Ministry of Basic and Senior Secondary Education **REPUBLIC OF SIERRA LEONE**



GUIDE TO POLICY DEVELOPMENT

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Commissioned by the Operations, Planning and Policy (OPP) Pillar of the Ministry of Basic and Senior Secondary Education's Emergency Education Taskforce (EET). Developed by the Education Partnerships Group (EPG) with funding from the UK's Department for International Development (DFID).





Education Partnerships Group

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Appendix 1: Frequently Asked Questions about Policy Development

I: INTRODUCTION

In early 2020, the Ministry of Basic and Senior Secondary Education (MBSSE) initiated a sector-wide review of education policies, in order to identify gaps and prioritise the revision and development of new policies.

One of the most common challenges preventing governments from achieving a standardised and integrated approach to policy development is the absence of a shared understanding of the differences between key policy documents, including alignment on the purpose, objectives, structure, and content of each document.

This guide was commissioned to create a shared understanding of the differences between policy documents, to standardise the policy development process, and to ensure coherence and consistency across the policy process in order to strengthen education service delivery in Sierra Leone.

II: OVERVIEW

Policy development differs across countries, sectors, Ministries and Departments. Part A of this document presents a guide to policy development at the MBSSE. Section 1 provides an introduction to the fundamental principles of good policy development and associated key questions. Section 2 provides an overview of a generic policy cycle, including a brief description of the six key stages. Section 3 describes the sequential process of policy development, including where and when related policy documents such as standards, policy guidelines, and standard operating procedures (SOPs) may be required. Section 4 defines the difference between policy, standards, policy guidelines, and SOPs, including the key questions to inform the development of each. Section 5 presents the essential criteria for each of the above-mentioned policy documents, and Section 6 lays out the drafting, consultation, and approval process for these documents within the MBSSE.

Part B presents the approved template outlines for each of the four policy documents, which provide a reference at-a-glance. However, substantive policy development should use the accompanying locked templates to ensure consistency throughout the drafting process. Lastly, frequently asked questions about where policies come from, who makes them, and how they are different from the legislation are addressed in Appendix 1.

III: TARGET AUDIENCE

The primary target audience for this guide is MBSSE officials at central and district levels, who are responsible for determining the classification of policy documents, as well as reviewing, drafting and revising policy documents, and overseeing policy implementation. The guide is also intended for use by the broader education sector, the Government of Sierra Leone's Ministries, Departments and Agencies (MDAs), and citizens. It will be made available on the MBSSE's online policy consultation platform (https://mbsse.pubpub.org) as well as the MBSSE website (https://mbsse.gov.sl/).

PART A: GUIDE TO POLICY DEVELOPMENT

1. An Introduction to the Fundamental Principles of Good Policy Development

In a world of increasingly decentralised services and complex policy problems, policy design must be underpinned by key principles of good practice. The following table outlines 10 fundamental principles of good policy design. The principles draw on elements of current policy-making models but place additional emphasis on clear roles, responsibilities, and accountabilities. The fundamentals need to be seen alongside the effective prioritisation of policy goals, they need to ensure long-term affordability and a focus on exactly how the policy will be implemented in practice. Individual policies have to be affordable over their lifetime and represent long-term good value for money.

TABLE 1: 10 FUNDAMENTAL PRINCIPLES OF GOOD POLICY DEVELOPMENT AND KEY QUESTIONS

FUNDAMENTAL PRINCIPLE KEY QUESTIONS

1	CLEAR GOALS	 What is the problem you're trying to solve? Is the problem you're trying to solve consistent with the high-level objectives of the Government? 		
2	EXISTING LEGISLATION, POLICY AND THE REGULATORY ENVIRONMENT	 What does the current legislation say about this issue? Are there current draft or related policies or policy documents on this issue? Have there been previous attempts to solve this problem and is there a written record of this? Would solving this problem help or hinder other policy initiatives currently taking place? Do the proposed solutions to the problem contradict any other active policies? 		
3	EVIDENCE-BASED	 Has the proposed solution been informed by robust and recent evidence? Is there evidence that suggests the proposed solution might not work? 		
4	CAPACITY / BEHAVIOUR OF ACTORS IN THE SYSTEM	 What is the capacity of actors in the system to address the policy issue? What are the incentives for actors in the system to behave in the way expected of them in the proposed solution? What are the reasons or incentives for actors to not behave in the way expected of them in the proposed solution? 		

