

# Establishing a Local Government Association (LGA)



## **Colophon**

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# Introduction

Wherever there is local government, sooner or later there will be a Local Government Association (LGA). The first LGAs were founded in Europe about 100 years ago. Long before World War II LGAs grew up in Central and Eastern Europe but disappeared under communist centralism that reigned after the war. However, new LGAs were established in all Central and Eastern European countries in the 1990s, soon after the end of the communist regimes. The most recent LGAs have been established in Africa and Asia in response to the decentralisation policies being implemented in various countries. And every year, initiatives are taken throughout the world to establish new LGAs.

The explanation for this almost universal trend is simple: local government management and staffs want to share experiences and learn from each other; they want to work together in finding solutions for common obstacles; they want to join forces in confirming and taking their responsibilities, they want to make their work more cost-effective. Forming an association helps create a unified voice for local government and establish a support mechanism based on ownership and self-help. LGAs thus create favourable conditions for effective and efficient local governments, which in turn support the development of their communities and improve the lives of citizens.

While the reasons for creating an LGA may seem obvious, the process of establishing and building one has proven in practice to be not so easy. Often the potential members have weak financial, human, technical and organisational resources. As a result, what they can contribute to their LGA may be limited.

Creating a successful LGA requires many things, including really committed leaders, thorough preparation, and investments from members. A shared understanding of what the LGA should do for its members, and also of what it cannot be expected to do, is a necessity. In almost all cases outside support is needed in the first phase of building the LGA. This support may take the form of temporary financial support to attract staff, rent an office and undertake activities, or technical support to make available experiences from older and more experienced LGAs.

This document has been written as a practical, easy-reference manual in preparing and establishing an LGA. It is meant in the first place for local government leaders, but also for decentralisation task force members and for Ministries of Local Government who consider that establishing an LGA is a useful step in developing the local government sector in their country. The document is, however, not a blueprint. The context of each country and the conditions for each initiative to establish an LGA will differ.

We hope this document will help to define your own approach; give useful concrete suggestions; and last but not least: provide inspiration to get started!

# What do we mean by a Local Government Association (LGA)

There are many ways in which local governments can cooperate, and many forms exist to institutionalise this cooperation. This document focuses on one form: the Local Government Association (LGA). We use here the word 'Association', although in their names many associations will use the word 'union' or 'league'.

An LGA will unite a (large) number, if not all, of the local governments in a country. It will want to support the overall development of local government in the country. Most often the objectives are threefold:

- To advocate the interests of local governments on behalf of the members
- To provide services to members
- To offer a platform for the exchange of experience among members

In practice the scope and focus of activities will vary, according to the state-of-affairs regarding decentralisation in the country, the needs following from it and the available resources. The organisational structure may be built around a national secretariat, and include regional branches. The latter are then part of the national association and not to be mixed up with Regional Local Government Associations.

Which other forms of local government cooperation exist, on which this document does not focus?

**Regional Local Government Associations** are often quite similar to a national association of local governments, but focus on issues and problems that are typical for a particular geographical region. They limit themselves to representing the interests of their members to the provincial or regional authorities, to bringing together the members around their typical issues, and sometimes have a focus on technical service provision.

**Thematic Local Government Associations or networks** focus on one specific theme. They lobby for a specific aim (habitat, environment, etc) or promote the exchange of experience in a specific area (healthy cities network, cities with historic centres, etc).

**Task-oriented inter-municipal arrangements** are basically legal arrangements between two or more local governments, established to exploit the economies of scale in a particular area of competence of the local governments. An example is the joint undertaking of waste collection and disposal in a certain geographical area.

**Local government professionals' associations and mayors' associations** have membership on a functional basis. In most cases, they focus on enabling professional exchange of experience among local government officers working in the same field (financial officers, city managers, city planners, etc) or among officials who fulfil the same position (mayors, councillors).

**Single-party associations of elected local government representatives** for the elected representatives of one specific political party and created by that party. This kind of association is basically meant to develop the party identity; to offer training; and to offer a platform for internal discussion and exchange of experience.

An LGA may very well wish to cooperate with one or more of these organisations. In Paragraph 2.3 some examples are given of useful arrangements.

# 1 The institutional environment: a diagnostic tool

## 1.1 Needs that spur LGA formation

Setting up an LGA can be triggered by various needs, actors and causes. In most cases, however, it is closely linked to a (projected) increase in the responsibilities and tasks of local government, and the related need for local governments to obtain or develop the necessary resources to meet new demands.

### **Are you influenced by central government policies and do you want to have a say in them?**

Local government representation and involvement should accompany the design process of the decentralisation strategy and any policy that influences local government. Having a unified voice on behalf of local governments helps at the very beginning of policy formulation.

### **Are you and your colleagues invited to participate in committees designing national policies?**

Make participation in such committees truly useful by presenting proposals that reflect the reality and needs of local government and local people. The stronger the local government group standing behind the proposals, the greater the chance of having influence to the benefit of local governments.

### **Are you and your colleagues facing new responsibilities as a result of decentralisation?**

Implementation of decentralisation brings new tasks and responsibilities to local governments which often create a heavy burden, especially when considering the experience and the financial and human resources available. A unified voice of local governments will help obtain appropriate resources.

### **Are you being assigned functions you never handled before and need ground breaking experience?**

You are operating in a changing and challenging environment, perhaps frustrated by central government policies and hampered by scarce resources. Get together to share experiences among peers on the best processes of handling accountability, transparency and responsiveness.



If you find yourselves trying to respond to any of the questions above, you may need:

- Lobbying for the interests of local government at important negotiations
- Services targeting the needs of local government
- A platform for information exchange

If this is the case your needs fit the classic functions of a local government association. If you do not have one, you need one.

Make a list of:

- Local government-related reforms and initiatives in the country
- Newly assigned local government functions with their matching financial resources
- Central government initiatives influencing local policies

## THE SUDAN AND SYRIA CASE A CAREFUL DECISION

Establishing an LGA is a time and energy-consuming process. The national context is highly influential. One must therefore make a careful analysis whether there are sufficient grounds for establishing an LGA. In Sudan, for instance, a conference of local government and ministerial representatives in 2005 drew the conclusion that the legal and administrative structure was not mature enough to establish an LGA. Instead of an LGA it was decided to form a platform for technical information exchange purposes as this would be a more realistic first step. In Syria, also in 2005, and as part of an EU-financed project to support the local government sector, establishing an LGA was considered. A comprehensive assessment led to the conclusion that it would be more useful to establish an information centre for Syrian municipalities. The centre will gather information and best practices, and make these accessible. By facilitating the exchange of experience among Syrian municipalities, the centre will promote stronger inter-municipal links, which may eventually lead to the establishment of an LGA. Representation of local governments in the appropriate national and international organisations.

## 1.2 Local governments

Once the need for establishing an LGA has been identified, a better understanding of the surrounding environment is called for.

- **Analyse the local government tiers in your country**

Is there more than one tier of local government in your country?  
Are there great differences between functions assigned to the various tiers of local government?

**Note:** Local government is organised in one or more tiers, as defined within the legal framework of the country. If there are more tiers of local government (e.g. regions, subdivided into municipalities or district councils), the distinctive tiers will ideally have clearly defined and distinctive roles and responsibilities. Local governments belonging to the same tier usually form their own association. If local government is divided into more than one tier, each tier may have its own association, depending on how their interests differ or converge. Sometimes, an umbrella organisation is created to strengthen joint representation at national and international level.

- **Analyse common and separate interests, features and functions with local government in the same tier of local government in the country**

Can you identify characteristics that are similar to other local governments (suggests clustering)?  
Can you identify characteristics that are very different from other local government in the same tier (suggests no clustering)?

**Note:** Often the first tier of local government is the one closest to the communities and offers direct services to inhabitants, whilst the second tier of local government has a more coordinating and monitoring role. But even within one tier of local government there may be substantial differences, for instance between rural and urban councils.

It is important to be aware of the common and the separate interests, as these define whether or not there is sufficient ground for forming one single LGA for the whole tier or cluster of local governments. There is also the option of forming one association, with opportunities for municipalities to work in different chambers, groups or subsections. This was considered during the forming of the regional association of municipalities in West Siberia.

- **Identify local government associations already existing in the country**

Are there any associations of local governments?  
Do any of them serve members with similar needs that you have or is the membership very different from your cluster of local government?  
What would be the pros and cons of joining an already existing local government association?

**Note:** Before deciding to establish an LGA, check whether there are any existing associations and if so, find out more about what they do, which local governments they cater for, and how this might relate to your own needs. If dormant, it may be useful to find out more and consider revitalising an existing one rather than founding a new one.

- **If you recently established a local government association in the country, consider strategic alliances with existing sister organisations**

Do you have comparable missions and objectives which bring you together for the purpose of lobbying?  
Could you strengthen your influence by forming an umbrella organisation?  
Is merging something to consider in the future?

**Note:** There are various possible forms of cooperation between LGAs in a country. In Romania, associations formed a federation for their international cooperation activities; in the United Kingdom various associations (of parish councils, town councils, district councils) merged into one; in Zimbabwe the associations for rural district councils and urban councils sought cooperation on individual concrete issues and in the end decided to merge. Each time, the missions and objectives of the associations define the basis for cooperation. The possibilities also depend on the characters and the ambitions of the leaders of the organisations considering cooperation.

### **Analyse**

- **Local government tiers**
- **Asymmetric features of local government units**
- **LGAs already existing in the country**
- **Feasibility of umbrella organisation or merger when several LGAs are already operational**

### 1.3 Who should take the lead?

LGAs have been initiated in differing contexts by various actors.

