STATE OF IMPLEMENTATION OF NACAP AT MMDA

Research Report
Contents

I. Executive Summary ..................................................................3

1.0 Introduction ............................................................................5
1.1 Background
1.2 Problem Statement
1.3 Rationale
1.4 Objectives

2.0. Combatting Corruption In Ghana ....................................11
2.1 Corruption In Ghana
2.2 The National Anti-Corruption Action Plan
2.3. Has The Nacap Been Effective?

3.0. Methodology ..........................................................................20
3.1 Research Design And Tool
3.2 Sampling
3.3. Data Source And Method Of Collection
3.4. Data Analysis

4.0. Results ........................................................................................25
4.1. Level Of Awareness Of The Nacap Within Local Government
4.2. Structural Readiness For The Implementation Of The Nacap
4.3. Level Of Implementation Of The Nacap At Mmdas
4.4. Nacap Implementation Challenges At Mmdas

5.0. Conclusion And Recommendations ...........................................38
5.1. Conclusion
5.2. Recommendations
5.2.1. Strengthen Structural Framework For Nacap Implementation
5.2.2. Dedicated Funding For The Nacap
5.2.3. Institute Proxy Enforcement Measures
5.2.4. Orientation Of Mmda Leadership On The Nacap
5.2.5. Develop Nacap Implementation Guidelines
5.2.6. Shared Implementation Of The Nacap

6.0 references .................................................................................................................49
Corruption is undoubtedly one of the developmental challenges for Ghana. There is increasing recognition of the effects of corruption and a greater call for the need to institute measures to reduce corruption in society. The National Anti-Corruption Action Plan (NACAP) was passed by Parliament in 2014 as a comprehensive action plan encompassing preventive and curative measures, as well as prescribing specific roles for the gamut of stakeholders in Ghana, including the Metropolitan, Municipal and District Assemblies (MMDAs).

While NACAP implementation began in 2015, MMDAs were only properly and comprehensively sensitized to join NACAP implementation in 2018. Learning from the challenges that institutions that began implementation earlier faced, this research was undertaken to quickly identify the nascent challenges facing MMDAs in their implementation of the NACAP in order to quickly resolve these challenges and usher MMDAs into full, effective implementation of the NACAP.

The study objectives include ascertaining the level of awareness of the NACAP among MMDA staff, the structural readiness for implementation of the NACAP, the level of implementation of the NACAP and nascent implementation challenges. The scope of the study is 2018 – 2019. Primary data was gathered by means of a
qualitative survey for analysis in line with the research objectives.

The results showed that only 22% of MMDAs had sensitized their staff on the NACAP. All MMDAs had appointed NACAP focal persons, however, the level of implementation of NACAP in MMDAs was only 33% in 2018 and 26% in 2019. Knowledge of the Annual Work Plan that prescribes NACAP activities for implementation each year was only at 17%. Implementation challenges identified by the MMDAs include funding, lack of support from MMDA management, low level of awareness on which activities to implement and the entire implementation process.

The study made recommendations to deal with these teething challenges, including the assignment of specific departments instead of focal persons for NACAP implementation, dedicated funding source for the NACAP, the institution of proxy enforcement measures, sensitization of MMDA leadership on the NACAP and the development of NACAP implementation and reporting guidelines.
Ghana has enacted various laws and created institutions meant to combat corruption. These include anti-corruption legal instruments, such as a Public Procurement Law (Act 663), Whistleblower Act (Act 720), Anti-Money Laundering Act (Act 749), Public Financial Management Act (Act 921), and institutions, such as the Commission on Human Rights and Administrative Justice (CHRAJ) and the Economic and Organized Crime Office (EOCO).

In addition to the aforementioned institutions, Ghana’s Parliament in 2014 approved the National Anti-Corruption Action Plan (NACAP), with a mission to “contextualize and mobilize efforts and resources of stakeholders to prevent and fight corruption through the promotion of high ethics and integrity, and the vigorous enforcement of applicable laws” (NACAP, 2015).

The NACAP was formulated by representatives from government, media, private sector, anti-corruption institutions, Civil Society Organizations (CSOs), key accountability organizations, experts and development partners. These institutions formed a working group that created a draft plan after nationwide consultations with citizens and institutions. The draft plan was validated and approved at a national forum on integrity in 2011, followed by its adoption by the Ghanaian Parliament in 2014. The NACAP is therefore a valid, legitimate blueprint for fighting corruption in Ghana.
Implementation of the NACAP is coordinated by the CHRAJ. NACAP implementation, however, is ensured by the High-Level Implementation Committee (HILIC) of the NACAP that includes key state actors, CSOs and private sector representation. Among other duties, the HILIC reviews annual progress on the NACAP and approves the annual action plan for the subsequent year. The HILIC is supported by the Monitoring Committee (MONICOM). The MONICOM’s duties include developing an M&E Plan, conducting monitoring and evaluation of activities and facilitating the implementation of the NACAP.

