planning and Building Codes

#### **4.1.4. Role of Ministry of Lands, Housing and Country Planning**

The role of the Ministry is clearly defined within the policy framework of the MTNDP, though this has not been effectively translated into practice. As the central authority for issues on land use and management, the Ministry is the central depository on data relating to land resources belonging to Sierra Leone, and is expected to set policies on the efficient use of this resource, particularly with regards to issues of scarcity and environmental sustainability.

The mandate of the Ministry is therefore not limited to land surveying and management but extends to the formulation and implementation of detailed town and country planning schemes. The country planning role has not received much attention from the Ministry. With very limited capacity, the Ministry is often overwhelmed, particularly in carrying out its functions within the Western Area. As such the Ministry has not been able to perform its arbitration functions effectively.

In carrying out its mandate, the Ministry has to collaborate with the Office of the Administrator & Registrar-General, Ministry of Works and Public Assets, Sierra Leone Roads Authority, Ministry of Agriculture and Food Security, and local councils, because of functional overlaps.



However, these coordination mechanisms must be formalized and strengthened. Over the past ten years, the nomenclature of the Ministry has been changed several times, along with its functions. For instance in 2008, the Housing division was moved to the Ministry of Works. However, the Building Inspection unit, which remains the primary function of the Housing Division, was still maintained within the Ministry. In 2019, the structure was moved to the Ministry of Lands, Housing and Country Planning. The Environmental functions as they relate to environmental protection and preservation was separated from the MLHCP with the new Environment Ministry, having regulatory oversight over the Sierra Leone Environmental Protection Agency (SLEPA).

As a result of the overlaps in functions, lack of role clarity, and inadequate deployment of personnel, the Ministry finds itself unable to effectively carry out its mandate. Also, it has not been able to develop substantive national policies on land use, country planning and sustainable development, all of which would effectively guide the government and residents. Certainly, there is an urgent need to review and update the current National Lands Policy which was developed several years ago, given emerging challenges on land management created by rural/ urban migration and human settlements, as well as land rights and ownership.

#### **4.1.5. Functions/Structure**

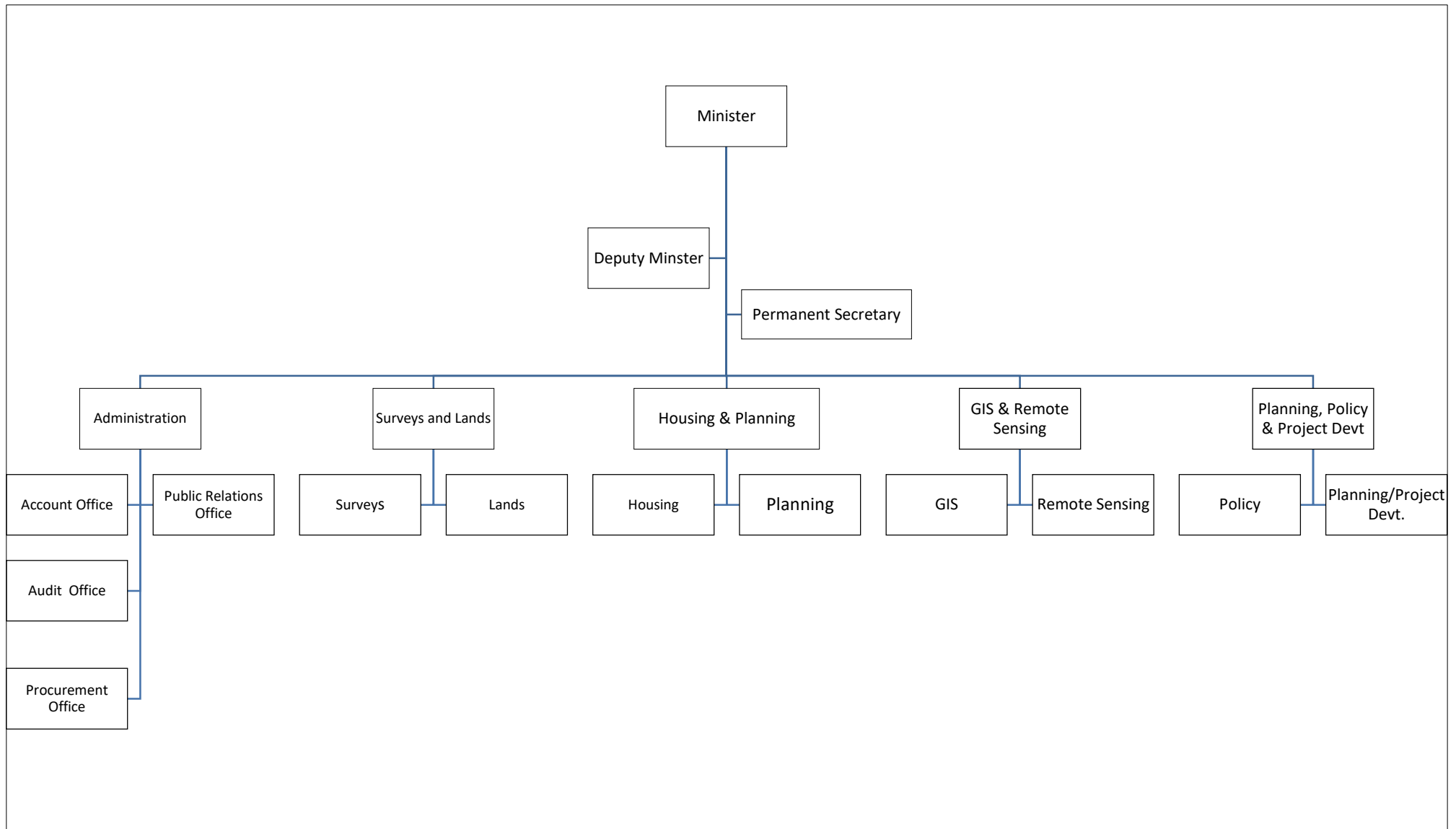
The present structure of the Ministry provides for a Permanent Secretary (PS), who is the administrative head. There are two political heads, the Minister and his Deputy. Section 62 of the Sierra Leone Constitution 1991 provides, albeit only vaguely, clarification on the roles of the Minister and Permanent Secretary. The Civil Service Codes also provides guidance on the role of the PS. The Minister and his Permanent Secretary must co-exist to manage the establishment, with the latter providing administrative leadership and guidance to all staff. Based on observable facts, there is a need for role clarity between the PS and the Minister. The aspect of role interference between the Office of the PS and the Minister is administrative, which relates to signing of lease document approved by the Minister and granting of building permit etc.

The Ministry currently has four main technical divisions, namely;

1. Lands and Surveys
2. Housing and Country Planning
3. GIS and Remote Sensing
4. Planning, Policy and Project Development

The organogram below gives a clear description of the current management structure of the Ministry.