#### Potential LGA initiators

- Local government leaders
- Regionally based associations
- Ministry of Local Government (i.e. Central Government)
- (Inter)national and regional partners

**A group of (powerful) local government leaders** can take the initiative to set up an association if they feel the need for stronger cooperation and wish to join forces. Sometimes a municipal employee (legal advisor) can act as secretary-general and may draft preparatory documents. The leaders / mayors will then try and attract other local governments into the organisation. This is often a lengthy process, but such a bottom-up approach is, generally, the most effective one.

*The association may also start operating as a club of mayors. The functions performed are then quite limited, trying to improve the mayors' (legal, salary) position as a typical example of a lobbying effort. Such an association may later on develop its concept of membership/representation and its objectives, and then become a representative negotiation partner with central government on behalf of local government. A typical example is the AAM, which developed from the Association of Albanian Mayors into the Association of Albanian Municipalities.*

**Regionally based associations** can also precede the establishment of a national LGA. Such regional associations can come together, or form clusters, based on such factors as common geographic location, municipality size and economic development potentials. This can be useful in larger countries with many local governments, or in a transition process from a highly centralised government system to one with more powers for local governments. Regionally based associations in Bulgaria worked out as a learning experience for the creation of the National Association of Municipalities in the Republic of Bulgaria (NAMRB).

**Central Government** may initiate creation of an LGA for different reasons. Various African governments agreed that implementation of decentralisation strategies would be facilitated by an LGA. In the new South Africa creation of an LGA was even enshrined in the constitution. The initiative by central government to set up an LGA can be helpful to bring together local governments that would otherwise remain separated or divided. In Palestine, the founding conference of the

Association of Palestinian Local Authorities (APLA) in 1996 was the first occasion for all Palestinian mayors in the West Bank and Gaza to come together. Such initiatives are more likely in countries where there is a national Ministry for Local Government. And when a national Ministry of Local Government initiates an LGA, the municipalities involved will need to shape the association according to their expectations for lobby activities and service provision. Such a development influences the empowerment of association members.

**(Inter)national and regional partners** may have a substantial catalyzing role in setting up an LGA. They may be sister organisations of local governments, non-governmental organisations, or even intergovernmental organisations. Their experience, expertise and financial resources can encourage local governments to come together and discuss possibilities of forming an LGA.

### **Council of Europe**

The Council of Europe is a strong promoter of LGAs, through:

- The organisation of seminars in member countries – with input of experienced LGAs from other member countries – to discuss the roles and the functioning of any new LGAs.
- Support of the NALAS network - a platform for exchange among LGAs in South East Europe.
- Representation of local and regional governments in the Congress of Local and Regional Authorities of the Council of Europe.
- The European Charter of Local Self-Government – which states ‘The entitlement of local authorities to belong to an association for the protection and promotion of their common interests and to belong to an international association of local authorities shall be recognised in each State’.

### **Sister organisations of local governments**

Some experienced LGAs have formed international cooperation groups to share experience with recently established or yet to be established LGAs. Examples are VNG, the Association of Netherlands Municipalities; FCM, the Federation of Canadian Municipalities; KS, the Norwegian Association of Local and Regional Authorities; SALA, the Swedish Association of Local Authorities; and the Association of Finnish Local and Regional Authorities. These experienced LGAs all offer capacity building programmes or projects for newly established or developing LGAs.

Whatever the nature and origin of the initiating driving force, impetus to completion lies with the future members of the envisaged Local Government Association.

## 2 Building the support

LGAs must present a consolidated corporate position that incorporates and balances the diversity of member local governments. Such a balance is not easy to strike. The potential membership needs to discuss and agree upon the principles and potentials of such a cooperation and partnership.

### 2.1 Among potential members

#### Initiators Group

The initiators need the support of the majority of potential members to ensure the association has a genuine consensus and foundation. Having mayors of good reputation and preferably with more than one term in office in the Initiator Group is an asset. The initiators need clear understanding of the expectations of the various potential members.

The image and composition of the Initiator Group is also of great importance. It should properly represent the political spectrum of elected representatives in the country. The group needs to be in unison, so a short (one-page) document describing the group's intentions may serve to present the initiative to members in a coherent manner.

#### **Aim to**

- **Get together a committed, multiparty, respected initiator group of municipalities**
- **Draw in champion mayors (intellectual leaders)**
- **Involve council chairmen / presidents as well**
- **Prepare a one-page description of the initiative for the media**

#### **Broad-based membership discussions**

Discussions with the local government tier should aim to address as many potential members as possible. The local governments will, in most cases, be represented by their mayors, though the involvement of the Municipal Council at this stage is recommended. The meetings may be formal or informal in nature, aiming to gradually build understanding and support for the association. Formally organised discussions may take place at regional level, or any other level as long as it reflects the suggested structure of the association. Organizing the meetings should take

into account infrastructure difficulties and travelling habits in the country. In Rwanda, a tour of all districts by staff concerned before the decision to create the Association was taken proved very successful. In Albania, Cambodia and the Palestine Authority, regional/provincial meetings all took place first. The initiator group should also consider the documentation needed to serve as basis for regional meetings. This can be produced by independent experts under careful guidance. Timely distribution is naturally important.

### **Sample list of documents to distribute to potential membership**

- Meeting agenda
- Copies of presentations
- Draft statute of the association
- Political protocol of the association (if applicable)
- Procedures for registering the association
- A draft budget for operations

Well prepared round-table discussions contribute substantially to a good start for the association. In the right circumstances and when the information has been properly disseminated, the municipal representatives may already have valuable contributions in helping the association get through the first stages. These meetings are attended mostly by mayors and other elected representatives. Party politics should if possible be avoided and in order to do this, the agenda, chairperson/moderator, key speakers and materials need to be carefully selected (and briefed), demonstrating political impartiality.

### **Get organised for**

- Having a moderator who is widely accepted and respected by round-table members
- Making members feel 'at home' by using municipality premises
- Arranging for someone to take notes at the meeting (and offering immediate access to them by a projector is useful in sharing opinions and formulating amendments to items under discussion)

## THE APLA CASE 1 THE ASSOCIATION OF PALESTINIAN LOCAL AUTHORITIES

In 1995 the initiative was taken to establish the Association of Palestinian Local Authorities (APLA), the first LGA in the Arab world. At a very early stage a Committee of Recommendation, later on reconstituted as the APLA Preparatory Committee, was created. All 17 municipalities designated as governorates and district capitals by the Palestinian Authority, as well as one representative from the Ministry of Local Government and the Ministry of Planning and International Cooperation, were invited. Through the Preparatory Committee, each of the local authorities was in regular contact with the project, each received updates on progress and expected benefits, and each acquired a sense of ownership of the APLA. Staff were motivated to actively participate in its further development.

### 2.2 Among central government

Local governments are interested in having their association recognised by central government as a partner for consulting issues concerning them. So timing and agenda-setting are of the utmost importance to avoid negative political interventions from central government. It all very much depends on the situation in your country.

#### Consider

- Steps towards formal recognition may be taken as early as the very first stages of creating an LGA, by informing and involving the most relevant national ministries such as the Ministry of Local Government. An official statement of support for the association, issued by central government will prove invaluable.
- But a mismanaged involvement of central government may negatively affect potential membership.
- It can be useful to invite the Minister of Local Government to address the Founding Conference of the LGA. Do not forget the help of the ministry may be required to facilitate smooth registration of the LGA as an independent legal entity.



Convince central government that the existence of a well-functioning LGA is of great value to them by pointing out that:

- The LGA is an effective single entry for communication from central government to local government.
- Early involvement of local governments, through their LGA, in the formulation and preparation of legislation and policies concerning local government, can help create broad support and a cooperative attitude amongst local governments.
- Bottom-up inputs, from individual or groups of municipalities, through their LGA, can improve the effectiveness of central government policies.

### 2.3 Among other stakeholders in the country

As indicated in Paragraph 1.2 there may already exist an LGA for (other tiers or groups of) local governments in the country. Find out if this is the case and if so:

- Consult this sister association about plans to establish a new LGA, in order to create a basis for cooperation right from the start.
- Identify issues affecting membership of both LGAs and try to create a common recognition of the need to come up with unified opinions towards central government proposed policies. The LGAs need to accept each other and facilitate each other's work, otherwise central government may play them off against each other and conflict may ensue.

Obtaining the support of an existing LGA in the country before setting up a new one is essential.

Find out if local government professional associations exist in the country. These associations usually have (access to) specialised know how, most often complementary to even an experienced LGA. If local government professional associations exist in your country:

**Avoid competition, rather seek cooperation. This may take various forms:**

- The LGA in Serbia, SCTM, provides reserved seats in its committees for representatives of professional associations.
- In Romania the Federation of LGAs has memorandums of understanding with professional associations with the objective to share relevant information.
- VNG, the Association of Netherlands Municipalities, provides the secretariat (office, facilities and personnel) for several professional associations.

Sharing the same building is also an option. It may be attractive from an economic perspective, but much more important: it brings together knowledge, experience and networks of related organisations and the building can be promoted as the focal point for all local government-related matters.

In many countries non-governmental organisations exist with the willingness and expertise to contribute towards improved democratic local governance. It is useful to check possible forms of cooperation with such NGOs. Competition and overlapping activities should be avoided. In Bulgaria for instance, it was agreed that the NAMRB would concentrate on lobbying and advocacy, whilst the FLGR (an NGO) would continue to provide information and training services to local governments. Agreements can also be made on joint presentation of services through the websites and information materials of both organisations.