#	# FUNDAMENTAL PRINCIPLE KEY QUESTIONS			
5	SYSTEM-WIDE CONSULTATION	 Has there been system-wide consultation on the policy development process and proposed solution? Have those affected by the policy been consulted and engaged in the policy development process? 		
6	CLEAR ROLES AND ACCOUNTABILITY	 Is it clear who is responsible for what, who will hold them to account, and how? What is the process for holding the central Government to account for the success of the policy (are there clear and measurable metrics or outcomes associated with the policy that can be reported against?) 		
7	AFFORDABILITY AND CURRENT RESOURCE ENVELOPE	 Has the policy been designed within the current resource envelope and budget of Government? What additional resources would be needed to deliver this policy effectively? Has a cost/benefit analysis been conducted? 		
8	IMPLEMENTATION AND DELIVERY	 Have policymakers rigorously tested or assessed whether the policy design is realistic for implementation and delivery? Have policymakers addressed common implementation challenges? Is the design resilient to adaptation by implementors? Are the beneficiaries clearly defined? Is there a clear and transparent set of entitlements and performance expectations? Is there a clear and transparent complaint and resolution process? 		
9	THOROUGH APPRAISAL	 Have the risks been identified and weighed fairly against the potential benefits? Have mitigations been identified for all the known risks? 		
10	MONITORING AND EVALUATION	 Is there a realistic plan for monitoring how the policy is being implemented in practice? Is there a plan in place for evaluation of the policy's impact? 		

2. What is the 'policy cycle'?

The 'policy cycle' is an idealised process that explains how policy should be drafted, implemented, and assessed. It does not have to be strictly followed, but many Governments aim to complete policies using the policy cycle as an optimal model. Generally speaking, the policy cycle is comprised of six steps, as outlined in diagram 1, and explained in table 2, below:

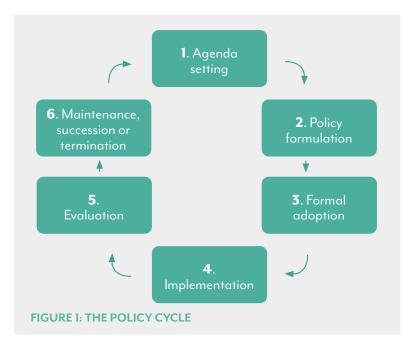


TABLE 2: DESCRIPTION OF THE SIX STAGES OF THE POLICY CYCLE

#	POLICY CYCLE STAGE	DESCRIPTION
1	AGENDA SETTING	Identification of new or existing issues that may require Government action.
2	POLICY FORMULATION	Determine which policy will achieve a given set of goals, by (I) analysing existing policy; (II) formulating proposals for new policies; (III) conducting wide consultation with key stakeholders; (IV) mapping out who is responsible for drafting/implementation; and (V) corresponding policy to legislative mandate.
3	FORMAL ADOPTION	Obtain the appropriate approval for the policy to be formally adopted.
4	IMPLEMENTATION	Ensure the required Government officials and other key stakeholders have the knowledge and resources to implement the policy, as well as monitoring policy implementation. Implementation should be supported, where possible, with accompanying policy guidelines and standard operating procedures.
5	EVALUATION	Assess the effectiveness and success of the policy through quantitative and/or qualitative research and provide conclusive evidence for the Government to consider.
6	MAINTENANCE, SUCCESSION OR TERMINATION	Study how the policy might be further developed, or provide additional support for its updating, adaptation, and continuation. Additionally, the policy can be terminated if deemed redundant, accomplished, or ineffective.

3. Sequential process of policy development

Policy development is a sequential process that starts with the creation of a policy. Policies may be accompanied by one or more set of standards that outline a set of objective minimum requirements for that policy. Policies may require the adaptation of an existing set of standards, rather than a new set.

In addition, policies may be accompanied by one or more policy guidelines to help the implementors of the policy better understand their role in implementation. If the policy guidelines reference routine tasks or activities that could benefit from detailed step-by-step instructions, then a SOP may be created for each task or activity.

In some cases (as Figure 2 illustrates), one policy may require multiple standards, policy guidelines, and/or SOPs.