**Current Organogram:**



## **4.2 Inter-departmental Collaboration and Coordination**

The review process revealed that all technical divisions are headed by Directors, who are either acting, serving on contractual terms or based on internal administrative arrangement. What was very much apparent among divisions, especially Surveys and Lands and Country Planning divisions, is the low level of cross-referencing between the two on matters relating to land acquisition, mapping and planning process. The lack of effective collaboration between the two divisions has hindered the work of the Ministry, and has resulted to tremendous misallocation, mismanagement and maladministration in the allocation of state lands.

Prior to the commencement of this study, the Ministry provided the review team with a copy of its organogram, which shows the existing organizational structure and the line management relationship. The current structure of the Ministry does not enhance management for results; the functions within the two divisions are not clearly defined, and staff find themselves undertaking too many overlapping functions. For instance, the review team noticed that both divisions undertake survey activities that are not well coordinated. These are all major challenges identified, that continue to undermine productivity and service delivery.

### **4.2.1 Surveys and Lands**

This Division is primarily responsible for the surveying and mapping of all lands. It is also responsible for the administration of State lands. The Division should keep a record of all licensed surveyors and approves all survey plans, both for State and private lands. As such, the Division should ensure that private surveyors maintain standards of excellence. Personnel in this Division include surveyors, cartographers and draughtsmen.

The majority of problems regarding lands stem from the processes and systems utilized in the Division of Surveys and Lands. The systems and processes in place to facilitate the allocation and sale of State lands have not been adhered to over the years, leading to maladministration and allegations of corrupt practices. Regarding the practice of leasing State lands for dwelling purposes, interviews from other stakeholders and report indicate that the Government had originally intended to assist civil servants with housing by granting them financial loans to develop their own privately acquired lands. The process evolved to application to Government for lease of State lands, and later on to the present system wherein nationals are granted residential leases for a minimal amount of annual rent on the condition that they develop the land within three years and, once this has occurred, can then apply for freehold.

According to the Ministry, a decision was made to increase the minimal rent on these leased State lands from the previous range of Le5,000 to Le1,000,000. Over the years, numerous allegations of corrupt practices have been levied against the Ministry, including requiring applicants to pay commercial rate prices for the State lands, illegal sales, overestimating the land size on survey plans, approving applicants without meeting the conditions, and leasing the same piece of land to several applicants.

#### **4.2.2 Highlights of Specific Challenges with Lands and Survey**

- Weak land administration and management systems: there is a lack of comprehensive land policy framework, standards, guidelines, and inadequate institutional capacity for policy implementation. Laws dealing with land use and tenure must be modernised and related to effective policies.
- There is no comprehensive legislation clearly defining the functions of the central Ministry and the local councils; the schedule of functions listed in the Local Government Act is not appropriate given the nature of the work performed by the Ministry.
  -
- Indiscipline in the Land Market: this is characterized by the current spate of land encroachments, falsification of documents, multiple sales and registrations, unauthorised/haphazard development, and improper land demarcation.
- Indeterminate Boundaries: political, administrative, and government and private property boundaries have not been clearly defined. This has resulted from the lack of reliable maps/plans, improper survey practices, and the use of unapproved, old and inaccurate maps.
- Lack of Technical Experts and Equipment: a majority of the staff lack the qualifications/training to effectively manage land use and development. In addition, the systems and processes used to administer land use are limited and outdated. For instance, the Ministry lacks a cadastral system through which maps and land listings could be verified.

#### **4.2.3 Country Planning Division**

The Country Planning Division is responsible for physical/land use planning in the country, providing guidelines for the growth of settlements within the context of a plan indicating the nature, form and direction of growth of such settlements. Its mandate is to ensure organized planning of towns/cities and rural communities through structural layout schemes, and enforcing development control (planning permits). The purpose of such plans is to ensure the efficient use of land and the provision of amenities to improve the quality of life for the residents. In short, the division is responsible for the preparation, implementation and monitoring of various town planning schemes including urban structured plans, detailed plans, action area plans and subject plans.

#### **4.2.4 Housing Division**

The Housing Division is the focal point for all housing matters. It is also responsible for the delivery of sound, safe, sustainable and affordable housing, issuance of Building Permit and enforcement of Building Control.

The Division works in close collaboration with the Country Planning Division in the preparation of various town planning schemes, manned by town planning officers and Development Control, and is responsible to ensuring that construction and other uses of the land are in accordance

with approved plans and in compliance with building regulations and town planning schemes. This function is manned primarily by this division.

During the course of this review, this division was noted as the least in terms of staff capacity. The Housing and Country Planning Divisions were seen to be the most neglected divisions in the Ministry. This neglect has had devastating consequences on urban and town planning.

#### **4.2.5 Specific Highlights of Challenges on Housing and Building**

It was observed during the review that the Division is faced with series of problems in carrying out its functions, including:

- a. Refusal to comply with enforcement notices: due to delays in the enforcement procedure, many developers refuse to both apply for permission to develop and to comply with enforcement notices;
- b. Blockage/Lack of Access Roads: due to improper survey practices, lack of coordination between the two technical divisions, and weak enforcement mechanisms, which has resulted to leaving many properties end up being land-locked without established access roads;
- c. Haphazard, illegal and unsustainable construction: the lack of a comprehensive physical development planning has resulted in illegal settlements and hazardous developments, especially within the city of Freetown. The lengthy and congested judicial process has caused defaulters to go unpunished. In the absence of an effective legal instruments and policies to address these challenges, there is urgent need to strengthen the judicial entity established to be primarily dedicated to the pursuit of lands-related matters.

#### **4.2.6 Gis and Remote Sensing**

The current structure of the Ministry has GIS and Remote Sensing as a stand-alone Directorate. The mandate of this directorate relates to the developing and maintaining National Land Information System, National Spatial Data Infrastructure and promote spatial planning. The Directorate has a mandate to conduct regular land use mapping to support spatial and physical planning.

#### **4.2.7 Devolution**

We note that the issuing of building permits under the Local Government Act and subsequent devolution schedules fall under the responsibility of the Town Council. We therefore recommend that this Division effectively collaborates with the City/Town Councils which now have the mandate to collect building fees.

