



CABINET MANUAL

Republic of Sierra Leone

'Evidence-informed decisions for
Sierra Leoneans' prosperity'

2015

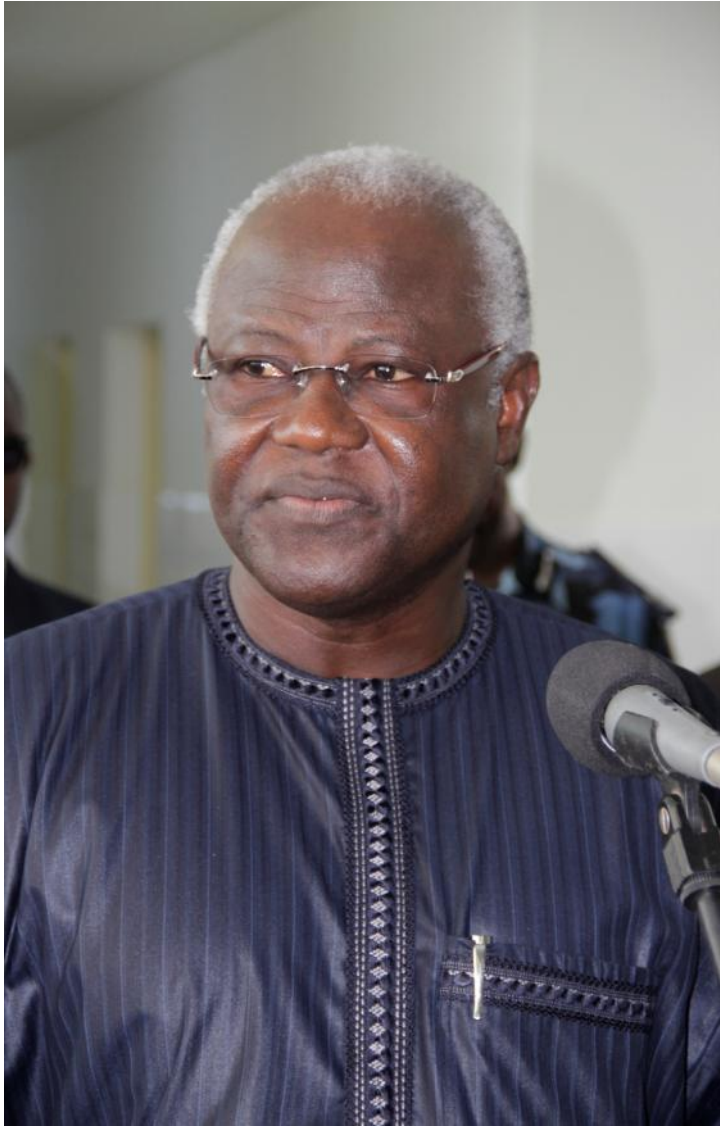
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Message from the President

This is the first major revision of the Cabinet Manual in more than 50 years. It is time to move beyond the colonial era and reflect our own experience in governing this country and developments elsewhere over the last half century.

It is important for our Cabinet to set some rules for itself, so we can make effective decisions that are rooted in the Sierra Leone context. Our decisions must be based on evidence of what works and what is needed to make them work: we must make decisions that can and will be implemented.

The procedures in this Manual will help improve cooperation among members of Cabinet, in developing policies, making decisions and in implementing them together. So many of the challenges we face require a whole of government approach, or at least enthusiastic cooperation among relevant Ministries.

More importantly, this Manual will enhance the quality of deliberations in Cabinet. Ministers are part of the highest executive authority in the Republic of Sierra Leone, collectively responsible for decisions of the Government and required to publicly support them. This Manual is designed to enable Ministers to accomplish this efficiently, in a disciplined and effective manner.

This Manual includes a stronger role for the Secretariat to help the Cabinet make better decisions and get them implemented. All of us, including the Secretariat itself, must recognise that it is carrying out these roles on our behalf.

I urge and expect all Cabinet members and Deputy Ministers, and the staff who support them, to read it carefully and understand thoroughly all the operating principles, rules and procedures contained herein.



His Excellency Dr Ernest Bai Koroma
President of the Republic of Sierra Leone

Purpose of this Manual

This Manual reflects the first comprehensive review of Cabinet procedures since the 1960s when Sierra Leone achieved its Independence. Since then there have been many developments in governance in our own nation and across the globe. The Manual has been developed taking account of feedback from Ministers, review of other African Cabinet Manuals and analysis of how the Sierra Leone Cabinet process operates. It incorporates many practices that have developed over the last 50 years, as well as some key new initiatives.



The purpose of the Manual is to set down clearly the procedural rules **agreed by Cabinet** regulating how it will operate as a collective decision-making body. While there will be times when the Cabinet Secretariat may need to remind individual Ministers of the rules, it is important that they recognise that the rules have been agreed by Cabinet as a whole. And that the rules are designed to enable Ministers to perform their Constitutional duties as Cabinet members, as well as their responsibilities as individual Ministers.

The Manual should be reviewed periodically, in the light of experience, to ensure that there is the right balance between the collective and individual responsibilities of Ministers.

Following discussions with a number of Cabinet members, a major initiative of this Manual is to ensure that Cabinet decision-making is informed by relevant evidence, so that its decisions can and will be implemented effectively. The Cabinet is the principal advisor to the President and, as such, such advice must be of the highest quality. In this regard, the Manual requires Ministers to submit Cabinet memoranda with concise summaries of the evidence on which the proposal is based. This includes: evidence showing that the proposal is based on an adequate understanding of the problem or issue that is being addressed; evidence that the proposed intervention will work in the Sierra Leone context and will be cost-effective relative to other options; and evidence that the intervention is feasible given the financial resources and institutional and human capacity available.

To assist Cabinet members to prepare evidence-informed memoranda and prepare implementation reports for Cabinet, the Manual provides for user-friendly standard formats to be used for memoranda and implementation reports, for greater capacity in the Cabinet Secretariat to support ministries and for nomination of Cabinet focal persons in each ministry.

Another important initiative is the establishment of Standing Committees of the Cabinet to bring together the relevant Ministers and Deputy Ministers in each sector to review memoranda before they go to Cabinet, with relevant Permanent Secretaries and other officials participating to provide technical advice. These Standing Committees will not only allow shorter and more frequent meetings of full Cabinet, but also provide a forum for relevant Ministers and Deputy Ministers to review complex proposals and obtain expert briefing. Together with a streamlined process for getting Cabinet decisions to implementers, these initiatives will facilitate more rapid action in responding to urgent issues.

Finally, it is important to emphasise that the Cabinet Secretariat exists to support the work of the Cabinet and to support individual Cabinet members. Together with my staff, I pledge to all members of Cabinet that we are committed to support the collective decision-making of Cabinet and to the implementation of these procedures as the will of the Cabinet. As part of that commitment, we are available to discuss the procedures with Ministers and the officials who support them.



