MINIMUM REQUIREMENTS

Implementing WASH Governance Projects

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Introduction

After six years of implementing a governance approach in the delivery of WASH services, a number of lessons and good practices have been learned along the way. This guide attempts to capture the minimum requirements that must be met to effectively carry out WASH Governance Projects. It describes the principles, standards, and process that must be adhered to by all ASDSW staff and partners.

The guide should be used along side other technical guidelines produced by ASDSW and other external resources that has been contextualised for use in Philippine setting. References are linked to this guide for easy access.

The guide begins with a description of the key principles and approach that underpin the design of a WASH governance program. This is followed by a diagram of the overall process that highlights key steps and milestones. A set of minimum requirements for each step elaborates on the process, and suggests ways to improve sustainability and impact. Users are urged to consider them always in relation to their own specific requirements, adapting and applying them within the context of their actual situation.

Key Principles and Approaches

The following are excerpts taken from the UN Special Rapporteur "Handbook on the Human Right to Safe Drinking Water and Sanitation" (Albuquerque, 2014).

Human Right to Water and Sanitation

The recognition of the Human Right to Water and Sanitation has a more than 20 years history of international discussions. On July 28, 2010, the UN General Assembly recognized in Resolution A/RES/64/292 "the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights".

The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use.

The human right to sanitation entitles everyone to sanitation services that provide privacy and ensure dignity, and that are physically accessible, affordable, safe, hygienic, secure, and socially and culturally acceptable.

Rights-based approach

Rights-based approach to development is "a way of thinking about, designing and managing development programmes that is guided by the legal standards found in the range of international human rights treaties and conventions, and the values and principles that inform them."[1] Listening to affected communities is key in the practice of a rights based approach to WASH programming. Community members are recognised as primary change agents and community-led project design, implementation and monitoring is important wherever feasible.

The following are the key elements of a rights-based approach:

- Use and application rights
- Accountability
- Empowerment
- Participation
- Non-discrimination and attention to vulnerable groups

Non-discrimination

The principle of non-discrimination prohibits the less favourable or detrimental treatment of one individual or group based on a prohibited ground, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Equality

"Equal does not mean 'the same' nor 'identical treatment in every instance'. Human rights law requires equal access to basic services, but this does not mean that everyone must benefit from the same technical solutions or the same type of service, such as flush toilets. Equality does not imply treating what is unequal equally. People who are not equal may require different treatment in order to achieve substantive equality. States may need to adopt affirmative measures, giving preference to certain groups and individuals in order to redress past discrimination."

[1] OXFAM, "Rough Guide to Rights-Based Approaches to Development", 2005

Access to information

Access to information, itself a human right, is critical for realising all other human rights and is a prerequisite for active, free and meaningful participation. Governance and accountability can only be strengthened by an informed public that is able to hold the State to account for decisions made and services delivered. Openness is one of the best antidotes to corruption.

People need to have access to information:

- for democratic engagement, such as through community councils and participatory budgeting;
- for active, free and meaningful participation in the design of policies and planning on water and sanitation related issues;
- to monitor their representatives and hold them accountable; and
- to make daily decisions about their use of water and sanitation services.

Access to information must be "full and equal" and information must be clear and consistent and presented in different formats and appropriate language to be understandable. In order for people to respond appropriately to the information presented, it must be provided well in advance of any opportunity to provide input.

Participation

Article 21(a) of the Universal Declaration of Human Rights states that everyone has the right to take part in the government of his or her country. The 1986 UN Declaration on the Right to Development requires participation to be "…active, free and meaningful". The essential elements for ensuring active, free and meaningful participation set limits on the use of tokenistic forms of participation, mere sharing of information or superficial consultation.