## 5. WORKING ARRANGEMENTS

### 5.1 Staffing

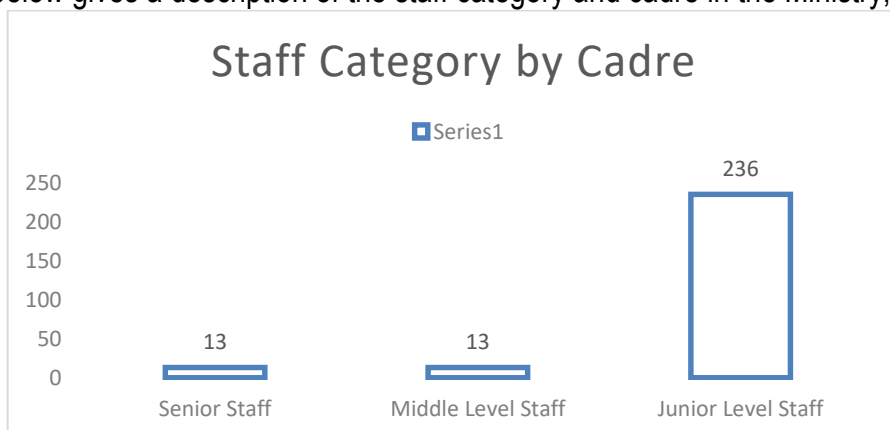
According to the information provided by the Ministry, there are **262 names** on the current staff list. None of the staff interviewed during this review have job descriptions and there is no recent scheme of service available. As with other similar institutions, the Ministry has a substantial number of personnel whose focus have predominantly been on lands and survey, with little attention for housing and country planning. Data collected from the Ministry places this number at around 236 personnel including clerks, drivers, technical officers, land guard and draughtsmen.

The analysis of the staff list presented to the team revealed a substantial number of staff that are on the verge to retirement. The absence of a scheme of service and succession plan has made man-power planning challenging for the Ministry.

The staff list further reveals the lack of essentially technical and qualified personnel. Even with the overwhelming number of support staff, most of whom are the in junior category, little or no value is added to the implementation of the Ministry's mandate. The shortage of middle level technical staff affects service and performance optimization of the Ministry. This challenge therefore, reveals the urgent need to fill critical vacancies in all the directorates and associated units proposed in the organogram.

The review team observed that several key positions including those at the Director level have been vacant, with temporary officers filling in the capacities. During the review, most of the personnel in the technical divisions of the Ministry, including the Acting Director of Surveys and Lands, were acting based on internal arrangement and not according to the Civil Service Code, while the service of the Director of Housing and Country Planning was based on the extension of contract.

The graph below gives a description of the staff category and cadre in the Ministry;



### **5.1.1 Training**

Training remains one of the key deficiencies in the Ministry. According to information provided both staff at central and regional level of the Ministry, there was a training school for student surveyors located at New England, which provided training for a period of three (3) years before their appointments with the Ministry are confirmed. However, the school has not been operational in over twelve (12) years. In general, training opportunities, particularly for junior staff, have been very limited, and often not available. The Ministry faces a severe shortage of technical staff in both surveying and country planning, which continues to compromise its work. The Ministry not only faces challenges in managing State lands, but also finds it challenging to monitor the licensed surveyors who work on private lands, resulting in numerous cases of land grabbing, encroachment, and illegal sales. The lack of training is especially evident in support services where very few of the clerical staff interviewed during this study had attended any formal training courses.

### **5.1.2 Accommodation and Financial Resources**

Accommodation standards at the Ministry headquarters at Youyi Building are reasonably good. However, the Ministry lacks essential equipment in all Divisions, both administrative and technical.

Also documents reviewed revealed the Ministry to be among the key revenue-generating institutions of government. Unfortunately, this is not reflected in the financial allocations of the Ministry. Evidence shows that the Ministry is among the least funded by government.

It is therefore the view of the review team that revenue generating institutions could be motivated to do more with the right kind of supports that promote and enhance their functions. It is important that the Ministry and the government develop a mechanism through which some percentage of this revenue can be retained in the Ministry to be used for covering material expenses.

## 6. ANALYSIS AND RECOMMENDATIONS

This section of the report deals with the analysis of findings, the function and structures and the operational system within the Ministry. The issues arising during investigations are discussed and reviewed and recommendations proffered. The review team conducted approximately 80 interviews with staff of the Ministry of Lands, Housing and Country Planning, Freetown City Council, and the Decentralisation Secretariat. Views and issues were discussed for the purposes of clarification. The team also studied the Government Transition Report, the MTNDP and the Government White Paper on the report of the COI were also useful resources.

### 6.1 Management Structure and Operations of the Ministry

The team observed that for the past 20 years, governments have had problems with defining the mandate and areas of responsibility for the Ministry of Lands, Housing and Country Planning, as evidenced by the numerous changes in its nomenclature. The Ministry, in implementing its functions, is faced with several challenges. It does not have the technical manpower, financial resources to cover the vast area and demands of the nation. Additionally it does not have the capacity of trained surveyors or trained land management officers. The team also observed that the equipment needed for an effective, genuine and verifiable survey document does not exist.

This lack of clarity is manifested in the internal workings of the Ministry as well. In one of the documents made available for the study, the Ministry indicated that its vision is:

*“ To Attain secured land ownership status that will eliminate or reduce land conflicts and tensions in communities through the Land Title Registration Process by 2027; properly planned communities and settings and ensure that majority of Sierra Leoneans can pride themselves in having a house they can call their own”.*

Its Mission Statement is:

*“To contribute to national development by ensuring security of land for all citizens and investors; ensure spatial planning of cities and towns that should lead to the evolution of new communities as well as enforcing development control”.*

Given the ambitious mission and vision stated by the Ministry, there is every indication of facts that the available technical man-power and financial resources cannot effectively support the full implementation of the Ministry’s mandate. In order to address the challenge of weak internal coordination in the Ministry, the review has recommended the adoption of a management structure with a single Technical/Professional Head. This therefore, justifies the need to fill in.



## 6.2 STATUTORY FRAMEWORK

### 6.2.1 Legislations relating to Surveys and Lands Division

There are plethora of laws relating to the Ministry, but most are not known to most of its staff. Only a select few individuals have knowledge of, and access to them, and only to those referring to their own specific department. As stated earlier, these laws provide legitimacy to the Ministry and provide boundaries in the environment it operates. It is important that all staff are familiar with the laws governing their work. **The team therefore recommends that** all rules and regulations regarding the primary functions of the Ministry be incorporated into one composite Law, and disseminated to all staff. Awareness of the legal boundaries will also reduce the incidence of illegal land sales and other corrupt practices.

The review team was able to study the statutory requirements and the daily operations of the Ministry and have come to the conclusion that professional staff need clarity and guidance to fully implement operations and effectively perform their responsibilities. **The team therefore recommends** that a sector policy for Surveys and Lands, providing strategic guidance, should be developed as a first step to concretize all its rules and regulation into one composite Law.

The present magnitude of the problem in the Ministry cannot be solved by a Committee alone. It will need a concerted effort on all fronts, including sustained support from the Government and most preferably Office of the President.