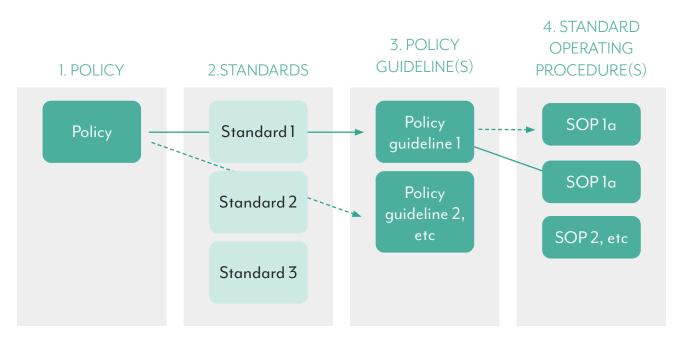


FIGURE 2: EXAMPLE OF A POLICY DEVELOPMENT SEQUENCE

4. Defining Policy, Standards, Policy Guidelines, and Standard Operating Procedures

STANDARD

			POLICY	OPERATING
	POLICY	STANDARDS	GUIDELINES	PROCEDURES
DEFINITIONS	 Policies are general statements that outline a Government's position or intent with regard to a particular issue, together with a clear rationale that builds on a robust analysis of the existing policy landscape. Policies are intended to be a set of overarching principles and do not need to be long or complicated. 	 Standards outline a set of objective and measurable minimum requirements for the agreed level of quality or attainment in any given policy area. Standards provide a basis for holding actors in the system accountable for the success of a policy. 	 Policy guidelines provide information directly to the implementors of the policy about what they should be doing, and how they should be doing it. Policy guidelines are not mandatory, but help implementors understand their roles in delivering policy, helping them follow the rules whilst allowing for flexibility and common sense in different scenarios. 	 A SOP is a set of detailed, step-by- step instructions that explain who should perform routine tasks or activities referenced in the policy guidelines, as well as how to do the routine tasks or activities. SOPs should enable implementors to understand an activity or task in a standardised way.
QUESTIONS TO ANSWER	 What does the Government want to do? Who are they mandating to do it? Why do they want to do it? 	 What is the minimum required level of quality or attainment? How will these standards be measured? What are the mechanisms for redress if standards are not met? 	 What specifically should be done? How should it be done? 	 Who specifically should perform these tasks? How should these tasks be performed, step-by-step?

5. Essential Criteria for Policy, Standards, Policy Guidelines, and SOPs:

ESSENTIAL CRITERIA

POLICY

- Written clearly and succinctly in plain language
- V Sets out general statements of a Government's position or intent
- ✓ Builds upon clear and robust contextual analysis with a compelling rationale for the policy
- ✓ Informed by available and robust data
- ✓ Clearly linked to a lead Ministry or Directorate(s) responsible for policy implementation
- **Outlines available financial resources** for policy implementation
- ✓ Outlines the chain of accountability at every level of Government
- ✓ Specifies the target
 beneficiaries of the policy

STANDARDS

- Written clearly and succinctly in plain language
- ✓ Outlines a set of objective minimum requirements for the agreed level of quality or attainment in any given policy area
- Clearly linked to

 a lead Ministry
 or Directorate(s)
 responsible for setting
 and measuring the
 minimum standard
- Outlines exactly how the standard(s) will be measured, by who, and how often, outlining the chain of accountability for meeting standards
- ✓ Outlines the mechanisms for redress if standards are not met, and which Directorate is responsible for that mechanism

POLICY GUIDELINES

- Written clearly and succinctly in plain language
- ✓ Includes detailed descriptions of how specific aspects of the policy are supposed to be implemented
- ✓ Outlines expected behaviours of those responsible for implementing the policy
- ✓ Specifies recourse for failure to meet expected behaviours
- Based on consultations with key stakeholders responsible for policy implementation in the specific policy area covered
- Addresses both who the target beneficiaries are and how they are to be reached.

STANDARD OPERATING PROCEDURES

- ✓ Written clearly and succinctly in plain language
- ✓ Defines a set of step-bystep instructions that describe how to perform a routine task or activity
- ✓ Based on the policy guidelines and a narrow set of consultations with key stakeholders responsible for the specific activity, task, or process
- To be followed in the exact same way every time, to ensure consistency
- ✓ Outlines expected behaviours of those implementing the routine task or activity
- ✓ Specifies recourse for failure to meet or execute expected behaviours

6. Drafting, Consultation, and Approval Process for Policies, Standards, Policy Guidelines, and SOPs

DRAFTING, CONSULTATION AND APPROVAL PROCESS

POLICY

STANDARDS AND POLICY GUIDELINES

SOPs

Senior Management

Team (SMT).