Dr Ernest Surrur
Secretary to the Cabinet and Head of the Civil Service

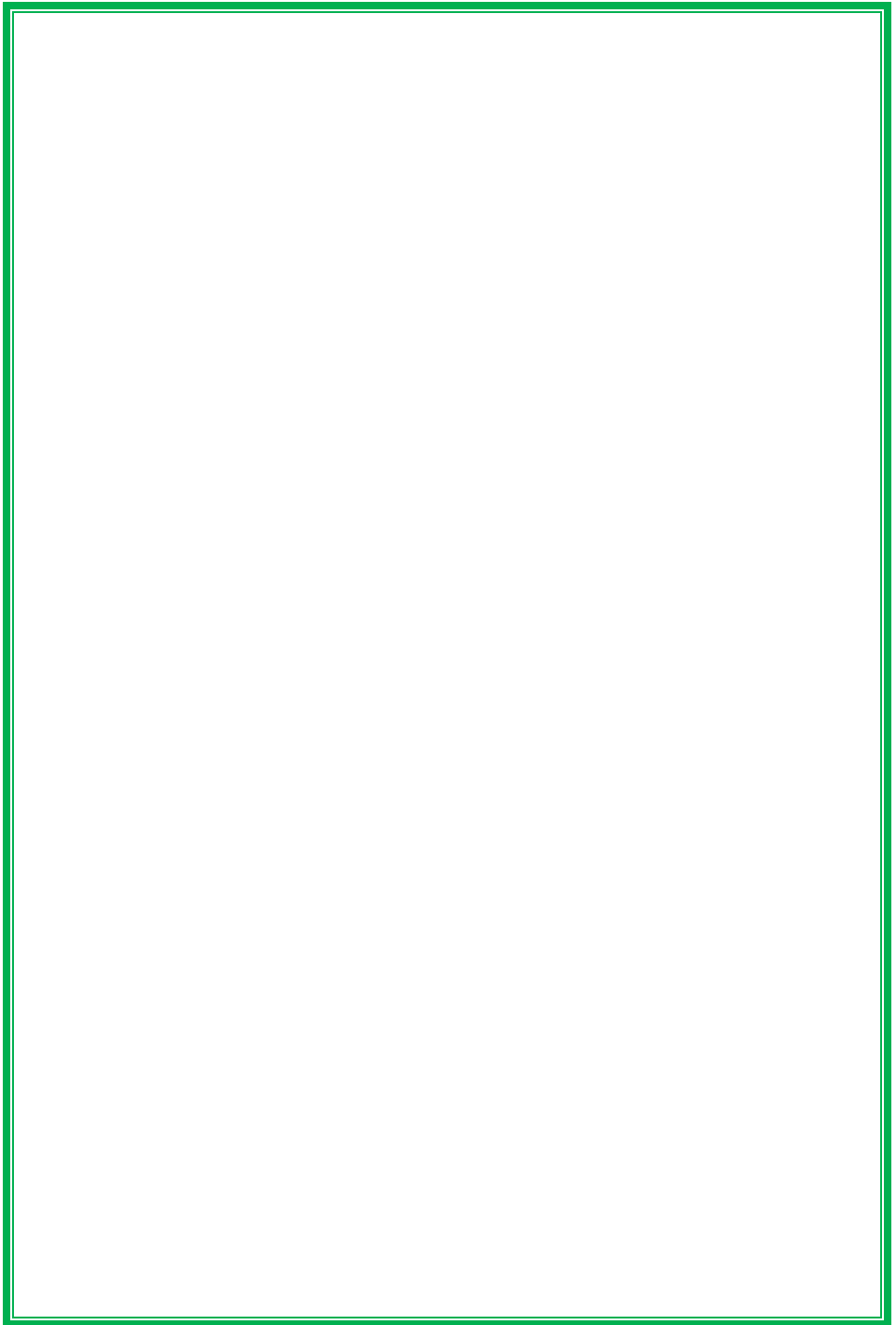


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Annex A: Cabinet Memorandum Format

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1. Basis of the Cabinet System

The Cabinet system forms a pivotal part of government machinery in many countries around the world. It serves a crucial role in facilitating dialogue, cooperation and coordination in decision-making at the highest level of government. In most democracies, it remains the final level of accountability to the people's representatives. Its permanence and central location in the heart of government reflects the need for continuity in public affairs.

Sierra Leone's Cabinet system, like many in developing countries, has its pedigree in the colonial era. Since then, it has evolved through different political periods and, despite periods of political instability, the Cabinet system continues to play a crucial role in the governance of Sierra Leone.

1.1. Constitutional Provisions

Sierra Leone's Cabinet system is guaranteed by the Constitution of Sierra Leone, 1991, which articulates its role and composition. Section 59 establishes the Cabinet and specifies that its main function is 'to advise the President in the government of the nation' and provides that 'the Cabinet shall determine the general policy of the Government'.

The Constitution further specifies that the Cabinet shall comprise the President, the Vice-President and such Ministers as the President may from time to time appoint. Sub-section 59(4) provides that 'the President shall hold regular meetings of the Cabinet at which he shall preside, and in his absence the Vice-President shall preside.'

2. Principles of Cabinet Government

2.1. Collective Responsibility

The first principle of Cabinet government in Sierra Leone is the collective responsibility of Ministers. The Constitution (sub-section 60(1)) specifically provides that the Cabinet is collectively responsible to the Parliament for:

- a) 'any advice given to the President by or under the general authority of the Cabinet'; and
- b) 'all things done by or under the authority of any Minister in the execution of his [or her] office'.

There are only limited, specific exceptions to this collective responsibility, relating to the appointment of Ministers and assignment of responsibilities to them, exercise of the prerogative of mercy and exercise of specific powers by the Attorney-General and Minister of Justice or the Director of Public Prosecutions.

The Cabinet is therefore much more than a forum for Ministers to discuss their individual responsibilities or a convenient way for the President to supervise individual Ministers in their general direction and control of their Ministries. It is the instrument which reconciles Ministers' individual responsibilities for their portfolios with their collective responsibility for government as a whole. Cabinet approves policies and programmes and oversees their implementation, and it approves draft legislation to be introduced by the Government into the Parliament for consideration. All Cabinet members share collective responsibility for each of the policies and other decisions agreed by Cabinet and for their implementation by the relevant organs of government.

One implication of this principle is that, once taken, decisions of the Cabinet are binding on all its members. Ministers and Deputy Ministers must publicly defend Cabinet decisions whether or not they supported the decision when discussed in Cabinet or Committee meetings. Members of Cabinet should not publicly disassociate themselves from any aspect of Government policy approved by the Cabinet. They must also take any necessary action to support and facilitate implementation of Cabinet

decisions by other Ministers and organisations, and also expect the same from their Cabinet colleagues. Thus, it is the responsibility of Ministers and Deputy Ministers to be fully abreast of national policies as well as those specific to their portfolios.

The Government's overall performance, and the performance of individual Ministries in implementing the Government's decisions, shall be collectively monitored and reviewed at Cabinet meetings.

2.2. Collaboration and Consultation Across Government

Given the complexity of many of the major challenges facing Sierra Leone, the Cabinet has a key role to play in coordinating both policies and implementation across the Government. One of the strengths of Cabinet systems is that they bring Ministers together to enable not just collective responsibility, but also collective action on complex problems and opportunities beyond the reach of any one ministry.

It is also important for the Government to 'speak with one voice' on major issues, to avoid undermining support for the Government's agenda and present a united front to citizens, markets and international stakeholders.

The procedures described in this Manual therefore aim to maximise collaboration among ministries. These procedures require Ministers and their ministries to consult with other ministries and agencies potentially affected by their proposals, to avoid unintended undermining of other Government priorities and to maximise opportunities for collaboration. This consultation should take place in the initial preparation of Cabinet memoranda, which must inform the Cabinet what consultation has taken place and the views of relevant ministries and agencies. It will also occur through discussion in the Cabinet Standing Committees described in Section 3.1 below.

2.3. Decision-Making Informed by Evidence

The complexity of the challenges and opportunities facing Sierra Leone demands careful deliberation based on the best information and advice available to members of the Cabinet.