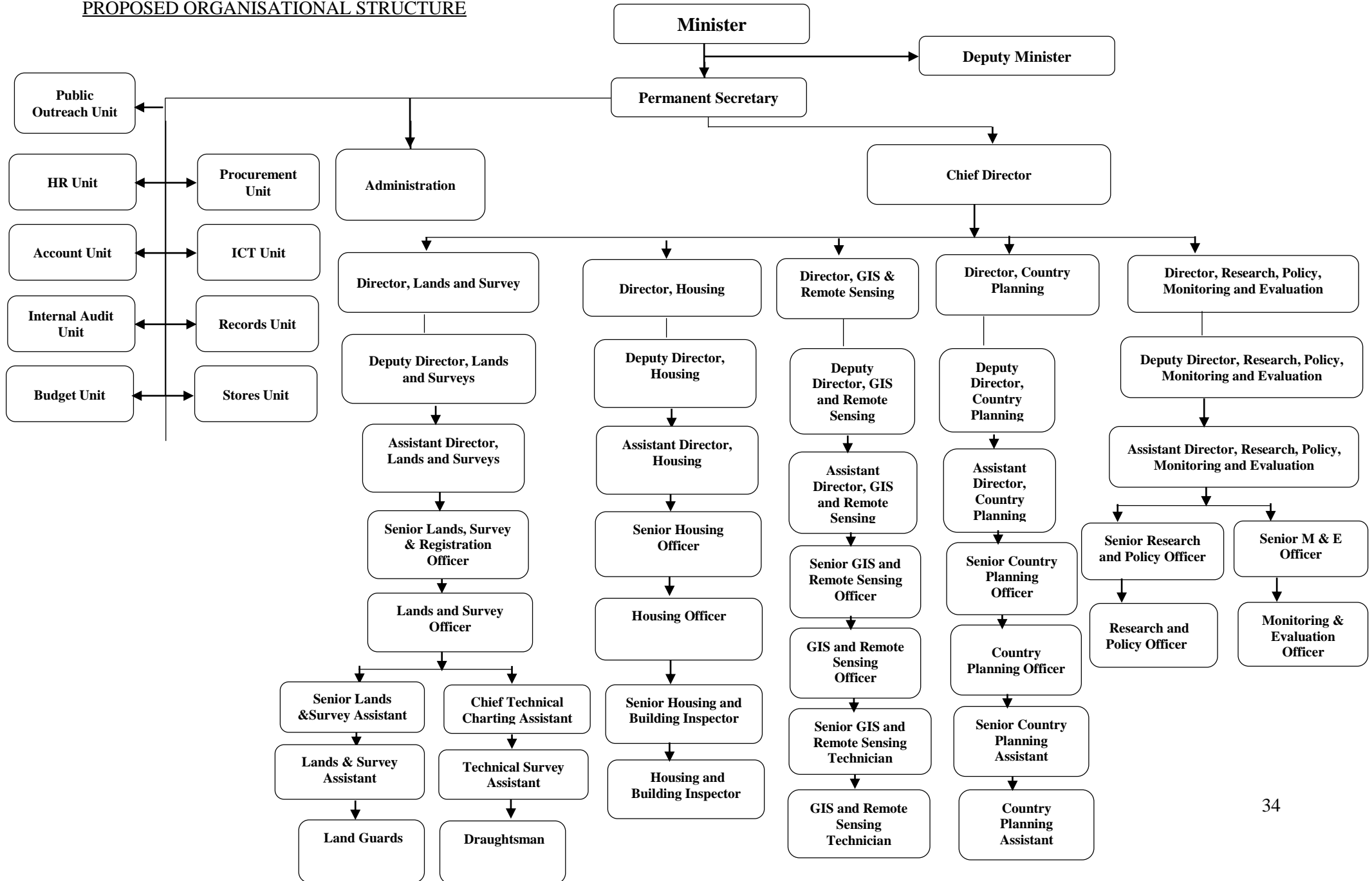
**The team therefore endorses and support all the Policy Objective and recommendations** relating to the improvement of the Ministry as captured in the Medium Term National Development Plan (MTNDP).

The legislation regarding Statutory Declaration of Land ownership remains unclear, as this has been one of the avenues used by land grabbers to acquire land illegally. We hope that the Ministry will provide clarification and guidance on this issue to facilitate their work.

The review team noted that it is the place of the Government via the Courts to determine the claims on land, but believe that the Ministry may need to be co-opted into this process because of the lack of clarity on lands owned by the State. It is therefore necessary that the Ministry develop accurate records on all lands owned by the State and be able to distinguish these from unoccupied and private lands.

There is great potential for conflict arising from land ownership and this must be addressed expeditiously. There is also a clear need for review of 'Section 4 of Cap. 117 Unoccupied Lands Acts, in the Laws of Sierra Leone, 1960', to protect the interests of the people of Sierra Leone. The provisions regarding this issue must be made clear in the composite law on lands and surveys being advocated for in this report.

**PROPOSED ORGANISATIONAL STRUCTURE**



## 6.2.2 Leasing and Sale of Lands

The review team noted that, the allocation of state lands by the Ministry is not guided by any established policy or legal instrument to ensure optimal allocation. Also, Lands are being allocated with no provision for social services like markets, schools, recreational services, hospitals, churches, mosques, etc. The Ministry has not been effective in its allocation, as a result of poor collaboration and cooperation amongst the various players that are charged with similar responsibility but most particularly the absence of lands allocation policy.

Land records are generally a reference point for seeking evidence of ownership and entitlement. Since the Ministry cannot produce evidence of proper records maintained for all state lands both in the Western and Regional Areas, it is highly likely that land documents may go missing and unnoticed thereby making it difficult for the Ministry to address land disputes when they occur. In the different regions visited, the review team observed that government reserved lands were encroached on as there was no evidence of maps to show what was allocated and the balance reserved. Surveyed plans were not made available at the Regional offices to determine the quantum of acreages or acres of lands that were leased. This has led to problems of land encroachment in the reserved areas.

Therefore the team is making a case to fast track all settlement mechanisms of land cases and disputes with encroachers and squatters. **The team recommends** that a special court for land cases be established to handle all land matters. As a way of expediting legal processes for existing land disputes, the team believes that the Commercial Court already established could serve as a legitimate forum to effectively arbitrate on all land cases. The review team also support the Ministry's consideration to integrate alternative dispute resolution (ADR) mechanisms into the land arbitration process.

**The team further recommend** that the leasing of State lands be done in a systematic way to allow for effective monitoring and record-keeping.

The team noted that the problems faced by the Ministry at central level are not replicated at the district level, as town planning officers and Paramount Chiefs with the help of the Town Planning Committees of councils, are working amicable. Other reasons for this are that the Paramount Chiefs are respected as the legitimate custodians of land, and there is less pressure for land in these areas unlike Freetown. **The team recommends therefore** that the processes, particularly the authorising roles, guiding land leasing are clearly defined in land allocation policy to reduce duplication and overlap, and enhance transparency and accountability.