Involvement of the media, if supportive and unbiased, can inform all stakeholders and may increase the number of interested local governments. An active press policy with regular press releases on such subjects as the reasons for setting up the association and news items can be distributed to the media. When the LGA is operational, maintaining good relations with the press is critically important.

### **Develop a communication strategy**

**For concrete advice refer to 'Developing a Communication Strategy for a Local Government Association', one of the other publications in this series.**

## **2.4 Among donors**

Depending on the specific situation in a country, initiators may need to involve donors for political, financial or technical support.

Bringing together municipalities concentrates political power; so the various political parties in the country will show interest in developments. Such interest may generate wider membership participation but can also prompt political debate diverting attention from the real reasons for establishing an LGA. The presence of donor organisations or development partners can temper political discussions within the membership or with central government politicians. Their impartial position, spelled out when necessary, can smooth the process of setting up a genuine LGA, steered by local governments themselves.

The initial stages of an LGA involve challenges in balancing the need to collect fees from the membership and offer the services required. Interventions from donors can break any vicious circle of non-paying members before service is provided. Such

financial support can enable the association to start lobbying and offering basic services to the membership. This will then increase members' willingness to pay membership fees.

**Consider that**

Financial support from donors can also tempt the (potential) members to develop a 'free-rider mentality': what the LGA does is okay, as long as it is free of charge (paid for by others). It is therefore important to create awareness among the membership of the operational costs of the LGA, and that these at some point in time will have to be covered from membership fees only.

**2.5 Among sister LGAs**

Apart from political and financial support, the initiators' group, and subsequently the newly established LGA, can profit a lot from the experience and know-how of well-established sister organisations. Such assistance may be indispensable, whether in guiding the complete process of setting up the association, or on more specific occasions when an 'outsider' is needed in the discussions with the potential membership.

Some experienced LGAs have created specialised international cooperation agencies, in order to provide professional assistance in local government capacity building, including the establishment of LGAs. They have a lot of experience derived from their countries of origin as well as from working with local government and their organisations in developing countries. Technical assistance provided by these organisations may be of great use for the LGA being established.

## 3 Defining the framework

Establishment of a well thought through and functional LGA can be a laborious process. It ranges from building understanding of the need for and assuring support among the potential members of the association, to developing and adopting professional paperwork. All need meeting preparation, facilitation of discussions and agreement among a varied group of local government organisations. Before starting the paperwork it is useful to assess the legal basis for an LGA.

### 3.1 The legal basis

Members of the Council of Europe who ratified the 'European Charter of Local Self-Government' (Strasbourg, 15 October 1985) are bound to recognise an LGA. Article 10 of the Charter reads 'The entitlement of local authorities to belong to an association for the protection and promotion of their common interests and to belong to an international association of local authorities shall be recognised in each State'.

Apart from this, national legislation naturally also applies. There are huge differences here. In some countries there is still no legal basis for local governments, whereas in other countries formal recognition of an LGA has been enshrined in the constitution, with compulsory or voluntary LGA membership for local governments. In South Africa for example, SALGA's constitutional and statutory mandate and its role in local government matters are recognised by the South African constitution of 1996. And in Ghana, membership of NALAG is compulsory; the Ministry of Local Government pays the fees to NALAG. In some countries explicit reference to the LGA is made in the law for consultation purposes in case proposed legislation and policies affect local governments. Sometimes there is the additional provision that an LGA can only claim that position if it represents more than a certain percentage of all local governments in the country.

The most appropriate legal status for an LGA differs from one country to another. The usual form is an Association (private law), but as indicated above, sometimes the LGA is part of the Local Government Law. Whatever the particular form, having a legal identity is of crucial importance. It is a condition for opening a bank account, for entering contracts, for hiring staff, etc., in other words, to act independently.

But even if the LGA is registered as a legal body, restrictions may apply as to what an LGA is allowed to do. Asking members to pay for services, for instance, may be seen as commercial and not allowed for a public organisation. In some countries there is even discussion whether local governments are allowed to pay membership fees to their Association. Sometimes fees are excluded from what local governments can spend central government transfers on.

**Consider**

In order to avoid unpleasant surprises, which may delay the process for many months, it is important to find out well in advance what particular rules apply in your country.

**3.2 Mission and goals**

When a country has a multi-party system, the LGA operates on a cross-party basis where consensus becomes crucial. Developing the association's mission is one of the first steps towards building that consensus. Mission and goals are crucial in defining a framework for any organisation. The mission describes the overall purpose of the organisation and expresses:

- The reason of existence of the association
- The organisational values
- What the organisation aspires to achieve

Already in the preparatory meetings the mission statement and goals should be discussed and adopted by the potential members. They will create a framework for the association and its membership to work towards a consolidated organisation, and will be elaborated in the strategic plan of the LGA.

**Developing a mission statement and goals**

In developing a mission statement and goals the political leadership of the LGA should focus on the needs and circumstances under which it is going to operate.

**Process:**

- Develop a questionnaire to encourage Mayors to express their thoughts and ideas on what they want their association to be and how resources should be targeted. Present the results to the Steering Committee.
- Involve at least the Steering Committee members directly in the formulation of mission and goals, ensuring ownership.
- Share the draft with the membership for comments and suggestions. Complement the draft with explanations so it is easy for the readers to understand why and how such statements fit with their expectations.
- Identify a facilitator to guide this decision making process.

**Product:**

- When wording the mission statement, consider the organisation's values, products, and services.
- Consider possible future strategies and how these may affect the mission statement. But avoid reference to temporary 'hot' issues. The mission statement should be valid for a relatively long period.

- Ensure that the mission and goals are clear enough and provide guidance to the political and executive leadership on what to focus their financial and human resources.

### 3.3 Constitution and other organisational documents

The constitution sets the basis for the establishment and the functioning of the association. It is the crucial document around which local governments agree to associate and work together. It provides organisational principles, outlines the governing bodies and in general sets the LGA functions and the rights and responsibilities of the membership. Consensus, or at least broad support, is therefore necessary.

Starting the drafting of the constitution contains the potentially delicate issue of representation. Be aware of existing tensions, for instance between political parties or the (few) large and (many) smaller municipalities. Negligence of such a necessarily consensual process may jeopardise the establishment of the association.

**Remember that agreeing on the constitution is the cornerstone in building a consensual and consolidated organisation.**

*A successful constitution drafting process will be*

- Open: aiming at consensus building and understanding
- Participatory: with direct involvement of members
- All-inclusive: addressing all relevant issues

To create a good basis for consensus and have a good understanding of the issues and arrangements the constitution has to address, the Initiators Group should evaluate the political, organisational and financial circumstances:

*Before drafting the constitution key questions are*

- 1 Who are the potential members?
- 2 What is the current political composition of these members?
- 3 How are these local governments territorially and geographically divided?
- 4 What is the nature of the organisation we are trying to establish?
- 5 What is the national and international legal framework for establishing our association?
- 6 What are the principles that unify these members?
- 7 How can we make the best use of constitutions developed by similar national associations?

*Some organisational steps to follow*

- Establish a working group to draft the constitution consisting of mayors from the initiators group and from at least the main political parties. Legal assistance is advisable.
- Ask yourself the question: Who are the mayors with adequate understanding and enough political influence to reach a consensus in the constitution drafting process? Invite them to an initial meeting to explain the needs and the process.
- Organise geographically feasible meetings where mayors are invited to get introduced and discuss the first draft constitution. Make sure to have legal assistance available.

*Remember to*

- Take into account the suggestions and concerns raised and make sure to distribute the consolidated draft constitution to the potential membership at least one month before the organisational (assembly) meeting where it will be adopted.
- Make sure to record suggestions for improvements from individuals or groups of mayors representing certain minorities.
- Allow the members enough time for questions, observations and suggestions in order to prevent potential conflict situations.

*To streamline the process develop Rules of Procedure for*

- The establishment and functioning of the working group drafting the constitution.
- Organizing and conducting the round tables to discuss the draft constitution.
- Organizing and conducting the sessions to discuss and conclude on notes and minutes of the round-table discussions.
- Noting and amending the draft constitution at the assembly meeting.

Now, consider the content. Writing a draft constitution is not merely a technical issue. It also brings together values, principles, political considerations, expectations of the membership. Make sure the constitution is short, clear and to the point.

### Sample contents of a draft Constitution

- Form of organisation (legal status)
- Name, logo, seat
- Duration of existence
- Mission and goals of the association
- Field of activity
- Association membership (criteria and procedures for membership, representation, duties, responsibilities, membership termination)
- Governing Bodies of the association
- General Assembly (convocation and meetings, voting procedures and competences)
- Steering Committee (and/or Executive Board) (membership, competences, voting procedures)
- Chairmanship of the association (chairman and vice chairmen, competences, voting procedures)
- Standing Committees (types and composition, competences)
- Commission of Auditors
- Executive Director (appointment, competences, responsibilities)
- Executive Staff
- Financial and Material Resources, Assets Management (membership fee structure, other sources of income)
- Transformation, affiliation and dissolution of the association

## THE APLA CASE 2 THE ASSOCIATION OF PALESTINIAN LOCAL AUTHORITIES

For the formulation of the constitution of APLA, the Preparatory Committee formed a sub-committee, consisting of Palestinian municipal representatives, working with the support of project staff (VNG, with the financial support of the Netherlands Ministry of Foreign Affairs, was supporting the establishment of APLA). The formulation of the constitution proved to be a lengthy and time-consuming process, involving several rounds of consultations with local authorities, during the months leading up to the APLA founding conference, but continuing after the conference, which concluded with a unanimous vote to establish the APLA and a second decision to reconsider the Provisional Statutes in their entirety.