Firstly, Cabinet may require evidence of the need for government action, to justify the allocation of resources. How big is the problem and how urgent are the proposed steps to address it? Evidence may also be needed to understand the problem, so that the government can address underlying causes and not just address their symptoms.

Cabinet's decisions must take into account evidence on what works in what circumstances, to enable Cabinet to assess whether proposed interventions are likely to have the desired impact.

To have any impact, proposed policies and programmes must be capable of being implemented. Many African Governments find that most of the decisions they take are not implemented. For most proposals to be implemented, necessary funding must be available, systems and procedures established, skilled staff recruited and/or trained, necessary laws must be in place and equipment and supplies procured. Given competing demands on the nation's scarce resources and the need to develop capacity in many fields, implementation planning must begin **before** a proposal is submitted to Cabinet. Ministers proposing new policies and programmes and other interventions must convince their colleagues that their proposals can be implemented.

Many problems also require coordinated strategies that depend on behavioural responses from other actors – individuals, communities, businesses or other organisations – to have an impact. For example, any attempt by government to reduce the rate of teenage pregnancy or the spread of HIV-AIDS will depend on how the target group will respond to the education, counselling or other steps taken by the government. Likewise, a policy to increase private sector development will depend on how potential investors respond to the incentives or other actions taken by the government. These responses are often hard to predict, depending on many factors such as attitudes, capacities and resources, especially for cross-cutting policies.

Evidence to support Cabinet proposals may come from formal evaluations of the impact of previous action, implementation reports on how civil servants or others responded to previous government decisions or direct research into attitudes and capabilities. Evidence of need can come from government statistics or special surveys, or qualitative case studies, or data collected through management information systems or project monitoring.

Finally, Ministers have a special responsibility to assess evidence provided by international advisers or donors based on experience elsewhere. Sierra Leone must benefit from international lessons, both positive and negative ones. However, it is critical to ensure that the applicability and feasibility of such proposals is carefully assessed, taking into account local practices, capacities and the environment within which the proposals must be implemented.

2.4. Confidentiality

The final key principle is that deliberations of the Cabinet are confidential. This is important to facilitate frank and honest discussion within the Cabinet's meetings and minimise the fear of potential disclosure of the position taken by individual Ministers in discussion of sensitive plans being considered by the Government. While the governance of Sierra Leone is based on a strong principle of transparency, the high stakes and interests involved in many decisions require the Government to have private space to determine its priorities, resolve internal differences and question itself before facing public scrutiny and accountability. Whilst in Cabinet, Ministers are able to discuss a wide variety of matters openly with the full knowledge that they are working towards a collective decision.

As with the professional privilege principle that protects the discussions between lawyers and their clients, Cabinets around the world have adopted procedures to protect their capacity to make decisions based on honest advice from advisers and robust, internal discussion of the full range of options before announcing a new policy or submitting draft laws to the Parliament.

These procedures also ensure that Cabinet's decisions are not pre-empted by disclosure of options before the meeting. Minister should therefore refrain from making public statements or commenting on policy proposals that they or other Ministers intend to bring to Cabinet. Similarly, Ministers should not accept invitations to speak or comment publicly on matters outside their Ministerial portfolios without first obtaining clearance from the relevant Minister.

This confidentiality extends to the agendas for meetings of Cabinet, the memoranda submitted to Cabinet and its written decisions. These

documents should be clearly marked 'SECRET' and remain the property of the Government. They should not be copied except by the Secretariat, and should not be disclosed to anyone except in the course of official business to persons who need to know. Drafts of the above documents should also be protected.

Because decisions of Cabinet Committees are not operative until agreed or endorsed by Cabinet, Ministers are expected to refrain from commenting on such decisions before they are considered by Cabinet. Similarly, Ministers should ensure that policy initiatives are not announced unless they have been approved by Cabinet.

Even after a decision is made and announced by the Government, the documents and discussions leading to it remain confidential, unless authorised by Cabinet or the Secretary to the Cabinet. Otherwise there is a risk that Ministers and advisers would be inhibited in future in providing frank advice and in participating in open discussion if they thought their contributions would be later made public.

The confidentiality of Cabinet deliberations and documents applies to the whole Cabinet process, including Cabinet Committees. The above requirements also extend to all officials attending Cabinet or Committee meetings or required to read Cabinet documents, including staff of the Secretariat and line ministries. Subject to other provisions of this Manual, attendance at Cabinet Committee meetings shall be limited to safeguard the confidentiality of Cabinet and its deliberations.

Any questions regarding the confidentiality of Cabinet deliberations and documents should be directed in the first instance to the Secretary to the Cabinet.

3. Key Components of the Cabinet System

3.1. Standing Committees of the Cabinet

The Standing Committees of the Cabinet have been established to improve collaboration and coordination between Ministries, Departments and Agencies, as well as to use Cabinet's time efficiently and strategically. All memoranda being submitted to Cabinet must first be considered by the relevant Standing Committee, unless the President agrees that an urgent proposal can bypass the Standing Committee stage or Cabinet has specifically asked that further information or advice be submitted directly to it.

Standing Committee meetings shall be scheduled, as required, normally 1 week prior to each full Cabinet meeting, to avoid undue delay in Cabinet's consideration of important proposals. By allowing shorter and more frequent Cabinet meetings, the Committee process (together with the streamlined process for issuing Cabinet decisions described in Section 7.1) facilitates rapid consideration of urgent issues.

The Standing Committees, based on sectors, provide an opportunity for relevant Ministers, Deputy Ministers, Permanent Secretaries and Professional Heads to be briefed on complex proposals before they are discussed in Cabinet. More specifically, the Committees shall:

- a) give in-depth consideration to complex issues relevant to the sector, including resolution of any outstanding technical or factual issues, and to make recommendations to Cabinet, enabling Cabinet's deliberation to focus on strategic issues and priorities;
- b) highlight and resolve any potential conflicts or overlaps between proposed policies and laws and existing policies and laws administered by other ministries;
- c) make recommendations on routine Cabinet memoranda that do not raise significant policy or strategic issues, thus saving Cabinet's time;
- d) consider reports on the implementation of relevant Cabinet decisions and make recommendations to implementing Ministers and/or Cabinet; and

- e) undertake any ad hoc roles assigned by the President or by the Cabinet.

To avoid wasting Cabinet's time with memoranda that do not adequately discuss key issues, contain factual or technical inaccuracies or have not had input from key stakeholders, a Standing Committee may direct the proposing Minister to revise a memorandum before it is reconsidered by the Standing Committee or considered by Cabinet. However, Standing Committees are not to prevent a Minister submitting a proposal to Cabinet, to delay memoranda unnecessarily or to interfere in the day-to-day management of a Ministry.

Until the President determines otherwise, there will be three Standing Committees:

- a) Economics and infrastructure
- b) Social and human development
- c) Governance, international and legal.

In addition, there is a special committee that deals with security issues. The number and composition of these Standing Committees will be reviewed from time to time to ensure they remain appropriate given the issues coming to Cabinet and any changes in the structure of the Government.

The Standing Committees comprise the Ministers and Deputy Ministers in the relevant portfolios, based on a list agreed by the President and circulated by the Secretary to the Cabinet. Deputy Ministers from ministries in the sector shall be full members of the relevant Standing Committee, able to participate fully in the Committee's deliberations, subject only to the views of their own Minister on matters directly affecting their ministry. Ministries may be represented on more than one Standing Committee.

Each of the Committees is chaired by the President when available, with a Deputy Chairperson appointed by the President to chair other meetings.

Ministers who are not members of a Standing Committee may attend if there is an item of particular interest to them.

