

SECTION THREE: CREATING THE ENABLING ENVIRONMENT

Changing the enabling environment so that investments in sanitation and hygiene promotion are consistently more effective, is a challenging task. In many countries or regions, the sort of high-level changes which are required (in policies, financial instruments, organizational arrangements and so on) may require changes to legal and regulatory instruments. Even if this is not required, for such changes to be translated into reality they have to be widely owned and accepted. For this reason such systematic changes may have to develop slowly. Programmers may have to find pragmatic ways of making progress on the ground in the meantime.

This section discusses the sorts of changes which might be needed in the long run to secure consistent and effective sanitation and hygiene promotion programmes. **Chapter 3** talks about changes in policies which may be needed to facilitate a new role for government and the inclusion of new actors in sanitation and hygiene promotion. **Chapter 4** discusses how to make decisions about allocating resources between regions and between activities. **Chapter 5** discusses what is known, and what you need to know, to design and roll out new financial instruments which can promote effective sanitation and hygiene promotion. **Chapter 6** talks about appropriate arrangements for delivering services in terms of roles and responsibilities for different types of activity. **Chapter 7** discusses the requirements for monitoring and evaluating sanitation and hygiene promotion at the programmatic level.

This section should be read selectively by people who are involved in making long-term changes to the way sanitation and hygiene promotion are carried out. Many readers will of course be considering the subject within the context of wider poverty alleviation strategies, so the ideas and recommendations included here should be read in the context of other changes you may be making to the delivery of social services.

Chapter 3 Sanitation and Hygiene Policies

3.1 The Policy Context

Policies are defined as the set of procedures, rules, and allocation mechanisms that provide the basis for programmes and services. They set priorities and provide the framework within which resources are allocated for their implementation. Policies are implemented through four types of instruments:

- **laws** that provide the overall framework;
- **regulations** in such areas as design standards, tariffs, discharge standards, practices of service providers, building codes, planning regulations and contracts;
- **economic incentives** such as subsidies and fines for poor practices; and
- **assignment of rights and responsibilities** for institutions to develop and implement programs.

More details on the development of economic incentives and assignment of rights and responsibilities can be found in **Chapters 5, 6 and 7**.

In order to work out whether changes are needed to the policy framework, programmers need to provide answers to the following core questions:

- Are existing policies adequate?
- Will they result in the implementation of the vision for sanitation and hygiene promotion?
- How are these policies translated into programmes?
- How effective are these programmes in improving services?

3.2 Signaling Public Policy Objectives

The policy framework provides the instruments (guidance, positive incentives and penalties) which turn public priorities into reality. Policy may deal with:

- **Targeting of Resources** (see Chapters 6 and 9): Policies can be used to signal where resources are to be spent (which aspects of sanitation and hygiene promotion are to be funded, to what levels) and which communities should be targeted.
- **Equity:** Policy statements, laws and budgetary allocations can be used to steer resources to specific social groups or geographic areas. They can also support an equitable programming process by enabling the participation of marginalized groups or organisations (it could for example, require that public consultations on hygiene issues are always attended by an umbrella body which represents the interests of indigenous people).
- **Levels of service** (see Chapter 10): Appropriate interventions may range from hygiene promotion alone, through the provision of simple sanitation systems, to improved levels of service including indoor flush toilets. School sanitation and hygiene promotion will be a key element in most programmes. Policy can signal (a) what levels of service are acceptable (ie are there minimum health, safety and environmental standards which need to be maintained?); and (b) what activities will be promoted (through the provision of subsidy perhaps, or support to specific providers). Levels of service decisions are usually reflected in technical norms and standards used by engineers, in building codes, planning regulations and in allocations of funding (see above). Historically, technical standards have tended to prohibit anything but the “highest” levels of service which stifles innovation and prices most households out. This may need urgent review. Adopting standards which focus on outcomes rather than those that specify inputs (ie defining safe separation of faeces from human contact, rather than discussing bricks and mortar) may help to promote innovation and enable flexibility if the situation changes (due to emergencies, influx of refugees, change in school populations etc) See Section 4.7 for examples of where this has happened in practice.
- **Health considerations:** The policy framework needs to provide for the full range of interventions (access to technology, promotion of hygienic behaviours and the enabling environment) which will enable households to improve their health status. Policy statements and even laws may be particularly useful in providing incentives for hygiene promotion to take a more prominent role over “traditional” latrine construction or ahead of curative health care.
- **Environmental considerations:** Sanitation is increasingly seen as a key issue in environmental protection. Improper disposal of human wastes can pollute water bodies, groundwater, and land surfaces and affect the quality of life for those living in the area. In addition, the economic impact of environmental degradation on tourism, fisheries, and other industries sensitive to pollution is a growing problem. Policies may be needed to address environmental protection, but these should be placed in the context of priorities (care is needed to ensure that environmental regulations do not inadvertently preclude incremental progress in household sanitation for example).
- **Financial considerations** (see Chapter 6): Policies may be needed to provide guidance on who will pay for what. This is particularly important where there is a shift away from a traditional ‘subsidised latrine’ approach – but will also be necessary where a particular revenue stream is to be allocated to financing aspects of the programme. Whether or not such allocations need to be enshrined in law depends on the context.
- **Institutional roles and responsibilities** (see Chapter 7): Policies, or at the least, a high level policy discussion may be needed to ensure that roles and responsibilities are clearly defined (a) between public agencies; and (b) between public and private/civil society agencies. A policy forum may also be able to provide effective interagency coordination. Importantly policy change may be needed to enable small scale independent providers, non-governmental organisations and other civil society groups to effectively play a role in promoting and implementing household level and community sanitation and hygiene promotion activities. Some of these organisations may need legal recognition in policy. The development of institutional policy must also consider how organisations charged with given responsibilities will implement them, and how their capacity may need to be strengthened. Again, explicit attention must be paid to how organisations are to be funded.