One of the important challenges was to find effective and just formulas through which the various geographic and sectoral groupings of local authorities would feel properly represented. It proved no easy job to keep all West Bank and Gaza Strip local authorities together. At some points during the process, suggestions were made to drop the idea of one united national association and create several regional ones instead. However, VNG and leading Palestinian local authority representatives successfully stuck behind the idea of a national association and managed to find the right balance in representation between West Bank and Gaza Strip, smaller and larger municipalities. A large percentage of all Palestinian local authorities, representing some 80% of the population, immediately joined the APLA.



## 4 Organisational structure

The main features of the organisational structure are defined in the Constitution of the LGA. This includes issues like: will there be regional branches; which will be the governing bodies and what will be their composition? More detailed aspects of the organisational structure will be elaborated at a later stage, or will develop in a natural way once the LGA has been founded. You will find most of those organisational issues reflected in this chapter.

**Remember that defining a structure is not an end in itself.**

**Ask yourself which structure will best serve the objectives of the LGA.**

### **Some of the issues to consider**

- What is the character of the organisation? And what are the main goals?
- Which capabilities, which skills, which type of information, which contacts/networks are needed?
- Who possesses which of these requirements: politicians or local government staff? Or professionals in the LGA? In other words: which entities within the overall structure need to have which roles and how will they be equipped for these roles?
- What will be the operating costs of the structure?

### **The typical character of an LGA**

- An LGA is a membership organisation. The LGA represents the members and the highest authority is the General Assembly. For practical reasons the General Assembly elects a Board who will act on behalf of all the members.
- The members are local governments. These are public bodies operating in a political environment. As a consequence, both at the level of individual members and at the level of the LGA one will find politicians and professional staff, each with their own roles and responsibilities.

Before addressing in more detail the various roles and responsibilities within an LGA, both at political and staff level, a paragraph will be dedicated to the issues of having one national organisation, with one national secretariat, or an LGA with regional/provincial branches and to the issue of membership fees.

#### 4.1 One national organisation, or one with regional/provincial branches

Many LGAs function as a national organisation, with one national secretariat. In case of a federation-type organisation, or a national structure with regional/provincial branches, there are often regional/provincial secretariats. An important question then concerns the division of tasks and responsibilities between the central/national secretariat and the regional/provincial branches. A related issue is the levying and spending of membership fees. The following considerations may help in making the choice for one national structure or one with regional branches.

<i>One national structure</i>	<i>Regional branches</i>
One national government with local governments in identical position country-wide	Federal state with local governments in various states in a variety of positions
Homogeneous country (one language; nationwide willingness to share information and to cooperate)	Cultural diversity linked to geographical areas (variety of languages; hesitation to cooperate)
Easy to meet in person (small country; well developed infrastructure)	Difficult to meet in person (large country; islands; poor infrastructure)

The structure chosen should be the one most suited to reach the objectives. E.g. if the key problems faced by local governments differ among the various provinces or regions, a regional structure for the LGA sounds more logical. Often, the situation will be less obvious and local governments will face some problems which are nationwide, and other problems which are typical for specific regions. In that case a national secretariat should focus on the shared problems, whilst regional secretariats focus on the regional issues. In Cambodia the approach was to start with regional/provincial associations and to form a national association later.

A national secretariat can only do its work if it receives information from the membership at large. Regional secretariats can play an important role in collecting relevant information and passing it on to the national secretariat. There it can be combined, thereby improving the quality of the cases presented. Especially in countries with less well-developed communication services and infrastructure, regional secretariats can also facilitate the distribution of information from the national secretariat to members in more remote areas.

Consider this case: from the capital city of the country, relatively well established communication channels exist with regional or provincial capitals, but not with the smaller and more remote local government units. Representatives of these smaller and more remote local government units regularly visit their regional or provincial capital, but hardly ever the national capital. It is then a matter of efficiency and effectiveness for the LGA to communicate from the national secretariat with regional secretariats, which in turn communicate with the local governments in their regions.

### Observations on national or regional secretariats

- It is important to avoid competition among local governments in different provinces or regions, each lobbying their individual interests at ministries or members of parliament. This leads to being played apart, to controversies and conflicts among members, and therefore to a weakening of local government as a whole.
- The size of national and regional secretariats respectively should reflect the roles and ambitions of the organisation.
- ‘The voice from the region’ may also be heard through other systems than regional branches. In Romania the Board includes one representative from each of the provinces, each of whom are supposed to provide feed-back to the members in that province; in Montenegro the diversity within the country is recognised by having regional committees within the overall national LGA structure. In South Africa provincial LGAs exist and together they have formed their national LGA. In Cambodia, before forming a National League of Commune/Sangkat Councils, the Communes had to form Provincial Associations first. The Provincial Associations were encouraged to form district chapters (or district forums) within the provinces though these chapters are not a legal entity in themselves.

## 4.2 Membership fees

Starting LGAs can often count with financial support from outside, for instance from the Ministry of Local Government, or from an international donor. This support is often crucial. Initial investments are needed for getting the LGA off the ground, whilst the membership may still be limited. And even in case of a wide membership, services or other results will initially be limited, as will be the enthusiasm to pay membership fees.

However, together with active participation in its activities, payment of a membership fee is a basic characteristic of an association. By paying a membership fee, local governments demonstrate that the LGA matters to them, and that they want to contribute to maintaining it. It is therefore crucial to discuss some form of membership fee right from the start, even if initially the amount may be modest. And the search for increasing financial autonomy through member-oriented revenue generating activities needs to be a concern from the outset of the process. Otherwise members get used to the idea that everything will be paid for by a donor and they will be less critical as to which activities are really a priority and which staff will be needed to organise it all.

In order to set the amount to be contributed by each of the (future) members, a fee structure has to be elaborated.

There are various options:

- *A fixed amount for each member.* This is generally only applied in young associations and the amount is more like a symbolic contribution. The system is simple, but considered as not fair if major differences (in size, number of inhabitants, budget) exist among the members.
- *An amount proportional to the member's population.* The more inhabitants, the higher the fee. The assumption is that local governments with more inhabitants generate more income and can therefore afford to pay more. This approach is only feasible if an objective and up-to-date country-wide population database exists.
- *A certain percentage of the municipal budget.* Again this uses the assumption that a local government with a higher budget can afford to pay more. This approach requires that an objective and up-to-date database of all municipal budgets exists. Critical comments here include the fact that budgets may seriously differ from real income and expenditure patterns. Also, a slightly higher budget (or annual accounts) in parallel with a much greater population, means a local government may be much poorer than one with a lower budget.
- *Mixed approaches.* On the basis of the above approaches, and the corresponding advantages and disadvantages, mixed approaches can also be designed. E.g. a fixed basic amount for all members and a variable amount on top, depending on the number of inhabitants or budget. Or a more complex mathematical formula taking into account both the number of inhabitants and the size of the budget.

### Membership fees

Sometimes the fee structure is in a certain way mirrored in the decision-making bodies of the LGA. E.g. (groups of) members who pay a higher membership fee, may also have a greater number of votes in general assembly meetings. Or if the number of inhabitants is a criterion for the membership fee, it may also be a criterion for the composition of committees.

Another issue is the levying of the membership fees. When the LGA has only a national secretariat and no regional branches, the question of where to levy and where to spend the membership fees will not be a big issue. The fees will be levied and spent centrally.

However, when an LGA works with national and regional secretariats, three main options exist:

- 1 The fees are levied centrally and in part divided over regional secretariats
- 2 The fees are levied regionally and in part transferred to the national secretariat
- 3 The fees are levied and spent partly nationally and partly locally

The third option has the advantage that it is more transparent. This makes it easier for members to appreciate performance. However, the performance of individual small secretariats is sometimes not very visible, and what counts is the overall performance of the LGA. As shown earlier: the national and regional secretariats should cooperate, not compete. A clear disadvantage is that members have to pay two fees, and that it may not always be clear – to new councillors for instance – what the rationale is for paying two fees.

When a choice is made for levying only one fee and then redistributing part of it, the choice for option 1 or 2 is influenced by:

- The stronger the roles of the regional branches the more logical it seems to levy regionally, and vice versa.
- The willingness to pay and the possibilities to remind members or even to go and collect the fees.
- The choice where to put the burden of fee collection and administration. Of course it is easier to get it transferred from a different level in the LGA, but this also makes one more dependent.

In some countries, like Ghana, the membership fees for the LGA are 'collected' by the national government, e.g. by deductions from tax transfers. In that case it is, in principle, most logical that the transfer goes via the national secretariat of the LGA, as the division of tasks and resources within the LGA is an internal matter. But bad functioning of the national secretariat may not justify that claim.

### 4.3 Defining the core constitutional bodies

The constitutional bodies are defined in the constitution of the LGA. Chapter 3 indicates the importance of having a constitution: it provides clarity; it defines the rights and obligations of all involved. Usually a variant on the following structure is defined.

