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## Strengthening Local Government Service Delivery Systems Through the Open Government Initiative: *The Case of Botswana*

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BOTSWANA INSTITUTE FOR DEVELOPMENT POLICY ANALYSIS



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## **BIDPA**

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## ABSTRACT

The Government of Botswana has, and continues to promote local government as an instrument of decentralization and public participation for local level governance and service delivery. Local authorities (LAs) are at the forefront of the provision of basic services to the local communities. The LAs are also a major channel for the use of public resources as exemplified by the significant budget allocations committed to them. It is, therefore, important that they conduct their business in the most effective and efficient manner. In order for public sector systems to deliver effective localized services, LAs in Botswana should be gradually transformed from bodies that are mainly concerned with pushing services but to proactively engage their citizens and represent their communities' interests. Considering the extent of responsibilities of the local government authorities, there is a need to set clear expectations and have structures to ensure that local bodies respond to local needs by conducting local development in a timely, inclusive, open, honest and accountable manner. As some of the many efforts required to improve governance and service delivery in the country this paper proposes the establishment and operationalisation of an Open Local Government Framework, within which local bodies will be supported to make extensive local government information available online as part of an online LA notice board. This paper also recommends for the production of a Local Authority Data Book as a foundation for evidence-based policy-making and policy implementation.

**Key Words:** Local Government, Open data, e-Government, Open Local Government Framework, Local Authority Data Book

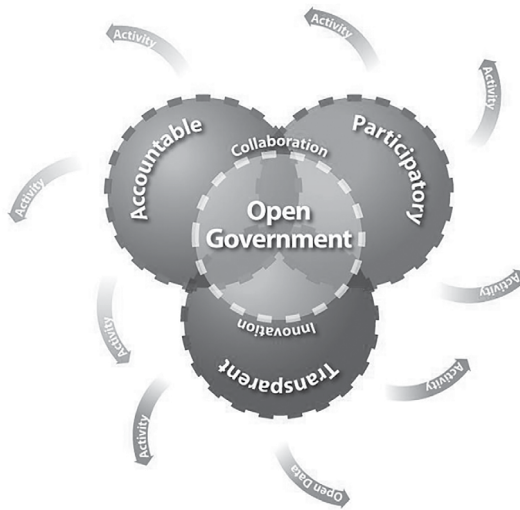
## 1. INTRODUCTION

Local authorities (LAs) around the world are currently experiencing a period of dynamic change. Two of the foremost influences involved in this trend are the decentralization and democratization of governments. Many significant decision making powers and responsibilities are being devolved to the local level. In part, this has occurred because of a realization that needs are better addressed when services are delivered by agencies closer to their recipients (Morris, et al, 2007). In both developed and developing countries, LAs are at the forefront in the provision of services to communities. Local public sector bodies are responsible for delivering public services that people rely on day-to-day: schools for their children, public health services, access to clean water, clean streets, and sanitation for the urban poor, and others (Boex, et al, 2014). Considering the extent of responsibilities of local authorities and public resources spent on them, there is a need to set a clear expectation and ensure that local bodies are doing the right things, in the right way, in an inclusive, open, honest and accountable manner. This research study therefore aims to analyse the application of e-government and Open Data initiatives as measures and tools to improve local government service delivery in Botswana.

The study used primary and secondary data analysis. Secondary data consisted of data sets, reports, and documents from LAs and a literature review. A review of existing literature on local government in Botswana is used to understand how local government operates in Botswana. For primary data collection authors designed a questionnaire which was distributed to all LAs of which Lobatse and Jwaneng town councils, Ghanzi, Kgatleng, South East, Kweneng and Chobe district councils responded to, while the other nine LAs did not respond.

## 2. OPEN GOVERNMENT – A BRIEF BACKGROUND

Open Government is a global broad-based movement that aims to expand citizen access to the workings of government (CRB, 2012). It is now widely acknowledged that greater openness benefits not only citizens but also governments, by prompting better record management, making decisions and services more efficient and, at best, serving as a safeguard against misgovernment and corruption (Gravelin, et al, 2009). The Open Government movement emphasizes that governments have a responsibility to their citizens to be accountable, transparent and participatory. Governments at various levels around the world are starting to establish formalized open government frameworks in an effort to demonstrate commitment to becoming more accountable and transparent governments for the citizens they serve. Figure 1 below illustrates the relationship between Open Government, transparency, accountability and civic participation.

