# Table of Content

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table of Content</td>
<td>ii</td>
</tr>
<tr>
<td>List of Tables</td>
<td>vi</td>
</tr>
<tr>
<td>List of Figures</td>
<td>vi</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENT</td>
<td>i</td>
</tr>
<tr>
<td>THE LOCAL GOVERNMENT SERVICE COMMISSION 2009</td>
<td>iii</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>iv</td>
</tr>
<tr>
<td>The Human Resource Management Guidelines for Local Councils</td>
<td>v</td>
</tr>
<tr>
<td>DEFINITIONS</td>
<td>vi</td>
</tr>
<tr>
<td>EMPLOYEE CODE OF CONDUCT</td>
<td>viii</td>
</tr>
<tr>
<td>The Local Council Code of Conduct</td>
<td>ix</td>
</tr>
<tr>
<td>SERVICE OATH OF SECRECY OF THE LOCAL COUNCILS</td>
<td>x</td>
</tr>
<tr>
<td>CHAPTER 1 ADMINISTRATIVE STRUCTURE OF THE LOCAL COUNCILS</td>
<td>1</td>
</tr>
<tr>
<td>Structure</td>
<td>1</td>
</tr>
<tr>
<td>Table 1: Categories of Local Councils</td>
<td>1</td>
</tr>
<tr>
<td>Creation, Re-grading, Conversion, Abolition of Positions</td>
<td>2</td>
</tr>
<tr>
<td>Grades of Positions</td>
<td>2</td>
</tr>
<tr>
<td>CHAPTER 2 RECRUITMENT, APPOINTMENT AND HOURS OF WORK</td>
<td>4</td>
</tr>
<tr>
<td>Recruitment</td>
<td>4</td>
</tr>
<tr>
<td>Advertisement of Vacancy</td>
<td>6</td>
</tr>
<tr>
<td>Types of Appointment</td>
<td>6</td>
</tr>
<tr>
<td>Acting Appointment</td>
<td>8</td>
</tr>
<tr>
<td>Appointment</td>
<td>9</td>
</tr>
<tr>
<td>Background Check</td>
<td>9</td>
</tr>
<tr>
<td>Letter of Appointment</td>
<td>9</td>
</tr>
<tr>
<td>Effective Date of Appointment</td>
<td>10</td>
</tr>
<tr>
<td>Obligation of Appointed Officer</td>
<td>10</td>
</tr>
<tr>
<td>Probation Period</td>
<td>10</td>
</tr>
<tr>
<td>Recommendation for Confirmation</td>
<td>11</td>
</tr>
<tr>
<td>Confirmation of Appointment</td>
<td>11</td>
</tr>
<tr>
<td>Employer and Employee Responsibilities</td>
<td>11</td>
</tr>
<tr>
<td>Exigencies of Local Councils</td>
<td>13</td>
</tr>
</tbody>
</table>
ACKNOWLEDGEMENT

Section 35 of the Local Government Act of 2004 established the Local Government Service Commission, while Section 36 empowered the President, with the approval of Parliament to appoint members to the Commission.

By the power vested in him by section 36 (2), the President, with the approval of Parliament, in January, 2007, appointed the following second set of members to the Commission:

- Mr. Joseph Bangura: Chairman
- Mrs. Tenneh Gbondo: Member, Eastern Region
- Mr. Alex Kura-Kanu: Member, Northern Region
- Mrs. Mbalu Kamara: Member, Southern Region
- Mrs. Antoinette C. Roberts: Member, Western Region.

In addition, the Act provides for three Ex-Officio Members, one each representing the Ministry of Local Government and Community Development, the then Establishment Secretariat (Now Human Resource Management Office) and the Public Service Commission.

The Human Resource Management Office (the Establishment Secretariat then) also assigned Mr. B.K. Idriss as Secretary to the Commission while the Decentralization Secretariat also assigned Mr. John Braimah as Research and Training Officer to the Commission.

The first set of commissioners appointed by the President, and with the powers vested in the Commission by Section 38 of the Act, in January 2005 prepared draft Guidelines in three key areas of Human Resource Management, which were adopted on Thursday 24th September 2005.

About five years into the implementation of the Human Resource Management Guidelines for Local Councils has shown that there were contradictions, repetitions, redundancies and omissions of critical modern day human resource management issues. Consequently, consultant services were engaged to review the Human Resource Management Guidelines for Local Councils.

During the review process, the consultant held wide-ranging consultations with stakeholders including the Commission and other institutions in human resource management, from which consultations the consultant received meaningful contributions to enrich the guidelines. To successfully perform the services of the consultancy, the consultant received materials and technical contributions from institutions such as the National Social Security Insurance Trust (NASSIT), Human Rights Commission of Sierra Leone and from international institutions like the Ghana Commission on Human Rights and Administrative Justice among others.

The World Bank, through the Decentralized Service Delivery Programme Phased-2 (DSDP-2) provided funding for the consultancy services and the series of consultative workshops with the local councils throughout the country. Above all, members of the Commission were indeed very supportive of the review exercise.
To all of the above individuals, institutions and our other collaborators, too numerous to mention, I take this opportunity on behalf of the Local Government Service Commission to extend our gratitude and would encourage them to continue their support and collaboration with the Commission in the arduous tasks that lie ahead of it.

Joseph Bangura
CHAIRMAN, LOCAL GOVERNMENT SERVICE COMMISSION (LGSC)
THE LOCAL GOVERNMENT SERVICE COMMISSION 2014

MISSION STATEMENT

As stated in Section 38 (1) of the Local Government Act 2004, “the Commission shall be responsible for providing regulatory, performance management and management functions to the system of decentralized government established under this Act”.

The Commission, in view of the above, adopted its Mission Statement as “ensuring efficiency, effectiveness, economy and accountability in local government in Sierra Leone”.

OBJECTIVES

In order to achieve its Mission Statement, the objectives of the work plan of the Commission are:

a) To establish a well-functioning Local Government Service Commission;
b) To establish a decentralized administration and management to deliver on the mandate in the Act;
c) To improve the capacity of the Service to efficiently and effectively manage the decentralization process;
d) To develop and institute incentive schemes to enhance and support professionalism;
e) To promote and sustain a programme of Inter-Service, Donor NGO/CSO collaboration and coordination to deepen and accelerate the decentralization process;
f) To institute a planning, budgeting, accounting, monitoring, evaluation and reporting systems.
INTRODUCTION

The success of the Local councils depends on all personnel performing their role within the councils as effectively as possible. This staff Human Resource Management Guidelines explains the rules and procedures of work at the Local Councils. It is intended for an introduction to the local councils for new members of staff and as a point of reference for everyone. Copies of the manual are issued to all staff. The manual belongs to the councils and must be returned to the Chief Administrator if the holder leaves the council. When changes are made they should be reflected in the manual without delay.

The Local Councils exist to provide much needed good governance, democracy, peace and social development by providing service delivery to the people of Sierra Leone. This will be achieved by using a well-trained and motivated staff and the most modern technology.

The Local Government Service Commission (LGSC) was established in fulfilment of Section 35 of the Local Government Act 2004. The Commission is responsible for providing regulatory, performance management and management functions to the on-going decentralization programme pursued by the Government of Sierra Leone.

The Commission, in pursuance of its mandate to support Local Councils with the view to establish effective human resource development systems, regulates the Local Councils; guide the Local Councils in the management of their human resources and develop guidelines in key areas of human resource management which should be subjected to a number of reviews including consultations with local councils.

The documents are subject to revision from time to time as the Local Government Service Commission deems necessary for the delivery of the most effective and efficient service to the system of local governance in Sierra Leone.

This guideline which has been integrated to constitute this document has been carefully designed to address specific human resource management issues. The councils are committed to ensuring the development of, and maintaining maximum productivity and commitment from its most important asset - its employees. The Human Resource Management guidelines will be binding on all employees of the Local Councils. Every new employee of the council is expected to study this manual as part of his/her induction with his/her supervisor. The responsibility lies with each staff member in ensuring that he or she knows their rights and responsibilities as described in this manual.

The role of the HR function is to ensure that the council’s guidelines and practices conform to the provisions of the Labour laws of Sierra Leone and be in position to hold the management of the council to account for adhering to the provisions of the manual. The Guideline endeavours to support the councils with their day-to-day administration in its thrust to achieve efficient service delivery to the people.
The Human Resource Management Guidelines for Local Councils

1. This Human Resource Management Guidelines for Local Councils sets out instructions and conditions of service applicable to all employees of the Local Councils.

2. Where the provisions of this Human Resource Management Guidelines are in any way at variance with the terms of any legislation of the state, the terms of such legislation shall prevail.

3. The Human Resource Management Guidelines may be amended by circulars issued by the Local Government Service Commission after consultations with the Local Councils.

4. The Human Resource Development Officer is responsible for ensuring that copies of this Guideline are kept up to date by posting all amendments to respective departments/offices in the Local Councils.

5. The Regulations and Rules in this Human Resource Management Guidelines shall enter into effect on a date fixed by the Local Government Service Commission. The Guidelines shall be reviewed in detail through a consultative process managed by the Local Government Service Commission three years after they enter into effect. Amendments, additions and deletions to this Human Resource Management Guidelines may be made after this review, on the basis of the experience gained in the three years of their application.
DEFINITIONS

The following definitions shall apply throughout this manual unless the context requires another meaning:-

1. "Applicant" means a person who has filed an application for employment with the Local Council.

2. "Appointment" means the conferment of an office of emolument in the Local Council whether or not subject to subsequent confirmation.

3. "Appraisee" means a junior officer that is being assessed by an "Appraiser" means a senior officer or member of staff with authority to assess another officer whom he or she directly supervises.

4. "Appraisal Form" means a document to be used by the Appraiser and Appraisee in the assessment of the appraisee.

5. "Appraisal Meeting" means day set aside when the appraiser and Appraisee meet to discuss matters relating to the assessment of the appraisee.

6. "Chairperson" means person elected in accordance with section 11 or 125 and includes Mayor in the case of Freetown, Bo, Kenema, Makeni and Koidu City councils.

7. "Chief Administrator" means the Administrative Head of Local Councils as stipulated by the Act.

8. "Code of Conduct" means the disciplinary procedures and guidelines done by the Commission for the local councils.

9. "Confirmation" means approval to stay in position that a staff member is currently holding usually at the end of the probationary period.


11. "Day" means calendar day unless otherwise noted.

12. "Demotion" means the movement of an employee from one position to another position having a lower maximum rate.

13. "Dismissal" means the termination of employment for cause by the appointing authority.

14. "Establishment Committee" means a committee created in the council charged not only with the responsibility of handling Human Resources of councils, but handles all disciplinary matters submitted to it by the local council.

15. "Grade" means a salary grade as set out in the Local council current estimates of revenue and expenditure.

16. "Interdiction" means a disciplinary action taken against a staff member under investigation in the matter of infringement of the law.

17. "Local Council means Local councils established under paragraph (C) of subsection 2 of section 2.

18. "Local Government Service Commission" means a commission established by an Act of Parliament responsible for providing regulatory, performance management and management functions to the on-going decentralization programme pursued by the Government of Sierra Leone.
19. "Minimum Qualification" means the lowest acceptable degree of skill education, and experience, personal and physical characteristics which are prescribed for selection of an appointee to fill vacancy.

20. "Organogram/organizational Diagram" means an illustration the Administrative Organizational structure of the Local Councils.

21. "Position" means a specific office or employment provided by the budget whether occupied or vacant, limited duration or permanent calling for the performance of certain duties as defined in a class specification.

22. "Performance Appraisal Guidelines" means rules and procedures laid down for the assessment of the performance of an officer in relation to the objectives, activities, outputs and targets of a job over a given period of time.

23. "Probationary Employees" means Permanent full-time and part-time employees who and within their initial probationary period. Such employees are on a trial basis for the purpose of assessing their ability to perform assigned tasks. Such employment may be terminated at any time with or without notice during the initial period if deemed appropriate by the Local Council.

24. "Promotion" means the movement of a qualified employee from a position in one classification to a vacant position having higher minimum qualifications and a higher maximum rate of pay. General salary adjustments are not considered promotions.

25. "Salary" means basic salary plus allowances, unless otherwise stated.

26. "Sick", "sick leave" and "illness" including incapacity arising from injuries as well as disease.

27. "Staff member" means, "staff", "officer" and "Local Council staff" or "personnel" of the Local Councils.

28. "Staff management forms" means forms used in the local councils for the following purposes:-
   - Vacancy Declaration Form;
   - Application for Appointment form;
   - Letter of Appointment;
   - Induction Checklist Form;
   - Application to proceed on Training course;
   - Exit Interview Forms;
   - Recommendation for Promotion forms. (Provided as Annexure to this manual)

29. "Supervisor", "Line Supervisor means senior staff member with supervisory responsibilities over junior staff members and includes Commissioners, the Chief Administrator, and Deputy Chief Administrator.

30. "Suspension" means the temporary removal of an employee from service, without pay, for disciplinary reasons and for a specified period of time.

31. "Temporary Position" means a position, the duties and duration of which are not permanent in nature.

32. "Termination" means separation of an employee from employment, whether voluntary or involuntary.
EMPLOYEE CODE OF CONDUCT

Preamble

Section 38 (1) of the Local Government Act of 2004 states that "the Commission shall be responsible for providing regulatory, performance management and management functions to the system of decentralized government established under this Act", while subsection 2 further states that "without prejudice to the generality of subsection (1), the Commission shall: (a) after consulting the Public Service Commission, develop policy guidelines for the recruitment, training, promotion, remuneration and discipline of staff of local councils, including guidelines setting out disciplinary and arbitration procedures and procedures for the handling of petitions arising from the staff of the Council".

Given the above, and

- Recognizing the fact that Council employees are currently not governed by uniform conditions relating to matters of discipline in that some staff members are regulated by the Regulation of Wages and Industrial Relations Act No.18 of 1971 and others by the Civil Service Conditions of Service;
- Desiring that all staff members of local councils are governed by the same or similar disciplinary rules and procedures;
- Recognizing that a code is necessary for every council to properly manage obligations by employees in terms of their contracts of employment and conditions of service;

The Commission therefore in terms of the above legislative provisions herein sets out guidelines and policies with regards to discipline of staff and disciplinary procedures for the implementation by the local council authorities.

By the above legislative provision, the Local Government Service Commission is committed to the highest standards of ethical and professional conduct and has therefore adopted this Code of Conduct as a set of guidelines for all staff members of the Councils in the discharge of their respective duties responsibilities.