- **General Assembly**
- General Board
- Executive Board
- Committees
- 
- 
- **Secretary-General (or Chief Executive Officer)**
- (The staff structure under the SG or the CEO is usually not
- defined in the constitution)

#### **General Assembly (GA)**

Usually consists of: (a) representative(s) from each of the members  
Usually meets: once a year, and when the need arises

Usually is responsible for:

- a Approving the budget and annual accounts
- b Approving the annual work plan and annual report
- c Approving the fee structure and the amounts
- d Deciding about strategic issues, including the continuation of the organisation
- e Electing the members of the General Board (and sometimes also the committees)

#### **General Board**

Usually consists of: 20-50 members elected by GA

Usually meets: 3-4 times a year

Usually is responsible for:

- a Defining the general orientations of the LGA
- b Guarding the financial situation of the LGA
- c Providing general direction, through the Executive Board, to the Secretary General / secretariat

#### **Executive Board**

Usually consists of: between 5-15 members elected by and from the General Board

Usually meets: 4-8 times a year

Usually is responsible for:

- a Representing the LGA at the political level
- b Monitoring the implementation of the annual work plan
- c Providing guidance to the Secretary General / secretariat

#### **Committees**

Usually consist of: 5-40 members elected by the General Board or by the General Assembly

Usually meet: 3-4 times a year

Usually are responsible for:

- a Advising the General and / or the Executive Board on major (policy) issues
- b Providing information on how the members feel about certain developments within the LGA or within local government at large

#### **Secretary General or CEO**

The Secretary General or CEO is the highest employee of the association.

(S)he is responsible for:

- The continuity of the organisation, including the financial sustainability
- Preparation and follow up of board meetings
- Development and implementation of annual work plans
- Day-to-day functioning of the LGA, its office and its staff

### Comments on defining the core constitutional bodies

Keep in mind that the structure of the organisation should support the realisation of the goals. Since there are differences between LGAs (how they define their goals; the political context in which they work) different models apply. Clarification and agreement about the structure, the roles and responsibilities of the various constitutional bodies, can support a smooth internal functioning of the LGA. Nothing is more frustrating than constant conflict about procedures or the position of individuals. A recurrent issue for debate is who should represent the members in the constitutional bodies. Should it be an elected representative? Or staff members? Or should it be left to the members to decide each for themselves? It depends on the character of the LGA (more political or more technical), and on who knows best which problems local governments face.

#### 4.4 Political leadership and professional staff

The exact division of roles and responsibilities between the political leadership and the professional staff of the LGA will vary from one LGA to another, depending on such factors as political culture, main activities of the organisation, maturity. Generally speaking the political leadership will play a stronger role in lobbying and advocacy activities and less in service provision. An LGA with a large professional staff will have a stronger role for staff, especially in preparing advocacy and in service delivery.

But whatever the specific situation, the political leadership should provide guidance to the secretariat, regarding:

- Strategy of the LGA
- Priority areas to address
- Political views to express

The concrete 'moments' in which this role becomes visible, include the adoption of a strategic plan and annual work plans; the preparation for approval by the Annual General Meeting of the fee structure; defining the climate for political negotiations.

The more an LGA develops and the more professional staff an association employs, the more the political leadership will concentrate on headlines. Or, the other way round: in an LGA which has only just started or which still needs to grow to maturity, the involvement of the political leadership will be more intensive, and also tend to address more operational issues.

## **TWO CASES IN WHICH COOPERATION BETWEEN BOARD AND CHIEF EXECUTIVE OFFICER (CEO) FAILED**

LGA 1 had a committed CEO. He was very confident that what he did was good and he really wanted local government to become stronger. However, he did not really listen to what the members identified as their priority problems. Also, he felt that the Board would often spend too much precious time deliberating issues. In order to move faster, he decided not to put certain issues on the agenda of the Board meetings, till after he had already discussed them with the relevant ministries. After some time the Board and the members felt the CEO was just following his own agenda, and although the results were often quite positive, he was dismissed.

LGA 2 had a committed CEO. He was very competent and always made sure he communicated the key issues with his Board and, through the appropriate channels, with the membership at large. However, the Board and especially the Chairperson would not stop giving (critical) comments on day-to-day management of the office, and interfering with minor issues. After some time, although the CEO had been quite successful, he quit the LGA out of frustration.

### **The President or Chair of the LGA**

In many LGAs, a competent president or chairperson is essential for success. A good president is able to mobilise potential members; keep members together; can make the distinction between issues of vital importance and of lesser importance to members; is influential in his or her contacts with central government and with Parliament. Not of direct relevance, but indirectly important for his/her success in the aforementioned fields, may be his/her image in the media and among the general public.

In many LGAs, the president is the mayor of one of the larger cities or even the capital city. The assumption is that the LGA will profit from the, generally speaking, easy access such a person has to national decision makers. In other LGAs, however, a conscious choice is made to have a mayor from one of the medium-sized or smaller municipalities, so that the majority of members can more easily identify with the president.

### **Observations on the functioning of the President**

- A pitfall in young LGAs, especially in countries where there is a sudden political change and a sudden increase in the role of local governments, is that the president or chair of the LGA uses that position in the first place to promote the interests of his/her own municipality, or even to promote his/her personal (political career)



interests. It is therefore important that the Board requires a good preparation and feedback of/from whoever represents the LGA in official meetings and negotiations with Ministers, Government, or Parliament.

- Another difficult issue is the party affiliation. In countries where decentralisation is still young, the LGA often meets scepticism. When the president is of the leading party (or coalition) he is often supposed to show loyalty; when he is of the opposition the LGA is sometimes seen as a vehicle for opposition forces. It is therefore of utmost importance that the chairperson is in the first place a representative of local government as a tier of government and not as a 'party-man'. This is also important because the leading party or coalition of today may be the opposition party or parties of tomorrow.

One way to solve some of the dilemmas involved here is to have one or more vice-presidents whose party affiliation differs from the president.

### Committees

Committees are part of the overall structure. So the question whether an LGA needs committees, and which committees, with which roles and composition, can only be answered as part of the overall structure.

#### *Character of committees*

Generally speaking, a distinction can be seen between 'Political committees' and 'Support committees', the first focusing on the contents of local government policy fields, the latter focusing on issues more internal to the LGA (budget, communication policy etc.). Again generally speaking, young and starting LGAs tend to have more 'support committees' and more mature LGAs more political committees, as shown in the following example.

	<i>A young / starting / smaller LGA</i>	<i>A well-established LGA</i>
Political committees	<ul style="list-style-type: none"> <li>• President's committee or Policy committee</li> </ul>	<ul style="list-style-type: none"> <li>• Health and sanitation</li> <li>• Education and care</li> <li>• Physical infrastructure</li> <li>• Economic development</li> <li>• International relations</li> </ul>
Support committees	<ul style="list-style-type: none"> <li>• Finance committee</li> <li>• Communications committee</li> <li>• Committee for internal organisation</li> </ul>	

The committees may be 'standing committees' or 'ad hoc committees', depending on the subject and the reason for forming the committee. Committees can be a good way of recognising that groups of members within the LGA have a particular interest. For instance the small versus large municipalities, or rural versus urban. Committees created on this basis should, however, work in such a way that the particular interests they address are seen in the wider context of the LGA instead of putting them under a magnifying glass.

#### *Status of committees*

A committee should work on the basis of a mandate (its role, the status of its opinions/advice, the policy areas it covers). In most LGAs, committees have an advisory role. They advise the Board, or in professional organisations also the CEO or management team. In LGAs with no, or only a small professional staff, the committees may also act as executive or implementing bodies. Committees then do the work (producing guidelines, brochures, preparing advocacy, or financial matters), which in more advanced LGAs is done by the staff. Whatever the exact status, committees provide a good opportunity for the active involvement of members in the functioning of the LGA. Suppose there are 8 committees with 25 members each, this allows 200 local politicians the opportunity to contribute to the work of their LGA, which provides strength to the organisation!

#### *Composition of committees*

The composition of committees is designed to reflect the membership at large. A well-balanced committee composition takes into account a number of factors:

- The regions represented
- Multi-party composition
- Large and small municipalities represented
- Gender balance

Depending on the mandate of the committees, the LGA may prefer to attract the necessary inputs from:

- Only political leaders or also local government staff (provided by members).
- External committee members (university, civil society). They are not members of the LGA, and in a true membership organisation they should therefore only have a role of contributing with information or advice and providing feed-back, and not participate in voting procedures.

#### *Organisation of committees*

The amount of time committee members are expected to invest, will vary not only between LGAs, but probably even between the committees of a particular LGA. Meetings will be more effective and efficient if well-prepared. The staff plays a key-role in preparing the meetings. If there is no staff, or only a weak staff, the members will have to assume a more active role themselves.

- Define the agenda: relevant issues; realistic number of issues; relevant timing
- Prepare good information: relevant selection; not too much; available on time
- Liaise with chairperson: what needs to be decided; what will be follow-up

#### 4.5 Organisation at staff level

All LGAs have a, more or less extensive, professional staff to execute the day-to-day activities of the LGA, under the guidance of the political leadership. In newly established LGAs, resources are sometimes still so limited, that no staff can be hired. A temporary solution is that the local government unit in which the LGA President is the Mayor, also provides a secretary to the LGA.

##### **The minimum team composition of an LGA will normally include**

- **Secretary-General or Chief Executive Officer**
- **Legal Adviser**
- **Projects/Programme Officer**
- **Membership/Communications Officer**
- **Finance Officer**
- **Secretary/Receptionist**

**With well-qualified and well-motivated people in these positions, an LGA can usually make a good start: prove what it stands for and realise visible results for the members.**

In well-established LGAs there will be more specialised professional staff. Preparation of lobbying activities and services to members, will then in most cases be organised along local government policy lines, for example: department for social affairs; department for infrastructure and economic affairs; department for local government finance; etc. The organisation chart will most often show a combination of such departments and support departments such as communications, financial management, internal facilities, etc.