## 6.2.3 Approval of Site Plans

Private site plans for land are prepared by private Licensed Surveyors and submitted to the Ministry for the approval of the Director of Surveys and Lands. This action does not guarantee ownership or title in itself, and the process is fraught with inconsistencies. We observed that, notwithstanding the right to prepare conveyances, other parties can stop construction on the land without recourse to the Ministry. In the Regional Headquarter Towns, for example, approval of

site plans is made by a Town Planning Committee that considers all the issues surrounding the land before permission is granted.

However, the Sierra Leone Roads Authority can stop construction on the claim that the building is on its Right of Way. We understand that the current process calls for consultations with service providers. However, to institutionalise this good practice, embedding it into the culture of the Ministry, and to ensure consultations with all stakeholders and relevant authorities, **the team recommends** that the Ministry sets up a Town Planning Committee to review all site plans before approval is given. Accordingly, the team further **recommends** the following Institutions: -

- Ministry of Lands, Housing and Country Planning - H&CP Division Chair
- Ministry of Energy
- Electricity Distribution and Supply Authority
- Guma Valley Water Company/ SALWACO
- Ministry of Works and Public Assets
- Local Council
- A representative from Civil Society
- Co-opted members of the wards when consideration pertains to the ward.

#### **6.2.4 Functions of The Ministry**

The environment within which the Ministry of Lands, Housing and Country Planning operates is changing and its functions should reflect these changes. The devolution of functions from the Ministry to the local councils as stipulated by the Local Government Act 2004, and the transfer of the housing directorate from the Ministry of Works and Public Assets, as well as the delinking of the environment function through the creation of a new Ministry of Environment has further expanded the scope of the Ministry's operations and created space for modifications in functions.

The modifications in scope and functions as observed by the review team should be supported by the Government's commitment to providing and managing the use of land in order to meet, as far as possible, the increasing needs of the people. This can be done through effective policies to guide land use and management. There should be, within the context of the scarcity of land, sufficient amounts of land available for national infrastructural development, balanced against environmental requirements, at reasonable costs and endowed with security of clearly defined tenure.

For the realization of an appropriate land policy, various instruments and tools are necessary, including, but not limited to:

- Policies and legislations on National Land Commission and Customary Land Rights;
- New Town and Country Planning legislation;
- Development of Freetown Structural plan and validation of structural plans for other cities;
- Digitization of All State land, supported by Land Title Registration digital infrastructure;

- Land information system (GIS/LIS);
- Regional and Municipal planning
- Valuation and taxation;
- Land acquisition and delivery.
- Institutional components such as effective intra/inter-ministerial coordination and cooperation mechanisms, organization, financing systems, legislation information, communication, training, and research.

The Ministry should endeavour to develop an effective Land Registration Strategy (LRS) with the objective of fostering the development of an effective land administration system, and creating a healthy climate for investment and ensuring that property rights are upheld and formalized. With the implementation of the proposed digitization of All State land, supported by registration of land titles, the review team believes this will ensure efficiency in land administration.

The review team believes that while this strategy will help put the Ministry in the right direction for development, additional support may be needed to ensure comprehensive coverage. **The team recommends** that this strategy be comprehensive to the extent to form part of the working processes in the Ministry, and that, as appropriate, the Government should provide support for system-wide implementation that will provide the sector with new technologies and adequate support in land administration.

### 6.2.5 Decentralized Functions

The Local Government Act 2004 makes provisions for a variety of functions from central Ministries to be devolved to the local councils, including the Freetown City Council. In as much as we support the rationale behind decentralization, we maintain that local councils are not capable of undertaking their new functions at this time. It is vital that the local councils be provided with the necessary support and capacity. It is important that the Ministry work with local councils to develop a plan of action that ensures efficiency, transparency, and coordination.

The Western Area remains particularly problematic as Freetown has outgrown its original boundaries and the Freetown City Council cannot affectively provide services as envisaged. The pressures created by the population movement and its attendant social, economic and political challenges make implementation of the devolved functions increasingly impossible. **The team recommends** that the structure and functions of local Council relating to land management be reviewed with a view to strengthening the various sub-administrative divisions of the local governance structure on land administration. Alternatively, **the team recommends** that the devolution of functions to councils by MLHCP be put on hold until the Ministry has reviewed and clarified its new functional role, and at the same time prepared the councils to take over the devolved functions.

## 7. STRUCTURES AND WORKING ARRANGEMENTS

With the transfer of the Housing unit to the Ministry of Lands, Housing and Country Planning, the added functions provides an opportunity for the MLHCP to develop a robust mechanism on land allocation, use, physical planning, and management. **The team therefore recommends that roles within the technical divisions and administration be clearly defined in the new Organogram, to avoid duplication and unproductive overlaps.**

**The team recommends the adoption of** the following Directorates vis-à-vis the new functions of the Ministry:

- ✓ Directorate of Lands, Surveying and Registration
- ✓ Directorate of Housing
- ✓ Directorate of Country Planning
- ✓ Directorate of GIS and Remote Sensing
- ✓ Directorate of Research, Policy, Monitoring and Evaluation

The function of land value assessment is performed within the Ministry, from which was observed a variety of problems with it including arbitrary values being placed on leases in Freetown. As the process is a technical one, prone to corrupt practices, the team recommends a participatory approach that incorporates not only the expertise of the Ministry but also of other stakeholders and experts. The Ministry has proposed a zoner price index. The teams support this and further **recommends** the creation of a Land Value Assessment Committee. The following composition is proposed:

- ✓ Ministry of Lands, Housing and Country Planning
- ✓ Ministry of Local Government
- ✓ Ministry of Works and Public Assets
- ✓ Office of the Administrator and Registrar-General
- ✓ Local Council
- ✓ Association of Architects

Moreover, the assessment of the current structure of the Ministry revealed functional differences between the GIS and Remote Sensing and Housing and Country Planning directorates. Comparative analysis of different systems indicate that GIS and Remote Sensing should function as distinct Directorate and empowered to perform its functions.

### 7.1 Issues with Working Arrangements and Management

- In analyzing the questionnaires completed by the staff of the Ministry, and from our various interview sessions, a number of issues were identified in the organizational procedures, processes and work practices that should be addressed.

