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**FICHES DE DONNÉES PAR PAYS
COUNTRY FACTSHEETS**

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TABLE OF CONTENTS

AUSTRALIA.....	3
BELGIQUE	8
CANADA	14
DENMARK	15
FINLAND.....	16
FRANCE.....	19
GERMANY	37
ICELAND.....	42
IRELAND.....	43
JAPAN.....	45
KOREA.....	48
NETHERLANDS	52
NORWAY	53
NEW ZEALAND	56
POLAND	59
PORTUGAL.....	62
SLOVAK REPUBLIC.....	69
SPAIN.....	70
SWEDEN.....	80
SWITZERLAND	84
UNITED KINGDOM	85

AUSTRALIA

New developments and/or innovative developments in the Australian Public Service

The Australian Government's recent focus for the public sector has centred on driving greater efficiency in administration and policy development, and improved service delivery to better support the competitiveness and productivity of the economy as a whole. There has been a continuing focus on the devolution of responsibility to individual APS agencies. This has involved inter-related and systemic changes to all aspects of management, including human resources, performance management, financial management and risk management, with the thrust of the changes being to increase agency and management flexibility and improve performance.

Some of the most significant recent changes are outlined below.

1. Structure of the Australian government sector

Since 1996 there has been an increasing emphasis on reframing the appropriate role of Government. This has included the privatisation of a range of government bodies, the outsourcing of particular functions and a reconsideration of the appropriate size and functions of the APS, with initial reductions in size followed by more recent growth as the APS takes on a range of additional responsibilities.

More recently, there has been a particular focus on the structure of the government sector. The implementation of the Government's response to the 2003 *Review of the Corporate Governance of Statutory Authorities and Office Holders*, (the Uhrig report)¹ has led to greater consistency in the APS in terms of how agencies are structured from a governance perspective. For example, the governance board of Centrelink (a major service delivery agency) was replaced with an executive management structure.

2. Employment framework

The APS employment framework has undergone significant reform since the early 1990s including the introduction of the *Public Service Act 1999* (the Act)². The key emphasis of the reforms has been devolving responsibilities to agency heads, providing them with greater responsibility and flexibility. At the same time the essential features that bind agencies together as a public service have been retained including the APS Values³ and the Code of Conduct⁴ which apply to all APS employees.

The notion of an APS-wide cadre of Senior Executive Service staff was reinforced by the release of the Management Advisory Committee publication *One APS—One SES*⁵. The Management Advisory Committee is a strategic committee comprising portfolio secretaries and agency head equivalents and is

¹ 2003 *Review of the Corporate Governance of Statutory Authorities and Office Holders*, (the Uhrig report) http://www.finance.gov.au/governancestructures/docs/The_Uhrig_Report_July_2003.pdf

Further guidance has been released in the *Governance Arrangement for Australian Government Bodies*, August 2005, located at <http://www.finance.gov.au/finframework/governance.html>

² <<http://www.apsc.gov.au/publications/legislation.htm>>

³ <<http://www.apsc.gov.au/values/index.html>>

⁴ <<http://www.apsc.gov.au/conduct/index.html>>

⁵ <<http://www.apsc.gov.au/mac/oneaps.htm>>

responsible for advising the Australian Government on matters relating to the management of the Australian Public Service, including improvements in public administration.

3. Service Delivery

Significant recent changes to the delivery of services have included:

- a strong focus in service delivery agencies on improving the quality of service to clients
- improved engagement with the community through initiatives such as Shared Responsibility Agreements and Regional Partnership Agreements with Indigenous communities
- increased use of ICT to deliver services (see below)
- the creation of the Department of Human Services to clarify lines of accountability between the agencies covered by the new portfolio and Ministers, and relationships between agencies and their portfolio departments, improve their responsiveness to Government direction, and to raise the quality of service delivery (including through the use of shared services).

4. Emphasis on whole of government approaches

There has been increasing focus on whole of government approaches across the APS and general government sector, with agencies working across portfolios to provide integrated responses to a broad range of challenges such as indigenous health, the environment and security, and crisis management.

One of the most significant whole of government changes has been the transfer of Indigenous programmes to mainstream portfolios, and the establishment of a network of whole of government Indigenous Co-ordination Centres to provide services.

5. ICT developments

Rapid improvements in ICT technology have been reflected in the APS in individual agency initiatives and in

- strategies to make government services accessible on-line, including whole of APS approaches (evolving from the on-line strategies to e-government strategy). The Government's e-government strategy *Responsive Government: A New Service Agenda*⁶ was launched in 2006. The strategy identifies four priorities:
 - meeting users' needs
 - establishing connected service delivery
 - achieving value for money
 - enhancing public sector capability
- a focus in the most recent e-government strategy on business process transformation to reform poorly designed and redundant business processes, and reduce duplication by combining similar processes across agencies.

⁶ <http://www.agimo.gov.au/publications/2006/march/introduction_to_responsive_government>

6 Programme Implementation

Concern over implementation of government policy has led to the establishment of the Cabinet Implementation Unit in the Department of the Prime Minister and Cabinet which encourages earlier and more effective planning for implementation of policy decisions, through government programmes and services. More recently, the Government introduced the Gateway Review Process (a project assurance methodology developed by the Office of Government Commerce in the United Kingdom), to improve the delivery of major projects on time and on budget, coordinated through a unit in the Department of Finance and Administration.

Improved capability in both these areas has been strongly promoted by the Secretary of the Department of the Prime Minister and Cabinet, the Secretary of the Department of Finance and Administration and the Australian Public Service Commissioner. The Office of Best Practice Regulation has also been established to implement a new regulatory framework to improve the analysis applied to regulatory proposals and hence the quality of regulation.

The APS has been examining how to reduce red tape for some time. In 2006, the Management Advisory Committee established a project team to develop a framework to promote the ongoing reduction in red tape and to minimise new red tape within the Australian Government.

The MAC report *Reducing Red Tape in the Australian Public Service*⁷ released in February 2007 sets out a principles-based framework that APS agencies can use to review existing regulatory and administrative requirements, as well as scrutinise future requirements. It reinforces good policy development practices and proactive ongoing management of requirements by agencies.

7 Political involvement in senior staffing decisions

*Appointment arrangements for departmental secretaries and chief executives*⁸

In the Australian Public Service (APS) the Prime Minister appoints all Secretaries (s. 58, Public Service Act). Before making such an appointment, the Prime Minister must take advice from the Secretary of the Department of the Prime Minister and Cabinet (or the Australian Public Service Commissioner, in relation to the appointment to the office of Secretary of the Department of the Prime Minister and Cabinet). The Secretary of the Department of the Prime Minister and Cabinet must also consult the relevant Minister. An established (but not required) practice to support these arrangements is for the Australian Public Service Commissioner to provide advice to the Secretary of the Department of the Prime Minister and Cabinet. Appointments to the office of Secretary are for a period of up to five years; around half the current appointments are for less than five years (mostly three years).

*Appointment arrangements for senior executives*⁹

The relevant agency head is responsible for all employment decisions affecting SES employees, including engagement, promotion and movement at level decisions. Agency heads are not subject to direction by any Minister in relation to the exercise of these powers, by a specific provision of the Public Service Act (s.19).

⁷ <<http://www.apsc.gov.au/mac/redtape.htm>>

⁸ Source: Appendix 4, Jurisdiction's Arrangements for Secretaries and Chief Executives, State of the Service 2003–04, <<http://www.apsc.gov.au/stateoftheservice/0304/appendix4.htm>>

⁹ Source: Appendix 4, Jurisdiction's Arrangements for Secretaries and Chief Executives, State of the Service 2003–04, <<http://www.apsc.gov.au/stateoftheservice/0304/appendix4.htm>>

Selection for SES vacancies must satisfy the merit requirements of the Public Service Act and Commissioner's Directions, including advertising in every case; however, SES officers may be transferred at level without recourse to a merit selection process. In addition, the Commissioner's Directions on the SES require each selection committee to include a Commissioner's representative, whose certification that the process was conducted appropriately and must be endorsed by the Commissioner before any promotion or engagement can be actioned.

The main feeder group for SES vacancies comes from existing APS employees at the next level down, and people selected from that group for SES vacancies would generally be ongoing APS employees for promotion, and so would be promoted. Successful applicants from outside the APS may be appointed on either an ongoing basis or for a specified term (of up to five years' duration). The vast majority of the SES, whether internally promoted or engaged from outside, are ongoing employees and are not on term appointments.

8 Separation of responsibilities between Ministers and senior public servants

The Australian Public Service, Ministers and their advisers operate under the law in which there is ultimate accountability of Governments to the Australian people through the electoral process. The generally accepted view is that the elected Government alone has the authority to determine the public interest in terms of policies and programmes, while public servants assist Governments to deliver that policy agenda and those priorities. The public service does, however, have a responsibility for protecting the public interest in terms of ensuring the integrity of government processes, including compliance with the law and fair and impartial decision-making in accordance with approved guidelines. It also has an important role in providing Governments with a longer-term perspective to decision-making and policy making, including a balanced view of the impact of policy options on the Australian community as a whole.¹⁰

The Values that guide decision-making reflect the core principles of public administration that have applied in comparable systems of government for over a hundred years. These have been set down in the *Public Service Act 1999* (the Act) and, with the Code of Conduct, form the statutory foundation underpinning the conduct of all APS employees. Agency heads and members of the Senior Executive Service (SES) have a statutory responsibility to uphold and promote the APS Values.

Three key APS Values apply to interactions with Ministers and their offices. These are that the APS is:

- *apolitical*, performing its functions in an *impartial* and *professional* manner¹¹
- *responsive* to the Government in providing frank, honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programmes
- openly *accountable* for actions, within the framework of Ministerial responsibilities to the Government, the Parliament and the Australian public (sections 10(1)(a)(f) and (e) of the *Public Service Act 1999*).¹²

¹⁰ Australian Public Service Commission, *State of the Service Report 2002-03*, 2003, p. 37, para. 1, <<http://www.apsc.gov.au>>

¹¹ In the Australian context, an apolitical APS is one that performs its functions in an impartial and professionally detached manner, unaffected by the particular party in government and by individual employee's political allegiances and whose staffing is free from political interference.

The Australian Public Service Commission publication *APS Values and Code of Conduct in Practice: A Guide to Official Conduct for APS Employees and Agency Heads*, was developed to assist APS employees to understand the practical application of the APS Values and Code of Conduct and to assist agency heads to establish policies and procedures that promote the APS Values and ensure compliance with the Code.

The Prime Minister's *Guide on Key Elements of Ministerial Responsibility*¹³ provides guidance on Ministerial conduct to Ministers and their staff. The relationship between Ministers and Government departments is described as follows:

The Australian Public Service (APS) exists to provide advice to the government, and give effect to its policies. The Service is based on a number of important principles, including: high standards of honesty, integrity and conduct; equitable service to the public; provision of frank and comprehensive advice to Ministers; a strong emphasis on responsiveness to the government, the Parliament and the community; party-political impartiality; and staffing based on merit.

It is important that there be trust between Ministers and public servants, and each must contribute to the establishment and maintenance of the trust. Ministers should be scrupulous in avoiding asking public servants to do anything that the APS principles do not permit, and in particular should not ask them to engage in activities which could call into question their political impartiality.

The Guide also outlines aspects of the role of Ministers' offices in liaising with departments:

Ministerial staff provide important links between Ministers and departments when the Minister is unable to deal with departmental staff personally, and add essential political dimensions to advice coming to Ministers. A close and productive relationship between a Minister's staff and the Department maximises the Minister's effectiveness. Ultimately, however, Ministers cannot delegate to members of their personal staff their constitutional, legal or accountability responsibilities. Ministers therefore need to make careful judgements about the extent to which they authorise staff to act on their behalf in dealings with departments.

Ministerial staff are not directly accountable to Parliament. The system of employing Ministerial staff under legislation that is separate from the *Public Service Act 1999* has provided Ministers with essential support that reflects party political positions, without compromising the apolitical role of the APS. Indeed, it can act as a buttress to the apolitical role of the public service, by providing Ministers with a source of advice that is explicitly political.

Ministerial involvements in staff selection is limited to departmental Secretaries and heads of Executive Agencies. The Prime Minister appoints all Secretaries following advice from the Secretary of the Department of the Prime Minister and Cabinet who must consult with the relevant Minister. Agency heads are appointed by the Portfolio Minister following receipt of a report from the portfolio secretary. All

¹² Chapter 2 of the Australian Public Service Commission publication *APS Values and Code of Conduct in Practice: A Guide to Official Conduct for APS employees and Agency Heads* provides an explanation of how these three key values apply to the relationship between ministers and public servants, <<http://www.apsc.gov.au/values/conductguidelines.htm>>

¹³ Prime Minister, *A Guide on Key Elements of Ministerial Responsibility*, Department of the Prime Minister and Cabinet, Canberra, 1998, <<http://www.pmc.gov.au/guidelines/index.cfm>>

other APS employment decisions are made on merit and the Act specifically provides that Secretaries and agency heads are not subject to Ministerial direction on exercising powers in relation to particular individuals.

In March 2006, the Australian Public Service Commissioner released a publication: *Supporting Ministers, Upholding the Values—a good practice guide*.¹⁴ This guide is designed to broaden the understanding among all public servants of the roles, responsibilities, conventions and protocols and the principles that underpin them and to assist agency heads and the SES in developing agency specific advice for employees.

BELGIQUE

Top entreprise 2007

L'administration fédérale où il fait bon travailler

Pour la deuxième année consécutive, l'administration fédérale belge figure aux côtés de 33 entreprises dans lesquelles "il fait bon travailler en Belgique en 2007".

Cinq critères ont été analysés et cotés par la Corporate Research Foundation. Les entreprises qui obtiennent au moins 3 étoiles par critère sont reprises dans le classement. C'est le cas de l'administration fédérale:

■conditions de travail primaires	***	Cette reconnaissance permet aux services fédéraux qui le souhaitent d'utiliser le logo "Top entreprises" dans leurs actions de communication: sites internet, offres d'emploi, publications internes, ...
■conditions de travail secondaires	****	
■possibilités de formation	*****	
■opportunités de promotion interne	***	
■environnement de travail et culture d'entreprise	*****	

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Plans de personnel

Plus de souplesse et de rapidité

Le Conseil des Ministres du 21 décembre 2006 a approuvé une note, un plan d'action et un projet d'arrêté royal visant à modifier l'approbation des plans de personnel et le rôle de l'inspecteur des finances à cet égard.

¹⁴ <<http://www.apsc.gov.au/publications06/supportingministers.htm>>

Approbation des plans de personnel

Actuellement, le comité de direction de chaque Service Public Fédéral établit un plan de personnel annuel. Ce plan est ensuite soumis à l'avis et à l'approbation de l'inspecteur des finances, du ministre compétent, du ministre de la fonction publique et du ministre du budget. Il s'agit souvent d'un processus de longue haleine.

La proposition approuvée par le Conseil des Ministres modifie cette procédure. Le comité de direction élaborera un plan de personnel stratégique pour les quatre ans à venir. Un plan opérationnel sera en outre élaboré chaque année lors de l'établissement du budget. Pour le plan stratégique et le premier plan opérationnel, la situation actuelle reste inchangée: ils parcourront le cycle d'approbation complet. Par contre, les trois plans opérationnels suivants ne devront être soumis qu'à l'approbation de l'inspecteur des finances.

Contrôle de l'exécution du plan de personnel par l'inspection des finances

Actuellement, l'inspecteur des finances donne son approbation avant tout premier paiement du traitement d'un nouveau collaborateur. Ce contrôle a lieu avant l'entrée en service et a notamment pour but de vérifier la présence des budgets nécessaires.

La nouvelle méthodologie SEPP (support électronique au plan de personnel) introduit un changement à cet égard. Cette méthodologie a été développée par un groupe de pilotage interfédéral où sont représentés le Service Public Fédéral (SPF) Personnel & Organisation, le Service Public Fédéral Budget & Contrôle de Gestion, l'inspection des finances et les SPF qui participent au projet pilote. Elle met notamment l'accent sur le suivi des ressources humaines et budgétaires. Un système de suivi permet à l'inspecteur des finances de suivre l'exécution du plan, tant au niveau budgétaire qu'au niveau de la planification du personnel. Si les services disposent d'un système de suivi approuvé, le contrôle relatif aux membres du personnel statutaire pourra avoir lieu a posteriori. Ceci signifie que l'inspecteur des finances effectuera son contrôle sur base de rapports. Ce contrôle peut aussi avoir lieu après l'entrée en service. Pour l'engagement de personnel contractuel, la situation actuelle du contrôle préalable sera maintenue.

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Recrutement de personnes handicapées

Augmentation de l'objectif de 2 à 3% à l'horizon 2009

Le Conseil des Ministres du 21 septembre 2006 a approuvé un projet d'arrêté royal visant à promouvoir le recrutement de personnes handicapées dans l'administration fédérale.

En 2004, une étude menée dans les services fédéraux révélait que seul 0,8% de personnes handicapées étaient recrutées sur base du quota (2%) prévu par un arrêté royal du 11 août 1972.

Pour dynamiser ce type de recrutement, le texte prévoit plusieurs mesures:

- l'élargissement de la définition de la personne handicapée
- des épreuves de sélection adaptées. Il ne s'agit pas d'examens particuliers sur mesure mais d'une adaptation raisonnable des épreuves auxquelles sont soumis tous les candidats. Les lauréats

handicapés peuvent demander à figurer sur une liste distincte dans laquelle les services qui souhaitent recruter peuvent puiser.