This Code of Conduct is therefore intended to foster a culture of honesty and accountability and to uphold the integrity and reputation of the local councils.
It is also intended to contribute towards rebuilding the moral and administrative fabric of Sierra Leone. This Code of Conduct supplements other Local Council rules, regulations and procedures outlined in parts of this Human Resource Guideline.

Objectives

The broad objectives of the code may be summarized as:

- To encourage employees to be ethical and professional in their work;
- To ensure that the council and its employees resolve their labour disputes in an orderly and peaceful manner;
- To provide disciplinary procedures to be followed in meting out appropriate penalties when the Code is breached;
- To ensure that disciplinary action is instructive, constructive, corrective, fair, open and just;
- To promote productivity, safety, good conduct and effective performance at the workplace;
- To ensure that disciplinary issues and grievances are adequately investigated and resolved in a timely manner.

Failure to observe these Guidelines may result in disciplinary action, up to and including termination of employment.

The Local Council Code of Conduct

1. Staff members of Councils should serve the people of Sierra Leone and the duly constituted Local Councils of Sierra Leone in accordance with the principles set out in this Code.

2. The role of the staff member is to assist the duly constituted councils of Sierra Leone, irrespective of political affiliation in implementing policies, carrying out council decisions, and administering and providing services for the benefit of the people of Sierra Leone.

3. Staff members are accountable through their supervisors to the Local Councils in the performance of their assigned duties, and must discharge their duties diligently and in compliance with the laws of Sierra Leone. Employees who are members of professions with codes of conduct or rules governing the profession should respect the ethical standards of their professions.

4. Staff members must deal with the affairs of the public sympathetically, efficiently, promptly and without bias and must act at all times with integrity, honesty, impartiality and objectivity.

5. Staff members must ensure the proper, effective and efficient use of council's financial and other resources and these should never be used for political or personal purposes.

6. Staff members may not be required to give up or alter their personal views and convictions, including their political and religious convictions but they must ensure that these views and convictions do not in any way adversely affect their integrity, independence and impartiality in the performance of their official duties.
7. Staff members must not use their official positions or information acquired in the course of the performance of their official duties to further their private interests or the interests of members of their families or the interests of others. They must also not receive gifts, hospitality or benefits of any kind from a third party which might compromise, or reasonably be seen to compromise, their personal or professional judgment or integrity;

8. When a staff member believes he or she is being ordered or instructed to act in a way which:
   (i) is improper or unethical;
   (ii) is in breach of a law or a professional code;
   (iii) is in any way inconsistent with this Code;
   (iv) raises a fundamental issue of conscience;

   He or she should report the matter to the Chief Administrator and the Chief Administrator shall deal with the matter in terms of procedures and guidelines provided by the Commission;

9. When a staff member has raised an issue under paragraph 8, and the matter has been reviewed by the appropriate authority, the staff member is obliged to accept the decision in the matter and must carry out the action or instruction that he or she had called into question. A staff member, who feels he or she cannot do so, must resign.

10. A staff member must report to the head of department evidence of criminal or unlawful activity or activity that violates the principles of this Code by others within the service and failure to do so will result in disciplinary action against the staff member;

11. Staff members must not, without authority, disclose confidential official information or any information received in confidence from others. Staff members must continue to observe the obligations of confidentiality after they have left the local government service. In this regard, employees are expected to subscribe to the Oath of Secrecy on taking up appointment with the Council;

SERVICE OATH OF SECRECY OF THE LOCAL COUNCILS

12. In the first week of service at any level in the council, whether with a temporary or permanent appointment Staff members will sign the following written declaration, witnessed by the Local council or authorized representative.

   "I solemnly promise to carry out in an efficient manner all duties assigned to me as a member of staff of this Local Council. I will act with integrity and honesty, with the council’s vision of service delivery to the people always in mind as I carry out my assigned duties and responsibilities. I will abide by all provisions of Local Council’s Rules and Regulations.

   Signature.................................................. Date........................................

   Witnessed.................................................. Date........................................

13. A signed copy of the Local Council Service Oath will be placed in the staff member’s personnel file.
CHAPTER 1

ADMINISTRATIVE STRUCTURE OF THE LOCAL COUNCILS

REGULATIONS

1.1 The administrative structure of the Local Councils shall be as illustrated in the Local Council Organogram (page 5). All staff members shall at all times respect this functional and hierarchal structure.

1.2 With the concurrence of the Local Government Service Commission, the chief administrator shall conduct an annual review of the categorization of posts in the Local Council Organogram, with a view to improving the efficiency, effectiveness and productivity of the Local Councils.

RULES

Structure

1.1 As depicted in the Local Council Organogram, the classification of positions into a hierarchical order shall be:-

   a) Mayor/Chairperson and Deputy Mayor/Chairperson, the chairperson without prejudice supervises the local council chief administrator;
   b) The Chief Administrator is the head of administration of the local councils and Secretary to the Local Council;
   c) Heads of Departments supervise specific departments within the local council and report directly to the Chief Administrator;
   d) Officers hold middle level posts within the Local Council and are supervised by the heads of department. This category includes Assistant Internal Auditor, Economist, Statistician/ Monitoring and Evaluation officer, Accountant, Clerks of Works, Draughtsman, Procurement Office, Gender Officer and Revenue Clerks, Human Resource Development Officer, Valuators and Administrative Assistants;
   e) Support Posts are junior level posts in the local councils. This category includes Clerical Staff, Drivers, and Office Assistants

1.2 Local Council's in Sierra Leone.

Table 1: Local Councils

<table>
<thead>
<tr>
<th>Freetown City Council</th>
<th>Kambla District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bo City Council</td>
<td>Koinadugu District</td>
</tr>
<tr>
<td>Kenema City Council</td>
<td>Kono District</td>
</tr>
<tr>
<td>Kenema District,</td>
<td>Western Area Rural District Council</td>
</tr>
<tr>
<td>Koidu/New Sembehun City Council</td>
<td>Port Loko District</td>
</tr>
<tr>
<td>Makeni City Council</td>
<td>Pujehun District</td>
</tr>
<tr>
<td>Bo District</td>
<td>Tonkolili District</td>
</tr>
<tr>
<td>Bombali District</td>
<td>Moyamba District</td>
</tr>
<tr>
<td>Bonthe District</td>
<td>Bonthe Municipal</td>
</tr>
<tr>
<td>Kalishun District</td>
<td></td>
</tr>
</tbody>
</table>
## Table 2: Grading Scheme for the Local Councils

<table>
<thead>
<tr>
<th>1.</th>
<th>Chief Administrator</th>
<th>13</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Deputy Chief Admin.</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Local Council Fin.</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>4.</td>
<td>Head of Internal Au.</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>5.</td>
<td>Development Pln. Off.</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>6.</td>
<td>Works Engineer</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>7.</td>
<td>Head of Devolved Fns.</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>8.</td>
<td>Accountant</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>9.</td>
<td>Statistician/M&amp;E Off.</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>10.</td>
<td>Gender Officer</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>11.</td>
<td>Procurement Off.</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>12.</td>
<td>Accounts/Revenue C.</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>13.</td>
<td>Economist</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>14.</td>
<td>Human Resource Development Off.</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>15.</td>
<td>Valuator</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>16.</td>
<td>Environmental &amp; Soc. Off.</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>17.</td>
<td>Information, Ed &amp; Comm. Off.</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>18.</td>
<td>Draughtsman</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>19.</td>
<td>Clerk of Works</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>20.</td>
<td>Administrative Ass.</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>21.</td>
<td>Clerical Staff</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>22.</td>
<td>Drivers</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Office Assistants</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

1.8.1 All positions within the Local Councils are allocated to grades containing pay ranges from Grade 1 to Grade 13 of which Grade 13 is the highest. Within each of grades, there are incremental pay points, i.e. each grade has a pay range – a base pay point and a maximum allowable pay point.

1.9 All new members of staff shall start at the base pay point within a grade. Exceptionally, the point within the Grade may be revised upwards depending on the professional background and experience.
Administrative Organogram for Local Councils of Sierra Leone: Departments & Offices

- Mayor/Chairperson
- Deputy Mayor/Chairperson
- Chief Administrator
- Deputy Chief Administrator
- Human Resource Development Officer
- Valuator
- Information, Education & Com. Officer
- Administrative Assistant
- Audit Department
  - Head Internal Audit
  - Assistant Internal
- Development Planning Department
  - Development Planning Officer
  - Statistician/M&E Officer
  - Economist
- Social Welfare, Gender & Children’s Officer
- Finance Department
  - L/C Finance Officer
  - Accountant
  - Procurement Officer
  - Accounts/Revenue Clerk
- Works Department
  - Works Engineer
  - Draughtsman
  - Clerk of Works
- Head Devolved Functions
  - Environment & Social Department
  - Social Welfare, Gender & Children’s Department
- The Local Council Support Staff
  1. Clerical Staff
  2. Drivers
  3. Office Assistant
CHAPTER 2

RECRUITMENT, APPOINTMENT AND HOURS OF WORK

REGULATIONS

2.1 Local Councils are an 'Equal Opportunity and Diversity Employer' and shall maintain policies of inclusion, fairness and transparent recruitment processes. Recruitment to all Local Council vacancy shall be conducted in a transparent and fair manner and aimed at capturing the best person-to-job fit.

2.2 The credibility of the local councils must be preserved during every recruitment stage. To ensure consistency, the specific pre-requisites in terms of educational/professional requirements or relevant years of experience for local council posts shall be:

<table>
<thead>
<tr>
<th>No.</th>
<th>Job Title</th>
<th>Qualification</th>
<th>Relevant Years of Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Chief Administrator</td>
<td>Bachelors</td>
<td>5</td>
</tr>
<tr>
<td>2.</td>
<td>Deputy Chief Administrator</td>
<td>Bachelors</td>
<td>4</td>
</tr>
<tr>
<td>3.</td>
<td>Local Council Finance Officer</td>
<td>Bachelors</td>
<td>3</td>
</tr>
<tr>
<td>4.</td>
<td>Head of Internal Audit</td>
<td>Bachelors</td>
<td>5</td>
</tr>
<tr>
<td>5.</td>
<td>Development Planning Officer</td>
<td>Bachelors</td>
<td>5</td>
</tr>
<tr>
<td>6.</td>
<td>Works Engineer</td>
<td>Bachelors</td>
<td>3</td>
</tr>
<tr>
<td>7.</td>
<td>Head of Devolved Functions</td>
<td>Bachelors</td>
<td>5</td>
</tr>
<tr>
<td>8.</td>
<td>Accountant</td>
<td>Diploma</td>
<td>3</td>
</tr>
<tr>
<td>9.</td>
<td>Statistician/M&amp;E Officer</td>
<td>Bachelors</td>
<td>3</td>
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<td>10.</td>
<td>Gender Officer</td>
<td>Bachelors</td>
<td>2</td>
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<td>11.</td>
<td>Procurement Officer</td>
<td>Bachelors</td>
<td>3</td>
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<td>12.</td>
<td>Accounts/Revenue Clerk</td>
<td>Diploma</td>
<td>1</td>
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<tr>
<td>13.</td>
<td>Economist</td>
<td>Bachelors</td>
<td>3</td>
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<tr>
<td>14.</td>
<td>Human Resource Officer</td>
<td>Bachelors</td>
<td>3</td>
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<td>15.</td>
<td>Valuator</td>
<td>Bachelors</td>
<td>3</td>
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<td>16.</td>
<td>Environmental &amp; Social Officer</td>
<td>Bachelors</td>
<td>3</td>
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<tr>
<td>17.</td>
<td>Communication Officer</td>
<td>Bachelors</td>
<td>3</td>
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<td>18.</td>
<td>Draughts man</td>
<td>Diploma</td>
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<td>19.</td>
<td>Clerk of Works</td>
<td>Diploma</td>
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<td>20.</td>
<td>Administrative Assistants</td>
<td>Diploma</td>
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<td>21.</td>
<td>Clerical Staff</td>
<td>Diploma</td>
<td>5</td>
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<td>22.</td>
<td>Drivers</td>
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<td>23.</td>
<td>Office Assistant</td>
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2.3 All appointments below grade 5 will be made by the Establishment Committee of the local councils and shall be chaired by a chairman, who shall be a councillor and shall comprise:
   a) Three (3) other members of the local council;
   b) The Chief Administrator;
   c) Co-opted experts with no voting rights;
   d) The Human Resource Development Officer.
2.4 Local Councils recruitment steps for grades 5 and below for selection and appointment of staff shall be:-

a) 1st cut short listing, based on post pre-requisites;
b) Oral Interviewing of candidates with best-person-to-job match;
c) Establishment Committee appoints most suitable candidate;
d) Appointment letters offered.

2.5 For the recruitment of senior members of staff of the local council above grade 5, an independent panel shall be constituted.

2.6 The panel shall constitute the following:-

a) 2 Commissioners of the Local Government Service Commission, one of whom shall chair the panel;
b) The Secretary of the Local Government Service Commission or his representative;
c) 2 Councillors nominated by the Establishment Committee of the Local Council in which the vacancy occurred;
d) The Chief Administrator of the recruiting council;
e) One (1) citizen of proven ability and skill residing in the locality nominated by the Local Government Service Commission; and
f) Co-opted experts with no voting rights.

2.7 Decisions of the Independent Interviewing Panel shall be by simple majority of members attending and voting. However, in case of an interview for the appointment of the Chief Administrator of the Council, the incumbent shall not sit on the panel.

2.8 The Human Resource Development Officer shall be the Secretary to the Independent Panel.

2.9 The Interviewing Panel will submit to the Council the name of the applicant ranked first at the interview. The remaining shall be added to the job bank.

2.10 The Local Government Service Commission shall then advice the Chief Administrator to offer appointment letters.

2.11 Selection and appointment of Local council staff shall be based on tenets of equal opportunity and diversity principles. Whilst appointments shall be made without prejudice based on race, disability, gender, religion or tribe, the Establishment Committee and Independent Panel shall, from time to time, be mindful of local council diversity policy. The diversity policy promotes inclusiveness, and aims at reflecting a balance in gender, tribe, physical ability and religion amongst Local council personnel. The Establishment Committee shall, with appropriate justification and transparency, decide when to implement the diversity policy.

2.12 When making an appointment to a vacant position, preference will be given to candidates already employed in the Local Council. In some cases, the need for fresh talent or to support Local Council diversity policy will justify an exception to this regulation.
2.13 An initial appointment will be made to a post. Staff may subsequently be reassigned or promoted to other posts. It is the duty and obligation of all members of staff to serve at the duty station to which they have been appropriately posted.