- Work schedules and job descriptions are indicated, but in reality they do not exist. Similarly, there are no established communication channels or management practices such as mandatory staff meetings, appointment books, or minute reports.
- The limited coordination between the technical divisions has led to a variety of problems regarding inaccurate survey plans, lack of alignment between survey plans and building plans, and improper and unsustainable town and country development planning. While both divisions perform particular tasks, these are nevertheless interrelated and require coordination throughout.
- There seems to be little regard for official command structure; instructions and requests are not made through the legitimate channels, creating confusion and dissension in the organization. It is important that the functions of all managers are clarified, and that the role of the Permanent Secretary is utilized, as indicated in the General Orders and the draft Civil Service Code of Conduct /Rules and Regulations.
- Reliable land records are essential to protect the rights of citizens and Government. These records legitimize transfer ownership of and establish title to real property. The records can be in the form of technical survey plans denoting dimensions and topographical specifications, as well as precedence records that provide historical records of ownership, tenancy, and changes made to the property. The records may attest to the owner's age, place of birth, citizenship, military service, literacy, and economic status and may even include similar information about family members. Land records are generally a reference resource for genealogists seeking evidence of ownership and entitlements. The land entry case files document the transfer of public lands from the GoSL to private ownership. Land case entry files contain a wealth of genealogical and legal information and can also establish locations of land ownership or settlement. The case file may present new insights about ancestors, family history, title, and land use issues.
- Expertise in the creation, storage, and retrieval of land records should be acquired to ensure that technical and precedence records are properly managed and easily retrievable. Record keeping is not centralized and divisional heads maintain their own individual filing systems, creating isolated islands of information, distorting power relationships in the organization. Attempts to capture data from land records and automating without classifying, indexing and describing the hard copy records may result in making access difficult and expensive. Once hard copy files are systematically arranged and control systems put in place, migrating data into an automated system will be cost effective.
- The team also observed that there is no utility vehicle to transport workers to sites for surveying or inspection. If there is a complaint by the public, the aggrieved is requested to provide transport for inspection, exacerbating the incidence of corruption. **The team recommends that priority be given to the Ministry in provision of vehicles as their work justifies having transportation.**

- Modernization of the Ministry of Lands, Housing and Country Planning includes expanded use of information technology to improve efficiency and quality of its services to the country. This could be accomplished by establishing a computerized on-line land registry processing system for all directorates.

At the Ministerial level, this will satisfy many objectives. Most important of them include:

- Provide efficient and fast transactional services to the community.
- Automation of registration procedures.
- Production of error free high-quality documents.
- Automated documentation of transactions.
- Direct update of land ownership record at the moment of transaction execution.
- Introduction of additional hardware and software necessary to satisfy the needs of other organizations via electronic facilities.
- Capacity building and staff development

At the National level, the following objectives would be met:

- The ability to investigate land records will necessitate the formal identification and recognition of the ownership of the land.
- Security of tenure, by saving an additional copy of the land register and cadastral maps.
- Reduction in land disputes, by the capability to check any corresponding information related to the disputed parcel.
- Improved conveyance transaction by reducing costs and delays in transferring property rights.
- Encouragement of the land market by introducing fast, cheap, secure and effective system for recording and transferring transactions.
- Monitoring of the land market and controlling land transactions and ownership.
- Successful land reform through the permanent availability of information regarding who owns what rights in what land.
- Better management of state domain lands. This gives rise to improved revenue collection from the land which it leases gives for rent or authorizes.
- Support for land taxation. Improvements in the cadastral system lead to great efficiency in tax collection and the consequential greater amount of tax recovered.



The proposed changes to the MLHCP require substantial changes in staff capacity, organizational structure, and management practices. Professionals are required for information technology management, monitoring and records management. **It is recommended** that the Ministry identify its capacity gaps and seek support from the HRMO, PSC and PSRU.

### 7.1.1 Revenue Generation and Financial Allocation

Documents reviewed revealed the Ministry to be among the key revenue-generating institutions of government. Unfortunately, this is not reflected in the financial allocations of the Ministry. Evidence of budget allocation shows the Ministry to be among the least supported by the Ministry of Finance. From 2018 September, 2020, evident by documents presented to the review team, the Ministry has generated **Sixteen billion, six hundred and forty-eight million, one hundred and fifty six thousand leones (Le16, 648, 156, 000)**. Below is a graph illustrating the revenue flow from 2018 – September, 2020;

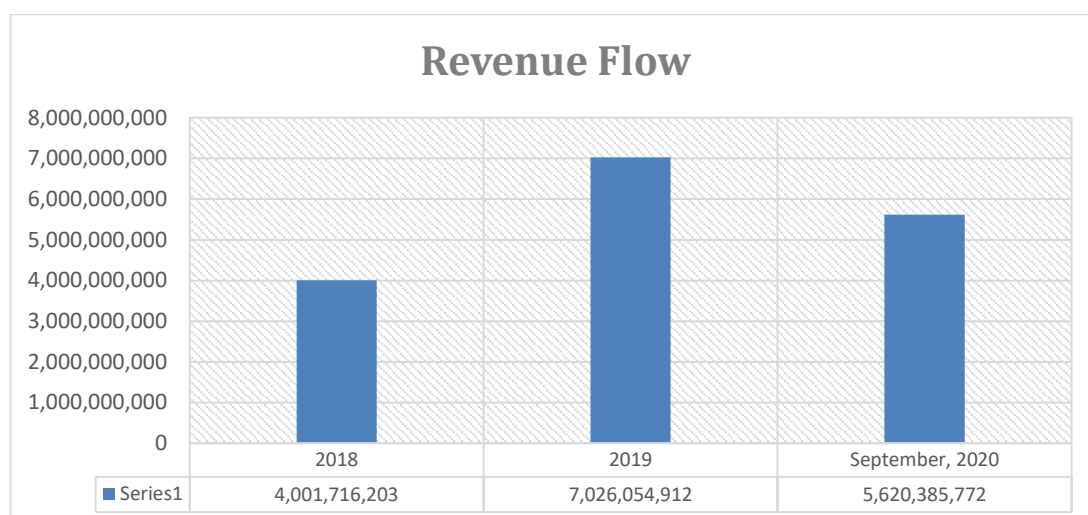


Illustration of revenue generated by the Ministry from 2018 to Sept, 2020

It is therefore the view of the review team that revenue generating institutions could be motivated to do more with the right kind of supports that promote and enhance their functions. It is important that the Ministry and the government develop a mechanism through which some percentage of this revenue can be retained in the Ministry to be used for covering material expenses.

### 7.1.2 Training and Staff Development

We were informed of the former Surveys Training School at New England which has been defunct for over five years. A majority of the present crop of surveyors had their initial training at this school. We note however that the training provided was inadequate and that participants were expected to seek further professional training from other tertiary institutions. The building that housed the school is in ruins and is in need of repairs. In light of the lack of funding and

management challenges, resuscitating the school is not a cost effective short-term measure. Until such time that the immediate pressing challenges have been addressed within the Ministry and the Civil Service **the team recommends** that the Ministry should seek support from Tertiary educational institutions in the form of inclusion of basic courses for training of surveyors in their curriculum. This will be in line with the requirements of the Tertiary Education Act. The HRMO serves as a valuable recourse in accessing training for Ministry staffs and **the team also recommend** that the Ministry discuss its needs with them.