- la fixation d'un objectif chiffré de 3% de l'effectif
- des mécanismes de suivi: les départements ont trois ans pour atteindre le quota des 3%. Une commission d'accompagnement paritaire évaluera les efforts des départements. En cas de non respect de l'obligation, les recrutements prévus par un département seront refusés à concurrence d'un nombre qui ne peut être supérieur à la différence entre le nombre de personnes handicapées en service (en ETP) et le nombre correspondant aux 3%.

Ces mesures s'inscrivent notamment dans le "Plan d'action 2005-2007 pour valoriser la diversité" du Ministre Dupont.

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La diversité fait notre richesse

Relance de la campagne nationale à partir du 6 février 2007

2007 est l'Année européenne de l'égalité des chances pour tous". La Cellule Diversité du SPF P&O saisit cette occasion pour relancer la campagne nationale "La diversité fait notre richesse".

Lors de la première édition de la campagne, en mars 2006, tous les présidents se sont engagés en faveur de la diversité en signant la Charte fédérale de la diversité.

De nombreuses activités aux couleurs de l'égalité des chances et de la diversité seront organisées dans différents états membres. C'est l'occasion de rappeler l'engagement et les efforts de l'administration en faveur de la diversité.

L'objectif de la campagne est triple:

- informer sur la politique d'égalité des chances et de diversité de l'administration fédérale
- valoriser l'image d'une administration qui se veut le reflet de la société qu'elle sert
- stimuler les groupes cibles de la politique de diversité à poser leur candidature à un emploi au sein de la fonction publique fédérale.

Le concept "Montrer vrai, parler vrai" met en scène 14 fonctionnaires qui illustrent et témoignent de la diversité de l'administration fédérale.

Il s'agit d'une campagne grand public diffusée via de très nombreux canaux de communication:

- affichage dans le métro, les gares, sur les bus et les trams
- bannières internet et mini-site internet
- offres d'emploi dans la presse spécialisée.

La communication de proximité est également assurée par la diffusion d'affiches et de dépliants via le milieu associatif et les bureaux de poste.

Info: www.pourladiversite.be.

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Apprendre la bureautique en ligne

Blended learning sur mesure pour les organisations

L'adaptation des logiciels dans une organisation s'accompagne souvent d'une phase transitoire difficile. Les utilisateurs doivent en effet acquérir une série de nouvelles aptitudes. Pour l'organisation, il n'est pas toujours possible de les former tous rapidement sans compromettre la qualité du service.

Le projet "bureautique en ligne" de l'IFA apporte une solution sur mesure à ce problème. Pour les organisations qui inscrivent minimum 80 personnes, l'IFA adapte le contenu et l'approche du trajet Blended learning bureautique.

Il s'agit de la suite MS-Office (Word, Excel, Access, PowerPoint, Outlook et Internet Explorer), version 2000 ou 2003, pour les niveaux débutant, avancé ou expert.

Quelques avantages pour l'organisation et les participants:

- les objectifs de la formation répondent mieux aux besoins de l'organisation
- les participants se sentent mieux soutenus parce que la demande émane de leur organisation et que certains de leurs collègues suivent la même formation
- une session d'information peut être organisée dans l'organisation.

Les utilisateurs suivent la formation sur leur PC, individuellement et à distance, pendant ou en dehors des heures de bureau. Le seul impératif est de disposer d'un ordinateur suffisamment performant et d'une connexion internet. Chaque module demande environ 8 heures de travail pour une lecture complète. Une fois la licence activée, elle reste valable trois mois.

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SENIORS-JUNIORS: organiser la transmission des savoirs

Un guide méthodologique pour les responsables de la gestion des connaissances

Lorsqu'un collaborateur expérimenté part à la retraite ou change de poste, il emporte avec lui ses connaissances et l'organisation risque de connaître des moments difficiles. Sauf si elle s'est au préalable assurée que ce senior a partagé avec ses collègues les connaissances critiques dont il est détenteur.

Dans un contexte de mobilité accrue et de départs de plus en plus nombreux à la retraite, préparer la relève est devenu une priorité.

Le SPF P&O a élaboré une méthode pas à pas et des outils pour aider les responsables de la gestion des connaissances à introduire de nouvelles pratiques de transmission des savoirs entre seniors et juniors. Les responsables de la gestion des connaissances pourront puiser dans les outils proposés ceux qui leur sont utiles et créer des parcours personnalisés en fonction des besoins de leur organisation.

Le SPF P&O est prêt à soutenir les projets "seniors-juniors" sur le terrain.

Version électronique: www.p-o.be>Information générale> Publications.

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Evaluer des actions de communication

COMM Collection: un nouveau titre

Celui qui communique veut savoir s'il le fait bien. Et cela ne va pas toujours de soi pour les actions de communication: comment mesurer le succès d'une action?

La brochure "Evaluer des actions de communication" propose un aperçu des méthodes d'évaluation et des conseils pour les utiliser au mieux.

Cet outil est le quinzième mis à la disposition des communicateurs fédéraux par les Services Publics Fédéraux Personnel et Organisation et Chancellerie du Premier Ministre.

Versions électroniques de la COMM Collection: www.p-o.be> Information générale>Publications.

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Talent@public: 12 000 visiteurs

La seconde édition du salon de l'emploi public, Talent@public, organisée par le bureau de sélection de l'administration fédérale, Selor, les 6 et 7 octobre derniers a attiré à nouveau un public très nombreux.

Près de 50 services publics étaient présents pour présenter leurs activités, les offres d'emplois et les possibilités d'évolution qu'ils proposent.

Profil et satisfaction des visiteurs

Le profil des visiteurs :

- 43% à la recherche d'un emploi ou jeunes diplômés
- 44% ayant déjà un emploi (dont 54% dans le secteur public et 46% dans le secteur privé)
- 74% universitaires ou diplômés de l'enseignement supérieur
- 79% dans la tranche d'âge 20-39 ans.

Leur avis :

- 48% ont vu un emploi qui correspond à leur profil
- 75% ont trouvé l'information qu'ils cherchaient
- 72% ont obtenu une réponse à la question "comment poser ma candidature"
- 64% avaient déjà une image positive de l'administration

- 35% ont modifié positivement leur image de l'administration à l'issue du salon

Impact :

Dans les jours qui ont suivi le salon, Selor a enregistré une intense activité sur son site: 4 000 candidatures pour les sélections annoncées et 9 500 nouveaux cv dans la banque de données.

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Réduire les absences pour maladie

Un guide pratique pour les chefs

Les absences pour maladie revêtent de multiples facettes. Il y a, bien sûr, un aspect financier, mais également l'impact sur les activités quotidiennes d'une équipe ou d'un service, sur les collègues, sur les clients, ...

On comprend dès lors le souci de l'administration fédérale de vouloir réduire au maximum les absences pour maladie des membres de son personnel.

Les chefs d'équipe ou de service sont idéalement placés pour contribuer à réduire les absences pour maladie. Mais ce n'est pas toujours si facile.

Un guide pratique les aide désormais dans cette mission.

Résultat des travaux d'un groupe de travail coordonné par le SPF P&O, ce guide reprend:

- des concepts théoriques sur les absences pour maladie
- des fiches pratiques pour engager le dialogue avec les collaborateurs sur le thème des absences pour maladie
- des adresses et des informations utiles
- un lexique des termes les plus fréquemment utilisés.

Ce guide n'est pas une initiative isolée. Il s'inscrit dans le cadre du projet de modernisation sur le thème des absences pour maladie mené par les Services Publics Fédéraux P&O et Santé publique, depuis janvier 2006.

Dans ce contexte, le Conseil des Ministres du 20 juillet 2006 a pris note des actions nécessaires au démarrage des contrôles des absences à partir d'octobre 2006.

Dans une première phase, les contrôles seront menés principalement à la demande des services. Ils seront complétés d'un certain nombre de contrôles définis au hasard (at random).

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CANADA

Appointments of Deputy Ministers

Deputy ministers are the most senior public servants in the Government of Canada. Staffing appointments respecting deputy ministers are made, ultimately, by the Governor in Council. The selection and assignment of deputy ministers are recommended to the Governor in Council by the Prime Minister, based on the professional, non-partisan advice of the Clerk of the Privy Council and Secretary to the Cabinet, the Government of Canada's top civil servant.

The Clerk provides advice to the Prime Minister regarding movements of existing deputy ministers and appointments of new deputy ministers. The Clerk manages deputy ministers as a community in order to promote the best match of competencies to the demands of each deputy minister position. As part of the process in selecting a deputy minister, the Clerk also consults with the relevant Minister in order to ensure that a smooth working relationship will be established.

The main feeder group for new deputy ministers is assistant deputy ministers, who are the most senior members of the executive cadre of the public service. The vast majority of deputy minister appointments are made from this group.

Deputy ministers are appointed based on their demonstration of competencies to be deputy ministers. The competencies for deputy ministers were revised and streamlined in 2004 and new competencies were approved by a committee of senior deputy ministers in 2005.

The Responsibilities of Ministers and Senior Officials

In Canada, executive authority is entrusted to Ministers, and Ministers alone are individually and collectively accountable to Parliament for all actions of the executive. Public servants are accountable to their Ministers. The public service exists to provide non-partisan, professional advice and operational support to the government of the day. This principle is fundamental to ensure the democratic authority of elected officials and the political neutrality of the public service.

In practice, the day-to-day management of government departments is the responsibility of the deputy minister. The management responsibilities and authorities of deputy ministers arise from a variety of sources, including delegation (from the Minister or other authority), policies of the Treasury Board, or other legal provisions. In certain instances, authorities are conferred directly on the deputy minister by statute. However, in the case of core government departments, departmental legislation specifies that the Minister remains responsible for overall "management and direction" of the department. Accordingly, even where management responsibilities are assigned by statute to the deputy minister (or other official) and the Minister may not give specific direction, the official is accountable to the Minister for the exercise of those authorities, while the Minister is accountable to Parliament for proper exercise of authorities and effective management of the organization by officials.

These principles have been respected in legislation that recently came into force in Canada designating deputy Ministers and deputy heads of designated government entities as "accounting officers" for their organizations. The responsibility of accounting officers is to appear before committees of Parliament and answer questions (that is, provide factual information and explanations) regarding a specified range of management responsibilities. This requirement essentially codifies longstanding Canadian practice. The legislation states explicitly that this responsibility exists "within the framework of

the appropriate Minister's responsibility and accountability to Parliament, and subject to the appropriate Minister's management and direction of his or her department".

The accounting officer legislation also provides a mechanism for addressing situations where the accounting officer and the Minister are unable to agree on the interpretation or application of a Treasury Board policy, directive or standard. In such cases, the accounting officer shall seek written guidance from the Secretary of the Treasury Board. If, after the Secretary of the Treasury Board has provided guidance in writing, the matter remains unresolved, the Minister shall seek a decision from the Treasury Board. This decision would be shared with the Auditor General as a confidence of the Queen's Privy Council for Canada. This mechanism is designed to facilitate the prevention and authoritative resolution of disagreements, the consistent application of management policy, and the ultimate authority and responsibility of Ministers for management in government departments.

Further information on the responsibilities of Ministers and senior officials can be found in *Accountable Government: A Guide for Ministers and Secretaries of State (2007)*

In English:

http://www.pco-bcp.gc.ca/default.asp?Language=E&Page=Publications&doc=guidemin/accountable-guide2007_e.htm

In French:

http://www.pco-bcp.gc.ca/default.asp?Language=F&Page=Publications&doc=guidemin/accountable-guide2007_f.htm

DENMARK

The Danish e-government strategy 2007 – 2010

The new e-government strategy will be presented on March 19th 2007. The strategy represents the third generation of Danish e-government strategies. It lays out the new path for the development of e-government in Denmark and addresses key challenges to successful implementation of e-government in the Danish public sector (some of which are described in the OECD study of Danish e-government published in 2005).

The strategy has three central signposts, which are supported by a number of specific initiatives:

- Better and more user-focused digital service
- A more effective public sector through e-government
- A stronger and more binding collaboration on e-government between agencies and across levels of government

Better and more user-focused digital service

It is of central importance that eGovernment is used to create a public sector in which citizens and businesses find the supply of services to be coherent, and task solutions to be based on their needs rather than the structure of public agencies.

A more effective public sector through e-government

Due to demographic changes in the Danish population the work force is decreasing. This development makes it increasingly difficult to sustain the high level of welfare service in Denmark. The public sector must work more effectively and e-government plays a vital part in making the public sector more effective without decreasing the service level.

Stronger and more binding collaboration on e-government between agencies and across levels of government

There is a need for stronger cooperation within the public sector and between the public and private sector on e-government issues. The strategy introduces new cross sector boards, which will help coordinate efforts to strengthen the implementation of e-government initiatives.

FINLAND

A change in the political / administrative boundary in the Finnish ministries

In December 2004 the Finnish Parliament changed the legislation so that it enabled ministries to establish posts for political state secretaries. Previously in Finland the state secretaries have been non-political civil servants with the sole exception of the prime ministry's office where the state secretary has been a political figure since the beginning of the 1990's.

In the Finnish administration there are 13 ministries. The Governments are coalition Governments. In one ministry there can be more than one minister and two ministers in the same Ministry most often are from different political parties. The ministry is then divided between these two ministers. This is the case for instance at the moment in the ministry of finance and several other ministries. The structure of the government has remained very stable and there have not been new ministries established in the last twenty years. The political state secretaries will be connected to the ministers so that if there are two ministers in one minister they can both have their own political states secretaries.

The change in legislation was preceded by a discussion on how to renew the leadership in the ministries. The discussion concentrated on the issue of civil servants having too much power in the ministries. It was seen by many that there was a need to strengthen the political steering in relation to the professional expertise of the independent civil servants. Some politicians have felt that the public management reforms of the 1980's and 1990's have diminished their power in steering the administration and that the power has shifted more into the hands of leading civil servants. The reform was also seen as a way to avoid other political nominations.

The decision to have political state secretaries to assist the ministers was considered necessary due to the fact that the work load and the duties of the ministers had grown due for instance to the Finnish membership in the European Union.

As there is a civil servant non-political state secretary in each ministry (except in the Prime Minister's Office where there is a political state secretary and civil servants under secretaries of state) the discussion before the decision in the parliament concentrated also very much on what is the relation and division of tasks between the civil servant state secretary and the new political state secretary. Another issue that dominated the discussions was the parliamentary responsibility of the political state secretary. Views were expressed that instead of political state secretaries Finland should establish new posts of junior ministers, because that would be a clearer way to establish the responsibility to the parliament.

It was agreed upon that the political state secretary is not the highest civil servant in the ministry and the civil servant state secretary is not under the political one. The roles and duties were written as clearly as possible so that the duty of the civil servant state secretary concentrates on the effective functioning of the ministry and the political state secretary is the minister's closest advisor. The duties of the civil servant state secretary were not transferred to the new ones.

When the current government nominated political state secretaries they were not nominated into each ministry. The government appointed in 2005 nine new state secretaries. The tasks of the political state secretaries were

- to advance and monitor in the minister's administrative field how the Government Programme is being implemented
- to help the minister in steering the preparatory work in the ministry
- together with the civil servant state secretary to take care of the co-operation with other administrative fields
- to assist the minister in the international and EU tasks
- to represent the minister according to the assignments given by him/her
- to take care of the other tasks given by the minister

In Finland in general reforms advance quickly and the first time political state secretaries were thought of and requested was right after the Finnish independence in 1917. The current reform discussion started already in the 1970's. Now the decision has been made but there are still some doubts in the Finnish administration whether the reform has been successful. The main critique is that the political advisory staff of the minister may isolate it self too much from the expertise of the civil servants. A new Government will start in Finland in Mid April and it remains to be seen whether all ministers of that Government will have their own state secretaries.

Possibilities of private sector actors in public service provision

In spring 2006 a project group of the Ministry of Finance, the Ministry of Trade and Industry and of the Competition Office proposed 15 actions to be taken to enhance the possibilities of the private sector actors in public service provision. The definitions of policy that have been made in legislation and in strategies regarding service provision have a central role in how the co-operation between public and private sectors develops. The project group has now completed and specified its earlier proposals.

The project group proposes that modernising service structures could be supported in accordance with a service structure programme proposed by the National Information Society Strategy by building up a structural development forum. In the forum experts from public, private and the third sector would together discuss ways to make service production more effective. The forum would deal for instance with questions like service-, product-, process- and technology innovations and the effects of competition to service production.

The public sector organisations that produce services should be demanded to have a definitions of policy on how the services will be produced. The service strategies would guarantee that the supply of publicly funded services is in relation to the demand so that the best possible cost-quality correlation to taxpayers and customers is reached.

Information technology should be efficiently applied to expert-, background-, and support services. When at the same time models and ways of functioning and structures are renewed, human resources can be freed to services that need human interaction. Also market orientation - like switching state agencies into state owned enterprises, corporatisation, provide-producer model and the choice of service producer made by the customer - should be used in services that can be turned into products and where a price tag can be defined..

The project group suggests that framework legislation is made about service vouchers in order to enhance a wider spread use of vouchers and to increase the possibilities of choice for the customer/consumer. In the legislation of different administrative fields there should be more specific regulations on the use of vouchers, on customer payments and on the part of own risk for customers. In the education sector the use of vouchers could be tried out in adult education. And this should be assessed in order to find the pros and cons.