2.14 If a selected candidate declines to accept the position or for some other reason is not available for appointment, the next of the other candidates listed in order of merit must be offered the position. If all the candidates rated at the top of the order of merit in the selection process are unable to fill the post, the post must be re-advertised.

2.15 The normal hours of work for Local Council staff shall be:

- Monday - Thursday: 8:00am - 5pm
- Friday: 8:00am - 4pm

All members of staff are entitled to one (1) hour lunch break and should be taken between 12 Noon - 1:30pm.

A roster for lunch breaks within departments/offices may be developed by supervisors to ensure appropriate cover is provided during lunch breaks.

2.16 Staff members of the local Councils are entitled to national Public holidays.

**RULES**

**Recruitment**

**Advertisement of Vacancy**

2.1 In principle, all vacancies for senior staff of the council shall be fully advertised by appropriate notice of a memorandum from the Executive Secretary of the Local Government Service Commission and for staff below supervisory level by Appropriate notice of a memorandum duly signed by the Chief Administration detailing what action is required to be taken by the Establishment Committee.

2.2 Notices and advertisements for vacancies must be set out in LGSC Form I: DECLARATION OF VACANCY FORM on which the following details must be clearly indicated:

a) Number of vacancies;
b) A clear job description;
c) Details of the qualifications required for the job;
d) Details of the skill description including details of the duties the officer will perform upon recruitment;
e) Instructions on how to apply & summary of Local Councils’ recruitment policy.

**Types of Appointment**

2.3 Appointments to the Local Councils shall be on: Permanent terms (subject to successful completion of probationary period);

2.4 Appointment on promotion exist when a vacant position is filled by appointment on promotion and should take place when an officer is appointed to an office, which is graded on a higher rank in the grading ladder than the office he/she holds immediately prior to promotion.
2.5 All promotional posts should be widely advertised and competed for. This will provide for mobility within and without local councils.

2.6 Where vacancy exists and management holds the view that such vacancy should be filled internally, all deserving officers should be recommended to the Establishment Committee to fill the post. No one officer should be recommended without reference about those who are at the same level with him/her. If the candidate is the only candidate at that level, this must be clearly stated.

2.7 The decision as to whether a vacant post is to be filled by promotion or by direct recruitment from the open labour market vests in the chief Administrator, but it is prudent to advertise all vacant posts so as to attract qualified staff from all over the country.

2.8 Where a decision is taken to fill a vacant position by promotion the chief administrator shall be guided by the following:

   a. No officer shall be recommended for promotion while on probation, leave, no pay leave and secondment;

   b. Except in exceptional circumstances (and the advice of the LGSC must be sought in such exceptional circumstances) no officer shall be recommended for promotion until he/she has served a minimum period of three years in his/her substantive grade;

   c. No officer shall be recommended for promotion to a post other than one step on the promotion ladder except in exceptional circumstances;

   d. Names of all officers who are eligible for promotion must be submitted to the Establishment Committee giving reason why they should be promoted or not.

2.9 A submission to the Local Council Chief Administration concerning a recommendation for promotion must include the following:

   a. LGSC Form 1 (2009) declaring the vacancy/vacancies

   b. Details of the Officer(s) to be considered for promotion. The following information must be given for each officer:

      I. Name and date of birth;
      II. Local Government Service Commission minute for initial appointment;
      III. Establishment Committee minute in which the officer was confirmed into the service;
      IV. The actual date on which the officer assumed duty;
      V. Details of qualifications attained before joining the service;
      VI. Details of the officer's progression in the service and the relevant minutes of PSC or EC must be quoted in each case;
      VII. A statement of reasons for any super session, and a firm overall recommendation;
      VIII. A staff list prepared in order of seniority;
      IX. Up-to-date Performance Appraisal reports on each officer must accompany the submission.

2.10 Appointments on transfer shall also exist in the local councils. It shall be on appointment within the service where an officer changes cadre. Initially the officer is appointed in a cadre, but is appointed in a cadre on transfer within the service to another cadre.
2.11 Like all appointments to any vacant post, any appointment on transfer within the service should be subjected to availability of a vacant post and the recommendation of the Local Council Chief Administrator.

2.12 A submission concerning a recommendation for appointment on transfer within the service must include the following:-

a) Name of the officer;
b) Present designation;
c) Salary grade;
d) A memorandum detailing the background information on the officer such as qualifications, experience in service quoting Establishment Committee minutes for appointment, confirmation, promotion etc, and specifying what action is required to be taken by the Establishment Committee. The reasons or justification for the transfer must be clearly stated; for example, additional qualifications relevant to the post, the officer's own application to transfer within the service;
e) LGSC Form 1 (2009) declaring the vacancy to which the officer is to be appointed on transfer within the Service;
f) The officer's up to date Performance Appraisal

Acting Appointment

2.13 An officer may be requested in writing to act in position superior to his grade or to assume further responsibilities for acting in a position considered to be at par with his current position.

2.14 No officer shall be required to act in a position continuously for more than one year unless otherwise extended in writing by the Councils.

2.15 No employee shall be required to act in a position two grades higher than his own, unless the local council so directs. Nevertheless, such an appointment should not be for more than six (6) months in duration unless the council otherwise directs.

2.16 Acting allowance (See Chapter 7) shall be paid in all cases where an employee acts for a higher rated position for a continuous period of not less than one calendar month.

2.17 All acting appointments shall be in writing.

2.18 A contract will not be valid until both parties have signed such a contract. Emoluments and general conditions of services for officers on contract are governed by the terms of their individual contracts.

2.19 Temporary contract appointments shall only apply when there is a genuine management need to make such an appointment for a limited duration. This must be the case where no direct recruitment, promotion, or transfer is possible. When such contracts are advertised or when the terms of references are drafted, the requirements regarding qualification, merit, ability, health and character for appointments of the local councils shall normally be adhered to and a statement on what steps are being taken to obtain or develop another officer to fill the post on permanent terms at the expiry of the contract period. The memorandum must be accompanied by:
Effective Date of Appointment

2.30 Appointment will take effect from the date the officer reports for duty.

Obligation of Appointed Officer

2.31 All members of staff will be required to comply with the conditions, rules and regulations as provided in this guidelines and which guides their employment, including regular attendance, respect for working hours, and working outside regular hours when necessary.

Probation Period

2.32 Probation should be regarded as a means of ensuring, in the interests of both local councils and of staff members themselves, that those appointed to the local councils meet the highest standards of competence, ethics and integrity, and are suited by temperament for a career with the Local councils. It follows that the first consideration with regard to staff on probation is that during their probationary period- they should be evaluated on their ability to learn their work and their suitability for it. They should, therefore, not only be given every facility for acquiring experience of their duties, but also be kept under continual observation.

2.33 If during the first weeks of service a member of staff shows failings which make it doubtful whether he or she will become suitable for permanent appointment, he or she should at once be warned in writing and given all possible assistance to correct his/her faults.

2.34 On first appointment to a permanent post, the probationary period for junior grade officers [Grades 1 – 5] shall be 3 months, and for Grades 6 upwards - 6 months. Appropriate line supervisors shall assist the Chief Administrator in collating necessary assessment details.

2.35 The Chief Administrator shall initiate the probation assessment process by providing the necessary Appraisal Forms to relevant supervisors. (See Annexure for Forms).

2.36 Responsibilities for carrying out probation appraisals shall be as follows:

a) The Local Council Chair in collaboration with LGSC shall appraise the Chief Administrator;

b) The Chief Administrator shall appraise the Deputy Chief Administrator;

c) The Deputy Chief Administrator shall appraise all heads of departments under the supervision of the Chief Administrator;

d) The Heads of Departments shall appraise the staff members under their purview.

2.37 A report produced under rule 2.36 shall include a memorandum giving the supervisor's general impression of the probationary staff member during the initial period of service, relations with the public (where applicable) and with co-workers, and special aptitudes demonstrated.

2.38 All reports made under the provisions of Rule 2.36 are confidential and shall be filed accordingly.

2.39 In principle, probationary periods may not be extended beyond the periods set out in 2.34. When a supervisor has any doubt about the suitability of a probationary staff member, it is the duty of the supervisor to take the interests of the local councils fully into account when formulating his/her recommendation at the
x. Explain clearly to the newly appointed employees through their supervisor their duties and obligations and the penalties employees may incur if they do not comply with the code and their conditions of service, and supervisors must ensure that officers entering the council service read, or have them to read the code, and sign to prove that they have read and understood the provisions therein;

xi. Create and promote equal opportunity in respect of gender, ethnicity, and the physically challenged and religious belief;

xii. Ensure that all revenues of the councils are collected maximally and accounted for properly by those who collect such revenues.

2.43 In like manner, every employee must conduct himself/herself in a manner consistent with the expressed or implied terms and conditions of his or her employment. In particular:

i. Carry out work with due diligence, reasonable skill and competence as he/she expressly or implicitly holds himself/herself out to possess and in accordance with the terms and conditions of employment as specified in the collective bargaining agreement or individual contract;

ii. Report for work regularly, punctually and soberly without neglect and to be appropriately dressed for the work he/she has been employed to do;

iii. Obey all lawful orders and instructions as may be issued from time to time by any person to whom authority has been delegated;

iv. Take appropriate care of the property of the Council to avoid any damage, loss, destruction and/or minimise deterioration;

v. Make every reasonable effort to improve himself/herself and others and others' efficiency, and work experience so as to achieve a high standard of performance and produce quality work;

vi. Comply with occupational safety and health regulations and obligations in relation to accident prevention;

vii. Not engage in any criminal, fraudulent, dishonest or other discreditable conduct inside and outside employment;

viii. Not incite other employees to do or not to do any act inconsistent with their obligations in terms of their contracts of employment or collective bargaining agreements, as the case may be;

ix. Act in good faith in dealing with the Council's authorized staff or representatives and other employees;

x. Abide by the terms and conditions of collective agreements and act in good faith in their relations with the Council and other employees;

xi. Report to the Chief Administrator any insolvency or bankruptcy; arrests or convictions for criminal conduct, excluding traffic violations; any business interests or shareholdings (including directorships) which they hold;
xii. Familiarize themselves with their duties and obligations and the penalties employees may incur if they do not comply with the Code and their conditions of service;

xiii. Except in pursuance of his/her official duties, no employee shall, without the permission of the council, whether on duty or leave of absence:

   a. act as the editor of any newspaper, magazine or periodical or take part directly or indirectly in the management thereof;

   b. contribute to, whether anonymously or otherwise, or publish in any newspaper, magazine or periodical in any manner, anything which may reasonably be regarded as of a political or administrative nature;

   c. speak in public or broadcast on any matter which may reasonably be regarded as of a political or administrative nature;

   d. allow himself or herself to be interviewed or express an opinion on a question of an administrative or political nature or any matters affecting the administration of a council;

xiv. Employees must not, without authority, disclose confidential official information or any information received in confidence from others and they must continue to observe the obligations of confidentiality after they have left the local government service. In this regard, employees are expected to subscribe to the Oath of Secrecy on taking up appointment with the Council;

xv. Employees must not use their official positions or information acquired in the course of the performance of their official duties to further their private interests or the interests of members of their families or the interests of others and they must not receive gifts, hospitality or benefits of any kind from a third party which might compromise, or reasonably be seen to compromise, their personal or professional judgment or integrity;

xvi. Employees may exercise their right to vote, but they shall not participate in other political activities, except as provided for in their conditions of service;

xvii. A senior employee must in terms of his or her conditions of service make a disclosure of personal particulars, interests, associations and activities (financial or otherwise) which are likely to conflict with the proper exercise of the his or her duties. Disclosure may include the interests of a spouse, dependent children or any other close associate and any changes to disclosures must be reported promptly;

xviii. Employees must not engage in any outside occupation or employment, whether remunerated or not, without approval from the council, as provided for in the conditions of service.

Exigencies of Local Councils

2.45 Staff members are expected to accept the exigencies of Local Councils and must be prepared to work outside normal hours, as needed.
CHAPTER 3
EMPLOYEE ATTRACTION AND RETENTION
REGULATIONS

3.1 Local Councils shall attract and retain their staff ensuring that employees with valued or needed skills and experience in a scarce/critical field where recruitment is difficult are kept within the service of the councils by using various techniques. The Local Councils should recognize that their most valuable assets are their human resources. A great deal of time and money is invested in the recruitment, training and development of employee and, as such, every effort should be made to retain those employees who have scarce and limited skills.

3.2 The attraction and retention provisions shall be regarded as local councils Management tools and shall be utilized to attract and retain staff in the councils.

3.3 These provisions shall apply to all employees of the Local councils.

Rules

Staff Retention Provisions

3.1 Local councils shall conduct annual skills audit to identify and classify the current and future skills needs of the councils.

3.2 Where scarce/critical skills have been identified, the Local Council may set the salary for a post or an employee above the minimum notch of salary scale indicated on staff structure of councils.

3.3 The process may also be initiated where an employee with scarce/critical skills and/or has received a higher job offer and the Local Council may give a counter offer to retain his/her services.

3.4 The councils must make every effort to use the skills or create capacity within the Councils before engaging the services of service providers.

3.5 The councils must limit the use of consultants, and where internal capacity exists, allocate additional duties to suitably qualified and experienced employees. This could result in a higher job evaluation of the employee’s post thus improving Council’s ability to retain the services of certain employees.

3.6 Local councils shall endeavour to reward employees who perform well so that those that are under performing can be motivated.

3.7 Local councils should balance the performance level by pairing new employees or underperformers with top performers.

3.8 Staff needs in local councils shall be addressed in a timely manner.

3.9 There shall be enabling environment where an employee can learn from his/her mistakes.
3.10 Councils must ensure disclosure of confidential information does not occur at all as this will create a bridge of mistrust among employees.

3.11 Employees must be encouraged to be part of the decision-making processes in the councils. This will create a sense of ownership of what has been proposed and employees will do their best to achieve it.

3.12 In the interest of the employees and the councils themselves, Local councils must embrace the formal and informal acquisition of knowledge, skills, attitudes, thinking and habits required of an employee to render quality service and secure him/her a rewarding career.

3.13 Employees should be continually trained with relevant development programmes that put them on par with their peers in the job market and thereafter be supplied with the necessary modernized work-tools and be allowed space to practice the skills they have acquired.

3.14 Employees who obtain higher qualifications should be given preference in the filling of vacant posts which require such qualifications.

3.15 In a situation where the employee cannot be accommodated in a suitable post, his or her job should be reviewed with an intention of adding more responsibilities and re-evaluating the post to ensure the maximum utilization of the employee’s potential.