The NACAP has four strategic objectives as follows:

- To build public capacity to condemn and fight corruption and to make corruption a high-risk, low-gain activity
- To institutionalize efficiency, accountability and transparency in the public, private and not-for-profit sectors
- To engage individuals, media and civil society organizations in reporting and combating corruption
- To conduct effective investigations and prosecution of corrupt conduct

In brief, the NACAP adopts a three-pronged approach to dealing with corruption: Prevention; Education; and Investigation and Enforcement. It targets public and private sector institutions by integrating anti-corruption measures into their activities. Various Ministries, Department and Agencies (MDAs); Metropolitan, Municipal and District Assemblies (MMDAs); CSOs, Anti-Corruption institutions and the Private sector are assigned roles and are as a result responsible for effectively implementing specific activities assigned. These agencies and actors are referred to as ‘Implementing Partners’ (Ips).
After four years of NACAP implementation (2015-2018), there is evidence of implementation challenges that necessitate a review of the process of implementation in order to bring attention to the bottlenecks hampering implementation and allow for an effective implementation of the Plan to curb corruption in Ghana. NACAP Implementation in 2015 was reported by only 19 institutions. In 2016, this figure increased to 56. Subsequently, the number of institutions increased to 87 in 2017 and 169 in 2018.

Considering that in the public sector alone, there are over 60 Ministries, Departments and Agencies (MDAs) and some 260 MMDAs, the current number of institutions implementing and reporting on the NACAP is less than a quarter of the expected number of institutions. In the specific area of MMDAs, there was no report of an MMDA implementing NACAP in 2015. In 2016, only 4 MMDAs reported having implemented NACAP. In 2017, 11 MMDAs reported that they implemented NACAP. 11 out of the 216 MMDAs at the time is only 5% of the total number of MMDAs expected to implement NACAP and report on implementation.

NACAP implementation is a national project that ought to leave no one behind. In attempting to reverse a pervasive and growing culture of corruption and impunity, only a comprehensive strategy both in approach and geographical scope can permeate the Ghanaian society and make an impact. The issue of coverage (geographical) in implementation of the NACAP is crucial. However, the aforementioned figures are a clear indication that majority of stakeholders are not consciously implementing their assigned duties under the NACAP.
1.3 Rationale

This study intends to investigate the challenges of NACAP implementation at Metropolitan, Municipal and District Assemblies (MMDAs). The prequel to this study is a 2017 study by the Ghana Anti-Corruption Coalition (GACC) with similar rationale but focused on implementation of NACAP at the national level. This study will complement the earlier one by presenting the unique challenges of MMDAs, a unit of local government, in implementing the NACAP. The findings in respect of 2019 could serve as a precursor to the progress of implementation for 2019 that will be done officially (led by CHRAJ) by June 2020. The study is timely in providing stakeholders with the nascent challenges militating against NACAP implementation at the local level and proposing recommendations that could pave way for the NACAP to effectively impact the anti-corruption space across Ghana.

1.4 Objectives

The main aim of the study is to investigate the implementation of the NACAP within local government. The objectives of the study are to:

- Ascertain the level of awareness of the NACAP within MMDAs
- Ascertain the structural readiness of MMDAs to implement the NACAP
- Examine the level of implementation of the NACAP at MMDAs
- Explain implementation challenges peculiar to Metropolitan, Municipal and District Assemblies
- Make recommendations for a more effective and efficient implementation of the NACAP at MMDAs
1.5 Limitations of the Study

The scope of the study is 2018 and 2019. However, it should be noted that in the case of 2019, the scope covers only the first three quarters (January to September, 2019). Responses received for 2019 are therefore not full year reports but cover January to September, 2019.
2.0 Combatting Corruption In Ghana

This section reviews the state and nature of corruption in Ghana and attempts by the state to combat it. The section specifically examines NACAP as a national tool to fighting corruption in Ghana.

2.1 Corruption in Ghana

Corruption has been one of the biggest and persistent talking points in the last decade as a result of its disturbing effects on Ghana’s socio-economic development. Corruption has hit endemic levels in Ghana, having put its troublesome tentacles in every sector of the Ghanaian economy (NACAP, 2011). In the last decade, numerous corruption perception surveys have incrementally seen Ghanaians rating corruption as rising in the country. The more recent Knowledge, Perception and Experience (KPE) of Corruption survey, a research by the Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC) and SEND-Ghana (2017) found that most public institutions are perceived to be corrupt. The study sampled 17,996 Ghanaians and discovered that 64% were of the view that corruption had increased within the last two years. The 2017 Afro barometer survey also revealed that 55% of its respondents maintained that corruption had increased in the year 2016. In Ghana, bribery is the easiest identified form of corruption. There is also nepotism, fraud and embezzlement.

The effects of corruption on Ghana and Ghanaians are many and varied. Apart from costing the state huge amounts of money, the citizenry feels the effects of corruption mainly in the poor state of
service delivery in Ghana across all sectors. Other effects of corruption include the weakening of the institutions of state, loss of lives (as a result of the poor state of service provision), and a worsening of the living condition of the citizenry (NACAP, 2011).

In Ghana, corruption is given the enabling environment to thrive without any effective commitment from stakeholders to shackle it. The most popular challenge of fighting corruption is the politicization of corruption (Ayee, 2016). Politicians fail to play their role in naming, shaming, and punishing corrupt officials because they are party faithful, and this emboldens corrupt persons as they are able to quickly rally party supporters whenever an allegation of corruption is levelled against them.

This behavior also translates to the erratic implementation of anti-corruption legislation. There is also the issue of selective enforcement of laws, and in many cases make certain clauses very open making it less comprehensive and difficult to interpret (Imurana et. al., 2014). Other drivers of corruption include resource constraints of Anti-Corruption Institutions like the CHRAJ and EOCO which need to be strengthened to effectively fight corruption. There is also the culture of gift-giving and the lack of effective corruption reporting system (NACAP, 2011).