According to the project group the income-, municipal-, value added and real estate tax systems should be more neutral. Currently in Finland the taxation of public sector's chargeable service production and state owned enterprises and also partly that of the third sector business activities is much lighter than that of the respective private sector actors. The project group thus proposes that necessary steps are taken to neutralise the tax systems.

The principles that relate to the legal protection of the customers and the prerequisites of starting service production should be harmonised. This is concerns for instance the permit- and supervisory functions of establishing a private sector business and that aim at ensuring the legal protection f the customer/consumer and the quality of services. Similar procedures do not apply to public service producers,

The role of the third sector is important in the networked service production. Therefore the group proposes that an expert group is set to clarify the role and position of the third sector in the welfare society. The work already done in the citizen participation policy programme will be taken into account.

To develop supply and demand and provider knowledge of private services, two or three wide provincial projects/pilots could be started.

More information: Government counsellor Miliza Vasiljeff (miliza.vasiljeff@vm.fi) Ministry of Finance

FRANCE

English version

In France, the implementation of budgetary reform was launched on the 1st January 2006: the Constitutional Bylaw on Budget Acts (LOLF) of the 1st August 2001 has brought thorough change to public management. On that date, the General Directorate for State Modernisation (DGME) was created within the Ministry of Finance and was made responsible for public management, e-Government and administrative simplification, while the General Directorate for Administration and Civil Service (DGAFP) remained in charge of human resources management within the Ministry of Civil Service.

1. The modernisation of public management

1.1. The French budgetary reform: a performance-centred approach

The LOLF, which now sets the context for the State budget, has changed the framework of public expenditures: the State's resources are now established by policy; targets and indicators now measure the performance of government activity. Public management now concentrates on performance, and the role of Parliament has been reinforced through increased transparency in the use of public resources.

Thanks to joint efforts throughout government departments and leadership by the Minister for the Budget and State Reform since 2002, the implementation of budgetary reform has been a success. The aim is now to carry on and extend this reform.

Drafting the 2007 Budget Bill has improved the State's performance system and brought it to a new level.

- Strategy: emphasise the strategic presentation of each programme.
- Targets: reduce the number of targets and extend them to tax expenditure.
- Indicators: 9% reduction in the number of indicators and significant improvement in the provision-of-information rate for indicators (92% in the 2007 Budget Bill, against 65% in the 2006 Budget Bill).
- Improvement in the readability of budget documents through a complete redrafting of the model.

The next stage, in June 2007, will be the 2006 Annual Result Report, with the production of APRs (annual performance reports) appended to the 2006 Budget Review Act.

www.minefi.gouv.fr/performance/performance/etat/index.htm

www.minefi.gouv.fr/performance/loi/index.htm

www.minefi.gouv.fr/loif/16_1.htm (English)

1.2. Modernisation audits

Announced by the Council of Ministers in September 2005, modernisation audits are part of an innovative approach, inspired by best practices developed abroad – especially Canada and the United Kingdom – and by important audit programmes launched in the private sector. These audits are designed to evaluate procedures, functions and services.

Between October 2005 and February 2007, 150 modernisation audits were carried out, encompassing over €140 billion in expenditure, i.e. over 50% of central government expenditure in 2006. On the 1st February 2007, the sixth “wave” of audits was launched. With a view to transparency, the reports for the first four audit series are available online on the performance forum; the reports for the fifth wave are in the process of being published.

On the 13th July 2006, a circular from the Prime Minister gave the details of the new approach being taken to the modernisation audits: earlier planning of audits, proposals for implementation scenarios and the creation of a steering committee for modernisation audits.

www.performance-publique.gouv.fr

1.3. Real estate policy

The State’s **real estate strategy**, launched in 2005, aims at:

- Restoring the balance of public finances by speeding up sales (target of €500 million in 2007).
- Professionalising real estate activities to help achieve productivity gains in administration.
- Improving the working environment for staff.

The role of the State as an estate owner had not been clearly identified; it is now managed by the public estate operator, Service France Domaine, within the Ministry of Finance. Its role is to advise and guide the various public administrations in all operations concerning assignments, awarding of contracts or renting.

The budget bill for 2007 includes two measures, which consolidate the budgetary framework for State real estate management:

- The size of the special-appropriation account for State real estate management, set up in 2006, has been increased.
- After testing at three ministries (Foreign Affairs, Finance and Justice) in 2006, budget rents are extended to all ministries over the whole of central administration building assets.

www.minefi.gouv.fr/cessions/

1.4. Optimising public procurement

The French public procurement code was amended by a decree of the 1st August 2006. The new 2006 code, whose provisions came into force on the 1st September 2006, involves a four-fold change to the current organisation of public procurement:

- Recognising technical specifications to enable a better definition of requirements.
- Introducing new provisions designed to promote e-procurement.
- Introducing measures to promote access by small and medium-sized European enterprises to public procurement markets.
- Simplifying and adjusting the public procurement code, adopted in 2004, in order to benefit those involved in public procurement.

A lot of work was done in 2006 to optimise State procurement. It aimed at giving an interministerial dimension to initiatives already developed by certain ministries or groups of ministries. A modernisation plan for State procurement was developed as part of this effort. The plan mainly relied on modernisation audits, carried out in each ministry in the summer of 2006 and which were designed to investigate the maturity of procurement practices, inventory State purchasing segments and identify segments for which it would be profitable to pool purchasing on an interministerial, national or regional basis.

Following these audits, the Minister for the Budget and State Reform announced the creation of an interministerial mission named 'France Achats', which will lead the plan to rationalise State purchasing, both in its interministerial form and in relation to ministerial purchasing plans.

In total, some 20 tests and pilot projects have been set up at the interministerial level, some of which are set to become joint contracts in 2007. They are based on two selected modernisation priorities:

- The creation of savings on purchases.
- The professionalisation of procurement staff.

The goal is to generate approximately €1.3 billion in savings over three years.

www.minefi.gouv.fr/themes/marches_publics/index.htm
www.marches-publics.gouv.fr
www.colloc.minefi.gouv.fr/colo_struct_marc_publ/index.html

1.5. Developing partnership contracts

By passing an order concerning partnerships on the 17th June 2004, the government has furthered the French tradition of partnerships with private companies participating in the production of public service missions. This step was also inspired by the development of public-private partnerships in the UK (PFI)

and in many other European countries. The new approach to partnerships can be undertaken by central administration and public establishments, as well as by local administrations.

Some 30 investment projects originating from the State are underway in 10 different ministries, involving a total amount of approximately €6 billion. About 60 projects are in progress involving regional authorities (and this figure is growing rapidly), the first of which were signed in late 2006.

A Support Mission for Public-Private Partnerships (MAPPP), created within the Ministry of the Finance, assists heads of projects, validates prerequisite evaluation produced by the State or one of its public institutions, develops support tools and participates in the completion of the regulatory framework.

www.ppp.minefi.gouv.fr/

2. Quality initiatives and administrative simplification

2.1. Quality initiatives

The Marianne Charter states the commitments to service quality that users can expect when seeking service, including compulsory and optional commitments. It is simultaneously a centralising force and adaptable to a variety of audiences and services. Widely applicable in January 2005, the Marianne Charter is applied within the State civil service (over 2000 departments and jurisdictions) but also by other public entities. An evaluation of its implementation has revealed the need to make progress on the reliability of service quality commitments and to provide a more reliable basis for steps to measure results and to steer quality improvement.

In early 2006, the government launched a new phase by developing the Marianne Quality-Label in connection with the Marianne Charter. The Marianne label is linked to a set of standards similar in form to those used in department certification. Awarding of the quality-label will be subject to an on-site evaluation carried out by an independent third party. The Marianne set of standards is meant to be applicable to any public service structure receiving users.

The Marianne Quality Label will consolidate the quality users can expect when seeking services and foster the spread of quality management principles.

The pilot phase of this new system was launched in November 2006 with 61 pilot sites (including central government departments and various jurisdictions, local authorities and health establishments). The target for awarding the label to these sites is autumn 2007. This pilot phase will allow the refining of the set of standards and supporting tools with a view to implementing the quality label on a wider scale by the end of 2007.

http://www.thematiques.modernisation.gouv.fr/chantiers/234_58.html

http://www.thematiques.modernisation.gouv.fr/chantiers/239_59.html

2.2. Administrative simplification laws

The government is taking a new step consisting of the restriction of the number of new legal texts, by means of mandatory rules on prior consultation and evaluation. It is now compulsory to produce a detailed preliminary evaluation for all new bills.

The government is also continuing its efforts to rein in the multiplication of administrative committees: 147 central administrative committees have been abolished since 2004. The target is to eliminate a further 200 committees in 2007.

Moreover, the decree of the 8th June 2006 lays down stricter rules for the creation and term of administrative committees. There will be an impact study on all new committees five years after their creation to determine whether they are still needed. Committees existing by the 8th June 2006 will have their term limited to three years.

2.3. Better regulation

As in the majority of European Union Member States, since the end of 2004, the French government has been implementing a programme to measure and reduce the administrative burden on businesses, particularly in terms of start-up procedures. The target is to reduce the overall cost of the administrative burden by 20%.

In a preliminary phase, 112 procedures, resulting in a total cost of €1.1 billion for businesses, have already been studied. Among which, the 30 most complex and/or costly systems have been identified and measured, in terms of cost for businesses and costs for the administrations (processing and decision-making). In late 2006, a reengineering plan was drawn up and is due to be implemented in 2007.

In September 2006, the government undertook to assess a further 200 administrative requirements; the costs borne by administrations and businesses will be measured soon. In addition, the cost generated for businesses by administration-related delays will be measured. The redesign plan for these 200 administrative requirements will be implemented during 2007. The expected gains should correspond to a 20% reduction in the administrative burden.

Finally, a full inventory of administrative requirements will be drawn up in 2007, and new measures will be taken and reductions made.

3. E-Government

The Adele Government Programme has been set up to organise the development of e-government according to specific targets (individual citizens, businesses, associations, local authorities). This programme is made up of a section on public services-users relations, and another on the redesign of information systems and business process reengineering.

<http://synergies.modernisation.gouv.fr/>

3.1. A coordinated action plan

The 2004 action plan is now based on a master scheme or plan that serves as a coherent framework for the development of e-government projects, based on the following objectives:

- To facilitate the technical and financial “mutualisation” or sharing of various projects.
- To encourage and ensure IS interoperability.
- To synchronise and implement steps and provide long-term visibility to projects.

Some 47 subject-based initiatives (archiving, e-ID management, relationship management, IT development etc.), have been jointly defined to ensure the consistency of e-Government development.

The master scheme also meets the requirements of budget reform as detailed in the LOLF: it rationalises investment and ensures projects long-term permanence, thus contributing to the achievement of public performance targets. Implementation of the Adele strategy is aided through the use of Mareva (Value Analysis and Enhancement Method), a tool to assist decision-makers, via which a project can be evaluated prior to implementation, evaluating relevance and monitoring its implementation.

At the same time, the ordinance of the 8th December 2005 adapted administrative law to take into account the widespread use of e-services with regard to equivalence between paper and electronic documents, electronic signature, security, and interoperability rules.

3.2. The development of new e-services

The most recent online services, as well as services in the process of being launched, include:

- **Online administrative forms and procedures**: 600 administrative procedures can now be filled in online by users. A complementary work programme to review processes will begin in 2007 to optimise the work done by public servants and make full use of the benefits derived from the digitisation of administrative forms and procedures.

<http://administration24h24.gouv.fr/guideparticuliers-260905.pdf>

- **Mon.service-public – a personalised portal**: this is the largest and most integral project in the Adele programme, designed to offer each user personalised, secure access to all electronic services provided by the various administrations. This portal, which will be available in the first half of 2008, will enable users to monitor the progress of their files and store forms along with personal information and administrative documents (electronic format) needed for e-procedures.
- **Public service centres**: these multi-functional counters offer a single point of access for the general public to obtain information on administrative procedures, to carry them out online and to receive assistance in putting together files. Operational since December 2006 in the Nièvre département, then in Gironde and the Alpes Maritimes, these centres are gradually being launched in line with projects identified by local authority heads and elected officials.
- **ProDouane – an online customs office**: aimed at professionals, ProDouane is a service platform enabling operators to carry out administrative requirements concerning logistics, customs clearance and indirect tax. It offers a single point of access for 40 online customs' services, and will be able to process 30 million declarations per annum.
- **Subv&net**: intended for associations, Subv&net is part of a project aimed at providing associations with a single subsidy application. The project currently being piloted in Lyon will be spread out throughout France in late 2007. It includes a directory of financial support instruments and a process for assessing applications shared between the partners.

3.3. Promotion of common standards: the General Set of Standards for Interoperability and the General Set of Security Standards

The e-Government strategy for improving and simplifying relations between the various administrations and users affects the modernisation of the State's internal operations. In order to increase cooperation between the various administrations, it is necessary to make their information systems interoperable. To that end, common rules must be drawn up and included in sets of standards that will become mandatory for State departments.

Based upon rules and regulations, the **General Set of Standards for Interoperability** (RGI) will be mandatory for the main operators within State administrations: decision-makers, project heads and IT experts. The RGI will also act as a reference framework for citizens and businesses in their relations with the administration.

While the RGI promotes the interconnection of systems, this interoperability must not be done at the expense of security. Bearing this in mind, the **General Set of Security Standards** (RGS) drafts the framework for e-procedures with regard to security (identification, authentication and signature).

The RGI and RGS are to come into force by the end of 2007.

www.legifrance.gouv.fr/texteconsolide/AAFAU.htm

3.4 Shared infrastructure

In the field of data networks, an interministerial network was set up in 2006. So far, it serves over 40 bodies (ministries, the Office of the President of the Republic and the Constitutional Council). This network also offers broadband Internet access to ministries that wish to have it (with or without value-added items such as firewalls, virus protection and so on). This network is interconnected with the European TESTA network.

3.5 The i-2010 action plan

France is actively participating in the implementation of the European strategy on e-government, adopted by the Council in June 2006. It is based on four priorities:

- Digital inclusion.
- Development of services with a high impact for citizens and businesses.
- Interoperability of e-ID management systems.
- Efficiency and high performance of online public services.

4. Human resources management

4.1. Introduction of annual conferences on human resources planning

The circular of the 16th November 2006 represents a significant step in the State's approach to change management. The annual organisation of **human resources planning conferences**, piloted in 2006 with

seven volunteer ministries and extended in 2007 to all ministerial departments, marks **a new governance framework for the entire State civil service**.

On the basis of **strategic programmes for human resources management** drawn up by the ministries, this involves examining the latter's multi-annual strategies as well as the consistency of these strategies with the general human resources management policy conducted by the Ministry for the Civil Service.

This examination has resulted in extensive exchanges at the conferences between the Directorate General for Administration and Civil Service (DGAFP) and the ministries' general secretaries and human resources' directors on each of the points set out in the strategic programmes. This allows them to be **mutually consistent within an overall, multi-annual framework**, to forecast the contributions of each to the work in progress and to **take an inventory of best practices** with a view to sharing them within the State. The mutual undertakings made at the conference are recorded in a document signed by the DGAFP and the ministry's general secretary or director of human resources.

Piloting these initiatives has enabled mutual commitments between the ministries and the DGAFP to be put on a contractual basis, with a view to improved consistency in the human resources management policy adopted within the State, in terms of strategy, organisation and processes.

In addition to this quest for consistency, the DGAFP seeks, at an interministerial level, to better organise its overall policy for the civil service and to manage change within a flexible framework which allows for the co-drafting of reforms and enables staying **as close as possible to the expectations of ministerial managers**.

<http://www.fonction-publique.gouv.fr/rubrique213.html>

4.2. The Human Resources interministerial Information Systems Project (Projet interministériel Systèmes d'information et ressources humaines - SIRH)

The Human Resources Interministerial Information System Project (SIRH) implemented by the DGAFP and the DGME as part of the e-Government action plan has several complementary objectives:

- Assisting ministries in the development of their SIRHs and helping them to implement staff, jobs and skills planning (GPEEC) as well as implement the LOLF.
- Harmonising ministries' SIRHs, making them more consistent and interoperable, facilitating national consolidation of information and joint resource savings.
- Creating an info-centre to consolidate information from the three civil services, the State, the local level and the social sphere.
- Enabling them to develop their GPEEC approach.

www.fonction-publique.gouv.fr/article387.html

4.3. The Interministerial Inventory of State professions (*Répertoire Interministériel des métiers de l'Etat - RIME*)

In 2005, the Ministry for Civil Service decided to create an Interministerial Inventory of State Professions (RIME) for the entire civil service. This directory, published in November 2006, following a final consultation step with trade unions, identifies and describes over 230 State jobs.

The objectives of this interministerial reference tool are the following:

- To ensure greater transparency for citizens regarding what State civil servants do, and better highlight the work they accomplish.
- To provide a clearer overview of the State's specific needs in skills and enable these needs to be more easily understood by the labour market and training providers.
- To promote a more dynamic approach to human resource management by:
 - including a qualitative aspect in staff needs
 - identifying professions common to several or all ministries in order, for instance, to build more open and varied civil service careers.

All State jobs are covered by the RIME, whether they are professions held by incumbent staff or contract employees, from civilian or military sectors. All in all, approximately 2,5 million people are involved.