• Policies are drafted by the appropriate • Standards and policy guidelines are • SOPs are drafted by senior experts within the central MBSSE. MBSSE officials who are drafted by the appropriate experts They may be supported by external within the MBSSE, either at central responsible for overseeing advisors. or at the District level. They may be and/or implementing the supported by external advisors. routine tasks or activities • The Minister must inform the Law Officers described in a policy Department and the the Parliamentary guideline. They may be Sub-Committee on Education of the intent supported by external to develop new policy. advisors. • All final draft policies must undergo Final draft standards and policy • Final draft SOPs should public consultation. The final draft guidelines must undergo stakeholder be widely piloted to ensure that the SOP is fit-forpolicy may be shared in hard copy or soft consultations with the officials responsible copy, in organised workshops or forums, for implementing and measuring the purpose. or via the MBSSE's 'pubpub' digital standards and policy guideline, to • It is expected that the platform. ensure consistent understanding of pilot will identify further implementation, measurement, and Feedback from public consultations revisions that will need mechanisms for redress. will be considered by the drafting team to be made prior to before finalising the policy. Feedback from stakeholder consultations finalisation. will be considered by the drafting team before finalising the standard or policy guideline. • All final policies must be reviewed by • SOPs should be approved • Standards and policy guidelines are the MBSSE Senior Management Team approved by the Minister. by the designated (SMT) and signed off by the Law Officers authority within the · Standards and policy guidelines do not Department. Ministry (usually a need to be considered and approved by Director or their Deputies) All policies with implementation and Cabinet. at the District level. finance implications need to be sent to • SOPs do not need to be Cabinet for approval. Policies with no implementation and finance implications considered and approved can be published by the MBSSE. by the central MBBSE

- For policies needing to go to Cabinet, the Minister prepares a Cabinet Paper to accompany the policy for approval.
- Once approved by Cabinet, the policy is promulgated.

CONSULTATION

DRAFTING

APPROVAL

PART B: TEMPLATES FOR POLICY DOCUMENTS

1. Policy Template

FOREWORD

A short (maximum 1 page) introduction to the policy, usually written by the Minister / Cabinet Secretary

II PREFACE

A short (maximum 1 page) summary of the policy, usually written by the Permanent Secretary or other senior official (such as the CEO)

III ACKNOWLEDGMENTS

Provides appropriate recognition to all those who contributed to the development of the policy.

IV CONTENTS

Provides an overview of all sections and chapters contained within the policy

V ACRONYMS / ABBREVIATIONS

Presentation of all acronyms and abbreviations used in the policy.

VI GLOSSARY OF TERMS / DEFINITIONS

Clear and unambiguous definitions for terms, definitions, and concepts in the policy.

SECTION 1: INTRODUCTION

1.1 EXECUTIVE SUMMARY

Provides an overview of the policy, highlighting key points of interest including the national policy context, policy rationale, objectives and scope. In addition, this section should highlight how the policy will be financed, implemented, and monitored.

1.2 COUNTRY CONTEXT

Provides a clear description of the demographic, social, administrative, political, and economic context of the country.

1.3 STRUCTURE OF THE EDUCATION SYSTEM

Provides a clear description of the structure of the Education System, preferably using an organogram to describe functionality

1.4 NATIONAL POLICY CONTEXT

Outlines the national legal and policy framework in which the policy will operate, including whether the policy supersedes other policies, cross-referencing where the policy interacts with and links to, other existing policies

1.5 NATIONAL DEVELOPMENT PLAN

Outlines the country's medium-term strategic direction, including national development priorities and implementation strategies, as articulated in the National Development Plan and associated Results Framework and demonstrates how the policy interacts with and links to, the National Development Plan.

1.6 INTERNATIONAL POLICY CONTEXT

Provides a clear description of the international policy context, including how the policy relates to the Sustainable Development Goals (SDGs)

1.7 POLICY RATIONALE AND OBJECTIVES

Provides an analysis of existing policy, including the rationale for a new policy and a clear articulation of what the Government aims to achieve through the policy

1.8 SCOPE OF THE POLICY

Provides a description of the specific part of education delivery to which the policy applies, as well as the Directorates responsible for delivery. In addition, this section provides a description of the beneficiaries of the policy, the desired impact on those beneficiaries, and their specific entitlements.