3.16 Information about the employee’s career path should be kept confidential and under no circumstance should it be conveyed to employees not concerned. However, the employee should be reasonably informed about their performance status in the council.

3.17 All employees that have tendered resignations from the local councils shall be interviewed before leaving the councils. Exit interviews shall be perceived as a management tool to extract constructive and valuable positive or negative perceptions that can be used to improve the situation and morale of the remaining staff and this could also be used as a method of reducing staff turnover.
CHAPTER 4

SALARY AND ALLOWANCES

Regulations

4.1 The Local Government Financial Committee in collaboration with the Ministry of Internal Affairs, Local Government and Rural Development, Local Government Finance Department, Public Financial Management Reform Unit, Decentralization Secretariat, and Local Government Service Commission shall be responsible for setting the salary structure of all local council staff. In principle, the salary structure for all staff members of the local councils shall be based on the two categories of local councils discussed earlier.

4.2 There shall be a salary range consisting of a predetermined wage for each approved grade.

4.3 The salary and allowance plan shall aim to attract and retain high caliber professionals and support staff.

4.4 Salary plans are not static and must mirror actual work performed and must change as work changes, to that end salary levels shall be reviewed periodically and systematically to ensure that the salary plan is kept current.

4.5 In addition, there shall be three types of allowances payable in monthly installments and shall not be paid separately but included in the net salary of the employee.
   i. Housing Allowance;
   ii. Medical Allowance;
   iii. Transport Allowance.

4.6 All members of staff may once every calendar year, be paid leave allowance at a rate determined by the local council but not less than 10% of the officer’s annual pre-consolidated leave salary.

4.7 The acting allowance due to the officer “acting” in a post shall be the equivalent of the difference between the officer’s substantive salary and the minimum salary of the post in which he/she is assigned to act.

4.8 Payment of overtime allowance to all staff shall be subject to periodic review in accordance with the rates approved by the local council.

Rules

4.1 The Chairman or his designated agent, in collaboration with institutions in regulation 4.1 shall set the salary grade(s). The Chief Administrator shall issue the approved salary grades and conditions for the granting of salary increments within a grade.

Initial Salary on Appointment

4.2 In principle, the initial salary on appointment to the local council is the base salary in the range appropriate to the grade of the post to which the appointment is made. Exceptionally, the point within the grade may be revised upwards depending on the professional background and experience.
CHAPTER 5

LEAVE PROVISIONS

REGULATIONS

5.1 Staff members may be granted the following types of leave:
   a) Annual Leave
   b) Sick Leave
   c) Maternity Leave
   d) Special Leave
   e) Study Leave

5.2 It is in the interest of the Local Councils those staff members, who are eligible under the provisions of this Human Resource Management Guidelines, are granted appropriate types of leave, for appropriate periods. Annual Leave provides one longer period of leave with pay after a year's work to allow staff members to rest from their duties and return to their duties refreshed and with renewed energy; thus enhancing their ability to serve the council and its clients in an effective and efficient manner. Special Leave meets the personal needs of officers from time to time. Sick Leave and Maternity Leave shall be granted when medically necessary. Study Leave allows staff members to enhance their knowledge and skills, enhancing the efficiency of Local councils.

5.3 Leave for which a staff member is eligible may be granted upon application by the staff member. Staff members shall not as a rule be recalled from approved leave unless absolutely necessary due to exigencies of the Local councils.

5.4 Eligibility for leave accrues during periods of service, during periods of paid sick leave, paid maternity leave, and certain periods of paid study leave or special leave.

5.5 The Chief Administrator shall confer with the Chairperson to approve sick Leave and Maternity Leave to staff members. Sick Leave and Maternity Leave shall be granted at times governed by medical necessity.

Rules

General Provision

5.1 The Chief Administrator shall ensure that a leave plan/roster is prepared for every calendar year. It is the duty of line supervisors to actively encourage officers to take annual leave when due. Leave shall normally be approved and taken in accordance with the annual plan, unless the exigencies of local councils dictate otherwise.

5.2 Approval of Study Leave shall be considered on a case by case basis. The Chief Administrator shall gather all relevant information before consulting with Chairman for final decision.

5.3 Leave periods shall not be a reason for considering the transfer of a staff member. The morale of staff members seeking to use their leave entitlements and the need of the organization for continuity require that, in normal circumstances, staff members may return to their post or position after such a period of leave.
5.4 Vacation leave granted shall exclude Saturdays, Sundays and Public Holidays. Staff members will inform their supervisor(s) of their contact email/postal addresses and telephone number(s), before proceeding on leave, and of any subsequent change of contact details.

5.5 No staff member is allowed to travel out of the country without the approval of the Chief Administrator.

Leave Records

5.6 Proper records of all types of leave taken by officers must be kept in the office of the Human Resource Development Officer with copies kept in the office of the Chief Administrator and shall be updated accordingly.

Annual Leave

5.7 No member of staff shall be allowed to proceed on annual leave within the staff member's first year of service.

5.8 For the purposes of determining annual leave entitlements, eligible staff members are placed into two categories on the basis of their grade in the council, and length of service is recognized as a qualification for additional leave days. Annual leave entitlements are:

a. Category I - Grade 7 and above (Chief Administrator and Deputy)
   - 30 working days per annum (after a year's service)
   - 35 working days per annum (having completed 5 years of service)

b. Category II - Grade 6 and below:
   - 25 working days per annum (after a year's service)
   - 30 working days per annum (having completed 5 years of service)

5.9 Annual leave may also be used for shorter periods for personal reasons under the appropriate provisions of these rules.

5.10 Staff members on annual leave should not accept gainful employment from any other employer, except with the approval of the Chief Administrator.

Requests for Annual Leave

5.11 An application for leave must be submitted on the proper form. A decision on a leave request will be recorded on the application form and placed in a file open to the officer concerned.

5.12 Leave may be applied for and granted as follows:

   Category I: Staff members are required to apply for their earned annual leave in accordance with the leave plan/roster for their division through their line supervisor for approval by Chief Administrator.
Category II: Staff members are required to apply for their earned annual leave through the Human Resource Development Officer, who will confirm eligibility for the leave applied for, before forwarding request to the Chief Administrator for approval.

5.13 The personal circumstances and preferences of staff members shall, as far as possible, be considered when establishing leave plans and rosters and when approving annual leave. However, all arrangements for annual leave shall be subject to the exigencies of the local councils which may require leave to be taken by a staff member during a period designated by the Chief Administrator.

Unused Annual Leave

5.14 When exigencies of the local councils prevent a staff member from taking his/her full annual leave, annual leave may be accumulated and used in the following year. Maximum leave taken in a year shall not exceed 60 days.

5.15 Earned but not utilized leave over and above the maximum limit set out in 5.14 shall be forfeited.

5.16 No compensation is due for forfeited annual leave, except that compensation for earned but not utilized annual leave may in exceptional circumstances be paid at the discretion of the Chief Administrator with concurrence of the Chairperson or Mayor.

5.17 In the case of death of a serving staff member, all unutilized leave shall be paid to the spouse of the deceased staff member or to his/her recognized dependants if there is no spouse.

5.18 When cash compensation for unutilized annual leave is authorized, payment will be based on the applicable base salary of the officer expressed as a daily value, excluding any regular allowances or other emoluments. Conversion of annual leave to a cash value shall exclude Saturdays, Sundays or Public Holidays.

5.19 Officers dismissed from the Local Councils for serious misconduct shall forfeit any claim to annual leave earned but not utilized. In such cases, no compensation for the forfeited annual leave shall be payable in any circumstances.

Sick Leave

5.20 For the purpose of these rules and in accordance with the relevant definition provided earlier, the terms "sick" and "illness" encompass "injury".

Notification of Absence Due to Illness

5.21 Any officer who is prevented from performing his/her duties for reasons of sickness, injury including injury received during the course of duty, or any attack of a prescribed disease must take immediate steps to obtain medical attention. The officer must also inform his/her appropriate line supervisor within 48 hours of the start of the illness or the injury. Failure to comply with these requirements may result in the officer being regarded as being absent from duty without leave.
Medical Certificate

5.22 At the end of the period of illness, the officer must produce a medical certificate covering the whole period of illness. Supervisors shall not allow absence on grounds of sickness without satisfactory evidence of incapacity.

Duration of Sick Leave

5.23 Duration of Sick Leave with full pay shall be ascertained on a case by case basis by the Chief Administrator, with input from appropriate line supervisor(s).

5.24 When a member of staff is suffering from any prolonged and serious illness, such as Tuberculosis, any period of sick leave granted under these rules may, on application and when supported by a report from a Medical Board, be extended with pay at the discretion of the Chief Administrator, with concurrence of the Chairperson.

Administration of Sick Leave

5.25 The Human Resource Development Officer shall liaise with supervisors to monitor sick leave and staff absence due to health reasons, and set up systems to alert senior management when an absence due to sickness could be a cause for concern, such as a contagious disease or other public health issue.

5.26 Proper records of sick leave taken must be kept by the Human Resource Development Officer.

Maternity Leave

5.27 It is the responsibility of the Human Resource Development Officer to inform all female employees of the existence of these regulations and rules governing maternity leave at the time of their entry into the Local Councils. In the same vein, all female employees must endeavor to be conversant with the ensuing provisions governing maternity leave.

Eligibility for Maternity Leave

5.28 Maternity Leave may be granted to a female employee who has been a member of staff for at least one full year as of the date such leave begins.

5.29 On production of a medical certificate from a Medical Officer certifying that she is pregnant, an officer may proceed on maternity leave not later than the 21st day prior to the expected date of delivery.

5.30 Maternity Leave shall be granted for 75 days with full pay. A female officer who has taken maternity leave will not be required to resume duty until the 75th day of the period of leave has elapsed. Should the employee however desires to resume before the slated 75 day period has elapsed, she may be permitted to do so provided an appropriate medical certificate is produced.
5.31 When the birth of the child occurs later than the expected date of delivery, and in cases where more than 75 days of leave is required for medical reasons relating to the birth, the Chief Administrator may grant accumulated annual leave or unpaid leave.

Eligibility for Proportionate Maternity Leave

5.32 A female staff member who has served for less than one full year and who requires leave for maternity purposes may apply for proportionate maternity leave. On production of a medical certificate from a Medical Officer certifying that she is pregnant, an officer may proceed on proportionate maternity leave not later than the 21st day prior to the expected date of delivery.

5.33 The officer granted proportionate maternity leave will be placed on unpaid leave from the first day of proportionate maternity leave until the end of 75 days of maternity leave or the end of the officer's first full year of service in the Local Councils, whichever occurs first. If the officer is on unpaid maternity leave at the end of the officer's first year of service, from the first day of the officer's second year of service until 75 days after the proportionate maternity leave began, the officer will be granted paid maternity leave.

General Provisions Governing Maternity Leave

5.34 Sick Leave shall not be allowed once paid maternity leave has begun or during a period of unpaid maternity leave. The Chief Administrator may grant extra leave for medical purposes.

5.35 If, at the end of a period of Maternity Leave or Proportionate Maternity Leave, an illness occurs that adversely affects the ability of an officer to return to her duties, whether the illness relates to the pregnancy and delivery of a child or not, the officer may apply for sick leave upon presentation of a medical certificate. This rule also applies to cases of premature birth or miscarriage. Officers who are ill at the end of a Maternity Leave or Proportionate Maternity Leave may also apply at the end of such leave for annual leave or leave without pay.

5.36 Maternity Leave including Proportionate Maternity Leave may be granted only one time in any period of 24 months, calculated from the day the most recent maternity leave commenced.

Return to Duty after Maternity Leave

5.37 On resumption of duty after maternity leave, an officer shall retain her grade, salary and conditions of service applicable prior to maternity leave or leave without pay for maternity purposes. The officer's eligibility for advancement and promotion will not be affected by absence on leave taken for maternity purposes.

Study Leave

5.38 The Local Councils seek constantly to improve the knowledge and skills of its staff members. An important tool for achieving this institutional objective is the granting of Study Leave. Study Leave is granted for the purposes of enhancing the efficiency, effectiveness and motivation of staff members. Study Leave may be granted by the Chief Administrator to deserving staff members who have been identified and recommended by their supervisors.
5.39 Study Leave is granted to achieve the institutional objectives of the Local Councils, and is not granted in the interest of, or as a reward to, individual staff members.

5.40 Study Leave may be with pay or without pay, and may be for studies in Sierra Leone or abroad.

**Eligibility for Study Leave**

5.41 Only confirmed staff members are eligible for Study Leave, except in special circumstances as may be decided by the Chief Administrator in concurrence with the Chairperson.

5.42 Staff members who possess potential for development should be identified on the basis of formal assessments of their performance by their supervisors. Qualified candidates for Study Leave are recommended to the Chief Administrator.

5.43 In identifying officers to be recommended for Study Leave, the following criteria should be applied:

   a) The field of study should be relevant to the training needs of the local Councils;
   b) The training is within the training plan of the Local Councils;
   c) The nominated candidate must be adequately qualified for the training proposed for him or her, in terms of the skills, knowledge and experience possessed by the candidate and in terms of the training and staff development policies of the local councils;
   d) The choice of the candidate must be fully justified in terms of the performance record of the selected candidate in relation to the performance records of other candidates;
   e) Funds must be available for the proposed course of study.

5.44 Officials nominating and selecting staff members for studies outside Sierra Leone shall ensure that the subjects to be studied abroad will be beneficial to the local councils when the staff member reports for duty from study leave.

**Bonding**

5.45 Bonding is a contractual agreement between a staff member and the Local Council whereby the staff member agrees to serve the council for a stipulated period after completion of a course of study paid for by the council. When a staff member is awarded Study Leave with pay, a bonding agreement shall be prepared in the approved form and signed by the staff member.

5.46 When Study Leave with pay is funded from foreign awards made to the council by multi-lateral organizations or individual countries, the conditions pertaining to such awards are generally accepted, and the bonding provisions set out in 5.45 will apply.

5.47 Staff members granted Study Leave with pay and who signed a bonding agreement with the local councils must return to duty in the council at the completion of their approved studies or at the time they interrupt their studies even if they have not been completed. Staff members who fail to return to duty shall be required to refund to the Commission the costs of their studies. Failure to refund the costs of their studies will necessitate legal action against them, and they will forfeit any accrued service benefits.
Special Leave

5.48 Special Leave for the purposes of provisions in this Human Resource Guidelines is defined as any leave not covered by the provisions set out above.

5.49 Special Leave with or without pay is granted at the discretion of the Administrator in concurrence with the chairperson. There is no entitlement to paid or unpaid Special Leave.