3.3 Locating Policy

Very few countries currently have explicit stand-alone “sanitation and hygiene promotion policies”. Recent research by USAID and EHP found only three examples (Nepal, Republic of South Africa and Uganda) where such a policy could be said to exist. Such a unified policy may not be required in every case. Well known examples of successful programmes often pull in expertise from the health, education, water supply and sanitation, and social development fields, and make use of staff from a range of organisations. Policy dialogue could thus take place in a number of ways through:

- the development of a single unifying policy framework around which all organisations can develop their appropriate approaches and inputs (as for example in South Africa);
- the inclusion of sanitation within a wider poverty-reduction and economic development framework (as for example in Uganda, and at the local level in the city of Johannesburg); or

3.4 Building on what exists

The legality of the policy framework is a key determinant of its legitimacy. Policies must therefore be rooted in the conventions of local laws, legislative acts, decrees, regulations, and official guidelines. For this reason information about existing legal conventions is essential to the development of effective policies (see **Reference Box 8**).

Policy development also needs to be based on a good understanding of: the basic situation (population, coverage, investments; health status); institutional contexts (including the performance of service providers); how people are currently accessing services; what works (even on the small scale locally); and what has potential to be scaled up.

Importantly, there is no point in developing policies that are beyond the capacity of the current institutional set up. This returns us to the theme of a cyclical process –

3.5 Applying the Principles

Policy development as a process can provide opportunities to analyse and debate what works at the implementation level. When approaches are recognised as part of the long-run solution to the sanitation and hygiene pro-

- through inclusion of aspects of sanitation and hygiene promotion in policy relating to all relevant sectors (including health, education, housing, urban and rural development etc).

While it is not possible to define *for every situation* how policy should be framed, a useful principle might be to minimize policy at every level, to ensure that, wherever possible, responsibility is delegated downwards (to local governments, communities and ultimately households). In some cases, however, the existence of policy at a “higher” level may be a useful incentive to improve performance (examples might include national regulation for protection of the environment, and regulatory oversight of private sector providers provided at a level higher than where the day-to-day contractual relationship with the public sector is managed).

policy is needed to improve *current performance in the short run*, and to create incentives to *strengthen the overall institutional context in the longer run*.

Reference Box 8: Sanitation policies

For: approaches to assessing current policy

See: Elledge, Myles F., Fred Rosensweig and Dennis B. Warner with John Austin and Eduardo A. Perez (2002) *Guidelines for the Assessment of National Sanitation Policies* Environmental Health Project Contract HRN-I-00-99-001 I-00, Washington D.C.

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motion challenge they can be converted into policy. Those leading the policy development process can ensure that the principles of good programming are applied both in the process and in the outcome (see **Table 4**)

Table 4: Applying the Principles to Policy Development

Maximising public and private benefits	Achieving Equity	Building on what exists and is in demand	Making use of practical partnerships	Building capacity as part of the process
Use policy to signal <ul style="list-style-type: none"> ● Targeting of resources ● Levels of service ● Health aspects ● Environmental priorities ● Financial approaches ● Institutional roles and responsibilities 	Use policy instruments to steer resources to areas which have been neglected Provide protection for marginalized groups of individuals within organisations or for marginalized organisations	Root policy on good understanding of the existing legal framework, institutional context and existing practices Align policy with appropriate financial and institutional instruments	Make efforts to link policy upwards (to gain political support) and downwards (to gain acceptance and implement on the ground)	Consider policies which will build capacity, and use policy development as part of the capacity building effort

3.6 Programming Instruments

Policy reform takes time. Strong political support will accelerate the timeframe, but policy change is a long-run objective of programming. Where possible, programmers should maintain support for efforts to make practical progress on the ground in parallel with the policy development process. This can be achieved through:

- creating space and 'waivers' of existing regulations to enable localized innovation and testing of new ideas;
- policy-related evaluations of pilots and investment projects;
- establishing technical working groups to review technical norms and standards, building codes, professional training etc; and
- capacity building for regulators.