##### **The Chief Executive Officer (CEO) or Secretary General (SG)**

At staff level the highest position is the Chief Executive Officer (CEO) or Secretary General (SG). He is answerable to the Executive Board, and manages the other staff in the secretariat. The quality of the CEO or SG often makes the difference in a young, starting LGA. He should be well-informed about what is going on in the political arena; know how to operate in a political environment; have an eye for the needs of the members; set the right priorities and take initiatives; be able to

maintain a wide network; have the skills to motivate and manage a team; etc. A good relationship between the CEO and the President of the LGA is crucial.

#### **The Legal Adviser**

The Legal Adviser works in the field of advocacy and lobbying, and services to the members. He actively follows which new legislation and policy developments are in preparation within ministries and the Parliament; collects information on their contents and analyses how this all relates to the needs of the LGA members; he prepares proposals as to how the LGA should (re)act; and he 'translates' the information in such a way that members are kept clearly informed. In addition, he will answer requests concerning legal issues from individual members, as long as these are not too specific and time-consuming.

#### **The Projects / Programme Officer**

Most LGAs organise their services for members in the form of projects or programmes, often focusing on specific themes for specific periods of time, and in the early stages of an LGA often (partly) financed by donors. The Projects / Programme Officer is responsible for the implementation of these activities; project financial management; communication with donors; and formal requirements such as timely reporting, etc. A good projects / programme officer will have a good eye for the demand for new projects, and will be able to translate this demand in concrete project/programme proposals within the wider framework of the LGA's strategic plan. As long as there are insufficient resources to attract specialists across the various fields, the projects/programme officer will need to have a wide, general knowledge of local government.

#### **The Membership / Communications Officer**

The Membership / Communications Officer will ensure that members and other stakeholders of the LGA are regularly informed about the activities of the LGA and its achievements; about the opinions of the LGA regarding developments in legislation and policies relevant to the LGA's members; about organisational issues relevant to the members; etc. He or she will (have to) develop a communication strategy, based on the strategic plan of the LGA and have this approved by the Board. This strategy will be translated into a budget for the activities of the Communication Officer.

### **4.6 Remuneration**

Being a member of the political leadership of an LGA is not a job and therefore not a source of income. An LGA will be stronger if the political leadership is motivated by what they can contribute to creating effective local government in the country. Payment should not become the motivation. This does not exclude the fact that political leaders receive some compensation for costs incurred.

The professional staff, on the other hand, receive a salary. The level of salary is often comparable, and sometimes formally linked, to that of equal or comparable

positions in the (local) government system. In some cases young associations cannot afford to pay salaries and one of the prominent members (often the municipality of the Chairman) provides a member of staff as the Secretary General.

#### **Make sure that**

- Job descriptions are made for all positions in the organisation, in terms of responsibilities, tasks, level of skills and education needed, and salary level.
- Performance appraisals take place in a planned way on the basis of the job descriptions. An evaluation of individual staff's performance is important to clarify what is expected; to share opinions about how successful one is; match expectations with achievements; to agree on what should be improved; to define what support a member of staff needs; etc. In smaller organisations this can be done with the Executive Board, but in most cases the Executive Board will only evaluate the SG or CEO and leave it to him or her to evaluate the other staff.

#### **Consider that**

- Bad performance is a threat to the satisfaction of the members and other stakeholders, and can even put the continued existence of a young LGA in danger.
- When a member of staff, or the CEO, does not perform well, the reasons must be carefully examined. Sometimes support facilities like a good office or good computers are lacking; sometimes training can help to improve performance; sometimes a change in the division of roles and responsibilities is needed; and sometimes the person is just not the right person in the right place.
- Such analysis must be followed by measures and the effect must be evaluated after a reasonable period of time.

### **4.7 Appropriate facilities**

For a good start, the LGA will need an appropriate office, with the necessary equipment. 'A room in the town hall' of one of the members may be attractive from a financial point of view, but it is usually not the ideal solution in the long term.

### Considerations regarding the choice of the LGA's seat and building

- If lobbying is an important role of the LGA, it will be practical to be close to the ministries and Parliament.
- Good communication facilities, like easy access to (broad band) internet are indispensable.
- In some cities central locations are easy to reach; in other cities such locations mean long travelling hours. The traffic and transport system will also influence the choice.
- The working environment (modern, dynamic versus shabby, run-down) may influence the image of the LGA; may make it more or less attractive for young, ambitious staff candidates; and will be reflected in the price/rent of the premises.

#### **Minimum requirements for the office, in relation to the minimum team composition (refer to Paragraph 4.5)**

- Entrance hall with Reception/Secretariat; computer, printer, fax, photocopier
- Work room for CEO with desk and table for small meetings; (lap-top) computer
- Work room for Legal Adviser and Project/Programme Officer; 2 (lap-top) computers
- Work room for Communication Officer and Finance Officer; 2 (lap-top) computers, printer.
- Meeting room for larger meetings; white-board; flip chart; beamer.
- Archives and library, possibly to be combined with secretariat or meeting room

Sometimes it is possible to share a building with related organisations, such as one or more local government professional organisations.

## 5 The formal start

Starting up the LGA formally, in most countries means having it registered with the courts, for instance in the register for non-governmental organisations. Recognition of local government representation at the central level and / or at the international level may also mark the formal start of the LGA. However, in most cases the large membership event, or Founding Conference, is usually perceived as the birth of the LGA.

### THE RALGA CASE

#### THE RWANDESE ASSOCIATION OF LOCAL GOVERNMENT AUTHORITIES

RALGA distinguished:

- **The Founding Meeting (July 2002).** The meeting adopted the statutes, approved the rules and regulations, elected the first Executive Board and confirmed the appointment of the Secretary General. It was attended by representatives of all districts, with each representative holding a resolution passed by his/her council identifying him/her and authorizing him/her to vote on behalf of the district.
- **Formal legal creation (March 2003)** of the Association was granted by government executive order number 034-11 of 27th March 2003.
- **The Official Launch (May 2004).** This major event was attended by delegates from local government associations from other countries in East Africa, by ministers and senior officials from central government, by representatives of the donor community, and from non-governmental national and international organisations. This major event was widely covered by the national and regional press.

### 5.1 Founding Conference

The founding conference of an LGA is quite an expensive and labour intensive activity. Analysing the results of the preparatory phase, streamlining the concepts discussed, preparing the key documentation for organising the general assembly, the conference logistics, the presence of important government representatives, preparing actual decision-making, is an immense undertaking. Making sure that everything arranged has political backing from the members-to-be. This is sensitive and crucial in achieving the expected outputs of the founding conference.

### **LGA Founding Conference outputs (as applicable)**

- Approved constitution
- Elected Board
- Elected Chairman
- Decision on membership fee
- Conference resolution

When resources and willingness to organise a founding conference are confirmed, start streamlining:

- A** Political leadership of the event
- B** Technical impartial advice for the political leadership
- C** Logistic support

Start with appointing the Political Leadership (PL) of the event. This may be a continuation of the initiator group, but depending on how the preparatory process went, it may be wise to extend this group with a few influential persons. In any case the PL should represent a mixture of the political forces across local government units in the country. The PL takes the decisions and responsibility towards the membership about content and proceedings of the conference.

### **Political Leadership discusses, revises and decides upon**

- 1** Conclusions (on the basis of content and proceedings) of the preliminary activities with the potential membership
- 2** Agenda, audience and invitations for the conference
- 3** Documents discussed and included in the folders of conference participants
- 4** Procedures for conference proceedings
- 5** Procedures for voting strategic documents and constituent bodies of the LGA
- 6** Communication with the press and conference PR

Impartial technical advice (TA) for the political leadership (PL) is necessary for preparing the draft materials that will be considered by the PL. TA prepares a draft for each of the above list of documents, and if necessary facilitates the process of discussion. TA is made up of experts and facilitators. TA drafts relevant documents based on a list of activities and documents commissioned by PL (see above table).



On the basis of the preliminary activities with the potential membership, the PL or the initiator group decides whether formal regional meetings (different from the consultative meetings) need to be organised and prepared by the TA. This may be the case when:

- There is a large potential LGA membership
- There are physical difficulties in communicating with all members
- There are important (political and technical) issues to be smoothed and clarified preferably before the General Assembly takes place
- There will be little time for thorough discussions at the General Assembly
- The financial resources are available to support regional (partial) gatherings of the membership

### Sample Invitation for the regional meetings

LGA

Date: April 2004

Prot. No: \_\_\_\_\_

#### INVITATION

Honourable Mayor \_\_\_\_\_,

In the framework of LGA activities, and preparations for the Association's General Assembly, are invited to participate in the Regional Meeting organised:

On \_\_\_\_\_ date \_\_\_\_\_,

In the environments of \_\_\_\_\_ 10:00 Hrs.

The Local Government Association (LGA), in cooperation with the Foundation for Local Autonomy and Governance (FLAG) and with the support of the Netherlands Association of Municipalities (VNG) is organising 12 such regional meetings, with the participation of all Mayors.

These meetings, which will discuss and decide upon crucial issues on the functioning of the LGA, take a special importance in the framework of strengthening of the LGA, towards an institution that truly represents the interests of the communes. It is the first time that the LGA organises such meetings involving all of the Mayors of the communes in Albania to give their opinions and suggestions that serve the institutional strengthening of the LGA.