5.50 When considering a request for Special Leave, the Chief Administrator shall take into account the exigencies of the local council. The Chief Administrator must also be satisfied that the circumstances behind a request for Special Leave justify its approval, especially when Special Leave with pay is under consideration.

5.51 Applicant for Special Leave shall, through their immediate supervisor, provide the Chief Administrator with appropriate justifications and any relevant background material regarding applications for Special Leave. In normal circumstances, Special Leave with or without pay will not be granted unless recommended by the applicant's line supervisor.

5.52 Special Leave is granted by the Chief Administrator with concurrence of the Council, for compassionate reasons - such as compelling circumstances, normally related to family matters, which make his/her presence at work extremely difficult or impossible. Special Leave for compassionate reasons may be granted when an officer has exhausted his/her accrued annual leave. Special Leave for compassionate reasons shall normally be without pay. The Chief Administrator may grant Special Leave for other reasons in exceptional circumstances.

5.53 When staff members have been officially nominated by local councils to be members of committees, they normally perform such duties in an official capacity, and the conditions of service related to attendance at meetings of such bodies shall be defined at the time of nomination. A specific decision with regard to Special Leave is not normally required.
CHAPTER 6
EMPLOYER - EMPLOYEE RELATIONS
REGULATIONS

6.1 The Local council shall establish Joint Employer-Employee mechanisms for the effective participation of local council staff in identifying and examining issues relating to conditions of work and staff welfare.

6.2 The Council shall give prompt and serious consideration to proposals arising from the joint employer-employee body.

Rules

Employer-Employee Advisory Committee

6.1 A Joint Local Council Employer-Employee bodies shall be established, with the title Local Council Employer-Employee Advisory Committee (LCEEAC).

6.2 The objectives of LCEEAC shall be:

a. To secure close cooperation between the local council as the employer and the employees of the local council in matters affecting the local council with a view to increasing the efficiency and effectiveness of the institution and maintaining high employee morale;

b. To improve the well-being of local council staff;

c. To provide a mechanism to allow constructive discussion of matters of general interest related to the conditions of employment of local council staff, and to provide a forum for the discussion of any general grievances which may arise;

d. To foster dialogue with various occupational offices within the local council to allow the council to benefit from their collective wisdom and experience when dealing with issues of interest to such groups.

6.3 The LCEEAC's shall comprise of:

a) The Chairperson/Mayor or his or her representative
b) The Chief Administrator or his or her representative
c) The Head of Departments
d) The Human Resource Development Officer
e) One (1) junior member of staff below grade 6 nominated by the Chief Administrator in collaboration with the Departmental Heads

Meetings of the LCEEAC Meetings

6.4 A representative of the Local Council and or a representative of the local council staff members above grade 8 shall alternately Chair LCEEAC meetings. Minutes shall be taken by the Human Development Resource Officer and filed in the Chief Administrator’s office.
6.5 The Chairperson(s) must be neutral to ensure meaningful deliberations and resolutions of the Committee.

6.6 Ordinary meetings of the LCEEAC shall be held once a month and not less frequently than once every two months.

6.7 The LCEEAC shall establish standing rules and regulations for the conduct of its business. The quorum shall be one chairperson or his or her representative, four (4) senior staff (grades) or one junior staff (grade 6 below)

6.8 Either Chairperson(s) in 6.4 may call a special meeting of the LCEEAC as the need arises

Reports of the LCEEAC

6.9 The LCEEAC shall adopt its conclusions by agreement between members of the local council and the local council staff on the Committee. Agreed conclusions shall be signed by the Chairpersons. The Chief Administrator shall be responsible for ensuring the conclusions of the LCEEAC are implemented.

Staff Advisory Committee

6.10 The Chief Administrator shall set up a Staff Advisory Committee, having as its members all Head of Departments.

6.11 The Terms of Reference for the Staff Advisory Committees are:--

   a) Consideration of employee-related matters referred to the Committee by the Head of Departments
   b) Consideration of personnel matters, which require attention;
   c) Providing advice to the Head of Departments or officers as appropriate.

6.12 The Chief Administrator shall chair the Staff Advisory Committee meetings or may nominate any of the other members to do so. The secretary shall be the Human Resource Development Officer.

6.13 The Staff Advisory Committee shall not deal with capacity building and staff development matters, these matters being in the Terms of Reference of Performance Appraisal and Capacity Building Committee.
CHAPTER 7
OFFICIAL TRAVEL AND SUBSISTENCE REGULATIONS

7.1 Official travel means travel for the purpose of carrying out the business of local council. Official travel is governed by ensuing provisions.

7.2 The standard of travel shall be prescribed by the local council from time to time and the Local council shall meet travel and subsistence expenses for official travel.

7.3 There shall be no duplication of travel and subsistence benefits paid by the local council and external sources for approved official travel.

7.4 Travel shall be by the most economical and efficient means, taking into account the costs of subsistence and the value of a staff member's time. Travel shall be by the most direct available route.

7.5 Travel paid for by the local council shall be authorized by the Chief Administrator in writing before it is undertaken.

Rules

General Rules

7.1 When a staff member is required to travel on official duty, such travel will be considered official travel.

7.2 When a staff member travels for the reasons set out in 7.1, the Chief Administrator shall be responsible for arranging the appropriate mode of transport for the purpose.

7.3 Staff members of the local council are normally expected to meet the cost of their daily travel between their homes and the place of work.

7.4 Staff members in senior grades may be issued vehicles for official use as a condition of service.

Non-Duplication of Payments for Travel

7.5 When external sources are used to pay for travel and subsistence costs for a staff member on approved official travel, local council funds should not be used to reimburse such travel expenses.

7.6 When external source are used to pay for approved official travel at the appropriate standard as set out in these rules, local council funds will not be provided for such travel. However, when an external source pays travel costs at a standard below the appropriate standard under these rules, local council will pay only the difference between the two.
7.7 Subsistence payments for approved official travel, including travel to represent the local council or to attend meetings or conferences abroad, shall be reduced by the amount of subsistence paid by external sources. When an external source provides subsistence that is equal to the subsistence payable under these rules, no subsistence allowance shall be paid by the local council. When an external source provides subsistence that is greater than the subsistence payable under these rules, no subsistence will be paid by local council, but no recovery of the difference between the rate paid by an external source and the rate payable by the local council.
CHAPTER 8
PROMOTIONS AND TRANSFERS
REGULATIONS

8.1 The local councils shall whenever possible promote regular staff members, who deserve, qualified and have proven ability to move into higher positions that may arise during the course of time with corresponding increase in salary, duties and responsibilities.

8.2 Promotion in the Local Council shall be defined as the movement of a staff member to a higher post and shall entail an increase in basic salary.

8.3 As far as possible, all vacant establishment posts shall be filled by promotion from within the local councils.

8.4 All promotions must be based on considered decisions as to the fitness of the member of staff to undertake duties at the higher level. In assessing him/her for promotion, the criteria of merit shall be the overriding consideration. Other factors that may be taken into consideration are the official qualifications, seniority and experience of an officer, sense of responsibility, potential, attitude towards work, capacity for cooperation with others, and general comportment.

8.5 An officer shall be eligible for consideration for promotion only under the terms set out in the rules governing promotions. Promotion procedures and criteria shall be made known to staff, including the grounds for appeal and appeals right.

8.6 No contract or temporary employee shall be considered for promotion.

Rules

Promotion

8.1 Promotions are linked to an increase in responsibility and authority. To implement a promotion, there must be a vacant post available at a level higher than the personal grade level of the person to be promoted, and the person promoted must be assigned to that post and made responsible for carrying out the duties attached to it.

Criteria for Promotion

8.2 When considering officers for promotion, due regard will be paid to merit; and seniority.

Recommendation and Approval for Promotion

8.3 The Chief Administrator shall determine suitability for promotion and subsequently make recommendations to the chairperson for approval. Referral for promotion and promotion-related appeals must be therefore directed to the Chief Administrator.
Merit

8.4 Merit is the primary consideration to be taken into account when deciding on promotions. Merit means demonstrated competence including:
- Efficiency;
- Requisite qualification;
- Experience;
- Seniority;
- Sense of Responsibility;
- Potential;
- Attitude towards work
- Capacity for cooperation with others; and
- General comportment

8.5 Merit also means objective assessment that the officer is competent to perform the tasks attached to the post at the higher level.

Transfers

8.6 There shall be administrative and inter council transfers within the local councils.

8.7 Administrative transfers shall be those where employees move from position within the department to another department and those where employees are reassigned from one position to the other within the same department.

8.8 There shall be a sub committee to make decisions on transfers in local Councils especially those that relate to transfers between and among councils.

Rules

8.5 The Local Council in collaboration with the Local Government Service Commission may authorize the transfer of an employee from one position in a Department to another position of the same or comparable classification in another department. Any employee transferred to a different position shall possess the minimum qualifications for that position. Probationary employees who receive transfer authorization shall restart their 3 and 6 months probationary period respectively from the effective date of the transfer.

8.6 The Department Head in collaboration with the Chief Administrator may reassign an employee to another position in the same classification in the same department at any time.
Inter-Council Transfers

8.7 Core Staff of the Councils shall be transferred from one council to the other after completion of a tour of two years, unless otherwise. The transfer may be from one council to the other as may be deemed necessary by the posting committee.

8.8 The postings committee shall comprise the following:-

- a) 2 Commissioners of the Local Government Service Commission;
- b) The Chairman Public Service Commission; - Co-opted Member
- c) The Executive Secretary/Representative; - Secretary
- d) President of the Local Council Association; - Member
- e) The Director General HRMO/Representative; - Co-opted Member
- f) The Director, Decentralization Secretariat - Co-opted Member
- g) The Director, Local Government Finance Department; - Co-opted Member
- h) The Permanent Secretary from the Local Government and Rural Development/ Representative; - Member
- i) Director, public financial management; - Co-opted Member

Meetings of the Committee

8.9 Unless otherwise the Committee shall meeting every three (3) months

8.10. The two (2) Commissioners of the Committee in 8.8 above shall rotationally chair Proceedings of the meeting.

8.11 The Posting Committee shall establish standing rules and regulations for the conduct of its business. The quorum shall be three (3) one chairperson and two (2) other members.

8.12 Either Chairperson(s) in 8.10 may call a special meeting of the Committee as the need arises.

8.13 The Chairman of the Local Government Service Commission shall be informed accordingly for his information decisions reached at the meetings.
CHAPTER 9

EQUAL EMPLOYMENT OPPORTUNITY

Regulations

9.1 Equal Opportunities in the work place will be achieved by the implementation of the provisions and programmes outlined in these guidelines. All Local Councils shall be equal opportunity employers. It is the policy of the local councils that all persons are entitled to equal employment opportunity and that the local councils will not discriminate against its employees or applicants because of race, color, religion, sex, pregnancy, national origin, ancestry, age, marital status, sexual orientation, physical handicap or medical condition. The equal employment opportunity philosophy should apply to all aspects of employment within the local councils including recruiting, hiring, training, transfer, promotion, job benefits pay, dismissal, educational assistance, and social and recreational activities.

9.2 Equal opportunity should be about removing bias, prejudice, and stereotype so that the only acceptable form of discrimination is on the basis of ability, experience, qualification and expertise and as required by the job specifications.

9.3 Equal opportunities are important for the local councils since people who use their full potential are more productive. Equal opportunities must be put in practice to ensure efficiency in service delivery as it is about getting the best from all people.

RULES

9.1 Recruitment and employment decisions shall be made on the basis of fair and objective criteria. Selection procedures will be reviewed from time to time to ensure that these decisions are appropriate for achieving the objectives of the councils and for avoiding unlawful discrimination.

9.2 Person and job specifications will be limited to those requirements which are necessary for effective performance of the job. Interviews will be conducted on an objective basis and personal and home commitments will not form the basis of employment decisions.

9.3 In accordance with recommended practice, the ethnic and gender composition of staff of local councils and applicants for job shall be monitored, on anonymous basis, at all levels.

9.4 Appropriate training will be provided to enable staff to implement and uphold local council commitment to equal opportunity.

9.5 Working patterns shall be reviewed to enable the councils to offer flexible working conditions to staff and child care responsibilities where possible. Where necessary, special provisions will be made to train staff returning to work following a break from domestic reasons.

9.6 All staffs have a right to equality of opportunity and a duty to implement this policy. Everyone, not just employers, must comply with this legislation and ignorance of the provisions herein shall constitute no defence.
9.7 Local councils must not tolerate acts which breach these provisions. Breach of the equal opportunity provision is potentially a serious disciplinary matter and will be taken seriously and fully investigated.

**Equal Opportunities in Recruitment**

9.8 The recruitment process must aim to select the most suitable person for the job in respect of experience and qualification and the local councils must comply with the equal opportunities policy in this regard. No assumptions or prejudgments must be made by the recruiting authorities about the suitability of either sex or any ethnic group for a particular job or about the effects of any disability not material to the requirement of the job.

9.9 All advertisements for recruitment must encourage applications from suitably qualified, experienced people and should avoid stereotyping of roles. All vacancies shall be advertised in a wide variety of ways to ensure that a fair cross section of potential applicants have access to the advertisement.

9.10 Application forms must only include those questions which are necessary at the initial stages of selection. Such questions must be relevant and non-discriminatory.

9.11 At interview, no questions must be asked or assumptions made about the candidate's personal and domestic circumstances. Where the requirements of the job affect the candidate's personal life, this should be discussed objectively.

9.12 Only those qualifications and skills which are important to the job are to be established as criteria for selection. These may include education and professional qualifications, experience and physical abilities, subject being able to demonstrate that they are highly desirable and relevant attributes for the position. However, such formal academic or professional qualification requirements may be waived if candidates can demonstrate their suitability for the job by other means including previous experience and willingness to undergo further training.

9.13 No candidate will be rejected on the basis of trade union membership or non membership.

9.14 Should the local councils decide to utilize selection tests with the objective of ensuring that the applicants have the skills and aptitude required for the job, all such tests will be valid and reliable free from gender or ethnic bias and non-discrimination.

9.15 Any requirements in relation to age, ability, experience and qualifications shall only be applied if necessary for the particular vacancy and will be applied in a non-discriminatory way.

**Equal Opportunities in Promotion**

9.16 In accordance with the local council's equal opportunities policy, all applicants for promotion shall be assessed objectively and in a non-discriminatory manner.
9.17 An employee who wishes to discuss his/her career prospects can do so during the performance appraisal process or at any other time with his/her manager and/or Human Resource Development Officer.