Permanent Secretaries from the relevant portfolios are required to regularly attend Standing Committee meetings, with other officials attending as required with permission from the Committee Chairperson. Permanent Secretaries, Professional Heads and other officials shall be available to provide technical advice to the Committee but shall not participate in Committee decisions. They may be requested to leave a meeting during the Committee's deliberation on especially sensitive issues.

Standing Committees shall make recommendations to Cabinet on proposals from Ministers. Unless a memorandum needs revising as a result of the discussion in the Standing Committee, memoranda considered at each Committee meeting shall normally be referred to the next Cabinet meeting, together with the Committee's recommendation.

In order to reduce the time Cabinet spends discussing proposals that are neither contentious nor strategic, the President may decide that some recommendations of Standing Committees should be referred to Cabinet for endorsement rather than deliberation. This may occur where the relevant Standing Committee supports a proposal, without significant dissent, and the President, on the advice of the Secretary to the Cabinet, determines that the proposal does not raise significant new policy issues and is consistent with previous decisions of the Cabinet.

Except where otherwise stated, the procedures included in this Manual apply to the operations of Cabinet Committees, including Standing Cabinet Committees and any ad hoc Cabinet Committees established by decision of the President or the Cabinet.

Committee meetings shall generally follow the same procedures as meetings of full Cabinet, for example with Ministers presenting memoranda and subsequent discussion by members. However, Committee meetings may be less formal and the chair may structure the discussion of a complex memorandum around major issues. Adjustment would also be required to allow for Permanent Secretaries and other civil servants to provide advice when required.

Secretariat support for meetings of the Standing Committees shall be provided by the Cabinet Secretariat (see Section 3.2 below), which shall arrange for all Committee members (including Deputy Ministers) and the

Permanent Secretaries of member ministries to receive the Cabinet memoranda on the agenda and copies of Committee recommendations after the meeting. Memoranda should be submitted to the Cabinet Secretariat in the same way and with the same deadlines as for full Cabinet meetings. Where required, Committee chairs will be supported with technical advice from the Secretariat and/or the Office of the Chief of Staff.

3.2. Cabinet Secretariat

Section 68 of the Constitution establishes the role of the Secretary to the Cabinet, who is also the Head of the Civil Service. The Secretary's functions include having charge of the Cabinet Secretariat and responsibility for arranging the business for the Cabinet, keeping the minutes and conveying the decisions of the Cabinet to the appropriate persons or authorities, in accordance with any instructions from the President.

Section 68 of the Constitution also specifies that the Secretary shall have the function of coordinating and supervising the work of all administrative heads of ministries and departments in the Public Service, as well as any other functions the President may assign from time to time.

The Cabinet Secretariat supports the Cabinet, its Committees and its decision-making processes, with the following functions:

- a) providing administrative and secretariat support to the Cabinet and its Committees;
- b) preparing draft agendas for the approval of the President;
- c) providing guidelines and advice to ministries on the preparation of Cabinet memoranda and reports, especially to ensure they are informed by appropriate evidence;
- d) reviewing documents submitted to Cabinet to ensure they comply with this Manual, including use of standard formats and adequate evidence for Cabinet to make an informed decision, and where necessary advising a ministry to redraft a memorandum to meet the requirements of this Manual;
- e) distributing materials for Cabinet and Committee meetings;
- f) recording meeting deliberations and draft decisions;

- g) distributing Cabinet decisions to ministries;
- h) providing secretariat support for Cabinet and Committee meetings;
- i) coordinating monitoring and reporting on the implementation of Cabinet decisions;
- j) preparing summary reports of Ministry performance;
- k) maintaining the official archive of Cabinet documents including decisions and memoranda;
- l) establishing specific procedures, standard formats and quality standards for Cabinet memoranda and reports;
- m) supporting ministries to comply with the procedures contained herein, including through support for Cabinet Focal Persons (see below) and specific capacity building activities;
- n) providing briefing and advice to the Chairpersons of Cabinet and Committees on the handling of matters submitted to Cabinet; and
- o) preparing the instruments of appointment for Ministers and Deputy Ministers and also the relevant instruments when appointments are revoked.

3.3. Cabinet Focal Persons

The smooth functioning of the overall Cabinet process depends not just on the Ministers that belong to Cabinet, but the support they receive from their ministries on Cabinet matters. In order to facilitate this, each Permanent Secretary shall, with the concurrence of his or her Minister, nominate an appropriate senior civil servant to liaise with the Cabinet Secretariat and other organisations on Cabinet matters.

These Cabinet Focal Persons shall receive training and ongoing support from the Cabinet Secretariat, to ensure they are able to assist their Ministers and other officials in the ministry on all aspects of the Cabinet process, including:

- a) assisting their ministries (including relevant departments and agencies) to prepare Cabinet memoranda that are consistent with this Manual, including assistance in meeting the requirements for evidence;

- b) assisting their ministries to comply with the guidelines, formats and criteria issued by the Cabinet Secretariat;
- c) receiving and registering secret Cabinet documents, and arranging appropriate distribution within their ministries;
- d) assisting their ministries to submit Cabinet documents in a timely manner;
- e) coordinating with other ministries to ensure that the ministry's views and comments are taken into account in memoranda being prepared by other ministries;
- f) coordinating ministry briefings to their Minister on Cabinet agenda items; and
- g) helping to compile reports on implementation of Cabinet decisions.

Ministries with high volumes of Cabinet business are encouraged to nominate two Cabinet Focal Persons, one at a more senior level, to ensure continuity and efficient handling of Cabinet matters within the ministry. Both shall be trained by the Secretariat.

4. Submitting Proposals to Cabinet

4.1. Matters Requiring Cabinet Approval

The provisions in section 59 of the Constitution are broad, specifying that the function of the Cabinet is to advise the President 'in the government of Sierra Leone' and that it 'determines the general policy of the Government', as mentioned already.

The matters requiring Cabinet approval include:

- a) any significant policy proposal (either a new policy or a significant amendment to existing policy);
- b) any proposal that has major financial implications outside of the approved Budget;
- c) any proposal in which other ministries will have an immediate or direct interest;
- d) politically sensitive issues;
- e) proposed legislation including substantial amendments;
- f) proposals to enter into international treaties or agreements;
- g) major reform proposals, including those that seek to change the structure or functions of ministries, departments or agencies;
- h) any other matters in respect of which the Constitution and other laws vest responsibility in the Cabinet; and
- i) any other matter on which the President or the Cabinet decides that collective consideration is required.

The Constitution, in sub-section 60(2), also specifies some specific matters on which Cabinet is **not** to deliberate, including appointment of Ministers and Deputy Ministers, assignment of responsibilities to Ministers, the exercise of the prerogative of mercy and decisions by the Attorney-General

and Minister of Justice or the Director of Public Prosecutions regarding prosecutions under section 66.

Cabinet memoranda shall be the principal means by which proposals are brought before Cabinet for consideration. Requests for Executive Clearance should depend on the exigencies of the situation and should be the exception rather than the rule. In a case where Executive Clearance is granted by His Excellency the President, the decision must be ratified by Cabinet at its next meeting. Memoranda seeking ratification by Cabinet may be included on the agenda of the next Cabinet meeting notwithstanding the deadlines specified in Section 4.7 of this Manual.

If a Minister is in doubt whether an item requires approval by the Cabinet, he or she should seek advice from the Secretary to the Cabinet.

Routine proposals meeting the criteria listed above that are approved by the relevant Standing Committee without significant dissent and that do not raise new policy issues may be listed for endorsement by Cabinet without deliberation, as mentioned in section 1.4.