**Figure 1: High-Level Framework for Open Government**

Source: City of Kitchener (2013)

The figure above presents core principles for an open government. The framework shows that in an open government programmes are defined and prioritized to represent the diversity of opportunities for enhanced transparency, citizen participation and accountability. These elements; transparency, participation and accountability are discussed below.

## 2.1 TRANSPARENCY

According to the Open Government Declaration, citizens should have access to information and there should be transparency about governmental activities at every level of government. As Government is responsible for collecting information on behalf of the people, it should systematically collect and publish data on government spending and performance for essential public services and activities. As illustrated in Figure 1 above, in an open government, governments proactively provide high-value information, including raw data, in a timely manner, in formats that the public can easily locate, understand and use, and in formats that facilitate reuse. Key goals for transparency include: (1) free access to the text of laws, codes, and regulations; (2) publishing budgets and bills throughout their stages of development; and (3) providing access to administrative data necessary to monitor policy outcomes (CRM, 2012).

## 2.2 PARTICIPATION

The principle of participation holds that citizens' right of access extends beyond receiving information to include providing input and feedback. Open Government emphasizes that governments should actively solicit the public's input. Soliciting civic views and opinions taps the public's reservoir of knowledge and expertise to better inform decision makers and to improve policy outcomes (CRM, 2012). The Open Government initiative should facilitate e-participation by citizens and foster collaboration with the community to develop innovative solutions to their needs. Full participation by all citizens including women increases the effectiveness of governments, which benefit from people's knowledge, ideas and ability to provide oversight.

## 2.3 ACCOUNTABILITY

Leaders can only be held accountable if information is accessible. Figure 1 envisages an online Open Government Dashboard or Report Card that depicts progress on Open Government in a city. Reporting should be through a multiplicity of channels that are accessible to citizens as well as ensuring open decision making that creates opportunities for participation (City of Kitchener, 2013).

## 3. MILESTONES IN THE EVOLUTION OF LOCAL GOVERNMENT IN BOTSWANA

Botswana has a two-tier system of government, comprising central government headed by the president and local government headed by a mayor in urban centres and a council chairperson in rural districts. Realizing the political, economic and administrative significance of decentralization, Botswana has promoted local government and decentralization in its democratic set-up through techniques of devolution (creation of statutes) as well as deconcentration (administrative measure without resorting to statutes) (Sharma, 2010). The purpose and significance of local government have evolved in various ways from time to time in Botswana. Local government is recognized as an instrument of decentralization and public participation for local level governance and service delivery.

The country is currently in the process of developing a Decentralization Policy which is part of an undertaking by the Government of Botswana to create a governance framework that defines and aligns the roles and responsibilities of central government, local governments and non-state actors to drive decentralized, inclusive and responsive service delivery and sustainable local development. Local government is the sphere of government closest to the people. Local authorities in Botswana are made up of ten



district councils, two city councils and four town councils as established by the Local Government Act. There are four main organizations of public administration machinery and local government at decentralized local level. These include the district and urban councils, land boards, district administration and the traditional leadership. However, the Interpretation Act of 1984 recognises the councils only as local authorities, and this paper has adopted the same meaning. The Ministry of Local Government and Rural Development is charged with providing policy direction and guidance for socioeconomic development at local level.