**Equal Opportunities Grievance Procedure**

9.18 The Equal Opportunity Grievance procedure shall be as follows:-

a) If a member of staff experiences any of the types of behaviours referred to in this policy as discriminatory, such member of staff should first make it clear to the person concerned that they find their behaviour offensive and ask them not to act in that way. If this situation persists or if a member of staff feels he/she cannot approach the offender, he/she should ask his/her supervisor to investigate and resolve the matter. If this is not feasible, perhaps because it is the immediate supervisor who is the subject of the complaint, then he/she should inform either the Human Resource Development Officer or the Chief Administrator for further action.

b) Making a complaint is a serious issue and will be treated as such by the council who will conduct a full and thorough investigation into the matters brought to its attention. All members of staff have a duty to alert the local council to problems abuse of equal opportunities so that appropriate action can be taken.

c) As further safeguard, the grievance procedures set out in the HRM policy manual are available to individuals who feel that they have suffered harassment or feel that they have received unfair treatment in any of the following:-

   i. Their right to apply for jobs for which they are qualified or have the experience;
   ii. Selection for interview;
   iii. The interview process itself;
   iv. Training or development opportunities;
   v. Terms and conditions of employment;

9.19 The formal procedures in the local councils' grievance procedure will be necessary where the informal route proves defective. For more serious incidents of harassment, a separate policy has been set out in this policy.

9.20 A Preliminary investigation will be carried out to gather sufficient information to show whether or not there are reasonable grounds to uphold an employee's complaint of discrimination. The matter will then be referred to the established disciplinary procedures for appropriate redress and or disciplinary action.
CHAPTER 10
HARASSMENT PROVISIONS AND PROCEDURE
REGULATIONS

10.1 All local councils shall endeavor to prevent harassment in the work place as it corrupts the working environment and can have a devastating effect on health, confidence, morale and performance of those so affected. It may also have damaging effect on other staff not themselves the object of unwanted behavior who are witnesses to it or who have knowledge of the behavior. Members of staff are entitled to a working environment which represents their personal dignity and which is free from such objectionable conduct. Harassment is a disciplinary offence and incident will be dealt with under the disciplinary procedure.

10.2 The local councils shall prohibit harassment by employees at all levels of the council against other employees. This policy establishes procedures for employees who feel they have been subjected to harassment to seek redress. An employee who is determined to have harassed another person while pursuing a council activity, either on or off duty, may be subject to disciplinary action. An employee found to be retaliating against a complaining employee may be subject to disciplinary action. An employee found to have submitted a capricious or malicious complaint may be subject to similar disciplinary action.

10.3 Harassment shall be defined as verbal harassment, but is not limited to, derogatory comments communicated to the employee on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation and age.

10.4 Physical harassment includes, but is not limited to, assaulting, impeding or blocking movement, or any physical interference with normal work or movement of the employee when directed at the employee on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation and age.

10.5 Visual forms of harassment includes, but is not limited to, derogatory posters, notices, bulletins, cartoons, or drawings on the basis of employee’s race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation and age.

10.6 Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed at an employee which is presented as a condition upon an employment benefit, unreasonably interferes with an individual’s work performance or creates a work environment that is offensive to the employee.

10.7 Identification of guidelines for harassment shall be applied by reviewing the totality of the incident or situation in question. Guidelines for identifying harassment behavior are:

(a) The behavior is repetitive;
(b) The behavior is unwelcome;
(c) The behavior is one-sided; and
(d) A complaint did not stop the behavior once the behavior is unwelcome.
10.8 The responsibilities of involved parties shall include:

(1) Management at all levels is responsible for explaining the to the complaint procedures of:
   a. Making employees aware of the council's policy and obtaining additional information on
      the subject for them
   b. Dealing effectively with complaints as they occur;
   c. Making the employee aware that Human Resources will be notified of the complaint.

(2) Human Resource Development Officer shall cause an independent investigation to be conducted
    of all complaints; maintain a file on all charges of harassment, and draft a report summarizing the
    Investigation and proposing recommendations.

(3) The person filing the complaint is encouraged to make attempts, if possible, to inform the person
    alleged to have violated this policy that the behavior is unwelcome. The person filing the complaint
    is encouraged to do this, but is not necessary in order to file a complaint.

(4) Human Resource Development Officer shall keep the employees informed of the status of the
    investigation, to the extent permitted by privacy consideration of the complainant, the alleged
    harasser, and the witnesses.

(5) All personnel shall maintain confidentiality about complaints in order to protect the parties involved,
    and information shall not be disclosed other than to assist in the investigation.

RULES

Investigation into allegation of Harassment

10.1 The Complaint Procedure for alleged harassment shall be as follows:

   a) An employee who believes he or she has been harassed may report the problem to his or her
      immediate supervisor, any Department Head supervisor within the council.
   b) An employee who believes he or she has been harassed may file a written complaint with the
      immediate supervisor, any Department Head or supervisor within the Council.
   c) All employees, supervisors, and Department Heads are expected to treat any complaint
      immediately, seriously, and confidentially, and to give the investigation priority.

10.2 Any person receiving a complaint of harassment shall immediately notify the Chief Administrator. The
Chief Administrator shall expeditiously investigate all complaints of harassment. Department Heads
and supervisors shall make available any employee for interviews and present any documents
required by the investigator.

10.3 After reviewing the facts of the investigation, the Department Head and/or Human Resource
Development officer may commence appropriate discipline in accordance with the Disciplinary
Procedures, as contained in this manual.
CHAPTER 11
PERFORMANCE APPRAISAL AND TRAINING

REGULATIONS

11.1 Local Councils shall appraise the performance of their Staff. Performance Appraisal shall be the assessment of the performance of an individual in relation to the objectives, activities, outputs and targets of a job over a given period of time. Good performance appraisal practice is beneficial to the organization, the individual and the Local Council service as a whole.

11.2 Staff members shall be evaluated for their efficiency, competence and integrity through performance appraisal procedures that shall assess the staff member’s compliance with the standards set out in this Human Resource Manual. For this reason, a Performance Appraisal & Training Committee shall be formed to manage and implement the appraisal scheme.

11.3 There shall five (5) members of Performance Appraisal & Training Committee which shall comprise: The Chief Administrator(Chaired), Human Resource Development Officer, The Chairperson Establishment Committee and two (2) members of the Establishment Committees. The committee shall ensure adherence to ensuing Regulations and Rules, and shall ultimately implement recommendations of appraisal reports. The Committee shall have powers to co-opt suitable persons from within or outside the council in the related field.

11.4 Performance appraisal procedures shall evaluate a staff member in the staff member’s current assignment and evaluate the staff member’s potential for future assignments.

11.5 Performance appraisal shall be based on the following basic principles:-

a) The performance objectives against which the individual is to be assessed must be jointly agreed, and as much as possible measurable;

b) The appraisal report must be brief and concise and conclude with a jointly agreed action plan to improve performance;

c) The process must be open and interactive to allow for the full involvement of the person being appraised;

d) The system must also include an assessment of job competencies (for example the work skills and qualities required in meeting the performance objectives)

e) The appraisee must be given an opportunity to assess himself/herself;

f) There must at least be three levels of assessment;

g) A record of the completed performance appraisal documents must be securely kept in the personal appraisal file (Confidential Performance Appraisal File) of each individual staff and should be accessed only by authorized Persons/Officers;

h) There must be adequate training and sensitization for all those involved in the appraisal process, particularly in the setting of objectives and the dynamics of the appraisal dialogue/interview.
Performance Appraisal Objectives

11.6 The objectives of the performance appraisal shall include among others:
   a) To ensure that employees understand what is expected on the job and how their job contributes to
      the achievement of the goals of the Local Councils;
   b) To provide a systematic process for managers or supervisors and employees for setting direction,
      evaluating achievement and providing feedback regarding employees' performance;
   c) To provide a basis for determining employee compensation and assisting in other human resource
      related actions such as promotions;
   d) To provide a basis for assessing employee training and development needs and career
      enhancement opportunities.

Applicability

11.7 The performance appraisal system shall apply to all staff of the Local Councils.

Period of Assessment

11.8 Performance appraisal will take place once a year and at the end of the financial year for all
confirmed officers of the Local Councils. For staff on probation, performance appraisal will be
conducted twice a year, with effect from the date of assumption of duty. After confirmation, the
officers will join the annual appraisal cycle. For staff serving the local councils, performance
appraisal should be conducted by 31st December of every financial year.

11.9 To ensure that managers and supervisors keep track of individual performance, periodic assessment
should be conducted formally and informally as the need arises throughout the year. Confidential
files can be used to record critical performance outputs.

Training Managers/Supervisors in Appraiser Techniques

11.10 Appraisal management is not an easy process. It is essential therefore that, Appraisers are
properly trained to meet their obligations before using the instrument. Appraisees also need
briefing, albeit more informally, so that they maximize the opportunities that appraisal provides.
Chief Administrators and Human Resource Development Officer are responsible for ensuring
that all Appraisers and Appraisees are trained in performance appraisal.

11.11 At the beginning of each assessment period, both the appraiser and appraisee should agree on the
number of activities and outputs, and the number of points per activity and output.

RULES

Performance Appraisal Process

11.1 The performance appraisal of local councils shall involve the following processes and tasks.

11.2 The appraiser shall prepare all materials, notes agreed tasks and records of performance,
achievements, incidents, reports and anything that pertains to performance and achievement of the
appraisee. These records and document should include the appraisal form in the appendix of this
policy to provide a good natural order for the appraisal proceedings.
The role of the Appraiser

11.16 The appraiser shall make the following preparations for the appraisal:-
   a) Identify a convenient time and place to hold the appraisal meetings with individual staff ensuring that the environment is suitable and there will be no interruptions;
   b) Provide staff with relevant documentation;
   c) Prepare for the meeting by referring to the previous years' completed assessment (where one exists) paying attention in particular to the jointly agreed objectives and action plan;
   d) Make notes of issues to be covered at the meeting/dialogue session

11.17 In conducting the appraisal meeting/dialogue session the appraiser shall ensure that:-
   a) The meeting is a two-way discussion by encouraging the appraisee to talk;
   b) Past performance, future action plan for objectives, and training and development needs of the appraisee are fully discussed;
   c) Appraiser's achievements are acknowledged;
   d) Incomplete activities and outputs are fully discussed, but in a cordial environment;
   e) Those items on the preparation notes are covered;
   f) He/she makes notes in readiness for completing the assessment form;
   g) That all agreed objectives are linked to departmental/sectional objectives or individual skills needs, or career development objectives;

11.18 The appraiser form shall be completed after the appraiser interview/dialogue session as follows:-
   a) The appraiser completes his/her part of the assessment form within one week following the appraisal meeting/dialogue session;
   b) Sends a copy to the appraisee to read and sign, and follows up with the appraisee if agreement cannot be reached or a further meeting is needed to resolve any pending matters;
   c) Arranges for the assessment form to be countersigned by his/her manager;
   d) Ensures that the agreed assessment forms are delivered to the authorized Officer;
   e) That all training and development needs are planned and met; integrate if other staff has similar training needs;
   f) Continues to provide support to staff in meeting their objectives.

11.19 The appraisee also shall have the following roles to play prior to the interview/dialogue:-
   a) Prepare for the meeting by completing the appraisee section of the Performance Appraisal Form [copy attached], referring in particular to the previous year's jointly agreed objectives and action plan;
   b) Make notes of issues he/she wishes covered at the meeting;
   c) Effectively participate in the meeting;
   d) Refer to his/her prepared notes to ensure that all the issues he/she wishes to raise are covered adequately;
   e) Ask questions on issues he/she is not clear about.
11.20 After the appraisal interview/dialogue session, the appraisee should:

   a) Ensure that he/she receives the final assessment forms, reads through signs and returns to the appraiser if in full agreement. (If agreement cannot be reached the Appraiser's line manager should be consulted);
   b) Be committed to all agreed training and development objectives.

11.21 The complete Appraisal Form should be countersigned by the Head of the Appraiser's Department.

The Role of the Human Resource Development Officer

11.22 All Local Councils should have a Senior Officer who shall act as the Performance Appraisal Coordinator among other roles, his/her responsibilities should include:

   a) Establishing a timetable within his/her Local Council for the completion of the appraisal and to provide Appraisers and Appraisees with the appropriate documentation;
   b) Maintaining an up to date record of the process, tracking the movement of forms and following up staff and Managers who fail to complete the appraisal on time;
   c) Ensuring that the appraisals are completed within the agreed timetable and that all the necessary paperwork is properly filed by 31st December of every Financial Year;
   d) Providing training for appraisers and briefing sessions for new appraisees;
   e) Ensuring that the training needs for the Local Council as reflected in the individual forms/action plans are collated for appropriate action;
   f) Acting as the liaison person between the Local Councils and Local Government Service Commission, which has corporate responsibility for managing the appraisal scheme.

The Role of the Chief Administrator

11.23 As administrative Head of the Local Councils the Chief Administrator has the overall responsibility of ensuring that the objectives and outputs of the Local Council are fully met. He/she should also ensure that all staff are appraised in terms of their individual and collective contribution to the attainment of those objectives and outputs. The Chief Administrator is therefore expected to:

   a) Ensure that realistic overall annual objectives, targets and outputs are well set;
   b) Monitor overall progress of activities and ensure fair and equitable facilitation of all Departments/sections/units;
   c) Cause adequate budgetary provisions for the appraisal instruments;
   d) Assess the performance of senior staff in the Council;
   e) Countersign forms for all the officers in a Local Council;
f) Ensure that all the appraisals are completed by 31st December of every Financial Year, and that the completed forms are sent to the Local Government Service Commission as and when required.

The Role of the Local Government Service Commission

11.24 The Local Government Service Commission [LGSC] has overall responsibility for monitoring and evaluating the management of the performance appraisal scheme. It will specifically undertake the following:

a) Keep the framework of principles and other documentation under review and suggest any necessary changes to improve the system, in consultation with other stakeholders;

b) Monitor the management of the scheme and paperwork in all Local Councils so as to ensure that it is in accordance with the laid down basic principles;

c) In the penultimate month of each financial year, remind the Human Resource Development Officer of the need to facilitate the process within their respective Local Councils;

d) Intervenes when appraisal discrepancies arise in the councils especially between the chairperson and the LCCA.

Management of Training and Development

Regulations

11.1 The Local council should believe that staff members are the most important assets of the institution. The successful accomplishment of its mission rests with the staff. It should therefore be committed to continuous development of staff to utilize their potential.

11.2 The aim of the learning process shall be to develop in the council employees the knowledge, Skills, and attitudes necessary for effective performance of their work, hence for the achievement of organizational aims and objectives by the most cost effective way.