In terms of knowledge on the civil service, RIME is also designed for many uses:

- Citizens and their representatives have access to transparent data and information concerning public employment.
- Civil servants and other public professions will get a more complete and accurate overview of existing professions which will help them manage their career.
- Trade unions can use this tool to feed their reflections on public employment.
- The labour market can identify more easily the characteristics of needs in public professions.
- The training stakeholders can pick up information concerning the needs in competencies in the public sector.
- Ministries and public operators can enlarge the scope of human resources management strategy.
- The Ministry of Civil Service has at its disposal a significant tool to analyse and ensure the prospective management of public employment trends.

www.fonction-publique.gouv.fr/article389.html

www.fonction-publique.gouv.fr/article548.html

4.4. The law on civil service modernisation of the 2nd February 2007

The law on modernisation of the civil service has led to:

- The institution of an **individual right to training** (DIF) for each public servant, following the example of what exists for private sector employees.
- The introduction of mechanisms for the recognition of achievements during work experience and taking them into account in recruitment as well as for career progression.

4.4.2. Better career prospects to motivate civil servants

The law on the modernisation of the civil service recommends:

- That **bodies be merged** in order to increase the mobility of civil servants within a harmonised framework. In the future, 413,000 civil servants will be managed within 101 bodies instead of 335.
- Facilitating **mobility** within the civil services as well as between public and private sectors.

<http://www.fonction-publique.gouv.fr/>

<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=FPPX0600067L>

Version français

Depuis le 1^{er} janvier 2006, la réforme budgétaire est en œuvre : la Loi organique relative aux Lois de finances (LOLF) du 1^{er} août 2001 entraîne une modification en profondeur de la gestion publique. A cette même date a été créée, au sein du Ministère des finances, la Direction générale de la modernisation de l'Etat (DGME) chargée de la gestion publique, de l'administration électronique et des simplifications administratives, la Direction générale de l'administration et de la fonction publique (DGAFP) restant chargée de la modernisation de la gestion des ressources humaines, auprès du Ministre de la fonction publique.

1. La modernisation de la gestion publique

1.1. La réforme budgétaire au service de la performance

La Lolf, qui fixe désormais le cadre de la discussion du budget de l'Etat, transforme le cadre de l'action publique : les moyens de l'Etat sont fixés par politique, avec des objectifs et des indicateurs mesurant la performance de l'action du gouvernement. La gestion publique repose désormais sur la performance et les pouvoirs du Parlement sont renforcés grâce à une exigence de transparence dans l'utilisation de la ressource publique.

L'objectif est désormais de poursuivre et d'approfondir la réforme budgétaire. La réussite de sa mise en œuvre est le résultat de l'effort conjoint conduit dans l'ensemble de l'Etat depuis 2002 et piloté par le Ministère chargé du Budget et de la Réforme de l'Etat.

L'élaboration du projet de loi de finances pour 2007 a permis de franchir une nouvelle étape pour la mise au point du dispositif de performance dans l'Etat :

- stratégies : mise en avant de la présentation stratégique de chaque programme ;
- objectifs : réduction du nombre d'objectifs, élargissement au périmètre des dépenses fiscales ;
- indicateurs : réduction de 9% du nombre d'indicateurs, amélioration substantielle du taux de renseignements des indicateurs (92% dans le PLF 2007 contre 65 % dans le PLF 2006) ;
- amélioration de la lisibilité des documents budgétaires par refonte complète de la maquette.

La prochaine étape, en juin 2007, sera le compte-rendu des résultats 2006, avec la production de RAP (rapports annuels de performance) accompagnant la loi de règlement 2006.

www.minefi.gouv.fr/performance/performance/etat/index.htm

www.minefi.gouv.fr/performance/loi/index.htm

www.minefi.gouv.fr/lolf/16_1.htm (anglais)

1.2. Les audits de modernisation

Les audits de modernisation de l'Etat, annoncés en Conseil des ministres en septembre 2005, sont une démarche novatrice. Ils s'inspirent à la fois des bonnes pratiques développées à l'étranger - notamment au Canada et au Royaume-Uni - et des grands programmes d'audits lancés dans le secteur privé. Les audits visent à évaluer des procédures, des fonctions ou des services.

Entre octobre 2005 et février 2007, 150 audits de modernisation ont été réalisés, couvrant un périmètre de plus de 140 milliards d'euros, soit plus de 50% des dépenses de l'Etat en 2006. La 6^e vague d'audits a été lancée le 1^{er} février 2007. Dans un souci de transparence, les rapports des quatre premières vagues d'audits sont disponibles en ligne sur le Forum de la performance et les rapports de la 5^e vague sont en cours de publication.

Le 13 juillet 2006, une circulaire du Premier ministre a précisé les nouvelles orientations de cette démarche : programmation mieux anticipée des audits, propositions de scénarios de mise en œuvre et mise en place d'un comité de pilotage des audits de modernisation.

www.performance-publique.gouv.fr

1.3. La politique immobilière

La **stratégie immobilière** de l'Etat lancée en 2005 vise trois objectifs :

- le rééquilibrage des finances publiques, par une accélération du rythme des cessions (objectif de 500 millions d'euros en 2007) ;
- la contribution de l'immobilier à la réalisation de gains de productivité dans l'administration, par une professionnalisation de la fonction immobilière ;
- l'amélioration du cadre de travail des agents.

La fonction d'Etat-proprétaire, jusque-là mal identifiée, a été confiée au Service France Domaine, opérateur immobilier de l'Etat, qui, au sein du Ministère des finances, a vocation à être conseiller des administrations de l'Etat sur la pertinence de leurs projets.

La loi de finances pour 2007 comporte deux mesures qui confortent le cadre budgétaire de la gestion immobilière de l'Etat :

- le périmètre du compte d'affectation spéciale de la gestion immobilière de l'Etat créé en 2006 est élargi ;
- après une expérimentation en 2006 sur trois Ministères (Affaires Etrangères, Finances, Justice), les loyers budgétaires sont étendus à l'ensemble des ministères sur le parc de l'administration centrale.

www.minefi.gouv.fr/cessions/

1.4. L'optimisation des achats de l'Etat

Le code des marchés publics en France a été modifié par un décret du 1^{er} août 2006. Le nouveau Code 2006, dont les règles sont entrées en vigueur le 1^{er} septembre 2006, s'accompagne d'une profonde modification de l'organisation actuelle du recensement de l'achat public :

- la reconnaissance de spécifications techniques au service d'une meilleure définition des besoins ;
- l'introduction de nouvelles dispositions destinées à favoriser la dématérialisation des marchés publics ;
- des mesures visant à favoriser l'accès des petites et moyennes entreprises européennes à la commande publique ;
- des simplifications ou ajustements apportés au code des marchés publics adopté en 2004, au bénéfice des acteurs de la commande publique.

L'optimisation des achats de l'Etat a fait l'objet de nombreux travaux en 2006, visant à donner une dimension interministérielle aux initiatives développées antérieurement par certains ministères ou groupes de ministères. Un plan de modernisation des achats de l'Etat a été ainsi construit. Il s'est notamment appuyé sur des audits de modernisation conduits dans chaque ministère à l'été 2006, visant à faire le point sur la maturité des pratiques d'achats, définir la cartographie des segments d'achats de l'Etat et identifier les segments pour lesquels une globalisation des achats, interministérielle, nationale ou régionale pourrait permettre des gains.

A la suite de ces audits, le Ministre du budget et de la réforme de l'Etat a annoncé la création de la mission interministérielle France achats dont la mission est de piloter le plan de rationalisation des achats de l'Etat, à la fois dans ses dimensions interministérielles et dans ses déclinaisons sous la forme de plans ministériels d'achats.

Au total, une vingtaine d'expérimentations ou d'actions pilotes ont été définies au plan interministériel, dont certaines devraient se traduire dès 2007 par des marchés mutualisés. Elles déclinent les deux axes de modernisation retenus :

- la génération de gains sur les achats ;

- la professionnalisation de la fonction achats.

L'ambition est de générer environ 1,3 milliard d'euros de gains sur 3 ans.

www.minefi.gouv.fr/themes/marches_publics/index.htm
www.marches-publics.gouv.fr
www.colloc.minefi.gouv.fr/colo_struct_marc_publ/index.html

1.5. Le développement des contrats de partenariat

En adoptant le 17 juin 2004 une ordonnance relative au contrat de partenariat, la France s'est dotée d'un nouvel outil qui s'inscrit à la fois dans la tradition française de l'association d'opérateurs privés à la réalisation de missions de service public, et dans le mouvement d'innovation marqué par le développement des partenariats public-privé en Grande Bretagne et dans de nombreux autres pays européens. Le nouveau dispositif peut être mis en œuvre aussi bien par l'Etat et ses établissements publics que par les collectivités locales.

Une trentaine de projets d'investissement émanant de l'Etat sont en cours dans dix ministères, pour un montant total de près de 6 milliards d'euros, et environ soixante dans les collectivités territoriales (ce dernier chiffre est en accroissement rapide). La fin de l'année 2006 a vu la signature des premiers d'entre eux.

La Mission d'appui aux partenariats public – privé (MAPPP), placée auprès du Ministre de l'économie et des finances, assiste les porteurs de projets, valide les rapports d'évaluation préalables lorsqu'ils émanent de l'Etat ou de l'un de ses établissements publics, développe les outils d'accompagnement et participe au parachèvement du cadre réglementaire.

www.ppp.minefi.gouv.fr/

2. Les démarches qualité et les simplifications administratives

2.1. Les démarches qualité

La Charte Marianne est une charte d'engagements sur la qualité de l'accueil comprenant des engagements obligatoires et des engagements optionnels. Elle est à la fois fédératrice et adaptable à la variété des publics et des prestations. Généralisée en janvier 2005, la Charte Marianne est largement appliquée au sein de l'Etat (plus de 2000 services et juridictions), mais aussi par d'autres acteurs publics. L'évaluation de son déploiement a montré la nécessité de progresser sur la fiabilité des engagements et d'ancrer plus profondément les pratiques de mesure des résultats et de pilotage de l'amélioration de la qualité.

Le gouvernement a lancé une nouvelle étape début 2006 avec l'évolution de la Charte Marianne vers le Label Marianne. Le Label Marianne est adossé à un référentiel semblable dans sa forme aux référentiels utilisés dans la certification de service. L'attribution du Label sera conditionnée par une évaluation sur site effectuée par un tiers indépendant. Le référentiel Marianne se veut applicable par toute structure ayant une mission de service public et recevant des usagers.

Le Label Marianne consolidera la qualité de l'accueil du public et incitera à la généralisation des principes du management de la qualité.

L'expérimentation de ce nouveau dispositif a été lancée en novembre 2006 avec 61 sites pilotes, (services de l'Etat, juridictions, collectivités locales, établissements de santé...). L'objectif est que ces

sites soient labellisés à l'automne 2007. Cette phase test permettra d'affiner le référentiel et les outils d'accompagnement afin de se préparer à un déploiement plus large du Label à partir de fin 2007.

http://www.thematiques.modernisation.gouv.fr/chantiers/234_58.html

http://www.thematiques.modernisation.gouv.fr/chantiers/239_59.html

2.2. Les lois de simplification administrative

Le gouvernement travaille sur une nouvelle étape consistant à limiter le flux de nouveaux textes par des règles obligatoires de concertation et d'évaluation préalables. Il impose désormais la production d'une évaluation préalable détaillée pour tout nouveau projet de loi.

Le gouvernement poursuit également ses efforts pour freiner la multiplication des commissions administratives : 147 commissions administratives centrales ont été ainsi supprimées depuis 2004. L'objectif est de supprimer 200 nouvelles commissions en 2007.

De surcroît, le décret du 8 juin 2006 définit plus strictement les règles de création et de durée des commissions administratives. Toute nouvelle commission fera l'objet d'une étude d'impact cinq ans après sa création afin de déterminer sa nécessité. Les commissions existantes à la date du 8 juin 2006 auront une durée limitée à trois ans.

2.3. La qualité règlementaire

Ainsi que cela se fait dans la plupart des Etats membres de l'Union Européenne, le gouvernement français conduit depuis fin 2004 un programme de mesure et de réduction des charges administratives qui pèsent sur les entreprises, plus particulièrement dans le cadre des démarches nécessaires à leur activité. L'objectif est de réduire de 20 % le coût de l'ensemble des obligations.

A titre expérimental, 112 procédures, générant une dépense totale de 1,1 milliards d'euros pour les entreprises, ont déjà été étudiées. Parmi celles-ci, les 30 régimes les plus complexes et/ou les plus coûteux ont été identifiés et mesurés non seulement en ce qui concerne le coût pour les entreprises mais aussi celui pesant sur les administrations (instruction et décision). Un plan de réingénierie a été élaboré fin 2006 pour être mis en œuvre en 2007.

Le gouvernement s'est engagé depuis septembre 2006 à mesurer 200 nouvelles obligations. Le coût au sein de l'administration et de l'entreprise va être prochainement mesuré. S'y ajoutera la mesure du coût généré pour l'entreprise par les délais de l'administration. Le plan de réingénierie de ces 200 obligations sera mis en œuvre courant 2007. Les gains attendus devraient correspondre à une réduction de 20% de la charge administrative pour les mesures ayant fait l'objet d'une évaluation.

Enfin, en 2007, un inventaire complet des obligations sera effectué et de nouvelles mesures et réductions seront entreprises.

3. L'administration électronique

Le Programme gouvernemental ADELE (administration électronique) a organisé le développement de l'administration électronique en fonction de cibles (citoyens, entreprises, associations, collectivités). Outre les relations entre les usagers et les services de l'Etat, il a prévu la refonte des systèmes d'information des administrations ainsi que la réingénierie des processus.

<http://synergies.modernisation.gouv.fr/>

3.1. Un plan d'action coordonné

Le Plan d'action 2004 s'appuie désormais sur un **schéma directeur**, qui :

- facilite la mutualisation technique et financière des projets ;
- favorise et garantit l'interopérabilité des systèmes d'information ;
- synchronise les travaux et offre une visibilité à long terme ;

47 Initiatives thématiques (Archivage, Identité numérique, Gestion de la Relation, Développement informatique...) définies en concertation assurent ainsi un développement cohérent de l'administration électronique.

Le Schéma Directeur répond par ailleurs aux exigences de la réforme budgétaire inscrite dans la LOLF : il permet en effet de rationaliser les investissements, d'assurer leur pérennité et il contribue ainsi à la poursuite des objectifs de performance publique. Le pilotage de la stratégie ADELE est conforté par l'utilisation de Mareva (Méthode d'Analyse et de Remontée de la Valeur), outil d'aide à la décision, destiné aux décideurs, qui permet l'évaluation préalable d'un projet, sa pertinence, et le suivi de sa mise en œuvre.

En parallèle, l'ordonnance du 8 décembre 2005 a adapté le droit administratif à la généralisation des téléservices : équivalence entre courriers papiers et dématérialisés, signature électronique, règles de sécurité et d'interopérabilité.

3.2. Le développement de nouveaux services

Les services en ligne les plus récents ou en cours d'ouverture :

Les formalités administratives en ligne : 600 procédures administratives peuvent être actuellement traitées en ligne par les usagers. Un chantier complémentaire de refonte des processus sera ouvert en 2007 pour optimiser le travail des agents et tirer tous les avantages liés à la dématérialisation des formalités administratives.

<http://administration24h24.gouv.fr/guideparticuliers-260905.pdf>

Le portail personnalisé « Mon.service-public » : il s'agit du projet le plus important et le plus structurant du Programme ADELE qui vise à offrir à chaque usager un accès personnalisé et sécurisé à l'ensemble des services électroniques mis en place par les administrations. Ce portail personnalisé et sécurisé sur lequel les usagers pourront suivre l'état d'avancement de leurs dossiers et stocker des formulaires ainsi que des informations personnelles, des documents et pièces administratives au format électronique nécessaire dans le cadre des téléprocédures, sera disponible au premier semestre 2008.

Les relais services publics : guichets polyvalents, ils offrent au public, en un lieu unique, la possibilité d'obtenir des renseignements sur les démarches administratives, de les réaliser en ligne et de bénéficier d'une aide à la constitution de dossiers. Opérationnels depuis décembre 2006 dans le département de la Nièvre puis en Gironde et dans les Alpes Maritimes, ils sont en cours de déploiement progressivement en fonction des projets identifiés par les préfets et les élus locaux.

ProDouane, le bureau de douane en ligne : destiné aux professionnels, ProDouane est la plateforme de services sur laquelle les opérateurs accomplissent les formalités administratives concernant la

logistique, le dédouanement et la fiscalité indirecte. C'est le point d'accès unique aux 40 téléservices douaniers, qui permettra de traiter un volume de 30 millions de déclarations annuelles.

Subv&net : destiné aux associations, Subv&net est le projet de demande de subvention unique mis à disposition des associations. Ce projet est en phase expérimentale à Lyon et sera déployé dans toute la France en fin d'année 2007. Il comporte un référentiel des instruments de soutien financier et un processus d'instruction partagé et interpartenarial des dossiers.

3.3. La promotion de normes et de standards communs : le Référentiel Général d'Interopérabilité et le Référentiel Général de Sécurité

La stratégie d'administration électronique, qui permet d'améliorer et de simplifier les relations entre l'administration et les usagers, a également des incidences très importantes sur la modernisation du fonctionnement interne de l'Etat. Afin de renforcer la coopération entre les administrations, il est nécessaire de mettre en œuvre l'interopérabilité de leurs systèmes d'information. Dans cette perspective des règles communes doivent être élaborées et inscrites dans des référentiels qui s'imposeront aux services de l'Etat.