4.2. Preparation of Evidence-Informed Cabinet Memoranda

When a Minister wishes to submit a memorandum, the Cabinet Focal Person should notify the Cabinet Secretariat of the subject and expected submission date, as well as any reasons for urgent consideration. This will assist the Secretariat to plan for future Cabinet and Committee meetings.

All proposals submitted for consideration by the Cabinet must be presented in a standard 'Cabinet memorandum' format issued by the Secretary to the Cabinet (see attached). This enables Cabinet members to quickly understand what is being recommended and to ensure that proposals include information on the benefits of the proposal, whom it affects, financial and legal implications, relevance to and consistency with broad national policies and how the decisions would be communicated and implemented. The ministry's Cabinet Focal Person should coordinate the drafting of the memorandum and advise on compliance with Cabinet's requirements.

The purpose of the Cabinet memorandum is to provide all Ministers with an accessible document that presents essential information that will facilitate informed discussion and decision-making at the Cabinet. While supporting documentation of greater detail and length can be attached, the Cabinet memorandum itself must provide the critical information needed to enable Ministers to understand and consider the proposal. Proposals not in the standard memorandum format shall not be accepted by the Secretariat.

Cabinet memoranda documents to be considered by Cabinet must be signed by the relevant Minister, and should:

- a) be as short as possible, using appendices for essential detailed information;
- b) be written in plain, non-technical language, and not to assume that the reader has expert knowledge;
- c) contain clear recommendations to enable decisions to be easily and logically assessed;
- d) report on consultation with relevant Ministries and/or relevant external stakeholders (see section 5.3 below); and
- e) in order to allow Cabinet to make a meaningful choice, summarise the assessment of at least 3 options with evidence of strengths and weaknesses.

The standard format, which shall be updated from time to time based on feedback from Ministers, will prompt Ministers to address the following issues in preparing memoranda:

- a) the decision requested from Cabinet, with the recommendations drafted consistently with the style of Cabinet decisions;
- b) how the proposed action will advance the strategic directions of the Government;
- c) evidence of need, for example how the location of proposed activities will be justified (if relevant);
- d) evidence that the proposed intervention will work (including how key stakeholders will respond, for example by participating in a programme, responding to incentives to invest or complying with a proposed regulation);

- e) expected economic, social and environmental impacts of the proposal;
- f) likely impact on specific groups, for example women or specific industries or regions;
- g) the estimated cost and where the funds will come from and whether the Ministry of Finance and Economic Development has been consulted and has agreed;
- h) legal implications, including whether legislation is required; and whether the Ministry of Justice has been consulted;
- i) the possible impact on other sectors or ministries;
- j) which other ministries have been consulted, and whether they agree with the recommendations;
- k) the result of any consultation with external stakeholders (see section 4.6 below);
- h) assessment of any implementation risks;
- l) how implementation and impact will be monitored and evaluated, with clear accountability, milestones and targets; and
- m) how the decision will be communicated and identification of potential opposition.

For complex proposals, to ensure that they are implementable technically and financially, the ministry should complete an implementation plan when preparing the Cabinet memorandum, using the standard format issued by the Cabinet Secretariat (see attached). This plan should be attached to the memorandum.

Except for budget proposals (see below), all Cabinet memoranda are to comply with the standard format and be no more than five pages long. A modified version of the standard format shall be used for matters submitted for information only.

The Cabinet Secretariat shall provide more detailed guidelines for ministries through Cabinet Focal Persons on the preparation of draft Cabinet memoranda.

4.3. Proposals Involving Legislation

Proposals that will (or might) involve legislation must be submitted to be considered and approved by Cabinet.

Where a ministry considers it necessary to amend an existing legislation or to introduce new legislation, that ministry must, by way of a memorandum to Cabinet, seek the approval of Cabinet for the main features of the legislation and the underlying policy.

The ministry may, before submitting such a memorandum to Cabinet, seek the advice and concurrence of the Attorney-General by request in writing, stating succinctly:

- (a) the proposed policy;
- (b) in what respect the existing legislation is defective, or the reasons for proposing new legislation;
- (c) how to carry the policy into effect; and
- (d) if other Ministries are affected or are interested parties, whether they have been consulted, and what their reactions to the proposed legislation are.

The Cabinet memorandum proposing new legislation or legislative amendments shall be in the same format as other memoranda (see Section 4.2 above). It shall explain why legislation is necessary, what options have been considered (including any non-legislative options), the likely impact of the proposed legislation and financial implications, and shall meet the other requirements for a Cabinet memorandum set out in Section 4.2 above. The memorandum, if approved, will form the basis upon which Cabinet may instruct the Attorney-General to draft the necessary bill, and upon which the ministry may eventually prepare the actual drafting instructions.

A ministry proposing legislation that may impact the responsibilities, activities or operations of other ministries or agencies of Government has an obligation to consult with those ministries or agencies prior to submitting its proposals to Cabinet. The relevant Standing Committee shall also review

the proposal and highlight any potential conflicts or statutory or functional overlaps with existing laws, to be taken into account in drafting the legislation.

Cabinet may require a ministry proposing legislation to hold consultations with persons or organizations external to the Government, including employers, unions, community groups, women, the disabled and special interest groups prior to reaching a decision on the legislative proposal (see Section 4.5).

As the Attorney-General and Minister of Justice has ultimate responsibility for drafting of Government-proposed legislation, Cabinet's approval to legislative proposals usually contains instructions to the Attorney-General for the drafting of the proposed legislation. Ministries are advised to avoid wasted effort in drafting bills without recourse to the Ministry of Justice.

The Cabinet Secretariat and the Ministry of Justice shall provide detailed guidance to ministries on the preparation of legislative proposals and legislative drafting instructions.

In most cases, where a draft Bill has been prepared in accordance with the policy decisions of the Cabinet, the responsible Minister and the Attorney General may agree to submit it to the Parliament without further consideration by Cabinet. However, where significant policy issues have arisen during drafting or during consultation on the Bill, or where Cabinet has so directed, the draft Bill shall be submitted for Cabinet approval before introduction into the Parliament.

4.4. Budget Proposals

Proposals being submitted to Cabinet as part of the budget process will be governed by procedures issued separately by the Minister of Finance and Economic Development in consultation with the Secretary to the Cabinet. These procedures shall include the standard format to be used for budget proposals.

4.5. Consulting other Ministries

All Cabinet memoranda shall be circulated in draft form to affected ministries and the Cabinet Secretariat before finalisation and submission for Standing Committee approval. This should be arranged through the respective Cabinet Focal Persons.

In particular, the Ministry of Finance and Economic Development, the Ministry of Justice, the Public Service Commission and the Human Resource Management Office shall review the financial, legal and human resource implications of draft proposals, respectively, before a memorandum is formally submitted and circulated. The Ministry of Information and Communication and the Ministry of Political and Public Affairs should be consulted, where relevant, on whether, when and how the Government should communicate major decisions made by Cabinet. And any other ministry likely to be affected by a proposal must also be consulted before a memorandum is finalised and submitted.

Other ministries should be given at least 5 working days to provide comments on draft memoranda and should indicate whether they have any objections to the proposal, with a summary of reasons if they do. The list of ministries consulted and whether there are objections shall be included in the memorandum format. Cabinet memoranda shall list all ministries consulted and whether those ministries support the recommendations. Short written comments from other ministries should be included in an attachment to the memorandum where they oppose the recommendations or where significant issues are raised.