11.3 The councils shall have a staff training and development policy that will guide all its training and development activities in order to continuously monitor the technical and managerial skills development of its staff.

11.4 The policy shall stipulate the procedure for eligibility, application, and selection as well as opportunities available, forms of training and obligations of trainees. All permanent staff members shall be eligible for staff training and development.

11.5 The council shall pursue forms of staff development including orientation and Induction programmes, short courses, exposure visits, workshops, staff meetings, and participation.
11.6 The Human Resource Office shall assume responsibility for planning, implementation, monitoring and evaluation of staff development programmes, systems development (training needs, selection etc.) and budget administration. The HR officer shall also work out a training plan in consultation with all involved and distribute it in advance to supervisors. The council shall be responsible for approving the final plans and budgets on all training including international training.

11.7 Line Managers/ supervisors shall be responsible for training needs assessment, coaching, consultation with and the supervision of staff and follow-up and post training assessment.

11.8 Training record for all personnel shall be maintained as part of the individual personnel records.

11.9 Staff development will be based on increasing and enhancing skills rather than vertical promotion in a hierarchy

**Induction**

11.10 This is the first stage of staff development. Every new staff or being assigned a new post shall pass through a structured induction programme arranged by the HR officer and or the line manager. A formal record of induction training is completed and placed on the staff member’s personal file.

11.11 Effective induction is important to the local councils’ success, through the motivation and retention of staff. Induction and orientation will be provided to all local council staff regardless of their position or status, through a systematic process of developing a thorough understanding of the organization mission, vision, and approach and accountability system. A major emphasis will be on how the councils operate. It will cover on-site job specific orientation and induction and is aimed at building relationships with immediate colleagues as well as other staff in the organization.

11.12 Human Resource Office will be responsible for ensuring that a proper induction process is put into place. It is the responsibility of line managers to ensure that new joiners are inducted into the Councils as speedily as possible, ideally within the first 3 three months of joining the and also ensure in depth induction of the new staff in terms of their job requirements.

11.13 Staff undergoing induction must also meet all line managers to get an understanding of the work they do, relationships between the departments, mutual expectations etc.

11.14 An induction checklist form shall be produced by all local councils for staff induction.

11.14 Whenever necessary, the councils shall design tailor made courses, workshops, seminars, meetings and exposure visits between the councils and other local institutions.

11.15 Resource persons shall be drawn from the council where possible and or approved consultants to train staff. All cost incurred in relation to training shall be borne by the local council.

11.16 Staff attending local training courses will be required to submit a report to their line Manager with a copy to the Human Resource Office within one (1) week of the date of return to duty.
The Human Resource Development Officer

11.17 The Human Resource Development Officer shall be the focal point for Human Resources Development in the Local Council. The Human Resource Development Officer shall:

a) Provide guidance on HR matters;

b) On the advice of the Chief Administrator and Local Council Finance Officer manage funds for training programmes;

c) Coordinate the implementation of all Local Councils training programmes;
CHAPTER 12

DISCIPLINE

Regulations

12.1 Staff members of the Local Councils shall at all times act in accordance with the laws of Sierra Leone, the provisions of this Human Resource Guidelines, and other regulations issued by the Local Councils. In carrying out their assigned duties, the local council staff shall act with integrity, honesty, political neutrality, impartiality and objectivity.

12.2 Failure to act in accordance with the requirements set out in 12.1 shall be considered to be official misconduct, and will result in disciplinary action.

12.3 When misconduct is alleged, an investigation shall be conducted to prove disprove the allegations.

12.4 When misconduct is proved, disciplinary measures as set out in this Human Resource Guidelines shall be applied.

Rules

General Principles

12.1 In the performance of their duties, staff members shall respect at all times the provisions of the local council Code, and the following rules.

12.2 Local council staff members shall not misuse information they acquire in the course of their official duties, nor disclose information that is held in confidence within the councils.

12.3 Any case requiring disciplinary action against a staff member that is not covered by this Human Resource Guidelines shall be reported by the Chief Administrator, the local councils or any delegated authority.

Responsibilities of the Establishment Committee and Local Government Service Commission

12.4 The Establishment Committee (EC) shall handle all disciplinary cases submitted to it by the Local Councils especially those that involve officers in grades 10 and below.

12.5 The Local Government Service Commission shall handle all cases involving the Chief Administrator and Heads of Departments and shall also handle appeals from any aggrieved party.

12.6 In handling such cases in 12.4 and 12.5 above the Establishment Committee/Local Government Service Commission shall exercise the highest degree of impartiality in accordance with the laid down procedures. There should be no victimization or political interference when handling such cases. Thorough investigations should be carried out before a decision is taken.
12.7 The Local Government Service Commission/E.C shall exercise maximum caution while handling cases leading to the termination / dismissal of Council Staff. A Council employee whose services are terminated contrary to the terms and conditions of service or contrary to the ruling of the Local Government Service Commission shall be entitled to benefits. It is important to note that the financial implication to a Council of paying benefits to an officer wrongly dismissed is enormous. Councils should therefore be very careful when handling cases likely to end in termination of service of staff.

12.8 When disciplinary proceedings are instituted against officers in grades 10 and below they should be brought to a speedy conclusion, including when, where applicable, action by police and the courts of law is applicable. LCCAs should ensure that submissions to the EC are full and factual so as to facilitate speedy handling of the case. The situation where an officer stays on prolonged interdiction pending disposal of the case should not arise. LCCAs are also required to immediately implement directives of the Local Government Service Commission/EC relating to disciplinary case.

Responsibilities of Supervisors

12.8 It is the duty of supervisors of newly appointed staff members to explain clearly to such staff their duties and obligations and the penalties staff members may incur if they do not comply with the local council Service Code and provisions of this Human Resource Policy. Supervisors must ensure that newly appointed staff members read and sign the Local Council Service Code.

12.9 Failure by a supervisor to act as required in Rule 12.8 may result in disciplinary action against the supervisor, or a negative performance appraisal.

Responsibilities of Staff Members

12.10 It is the duty of newly appointed staff members to familiarize themselves with their duties and obligations and the penalties staff may incur if they do not comply with the local council Service Code and other provisions of this Human Resource Policy.

12.11 Failure by a supervisor to act as required in Rule 12.8 does not diminish or eliminate the responsibility of staff members to note and act in accordance with local council Human Resource Policy, and cannot be used as a defense against charges of misconduct.

12.12 Staff members are required to report the following to their Department Heads or immediate supervisors:
   (a) Arrests or convictions for criminal conduct, excluding traffic violations;
   (b) Any business interests or shareholdings (including departmental heads) which they hold.

Penalties for Proven Misconduct

12.13 The following penalties may be ordered as a result of disciplinary proceedings, which result in proven misconduct:
a) Dismissal from the local council service
b) Reduction in rank;
c) Reduction in salary;
d) Suspension without pay;
e) Deferment of an increment;
f) Stoppage of an increment;
g) Reprimand (verbal or written).

Conviction of a Crime

12.14 A staff member adjudged by a Court of Law to be guilty of any criminal charge other than a traffic violation may be dismissed from the local council and shall not receive any emoluments from the date of such judgment until a decision is taken on dismissal from the local council by an authority empowered to dismiss the officer.

12.15 If the staff member wholly succeeds in an appeal and the criminal conviction and sentence are quashed, the whole of the salary, allowances and benefits withheld shall be restored to the staff member and, if the staff member's employment has been terminated, the member of staff shall be reinstated in the local council, with no loss of accrual of annual leave or service towards an increment.

Definition of Acts of Misconduct

12.16 Acts of misconduct are:—

(a) Unauthorized absence from duty, or any abuse of sick leave;
(b) Improper, negligent, inefficient or incompetent performance of duties;
(c) Refusal or failure to perform properly assigned tasks and duties;
(d) Failure to obey lawful instructions, including circulars, instructions or standing orders issued by competent authorities;
(e) Hindering or obstructing any member of the local council in the discharge of his/her duties;
(f) Unbecoming or improper behaviour of any nature, including any use of any drugs in public or private places, or the consumption of intoxicating liquor, beer or wine to excess at any time or in any place in a manner or circumstances likely to bring the local council or any part thereof into disrespect or disrepute;
(g) Unbecoming or improper behaviour while on official duty, including the use of any drugs or the consumption of intoxicating liquor, beer or wine on local council premises or in official vehicles;
(h) Failure to report improper conduct on the part of any officer of the local councils;
(i) Making a false report, accusation or statement against council or any staff member of the local council;

(j) Making any false claim or return including any claim for travel or subsistence;

(k) Practicing nepotism or any other form of favoritism in making or recommending any appointment or promotion to any post or office within the local council.

(l) Making or offering or accepting or receiving a bribe, gift or any other favour in connection with the discharge of official duties;

(m) Theft of, or failure to take reasonable care of, or making improper or unauthorized use of, local council property or the property of any statutory body, statutory fund or local authority, including motor vehicles, or failure to take adequate steps to ensure that reasonable care is taken of any such property, or failure to report at the earliest opportunity any loss thereof or damage thereto; or failure to take reasonable care of or to account for, or making improper or unauthorized use of, council or funds, the monies of any statutory body, statutory fund or local authority;

(n) Failure to repay, within the stipulated period of repayment, any monies advanced by the council or by any statutory body, statutory fund or local authority;

(o) Falsification of any official document or recording or causing to be recorded therein any false or incorrect information;

(p) Giving false or incorrect evidence or information or failure to disclose material evidence or information in relation to any inspection, examination, investigation or inquiry in terms of these regulations or rules or other general regulations;

(q) Unauthorized or improper disclosure or use of classified or confidential information;

(r) Failure to disclose any personal information relevant to any matter connected with the discharge of duties;

(s) Contravention of any provisions relating to the performance of work outside the local council for remuneration, engagement in any occupation or undertaking which may conflict with the interests of the council, and involvement in any contract or transaction which is likely to present a conflict between the private interests of the officer and his/her official duties;

(t) Control, direction or management, whether direct or indirect, of any business or other income-earning activity, including appointment as a company director, without the written consent of the Chief Administrator;

(u) Undertaking or engaging in any other employment or service for remuneration without the written consent of the Chief Administrator;

(v) becoming insolvent or bankrupt or assigning his/her estate for the benefit of creditors; or compromising with creditors generally; or having a writ of civil imprisonment or garnishee or other like order issued against him or her;
(w) holding office in any political party or political organization
(x) addressing any political party or political organization without appropriate authority from the local council;
(y) any act or omission that is inconsistent with or prejudicial to the discharge of official duties
(z) violent behaviors against other local council staff or any member of the public.

Procedures

Initial Investigation of Suspected Misconduct

12.17 When a staff member of grades 10 and below in Rule 12.7 are suspected of misconduct, the Head of Department or the Chief Administrator shall cause to conduct such investigation as may be necessary. The Establishment Committee (EC) shall handle such disciplinary cases submitted to it by the Chief Administrator or Head of Department.

12.18 With those relating to the LCCA and Heads of Departments, the case shall be handled by the LGSC. The LGSC also handles appeals from any aggrieved party.

12.19 In handling such cases, the Establishment Committee/Local Government Service Commission shall exercise the highest degree of impartiality in accordance with the laid down procedures. There should be no victimization or political interference when handling such cases. Thorough investigations should be carried out before a decision is taken.

12.20 An investigation undertaken within the provisions of Rule 12.17 and 12.18 shall be completed within 14 days, unless a further period is authorized by the committee and the LGSC. Delays by the staff member being investigated in answering questions or disclosing information required from him or her, may be grounds for an extension of the period of investigation. Notwithstanding the above, the Chief Administrator may authorize that an investigation be completed and conclusions drawn in cases in which the staff member being investigated fails to answer questions or disclose information in a timely manner.

12.21 Supervisors shall report all disciplinary cases involving officers from grades 10 and below to the Chief Administrator and those in grades 11 and above to the LGSC after they had occurred.

12.22 If an investigation demonstrates that a charge of misconduct against an officer is justified, the Head of Department, supervisor or the Chief Administrator and LGSC shall define clearly the misconduct charge against the staff member and shall:

   a. Inform the staff member, in writing, of the nature of the allegations against him or her;

   b. Where possible, attach copies of any documentary evidence or other relevant documents and/or afford the officer charged with misconduct an opportunity of having sight of any documentary evidence or other relevant documents;

   c. Call upon the staff member to submit a written reply to the misconduct charge within fourteen (14) calendar days of receipt of the communication from the Chief Administrator.
Inquiry to Establish Guilt or Innocence in Cases of Alleged Misconduct

12.23 When an officer is accused of misconduct and the council and LGSC have directed an inquiry be conducted; the Chief Administrator shall investigate as may be necessary to determine whether application of disciplinary sanctions is warranted. The Chief Administration, after consultations with the Establishment Committee, and LGSC shall decide on the inquiry procedures.

12.24 An inquiry shall be conducted in an informal manner and the rules of procedure and evidence applicable in criminal or civil proceedings need not be observed in such an inquiry. The chairperson of the Inquiry panel shall keep a written record of the evidence given at the inquiry and may in addition arrange for the proceedings to be otherwise recorded. The chairperson may administer or cause to be administered an oath to any person who gives evidence at the inquiry.

10.25 The offices under investigation for the categories of staff referred to earlier shall be entitled to appear in person at the inquiry and to be represented legally or otherwise at the inquiry, provided that the local council also represented legally. Notwithstanding the above, the inquiry may be held in the absence of the staff member against whom allegations of misconduct have been made if the staff member fails to attend at the inquiry after due and reasonable notice.

12.26 It is the duty of any staff member under investigation for misconduct to cooperate fully and promptly with the Committee carrying out the investigation. The staff member must answer all questions fully and honestly and disclose all information required from him or her in a timely manner.

10.27 At the conclusion of the inquiry, the committee and LGSC shall:

a) State their findings on the issue referred for determination by the Chief Administrator on one hand and the LGSC on the other;

b) submit to the Council:
   i. A record of the proceedings of the inquiry;
   ii. Notification of its findings;
   iii. Recommendations arising from its findings

12.28 The Committee and the LGSC shall examine the results of the inquiry, and shall decide on the disciplinary action, if any, that shall be applied to the officer. On one hand the committee shall notify the Chief Administrator of its decision and on the other hand the LGSC shall notify the Chairperson/Mayor on an issue involving the LCCA and Heads of Department.

10.29 For staff in grades 10 and below the Chief Administrator shall notify the staff member concerned of the decision of the Establishment Committee, but for staff above grades 11 the LGSC shall notify the chairperson its decision and both shall oversee the implementation of their respective decisions.