- People are involved in setting out the terms of engagement (i.e., determining the terms of participation, the scope of the questions to be addressed, how they are framed, and rules of procedure).
- States have an obligation to create opportunities for participation, and eliminate barriers to participation. Other barriers may relate to language, literacy, meeting times, venue, advance registration, and physical access. If deadlines for public input into a proposed law or policy are too tight, some individuals may be excluded. Meeting times may be a barrier for an entire community if times fail to take into account people's livelihoods, for example, seasonal migration in pastoralist communities.
- Enabling people to access participatory processes — The most persistent barrier to participation may lie in surmounting a culture of low expectations and cynicism, held among both, individuals and public officials. States should revise the incentive structures for public officials so that they are rewarded for facilitating authentic participation. This may require training on facilitation and inter-personal skills.
- Guaranteeing free and safe participation — Free participation rules out any form of coercion, inducement, manipulation or intimidation, whether direct or indirect. There must be no conditions attached, such as linking a person's access to water and sanitation to attendance of a public hearing. Participation must not have been secured through bribery or the promise of a reward. Participation must be safe. People must be able to voice their concerns freely or request information without fear of reprisals or discrimination. This implies, for instance, that armed forces must not be present at hearings.

- Providing reasonable opportunities to influence decision-making — Meaningful participation entails more than expressing an opinion: the views expressed must be able to influence both the process of decision-making as well as the outcome. Where people are involved in processes that have no impact on policy-making, the potential for frustration is enormous. The Aarhus Convention requires that public bodies take due account of the outcome of public participation and notify the public of the decision made, giving reasons and spelling out what was considered in reaching the decision.

While communities have various vital roles to play in constructing and managing their own services, States retain the obligation to ensure that services are adequate through support, regulation and oversight. Participation in decision-making must not be confused with 'free labour' in the construction of facilities. The delivery of water and sanitation services is often seen as complex, technical and best solved by experts. This can be used as pretext to exclude people from decision-making, on the basis that issues are too complicated for lay people to understand. Experts have a vital role to play, but ideally act as facilitators, helping to synthesise expert knowledge and enabling people to take informed decisions.

Participatory processes will not automatically include everyone. When no specific measures are taken, men, majority ethnic groups, wealthier, more educated households, and people with a higher social status tend to dominate participatory processes. Even when they are able to take part in meetings, marginalised people often exercise self-censorship, being intimidated either by the presence of others with 'higher' status, or by formal procedures. The crucial thing is to make deliberate efforts to guarantee extensive inclusion.

Sustainability

Sustainability is a fundamental human rights principle essential for realising the human rights to water and sanitation. The human rights framework warrants a holistic understanding of sustainability as the direct counterpart to retrogression. For services to be sustainable, they must be available, accessible and affordable to everyone on a continuous and predictable basis, without discrimination.

Human rights law requires progressive realisation towards fully realising the human rights to water and sanitation for everyone. Once services and facilities have been improved, the positive change must be maintained and slippages or retrogression must be avoided. Sustainability is more than mere reliability or functionality. Water and sanitation must be provided in a way that respects the natural environment and ensures a balance of the different dimensions of economic, social and environmental sustainability. Services must be available for present and future generations, and the provision of services today should not compromise the ability of future generations to realise their human rights to water and sanitation.

States must plan holistically, aiming for sustained, universal coverage. It is the State's obligation to develop its vision of how to ensure services for everyone and forever, including in instances where other actors are involved in service provision. States must devote the necessary financial and institutional resources to operation and maintenance in order to avoid retrogression. During periods of growth, States should plan for the long-term realisation of the human rights to water and sanitation so as to build resilience for times of crisis. States must strengthen the capacity for coordination and integrated planning.

Sustainability strategies are therefore crucial to guarantee permanent operation and maintenance and to plan with governments and communities for phased exits, local ownership and the necessary government regulation.

While sustainable service provision relies on raising sufficient revenue for maintaining, improving and expanding systems, this must be achieved in such a way as to ensure the social dimension of sustainability for all people, including those living in poverty. The human rights framework does not require water and sanitation services to be provided free of charge, but they must be affordable, requiring a safety net for those who cannot afford to pay (full) costs.

As resources are scarce, policy-makers may perceive a dilemma of prioritising sustainability ("forever") or expanding services to those yet unserved ("everyone"). The human rights framework stresses the imperative of achieving equality through the efficient use of resources. States must eliminate inequalities in access and expand access to minimum essential service levels before improving service levels for those already served.

The principles of sustainability and equality complement each other: true sustainability can be achieved only when everyone has access to services.