The development of local government, in particular local authorities, in Botswana predates independence in 1966. Local government began with the Tribal Councils in the 1950s and the *dikgosi* (chiefs) played a prominent role. The first tribal council was instituted in 1956, the BaNgwato Tribal Council, comprising various interests but with two prominent tribal leaders and former foes Seretse Khama and Tshekedi Khama (Gabasiane and Molokomme, 1987). By 1961 tribal councils were functional in the entire protectorate, with places that were not tribal territories having district councils with elected and appointed members, and area councils operated at village level (Gabasiane and Molokomme, 1987). In 1962 the Protectorate Administration instituted the Local Government Committee to look into the terms and conditions of Tribal Administration staff. In 1964 the Legislative Paper No. 21 on Local Government was issued and in 1965 the Constitution was introduced. In March 1965 the Local Government Bill was drafted and Local Government elections held in September. Local Government (District Councils) instrument No.35 of 1965 led to the creation of nine district councils. The Local Government Bill also embraced the establishment of town councils. To enhance the performance of local authorities, in 1968 the government established Village Development Committees (VDCs) through a Presidential Directive. The VDCs are village level institutions and are made up of members elected from the locality. VDCs were established to facilitate citizen participation in the development process. The President appointed a Local Government Study Group on the 27th December 1969 to examine the relationship between district level agencies. The Study Group made some recommendations among them the creation of District Development Committees (DDCs) that were established through Presidential Directive No. 62 of 1970. The Tribal Land Boards were also officially established in 1970 to manage tribal land in trust of the communities. Prior to the establishment of the land boards land was held by the chiefs in trust of their tribes. The land boards were established as units within the councils. In 1973 the government enacted the Unified Local Government Service Act to coordinate the management of human resources for decentralised local government organisations.

The First Presidential Local Government Structure Commission was appointed in 1979 to look into the structure of Local Government. One of the major developments that resulted from the Commission's recommendations was the removal of the land boards from the councils as well as the removal of *dikgosi* from membership of the land boards. In 1995 Urban Development Committees (UDCs) were established through a Ministerial

Directive. The UDCs are the equivalent of VDCs, but in the urban settlements. In 2001 the Second Presidential Commission on Local Government Structure was appointed to look into the structure of Local Government. The White Paper No. 1 of 2004 on Local Government Structure was issued in 2004. In 2007 Cabinet approved the new organisational structure for local authorities.

The Local Government (District Councils) Act and the Townships Act were amended in 2009 to extend the tenure of council chairpersons and mayors from one year to two and a half years. In the same year, the Unified Local Government Service Act was repealed and the civil service, teaching service and local government service were merged through the new Public Service Act of 2009. Although the merging of the public services was intended to improve service delivery, it had the simultaneous effect of usurping the powers of local authorities over their human resources. The central government is now able to transfer employees across the services, making local authorities managers lose control over the deployment and management of their most important resource.

In July 2012 Parliament passed a Local Government Bill of 2012 that merged the Local Government Act and the Townships Act. The new law gives the local authorities more discretionary powers over the exploitation of economic opportunities that are available in running local affairs, thereby strengthening decentralisation and enhancing local governance. The policy framework has also improved significantly. In 2014 the Ministry of Local Government and Rural Development prepared the Local Economic Development Policy Framework to guide districts in developing their local economies. The Local Economic Development Policy Framework gives local authorities more responsibilities in developing their local economies. In another significant development, in 2015 the Botswana Land Policy was passed by the National Assembly, giving local authorities expanded roles in the spatial development of their jurisdictions as planning authorities.

The local authorities (councils) are devolved institutions with statutory powers to make decisions at a local level. The councils are led by councillors who are democratically elected every five years to perform specific local developmental functions. The councils are mandated to provide basic infrastructure and related services for the delivery of primary education. They also coordinate physical planning, land valuation, acquisition and management of council property in the district. They are responsible for community development and social welfare. Other services include, security, that is, fire safety services and lighting facilities; build, maintain and lease houses; design, construct and maintain roads; social services; make bye-laws and carry into effect such; establish, maintain and operate abattoirs; relief from natural disaster, protection of property such as, stray livestock and other domestic animals, cemeteries, markets, recreational grounds and other public places. Local authorities used to have some responsibilities that have since been reallocated to some parastatal organisations. These include the provision of; portable water to villages and to collect wastewater, convey, transport, treat and dispose of safe effluent to the environment as well as the administration of Self Help Housing

Programme (SHHA) that have been reallocated to the Water Utilities Corporation and the Botswana Housing Corporation respectively. Primary health care has also been previously a responsibility of the local authorities but was also recentralised and is now a responsibility of the Ministry of Health.