1.9 GUIDING PRINCIPLES

Provides guiding principles under which the policy will operate

1.10 POLICY FINANCING

Outlines what the new policy and implementation is expected to cost and how it will be financed, as well as how the proposed financing is sustainable over the lifetime of the policy.

1.11 POLICY DEVELOPMENT PROCESS

Provides an overview of the policy development process, including an overview of the evidence used, and consultations undertaken during development.

SECTION 2: POLICY STATEMENTS

2.1 INTRODUCTION TO POLICY STATEMENTS

Provides a brief introduction to the policy statements, including an overview of different sections or thematic areas of statements where appropriate.

2.2 POLICY STATEMENT 1

2.3 POLICY STATEMENT 2

2.4 POLICY STATEMENT 3 ETC

Each policy statement is a declaration of the plans and intentions of Government in each specific policy area.

SECTION 3: IMPLEMENTATION, MONITORING AND EVALUATION

3.1 IMPLEMENTATION FRAMEWORK

Provides an overview of the framework, strategies, plans, and guidelines that will be developed to ensure and guide policy implementation. In addition, describes who holds responsibility for the management and coordination of the implementation framework, and lastly, provides a description of the mechanism for recourse in the event the policy is not implemented as described. The Implementation Framework must be explicitly linked to the National Development Framework, drawn from the National Development Plan.

3.2 MONITORING POLICY IMPLEMENTATION

An overview of the framework that will be used to monitor and evaluate policy implementation, includes who holds responsibility for monitoring policy implementation.

3.3 EVALUATING POLICY IMPLEMENTATION

Outlines the process and people responsible for defining progress indicators in order to determine how policy implementation will be evaluated, in addition to outlining the process and people responsible for designing and executing policy evaluations

3.4 POLICY REVIEW

Outlines the anticipated process and timeline for a full policy review.

SECTION 4: CONCLUSION

4.1 POLICY CONCLUSION

The concluding section returns to the big picture and objectives of the policy. This section distils the conclusions succinctly and reminds the reader of the urgency for action through policy implementation.

2. Standards Template

I INTRODUCTION

Provides a short, clear description of the standards outlined in the document.

II ACKNOWLEDGMENTS

Provides appropriate recognition to all those who contributed to the development of the standards.

III CONTENTS

Provides an overview of all sections and chapters contained within the policy

IV LEGAL STATUS

Provides a short, clear description of the legislation under which the standard(s) are developed.

V POLICY AND REGULATORY ENVIRONMENT

Provides a short, clear description of the policy/ policy section(s) / policy statement(s) to which the standard(s) are related.

VI TARGET AUDIENCE

Provides a short description of intended audience for guidelines (relevant implementors).

SECTION 1: STANDARDS

1.1 STANDARD1

1.2 STANDARD 2

1.3 STANDARD 3

Each standard statement articulates an objective and measurable minimum requirement for the agreed level of quality or attainment.

SECTION 2: MONITORING AND REDRESSAL MECHANISMS

2.1 MONITORING FRAMEWORK

Outlines a detailed framework for how each standard will be monitored or measured, by whom, and how often.

2.2 REDRESSAL MECHANISMS

Outlines the redressal mechanisms for what happens if standards are not met.

3. Policy Guideline Template

INTRODUCTION

• Provides a short, clear description of the policy/ policy section(s) / policy statement(s) to which the guideline is related

- Provides a short description of the purpose of policy guidelines
- Provides a short description of the intended audience for guidelines (relevant implementors)

II ACKNOWLEDGMENTS

Provides appropriate recognition to all those who contributed to the development of the policy guideline.

III CONTENTS

Provides an overview of all sections and chapters contained within the policy

IV ACRONYMS / ABBREVIATIONS

Presentation of all acronyms and abbreviations used in the policy.

V GLOSSARY OF TERMS / DEFINITIONS

Clear and unambiguous definitions for terms, definitions and concepts in the policy.

SECTION 1: POLICY GUIDELINES

1.1 INTRODUCTION TO POLICY GUIDELINES

Provides a brief introduction to the following sections outlining the different policy guidelines

1.2 SECTION 1

1.3 SECTION 2

1.4 SECTION 3 ETC

Each section provides a detailed description of how specific aspects of the policy are supposed to be implemented, including the expected behaviours of those responsible for implementing the policy.