Adossé à un texte réglementaire, le **Référentiel général d'interopérabilité** (RGI) s'imposera aux principaux intervenants des administrations de l'Etat : décideurs, chefs de projets et experts en systèmes d'information. Le RGI constituera par ailleurs un cadre de référence pour les citoyens et les entreprises dans leurs relations avec l'administration.

L'interconnexion des systèmes, favorisée par le RGI, ne doit pas se faire au détriment de la sécurité. Dans ce souci, le **Référentiel Général de Sécurité** (RGS) spécifie l'ensemble des règles que doivent respecter les téléprocédures en matière de sécurité (identification, authentification, signature).

Le RGI et RGS devraient entrer en vigueur d'ici la fin de l'année 2007.

www.legifrance.gouv.fr/texteconsolide/AAFAU.htm

3.4 Des infrastructures mutualisées

Dans le domaine des réseaux de données, un réseau interministériel a été mis en place en 2006. Il irrigue à ce jour plus de 40 entités (ministères, Présidence de la République, Conseil Constitutionnel). Ce réseau offre également de la bande passante Internet aux ministères qui le souhaitent (avec ou sans valeur ajoutée de type firewall, antivirus,...). Ce réseau est interconnecté au réseau européen TESTA.

3.5 Le plan d'action i-2010

La France participe activement à la mise en œuvre de la stratégie européenne en matière d'e-government, décidée par le Conseil en juin 2006 et qui s'articule autour de quatre chantiers prioritaires :

- l'inclusion numérique ;
- le développement de services à impact élevé pour les citoyens et les entreprises ;
- l'interopérabilité des systèmes de gestion de l'identité numérique ;
- l'efficacité et la performance des services publics en ligne.

4. La gestion des ressources humaines

4.1. La mise en place de conférences annuelles de gestion prévisionnelle des ressources humaines

La circulaire du 16 novembre 2006 représente une étape importante de l'évolution de l'Etat dans ses modalités de conduite de changement. En effet, l'organisation annuelle des « **conférences de gestion prévisionnelles des ressources humaines** », expérimentée en 2006 avec sept ministères volontaires, et étendue en 2007 à l'ensemble des départements ministériels, définit **un nouveau cadre de gouvernance d'ensemble de la fonction publique de l'Etat**.

Il s'agit, sur la base de **schémas stratégiques de gestion des ressources humaines** établis par les ministères, d'examiner les stratégies pluriannuelles au sein desquelles ils inscrivent leur action, ainsi que la cohérence de ces stratégies avec la politique générale de GRH portée par le Ministère de la fonction publique.

Cet examen donne lieu, lors des conférences, à un échange approfondi entre la Direction générale de l'administration et de la fonction publique (DGAFP) et les secrétaires généraux et DRH des ministères sur chacun des points détaillés dans les schémas stratégiques, ce qui permet de les **mettre en cohérence dans une perspective globale et pluriannuelle**, d'anticiper les contributions de chacun aux dossiers en cours et de procéder au **recensement des meilleures pratiques** en vue d'une mutualisation au sein de l'Etat. Les engagements réciproques pris en conférence sont relevés dans un document signé par la DGAFP et par le secrétaire général ou DRH du ministère.

L'expérimentation a permis la contractualisation d'engagements réciproques entre les ministères et la DGAFP en vue d'une meilleure cohérence de la politique de gestion des ressources humaines menée au sein de l'Etat, tant en termes de stratégie que d'organisation et de processus.

Au-delà de cette recherche de cohérence, il s'agit pour la DGAFP, à l'échelon interministériel, de mieux remplir sa mission d'animation d'une politique d'ensemble de la fonction publique et de conduite du changement dans un cadre souple permettant la **co-élaboration des réformes au plus près des attentes des gestionnaires ministériels**.

<http://www.fonction-publique.gouv.fr/rubrique213.html>

4.2. Le projet interministériel Systèmes d'information des ressources humaines (SIRH)

Le projet interministériel Systèmes d'information des ressources humaines (SIRH) conduit par la DGAFP et la DGME dans le cadre du plan d'action de l'administration électronique, poursuit plusieurs objectifs complémentaires :

- accompagner les ministères dans l'évolution de leur SIRH et les aider dans la mise en œuvre de la Gestion prévisionnelle des effectifs, des emplois et des compétences (GPEEC) et de la LOLF ;
- harmoniser les SIRH des ministères, renforcer leur cohérence et leur interopérabilité, faciliter la consolidation nationale des informations et faire collectivement des économies de moyens ;
- mettre en place un infocentre pour consolider les informations issues des trois fonctions publiques ;
- leur permettant de développer leur démarche de GPEEC.

www.fonction-publique.gouv.fr/article387.html

4.3. Le répertoire interministériel des métiers de l'Etat (RIME)

Pour l'ensemble de la fonction publique de l'État, le Ministre de la fonction publique a décidé en 2005 d'élaborer un Répertoire Interministériel des Métiers de l'État (RIME). Ce répertoire a été publié en novembre 2006 au terme d'une dernière phase de concertation avec les organisations syndicales. Il identifie et décrit plus de 230 emplois de l'État.

L'objet du RIME, outil de référence interministériel, est :

- d'assurer une meilleure transparence à l'égard des citoyens sur ce « que font les agents de l'État », et de mieux valoriser le travail effectué par ces derniers ;
- de rendre les besoins en compétences de l'État plus facilement appréhendables par le marché du travail et l'appareil de formation ;
- de favoriser une gestion dynamique des ressources humaines (GRH) :
 - en ajoutant une dimension qualitative à l'expression des besoins en personnels ;
 - en identifiant les emplois qui peuvent être communs à plusieurs ou à l'ensemble des ministères pour construire, par exemple, des parcours professionnels plus ouverts et plus riches.

Sont concernés par ce répertoire interministériel tous les emplois de l'État : les emplois occupés par les personnels titulaires, mais aussi ceux tenus par les contractuels, qu'ils soient civils ou militaires, soit environ deux millions et demi de personnes.

En tant qu'outil de connaissance, le RIME s'adresse à de nombreux utilisateurs :

- les citoyens et leurs représentants peuvent y trouver des éléments de transparence sur l'emploi public ;
- les agents de l'État et des autres fonctions publiques peuvent avoir une vision plus complète et plus précise des emplois existants et orienter leurs carrières en conséquence ;
- les organisations syndicales peuvent utiliser cet outil pour leurs réflexions sur l'emploi public ;
- le marché du travail peut également repérer plus facilement les caractéristiques des besoins en emplois de l'État ;
- l'appareil de formation initiale peut tenir compte des besoins en compétences exprimés ;
- les ministères et les opérateurs publics peuvent élargir le champ de leur GRH ;
- le Ministère de la Fonction publique a à sa disposition un outil d'analyse et de prospective de l'emploi public.

www.fonction-publique.gouv.fr/article389.html

www.fonction-publique.gouv.fr/article548.html

4.4. La loi de modernisation de la fonction publique du 02 février 2007

La loi de modernisation de la fonction publique a conduit à :

- instituer un **droit individuel à la formation** (DIF) au bénéfice de chaque agent public à l'instar de ce qui existe pour les salariés du secteur privé ;
- introduire des **mécanismes de reconnaissance des acquis de l'expérience professionnelle** dans le recrutement ainsi que pour le déroulement des carrières.

4.4.2. De meilleures perspectives de carrière pour motiver les fonctionnaires

La loi de modernisation de la fonction publique invite à :

- prévoir des **fusions de corps** afin de développer la mobilité des fonctionnaires dans un cadre harmonisé. 413 000 fonctionnaires seront gérés à l'avenir dans 101 corps au lieu de 335 ;
- faciliter **la mobilité** entre les fonctions publiques ainsi qu'entre le secteur public et le secteur privé.

<http://www.fonction-publique.gouv.fr/>

<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=FPPX0600067L>

GERMANY

Special focus: Political involvement and responsibility in senior staffing decisions

In principle, civil servants are appointed for life. This is one of the traditional principles of a professional civil service listed in Article 33 (5) of Germany's constitution, known as the Basic Law. Its significance for a democratic nation governed by the rule of law lies in ensuring administrative permanence in the midst of political change.

Politically appointed civil servants have a special role in the interplay between public administration and politics. They must be sure to remain in constant agreement with the government's political views and goals. They actively support the government's policies and must guarantee the greatest possible degree of effective cooperation with the government. They operate at the interface between politics and public administration. The purpose of the institution of politically appointed civil servants is to ensure a seamless connection between the political leadership and the civil service hierarchy. Because of their connecting function, politically appointed civil servants must at all times have the complete trust of the government, as they are largely regarded by the public as representing the government. To ensure this close relationship of trust which is essential to effective cooperation in the political sphere, politically appointed civil servants are exempt from the principle of life tenure, which holds that civil servants may be retired only upon reaching the retirement age or due to unfitness for work. As a result of this exemption, which is based on

rulings by the highest court, politically appointed civil servants may be suspended from service at any time. Similarly to any other form of discharge from the civil service, however, suspension is only permissible in compliance with certain conditions and forms as stipulated by law.

For the federal administration, Section 36 of the Act on Federal Civil Servants (BBG) largely determines which positions are to be filled by politically appointed civil servants: state secretaries and those with the rank of *Ministerialdirektor* (roughly equivalent to the rank of director-general in a federal ministry), as well as high-ranking civil servants in the foreign service and ambassadors, high-ranking civil servants in the intelligence services and specific, high-ranking administrative positions such as the director of the Bundestag and of the Bundesrat. Overall, politically appointed civil servants account for well under 0.5% of all federal civil servants. The number of politically appointed civil servants actually suspended in the past is even lower.

Government programme “Focussed on the Future: Innovations for Administration and E-Government 2.0

The Federal Government has declared its goal of achieving innovative, effective and efficient public administration as well as reducing unnecessary bureaucracy. The Federal Cabinet adopted the programme *Focused on the Future: Innovations for Administration* including the *E-Government 2.0* programme on 13 September 2006. This comprehensive strategy for modernizing the federal administration unites the fields of personnel, management, organization and e-government more closely than before and does justice to the need for forward-looking public administration. It focuses on innovations to improve administrative performance and efficiency.

In its **2007 Implementation Plan** for the government programme, which was adopted by the Cabinet on 28 February 2007, the Federal Government specifies its overall strategy for modernizing the federal administration using 57 model projects.

The government programme *Focused on the Future: Innovations for Administration* includes 32 model projects in the fields of personnel, management and organization, such as:

- **Shared services** - Combining standardized, administrative-internal services to take advantage of synergies, reduce processing times, improve service, increase flexibility and make more efficient use of existing resources. Previous measures to standardize and combine services in the federal administration have already provided significant, concrete results. For example, the Federal Office for Central Services and Unresolved Property Issues (BADV) was able to reduce staff expenses for processing allowances by 50% for each allowance statement, and the Procurement Office of the Federal Ministry of the Interior tripled its revenue per procurement staff member.
- **Professional staff management and improving conditions of employment:** For modernization of the federal administration to be successful, employees must support this effort and further develop their skills and competencies. Tailored, individual development of management staff, training targeted to identified needs, e-learning (integrating learning and working, more opportunities for part-time and teleworkers to participate), workplace health promotion (reducing employee sick days), better balance between family and career and modern legislation on collective bargaining and the public service (incentives and prospects for career development) help prepare employees for future tasks.
- **Building information and knowledge management in the federal administration** Knowledge and ideas are elemental resources in public administration which need to be nurtured and expanded. Those who need it for their work should have easy access to information from

external sources and administrative-internal knowledge. To this end, the federal intranet is being expanded and employee portals are being set up. More progress should be made in introducing and using electronic workflows in public agencies. Expanding central databases, such as the database of federal administrative regulations, speeds up administrative action and increases quality and transparency.

- **Management within public administration** - Stronger and more results-based management should increase the efficiency and effectiveness of federal administrative action. This includes instruments and processes of strategic management. Existing budget management and accounting is being analysed and proposals for modernization are being developed. The Federal Government promotes best-practice approaches, benchmarking, quality management and better expert supervision, as well as supervisory and project management skills in the federal administration.

Under the auspices of the *E-Government 2.0* programme, the Federal Government is expanding its e-government offerings in 25 individual, service-oriented projects, for example:

- **Modernizing registration** - More than 5,200 registration agencies in Germany administer the data of approx. 82 million residents, making up the informational backbone for numerous administrative processes at federal, state and local level. Each year, their data registries are needed to respond to more than 40 million requests for information from public and private agencies and process approx. 3.8 million changes of address following removals in Germany each year. Establishing a federal civil registry will reduce the burden on state and local governments. We will provide up-to-date, high-quality registry data to public administration and the private sector centrally and cost-effectively. The nation-wide introduction of online registration will make the registration process significantly easier for residents of Germany.
- **Electronic suspicious transaction reports** - To fight money laundering and the financing of terrorism, banks and other financial institutions are obligated to report suspicious transactions. About 9,000 suspicious transactions are reported each year – and the number is growing. In future, the Federal Criminal Police Office (BKA) will accept suspicious transaction reports from credit and financial institutions only in online form, in order to make the process less bureaucratic and to enable the BKA to respond more quickly.
- **Secure food chain** - Modern methods of identification, communications infrastructure and better networking of IT processes will improve consumer protection by making it possible in future to trace food products from the producer to the consumer. This project will be carried out by the University of Hohenheim in close cooperation with the private sector, associations, other universities and federal, state and local agencies.

Starting in 2008, the Federal Ministry of the Interior will provide the Federal Cabinet with an annual progress report on the implementation of the government programme *Focused on the Future: Innovations for Administration* including the *E-Government 2.0* programme.

Reducing bureaucracy

1. *Measuring administrative costs*

On 25 April 2006, the Cabinet adopted the programme ***Bureaucracy Reduction and Better Regulation***. in which the Federal Government has set itself the goal of identifying, measuring and reducing administrative costs using the standard cost model.

Current reporting obligations for the private sector mandated by federal law have been identified. Since early 2007, the Federal Statistical Office has been using the standard cost model to determine the costs to the private sector of its reporting requirements. With a cabinet decision of 28 February 2007, the Federal Government set the goal of reducing these costs by 25% by the end of 2011.

2. *Establishing a national judicial review (regulatory impact) council and ex-ante assessment of administrative costs for proposed federal legislation*

In accordance with the law on establishing a national judicial review (regulatory impact) council which entered into force on 18 August 2006, an independent oversight and advisory body has been set up within the Federal Chancellery. The national judicial review (regulatory impact) council is intended to help the Federal Government reduce the administrative costs caused by reporting obligations required by law.

This council will therefore be involved in the Federal Government's legislative proposals and can comment on them. For the council to do its work, the anticipated administrative costs resulting from new legislation must be estimated. The federal ministries are therefore obligated to identify the administrative costs associated with proposed legislation and list them separately in the cover sheet and explanatory memorandum.

The Federal Government implemented these measures with its decision of 8 November 2006 on the First Amendment to the Joint Rules of Procedure of the Federal Ministries to include the national judicial review (regulatory impact) council and introduce the assessment by the federal ministries of administrative costs for proposed legislation. The changes entered into force on 1 December 2006.

3. *Checklist for better legislation*

In November 2006, the Committee of State Secretaries on reducing bureaucracy agreed that, in future, a checklist for better legislation is to be included with cabinet submissions. This checklist will present the results of the regulatory impact statement, administrative cost assessment, examination of draft legislation, etc. for proposed legislation in an easily understood form. The idea of drafting such a checklist was first mentioned in the cabinet decision of 25 April 2006 on reducing bureaucracy.

4. *Guidelines for Preparing Legal Provisions and Administrative Regulations*

The Guidelines issued by the Federal Ministry of the Interior in 1992 is being updated and revised with the aim of achieving a practice-oriented work tool. Conclusion presumably early 2007.

Prevention of corruption

1. The Federal Government Directive concerning the Prevention of Corruption in the Federal Administration, in its version of 30 July 2004, sets out the specific measures to be taken in a very practice-oriented manner. This directive contains essential elements of the prevention strategy of the Federal Government:

- Systematic implementation of the principle of greater scrutiny and personnel rotation (every five years as a rule; if this is not possible in exceptional cases, a report must be written and compensatory measures must be taken)
- Identification of areas especially prone to corruption
- Special basic and further training programmes for superiors and staff in sensitive fields of work

- Establishing contact points in supreme federal authorities as contact partners for staff, citizens and heads of offices, even without the obligation to use official channels, and for advice and information.
- Greater awareness-raising of staff for borderlines between what is allowed and what is not allowed.
- Efficient controls.

Since 7 July 2004 a Code of Conduct against Corruption for all Staff Member and Guidelines for Superiors and Heads of Authorities to Exercise Consistent Supervisory Control has also been incorporated into the Directive. In addition, there are recommendations on individual provisions of the Directive intended to facilitate its implementation. Additional information aids are currently being drawn up to this effect. Since 2004 preventative work has above all been focused on identifying particularly sensitive areas in abstract terms and on subsequent risk analyses as well as general campaigns to raise the awareness of all staff members concerned and on increased information and basic and advanced training of staff in particularly sensitive fields.

In the ministries and other authorities of the federal administration, newly recruited staff are informed about the dangers of corruption and the severe consequences of corruptive behaviour under public service law and labour law in intra-house training and special courses. In addition, intra-house electronic information systems are used to deal with this issue on a regular basis. Measures in the context of exercising supervisory control are also being increasingly used as an instrument of effective prevention of corruption. In addition, the regular exchange of experience has been intensified with those entrusted with the task of preventing corruption.