Your participation will contribute to the successful organising of the regional meeting and further to the General Assembly of the LGA.

On behalf of the Group of Initiators of the LGA

<Mayor's name and signature>

*Pls. confirm your participation at the FLAG offices,: tel (04) 239611, tel/fax (04) 270242 or with the LGA ,representative tel. 0682150853*

## 5.2 Agenda and invitation of the conference

The PL adopts a draft agenda and invitation based on the expected outputs of the conference as well as issues tackled during the regional meetings with the potential membership. Both documents may be prepared by the TA but the PL decides.

### Sample agenda for the Founding Conference

#### AGENDA OF THE GENERAL ASSEMBLY ALBANIAN ASSOCIATION OF COMMUNES

Wednesday, 26th of May 2004

- 09:30-10:00 Participants registration and coffee
- 10:00-10:30 Welcome and opening remarks
  - Mr. Moisiu, President of the Republic of Albania
  - Mr. Blushi, Minister of Local Government and Decentralisation
  - Mr. Hall, first Secretary of the Swedish Embassy in Albania
  - Mr. Knip, Director of VNG International (on behalf of VNG and SALA)
  - Ms. Anna Stjärnerklint, Residential Representative UNDP
- 10:30-10:45 'Lobbying means for the Association of Communes', Mr. Dedja, Head of the Laws Parliamentary Commission
- 10:45-11:00 'Contribution of communes in moving forward the decentralisation process' Mr. Topi, Member of Parliament
- 11:00-11:30 Coffee break
- 11:30-12:00 'Potential cooperation with SALA IDE and VNG-International to further develop capacities of the AAC', Mr. Mattsson, Director of SALA IDE.
- 12:00-12:30 'Activities carried out by AAC since the last assembly meeting', Mr. Sula, General Secretary of the AAC
- 12:30-13:30 Discussion about the: Activities carried out by the AAC  
Priorities of the potential cooperation with SALA IDE and VNG-I  
Draft statute presented to AAC members
- 13:30-15:00 Lunch break
- 15:00-16:30 Decisions about the statute and elections for the: AAC Steering Committee, AAC Chairman
- 16:00-16:30 Conclusions and closing of the General Assembly Meeting

The period of organising the founding conference is an appropriate time to think about alliances with local and international organisations, strategic partnerships with experienced sister organisations, and political messages of support for the association from key political speakers. Take into consideration the following groups and decide upon inviting representatives and also individual participants that you would want to invite. Also consider whether any of them should be invited as a speaker for instance.

- Central Government
- Members of Parliament
- Political party officials dealing with LG issues
- Sister local governments in the country and abroad
- Civil society
- Donor community

Do not forget to send attractive invitations and if you prefer a closed session with just a few observers when internal LGA matters are being discussed make sure to incorporate it nicely in the invitation.

### 5.3 Documents to be disseminated and discussed

The 'enlightened' members might have a tendency to discuss as many documents as possible in a gathering of the full membership. However, the agenda must be limited to the few documents that are crucial for the establishment of the LGA and for the members to decide on their membership. Time is limited in such a large conference, not just due to scarce financial resources but also due to the work that the members have to undertake in their own local governments. Below is a list of necessary and optional documents.

<b>DECISIONS NEED TO BE TAKEN ABOUT THE FOLLOWING</b>	<b>DOCUMENTS TO BE PREPARED AND INCLUDED FOR EACH MEMBER</b>
<i>LGA constitution</i>	Draft constitution with alternative paragraphs suggested during regional meetings Report about the discussions at the regional level
<i>Board members</i>	Voting procedure and ballot
<i>Chairmanship</i>	Voting procedure and ballot
<i>Decision on the membership fee</i>	Draft decision on the suggested amount of membership fee
<i>Conference resolution</i>	Draft resolution highlighting the most important political messages the conference articulates
<b>OPTIONAL MATERIALS TO BE DELIVERED TO MEMBERSHIP</b>	<b>DOCUMENTS TO BE PREPARED AND INCLUDED FOR EACH MEMBER</b>
<i>Membership fee payment procedure</i>	Explanatory report for the LG council on objectives of the LGA and activities envisaged Draft council decision, including legal basis and bank accounts
<i>Activity report</i>	Explanation about the activities undertaken by the initiator group up to the moment of the founding conference
<i>Draft decision on permanent committees of the LGA</i>	Explanatory note about the role of the permanent committees of the LGA Form with criteria for each member to consider while volunteering to participate in any of the permanent committees

#### 5.4 Procedures for conference proceedings

The founding conference aims at having political representation at the highest level possible. The leadership makes sure that there will be no political struggle about who is receiving the President or the Prime Minister, who is sitting in the panel, who will be on the right hand side of the President, and so on. Such issues do come up and they might sound minor but can cause major clashes.

Consider and agree upon these questions when discussing together with the political leadership about the conference proceedings. Make sure also that the Conference Chairman is prepared for the presenting of dignitaries.

A transparent and proper voting process for the constitution and chairmanship gives the organisation the legitimacy towards members, partners and donors. Undertaking a genuine voting process needs preparation as follows:

- Appointment of an Assembly secretariat with the desired profiles (crucial for accurate recording of conference proceedings and spelling out of decisions taken)
- Procedure for setting up the voting commission
- Ballot papers
- List of voters
- Blank form for receiving voting materials and opening the voting process
- Blank table to record voting results
- Blank form of Voting Commission to record the names of the elected

#### 5.5 Communication with the press

Public Relations or PR is important before as well as after the conference. If the conference is preceded by regional preparatory meetings with the membership, use them for informing the press and advertising the mission of the association as well as the founding conference that will take place. You might want to consider some of the following:

- Prepare posters that advertise the involved actors in the Conference and also the purpose of it
- Broadcasting on national TV the notice that the LGA Founding Conference will take place with exact information on venue and timing
- Invite local media to the regional meetings (if applicable)
- Offer interviews on the LGA's role and mission to representatives of local and national TV stations
- Invite the press to the Founding Conference and offer explanations to the journalists
- Prepare press releases (before and after) the conference in such a way that journalists will understand the messages you want to convey
- Assign people permitted to speak on behalf of the assembly while the conference is proceeding

Mayors are often experienced in dealing with the press and it might be useful that the conference ends with a press conference. This is also a good way to present the newly elected Chairperson and the newly established LGA to the press and thereby to the public at large.

## 6 Towards sustainability

The Founding Conference marks the end of the – in most cases long and demanding – preparatory process for establishing the LGA. The founding fathers will probably be relieved when it is all finally over: when the LGA is registered, an office has been rented, many local government units have registered as members, the first Board has been elected, the Minister for Local Government or perhaps even the Prime Minister has expressed the government's support for the establishment of the LGA, and all have brought a toast to the successful future of the LGA.

But in fact the Founding Conference is just the start. The real work must now begin. The continuity of the LGA depends on it being successful. No organisation will continue to exist if it does not show consistent success. For an LGA, being successful means answering the members' needs. For some LGAs this will mean being effective in advocacy and lobbying; for others it will mean being good service providers; and in many LGAs this will require a combination of the two. However, especially for a starting LGA success is not easy: a lot of energy is needed for the development of the organisation; resources are still limited; experience is lacking; etc. And at the same time members' expectations are sometimes unrealistically high.

### 6.1 Maintaining focus and being flexible

The environment in which local governments and LGAs work is changing all the time. The challenge for the LGA staff and Board is therefore to find the right balance between maintaining the focus and being flexible to adjust to new circumstances. This is when the need is felt to have a Strategic Plan. In some cases, the drafting of a strategic plan has been part of the preparatory process, but in other cases this is to be undertaken as a joint effort of the elected leadership and the CEO or staff.

**It might be useful at this stage to consult the 'Strategic Planning' publication of this ACB information product series.**

The Strategic Plan, and the annual plans based on the strategic plan, will help to maintain the focus. But they should not make the organisation rigid. Changes in the environment may make it necessary to review the strategic plan, even if the life-time of the strategic plan was foreseen to last a few years more. At the same time: be reasonable and do not spend most of your energy on adopting plans, and planning new time-consuming consultations with the whole membership, only to create another document which again will not be the answer to all questions. It is also the responsibility of the Board to monitor implementation and the validity of the existing plans, and to take decisions about changes if reality so requires.

## 6.2 Continued membership

For many reasons it is crucial for both Board and staff of the LGA to have good communication with the members:

- To have a thorough knowledge of what members want
- To create realistic expectations of what members can expect and not expect
- To show the progress made or the results achieved

Refer to the ACB information product “Developing a Communication Strategy for a Local Government Association” in this same series of publications.

Members need to understand that their LGA is as strong or as weak as they want it to be. An LGA with many active members, all paying their membership fees and contributing with information, knowledge, participation in working groups, etc., will be stronger than one with members who expect to get everything done for them without contributing anything themselves. Managing the expectations between the LGA and the members is crucial to maintaining a wide membership, which in turn is crucial for the credibility of the LGA.

### **Consider that**

**The active involvement of members will contribute to the success of the LGA and should therefore not stop, but be actively progressed after the Founding Conference. Opportunities for the active involvement of members should be created. E.g. in the form of committees or working groups focusing on key areas of interest for local government. They should have a clearly defined mandate, and be expected to produce concrete results.**

## 6.3 Showing results

Obviously, the LGA must achieve objectives; it must help solve the problems members face. Here it is advisable to distinguish between short-term and long-term objectives. At the beginning of an LGA's life-cycle, it is wise to focus on a few short-term objectives where successes can be relatively easily achieved. And of course the positive results must be loudly communicated to members. This will satisfy and encourage them, and maintain or increase their loyalty to the association, including their willingness to pay membership fees.