### 7.1.3 Neglect of Country Planning to the Re-Alignment Strategy

Over the years, there has been a total shift from the Country Planning Division, which is primarily responsible for physical/land use planning in the country, providing guidelines for the growth of settlements within the context of a plan indicating the nature, form and direction of growth of such settlements. The consequences of this shift has affected the environment in a way that has created room for environmental disasters and congestion in the urban areas. This has had serious effects on urban and rural planning.

In order to avoid the disaster of the continue neglect and focus on physical planning, the **team recommends that government** facilitates the enactment of a new Town and Country planning Act to address the issues of land use planning and development control. Spatial planning should be integrated into the sectoral development strategies of all MDAs. Spatial planning in these contexts should provide a framework for the coordination of urban policies and major infrastructure projects, harmonization of development standards, comprehensively addressing the ecological footprints of urbanization, and a space for public discussion of these issues.

The proposed Town and Country Planning Act should be reinforced with the following provisions:

- The TCPA act should provide for only one type of permitted development i.e. the expressed application for planning permission. The permission procedures must be revised and include the complete permission process.
- The Town and Country Planning Act should set out procedures to guide the planning authority in determining which development should be granted or refused planning permission.

The team also observed that the absence of coordination amongst MDAs is other major cause for poor town and country planning. The **team is therefore making a case for** the mandates of the various MDAs responsible for land use planning and development control to be reviewed and harmonized. The MDAs identified, whose mandates overlap in the area of urban land use planning and urban development include; MLHCP, MWPA, MAF, Office of National Security (ONS), EPA-SL, MMR, MTCA and Ministry of Environment.

#### 7.1.4 Re-Alignment of Housing Policy and Coordination

The review team also observed that the Housing division has also suffered a great neglect, which has resulted to starvation of critical financial, material and human resources to support its functions. The inability of the housing division of the Ministry to function well, has had resultant effects on planning and settlements. This has led to unwarranted and unsanctioned construction of structures that are of environmental or residential consequences.

As a way of strengthening the Housing and Country Planning divisions and optimize service delivery, **It is further recommended that** the Housing and Country Planning Directorate be separated into two different Directorates (**as indicated in the proposed organogram**) with specific mandates and functions. This will significantly help to increase their scope of operations and performance in relation to service delivery. The team further recommend for the conduct of a management and functional review of the Sierra Leone Housing Corporation (**SALHOC**), for the re-alignment of mandates and avoidance of possible duplications of functions between the **Ministry and the Corporation**.

#### 7.1.5 Communication

The Ministry deals directly with the community as it allocates Government land and arbitrates disputes on land matters. However, communication with the public is weak and not constructive. We noted that the public is unaware of the mandate, structure, functions, and procedures of the Ministry.

The Ministry is also reportedly noted for having a slow response rate to public concerns. This perception of non-responsiveness has created a situation wherein the public seek low-ranking staff to address their problems, compromising the command structure, and creating an incentive for corruption. We have made provision for enhanced communication in the **proposed organogram**.

#### 7.1.6 Implementation of the Management and Functional Review of the Ministry

It is important that the Ministry is able to align its internal vision with the objectives identified in the Government's Medium Term National Development Plan (MTNDP). This process should be guided by a team familiar with its roles and strategic focus. **The therefore recommends** that a Change Management Team led by the Permanent Secretary and comprising senior management staff of the Ministry be constituted to ensure effective implementation of good management practices and structural effectiveness. The Change Management Team (CMT) should also comprise the **Public Sector Reform Unit, Human Resource Management Office and Public Service Commission to provide technical backstopping in the implementation of technical recommendations**.

## ANNEXES 1

### LIST OF OFFICIALS INTERVIEWED DURING THE CONDUCT OF THE MANAGEMENT AND FUNCTIONAL REVIEW FOR THE MINISTRY OF LANDS AND COUNTRY PLANNING

NO.	NAME	POSITION	CONTACT
1	Dr. Dennis Sandy	Minister	
2	Israel B. K. Jigba	Permanent Secretary	076-604100
3	Tamba S. Dauda	Acting Director of Surveys and Lands	030-027977
4	Augustine O.F. Kai-Banya	Director of Housing and Country Planning	076-647376
5	Jobo Samba	Head of National Land Policy Implementation	078-215650
6	Abdul Kamanda	Senior procurement officer	078-459644
7	Ginnah F. Missah	Senior Accountant	078-956250
8	Aiah K. Fillie	Ag. Assistant Director Housing	076-693858
9	Mohamed S. Banya	Ag. Deputy Director Housing	076-798673
10	George E. Koyama	Senior Housing Officer	078-444453
11	Edward Sam	ICT Manager	079-867495
12	Saffa L. Sandy	Senior Internal Auditor	076-210100
13	Aiah Paul Kaingbanja	Assistant Town Planning Officer - Makeni	
14	Khalil Ibrahim Foday	Building Inspector - Kenema	
15	Joseph John Kpanabom	Technical Officer - Bo	
16	A.Y. Bockarie	Senior Building Inspector - Bo	

**ANNEX 2**

**MANAGEMENT AND FUNCTIONAL REVIEW**

**QUESTIONNAIRE  
Senior Management Officers**

The purpose of this questionnaire is to determine the nature of the overall strategy and structure of the MDA to enable the MFR team to identify key issues and determine the approach to further research and interview. Please complete questions as thoroughly as possible. A member of the Review Team will be available to answer questions and assist as necessary. Please use additional paper to provide answers if necessary.

**NAME OF MDA:**.....

**NAME OF POST HOLDER:** .....

**DEPT/ UNIT:** .....

**JOB TITLE:**.....

**LOCATION:**.....

**DATE:** .....

**TEL (MOB/LAND):** .....

**EMAIL**.....

Please answer the following questions as comprehensively as possible. If there is insufficient space to answer fully any question, please record your name and relevant additional comments on the last page or on a separate sheet of paper and attach it with you name and number.

**SECTION A: MANDATE, MISSION AND VISION**

1. How is your mandate helping to address the current and foreseeable challenges with respect to service delivery?

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2. To what extent is your mandate in line with the development priorities of the GoSL?

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3. What are the issues and concerns that requires urgent attention with respect to your mandate?

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**SECTION B: FUNCTIONS**

4. Please list the main functions of the department, division or unit within the MDA for which you are responsible. (Add additional sheets if necessary).