Governance Framework

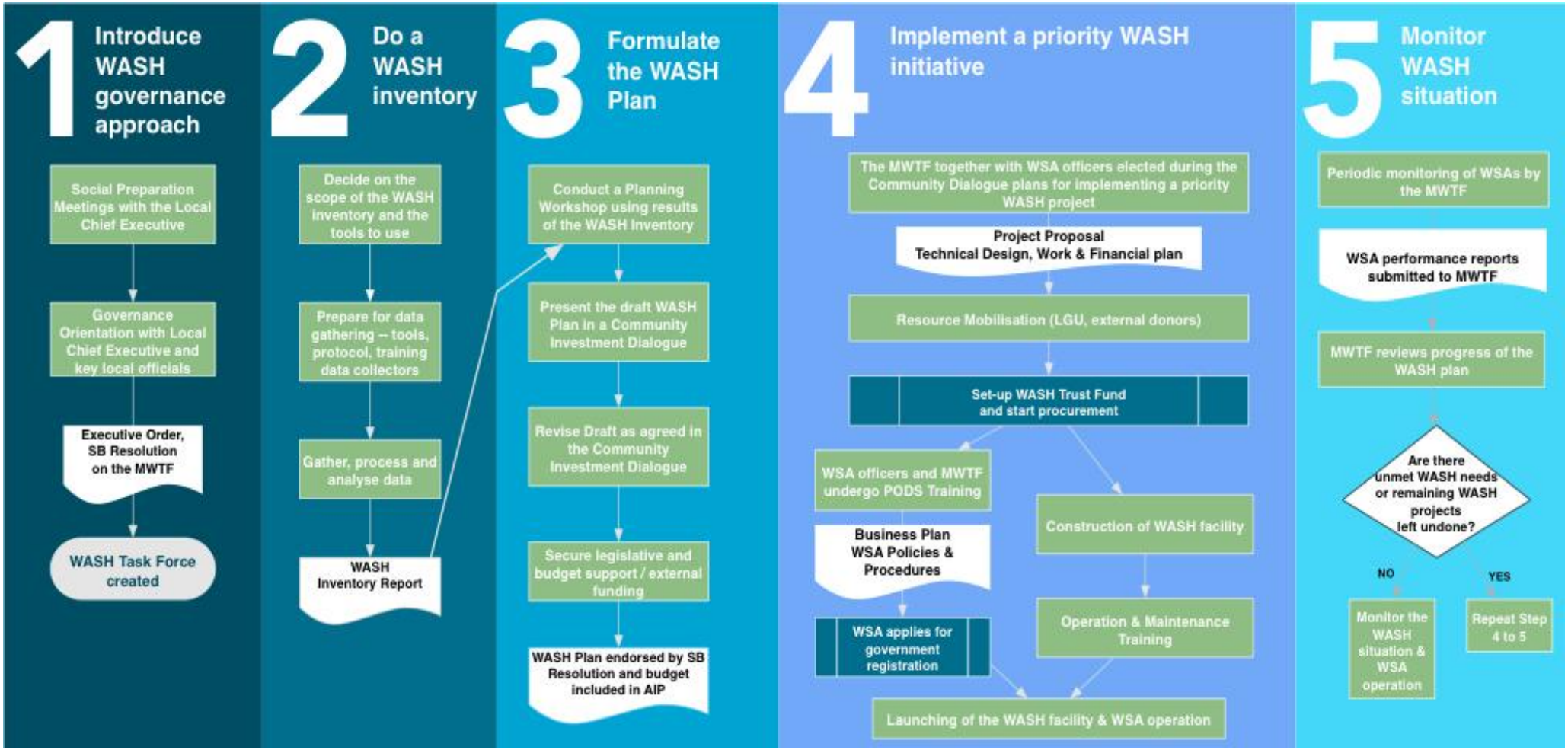
The following are excerpts taken from the WASH Field Guide published by the LGSPA in 2009.

The Governance Approach in WASH service delivery as one that recognizes that local stakeholders are in a prime position to respond to WASH challenges in their locality. Armed with knowledge of local assets, needs and socio-cultural considerations, they can work with resource providers to generate effective and responsive measures.