The Federal Ministry of the Interior follows and evaluates the implementation of the directive in supreme federal authorities and their subordinate offices. Since 2005 the Federal Ministry of the Interior has submitted annual reports about the results and the development of measures on the prevention of corruption in the federal administration to the German Bundestag.

2. Since 11 July 2003 the General Administrative Regulation to Promote Activities by the Federal Government through Contributions from the Private Sector (sponsoring, donations and other gifts) adopted by the Federal Government has provided for transparency of sponsoring to the federal administration which is solely admissible outside executive or freedom-restricting administration anyway. Sponsoring, for instance, is allowed to organize representative events to portray the Federal Republic of Germany towards foreign countries, to support public relations, and in campaigns aimed at health education. Currently, supplementing recommendations are being drawn up on the administrative regulation; the aim is to provide individual users with additional explanatory information to implement this provision and to standardize practical application, because relevant cases vary widely. Since 2005, the Federal Ministry of the Interior has submitted a report to the German Bundestag and the public about sponsoring to the federal administration every two years.

3. For the Directive on the Prevention of Corruption and the Administrative Regulation on Sponsoring as well as other essential and relevant provisions please click [Texts on Corruption Prevention](#) on the BMI's homepage.

Internet:

www.bmi.bund.de

<http://www.verwaltung-innovativ.de>

ICELAND

Recent reforms in Iceland

Recently the Ministry of Finance has been working on some major projects regarding public sector reform initiatives. They include a new policy and goal setting for public sector reforms, an outsourcing policy and a new handbook that describes the hiring process of public servants.

Effective government operations

In the mid 1990s the government initiated a reform program called Restructuring the Public Sector. Under that initiative the budget process was changed to frame budgeting, performance contracts were implemented and large privatisation effort executed, to name a few examples. Also there was a change in legislation with new Administrative Procedures Act, Access to Information Act, Civil Service Act, Financial Management Act and improvements in the procurement legislation.

Now, based on this foundation, the government has issued a new reform program called Effective government operations. Its core slogan is efficient public service delivered economically and by simplistic methods. The program's aim is to keep up a momentum for continuous reforms and performance thinking in the public sector. It involves reforms that are aimed at internal government operations and is divided into five themes: Organizational structure, public governance, financial management, human resource management and the government's relations with the private market. These five themes cover all range of reforms, such as further developing performance contracts, performance oriented financial management and personnel policies, citizens rights to service, better services, enhanced public procurement, and improvements of the government's role as a buyer with service contracts, along with better regulation and aims to reduced administrative burden and more. It also focuses on the structure of the public sector and the goal is to make it more flexible without losing sight on accountability and control. It also pays special attention to central government – the ministries themselves – as they have not been reformed in the same way as the government agencies.

The policy document is available in English on the Ministry of Finance' website: <http://eng.fjarmalaraduneyti.is/>.

Hiring public servants

The Ministry of Finance has just recently published a handbook for agencies on public hiring. In the book an attempt is made to integrate human resources methods connected to hiring with the laws and regulations concerning civil service personnel in Iceland. The handbook describes best practises on the public hiring process and deals with frequent issues in light of many mistakes that agencies do in this process. The book covers the whole spectrum from when a job becomes vacant, job design, advertisement, job interviews, overall evaluation of the candidates, actual hiring and how a new employee should be welcomed.

The handbook is available in Icelandic on the Ministry of Finance' website.

Outsourcing

Last year the government, based on its procurement policy, approved and published an outsourcing policy for the government. Under the outsourcing policy, ministers and their agencies are requested to do an analysis of the efficiency and effect of operational tasks that are already in place and evaluate them so see if it is feasible to outsource them or not. They are in fact required to produce their own outsourcing policy based on the government's policy. Ministries and agencies are asked to classify their operational tasks as A, B and C tasks. A tasks are easy to outsource and ministries and agencies should take the appropriate steps to do so, B tasks could, given the circumstances, possibly be outsourced and should be looked into further with considerations to competition and so on, but C tasks are not possible to outsource at that particular time and should be review later.

The outsourcing policy also refers to a recently introduced Regulation (no. 343/2006) concerning contracts for operational tasks of ministries and agencies for a term longer than one year (called service contracts).

The outsourcing policy and the regulation are available in English on the Ministry of Finance' website: <http://eng.fjarmalaraduneyti.is/>.

IRELAND

Value for money measures

A number of important initiatives have been introduced which put in place a robust framework for the selection and management of expenditure programmes and projects which will optimise value for money considerations. These include:

- **Capital Envelopes:** Rolling 5 year multi annual capital envelopes, which were introduced in 2004, with a 10% capital carryover facility, give Departments and implementing agencies flexibility to plan and manage their capital programmes and projects. Departments and agencies have general delegated responsibility for selecting and managing their capital programmes and projects within the framework of the capital envelopes, provided that they comply with the central guidelines for capital appraisal and public procurement and other the other recent value for money requirements.
- **Capital Appraisal Guidelines:** These guidelines are designed to encourage a better approach to appraisal and management of capital programmes and projects and to reflect best international practice. Key features of the guidelines are that all projects over €30 million must undergo a full cost benefit analysis and all capital programmes with an annual value in excess of €50 million and of 5 year duration or more will, for the first time, be required to be fully evaluated over the course of the 5 year cycle.

In relation to ICT projects a formal peer review process for major projects is now in operation. The peer review is carried out at key decision points - preliminary business case assessment,

detailed assessment, pre-tender, post-tender, and project close-out - by a team of experienced people external to the Project Board and the organisation.

- **Individual/Management Responsibilities:** It is a specific requirement for all major capital projects and ICT projects that an individual project manager must be appointed who is responsible for managing and monitoring project progress and for reporting progress to a Project Board. There must be regular reporting of progress on capital programmes and major projects and value for money generally to the Management Advisory Committee of Departments and to Boards of State Agencies
- **Public Procurement Reform:** Reforms in this area are focused on shifting of risk, cost certainty, value for money and cost effective delivery of public capital projects. To achieve this the following measures have been introduced: new standardised public sector contract terms for contractors; conditions of engagement for construction consultants; and a supporting guidance framework for use by the public sector.
- **Public Private Partnerships:** Establishment of a Centre of Expertise for PPP Procurement in the National Development Finance Agency (NDFA) which will focus initially on new PPP projects in the Education, Justice and Health areas. Good progress is now being made in these areas and acceleration in deal flow is expected shortly.
- **Reform of the Estimates and Budget Process:** From 2007 Ministers are required to submit an Annual Output Statement to the Oireachtas in tandem with their Estimate. This statement will set out the target outputs of Departments and Agencies for the resources provided and report progress on performance as compared with target the following year. The performance information which the annual output statements will contain will enable the Select Committees, and the citizen, in considering the Estimates to see what is being achieved for public expenditure.

eGovernment and IT measures

A number of new initiatives have been implemented over the past year in furtherance of information and service provision to the public using on-line channels including –

- **Government Web Search Service:** Full details are available at <http://ec.europa.eu/idabc/en/document/6711/194>
- **On-line portal of Irish legislation:** All legislation is now available in both the English and Irish languages with context sensitive correlation between both. See <http://ec.europa.eu/idabc/en/document/6712/194> for full details.
- **On-line mapping of Land Registry:** This is available for professionals. Full details are available at <http://ec.europa.eu/idabc/en/document/6710/194>
- **On-line authenticated tax services for Pay As You Earn (PAYE) employees:** These on-line and mobile phone services provide customers with authenticated access to a wide range of personal tax services. See www.revenue.ie/wnew/newpayess.htm for details.
- **1911 Census:** A major project to place all records from the 1911 Census on the web is underway, with the first phase of records to be published later this year.

- **Digital Radio Services:** A major procurement exercise for the provision of digital radio services on a national basis to all non-commercial public bodies, with particular emphasis on the emergency and security services, is almost complete. A preferred bidder has been selected and is undertaking a Service Performance Evaluation prior to award of contract. Completion is expected by Quarter 3 of 2007. Once established the service will facilitate secure digital radio communications and interoperability across disparate public bodies and agencies and facilitate same with counterpart agencies in Northern Ireland.
- **ICT Framework Procurements:** A number of frameworks of competing vendors have been established for ICT commodities. All of these frameworks are available for use by all of the non-commercial public sector in Ireland. To date, frameworks have been put in place for desktop PCs and notebooks. Procurement exercises are underway for various printer type and mobile voice and data telephony services. Others are being planned.

JAPAN

Public Service Reform

On July 7, 2006, the Public Service Reform Act was enacted to make the Government simpler and more efficient by Market Testing. Through public-private/private-private competitive tendering, the Government shall maintain/improve the quality of public services and save costs.

In this act a mechanism also exists for introducing special measures in cases where legal regulations prevent the entry of private firms. This helps achieve the goal of letting the private sector provide public services if it is capable of doing so.

This act can be obtained on our website stated below.

<http://www5.cao.go.jp/koukyo/houritsu/file/houritsu.pdf>

On September 5, 2006, “Basic Policy on Public Service Reform” was decided by the Cabinet under the law. To reflect the requests and opinions from the private firms and the local governments, this basic policy included public services to be tendered (public-private/private-private) and actions which enable private firms to provide public services and public services to be abolished.

On December 22, 2006, to add public services to be tendered, “Basic Policy on Public Service Reform” was revised and decided by the Cabinet under the law.

From now on public services to be tendered are added through the revision of “Basic Policy on Public Service Reform” to reflect the requests and opinions from the private firms and the local governments under the law.

Related information of the law and the basic policy can be obtained on our website stated below.

<http://www5.cao.go.jp/koukyo/index.html>

E-mail addresses of contacts at the Office for Public Service Reform in the Cabinet Office are as follows:

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Challenges and Activities toward e-Government

“New IT Reform Strategy” was formulated in January 2006 by IT Strategic Headquarters headed by Prime Minister, as a new 5-year IT national strategic plan until FY2010.

In the area of e-Government, the new strategy set out 2 targets stated below.

- To realize streamlined e-Government by optimizing whole of government
- To accelerate online use and to achieve 50% of online application rate by FY2010, accordingly to realize citizen-oriented e-Government which citizen can find more convenient and high-quality services

To achieve the targets, “Program for Promoting e-Government”, which describe concrete actions, were formulated.

For the target 1., for example, the following actions are to be taken.

- To implement EA based on the “Optimization plans” which include concrete actions such as drastic renovation of businesses, using systems common to ministries and outsourcing routine businesses, etc., and to review those progresses and achievements continually
* The total savings by implementing 76 optimization plans which are decided by March 2006 are estimated to be about 122.9 billion yen of operational costs (about US\$1.0 billion) and about 5.9 million of labor days per year. (US\$1=¥119, 1 labor day=8hours)
- To examine feasibility of system sharing and concentration of those operated by individual ministries by early FY2007
- “Basic Policy for the Public Procurement of Computer Systems” was formulated in March 2007. It includes improvement of government procurements related to computer systems, such as expansion of competitive opportunities increasing technically capable companies’ chances to bid and promotion of detached procurements. Each ministry is to procure computer systems based on this guideline. (The guideline will come into effect on July 1st, 2007.)

For the target 2., for example, the following actions are to be taken.

- To take initiatives along “Action Plans*” for most frequently used procedures (e.g. company registration, national taxes, and social security) in order to promote online use
*Action Plans include the targets of online application rate and concrete actions.
- In a review process of “Action Plans”, to add stronger incentives such as reducing attached documents, simplifying identity verification, reducing fee, shortening the processing period, etc.

- To enhance the information provision thorough government portal site “e-Gov” or web pages operated by ministries
- To promote the integration of application systems on e-Gov (one-stop service)

Reform of the Remuneration Structure

—To be adopted incrementally over a five-year period from FY2006—

In the National Personnel Authority Recommendation of August, 2005, the NPA gave an overall picture of concrete measures and schedules toward completion, etc. regarding improvements of salary and allowance systems as a whole.

The gist of reform is as follows:

- Reviewing allocations among regions in order to reflect local wages in remuneration for national public employees.
- Restraining the pay step increase according to seniority, and transition to the salary structure corresponding to duties and responsibilities.
- Reflection of performance in remuneration.
- Among these reforms of the Remuneration Structure, the matters which have already been implemented based on the NPA's recommendation are the following. Other matters will be implemented incrementally over a five-year period until 2010.
- In order to better reflect the regional differential in private sector wages in the remuneration of public employees, considering regions where private sector wage levels are low, the salary level of public employees was reduced by an average of 4.8% on the whole. In regions where private sector wage levels are high, the Area Allowance from 3% to a maximum of 18% is to be furnished.
- Wide-Area Transfer Allowance of 3% or 6% is to be furnished employees transferred to a far office, considering the fact that wage levels of private enterprises which carry out wide-area transfers of their employees are higher than those of average local private enterprises,
- Based on the review of the basic salary curve (aimed at flattening the basic salary curve) the pay step increase according to seniority was restrained. Specifically, while the salary level as a whole was reduced by 4.8% on average, the salary level of middle and upper age groups was reduced by 7% without any reduction for salary levels of young employee groups.
- In order to better reflect the actual work performance in the salary increase, the former pay steps were divided into four parts, and the regular step increase and the special step increase were consolidated into a new one.

As for the Diligence Allowance(bonus), it was revised so that it reflects performance more appropriately.

- In order to improve seniority-based remuneration system and to reflect the duty and responsibility of the management more directly, the former payment of Managerial Allowance by fixed rate was shifted to the payment by fixed amount determined by salary schedule, grade of duty, and pay division. As for Managerial Allowance of third, fourth and fifth class divisions which are applied to the management of the regional office, the amounts of the allowance shall be improved and be shifted to fixed amount.

KOREA

1. On-nara system

Government of the Republic of Korea has introduced the government business management system called “On-nara BPS (Business Process System)” in 54 departments of the central government on January 2, 2007.

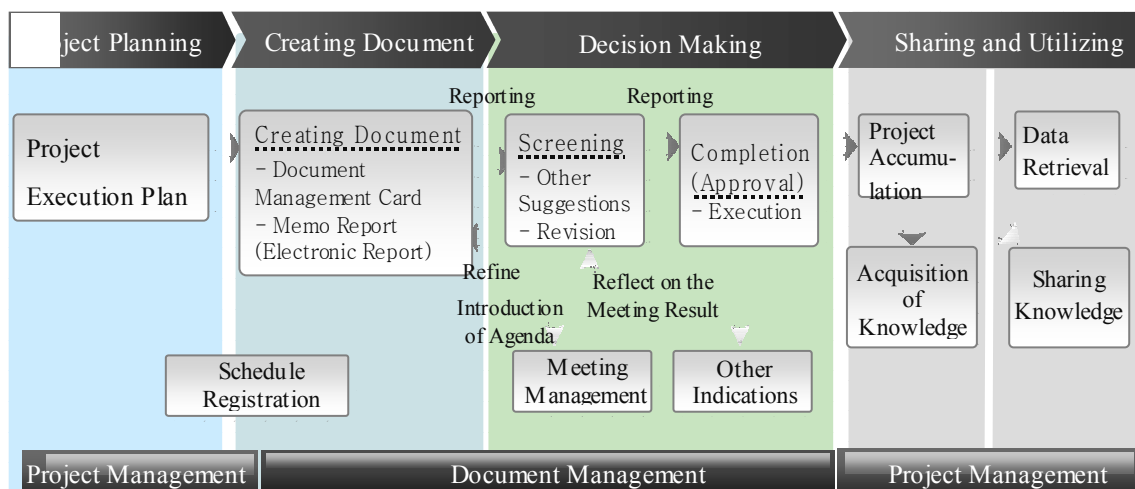
On-nara BPS is based on e知園¹⁵ (easy-one), which is a business management system of Office of the President, and was developed and distributed to all departments by the Ministry of Government Administration and Home Affairs.

“On-nara BPS” is to process all business processes ranging from the establishment phase of policy, decision-making process, and sharing of finally produced documents on-line in the system and was invented to change the methods of business implementation of government servants from the existing people and experience-oriented method to system and knowledge-oriented method.

In addition, “On-nara BPS” classifies all government works per function, purpose, and goal and it is possible to systematically manage accomplishment of implementation of each and any task as it is related to specific tasks in advance according to already classified system.

<Structure of On-nara BPS>

¹⁵ 知園 means a garden of knowledge. Since the pronunciation of e知園 is similar to that of easy-one, e知園 is translated into easy-one in English.



Effects of the introduction of On-nara BPS are as follows.

First, it will increase the efficiency of administration as it eliminates unnecessary interview report or document preparation by online processing of all works.

Second, it will increase transparency and responsibility of policies as all opinions of participants of decision-making are recorded and kept in the system.

Third, it will shorten the advancement of records management by systematically maintaining all records generated during the course of business processes.

Fourth, it will develop knowledge management through sharing business data recorded and archived.

In the future, the Republic of Korea plans to develop On-nara BPS introduced to each department as a nerve system network that can manage all government affairs real-time through the connection with overall governmental administration systems such as electronic evaluation system and digital budget accounting system.

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2. G4C(Government For Citizen, www.egov.go.kr)

(1) What is the G4C system?

In the knowledge-based information society that is reliant on the Internet, expectations and demands related to administrative services and systems that deliver information are rapidly intensifying. Under such circumstances, the concept of an “electronic government” emerged as a vital force to secure the nation’s

competitiveness in the administration sector. Accordingly, the G4C system was established for online civil petitions to enable more convenient and easier access to civil petition services and administrative works.