Cabinet Focal Persons shall give priority to meeting these consultation requirements. Any undue delay by a ministry in providing comments or approvals shall be referred by the originating ministry to the Secretary to the Cabinet, to ensure that Cabinet consideration is not unnecessarily delayed or stalled. If necessary the Secretary may report persistent problems to His Excellency the President as the Chair of the Cabinet.

4.6. External Consultation and Evidence

When preparing major proposals for Cabinet, Ministers are encouraged to seek information from external stakeholders, such as industry or community

groups likely to be affected. It is also important to obtain evidence on current problems through consultation or research, such as opinion polls or user surveys. This is an important part of preparing an evidence-informed proposal for Cabinet.

However, this should not be done in a way that might breach Cabinet confidentiality by publicly disclosing proposals to be submitted to Cabinet. Prior consultation on a Cabinet proposal should not lead to Cabinet's decision being pre-empted or colleagues being 'stampeded' by building up external support for a specific option.

Confidentiality and the primacy of Cabinet as the decision-making body will be preserved if consultation prior to initial Cabinet consideration is focused on problem identification and situation analysis, rather than seeking views on any specific proposed solution or options. If appropriate, Ministers may bring forward an initial memorandum with options, seeking Cabinet authority to then consult the public or external stakeholders on those options. For major proposals that are complex and politically sensitive, the Cabinet may agree to publication of a discussion paper that analyses a problem and outlines options in order to promote public discussion prior to a final Cabinet decision. Another alternative is to hold public hearings or workshops on a problem to explore possible solutions.

In summary, while widespread consultation and participation is encouraged for many major proposals, Ministers should seek Cabinet's agreement in advance if there is any risk that Cabinet's decision-making might be pre-empted.

4.7. Submission and Circulation of Cabinet Memoranda

All Cabinet memoranda must be signed by the responsible Minister.

Ministers may submit memoranda at any time. However, memoranda not received by the Cabinet Secretariat at least two weeks before a scheduled Cabinet or Committee meeting shall normally be held over for the following meeting, unless the President agrees that a decision is urgent for unavoidable reasons. This provides time for memoranda to be reviewed, for any amendments to be made by the originating ministry, for copies to be printed in the Secretariat and for papers to be circulated well in advance of the meeting.

All memoranda from Ministers should be forwarded to the Cabinet Secretariat through the Cabinet Focal Person in the appropriate policy file. This enables the Cabinet Secretariat to reference the document and the line ministry to maintain accurate records of its Cabinet documents.

On behalf of the Cabinet, the Cabinet Secretariat shall review all submitted memoranda before they are listed on the agenda for the relevant Standing Committee and Cabinet to ensure they comply with these rules and procedures. The Secretary to the Cabinet is authorised to return any memorandum that is incomplete, that has not met the requirements in this Manual or that has failed to consider adequately key issues or options.

This review function does not duplicate or compete with the functions of the Strategic Policy Unit, which works with ministries to prepare proposals on priority projects and programmes and monitoring their implementation.

The Cabinet Secretariat shall make the required number of copies for all Cabinet/Committee members and circulate them at least three working days in advance of the relevant meeting, to provide Ministers with sufficient time to review the proposals. In practice, if a Committee or Cabinet is meeting on a Wednesday, this means circulation to all Ministers before 11 am on the previous Friday. This will provide Ministers with sufficient time to seek technical advice from their ministries and advisers on proposals from other Ministers that might affect their portfolio.

5. Cabinet Agendas

5.1. Agenda Preparation

The President determines the timing of Cabinet meetings.

The Cabinet Secretariat shall notify members of all ordinary meetings at least three working days before each meeting. As mentioned in section 4.7 above, the Cabinet agenda and relevant papers shall be circulated by the morning of the previous Friday if a Cabinet or Committee meeting is being held on a Wednesday. Lengthy documents, especially those that are highly technical, legal or financial in character, should be distributed if possible at least one week before the relevant meeting.

The President may call an emergency meeting of the Cabinet at any time by informing the Secretary to the Cabinet. When an emergency Cabinet meeting is called, the Cabinet Secretariat shall inform Cabinet members of the time and venue of the meeting as quickly as possible.

In general, the agenda for Cabinet shall include (in the following order):

- a) Any issues to be raised by the Chairperson of the meeting;
- b) Consideration of circulated memoranda submitted by Ministers, together with Standing Committee reports on these items;
- c) Endorsement of Committee decisions on routine matters (normally without presentations or discussion);
- d) Reports on Ministers' international travel or other significant events;
- e) Reports on implementation of Cabinet decisions; and
- f) Any other business (which is normally restricted to items for information only; proposals for Cabinet decision should be submitted as written memoranda in the prescribed format).

This agenda order gives priority to substantial proposals on which Ministers have submitted written memoranda and minimises the time to be spent on reviewing the previous meeting or discussing issues not covered by

memoranda. As described in section 7.1, the Secretary shall have already circulated the decisions from the previous meeting.

The agenda for each Cabinet meeting shall be drafted by the Secretary to the Cabinet and approved by the President. The agendas for Committees shall be drafted by the Cabinet Secretariat and approved by the relevant Committee Chairperson.

The agenda for each meeting shall take into account: the urgency of each submitted proposal; its priority relative to other submitted proposals; compliance with Cabinet requirements for proposals; and consideration of related proposals. Submitted memoranda will not necessarily be listed for the next meeting after their submission.

Not all matters proceed automatically to the relevant Standing Committee and Cabinet. On advice from the Secretary to the Cabinet, the President may decide that a matter does not warrant Cabinet consideration or that it can be handled more appropriately by discussions between individual Ministers. The Secretary to the Cabinet may also request further explanation or review of a Cabinet memorandum.

The President is the final authority for deciding whether or not a matter should be discussed in Cabinet.

After the agenda for a meeting is approved, the Cabinet Secretariat shall circulate it to all members along with the papers relating to each item to be discussed. As mentioned already, this should occur at least three working days before the meeting.

After the agenda and related documents are circulated, no item can be added to the agenda without the approval of the Chairperson. All requests for late additions to the agenda must be submitted to the Secretary to the Cabinet (for Cabinet) or the Committee chairperson.

6. Cabinet Meetings

6.1. Attendance at Cabinet and Committee Meetings

Membership of the Cabinet and its Committees is an important responsibility of Ministers, which should take precedence over all other duties.

Attendance by members at Cabinet and Committee meetings is mandatory except where travel or other duties have been previously approved by the President or Cabinet. If a member is unable to attend a Cabinet or Committee meeting for any reason, the Secretary to the Cabinet must be informed immediately and the Chairperson's permission obtained.

Absent Ministers shall be represented by a Deputy Minister in the same ministry or by another designee, as agreed with the President through the Secretary to the Cabinet. Unless urgent, all significant items for which the absent Minister is responsible shall be deferred to a subsequent meeting.

Ministers unable to attend a Cabinet or Committee meeting have a responsibility to brief the Deputy Minister or other acting Minister on matters to be considered in their absence and to indicate any views on proposals, so that the acting Minister can participate fully in the deliberation and Cabinet or the Committee can reach a firm decision. This avoids wasting other Ministers' time when issues have to be reopened when the absent Minister returns.

No meeting of the Cabinet or a Committee shall proceed unless a quorum of more than 50% of its members (or Deputies) is present.

In addition to members, Cabinet and Committee meetings shall be attended by the staff of the Cabinet Secretariat, who provide secretariat and administrative services to the meeting.

Other Ministers may attend a Standing Committee discussion of matters relevant to their portfolio after notifying the Chairperson.

Within each ministry, the Cabinet Focal Person, in conjunction with the Minister's Office, shall be responsible for coordinating the Minister's involvement in the meeting.