## THE APLA CASE 3 ASSOCIATION OF PALESTINIAN LOCAL AUTHORITIES

- Immediately after its creation, the Association of Palestinian Local Authorities (APLA) started some concrete activities in support of members. In response to the unanimous view that a priority among Palestinian local authorities was upgrading municipal human resources through a local training mechanism, the secretariat began a training needs analysis based on a sample of approximately 50 Palestinian local authorities varying in size and location. The exercise resulted in recommendations concerning training priorities, the most effective mechanisms for delivering this, and the first concrete training sessions.
- APLA also successfully voiced the concerns of Palestinian local governments when the Palestinian Council discussed the Law on Administrative Structures. This was a strong proof of both the importance and the effectiveness of the advocacy role of the APLA.

There is a serious risk that the many obstacles, troubles, and day-to-day pressures on the LGA are more visible than the successes and progress made. If one is not aware of this, this may lead to frustration among the membership, the Board and the staff. It is therefore important to create occasions or events which serve to demonstrate how much has been achieved, and to generate new energy to progress yet further.

Celebrating the first (and second, and fifth, ...) anniversary of the LGA often works well in maintaining the relationship between the LGA and its members. It helps to remind everyone involved that the LGA was and is a joint undertaking, which deserves positive attention from all. This can be supported by an encouraging speech by an important figure, or for instance by the publication of a commemorative overview of the main activities undertaken during the year, with photos, and including an overview of the results achieved.

### 6.4 Financial sustainability

Outside financial support will be temporary. And it should be, if the LGA wants to develop into an independent sustainable organisation. It is therefore crucial to plan and ensure financial sustainability, including a clear and realistic time-frame. This is normally part of the strategic plan of the LGA.



### Important elements of the plan for financial sustainability

- Clarity about which activities the LGA should develop. Define which of these are typically to the benefit of all members; and which are of more particular interest for a smaller group only.
- Make a realistic estimate of both incidental and structural costs involved and evaluate how these can best be covered:
  - How can membership fees be increased (increase the amounts for all members? Or diversify the fee structure leading to an overall increase?)?
  - How can forms of paid services be developed? More advanced LGAs often develop services which justify additional payments by the members who make use of them. These types of services especially require substantial resource inputs (time, energy, etc) from the LGA and one cannot expect all members to pay for them if only a few will benefit.
  - What contributions from outside are feasible without loss of independence?

A good membership and fee registration is an important condition for sustainability. This requires an up-to-date database of who the members are, their contact details, and an administration of fees paid and due.

One dilemma for a young LGA is that it needs a broad membership. This then tempts it to accept non-payment by members so as not to lose the member. A solution may be to have two forms of membership: one with and one without the right to make use of the services provided by the LGA, or one with and one without the right to vote.

The system whereby the national government levies the membership fees for the LGA is applied in a few countries, e.g. Ghana. The explanation given, is that it saves the LGA the hassle of collecting the fees; that all local governments are automatically a member; and that this provides a good basis for the LGA to develop. The disadvantages which are often mentioned, are that it does not contribute to building 'ownership' of the LGA by its members. On the one hand because the members feel less responsible for what the association does: they do not ask 'value for money'; the fees are not seen as their money. And on the other hand because the national secretariat may feel more dependant on the national government than on its own members.

Refer to the ACB information product on 'Service Provision' in the same series of publications aimed at Local Government Associations.

## 6.5 Introducing standard procedures

An important element of medium term organisation growth and becoming more efficient, is developing standard procedures for recurrent events and activities, and building up the institutional memory.

The main recurrent events and activities of the LGA are part of an annual cycle, of which the Annual General Meeting (AGM or General Assembly) forms the starting point.

<i>Who</i>	<i>What</i>	<i>When</i>
<i>AGM</i>	<ul style="list-style-type: none"> <li>• Presentation of activity report</li> <li>• Presentation of financial report</li> <li>• Adoption of priorities for the coming year in an annual plan</li> <li>• Adoption of the annual budget for the coming year, including membership fees</li> <li>• Election of Board members / Committee members</li> </ul>	<p>Timing depends on several considerations: if changes in membership fees need to be incorporated in local governments' budgets, timing should be in function of that. It may mean that the financial and activity report follow several months after the end of the year they cover, or that the year they cover has not ended yet.</p>
<i>Board meetings</i>	<ul style="list-style-type: none"> <li>• Monitor progress of implementation of AGM decisions, incl. annual plan</li> <li>• To discuss and decide on new developments</li> <li>• To solve problems, etc.</li> </ul>	<p>Usually 3-4 times a year. In most LGAs one Board meeting is planned 3-4 months before the AGM to adopt the draft-agenda, and another one 1-2 months before the AGM to discuss and adopt the documents to be distributed to the members</p>
<i>Staff</i>	<ul style="list-style-type: none"> <li>• Implementation of annual plan</li> <li>• Prepare meetings of Board, Committees and AGM</li> </ul>	<p>Permanently. Usually the process of developing a new annual plan and budget starts about 3 months before the AGM</p>

## Elements of building up the institutional memory

- Create and maintain an up-to-date membership directory and a fee administration system. The latter will of course be part of a wider financial administration system.
- Develop a good archive and filing system, including clear arrangements as to who is responsible for maintaining the system, or for specific parts of it.
  - Of course the archives and filing system will include the official documents of the organisation: the constitution and other founding documents; agendas and minutes of General Assembly and Board meetings
  - Equally important for the functioning of the LGA is a well structured system for the filing of electronic and hard-copy documents produced and received in relation with the activities undertaken by the Board and staff
  - And do not forget the filing system for photos and films taken at important events; they will be used again in the communication activities of the LGA
- A customer relation management system is a basic necessity too, but it does not need to be as complicated as it sounds. A good, shared, database of all the organisations with which the LGA is in contact, including their contact details, is a good start. This avoids:
  - Time and energy wasted by individual members of staff each maintaining their own address lists, with frequent duplication, etc.
  - Mistakes made because a change of address or contact person is processed in one individual's address list, but not in a colleague's one
  - Time and energy wasted, e.g. when invitations for important events have to be sent and mailing lists have to be combined or updated on an ad hoc basis

## Some Abbreviations and Acronyms

<b>AAC</b>	Association of Albanian Communes
<b>AAM</b>	Association of Albanian Mayors, later on Association of Albanian Municipalities
<b>AGM</b>	Annual General Meeting
<b>APLA</b>	Association of Palestinian Local Authorities
<b>CEO</b>	Chief Executive Officer
<b>EU</b>	European Union
<b>FCM</b>	Federation of Canadian Municipalities
<b>FLAG</b>	Foundation for Local Autonomy and Governance
<b>FLGR</b>	Foundation for Local Government Reform
<b>GA</b>	General Assembly
<b>KS</b>	Norwegian Association of Local and Regional Authorities
<b>LGA</b>	Local Government Association
<b>NALAG</b>	National Association of Local Authorities of Ghana
<b>NAMRB</b>	National Association of Municipalities in the Republic of Bulgaria
<b>NGO</b>	Non-governmental organisation
<b>PL</b>	Political Leadership
<b>RALGA</b>	Rwandese Association of Local Government Authorities
<b>SALA</b>	Swedish Association of Local Authorities
<b>SCTM</b>	Standing Conference of Towns and Municipalities in Serbia
<b>TA</b>	Technical Advisor
<b>UCLG</b>	United Cities and Local Governments
<b>VNG</b>	Association of Netherlands Municipalities

# VNG International

## International co-operation agency of the Association of Netherlands Municipalities

*Committed to strengthening democratic local government worldwide*

The key task of VNG International is strengthening democratic local government. It is a small, dynamic company annually managing some 60 plus projects and programmes with a focus on decentralisation and capacity-building. VNG International supports local governments, their associations and training institutions in developing countries and countries in transition.

### **VNG International's approach**

For VNG International, strengthening democratic local government means working on three inter-related levels:

- The individual level – training and motivating municipal staff and elected representatives
- The organisational level – advising local authorities on their organisation structures and working methods
- The institutional level – adapting financial relations, laws and institutional arrangements

The VNG International approach builds on:

- Colleague-to-colleague co-operation
- Institutional linking

# UCLG

## United Cities and Local Governments

Founded in May 2004, United Cities and Local Governments (UCLG) is the united voice and world advocate of democratic local self-government. UCLG is the largest local government organisation in the world and is based in Barcelona, Spain.

Representing over half the world's population, the city and association members of UCLG are present in 127 UN Member States across seven world regions – Africa, Asia-Pacific, Europe, Euro-Asia, Middle East and West Asia, Latin America and North America. Its membership includes 1000 leading cities and virtually all the existing national Local Government Associations in the world.

Worldwide, the capacity, resources, influence and range of activities of Local Government Associations vary enormously. Local Government Associations have a key role to play in development, decentralisation and effective governance, but often need strengthening, before they can effectively support their individual local government members, or liaise well with central government, donors and other actors.

Building on the Association Capacity Building (ACB) concept pioneered by the global network of local governments, UCLG works to strengthen the capacity of the associations within its network through lobbying, encouraging cooperation and exchange of experience between its members, and through working with its members and partners on initiatives such as the VNG Association Capacity Building programme for Local Government Associations.