(2) Main Services

a. Civil petition support on the Internet

Civil petitioners are able to obtain support related to over 5,000 types of civil petitions through the integrated electronic civil petitions portal site. In particular, description of the process of civil petitions as well as information on relevant agencies in charge, processing procedures, commissions, necessary materials and relevant laws and regulations are provided online.

b. Civil petition application and processing

Application may be submitted for a total of around 650 types of civil petitions at the integrated online civil petitions portal site. Such civil petitions had been limited to issuance of various certificates and civil petitions that required no additional documents or where the documents could be retrieved from the information sharing system among administrative agencies. However, from September 2006, civil petitions requiring additional documents have been allowed to be applied for on the Internet.

c. Electronic reading/issuance of civilian documents

Among the civil petitions serviced through the integrated portal site, 30 types of certificates are processed and issued through the Internet. In this case, the printouts have the legal validity and admissibility as evidence equivalent to documents issued by civil petitions offices in accordance to the provisions of the Civil Petitions Treatment Act. This service is planned to be expanded phase by phase and by the end of the third phase in May 2007, around 40 types of services are expected to be provided.

d. Establishment of the infrastructure for the G4C system

The G4C project developed an integrated infrastructure of electronic civil petition service that many government ministries and agencies required in order to enable the sharing of the integrated infrastructure. Another purpose was to reduce expenditure by preventing overlapping investments.

The infrastructure of the system includes the online issuance of civilian documents, issuance and confirmation of civilian documents and prevention of counterfeiting and alteration of documents; web service incorporating the universal description, discovery and integration (UDDI) technology for registration and support for common web services of administration offices; the single sign on (SSO) system allowing a single log-in to gain access to electronic civil petition services of various administrative agencies; civil petition guidance system providing up-to-date information on civil petitions and standardized screens to guarantee consistency of the information; user directory system using Lightweight Directory Access Protocol (LDAP) that comprehensively manages user information scattered throughout various administrative agencies at a single point; electronic payment system for the management of payments of commissions for electronic civil petitions; and the electronic document system to comprehensively manage and utilize standardized application and issuance forms for civil petitions.

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3. e-Saram

CSC's e-Saram (formerly known as "Personnel Policy Support System) is a Human Resource Information Management System that automates all of critical HR functions. Vital personnel data including, compensation, benefits, contract/work histories, performance reviews, training documentation, certifications, and security clearance statuses are stored in a central database and available to HR, managers, and employees via the Intranet. Access to employee information coupled with eHRMS's substantial ad hoc reporting capabilities, enables immediate responses to government, management, and employee requests for information and reports. The use of e-Saram has greatly increased transparency and efficiency of the government bureaucracy.

4. The Career Intern Program for Regional Talents

The Career Intern Program, a program that will make the government a more diverse place by expanding entry opportunities for regional talents from non-Seoul areas. The intern program, established by presidential Executive Order, offers participants unrivaled professional experiences and training opportunities that are tailored to meet their professional goals in civil service.

The Career Intern Program is open to all qualified candidates. The qualifications include academic standing in top 5% of the applicant's graduating class and a minimum score of 775 on the TOEIC or 560 on the TOEFL.

50 Individuals hired into the program will occupy positions that are classified as either general administrative or technical in nature. Interns will receive excepted-service appointments for three years at grade 6. Employees who successfully complete the internship are eligible for non-competitive conversion to the competitive civil service.

CSC's commitment to regional talents' employment in the central government through the intern program is a part of its reform initiatives to promote representativeness and democratic values in the civil service.

5. Furthering the use of e-Procurement in Government Procurement

The OECD report (Progress in Implementing Regulatory Reform in Korea) published this year praised the Korean Online E-Procurement System (KONEPS) (www.koneps.go.kr) which the Public Procurement Service (PPS) established and operates, by acknowledging that it has enabled all procurement procedures to be processed online, thus achieving a higher level of efficiency and transparency in government procurement. In addition, the OECD recommended that Korea should strengthen efforts to promote further use of KONEPS by mandating the use of KONEPS to the extent possible. PPS recognizes this recommendation as being very appropriate, and sets the strategic goal of leading the enhancement of transparency and efficiency in government procurement through furthering the use of e-Procurement. To this end, PPS has continuously promoted the following tasks for implementation.

- Expanding contents for supporting e-Procurement by transforming KONEPS services into user-oriented web-based services
- Providing convenience in the use of KONEPS through continuous improvement of its functions
- Spreading and sharing Korea's experience in the successful establishment and operation of KONEPS internationally, and promoting further use of KONEPS domestically as well

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NETHERLANDS

NEW CABINET

On 22 February a new Cabinet took office in the Netherlands.

This change of Government is a result of the elections for National Parliament, that took place on 22 November 2006.

(Formation of cabinets in the Netherlands takes a relatively long time, since there always needs to be made a coalition government. Government has to have support by a majority in the 150 seats House of Representatives of Parliament and no single party has such a majority. So, first parties have to come to an agreement on the policy of a new cabinet. Then they have to agree on the allocation of the ministries among the parties (members of which party will lead which ministry?), and finally they have to agree on the candidates to be nominated ministers and state-secretaries.)

This time a coalition of *three* parties had to be made to reach a majority in the House of Representatives for support of a new cabinet.

The cabinet – under Prime Ministership of mr Jan Peter Balkenende – consists of representatives of the Christian-Democratic Party (41 seats in Parliament's House of Representatives, largest), Labour Party (33 seats, 2nd party), Christian Union (6 seats).

The new cabinet consists of 16 Ministers. They are assisted by 10 State Secretaries (who are not Cabinet members).

The Policy Agreement between the three coalition parties founded the coalition is named “Working Together, Living Together”.

The agreement lists six pillars or central messages that will form the basis for government policy in the coming years:

- an active role internationally and in Europe, so that the Netherlands remains a significant and constructive partner;
- an innovative, competitive and dynamic economy to safeguard prosperity in an increasingly competitive world;
- a sustainable environment to make the world better than we found it;

- social cohesion, because every person counts and everyone is needed;
- safety, stability and respect, the basis for mutual trust;
- a decisive government that stands by its citizens and binds them together, and a public sector dedicated to serving them. (Amongst other things, an expenditure cutback in the public sector has been agreed upon which will effect in a reduction of 20% fte average in 2011).

On 1 March the House of Representatives gave its support and confidence to the new cabinet. In the next few weeks the cabinet will work out the Policy Agreement into a “Policy Programme” in which the intensions will be more specified and in which a time table for realization will be indicated.

The cabinet will draw this programme up and implement it in close co-operation with civil society organisations.

NORWAY

1) Exploring effects on reduced working time on retirement age in the government sector

The government has initiated experiments on reduced working time for senior employees 62 years and older in order to make it easier to stay at work at a higher age. Normal working time is 37,5 hours a week. The trial period in the relevant enterprises will be from autumn 2007 to ultimo 2009. The budget for this project is 20 mill. kroner (about 2,5 million Euros).

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2) Pension reforms

Pension reforms represent an other strategy for later retirement. A report to the Storting (St. meld. Nr. 5 (2006-2007) “Contribution years and disbursement of pensions in the National Insurance Scheme” will be concluded later this year. There will be a follow-up in a special report on public pensions. The work on pension reforms also concerns employees with special pension ages. These reforms will be implemented in 2010.

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3) A Practical Guide to Performance Measurement

The Government Agency for Financial Management (SSØ) has recently published a guide to performance measurement in the state sector. Norwegian state agencies use management by objectives, and the guide stresses the importance of good performance measurement in this context.

After a short introductory chapter on the basic principles of management by objectives, the guide goes on to review mechanisms for identifying performance indicators. Performance measurement must be adjusted to the agency's distinctive characteristics as well as its risk profile and its significance.

The main volume of the guide is devoted to a discussion of practical methods for measuring performance at the different stages of a program logic model. Special attention is given to the five parameters *volume*, *quality*, *productivity (efficiency)*, *effectiveness* and *effects*. The guide summarizes the pros and cons of various methods of quantitative and qualitative measurement with reference to each of these parameters.

The guide is one of a series of publications from The Government Agency for Financial Management that aim to promote good governance in Norwegian state agencies.

The guide is available in Norwegian at www.sfso.no.

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4) Treasury Single Account – New Framework Agreements

In 2006 the Norwegian Government Agency for Financial Management (SSØ) signed new framework agreements with the following three private banks; DnB NOR, Nordea and Sparebank 1 Gruppen, concerning all payment transactions for the Norwegian central government. The framework agreements have duration of two to four years. SSØ has also entered into new separate agreements with all three banks concerning foreign exchange accounts, and concerning state loans with the two banks first mentioned.

The Ministry of Finance (MoF) and the Central Bank of Norway have signed a contract¹⁶ regulating the state cash system for operating payment services related to revenue, expenditure and state bond finance (Treasury Single Account).

The main principles of the system are:

- All liquidity (cash) to be transferred daily to/from Norges Bank (Central Bank)
- All cash transactions to be handled through working accounts in the private banks

¹⁶ Latest revision of the contract with Norges Bank is of May 2004.

- No float to the commercial/savings banks
- In/out payments to be effected by electronic transfer between bank accounts
- Electronic banking services
- Standard functionality

All ministries and central government agencies hold separate working accounts in the private banks. The balance of all disbursements and revenues is transferred on a daily basis from the working accounts to a settlement account in the Norges Bank.

All state agencies are obliged to carry out a competitive tendering process between the three banks before they can sign an individual contract with the winning bank

SSØ also manages the settlement accounts in the Norges Bank, and follows up the different agreements with the banks. The agency also supplies advice and support on the subject to government agencies.

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5) www.government.no - The New Governmental Internet Portal

The Norwegian government website has been thoroughly remade and improved to make it easier to find relevant government information. The new portal www.government.no has the aim to arrange a meeting place for the government, the ministries and an active and knowledge-seeking population. The new web portal is based on new advanced technology, far better accessibility and a structure adjusted to meet the interests and terms of the population. For the first time, all ministries will have front pages in the Sami language in addition to the two official Norwegian languages (Bokmål and Nynorsk), as well as English. All basic information will be available in each language. Consideration is made for the special needs of the visually impaired and dyslectics. Synthetic speech is available in Norwegian as well as in English.

This new web portal will hopefully contribute to the strengthening of the democratic processes, by enabling easier access to documents upon which political decisions and current political discussions are based.

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NEW ZEALAND

Sustainability

A major emphasis of the Prime Minister's speech at the opening of Parliament in February 2007 was on sustainability. Two particular aspects that relate to the state sector are:

Towards a Carbon Neutral Public Service

- An initial group of six departments will commit to reaching carbon neutrality by 2012. By early next year, the Ministries for the Environment, Health, and Economic Development, the Departments of Inland Revenue and Conservation, and Treasury will have reduced their carbon footprint significantly. The objective will be to reduce their department's emissions, but at the point that it is not feasible to reduce further, they will offset them; for example, by supporting tree planting on Crown land, which will also contribute to our sustainable land management policies.
- Over the next year all other departments will develop their plans. In 2012 all public service departments will be on the path to carbon neutrality. The wider state sector will also be encouraged to join in the programme.

The Role of Government Procurement in Achieving Sustainability

- The government sector is a significant purchaser of services within the economy. Government's purchasing power will be used to help drive innovation, cleaner production, and improved cost effectiveness over the whole life cycle of goods and services.
- A single procurement policy will be developed for government, requiring sustainably produced goods and services to be used whenever possible.
- The government accepts the responsibility to lead by example in these areas, but also wants to encourage and support others to reduce their carbon footprint.

Draft Code of Conduct

A 'unifying' Code, covering the employees of some 120 departments and Crown entities in the New Zealand State Services is due to come into force in July 2007. A package of supporting resources will be developed to assist agencies to integrate the new code with their current provisions.

The approach to the development of the new code has been guided by the following principles:

- the code provides foundation standards for agencies to build on, according to their particular requirements;
- agencies are supported to implement the code in their agencies;
- unions are given the opportunity to engage with and support the new code;
- a code by itself is not going to effect change – its implementation is as important as the actual code.

The draft code has been the subject of considerable consultation with departments and other government agencies, unions and the public. The draft was made available for public comment in February: see www.ssc.govt.nz/code-development

Progress with the State Sector Development Goals

The inaugural State of the Development Goals Report was published in July 2006, and was referred to in the previous NZ Fact Sheet.

The second report, planned for publication by October 2007, will benefit from the results of the State Services Commission's current programme of research. This research will include information obtained through engagements with Public Service chief executives, as well as:

- **brand research** to gain a better understanding of the State Services as a collective 'employment brand'. This is the first such research to be undertaken in the New Zealand Public Sector. It will benefit government agencies by ensuring we better understand how to fulfil our goal of becoming an employer of choice for talented people [Employer of Choice Development Goal]
- a **survey of State servants** to establish a benchmark to enable the state of integrity and conduct of State servants to be identified and monitored [Trusted State Servants Goal]
- a **survey of New Zealanders** to determine what drives their satisfaction and trust in the State Services and the relationship between the two factors [Accessible State Services and Trusted State Servants Goals]
- **targeted qualitative research** - this research project follows on from a regional pilot study conducted in Rotorua during March-April 2006. The new research will be conducted in three other parts of New Zealand, and will involve in-depth interviews with users of State Services, State Service agencies and intermediaries or community organisations [Accessible State Services and Networked State Services Goals]
- **engagement research** - the State Services Commission is engaging with public service departments on how they: identify and develop their competency needs; pursue inter-agency collaboration opportunities; establish why certain groups do not access services that the agency provides; and use ICT to support a single point of entry for services and to reduce the collection of duplicate information from the same citizen or business. [Excellent State Servants, Coordinated State Agencies, Accessible State Services, and Networked State Services Goals]
- **case profiles** - a small number of case profiles will obtain information on the extent to which formal and informal systems and infrastructure support staff to work together to achieve results. The objective of the project is to gain insight into how coordination takes place and what systems and infrastructure facilitate or impede it [Coordinated State Agencies Goal].

The 2007 report will also include the results of work being undertaken during March-May 2007, on 'refreshing' the Development Goal milestones. This exercise will engage State Services chief executives directly so that the refreshed (2010) and new (2015) milestones are more meaningful to their business.

It may also identify some changes for the six Development Goal and their related indicators of progress. See: www.ssc.govt.nz/development-goals.

2006 E-government Strategy

The latest edition of the New Zealand E-government Strategy was launched by the Minister of State Services in November 2006.

The vision for the 2006 Strategy is: “Enabling transformation - making government work for you.”

The strategy builds on existing work initiated under the 2003 strategy. The focus continues to be on the delivery of central and local government services using Internet-based technologies, but the importance of the engagement of people in policy development and delivery, and in contributing and using information, is featured more prominently in the 2006 edition.

The **milestones** along the way will be:

- By 2007, information and communication technologies will be integral to the delivery of government information, services, and processes.
- By 2010, the operation of government will be transformed, as government agencies and their partners use technology to provide user-centred information and services and achieve joint outcomes.
- By 2020, people’s engagement with the government will have been transformed, as increasing and innovative use is made of the opportunities offered by network technologies.

The last milestone reflects the reality that New Zealanders will expect the government to continue to use new ways of interacting with them by using network technologies with which people are becoming increasingly familiar in their lives.

The characteristics of success build on those used in previous editions, with the addition of trust and the role of authoritative information. These are:

- Convenience and Satisfaction.
- Integration and Efficiency.
- Trust and Participation.

A work programme, through to 2010, has been designed to align the use of network technologies to transform service delivery, enhance collaboration and increase engagement with New Zealanders. It comprises fourteen activities grouped under the three main characteristics of success. Agencies and sectors will use these work streams as a strategic guide to help align their own work programmes to the goals of the Strategy.

The 2006 edition of the New Zealand E-government Strategy can be found at: <http://www.e.govt.nz/about-egovt/strategy/>

Guidance issued

Recent guidance and information material issued to departments and agencies includes:

- Board Appointment and Induction Guidelines, December 2006 (appointments to and governance of Crown entities: see www.ssc.govt.nz/board-appointment-guidelines)
- The Treasury has developed a Strategy Primer to help departments and Crown entities develop good strategies, by setting out principles for designing, executing and updating strategies. It also helps with the assessment of the results of current strategies and making course changes: see www.treasury.govt.nz/strategyprimer
- A paper which sets out the main lines of thought adopted by the State Services Commission for machinery of government analysis, especially for determining which organisational form is best suited to carry out government functions. While this is geared specifically to the New Zealand situation, some of the issues covered may be of broader interest to OECD member countries: see www.ssc.govt.nz/reviewing-mog

Expenditure reviews

A number of reviews were carried out in 2006, commissioned as part of the government's ongoing commitment to strengthen and improve public services for New Zealanders. Those which may be of interest to other member countries are:

- The role of central agencies in promoting and assuring state sector performance
- Reviews of capital asset management and ICT spending
- Employment relations in the state sector.

These documents can all be found at: www.treasury.govt.nz/exgreviews

POLAND

Ministry of Finance

Modernization of public finance sector

Background and justification of the project:

- Fiscal policy issues, being a significant part of economic policy of the State, are reflected in the Constitution of the Republic of Poland, various Acts, Laws, and other subordinate regulations e.g. ordinances.
- The most important budgetary rules of legislative character include the competence rules and rules concerning the public debt related limits.

- Along with rules of legislative character there are also binding rules effecting from the strategy adopted by the government. The most important rule that has been introduced by the government is the so-called “budgetary anchor”. The rule envisages that the State budget structure has to assure maintenance of the State budget deficit fixed at level of PLN 30 billion per year. Introduction of the rule provides a guarantee that in present economic conditions, the budget deficit-to-GDP ratio – calculated in compliance with the domestic methodology – will be systematically declining. The rule was applied for the first time in the State Budget Act for 2006.