Historically, Ghana has made efforts to combat corruption. These attempts have spanned the various leadership regimes Ghana has had since independence in 1957. As documented elsewhere, Ghana’s efforts at controlling corruption have included the following actions (NACAP, 2011):

- embarking on moralizing crusades by enlisting the help of religious and community leaders to exhort citizens to uphold the values of integrity and to manifest high moral ethics in their personal lives;
• public execution of persons for corruption;
• passage of draconian decrees that included the imposition of long custodial penalties;
• confiscation of properties found or believed to have been corruptly acquired by public office holders;
• declaration of a policy of zero tolerance for corruption;
• strengthening the nation’s anti-corruption legislative framework through the passage of several anti-corruption laws;
• embarking on public sector and financial management reforms; and
• strengthening national anti-corruption institutions such as the Ghana Police Service, Commission on Human Rights and Administrative Justice (CHRAJ) and the erstwhile Serious Fraud Office (SFO).

2.2 The National Anti-Corruption Action Plan

One of the major strategies initiated by the Government of Ghana to address corruption is the ten-year (2015-2024) National Anti-Corruption Action Plan (NACAP). NACAP was developed based on consultations and consensus reached among key stakeholders from the public and private sectors, anti-corruption organizations and CSOs and adopted by Parliament. NACAP was developed under the coordination of the Commission on Human Rights and Administrative Justice (CHRAJ). NACAP seeks to contextualize and mobilize efforts and resources of stakeholders, including Government, individuals, civil society, private sector and the media, to prevent and fight corruption through the promotion of high ethics and integrity and the vigorous enforcement of applicable laws. NACAP is
considered as a blueprint with the appropriate mechanisms for fighting corruption in Ghana (“National Anti-Corruption Action Plan: The Panacea,” 2013).

The NACAP is unique when compared to other strategies to combat corruption. In past years, anti-corruption strategies have mainly concentrated on embarking on public sector and financial management reforms, strengthening of the anti-corruption legislative framework through the passage of several anti-corruption laws or a declaration of a policy of zero tolerance for corruption most of which has not considered the inputs of all its stakeholders (NACAP, 2011). The NACAP was drafted through consultation with stakeholders and integrates anti-corruption measures into the programs and activities of Public Sector organizations (MDAs and MMDAs), and key actors in the Private and Civil Society sectors. Also interesting is the fact that with the NACAP, all stakeholders contribute directly to the fight against corruption by implementing their ascribed roles and responsibilities.

The NACAP is aimed at guiding the activities of stakeholders in the fight against corruption. Its approach at defeating corruption is in three-fold: Prevention, Education, Investigation and Enforcement. It targets public and private sector institutions as well as civil society by integrating anti-corruption measures into their activities. Various Ministries, Department and Agencies (MDAs), Metropolitan, Municipal, District Assemblies (MMDAs), CSOs, Anti-Corruption institutions and the Private sector are assigned roles and are as a result responsible for effectively implementing the NACAP.

The fight against corruption hinges on the strength of the NACAP-developed activities assigned to the implementing partners – Public, Private and Civil Society Organizations who implement the activities. NACAP activities are derived from the four strategic objectives it seeks
to achieve. The implementing partners (IPs) report annually on their assigned activities under each of the strategic objectives. As effective monitoring is essential to the success of every anti-corruption strategy, there is a Monitoring Committee (MONICOM) comprising ten (10) representatives of IPs that monitor and track the progress of implementation of NACAP and present annual reports on progress of implementation (NACAP, 2011). In addition to the MONICOM, and to aid the CHRAJ in its monitoring and coordinating roles, as well as provide strategic policy direction and advice to implementing partners, there was also established a High-Level Implementation Committee (HiLIC). The HiLIC is chaired by the President of Ghana’s Chief of Staff and consists of representatives of state agencies, the private sector and Civil Society Organizations. (CHRAJ, 2015).

### 2.3. Has the NACAP been effective?

According to the NACAP Annual Progress Report (2015), there were investigations into the National Service Scheme (NSS) scandal involving “ghost names” on the Service’s payroll. Thirty-three (33) personnel from the NSS had been prosecuted whilst 163 have been dismissed and over GHS18 million recovered as a result. The Ghana Youth Employment and Entrepreneurial Development Agency (GYEEDA) allegations had also been investigated.

Beyond investigations and prosecutions, the NACAP reports also show that there have been various anti-corruption education and capacity building programmes targeting ordinary citizens across the country. The NACAP reports provide a reference document for learning of the anti-corruption activities that had been undertaken in a particular year by the various institutions implementing the NACAP and the successes chalked. These implementing institutions report on the activities assigned to them by the NACAP each year in the NACAP.
Annual Work Plan. A research by GACC (2017) however had established that rather than consciously implementing assigned NACAP activities, the implementing institutions go about their everyday business and then report on the activities that aligned with their assigned activities under the NACAP, after the fact. This is a disturbing sequence since there is always the risk that important NACAP activities will be left unimplemented.

The NACAP annual progress reports have consistently bemoaned the low participation of the implementing partners in the execution of the annual work plan. Only 44% of the selected institutions had reported on results of their activities as related to the NACAP during the first year (2015) of implementation and 51% had reported in the second year (2016). The private sector and CSOs have not yet shown interest in reporting on or implementing activities compared to the public sector, despite efforts to reach institutions with the reporting template and numerous reminders to do so.

The success of the NACAP is represented – in the 2016 Progress Reports – by its commitment to creating awareness on the effects of corruption country-wide. There was an increase in the awareness attributed to the increase in sensitization by Implementing Partners of the NACAP. About ten thousand, two hundred and fifty-nine (10,259) people were reached through sensitization programmes carried out on NACAP and corruption. This represented a 1300% increase from the previous year (2015).