1.5 ACCOUNTABILITY, ROLES AND RESPONSIBILITIES

- Identifies individuals responsible for implementing policy through executing the policy guidelines, including a clear chain of accountability and governance structures. This is usually best presented in the form of an organogram or organisational chart, with accompanying decision tree diagrams to illustrate the chain of decision-making.
- Specifies performance standards for implementation as well as the mechanism and process for underperformance.
- Description of the mechanism for recourse if the policy is not implemented as described.

SECTION 2: MONITORING POLICY IMPLEMENTATION

2.1 MONITORING AND EVALUATION FRAMEWORK

A detailed framework for monitoring and evaluating policy implementation, drawn from the Implementation, Monitoring and Evaluation section of the appropriate policy.

SECTION 3: CONCLUSION

3.1 POLICY GUIDELINE CONCLUSION

The concluding section returns to the big picture and objectives of the policy. This section distils the conclusions succinctly and reminds the reader of the urgency for action through policy implementation.

4. Standard Operating Procedure Template

1 INTRODUCTION

- A short, clear and specific description of the SOP
- Specific reference to the policy guideline(s) that the SOP relates to
- Description of beneficiaries and entitlements
- A description of the intended audience and specific task or activity covered by the SOP.

2 OBJECTIVES AND TARGETS OF THE SOP

A clear articulation of the objectives and intended outcome of the SOP, as well as any specific targets related to implementation.

3 STEP-BY-STEP INSTRUCTIONS

Step-by-step instructions on how to correctly perform a specific task or activity, with expected timeframes for completion. These could be presented as a simple numbered or bulleted list with short, simple sentences that are clear and easy for the reader to follow, or through a flowchart, diagrams, or a combination of the above.

4 ACCOUNTABILITY, ROLES AND RESPONSIBILITIES

· Identifies individuals responsible for executing the SOP, including a clear chain of accountability

• Specifies performance standards for implementation as well as the mechanism and process for underperformance.

5 ANNEXES

Relevant checklists, tools or templates available to implementors

APPENDIX 1 FREQUENTLY ASKED QUESTIONS ABOUT POLICY DEVELOPMENT

1. Where do policies come from?

Policies may emerge at different points in the political cycle. Some policies might be outlined in political party manifestos before an election (such as the commitment to providing 'Free Quality School Education' (FQSE) from pre-primary through to Senior Secondary Education for all children) whilst others may emerge in response to particular situations or events during the course of an administration's time in office (such as the introduction of the new 6-3-3-4 education system in 2010).

2. Who makes policies?

The term 'policymaker' encompasses all people involved in formulating, developing, or amending the policy. In Sierra Leone, Ministers of Government, their advisors, and civil servants, all fall under this umbrella. In theory, external organisations and individuals can influence policy development at all stages through formal consultation and engagement, or informal lobbying and wider public advocacy, but they cannot legally make policy.

While policies must be promulgated by a political authority in Sierra Leone, there are some instances where external organizations work in collaboration with the Government to draft and design policies. For example, under the direction of Government officials, stakeholders from external organizations such as policy think tanks, Non-Governmental Organisations (NGOs), and Civil Society Organisations (CSOs), may support the government through an established framework on the policy development process.

3. What is the difference between policy and legislation?

It is important to understand the difference between policy and legislation. Although policy and legislation are interrelated, each has a distinct function –

- A POLICY outlines what a government Ministry or Department / Directorate hopes to achieve and the methods and principles it will use to achieve them. Policies are not legally binding but may identify new laws that are required to achieve the goals of the policies.
- The LEGISLATION sets out the law and, therefore, the standards, procedures, and principles that must be followed. If a law is not followed, those responsible for breaking them can be prosecuted in court. So, if policy sets out the goals and planned activities of a Ministry or Department / Directorate, the legislation enables the Government to put in place the necessary institutional and legal frameworks to achieve these goals.

Legislation must be guided by current Government policy. Policies tend to evolve and adapt over time under review processes, while laws tend to be fixed for much longer periods. Legislation can be amended, but this happens on a much less frequent basis.

Despite the differences between policy and legislation, there is a nexus between the two in achieving the policy objectives. While policy explains government intentions on "what they wanted to do, why should it be done, and who is responsible," legislation ensures specificity on accountability (who is accountable) for achieving the policy objectives.