6.2. Cabinet Consideration of Memoranda

After consideration by the relevant Standing Committee, the Committee's recommendations and the relevant memoranda will normally be listed on the agenda for the next available Cabinet meeting, either for consideration or endorsement.

Memoranda listed for consideration shall be presented to Cabinet by the relevant Minister, followed by a brief report from the Standing Committee Chairperson on the Committee's consideration of the proposal. Members will then be invited by the Chair to discuss the proposals in the memorandum, taking into account the Committee's recommendations and comments.

Committee recommendations sent to Cabinet for endorsement rather than deliberation (see section 3.1 above) shall be listed in a separate section of the Cabinet agenda and shall be circulated (together with the relevant memoranda) to Cabinet members before the meeting to allow Cabinet members time to examine them in advance of the meeting. Recommendations for endorsement shall not be presented or discussed at the Cabinet meeting, unless a Minister who is not a member of the relevant Standing Committee raises substantial issues during the Cabinet meeting. This does not undermine the right of Cabinet members to raise any issue concerning the recommendation or to propose any amendment, with particular emphasis given to those Ministers who are not members of the relevant Standing Committee.

Unless the Cabinet decides otherwise, Committee recommendations for endorsement shall become Cabinet decisions at the end of the Cabinet meeting, with the same status as other Cabinet decisions.

6.3. Conduct of Meetings

The Chairperson keeps order at the meeting, introduces each agenda item, directs discussion, and summarises decisions.

The Secretary to the Cabinet sits next to the Chairperson at Cabinet meetings to assist and advise as required on the management of the meeting. The Secretary, on the request of the Chairperson, may bring relevant matters to the attention of members and advise on matters of procedure.

The proposing Minister will normally be invited to make a short presentation, focusing on:

-) Urgency of the proposal;
-) Key elements of the proposal;
-) Any significant policy, fiscal, legal or human resource impacts; and
-) Substantive comments from other ministries.

PowerPoint presentations should be provided to the Secretariat before the meeting to enable them to be loaded and be available without wasting the time of other Ministers.

Members may request permission from the Chairperson to speak on any matter before it, but should keep their remarks short and focus on whether they agree or disagree with the submission and why. Members should not introduce any topic unrelated to the scheduled item.

No member should speak without acknowledgement from the Chairperson.

Only members of the Cabinet or a Committee may participate in its deliberations.

The Chairperson will determine and summarise the consensus reached on each decision at the conclusion of the respective discussion.

The Cabinet Secretariat is responsible for servicing all Cabinet and Committee meetings. Their duties include:

- a) notifying Cabinet members of the date, time and location of meetings;
- b) preparing the room;

- c) arranging refreshments;
- d) taking notes of the meetings; and
- e) carrying urgent messages to Cabinet members during meetings.

6.4. Declaring Conflicts of Interest

If any scheduled or unscheduled item raises issues where a Minister has, or could be perceived to have, a conflict of interest, the Minister should notify the Chairperson, declare the conflict, and leave the meeting room for the duration of deliberations on that particular item.

In this context, conflict of interest can be broadly defined as a situation where a Minister and/or an immediate family member could benefit as private individuals as a result of a decision taken by the Cabinet, for example, where a Minister or close family member is a shareholder of a company that stands to gain from a decision by the Cabinet. Cabinet members must comply with the Anti-Corruption Act 2008 and any future legislation dealing with this subject.

The Secretary to the Cabinet shall note the Minister's declaration and include it in the records of the meeting. Further guidance on what constitutes a conflict of interest in the Cabinet context may be sought from the Cabinet Secretariat or the Attorney General's Office.

7. Cabinet Decisions and Implementation

7.1. Decisions

Authorised officials of the Cabinet Secretariat shall record the decisions of Cabinet and Committee recommendations for Cabinet.

The process of preparing Cabinet decisions aims to:

- a) provide written decisions focused on the action to be taken, with clear accountability and timelines and milestones where appropriate;
- b) facilitate rapid implementation by circulating decisions to implementing departments and agencies as soon as possible after the Cabinet meeting at which they were discussed; and
- c) avoid wasting time in Cabinet meetings reviewing the wording of conclusions reached at the previous meeting.

A separate written Cabinet decision shall be issued by the Cabinet Secretary for each memorandum or other agenda item discussed. This short document records the decisions reached for the guidance of those who have to implement those decisions. The decisions should avoid recording the opinions expressed by particular Ministers or the reasons discussed for the decision in meeting. The Secretariat shall retain a separate record of reasons and discussions for future reference if required.

Cabinet decisions must include:

- a) specific actions which Cabinet has agreed will be undertaken;
- b) the ministry (or ministries) responsible for undertaking or supervising implementation;
- c) any special timing or reporting requirements set by the Cabinet;
- d) reference to the memorandum on which the decision is based; and

- e) sufficient guidance for implementation, especially if the decision was made without memorandum or the Cabinet agreed on a different approach to that recommended in the memorandum.

Consistent with Cabinet Secretary's role specified in Sub-section 68(3) of the Constitution, the signed Cabinet decisions circulated after the meeting are the official record of Cabinet's agreement. Relevant ministries, departments and agencies shall commence implementation immediately, subject to any timetable included in the decisions themselves. Decisions do not need to be submitted to the next meeting for endorsement or further discussion, unless Cabinet or the President so directs.

If there is any doubt about the decision that was reached, the Cabinet Secretary shall consult with the President and/or relevant Ministers before signing the decision.

It is expected that 90% of decisions will be dispatched from the Secretariat through Cabinet Focal Persons within 4 days of a Cabinet meeting. (This is less than 100% recognising that some decisions may require the consultation mentioned in the previous paragraph.)

Cabinet decisions reflect the collective decisions of the meetings and are binding on all members, even when they did not attend the Cabinet meeting.

If a Minister disagrees with a decision, he or she must notify the Secretary to the Cabinet of this objection. These objections must relate to an error of fact or lack of clarity in drafting. The substance of a decision cannot be revised unless explicitly permitted by the Chairperson.

If an amendment is required, the Secretary to the Cabinet shall draft the amendment for approval by the Chairperson.

7.2. Reporting on Implementation of Cabinet Decisions

Ministers are responsible for instructing their ministries to implement the decisions of the Cabinet, and informing subordinate agencies about decisions affecting them. If several different Ministries are involved, the

decision should indicate which ministry or public agency is in charge of ensuring the decision is implemented (the ‘responsible ministry’).

As noted in Section 4.2, for complex proposals the ministry should complete an implementation plan when preparing the Cabinet memorandum, using the standard format issued by the Cabinet Secretariat to ensure delivery of the desired outputs or outcomes. This plan will form the basis of subsequent implementation reports.

Using a standard reporting template issued by the Cabinet Secretariat, Ministries shall report every quarter through their Cabinet Focal Persons on the implementation of decisions for which they are responsible. (Please note that Cabinet may require more frequent reporting for urgent decisions.) Such reports shall indicate the progress of implementation, including whether they are ‘on track’ relative to the submitted implementation plan. They should provide an explanation if any action has not been completed by the due date. Regular reports on implementation of Cabinet decisions shall be prepared by the Cabinet Secretariat, in liaison with the relevant ministries, and submitted to Cabinet, through the relevant Standing Committee.

Each ministry will be assigned a desk officer in the Cabinet Implementation Monitoring and Support Unit (CMISU) within the Secretariat to coordinate the preparation and submission of reports.