The 2016 Annual Progress Report also reported noticeable improvement with respect to institutional participation in the implementation and reporting on the NACAP. In 2016, the number of implementing partners increased to 86 from 57 in 2015.

Another significant achievement made in the anti-corruption legal
framework is the enactment of the Companies (Amendment) Act, 2016 (Act 920) and the Public Financial Management Act, which provides for transparency of beneficial ownership information for the purposes of dealing with illicit money transfers, money laundering and related crimes.

Despite these initiatives, there is need for more education on the importance of the implementation of the activities enshrined in the NACAP and its overall long-term goal. In as much as there is need for the state to show more political commitment to invest into the NACAP, it is also very logical that civil society also gathers resources with the aim of a corruption free society. A conscious effort is needed to increase the interest of the stakeholders (especially private sector) in implementing activities as assigned them in the Annual Work Plan of the NACAP.
This study is a qualitative survey that relied on primary data. Data was sourced from selected Metropolitan, Municipal and District Assemblies (MMDAs). Data was collected by means of interview with key personnel in MMDAs, particularly the designated National Anti-Corruption Action Plan (NACAP) focal person, using a questionnaire. The questionnaire covered items relating to the objectives of the study.

The population for the study is the 260 MMDAs in Ghana. The sampling technique employed here was Stratified Random Sampling. At the first stage, the country was divided into three zones (strata). The five northern regions – Upper East, Upper West, North East, Northern and Savanah Regions – make up the Northern Zone. The Middle Zone is made up of Bono, Bono East, Ahafo, Ashanti and Eastern Regions. The Coastal Zone is made up of Western North, Western, Central, Greater Accra, Oti and Volta Regions.

The next stage is the random sampling of districts from each stratum. The sampling technique used produced the following 78 districts as the sample for the study.
### Table 1: Sampled (Targeted) districts

<table>
<thead>
<tr>
<th>Kôsô Yôï Zone</th>
<th>MIDDLE ZONE</th>
<th>COASTAL ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nž T Ŭ Y¹v</td>
<td>Techiman</td>
<td>South Tongu</td>
</tr>
<tr>
<td>Njàù hô</td>
<td>Tain</td>
<td>Prestea-Huni Valley</td>
</tr>
<tr>
<td>Nỳù,žžùùžž</td>
<td>Ejisu</td>
<td>Mfantseman</td>
</tr>
<tr>
<td>Nỳù,ý</td>
<td>Tano South</td>
<td>Agona West</td>
</tr>
<tr>
<td>N ðìž ÝÝ vô</td>
<td>Kwabre East</td>
<td>Cape Coast</td>
</tr>
<tr>
<td>UžÀž ŵ ų N¹¹ ãr</td>
<td>Lower Manya Krobo</td>
<td>Assin Fosu</td>
</tr>
<tr>
<td>Issa</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Àž³k</td>
<td>Asuogyaman</td>
<td>Ellemelle</td>
</tr>
<tr>
<td>À¹ ðììì</td>
<td>Adansi North</td>
<td>Ada West</td>
</tr>
<tr>
<td>Òhž e ž</td>
<td>Mampong</td>
<td>Hohoe</td>
</tr>
<tr>
<td>Gž¹¹ yuž ï žùñžž</td>
<td>Sekyere East</td>
<td>Abura-Asebu</td>
</tr>
<tr>
<td>G e žùñùǒ</td>
<td>Ahafo Ano North</td>
<td>South Dayi</td>
</tr>
<tr>
<td>Hž hž</td>
<td>Offinso Municipal</td>
<td>Sekondi-Takoradi</td>
</tr>
<tr>
<td>Ì ðũ</td>
<td>Birim North</td>
<td>Gomoa East</td>
</tr>
<tr>
<td>Ì žì užũ</td>
<td>Akuapem North</td>
<td>Ejisu</td>
</tr>
<tr>
<td>Ì žù ū j ū ų Ťhvô</td>
<td>Dormaa Central</td>
<td>Wassa Amenfi</td>
</tr>
<tr>
<td>Øžj Ŷj ž</td>
<td>New Juaben</td>
<td>Krachi East</td>
</tr>
<tr>
<td>Øžjùy hùqè</td>
<td>Atebubu Amantin</td>
<td>Jasikan</td>
</tr>
<tr>
<td>Øž ðû Ŭ́</td>
<td>Sunyani Mun</td>
<td>Nkwanta South</td>
</tr>
<tr>
<td>Øò¹ Žû Ŭ Y¹v</td>
<td>Atwima</td>
<td>Bodie</td>
</tr>
<tr>
<td></td>
<td>Nwabiaqya</td>
<td></td>
</tr>
</tbody>
</table>
However, in the course of data collection by the three teams of researchers working concurrently in the three zones, saturation was factored in. Data collection in each zone was stopped when no new information was forthcoming from respondents (saturation point). As such, data was eventually collected from 22 districts, as captured in the table below:

<table>
<thead>
<tr>
<th>Tamale</th>
<th>Asante Akim</th>
<th>Ho West</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Central</td>
<td></td>
</tr>
<tr>
<td>Tolon</td>
<td>Abuakwa South</td>
<td>Sefwi - Wiawso</td>
</tr>
<tr>
<td>Wa East</td>
<td>Asunafo South</td>
<td>Mfantsiman</td>
</tr>
<tr>
<td>Wa Municipal</td>
<td>Kumasi</td>
<td>Kpando</td>
</tr>
<tr>
<td>West Gonja</td>
<td>Fanteakwa South</td>
<td>Aowin</td>
</tr>
<tr>
<td>West Mamprusi</td>
<td>Kintampo South</td>
<td>Nzima East</td>
</tr>
<tr>
<td>Yendi</td>
<td>Sene East</td>
<td>Akatsi North</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HOWEVER: Sampled (Actual) Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONE</strong></td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>Ṣụ̀z Municipal</td>
</tr>
<tr>
<td>Ė̀z e ū</td>
</tr>
<tr>
<td>Ŭ̀z ū̀ ū̀</td>
</tr>
<tr>
<td>Ŭ̀luVhǔ̀</td>
</tr>
<tr>
<td>Ŭ̀luV ̀èk l ̀ọ́</td>
</tr>
<tr>
<td>Nŷ̀luV ū̀lùl̀z</td>
</tr>
<tr>
<td>Ŭ̀luV Aŷ̀uç̀</td>
</tr>
<tr>
<td>Ŭ̀ - Tuna-Kalba</td>
</tr>
</tbody>
</table>
3.3. Data Source and Method of Collection

This research relied on primary data collected from the field. The NACAP focal persons for MMDAs were the primary respondents for this study. Data was collected by means of interviews with the NACAP focal persons, using a structured questionnaire as guide for the interview. The scope of the study was 2018-2019.

3.4. Data Analysis

Although this was largely a qualitative study, data collected was also coded to generate some quantitative analysis. The data was subjected to mainly descriptive analysis, with the major components validated by means of statistical tests from the Statistical Package for Social Sciences (SPSS) programme. Data was validated at a significance level of 0.05 (5%).
This study was commissioned to investigate implementation of the National Anti-Corruption Action Plan (NACAP) at the local government well. Specifically, the study sought to:

- Ascertain the level of awareness of the NACAP within MMDAs
- Ascertain the structural readiness of MMDAs to implement the NACAP
- Examine the level of implementation of the NACAP at MMDAs
- Explain implementation challenges peculiar to Metropolitan, Municipal and District Assemblies
- Make recommendations for a more effective and efficient implementation of the NACAP at MMDAs

The results of the survey will be discussed in line with the aforementioned specific objectives.

4.1. Level of Awareness of the NACAP within Local Government

While decentralized offices of the Commission on Human Rights and Administrative Justice (CHRAJ) and possibly the National Commission for Civic Education (NCCE), amidst others, are undertaking NACAP activities within districts; the premier local government authority – Metropolitan, Municipal and District
Assemblies (MMDAs) – has hardly been involved on the implementation of NACAP during the first three years of implementation (2015-2017). There was no report of an MMDA implementing NACAP in 2015. In 2016, only 4 MMDAs reported having implemented NACAP. In 2017, 11 MMDAs reported that they implemented NACAP. 11 out of the 216 MMDAs at the time is only 5% of the total number of MMDAs expected to implement NACAP and report on implementation.

In the last two years, CHRAJ – the coordinating institution for the NACAP – has made conscious efforts to bring MMDAs into NACAP implementation by undertaking nation-wide training for nominated NACAP focal persons. Indeed, the survey found out that only 1 out of the 22 MMDAs (across 12 regions) engaged in this survey had not been invited to this training. This action by CHRAJ is commendable since NACAP implementation had been on-going without the active participation of MMDAs, which in effect left out large portions of the country from the NACAP agenda.

The study, among other things, sought to ascertain the level of awareness of the NACAP within local government. This objective was however confined to awareness of the NACAP within Assemblies.

While all the MMDAs engaged reported that they were aware of the NACAP and had assigned focal persons for its implementation, only 22% of the MMDAs confirmed that all their staff are aware of the NACAP, as shown figure 1 below:
This figure is also consistent with the percentage of MMDAs that reported undertaking staff sensitization on the NACAP (22%) between 2018 and 2019. Clearly, sensitization has a role to play in getting all MMDA staff informed and knowledgeable on the NACAP.

Every major programme that has to be implemented at the local level is known to all the staff of MMDAs. For the NACAP to gain recognition and for NACAP activities to be implemented, staff of MMDAs ought to be fully informed about the Plan. It appears NACAP implementation is the duty of the NACAP focal person although the role of the focal person is more related to reporting to CHRAJ. NACAP implementation is the duty of the entire MMDA but the duty-bearers are unaware of this responsibility.

For instance, it will be difficult for a Budget Officer to genuinely allocate funding for NACAP implementation if he or she is not informed about the Plan and has not fully committed to it. This is even truer for the Chief Executives of the various MMDAs. For now, it seems NACAP is known to only the Coordinating directors and the NACAP focal persons at the MMDAs.
4.2. Structural Readiness for the Implementation of the NACAP

Structural readiness in this context implies the dedication or assignment of specific offices and/or officers for NACAP implementation within MMDAs.

The study found out that all the MMDAs that had been trained on the NACAP had dedicated focal persons for implementation of the Plan. It is worth noting that these focal persons are staff of the Assembly who hold certain portfolios. The figure below shows the portfolios of the NACAP focal persons in the districts that were engaged in this study:

![Designation of NACAP Focal Persons in MMDAs](image)

**Figure 2: Designation of NACAP Focal Persons in MMDAs**

From the diagram above, it could be observed that the NACAP focal persons are people with different portfolios; eight different portfolios to be specific. While the appointment of focal persons is a commendable initiative, the issue of who gets appointed as focal person ought to be probed.
In a number of instances, the choice of focal person seems to have been decided on the personality of the officer rather than some relationship of the NACAP to the portfolio of the officer. The argument here is that there must be some rationale informing the choice of a focal person. However, some arguments were made regarding the choice of officers to lead NACAP implementation within the district.