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

e. \_\_\_\_\_

f. \_\_\_\_\_

g. \_\_\_\_\_

5. How is the annual work plan developed and monitored? (Please use additional sheets if necessary)

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6. Please state any operational problem(s) encountered in carrying out the functions of your department, division or unit within the MDA.

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7. How could procedures, processes and systems be improved upon to address these problems and improve performance and service delivery?

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**SECTION C: COORDINATION AND INTERNAL RELATIONS**

8. Which other departments/divisions/units within the MDA you collaborate with in the performance of your functions?

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9. What is/are the difficulties (if any) do you experience (including overlaps or duplications of effort).

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10. What can be done to improve areas of collaboration with other departments/divisions/agencies/units:

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11. Do you/or your department/agency have regional offices? Yes /No  
If yes, please indicate?

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12. Please explain your recruitment process.

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13. What are the general human resource issues or problems your dept/unit is experiencing?  
(staff strength, retention, turnover, capacity etc).

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14. Do you have grievance reporting Mechanism? If yes/no, please explain.....

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**Staff Training, Promotion and Career Development**

15. What mechanism do you have in place for promotions and career development?

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16. Do you have a training and capacity building policy? If yes; please briefly state what the policy says about staff training and capacity development,

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17. How do you identify employee training and development needs?

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18. Please provide a list of training(s) you or staff within your dept/unit or the institution in the past 3 years

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19. How do you appraise the performance of staff?

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20. How many people have gone on retirement since the past twelve months? (Aggregate by gender)

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21. How many people have been recently promoted in line with your career development plan?

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**Records Management**

22. What system do you have in place for Records' Management?

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23. How is this system helping to ensure institutional productivity?

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24. What other challenges are you experiencing with respect to Records Management?

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25. What do you think should be done to ensure effective Records' Management system contribute to institutional productivity and service delivery?

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**SECTION F: ICT, AND STAKEHOLDER/CITIZEN ENGAGEMENT**

26. Current IT Equipment Capacity in your unit/dept

Essential Equipment		Current Condition				Number Needed
Type	Available	Good	Needs Repair	Obsolete	Not Available	

27. What IT facilities do you need to ensure operational efficiency?

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28. Please provide a justification for additional IT facilities?

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29. Do you have an effective communication strategy? If yes, please provide...

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30. Do you perform oversight function to other Agencies? If yes, explain...

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31. Please provide the list of the Agencies under your supervision.....

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32. How can communication be improved upon to enhance service delivery?

a. Internally

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---

b. With other MDAs

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c. With your key clients/ primary beneficiaries

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d. With the general public?

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32. How does the public communicate their interest and/or concerns to your MDA?

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33. Please state any challenges in your interaction with any of your stakeholders/partners/ clients/general public.

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25. How can communication be improved upon to enhance service delivery?

a. Internally

---

---

b. With other MDAs

---

---

c. With your key clients/ primary beneficiaries

---

---

d. With the general public

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**SECTION G: FINANCE, BUDGETING AND PROCUREMENT**

a. Please state any sources of revenue generation by your unit/dept

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b. Do you set annual revenue target? Yes/no (if yes, please state).

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c. If yes, how much have you been able to generate for the past three (3) years?

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d. How do you normally account for the revenue generated?

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e. Is your Agency/Commission part of the Annual Budgetary process organized by Ministry of Finance? Yes/no

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f. If no, explain the budget formulation process including any challenges your unit/dept have experienced in the past?

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g. Explain the processes used for procuring goods, equipment, and services in your unit/dept

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**SECTION H: ACCOMMODATION AND OFFICE SPACE**

a. How spacious is the Office?

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b. How many officers to an office?

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c. What other general issues and challenges with respect to accommodation do you have?

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**PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT COULD HELP THE REVIEW TEAM TO UNDERSTAND YOUR MANAGEMENT AND OPERATIONAL FUNCTIONS**

**Thank you very much for your cooperation**

**ANNEX 3**

**MANAGEMENT AND FUNCTIONAL REVIEW**

**QUESTIONNAIRE  
Junior Management Officers**

The purpose of this questionnaire is to determine the nature of the overall strategy and structure of the MDA to enable the MFR team to identify key issues and determine the approach to further research and interview. Please complete questions as thoroughly as possible. A member of the Review Team will be available to answer questions and assist as necessary. Please use additional paper to provide answers if necessary.

**NAME OF MDA:**.....

**NAME OF POST HOLDER:** .....

**DEPT/ UNIT:** .....

**JOB TITLE:**.....

**LOCATION:**.....

**DATE:** .....

**TEL (MOB/LAND):** .....

**EMAIL:**.....

Please answer the following questions as comprehensively as possible. If there is insufficient space to answer fully any question, please record your name and relevant additional comments on the last page or on a separate sheet of paper and attach it with you name and number.

**SECTION A: FUNCTIONS**

1. Please state your job description/job roles and responsibilities.

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2. Please state any operational problem(s) you often encounter in carrying out the functions of your department, division or unit within the MDA.

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3. How could procedures, processes and systems be improved upon to address these problems and improve performance and service delivery?

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**SECTION B: COORDINATION AND INTERNAL RELATIONS**

4. What is/are the difficulties (if any) do you experience (including overlaps or duplications of effort) with other division or units within the MDA.

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5. What can be done to improve areas of collaboration with other departments/divisions/agencies/units:

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**SECTION C: ORGANISATION/ OPERATIONAL STRUCTURE**

6. In terms of supervision, who do you report to?

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7. Who report to you? If there is any?

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**SECTION D: STAFF PROMOTION AND CAREER DEVELOPMENT**

8. What are the opportunities offered to you in the past three years?

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9. How many trainings have you undergone in the last three years?

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10. How were your capacity development needs identified?

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11. How was your performance over the year/years appraised?

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12. How many years have you spent in your current position?

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13. Have you had any promotion since the past five-ten years? If no, please explain...

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14. Have you benefited from any grievance reporting mechanism? If yes/no, please explain....

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**SECTION E: RECORDS MANAGEMENT**

15. What system do you have in place for Records' Management?

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16. How is this system helping/enhancing your productivity?

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17. What other challenges are you experiencing with respect to Records Management?

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18. What do you think should be done to ensure effective Records' Management system contribute to institutional productivity and service delivery?

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**SECTION F: ICT**

19. What IT facilities do you need to perform effectively?

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20. How effective is your internet connectivity?

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**SECTION H: ACCOMMODATION AND OFFICE SPACE**

21. How spacious is your Office?

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22. How many of you to an office?

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23. What other general issues and challenges with respect to accommodation do you have?

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**PLEASE PROVIDE ANY ADDITIONAL INFORMATION THAT COULD HELP THE REVIEW TEAM TO UNDERSTAND YOUR MANAGEMENT AND OPERATIONAL FUNCTIONS**

**Thank you very much for your cooperation**