The Office of the President will be consulted on the design of the implementation reporting template, to ensure that consistent formats and timing are used for reporting on Cabinet decisions and priority projects being tracked by the Office of the President. Tracking of the Agenda for Prosperity and His Excellency’s Legacy Projects will be undertaken in collaboration with the Office of the Chief of Staff, which will take a leadership role in discussion of such projects in Standing Committee meetings.

The Cabinet Secretariat may convene meetings with the relevant ministries on the implementation of high priority decisions.

8. Management of Cabinet Documents

8.1. Cabinet Document Management Principles

The Cabinet Secretariat is responsible for designing and enforcing measures to ensure the confidentiality and proper handling of documents within the Cabinet system. The Secretariat will issue detailed instructions periodically for this purpose and work closely with the Cabinet Focal Person in each ministry to ensure compliance.

These instructions shall be based on the following principles:

Need to know

Documents submitted to and discussed by the Cabinet and Cabinet Committees may not be disclosed except to those with a legitimate need to know. Both electronic and paper documents should be classified according to who may receive and view them.

Traceability

A common reference numbering system applies to all documents within the Cabinet system. All access to Cabinet documents should be authorised, with a written record kept of all Cabinet documents received or sent, which must be available for periodic inspection by the Cabinet Secretariat. The Cabinet Secretariat provides training to Cabinet Focal Persons on how to manage Cabinet documents.

8.2. Distribution of Cabinet Documents within Ministries

Each ministry's Cabinet Focal Person, in conjunction with the Minister's Office, is responsible for ensuring the secure receipt, handling, distribution and storage of Cabinet documents. This officer shall, on the Minister's instructions, distribute relevant extracts or summaries of decisions and other documents to those ministry officials responsible for implementation, consistent with the need-to-know principle.

The Cabinet Focal Person shall manage access to such documents and maintain the records specified in section 8.1 above.

CP (201X)XX Secretariat to complete

COPY NO. Secretariat to complete

CABINET

[TITLE OF MEMORANDUM]

Memorandum by the Minister of _____ .

Note: Maximum 5 pages; final printed on green paper.

1. Recommendations:

Notes:

- a) *Clear recommendations of the action the Minister wants Cabinet to agree to.*
- b) *Wording of recommendations should be consistent with the style of Cabinet Decisions.*

2. Purpose and brief description:

Notes:

- a) *The nature of the proposal: e.g. new policy; development proposal; proposed new law.*
- b) *Brief summary of goals/objectives expected to be achieved.*
- a) *No more than 100 words, describing the key features of the proposed action.*

Annex A: Memorandum Format **SECRET**

3. Strategic relevance and urgency:

Notes:

- a) *How the proposal would contribute to Government priorities.*
- b) *Any specific deadlines or urgency to make decision (with reasons).*

4. Expected benefits and target beneficiaries

Notes:

- a) *What groups/communities/organisations are expected to benefit.*
- b) *How they will benefit.*

5. Other likely impacts:

Notes:

- a) *Analysis of broader social, economic and environmental impact of proposed action.*
- b) *Groups that are expected to be adversely affected or who may criticise the decision.*
- c) *Expected impact on women, socially disadvantaged and other priority groups.*

6. Evidence that proposed intervention is needed and will work

Notes:

- a) *Evidence/analysis that recommended action is needed (including evidence to justify location, if relevant).*
- b) *Analysis of evidence on underlying problem, to ensure intervention addresses causes, not symptoms.*
- c) *Assumptions about how people or organisations will change their behaviour as a result of government intervention (e.g. whether investors will respond to incentives; whether regulations will be enforced).*
- d) *Assessment of evidence of implementation of any similar interventions in Sierra Leone or elsewhere.*

Annex A: Memorandum Format **SECRET**

7. Other options considered:

Notes:

- a) *Summary of other options considered and reasons why recommended option chosen.*

8. Consultation across government:

Note: tick box that

applies.

Other Ministries consulted on draft memorandum: List all Ministries consulted.

Consulted Ministries all agreed with recommendations

No agreement *Attach up to 100 words from each Ministry summarising views.*

9. Financial implications:

Note: tick all boxes that apply.

a) **Cost:** Detailed estimates: Provide estimates for each financial year and total cost.

Indicative estimates: Provide available cost estimates.

Estimates agreed with MoFED.

b) **Government:** Already in budget;
MoFED: agreed; agreed in principle*; opposed.

c) **Donor(s):** Donor(s) identified: [specify]
 Funding agreed; Agreed in principle*; Discussed; Not yet consulted.

** Agreement in principle by MoFED or donor meets commitment to fund, with level of funding to be determined.*

10. Legal implications:

Legislation proposed *Do not submit draft law unless policy approved.*

Other legal issues *e.g. interpretation of law; contracting; legal dispute or litigation.*

Annex A: Memorandum Format **SECRET**

MoJ consulted; MoJ supports recommendations; MoJ does not support recommendations.

11. Implementation risks and monitoring:

Notes:

- a) *Summarise how proposal would be implemented (including summary of consultation with proposed implementers).*
- b) *Assessment of major implementation risks or assumptions, and how they will be managed.*
- c) *Attach draft implementation plan in prescribed format, outlining implementation steps, monitoring milestones/targets and risks.*

12. External consultation and communication:

Notes:

- a) *Summarise results of any external consultation undertaken already (note section 4.6 of Manual).*
- b) *How will decision be announced and communicated to relevant stakeholders.*
- c) *Outline future consultation plans (e.g. workshops on policy options or implementation details with relevant stakeholders).*

Annexes:

Annex A: Summary of comments from consulted ministries;

Annex B: Draft implementation plan;

Annex C:

List other annexes here. This memorandum must stand alone and contain all the relevant information and evidence needed by Cabinet to make a decision. Annexes should only be provided for background information, especially for ministry staff and other advisers.

Signed:

Minister of _____

Date: __/__/201__

Annex B:

CABINET IMPLEMENTATION PLAN FORMAT

Title of Proposed Policy/Programme/Project: [consistent with memo]

Memorandum reference: [to be added by Cabinet Secretariat]

Ministry: _____

First quarter: [specify commencing quarter – ie Q1 below]

No	INDICATOR/ MILESTONE	ACCOUNTABLE OFFICER	DATES (shade relevant quarters)												COSTS	SOURCE OF FUNDING	REMARKS	
			Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12				
1																		
2																		
3																		
4																		
5																		
6																		
7																		
8																		

Notes:

- List all critical implementation steps, including (where relevant): (a) communication of decision and/or stakeholder consultation; (b) confirmation of financing (indicate course and current status); (c) drafting and passage of necessary legislation; (d) other approvals required; (e) negotiation of partnership agreements (eg donors; contractors); (f) establishment of agencies; (g) obtaining premises; (h) establishing new positions; (i) recruitment of staff (with estimate of numbers); (j) change management plan; (k) training of staff (estimate numbers and duration); and (l) purchase of plant and equipment.
- Milestones should also include output targets (eg: number of clinics operational; kilometres of road completed; number of licences issued).
- Add more rows if necessary, and more columns if implementation is expected to take longer than 3 years.
- Progress indicators and dates will be incorporated into Tracking Table to monitor performance.

Risk analysis:

Step	Major assumptions and risks	Likelihood of problem			Impact if problem occurs			Risk Management
		Low	Medium	High	Low	Medium	High	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Notes:

- Identify relevant progress indicator from table above.
- List **critical** problems that may arise – eg donor funding not approved; unable to recruit nurses; political opposition delays new law; local opposition.
- Under Risk Management, summarise the steps proposed to reduce likelihood or impact – eg pilot phase; consultation to get community support; contingency plan.