Imposition of Interdiction Order

12.30 A staff member who is suspected of misconduct or is subject to a criminal investigation may be interdicted from the Local council at any time if the staff member's continued attendance at work or continued performance of his/her official duties or service would:
a. Be conducive to unbecoming or improper behaviour;
b. Seriously impair the proper administration or functioning of a Unit/an office or Department;
c. Occasion prejudice to any money or property likely to be handled by the staff member in the course of the performance of the staff member’s duties;
d. Enable the staff member to handle any evidence or interfere with any investigation relating to any alleged misconduct;
e. Be undesirable in terms of the public interest and likely to lead to a loss of public confidence in the Local council.

12.31 An interdiction order may be imposed upon an officer by the Chief Administrator. The interdiction shall date from the time the order is given. In the case of criminal proceedings the date of interdiction shall be the date on which the staff member is charged.

12.32 Where an interdiction order has been imposed upon an officer:

a. The order shall specify the reasons for such an order and, where possible, the nature of the allegations;
b. If the procedure set out in Rules 12.30 through 12.33 inclusive has not been instituted, it shall be instituted forthwith.

12.33 A staff member who is under an interdiction order must remain at his/her habitual address or must inform the Chief Administrator within two days of any change of address.

12.34 Any staff member who is under an interdiction order may not leave Sierra Leone without the prior permission of the Chief Administrator.

Payment of Salary and Allowances during Interdiction Period

12.35 Where the nature of the allegation(s) does not involve financial loss to the local council and the staff member is not directed to carry out other duties, the officer under interdiction shall not receive his/her salary or allowances, but shall be entitled to an allowance equal to the staff member’s basic salary. Where the nature of the allegations involves financial loss to the local council, the officer under interdiction shall not receive his/her salary or allowances, but shall be entitled to an allowance equal to one-half of the officer’s basic salary. Such allowances shall be payable for up to three (3) months pending an official decision on the allegations.

12.36 If the disciplinary proceedings do not result in the officer’s dismissal, the interdiction order shall be cancelled and the whole of the salary and allowances withheld from the officer shall be restored to the staff member, less the amount of any allowance already paid. A staff member adjudged by a court to be guilty of a criminal charge shall not receive any emolument from the date of such judgment pending the decision of the authority empowered to dismiss him or her. If the staff member wholly succeeds in an appeal and his conviction and sentence are quashed, the whole of the salary and allowances withheld shall be restored to the officer.
Unauthorized Absence from Duty and Termination

12.37 When a staff member is absent from duty without prior authorization or reasonable cause and the officer cannot be found or, if found, does not reply in writing to a charge of being absent in an unauthorized manner, the Head of Department shall within 14 days report the facts to the Chief Administrator, who will inform the Local Council. When after 14 days all attempts to find the staff member or, if found, to get a reply from the officer to charges of unauthorized absence from duty have failed, the staff member's employment with the local council shall be terminated with effect from the first day of the period of unauthorized absence.

12.38 If a staff member removed from office under the provisions of 12.37 makes contact with the Local council, or replies to charges of unauthorized absence from duty, within 2 weeks of the date of dismissal, the local council may review the officer's case. The council may confirm the termination, impose any other penalty it deems fit, or re-instate the officer without penalty.

Inefficiency and Termination of Tenure

12.39 If a supervisor believes that the tenure of a staff member should be terminated for general inefficiency - he/she shall make a recommendation to the Chief Administrator. The supervisor shall send a copy of the charges against the staff member, a copy of the staff member's reply, the staff member's performance evaluations, and a brief resume of the case with the reasons for the recommendation to the Chief Administrator.

12.40 In such cases, the performance appraisal record of the member of staff in his/her official personnel files shall be a major element in the decision of the Chief Administrator and the Establishment Committee.

12.41 No notification of termination of tenure shall be given to the staff member until the letter from the Chief Administration giving the final decision has been given to the staff member.

Removal from Office of Chief Administrators, Heads of Departments

12.42 Officers referred to above should be dismissed only in the most serious of misconduct and for acting in a way incompatible with their status as public officers.

12.43 The Local Council and the LGSC should not hurry to take this line of action before exhausting all possible alternatives to sort out the problems concerning officers above. Where terminations or dismissals are the last resort, then the matter should be referred to the LGSC and the Establishment Committee of the local councils.

12.44 The officer affected by disciplinary resulting to dismissal has the right to appeal to the Establishment Committee and the LGSC respectively.
Disciplinary Procedures for Contract Officers

12.45 Possible disciplinary actions and penalties shall be attached to contracts for contract officers. Nothing in this policy shall limit the power of the Chief Administrator to impose on contract officers any other penalty that may be deemed appropriate.

Appeals

12.46 Any appeal by an officer against a disciplinary decision shall be in the form of a petition to the Chairperson for arbitration by the Local Council. An appeal shall be submitted within 21 calendar days from the day the decision was received by the officer making the appeal.

12.47 Submission of an appeal shall not have the effect of suspending application of the decision against which the appeal is made.
CHAPTER 13

SEPARATION FROM THE LOCAL COUNCILS

Regulations

13.1 Staff may retire, or be required to retire, from the council, in accordance with the provisions of this Human Resource Manual.

13.2 Members of staff of local council may resign upon giving the required notice set by the Local council.

13.3 The council may terminate the employment of local council staff, in accordance with the provisions of this Human Resource Manual.

13.4 The councils shall conduct Exit Interviews following the resignation of a staff member. The council should be able to know why an employee has left as this could provide the Council with valuable information.

RULES

Retirement

13.1 Staff members shall retire on reaching retirement age, unless otherwise decided by the council. The statutory retirement age shall be sixty years.

13.2 On the recommendation of the Chief Administrator, the council in consultation with the Local Government Service Commission may extend the services of an officer beyond the mandatory retirement age of sixty when the Administrative head of the council makes a recommendation that retention of the services of an officer is essential for reasons of efficiency, economy or other valid reasons.

13.3 Each case will be considered individually and on its merit. Extensions will be granted for only one year.

Retirement before Statutory Retirement Age

13.4 The council may require an officer to retire for health reasons, for disciplinary reasons, and for unsatisfactory performance of assigned duties.

13.5 The Council may, by giving six months notice in writing to a member of staff, require an officer to retire on or at any time after attainment of the age of sixty (60) years.

Retirement on Medical Grounds

13.6 The council may require a member of staff to retire on grounds of the officer's continued ill health, mental or physical deficiency and infirmity, which render the staff member incapable of efficiently performing his/her duties. The council shall be responsible for making arrangements for Medical Board constituted by the Director-General of Medical Services to certify such incapacity.
13.6 A staff member shall not be retired under the terms of 13.8 unless he/she has undergone an examination by a Medical Board constituted by the Director-General of Medical Services.

13.8 Notwithstanding the provisions of 13.7, when a staff member fails to subject himself or herself to a Medical Board examination within three months of receiving formal notice of the requirement to do so, the officer shall be retired on medical grounds without such examination.

13.9 If a Medical Board recommends, after examining a staff member, that the staff member is unfit for further service, the Chief Administrator shall immediately report to the Commission any particulars about any leave for which the officer is eligible. The Chief Administrator shall thereafter inform the staff member of the recommendation of the Medical Board before any action is taken on termination of service.

13.10 If a staff member is to be retired on medical grounds, the officer shall be given the choice of:—

a. Cash compensation for unutilized annual leave accrued up to the date of the council's notification to the officer of the recommendation of the Medical Board; or

b. A period of annual leave equivalent to his/her entitlement accrued up to the date of the council's notification to the officer of the recommendation of the Medical Board.

If the officer selects Option (a) the staff member's retirement will take place one month after notification in 13.9. If the staff member selects Option (b) the staff member's retirement will take effect one month after all accrued annual leave has been exhausted. During this period of two months, the officer will be entitled to all salary and allowances applicable at the time he or she is notified of the recommendation of the Medical Board.

Retirement on Grounds of Inefficiency

13.11 An officer may be required by the Council to retire if the member of staff:—

a. Becomes deficient or inefficient in the performance of his/her assigned duties;

b. Is demoted and fails or refuses to perform the duties of the lower post;

c. Is incapable of satisfactory performance of assigned duties for reasons other than physical or mental deficiency or infirmity;

d. Is not suitable for the post he/she occupies or any other post to which he/she could reasonably be promoted, demoted, transferred or appointed.

13.12 When the Chief Administrator or a Head of a Department is of the opinion that a staff member should be retired on grounds specified in 13.11, he or she shall make a report to the council indicating the circumstances of the case and submitting all relevant documentary evidence.

13.13 The Council shall consider reports submitted under the provisions of Rule 13.12, and shall:—
a. Direct that no further action shall be taken in a case; or
b. Initiate an inquiry.

13.14 When the council initiates an inquiry:--

a. The staff member concerned shall be informed of the contents of the report from the Chief Administrator or Head of Department and shall be invited to make representations in writing within such reasonable period as may be specified by the Council;

b. The staff member concerned must appear in person before the Council. In the event of non-attendance, the Council shall proceed to make a decision in the matter.

13.15 After reaching a decision, the Council shall inform the staff member and the chief Administrator in a timely manner.

Resignation

13.16 A member of staff may resign from the council at any time decided upon by the staff member except as provided in 13.20 below.

13.17 A member of staff must give written notice of his/her intention to resign 2 (two) months before the resignation date. A member of staff may request an exception to this rule from the council through the Chief Administrator who will append his/her recommendation to the Council.

13.18 Unless authorized by the Council, a staff member cannot take annual leave during the notice period.

13.19 The Council will, when a resignation is submitted, accept the resignation in writing.

13.20 The Council may reject the resignation of a member of staff when such resignation is submitted by a staff member who is the subject of an inquiry or investigation under the provisions of Chapter 12, Discipline, of this Human Resource Manual. In such cases, the officer shall either continue to perform his/her duties or, if under an Interdiction Order, shall remain absent from the office but available if required by the inquiry or investigation undertaken under the provisions of Chapter 12 Discipline.

13.21 When a junior (non managerial) employee resigns, the supervisor shall attempt to ascertain the reason for resignation. This can be done informally. Any information should be noted in the employee's personnel folder.

13.22 When a senior member resigns, a formal exit interview will be conducted.

13.23 Exit interviews will not be conducted by the employee's immediate supervisor. Instead, the Human Resource Development Officer, or a duly authorized delegate of the Human Resource Development Officer will arrange the exit interview.

13.24 All resigning senior officers will be requested to complete an "Exit interview form" This will be done prior to the interview meeting. A representative of the Human Resource Development Officer will conduct the meeting and will go over the comments made by the employee on the exit questionnaire. If the interviewer feels that additional information is needed, he/she will then interview the resigning employee's supervisor.
13.25 The interviewer has the responsibility to try and determine the accuracy of the employee's stated reasons, and the supervisor's responses (if any); and to ensure that these are appropriately recorded in the files. Any extra ordinary findings should be brought to the attention of the head of department having overall authority for the area in which the employee worked and the commissioner.

TERMINATION

Definition of Termination

13.26 Termination is any separation from service initiated by the council, other than retirement, non-renewal of a contract or summary dismissal for serious misconduct.

13.27 Abandonment of post is a separation initiated by the staff member other than by resignation and is not considered a termination initiated by Council. Abandonment of post includes refusal to change duty station/post after reassignment.

Certificate of Service

13.28 A certificate of service may be granted to a member of staff at his/her own request upon the termination of his/her employment with the Local council.

Termination of Temporary Contract Officers

13.29 Where a Contract Officer is serving under a contract that provides for the termination of the contract before its expiry date, and any official under whose purview the contract officer was assigned, believes he/she should be terminated; the official shall report the facts to the Chief Administrator. When the termination is proposed due to a change in the organization, or on medical grounds, the Chief Administrator, in concurrence with the Council may act.

13.30 If the reasons given by the Departmental Head or supervisor relate to disciplinary matters, the Chief Administrator shall set out the reasons in writing and require the contract officer to show cause in writing why his/her appointment should not be terminated. If no reply is received or if the Chief Administrator considers that a reply does not show cause why the officer should not be terminated, the chief Administrator shall terminate the appointment.

Retirement Benefit of Local Council Staff

13.31 The Retirement Benefits of Local Council Staff is provided through NASSIT (refer to chapter 14 pages 59, from 14.1 to 14.7)

Long Service Award

13.32 The Local council shall honour employees who render 10 or more years of continuous and meritorious service with Certificate of Honour.

Ex-Garcia for staff of local councils

13.33 All local councils are required to pay ex-Garcia to staff of local council on his/her retirement.
CHAPTER 14

STATUTORY DEDUCTIONS

Regulations

14.1 Staff members shall make Social Security contributions to National Social Security and Insurance Trust [NASSIT].

14.2 The contribution made by the Local councils on behalf of eligible staff shall be 10% of eligible staff member’s basic salary, and the eligible staff member shall contribute an additional 5% of his/her basic salary.

14.3 The staff member’s contribution in Regulation 14.2 shall be deducted from his/her basic salary in monthly installments.

14.4 Only confirmed members of staff i.e. staff members who successfully complete their respective probationary period shall be eligible for the local council’s contribution in Regulations 14.1 and 14.2. Once confirmed, Social Security contributions shall be effective from the staff member’s effective start date as shown on appointment letter.

14.5 The statutory retirement age shall be sixty years.

14.6 Extension of the services of a staff member beyond the statutory retirement age may be approved by the Local councils on the recommendation of the Chief Administrator.

14.7 The retirement age of a staff member who is required or permitted to retire by the Chief Administrator under the provisions of Chapter 13 of this Human Resource Manual shall, for the purposes of this Manual be deemed to have fulfilled one of the conditions for retirement.
LOCAL COUNCILS

ACKNOWLEDGMENT OF RECEIPT OF HUMAN RESOURCE GUIDELINES MANUAL

This is to acknowledge that I have received a copy of the HUMAN RESOURCE GUIDELINES MANUAL including all amendments made in November 2009, and understand that it contains important information on the Council's personnel rules and regulations and on my obligations and responsibilities as an employee. I acknowledge that I am expected to read, understand, and adhere to council Guidelines and will familiarize myself with the provisions in the manual. I understand that I am governed by the provisions in the manual; and that the LGSC in consultation with the Local Council may change, rescind or add to any regulations, benefits or practices declared in the manual from time to time in its sole and absolute discretion with or without prior notice. The Council will advise employees of substantive changes within reasonable time.

Employee's Name

Date

Employee's Signature

This document shall be signed by the employee and placed in the employee's personnel file.