The other three local government institutions have delegated authority to perform certain functions delegated administratively from the centre. These are the District Administration, Land Boards and Tribal Administration. The District Administration is headed by the District Commissioner, a civil servant appointed by the central government, whose primary responsibility is to serve as a coordinator of district level planning and development. The Land Board is a statutory body consisting of apolitical members, appointed by the Minister responsible for land and housing with the assistance of the District Commissioner, Land Board Secretary and the Chief. Land boards administer communal land through customary law and hold the tribal land in trust and allocate it for residential, agricultural, industrial, commercial or general development purposes. The institution of chieftainship and traditional administration play both an administrative and judicial role in the communities. The chiefs administer customary law and are also custodians of their ethnic groups' cultures (see Sharma, 2010). These three institutions participate in the local economic development through the District/Urban Development Committees mentioned earlier. The DDCs and UDCs are made of all heads of organisations operating at district level or in urban areas. The District Commissioner chairs the forum. The committees are responsible for the development of the District Development Plans that the local authorities are responsible for implementing.

#### **4. LOCAL E-GOVERNMENT IN BOTSWANA**

Botswana has a fairly well established and functional institutional framework at local government level that the country has continually improved since independence. However, Botswana is faced with the challenge of ineffective and inefficient implementation of policies and programmes at all levels of government (Kaboyakgosi and Marata, 2013). One of the strategies of the government in addressing this challenge was to adopt the e-Government approach as the means to bringing services to the people at a much less costly process and in a more efficient way. The government has since adopted the e-Government policy and strategy as the means to ensuring effective service delivery. Significant in the e-Government strategy is the One-Gov approach in which government wants customers to have seamless access to services across the entire government (GoB, 2012). However, the development of e-Government at local level has been very limited.

However, progress on implementing e-Government strategy appears to have been slow (World Bank, 2014). This is even more so at the local level. The implementation of

e-Government in Botswana is steered by the National e-Government Strategy 2011-16 and the National Information and Communications Technology Policy (*Maitlamo*) of 2007 that provide the necessary regulatory framework (GoB, 2012). The National Information and Communications Technology Policy entail a roadmap that was designed to drive the social, economic, cultural and political transformation through the effective use of information and communication technologies (ICTs). One of the seven pillars covered by *Maitlamo* is the Government online (e-Government) which is also the main thrust of this policy. This initiative seeks to build trust with citizens and improve the government's way of doing business to improve public service delivery and governance responsiveness.

Although considerable efforts are made to improve government transparency at the national level, the e-Government initiative has largely failed to recognize that the Local Authorities deliver the bulk of front-line services to the people. Successful and sustainable e-Government projects in Seychelles and South Africa have shown that e-Government thrives when implemented using a bottom-up approach –where interventions, designs and approaches are influenced by the local context at the grass roots level (Sethibe and Bwalya, 2014). Given examples in South Africa and Seychelles, e-Government was developed at the local level and the two countries are now considered as success stories in e-Government implementation in Africa. It is evident that Botswana did not do enough at the local level to engineer the e-Government agenda. The implication of this is that interventions are pursued with a top-down approach, which in most cases is met with resistance at the lower levels. People at community level do not directly relate to e-Government interventions designed from the top and are less inclined to utilize available e-Government solutions to interact with government departments (Sethibe and Kelvin, 2014). Local governments are critical to the successful implementation of the national e-Government strategy as they have the closest communication with the population and serve as the repository for many vital records and important documents. This latter fact is much clearer in other countries that have a strong e-Government at municipal level, in particular those that have adopted the Open-Government approach.

## 5. OPEN GOVERNMENT IN BOTSWANA

The World Bank (2014) completed a first draft of the Open Data readiness assessment for the Government of Botswana in which they have concluded that an Open Data programme has potential to make a significant contribution to Botswana's economic and innovation goals. The Assessment has found that there is no fundamental reason why Botswana should not implement an Open Data programme and start to reap the economic and improved service delivery and transparency benefits. In the assessment, the World Bank argues that since Botswana has already digitized many of the important datasets therefore data from other key systems can be easily extracted for the publication of Open Data as and when the Government decides to do so (World

Bank, 2014). As preparation for the open government programme the Government should consider whether it wishes to make associated moves on transparency such as introducing the promised Freedom of Information Bill and joining the Open Government Partnership.