3.7 Practical Examples from the Field: What policy changes should we make?

The government of Bangladesh has long been committed to improving the sanitation situation in the country. However recent research by WaterAID, showed that while subsidies (the core plank of government sanitation policy) gave people the "opportunity" to construct latrines they did nothing to generate the "capacity" to do so. In contrast the Bangladeshi NGO Village Education and Resource Centre (VERC) has shown that communities acting together can take steps to significantly improve their sanitation situation¹. Villages where VERC has worked have developed a whole range of new approaches to solving sanitation problems, including the development of more than 20 new models for low-cost latrines. These achievements took place with almost no policy direction at all, almost as if the absence of any policy *constraint*, coupled with the commitment of VERC to find solutions to the problem, unlocked communities'

ability to solve a problem for themselves. Analysis of this story might lead one to think that no policy is sometimes better than some policy. Another interpretation is that the most useful policy changes would relate to a redirection of some public funds from subsidies, to support to participatory planning, and an evaluation of whether technical norms and standards could be reorganized to generate incentives for technicians to add their expertise to local efforts to develop new latrine models.

The critical nature of technical norms and standards in determining sanitation outcomes is very clear. In India the widespread adoption of the Twin-Pit Pour Flush Latrine (with its associated high cost and high level of subsidy) may have been the single biggest constraint on scaling up access to rural sanitation in the past 15 years. By contrast, in La Paz-El Alto, Bolivia, the efforts of the private oper-

ator of the water and sanitation network, with support from the Swedish International Development Cooperation Agency (SIDA) and the Water and Sanitation Program (WSP) resulted in the development of the condominium approach to sewerage sanitation in the poorest neighbourhoods of the city (The approach was pioneered in Brazil, and this project was an important step in its replication as it was expanded into Bolivia for the first time). This experience enabled sanitation to be provided to indigenous groups who had hitherto been excluded from service provision, and resulted in adoption of the low-cost technology as a standard for the utility for all income groups. The specific provision of funds from SIDA to support WSP in technical training and advocacy of the approach, resulted in a change in the national norms and standards, which have enabled condominium sanitation to be rolled out in other municipalities.

Outside technical norms and standards, housing and planning policy probably ranks highly in terms of influ-

encing sanitation outcomes. Where access to sanitation is bound up with land title (or lack of it) some poor populations are consistently excluded. On the other hand where land title is positively linked to household investment incentives to improve sanitation may result. In Burkina Faso, eligible communities can gain land title if they construct latrines inside their houses while in Montego Bay, Jamaica, USAID had considerable success in generating demand for household sanitation in poor neighbourhoods by providing the incentive of land title.

At the highest level though, a thorough review and overhaul of sanitation and hygiene promotion policy has been rare. Interestingly, in a review of 22 African countries, WSP found that only two (South Africa and Democratic Republic of Congo) included hygienic practices in their definition of access to "improved sanitation", an indicator in its own right that policies are not yet dealing with hygiene improvement as a whole in many cases.

Case Study Box 2: What Policy Changes should we make?

The analysis of the impacts of India's use of the TPPF latrine is based on **Kolsky, P., E Bauman, R Bhatia, J. Chilton, C. van Wijk** (2000) *Learning from Experience: Evaluation of UNICEF's Water and Environmental Sanitation Programme in India 1966-1998* Swedish International Development Cooperation Agency, Stockholm

South Africa's systematic reforms are described in **Muller, M.** (2002) *The National Water and Sanitation Programme in South Africa: Turning the 'Right to Water' into Reality* Field Note 7 in the Blue-Gold Series, Water and Sanitation Program – Africa Region, Nairobi and Elledge, M.F., Rosensweig, F. and Warner, D.B. with J. Austin

and E.A. Perez (2002) *Guidelines for the Assessment of National Sanitation Policies* Environmental Health Project, Arlington VA p.4

Information on Uganda's Reform Programme can be found in **Robinson, A.** (2002) *Water and Sanitation Sector Reform in Uganda: Government Led Transformation* Field Note 3 in the Blue-Gold Series, Water and Sanitation Program – Africa Region, Nairobi and Elledge, M.F., Rosensweig, F. and Warner, D.B. with J. Austin and E.A. Perez (2002) *Guidelines for the Assessment of National Sanitation Policies* Environmental Health Project, Arlington VA p.5

The El Alto experience is described in **Foster, V.** (n.d.) *Condominial Water and Sewerage Systems – Costs of Implementation of the Model* Water and Sanitation Program, Vice Ministry of Basic Services (Government of Bolivia), Swedish International Development Cooperation Agency

The review of definitions of access can be found in Water and Sanitation Program – Africa (2003) *Water Supply and Sanitation in Africa: How to Measure Progress toward the Millennium Development Goals?* Paper presented to SADC Meeting on Water Supply, Sanitation and Hygiene, Gaborone, Botswana August 4-7 2003

Notes for Chapter 3:

- i One of the core tools of the approach is the use of participatory exercises which explicitly look at how and where people defecate. A public transect walk which sees the whole community walking through the village identifying where each household defecates, the so-called "walk of shame", has become the "most important motivating tool, and in almost every case results in the setting up of the first community meeting to discuss solutions".