In the case of Budget Officers, the argument was that NACAP activities had a better chance of implementation if the focal person was the same officer in charge of tying and untying the Assembly’s purse strings. The logic extends that the Budget Officer will not forget to budget for his/her ‘own activities’.

The argument for Internal Auditors is situated within their anti-corruption role; ensuring that the expenditure of the Assembly is carried out in consonance with the full gamut of financial laws and regulations. This argument however looks inwards at proceedings within the Assembly itself and does not seem to consider that NACAP activities target district wide corruption issues.

The link between corruption and human rights has been explained, thus corruption reduces the amount of resources available to undertake human development initiatives. Human Resource Officers have seen their roles expand from being the masters of the payroll to handling disciplinary issues such as sexual harassment at the work place. Human Resource Officers are now required to handle almost everything that affects the human resource at the work place. As mentioned earlier, there is a link between corruption and human rights. This is the argument made for appointing human resource officers as NACAP focal persons.

The appointment of Planning Officers was suggested as the most obvious portfolio to spearhead NACAP implementation at the district
level. This is due to the Planning Officers role as the architect of assembly activities, the initiator of the annual work plan that guides what the Assembly does in any given year.

There is merit in the arguments raised for each of these positions as the best fit for NACAP focal person. However, the issue of consistency in the portfolio of the focal persons across MMDAs is even more important than which portfolio is appointed as the NACAP Focal Person.

Consistency ensures that whichever portfolio is asked to take on the NACAP focal person role, this new role becomes part of the portfolio and officers holding that portfolio all across Ghana become tuned to the role. In a set up (MMDA) where there is a lot of transfers, NACAP implementation has a better chance if the focal person is consistent across MMDAs. This was seen for instance at a municipality in the central region where the Planning Officer, who was the focal person, had been transferred was replaced by an Assistant Director (Central Administration staff). Consistency means that whichever portfolio is assigned the NACAP responsibility can except to carry out same responsibility no matter which district he/she is transferred to.

Beyond practice (and familiarity) makes perfect, consistency in the portfolio of the NACAP focal person also means continuity. A departing planning officer, who is also the NACAP focal person, handing over to his successor would include the NACAP in his or her notes. Even if this planning officer should forget to include NACAP in the handing over notes, the successor would expect it as it is part of the duties of a planning officer. This is the essence of the consistency argument.
A key objective of this study was to ascertain the level of implementation of NACAP activities in MMDAs. This study took note of the fact that most MMDAs became acquainted with the NACAP only in the last two years (2018-2019), and therefore confined this question to that timeframe (2018-19).

The survey shows low levels of implementation in the last two years, as could be observed below:

![Figure 3: Level of implementation of NACAP activities](image)

From the diagram above, only 33% of MMDAs surveyed reported implementing NACAP in the year 2018. This number however fell to 26% in the year 2019. The challenges facing NACAP implementation in the MMDAs will be discussed in the next section. However, a basic issue that ought to be mentioned here is the NACAP Annual Work Plan (AWP). The AWP is a list of NACAP activities that are to be implemented in a calendar year, as determined by the MONICOM and the NACAP High Level Implementation Committee (HiLIC). These activities are selected from the NACAP for implementation annually. It is revealing that only 17% of respondents knew about the AWP.
The AWP is the document that informs NACAP implementation in any given year. 83% of respondents did not know about this document. The MMDAs that had undertaken NACAP implementation in 2018 and 2019 had simply pick activities from the NACAP document and not the AWP as the protocol for implementation demands.

**4.4. NACAP Implementation Challenges at MMDAs**

This section is very linked to the previous one as it offers more information on the level of implementation of the NACAP at MMDAs. It is quite interesting that the challenges facing NACAP implementation at the MMDAs mirrors the challenges at the national level.
have two main sources of funding; the District Assembly Common Fund (DACF) and their Internally Generated Funds (IGF). The DACF is notoriously irregular, sometimes as late as three quarters (calendar year divisions). As the major funding source, this irregularity often leaves some MMDAs borrowing during the year to run the Assembly. As a result, DACF is often exhausted on paying creditors and spending on core MMDA activities. Even with the support of the IGF, Assemblies typically report being overburdened with the financial requirements of the MMDA annual work plan to take on additional activities. However, it should be noted that only 24% of MMDAs mentioned the issue of funding, although this minority were quite vociferous and made a cogent argument on the challenge of funding.

The remaining two challenges captured in figure 5 are quite related: NACAP annual activities are unknown to focal persons and focal persons being unaware of NACAP implementation protocol. The former speaks to the low level of awareness of the NACAP annual work plan, as captured earlier when it was reported that only 17% of surveyed MMDAs knew about the NACAP annual work plan which informs the NACAP activities to be carried out. The latter speaks to the question most asked by respondents during the survey – after the NACAP training, what next?

Although only 32% of respondents identified the issue of the NACAP implementation protocol as a challenge, this was the dominant question posed to the research team on the field. It is apparent that focal persons did not get a thorough understanding of what to do after the training, and what resources are available to them to undertake NACAP activities in the various districts.
Figure 5: Challenges of NACAP Implementation at MMDAs

From the figure above, 18% of MMDAs surveyed identified lack of political will as one of the issues affecting NACAP implementation. If the converse could be assumed to be true, then that would mean there is the political will to implement the NACAP at the MMDA level. However, if this challenge is situated within the context of the other challenges identified by respondents, there is little reason to assume the reverse is true.