However, beyond localizing responsibilities for WASH, the Governance Approach ensures that dynamic relationships are established among local governments, citizens, civil society organizations, business, government agencies and other stakeholders. And, in the course of the engagement the different stakeholders are empowered. By being able to negotiate among themselves that services ought to be delivered to achieve specific targets, by agreeing on approaches and standards and by exchanging feedback and resolving problems, local stakeholders engage in empowering relationships that characterize dynamic local governance.

The Governance Approach is a process that recognizes the value of participation and involvement of stakeholders beyond the public institutions (government agencies and LGUs). Thus civil society involvement is a must in this approach. The approach values the establishment of services such as water and sanitation systems because they can help meet WaSH needs of communities. However, the Governance Approach also subscribes to the belief that building capacities of local stakeholders to analyze the status of their resources, making informed choices and taking responsibility for their implementation are equally important change areas. Changes that will ensure that in the future, water and sanitation systems and hygiene education services will continue to be provided.

Process Diagram



Municipal WASH Task Force

Description	An LGU-based structure composed of key community members and local officials with mandates related to water, sanitation and hygiene. (DILG refers to this as WatSan Council)
Purpose	Functions to coordinate all WASH-related concerns of the locality — either a municipality or province, and to monitor the progress of achieving the objectives of the WASH Plan.
Duration	Set-up phase will take a maximum of two weeks, including social preparation meetings, orientation and signing of appropriate local ordinances.
Setting-up a WASH Task Force	1. Social Preparation meetings with local chief executive and key local officials (Health Office, Planning and Development Office, EWSM, Health Board) to introduce the team, project concept, gather support and set initial project activities. 2. Governance Orientation with potential core members of the WASH Task Force. Purpose of the orientation is to level off on the governance approach and expectations on the roles of key stakeholders — government, communities, and the project facilitator (ASDSW). See sample Governance Orientation Pack. 3. Policy formulation - WASH Task Force is formally created by an Executive Order and further supported by a Resolution. See sample TOR, EO, and SB Resolution. Reference: "WASH Field Guide, A Governance Approach to the Delivery of WASH Services," Chapters 1-2 (page 7-37), LGSPA, 2009
Key points for sustainability	• Composition - Identify core and technical working group (TWG) members of the Task Force. Distinguish the function and reporting lines of the Core Group and the TWG. Identify permanent alternates of key officials sitting as core group members. Identification and coaching of potential champions. • Role Distinction - Clearly identify the roles and deliverables of each core MWTF member. • Links with WSA - Clarify WTF's engagement with existing water cooperatives or associations, and those that will be created in future WASH projects. • Duration of Task Force existence — The Task Force is expected to exist throughout the WASH Plan, at the minimum, and its extension is contingent to the completion of the WASH Plan goals and objectives (and not the ASDSW project).
Key points for impact	• Ensure that national policy statements are reflected in the local ordinances creating the WASH Task Force. Check the following legislation for reference - DRRM Act RA10121, Climate Change Act, Water Supply and Sanitation Road Map, GAD, MDG, DILG Code • Launch the WASH Task Force — making them known to the community, their commitments and planned activities. • Model how to facilitate an effective meeting for the MWTF and the TWG. • Clearly communicate and agree on the meeting frequency based on project timeline initially and, thereafter, as part of the Local Health Board meeting.