## 6. DISCUSSIONS

### 6.1 THE DEVELOPMENT OF LOCAL E-GOVERNMENT

Local Authorities are involved in the e-Government programme. Currently, updating of the e-Government portal is done at the Ministry of Local Government and Rural Development, and all councils forward their information as and when there are updates. Council personnel have been trained on e-Government and portals use. They are periodically invited to meetings on e-Government to be kept updated. In addition, councils are expected to report on the implementation and uptake of the programme to the e-Government office. Some documents are availed to customers in soft copies as and when needed, improving accessibility of council information and greater communication network with the outer world.

However, the rate of information technology usage in the local authorities varies. There were some cases where one council had a portal in which its services and other information were being posted for the public to access while the rest of the LAs did not provide such a service. However, the automation of the process has not been implemented yet as the Ministry of Local Government and Rural Development is responsible for the coordination and roll out of the process. The Kweneng District Council on the other hand has operationalised a One Stop Service Centre or Service Hall (as they call them) which is located in Molepolole (the district headquarters). The purpose of the centre is to bring all government services under one roof and also utilize the internet in the submission of applications. Responses to the applicants will also be done either through SMS or email. The development of e-Government is coordinated from the centre within the Maitlamo policy framework. Maitlamo does not adequately lay the framework for e-Government at local level but at the centre.

### 6.2 AVAILABILITY OF DATA

Information from stakeholder consultations demonstrates that local authorities collect basic level data for services provided by the Ministry of Local Government and Rural Development. The Finance and Development Planning departments of the local authorities collect data on number and types of businesses licensed to operate in the towns and/or districts, economic activities/production activities in the district and the finances of the local authority. The Social and Community Development departments collect and compile the social welfare data. The Education departments collect data

on primary schools' enrolment, availability and distribution of stationary in schools. The Environmental Health departments collect data on food and water quality and sanitation. Although part of the data collected by the local authorities is collected at a national level by Statistics Botswana some data such as public finance, local governance statistics is only available in-house and does not constitute the statistic collected through Statistics Botswana.

Generally raw data available in Local Authorities are the same and comparable across councils because they are using the same template and standardized forms/tools except a few variations that are location specific, for example in cities and towns every plot has a plot number such that any information tied to the property will be assigned a specific plot number as opposed to *dikgotla*/ward names in villages/rural areas. However, some local authorities posited that the integrity of the data, in terms of consistency and accuracy, could be compromised because councils do not have statisticians who can professionally do data processing such as data entry and analysis. One council indicated that the data is produced mainly on a monthly and sometimes on a quarterly basis depending on demands from the Ministry and the nature and availability of the data required. The information is normally sent to the Ministry of Local Government and Rural Development. A few councils reported that the reporting format to the Ministry is the same but the methodology used for data collection by councils varies.

### 6.3 DATA USAGE AND ACCESSIBILITY

Data collected by LAs is used for planning purposes and for monitoring the performance of the councils in terms of delivering on their mandate. It is also used to inform policy decisions, for preparation of the council recurrent and development budgets. In order to improve service delivery, the local authorities need to conduct needs assessments so as to identify areas that need improvements and the relevant strategies needed for improvement. The data is used during preparation of the council recurrent budget and the development budget. The collected data is usually sent to various departments on weekly, monthly and quarterly basis. For example, social welfare data is sent to the Department of Social Services while education statistics are sent to the Technical Services Department of the Ministry of Local Government and Rural Development as well as the Ministry head quarters. Some of the data is shared with other stakeholders in the district through meetings and district conferences. Some data is solely collected for internal use by the council. Such is often collected through the customer satisfaction surveys by which the councils are able to get feedback from their customers.

Members of the public have access to some governance and operations documents. Information such as procurement plans, local budget documents and service delivery plans are often debated in full council meetings which are open to the public. This is also the case with policies and matters that are also presented before Full Council meetings as these decisions are taken in an open session where the public is at liberty to attend.



Individuals are also assisted if they need information on certain aspects. Some of the documents are publicized on public media. For example, tender documents are often placed in the Government Gazette, advertised in the government portal and private media. However, some documents need the authority of the Accounting Officer before one can access them. An example of such documents is the minutes of council meetings. Thus, there are procedures in place that one has to follow in order to access the documents. There are also governance and operations documents which are not accessible to the public mainly because they include confidential information. In addition, ward councillors are expected to address their communities as a way of giving feedback and sharing public information with them on issues discussed and resolutions made by the council. In a case where a matter is discussed and decided under delegated powers by a committee of the council – the deliberations only become public information upon confirmation by the Full Council. It is however important to note that implementation of the decision of the Committee need not await confirmation by the Full Council.