Political will speaks to the issue of prioritization of the NACAP. Is anti-corruption an issue that the political leadership at the MMDAs are concerned about, and willing to invest Assembly resources in? The commitment of the political leadership to NACAP at the national level has been inconsistent. Since political will and commitment to the NACAP invariably means allocation of resources, it is important to engage the leadership of the MMDAs at the highest level and get their buy-in to the NACAP.

Perhaps the most obvious challenge from figure 5 is Funding. MMDAs
This chapter summarizes the findings made by this study and offers recommendations to improve NACAP implementation in Metropolitan, Municipal and District Assemblies (MMDAs).

5.0 Conclusion And Recommendations

The study sought to ascertain the implementation of the National Anti-Corruption Action Plan (NACAP) at MMDAs. Five specific objectives informed the study. They are;

- Ascertain the level of awareness of the NACAP within local government
- Ascertain the structural readiness of MMDAs to implement the NACAP
- Examine the level of implementation of the NACAP at the sub-national level
- Explain implementation challenges peculiar to Metropolitan, Municipal and District Assemblies (local government)
- Make recommendations for a more effective and efficient implementation of the NACAP
With regard to the first objective, it was found that only 22% of MMDAs had sensitized their staff on the NACAP. Clearly, the level of awareness on the NACAP is very low among the staff of the institution that should be spearheading the implementation of the NACAP in the district. This does not portend well for implementation.

The study also assessed the structural readiness of the MMDAs to implement the NACAP. The study discovered that all the MMDAs, except one, had been trained on the NACAP and had been appointed Focal Persons. However, the choice of focal persons varied across districts. This raised concerns about consistency and continuity. Nevertheless, it is commendable that structural arrangements have been made for NACAP implementation.

The survey showed that only 33% of MMDAs surveyed had implemented NACAP in the year 2018. This number however fell to 26% in 2019. The majority of MMDAs trained on the NACAP across the country had not implemented NACAP activities after the training. The challenges encountered by MMDAs amply explain the low level of NACAP implementation within MMDAs. The study revealed that MMDAs faced four major challenges in implementing the NACAP. These are:

- Lack of knowledge on the NACAP annual work plan; that is the set of activities to be implemented
- Funding challenges
- Lack of Political Will
- Lack of knowledge on the NACAP Implementation Protocol
The study found that NACAP implementation was hardly being done under at the MMDAs. There were a number of challenges causing this; some are quite daunting and others needing just clarification to the MMDAs in order to get the NACAP up and running in these MMDAs.

5.2. Recommendations

A major objective of this study was to make recommendations to address the nascent challenges facing MMDAs in implementing the NACAP. The challenges that have faced NACAP implementation at the national level offers some wisdom to deal with the familiar challenges emerging at the local level.

5.2.1. Strengthen Structural Framework for NACAP Implementation

The current situation with NACAP focal persons for each district offers some structural relations with the national coordinating unit for the NACAP. However, as mentioned in the preceding chapter, NACAP focal persons are determined by each MMDA and come from different backgrounds as far as their formal designations are concerned. This selective appointment has implications when focal persons are transferred out of the district. There is no guarantee that proper records will be kept and a detailed handing over note made available to a successor. Two districts surveyed were already grappling with this issue as the NACAP focal person had been transferred and a successor appointed. The successors however were quite lost since they had not been given any training and were not sure about the implementation protocol for the NACAP.

One way to rectify this will be to consider which designation is the best
fit for NACAP focal person in the MMDA set up. This designation should be made responsible for NACAP implementation across MMDAs. The advantage here is that all officers holding this designation will be aware of NACAP implementation and would have built their capacity in this area over time. Staff transfers will no longer threaten continuity of NACAP implementation within MMDAs since the successor will be already familiar with NACAP implementation. The uniformity of the activities in the NACAP annual work plan for all MMDAs also ensures that a succeeding focal person is already familiar with the NACAP activities to be implemented for that particular year.

As long as there could possibly be consistency of the designations that serve as NACAP focal persons, why not focus on the office instead of the person? Why not have NACAP focal offices instead of focal persons? The distinction and advantage lies in the fact that a NACAP Focal Office puts the responsibility for NACAP implementation on more than one person. This means the capacity of all staff in that department, unit or office is built for NACAP implementation, and indeed the entire resources of that particular office is available for NACAP implementation. It also means that NACAP implementation does not suffer at all when there are staff transfers since NACAP implementation will be supported by the entire unit.

The next structural issue that has to be addressed following the argument made above is the question of which of the departments is most suitable to handle NACAP implementation. This paper will not purport to dictate which department within the MMDA set-up is better able to handle NACAP implementation. However, it is recommended that CHRAJ, the coordinating institution for the NACAP, reviews the arguments for the various departments presented earlier in this report and makes a selection based on which department has inherent traits and positioning to foster NACAP implementation.
The central challenge for NACAP implementation, according to the focal persons that were interviewed, is funding for the NACAP. In some districts, NACAP activities were integrated into the Assembly’s annual work plan but were never implemented. The reason given was that there was no funding to undertake NACAP activities. While it must be conceded that MMDAs have many official and unofficial responsibilities, and as such, there is always competition for the scarce resources at the disposal of the Assembly. This notwithstanding, spending areas are also a reflection of priority areas.