WASH Inventory

Description	Evidence-based report on the current situation of water, sanitation and hygiene in the locality in terms of access to water and sanitation facilities and hygiene practices.
Purpose	Aid in identifying and prioritising WASH needs critical to the locality, and use the results as basis for the WASH Plan.
Duration	Takes two weeks to complete from training to data collection, analysis and report writing, depending on the number of respondents, enumerators and access to sites.
Conducting a WASH Inventory	1. Agree on the scope of the WASH inventory (Site Selection) - LGUs have different needs and may want to focus on a certain number of barangays that remain without access to safe drinking water or to improved sanitation facilities. 2. Prepare for data gathering - Revise existing tools, such as household survey, to suit the objectives of the WASH inventory. Prepare a data gathering protocol that will serve as a guide for training data collectors in the use of the different tools — observation checklist, PRA tools, survey, focus group discussion and records review. Gather the necessary data for the sampling frame to start the survey. Inform the target community on the objectives of the WASH inventory prior to actual data gathering. See sample survey questionnaire and PRA tools. 3. Gather, process and analyse the data - Processing survey data entails simply doing a tally of the responses on a blank survey questionnaire, or generating the tables using an appropriate survey software for smartphones or tablets. 4. Write the report - Ensure that the report includes not only the objectives and results, but also a detailed description of the methodology used and data limitations to allow replication and comparison in the future. Reference: "WASH Field Guide, A Governance Approach to the Delivery of WASH Services," Chapter 3, pages 39-61, LGSPA, 2009. "WASH Program Manual," pages 9-19, 4th edition, ASDSW.
Key points for sustainability	• Leadership - It would be useful if the Municipal Health Office (MHO) leads the conduct of the WASH Inventory, in conjunction with other members of the MWTF, as they will have other uses for the data gathered from it. Data from the inventory can also be used in reporting MDG achievements and rating the LGU scorecard. The MHO would also be a key source of secondary data. • Support - Get the support of Barangay Health Workers and Rural Sanitary Inspectors during data gathering as they are knowledgeable on the terrain and would often be familiar with the concepts and terminologies used in the WASH inventory. • Partnership - Collaborate and partner with willing colleges and/or universities within the same locality to support the conduct of the WASH inventory. College students can support data collection & processing, while faculty members can act as advisors or as a reference group in the tool development and data analysis. Having a local partner with competencies in doing surveys and the use of PRA tools allows us to tap into local capacity and link them with government as a support mechanism, even after ASDSW's intervention.
Key points for impact	• Ensure that there are both women and men data collectors in the field team. • Ensure the participation of both women and men, and other vulnerable sectors during the focus group discussions to get a balanced view. • Focus group discussions should clearly highlight how relations between men and women and their roles and opportunities are differently affected due to poor access to water and sanitation facilities. In the same way, differentiate access to water and sanitation, coping mechanisms and capacity of various livelihood groups and across vulnerabilities. • Inclusion of CSO's etc. of other marginalized groups, ie. IP's, PWD's, Moslem Communities in Christian dominated areas, informal settlers to give voice as part of data gathering.

Municipal WASH Plan

Description	A three-year plan that outlines the local government priorities and strategic responses to its water, sanitation and hygiene needs. Known as MW4SP in the DILG, which is in line with the CDP-ELA and MLUP
Purpose	To establish a roadmap for improving the delivery of WASH services; provide a clear measure of achievements, motivate key stakeholders to participate and hold them accountable to the sustained delivery of WASH services.
Duration	Takes four (4) days to complete using the results of the WASH Inventory.
Crafting the WASH Plan	1. Undergo a planning workshop with MWTF members - The WASH plan is drafted through a series of workshop sessions with the MWTF members. A separate BCC plan should be completed alongside the WASH plan. 2. Conduct a Community Investment Dialogue - Present the WASH plan to the community through a series of consultation and dialogue. This is an opportunity to generate community commitment, demonstrate leadership and accountability. It is also through this series of dialogue where WSAs will be formed and elect officers that will manage the operation of the WASH facilities. See job description and qualifications requirement for each WSA officer post. 3. Secure legislative and budget support - Advocate for the adoption of the WASH plan, and appropriation of funds for priority WASH projects through a municipal / provincial board resolution and/or executive order. See sample EO or Municipal Resolution, and sample WASH Plan. 4. Resource mobilisation through external funding - Priority WASH projects may likely entail additional funding, not only coming from the Municipal LGU, but also from external sources — e.g., DILG Salintubig Program, LWUA loan facility, other donors. Reference: "WASH Field Guide, A Governance Approach to the Delivery of WASH Services," Chapter 4, pages 63-92, LGSPA, 2009 "WASH Program Manual," pages 19-23, ASDSW
Key points for sustainability	• The WASH Plan should strategically align with the Comprehensive Development Plan (CDP), the Executive and Legislative Agenda (ELA) of the municipal government, and with the Provincial Water Supply, Sewerage and Sanitation Sector Plan (PW4SP). The WASH plan should be adopted with a corresponding resource allotment in the Annual Investment Plan (AIP). • The process is participatory and includes both MWTF and WSA in putting together the plan. A WASH Plan is a direct translation of government policy and commitment and should therefore be adopted by appropriate local legislation and allocated necessary resources • Community Investment Dialogue is a series of meetings that provides enough time for the community to get to know and understand WASH plan, and at the same time search for suitable WSA officers and BOD members for potential service or product providers. • If possible, a search committee for the WSA BOD should be set-up with clearly enumerated criteria for selection. BOD members should include members with a variety of background and sectors — academe, religious, health, business, women's groups and predominant livelihood groups in the community. The WIN resource map may provide preliminary information on this. Elected public officials or civil servants may take part as Board Members (not as BOD officers) to represent the BLGU and/or the MWTF where WSA is operating. • Selection of WSA management staff, may be elected or may go through formal recruitment process, depending on the agreed process with the community.
Key points for impact	• Presenting the WASH plan to the community will require creativity to clearly communicate the plan while also encouraging community members to be critical and offer alternatives. Put more emphasis on communicating in simple terms what we are trying to achieve more than just a run down of activities. • The opportunity to present the plan to the community and get their support on it is an act of forging a social contract. It is important to clearly agree on what is expected from both parties — the community and the government, and know the mechanisms available to send feedback or complaints. • Community consultations should strive to reach not only traditional leaders but also representatives of all vulnerable sectors, and ensure that there is adequate representation and participation from both women and men.