## 7. CONCLUSIONS AND RECOMMENDATIONS

While some data is available in the local authorities of Botswana it is stored as different data sets, and most data producers or collectors are concerned with making it available to its users at their respective Ministries or departmental levels mainly. There are democratic traditions such as the public's access to Full Council proceedings but these are not supported by freedom of information legislation. The availability of data is not associated with public participation in the development process but with service provision by local governments. The public only has access to the information that the local authorities choose at leisure to publicise. For instance, the public does not have access to local census data, procurement plans, etc. This gap in data availability and bottlenecks in accessing it when available makes the governance system less transparent and difficult for the public to hold their local level political and administrative leadership accountable.

The implementation of e-Government in the local authorities is supported by the central government. This has obviated the challenge of shortage of funding as a problem in the implementation of the project. However, implementation is varied; the variation is limited to discretionary powers of the incumbent officers in the respective local authorities but not factors that can have severe disparities and advantages that others may not enjoy. There is a policy framework in place for the development of e-Government in Botswana but the legal framework to support access to information by the public is weak. In spite of support from the central government the local authorities have joined in the implementation of e-Government at a slow and varied pace. While there seemed to be some consistency in raw data collected, this study has demonstrated that there is no single national dataset that applies a consistent

methodology and provides sound, consistent, and comparable information about the political, administrative and fiscal institutions of local government authority in Botswana. The main weakness has been that local authorities produced data according to their own priorities and needs or the needs of the respective government ministries that may be interested in specific information at a specific time. The instruments used to collect data are standard but it is the consistency in collection and processing that is weak. There are also some variations between urban and local councils in location specific data.

This paper proposes the establishment and operationalising of an Open Local Government Framework, within which local authorities will be supported to make wide-ranging local government information available online as part of an online Local Authority Notice Board. The online portal will allow local authorities to upload a pre-defined set of local government documents in order to enhance the transparency of local government decision-making and local operations. The documents which can be made available through this portal will include governance and operations documents like minutes of council meetings, local budget documents, financial statements, the council's procurement plan and sectoral service delivery plans. Many of these documents are currently already produced by LAs on a regular basis although they are often not available to the public at large.

By requiring local authorities to make these local documents publicly available online, different stakeholders including central government ministry officials and local government officials and the local residents and non-state actors will be empowered to hold local officials accountable for their decisions and performance. A high level of transparency will directly lead to improved service delivery. The Open Local Government framework will empower and allow local community members to not only assess the performance of council-level officials, but will also empower citizens to monitor the performance of front-line service delivery units, such as clinics and primary schools. In order for this initiative to be a success it should operate within a clear policy framework. Therefore the Government of Botswana should clarify its position on Freedom of Information and should bring forward a Freedom of Information Bill in a defined timeframe. The Freedom of Information Bill has to be based on the Commonwealth model FOI Bill which would fit well alongside an Open Data strategy.

In order to give policy makers, the Ministry of Local Government and Rural Development, and other stakeholders the necessary foundation for evidence-based policy-making and policy implementation, this paper proposes the production and publication of an annual Local Authority Data Book.

The proposed Local Authority Data Book will draw on primary data sources to bring together all available local-level data across key thematic areas and public services,



including demographics, local governance, local administration, public finances, economic production, education status and services, health status and services, agricultural production and services, access to water resources, and so on. Whenever possible, the LA Data Book will seek to break up service delivery utilization data and other indicators by gender; age group (youth); and other demographics as relevant. The LA Data Book will help the Government identify “what we know” and (equally important) where the key knowledge and data gaps are, and in so doing, provide the foundation for evidence-based policy formulation and analysis (and spur the filling of knowledge gaps).

The LA Data Book produced by Statistics Botswana in concert with LAs will be a source of comparative data for LAs, local-level community actors themselves in analyzing the conditions and service delivery performance of their LAs while at the same time providing policy makers with the necessary data to analyze and demonstrate the causal linkages and improvements in systems performance in the areas of governance and administration, human resources management, and finances.

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