If tackling corruption is a priority for this nation, then the anti-corruption fight needs to be decentralized. There must also be a clear plan for funding. CHRAJ has made several attempts to have government institutionalize a funding source for the NACAP. This has been met, at best, with government declarations to that effect but implementation lasted for only a brief period.

There are some funding models that could be reviewed and adopted for the NACAP. The first is dedicated funding, as has been done for People with Disabilities (PwD) and for funding the Audit Committees at the MMDAs. The District Assembly Common Fund Act (DACF), 1993 stipulates that a two percent – revised to 3% - of the fund is given to Persons with Disability to among others, support their businesses. In the case of Audit Committees, their funding is supposed to be captured in the annual budget of the MMDA, as stipulated by article 226 of the Public Financial Management Regulations, 2019 (L.I 2378). Such a model will guarantee funding for the NACAP.

An alternate funding model is an arrangement that is supposedly already at play, but is evidently not being adhered to. The Budget
Guidelines for MMDAs is supposed to ask budget officers to budget for NACAP activities. The officers from MMDAs however seem to be unaware of this, suggesting that this directive may no longer be explicitly captured in the budget guidelines or there is little motivation to follow the directive. Considering the limited success of this model, perhaps it should be jettisoned in favour of the dedicated funding model discussed in the preceding paragraph. It must however be stated that it would require considerable political will from the highest echelon of executive power and the unwavering dedication, commitment and concerted push for this by the institutions on the NACAP High Level Implementation Committee (HiLIC).

5.2.3. Institute Proxy Enforcement Measures

One of the foremost challenges of NACAP implementation has been the motivation of institutions to implement NACAP. It would be best if institutions are intrinsically motivated to implement NACAP, given the steep challenge of corruption. However, it seems this has not been forthcoming. The coin needs to be flipped to consider extrinsic motivation to implement NACAP activities. One of the ways to do this would be to link NACAP implementation to other mandatory programmes or beneficial programmes for the Assembly. In the case of the latter, a propitious programme is the District Performance Assessment Tool (DPAT).

As part of efforts to improve the performance of District Assemblies in terms of efficiency, accountability and delivery of basic community services, the Government of Ghana since 2008 implemented a Performance Based Grant System (PBGS) known as the District Development Facility (DDF). Under the DDF mechanism, district assemblies were assessed on selected performance indicators using the Functional Organisational Assessment Tool (FOAT). The MMDAs
that performed satisfactorily were financially rewarded to implement their Medium-Term Development Plans (MTDPs) and Annual Action Plans (AAPs)[Ministry of Local Government and Rural Development, 2018].

After 10 years of implementation, the Government of Ghana decided to mainstream the good practices of the DDF into the District Assemblies Common Fund (DACF) through the responsiveness factor. A new assessment tool known as District Assemblies Performance Assessment Tool (DPAT) has been developed building on the lessons learnt from the FOAT. As mentioned earlier, a favourable DPAT assessment means additional funding for a district. MMDAs therefore take their DPAT assessments seriously. The recommendation here is to get NACAP implementation as one of the criteria for DPAT assessment in order to motivate MMDAs to implement NACAP. The criterion for NACAP implementation however must be framed so well, and must probe for the kind of evidence that will be difficult to fabricate implementation in order to discourage MMDAs from falsification of NACAP reports and superficial implementation of the NACAP.

5.2.4. Orientation of MMDA Leadership on the NACAP

One of the findings of this research is that staff at MMDAs are unaware of NACAP. This includes the leadership of the MMDAs, particularly Coordinating Directors and Chief Executives. The programming at MMDAs is led by the leadership. To quite an extent, the programmatic priorities are a reflection of the priorities of the MMDA leadership. It is therefore more likely that NACAP implementation will happen if the leadership of MMDAs are aware of the NACAP and have bought into the Plan.
The strategic decision by CHRAJ to train NACAP focal persons at MMDAs has achieved some level of awareness on the NACAP at the MMDA level and established a structural link between the MMDAs and the National Implementation Support Unit (NISU) of the NACAP at the national level. It will be prudent to go beyond this to undertake an orientation for Coordinating Directors and Chief Executives of the various MMDAs, especially the former.

This is likely to arouse political support for the NACAP at the MMDA level; a support that is likely to translate into implementation. CHRAJ has done this in the past, but clearly the orientation needs to be periodical, rather than a one-off. This purpose could also be served by a detailed circular to these officers.

It was quite clear from the research that even the NACAP focal persons trained were uncertain how NACAP implementation and reporting is to be done. A major issue discovered was that most of the focal persons had no idea where the activities for implementation are to come from. CHRAJ did well to share relevant NACAP documents with the focal persons during the training. The missing piece however is the protocol for implementation.

It is recommended that a brief implementation guideline be developed for the implementation of the NACAP. The language and content should be so basic any official, including those completely oblivious to the NACAP, could comprehend the objective of the Plan and how implementation and reporting are to be done. The guideline should detail:

5.2.5. Develop NACAP Implementation Guidelines
Current brochures on NACAP could be updated with this critical information to serve this purpose.

5.2.6. Shared Implementation of the NACAP

The research found that in districts where some NACAP implementation had taken place, there has been collaboration between the MMDAs, CHRAJ and NCCE. There are even examples of shared resources by these three institutions to undertake the NACAP. CHRAJ district offices are a key resource for NACAP implementation while NCCE possesses the sensitization and education architecture (as limited as that maybe) to support NACAP implementation.

It is recommended that MMDAs are encouraged to tap into the resources of CHRAJ and NCCE to implement NACAP. This strategy will streamline and harmonize anti-corruption efforts at the district level.
6.0 Reference