Implementing WASH Initiatives

Description	Priority projects in the WASH plan are implemented with A technical and management training program for local leaders and other community members on setting-up and running a Water and Sanitation Association (WSA).
Purpose	Intends to build the capacity of WSAs to implement a viable water and sanitation facility.
Duration	Training takes four to six weeks
How to set-up?	1. Planning for priority WASH project - The MWTF leads the crafting of the project proposals, with support from the Technical Working Groups for the technical details, work and financial plan of the project. 2. Resource mobilisation - Funding for priority WASH projects may either come from the LGU, national government agencies or other external donors (multilateral agencies, charitable organisations, private sector). 3. Set-up a Trust Fund and start procurement process - The Trust Fund (or a subsidiary ledger under an existing Trust Fund) may be set-up only for the duration of the WASH priority project, or throughout the lifetime of the WSA if the latter will be directly managed by the LGU. See Guide to Ring-Fencing of Local Government-Run Water Utilities (WSP, 2012). 4. People Offering Deliverable Services (PODS) Training for WSAs - Elected WSA officials will go through technical and management trainings which will support them in understanding institutional and legal requirements of running a WASH facility, including its administration, commercial, financial, and social aspects. See People Offering Deliverable Services Training Module 5. WASH Infrastructure Construction - Construction activities can start soon as procurement have been done. 6. Operation and Maintenance Training - Key WSA technical staff and community members will be trained on the requirements of operating and maintaining WASH facilities. 7. Launch the WSA operation and the WASH facility - Use this event to promote principles of transparency and accountability by way of sharing the policies of the WSA, introduce the officers of the WSA and MWTF, and share feedback mechanisms available to the community. See sample policies / operations manual of the WSA. Reference: Rural Water Supply, Volume 1-3, World Bank, 2012
Key points for sustainability	• Community members are encouraged to take part in "Bayanihan" or voluntary service or in the construction of the facilities, as "sweat equity". An alternative is to implement a food-for-work scheme. Either way, it is important to use this process as a way to popularise the project, and introduce a different governance approach — where community members are not passive recipients of a project. Note that creative models of engagement are needed during construction and start up for full engagement within the local resource and situation constraints. • Incentives for WSA management and staff is projected to change into meeting minimum wage rates. The budget / financial plan should clearly identify the triggers (number of service connections, collection rate, tariff) for considering increases in incentives or to change from incentive to salary scheme. • Ensure that WSA management staff are oriented on how to re-calculate the tariff once parameters have changed. This can be facilitated using a tariff setting template on simple excel sheet, where the formula has been pre-defined and locked to protect from accidental changes.
Key points for impact	• Consider having different tariff rate for each user type (business, residential) and, be open to explore subsidy or other forms of tariff for those that cannot legitimately afford. Other tariff payment options may include — payment in kind (products or goods) or community service (hours). • Be mindful of government procurement process as this will entail some time before actual construction work can start. • Appropriate memberships to government regulatory bodies to provide legitimacy and oversight.

Monitoring WASH situation

Description	Monitoring activities are regularly conducted throughout the year involving MWTF and the WSA BOD and management, and results are reported back to the community.
Purpose	Increase development effectiveness by enhancing the availability of information, strengthening citizen voice, and promoting dialogue and consultation. A stronger citizen voice empowers the poor and increases the chance of greater responsiveness on the part of the government to their needs. Improve governance by sharing the result of monitoring activities so as to allow ordinary citizens access to information, voice their needs, and demand accountability and, thus increasing the chances of effecting positive change.
Duration	A series of monitoring activities conducted regularly over a calendar year.
How to set-up?	1) WSA submits monitoring report to MWTF based on agreed key performance indicators (KPI). See sample KPIs. 2) MWTF regularly reviews the WSA operations, the WASH plan targets and remaining tasks / projects - Monitoring is done at two levels: a) to ensure that municipal level WASH targets based on the WASH plan are progressively achieved over time; and, b) to ensure that WSAs continue to deliver expected service levels, appropriate user fees are imposed (i.e., do not overcharge consumers), and that the services meet the applicable standards of quality and public safety. *The MWTF reviews the WSA operation and decides on appropriate support to be provided, or sanctions needed to safeguard public interest. The MWTF revisits the objectives of the WASH plan, and looks at remaining WASH needs and plans for next iteration of WASH projects.* 3) MWTF shares monitoring results with the general public through publication, general assembly of the barangays or the WSAs, or through mass media. MWTF also encourages the use of a local feedback mechanism which the general public can use to share their suggestions and complaints.

Key points for sustainability	• MWTF adheres to the rights-based approach in the delivery of WASH services. As such, the MWTF will take necessary steps to the maximum of available resources to progressively realise the right — not only in terms of increasing number of people with access to water and sanitation, with a view to achieving universal access, but also, an improvement in the general levels of service for present and future generations.
	• Frequency of monitoring reviews:
	  • WSA management submits to the MWTF monthly reports on the first six months of its operation, and every six months thereafter.
	  • The MWTF meets on a monthly basis on the first six months after the launch, and every six months thereafter.
	• Use of the monitoring data — Data collected on WASH should be shared and inform national government data requirements such as the Millennium Development Goals (through the Municipal and Provincial Health Offices), and the LGU Scorecard on Health in terms of budget and coverage for WASH.

Key points for impact	• The MWTF should direct special attention on increasing investment and effort on realizing the rights of the most disadvantaged and marginalized groups, who face particular barriers to accessing safe water and sanitation. Priority on expanding the WASH services to underserved areas is greater than those requiring improvement in service. This is done by using the results of the monitoring and evaluation for input into the CDP-ELA and AIP's.

Calendar of Activities

Schedule	LGU/NGA activities	MWTF activities	WSA activities
December *(previously set on April)*	Budget Call from DBM	Engage local budget process to propose priority WASH projects	General Assembly called to report on finance and operations status
January		MWTF monitors WSA activities, revisits WASH plan	
May - July	Bilateral discussions between DBM and agencies	Engage local budget process to propose priority WASH projects	
Late July	Presidential approval of final budget proposal		
Late July/ early August	Budget proposal submitted to Congress		
July		MWTF monitors WSA activities, revisits WASH plan	
Month 1 of WSA operation		MWTF reviews WSA operation	WSA submits KPI monitoring report to MWTF
Monthly			Produce monthly KPI report for WSA Board of Directors meeting
Once every two months		DOH / MHO water testing for Level 2 water supply system	
Monthly		DOH / MHO water testing for Level 3 water supply system	
Every 2 years			BOD election
Updated every 3 years	Drafting and final submission of the Comprehensive Development Plan	WASH Inventory conducted to support the update needed in the CDP	

Source: “Budgeting in the Philippines”, OECD Journal on Budgeting Volume 2010/2; Delantar, C. “The Updated Budget Operations Manual on Local Government Units”, DBM; Microbiological Sampling Frequency for Public Water Sources, DOH, 2007