Description:

As a part of the planned reform and in order to increase effectiveness and efficiency of the State budget expenditure, the Polish government has decided to change the present budget system for performance budgeting. The reform that envisages implementing the Performance budgeting will have a crucial meaning for expenditure policy of the general government. Implementing the performance budgeting will mean:

- implementation of a new budgetary procedure,
- implementation of a new management system for public finance sector entities, based on the concept of performance-oriented management,
- implementation of IT system supporting the management of public finance sector entities and allowing for monitoring the execution of objectives being carried out by those entities, full implementation of accrual accounting and costs account.

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The Tax Chamber in Warsaw

Good Practices Database

Background:

The essence of the problem which caused developing the project was limited possibilities to provide sufficient human, material and financial resources in a process of realization of constantly broadening scope of statutorily appointed tasks and also difficulties which appear in the process and which require effective solutions.

Purpose of the project:

- Improvement of the process of mutual exchanging the effective and universal solutions and sharing them within tax offices subordinated to Tax Chamber in Warsaw – with the use of electronic presentation of the implemented solution.
- Minimization of financial, material and human resources use and also time use in the planning and implementation process.

- Maximization of achieved results in realization of particular operational tasks.
- Strengthening of the motivation process for employees during tasks' realization.
- As a consequence – continuous improvement of provided services and increase of clients' satisfaction.

Description of the project:

The Database structure is similar to a website which requires a login and a password for access of any person concerned. By logging in at the level of tax offices, users gain access to Good Practices – universal processes which give the opportunity to achieve the appointed goal in effective way and result in measurable effects. Good Practices are any venture – cyclical and disposable, implemented in:

- management area,
- service area,
- supporting area,
- ventures allowing to perform tasks effectively and to achieve goals, also meeting the conditions of:
 - effectiveness in recourses use,
 - universality of implementation.

The unlimited access to database and its' Good Practices' record is given to any unit which completed the whole process of accepting the Good Practice to Database.

Together with the collection of Good Practices, the Database also contains the collection of data including the self-assessment results achieved by tax offices / the Tax Chamber with the use of CAF Method. The collection, in the strict correlation with the collection of Good Practices enables an initial benchmarking process and – within the mutual exchange of solutions and implementing them in a parent unit – also benchlearning process.

For the purpose of further popularization the CAF Method in subordinated units, the Tax Chamber in Warsaw has developed – on the basis of the CAF Questionnaire – the collection of measures and indicators possible to use by tax administration in the process of improvement. The Tax Chamber in Warsaw is also at the stage of developing an e-learning platform ensuring the free-of-charge process of broadening the knowledge in respect to m/a Method and related issues.

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PORTUGAL

The modernization process, which started in the second semester of 2005, is still in the implementation stage. This paper summarizes Portuguese initiatives on public sector modernization that has taken place since the last country factsheets from October 2006.

Restructuring Central State Administration Services

Within the guidelines of the Programme for Restructuring the Central State Administration (PRACE), the new macro-structures of ministries that make up this Government have already been published. The organic laws of each one of the services and organizations (micro-structures) that integrate ministries are in an advanced stage of implementation.

Reform of the Civil Service Regime

▪ *Setting up of a new mobility regime between Administration services*

A new law relating to the mobility of civil servants and contractual staff has been passed. The aim of this law is to make the most of Public Administration Human Resources in a rational way.

The application of this law is focused on direct and indirect state administration services, as well as regional and local administration services.

Although some of the forms of general mobility stipulated in the new Law (transfer, exchange, secondment, outward assignment keep a link to the service of origin), were already provided for in preceding legislation. New rules have been set out for the application of these instruments. Two new forms are added: *specific assignment* (for the fulfilment of proper functions according to category and career in another service, to meet specific needs and, if necessary, by cumulating functions with those of the service of origin) and *special transfer* (where the agreement of the worker to fulfil functions in another service on a contractual employment basis is required, with suspension of his/her attachment /link to the Civil Service).

Procedures that can lead to the placement of civil servants and contractual staff in a special mobility situation are established: in case of the abolishment, merger or restructuring of services and as a result of rationalization of staff. For these workers two special mobility methods are taken into consideration: *re-assignment* which consists in the integration of civil servants or contractual staff into another service, on a transitional basis or for an indefinite period: *resuming of functions* in any service, on a transitional basis or for indefinite period.

This legislation also defines staff rights and duties in a special mobility situation, as well as the framework phases of these personnel:

1. Transition phase – runs 60 days and is intended to enable civil servants or contractual staff to resume functions without the need to attend vocational training initiatives;
2. Re-qualification phase – has a 10 month time limit, after completed the preceding phase and is intended to strengthen professional abilities of civil servants or contractual staff, by creating better conditions for employability;

3. Compensation phase – runs for an indefinite period after the re-qualification phase and is intended to support civil servants or contractual staff, beginning functions though not having taken part in preceding phases.

▪ *Forms of staff attachment/link of staff of the teaching career*

On one hand the measures adopted are aimed at strengthening the role of schools in the organization of the educational offer and reinforcing of the school autonomy model; on the other hand, the target is to speed up rules for the administrative contracting of teaching services while maintaining, at the same time, internal control of new admissions.

After the placement of teachers and trainers centrally made by the Ministry of Education, public education establishments, which report to the Ministry may enter into definite or indefinite term employment contracts intended for the temporarily fulfilment of functions to cope with situations provided for by the Labour Code with specificities that are the result of the individual employment regime contract in the Public Administration, to cover temporary needs of the educational service and of training in specialized areas.

This law provides for an annual quota of contracts and authorization of members of the Government responsible for finance, public administration and education areas with a view to rationalizing the use of this type of contracting within controlled levels.

▪ *Legal regime of medical careers*

Likewise, the legal regime of medical careers was changed, by introducing new rules as regards full-time work regimes and work, on an exclusive assignment basis, in a specific health establishment for general practitioners, as well as hospital medical staff.

Concurrently, a regime of mobility intended to enable hospital medical doctors, whenever necessary, to perform a weekly period of 12 hours of normal work in other establishments in Accident and Emergency Services Network is still stipulated. A pay scheme, on a transitional basis, has also been established. This is intended for overtime performed in A. & E. Services, when this implies, for doctors on a 35 hour regime, the fulfilment of functions in addition to 42 working hours.

Setting up a company for the shared management of Public Administration Resources (GeRAP)

The programme for the Restructuring of the Central State Administration (PRACE) provides for the setting up, in the Ministry of Finance itself and with other ministries, of a shared common services structure, particularly in the areas for delivery of human, financial, material and patrimonial management services. To this end, an institutionalized structure of mission was envisaged, but the dynamics involved in installing the process implied the option of setting up of a company, a public entity of entrepreneurial nature, in a regime already considered explicitly for the field of public procurement and of management of State vehicle fleet.

GeRAP - management of special mobility of civil servants and contractual staff is integrated in the same entity, on the grounds of efficiency of means, given their close relationship with the various services delivered in the ambit of human resources management.

This is an innovative initiative in the Portuguese Public Administration, and is intended to be an organizational and operational model with flexibility of action, rapid adjustment capacity and management autonomy that can be adapted to the application of the shared services concept.

A – GeRAP powers

A.1 Shared services: specialized and administrative support in the following areas:

- Human Resources Management: staff recruitment and selection, processing of wages, assiduity training and mobility management, social report, management of competencies, instruments and support to management;
- Financial Resources Management: Official Chart of Public Accounts, standardization and optimization of procedures, monthly report of budget implementation, reports to support management.

A.2 Staff Management in a situation of special mobility:

- Follow-up of assessment studies for human resources needs in the Public Administration;
- Follow-up and fostering of all processes relating to staff in a special mobility situation. By agreement with the secretariats-general of ministries, centralized processing of civil servants salaries in special mobility situations;
- Development of professional abilities of civil servants in special mobility situations.

B – Objectives of GeRAP

- To disseminate good practices;
- To scale economy and eliminate redundancies;
- To increase the adaptability of the Public Administration;
- Optimization of assignment of resources.

C – Guiding principles of GeRAP activities

- Management autonomy;
- Creation of Service delivery culture;
- Proliferation of good practices;
- Standardization of procedures;
- Transparency of prices;
- Assessment of results;
- Equal access to public contracts and framework agreements.

National System of Public Procurement (SNCP)

In February 2007, the National Agency for Public Procurement was set up (ANCP) and defined the National System of Public Procurement (SNCP).

The National System of Public Procurement is made up of:

- The National Public Procurement Agency;

- Ministerial units of procurement (UMC);
- Attached buying entities (Direct State Administration and public institute services);
- Voluntary adhesion of buying entities on a contractual basis (autonomous administration and public entrepreneurial sector entities);

A hybrid management model is to be adopted, based on a central managing entity, the National Agency for Public Procurement (ANCP), linked to ministerial procurement units (UMC), attached to buying and voluntary buying entities – working on line.

The guiding principles of the National System for Public Procurement are as follows:

4. Adoption of centralized procedures for framework agreements or other public contracts for contracting, purchases and payments;
5. Entering into framework agreements or public contracts in a gradual, phased way by group categories of work, movable property and services;
6. Equal access of interested parties to procedures for setting up of framework agreements or public contracts;
7. Adoption of tools for electronic procurement – electronic catalogues and automated order;
8. Adoption of acquisitive practices by electronic means with a view to reducing costs;
9. Preference for goods and services, which promote protection of the environment;
10. Promotion of competitiveness and diversity of suppliers.

The Agency as an entrepreneurial public entity, is responsible for the design, definition, implementation, management and assessment of the National System of Public Procurement, as well as management of State cars (PVE), centralizing the purchase of vehicles and of respective complementary services.

The aim of the system now set up is to rationalize State expenses, de-bureaucratize and simplify public procedures for procurement and to protect the environment.

Modernization and administrative simplification

The consolidated Programme of Administrative and Legislative Simplification (SIMPLEX) for 2007, provides for 235 measures, divided between those directed at the citizen (149) and those affecting companies (86). In the first quarter of 2007, 32 measures have already been announced of which the following should be highlighted:

► **CITIZENS**

Full time school

Simplify procedures relating to “Full-time School” applications, reviews and management by development of an on-line application.

On-line application for school social action in Higher Education

Create for applicants to the entry in the higher education, a system of on-line request for scholarship for higher education to be carried out in a separate procedure from on-line application for public or private higher education.

Simplification of national and international mobility mechanisms for Higher Education students and graduates

Development of a simple, de-bureaucratized system for national and international mobility of students and graduates from higher education, based on four distinct complementary actions: (1) facilitation of entry into Portugal of higher education students, to continue their studies, with rapid recognition of school and professional qualifications; (2) creation of a simplified regime of re-enrolling, in the same or in another educational establishment, with certification of school and professional qualifications; (3) flexibility of academic course for higher education students, who can add to their school curricula enrolment in diverse curricula units, of same or another institution; (4) Simplification of system of recognition of foreign degrees in Portugal, including diverse study cycles (Bachelor’s degree, Master’s degree and PhD).

Performing more than one function

Simplify procedures pertaining to requests to perform more than one function by pre-school, primary and secondary education teaching staff by development of an on-line application.

Registration of names on “.pt” to be made more flexible

Registration of “.pt” domains on Internet to be made more flexible with similar or lower costs in relation to international best practices and with introduction of e-invoicing.

Temporary work

Review of temporary work regime. Eliminate the need for authorization to extend duration of contract.

Non-teaching staff

Simplify authorizations in procedures granting the same rights to scholarship students including leaves and vocational re-grading to non-teaching staff.

Retirement on-line

Enable requests for pensions and other social benefits to be handled through electronic forms available on Civil Servants Special Pension Scheme (CGA) Internet site. This measure is aimed at improving service delivery levels, to provide greater facility for users, speeding up actions and ensuring a higher level of rigour and consistency in information.

Retirement – reciprocal access to information systems

The purpose of this measure is to save of time and resources as well as reducing response time to requests for a unified pension.

Unified pensions – accounting conciliation

This measure will release resources for tasks of greater visibility and usefulness to users and permit immediate, correct registration in information systems – of values of accountability in each institution.

Legislative consolidation in matters pertaining to assistance in Illness to Military Forces

Update legal and regulatory framework relating to medical care in the Military, with integration of existent legislation in the three branches of the Armed Forces.

Modernization of Armed Forces Social Action Institute

Improve functional, organic and operational structure of medical care for military forces.

Elimination of duplications in the registration of visa

Direct registration in the information system of the Immigration Services (SEF) of visas granted by the Ministry of Foreign Affairs, eliminating the overlapping of work and significantly increasing the safety in the respective identification.

System of location of Portuguese citizens in foreign territory

Development, in the Ministry of Foreign Affairs and in the ambit of the setting up of a Consular Emergency Office, of an information system enabling staff to find out on-line and in real time, the number of Portuguese citizens present in foreign countries, irrespective of their being permanent or temporary residents, and the identification of the place/area where they can be located.

This computerized solution to the location of Portuguese on foreign territory is aimed at ensuring rapid and efficient intervention enabling immediate support in situations of emergency and risk of calamity or catastrophe.

Precautionary measures

Computerized court rulings to support precautionary measures.

Season tickets and pre-paid tickets

Simplify procedure for purchase and validation of pre -paid tickets on the part of users.

SI Audit

Development of a WEB tool for planning and follow-up of implemented plans and reports on activities undertaken by organizations, which are integrate in the ICS of Financial State Administration. It is aimed at enabling control entities to cooperate, thus avoiding redundancies and facilitating the identification of areas of risk and areas not subject to control.

Public Post on-line in Financial Services

Initiate a pilot-project on availability in financial services, Internet post to support taxpayers.

Incentive to write off over age vehicles

Reduction of costs associated with the programme, through the cutting down of number of forms and certificates required. Reduce by nearly 1 month the time necessary to comply with all formalities linked to the programme.

► **COMPANIES**

Work orders for public works

Simplify and de-materialize public contracting procedures, by using technology to launch public tenders by electronic means.

Public Tenders – End of official act

Replace the official act, in electronic procedures, by online consultation of list of competing bidders and proposals submitted.

Public Tenders – enabling requirements

Waive, in the submission of proposals phase, the need for all competing bidders to produce enabling documents; this obligation rests with the contractor.

The duty of proving compliance with enabling requirements shall fall upon the competing bidder, who wins the public contracts.

Simplified entrepreneurial Information (IES)

In February of 2007, in the ambit of simplification of measures, compliance with four legal obligations are to be aggregated into a single act – submission of the annual declaration of accounting and tax reporting, accounts reporting registration, statistical data reporting to the National Statistical Institute and annual reporting of accounting data for statistical purposes of the Central Bank of Portugal.

Through the IES, all these obligations are to be fully complied with by means of the electronic forwarding, carried out once only, of the company accounting report.

As regards the additional issue that was proposed to focus on the separation of responsibilities between Ministers and senior civil servants it should be mentioned that the posts of senior management in the Portuguese Public Administration are positions of political appointment, recruited by choice and appointed by joint order of the Prime Minister and the member of the Government concerned, on a 3 year limited executive tenure; they may be renewed up to a maximum of 12 years, by means of appraisal of the results.

This trend to base this particular regime of appointment on a relationship of trust essentially of a political nature has been currently being mitigated by the growing demand in the management skills of the appointee. These skills appraised by his/her curriculum vitae and by his/her professional experience are

published in the Official Gazette. This focus on the profile and on the management skills of the appointee is currently laid down by law, more precisely through a Charter of Mission (a kind of contract), where the qualitative and quantitative objectives are set. These objectives are to be complied with in the course of the limited executive tenure.

The relationship between the political power and the top managers is now clearer, more subject to public scrutiny, with increased accountability. The interference of the political power in the decision making of these managers is relative, according to the type of relationship that the member of the Government has with the public institution. This is stronger when inserted in a hierarchical relationship significantly less strong in the ambit of a supervising relationship (ex. public institutes and independent regulatory bodies).

SLOVAK REPUBLIC

Public Administration Reform

In ensuring the implementation of the tasks resulting from the Programme Declaration of the Government of the Slovak Republic (dated 31 July 2006) the analysis of development and current state of local state administration and inspection bodies governed by line ministries has been performed following the common framework. This analysis has been elaborated mostly with regard to task concerning the cancellation of regional offices, the competencies of which will be transferred to the territorial self-government.

Following the above mentioned analysis and interministerial commenting procedure the Ministry of Interior of the Slovak Republic has submitted for government discussion the Report on Analysis of Development and Current State of Public Administration accompanied with the proposal for measures as well as Draft of the Act on Cancellation of Regional Offices. According to these documents the regional offices in the sphere of competence of the Ministry of Interior will be cancelled as of 1 October 2007; the status of other offices and bodies at regional level within the sphere of competence of other central bodies will be discussed and resolved consequently.

The competencies of the regional offices, which will be cancelled, will be shifted to the self-governmental regions (higher territorial units); partially to local offices of state administration - mostly in the seats of regions. The appealing procedure shall be transferred to the central bodies of state administration.

Civil Service Reform and the Political Involvement in Senior Staffing Decisions

After the abolition of the Civil Service Office (as of 1 June 2006) the responsibility for the legal relations related to the performance of civil service was transferred to the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The actual management of human resources in civil service has been decentralised to the supreme service offices. These are now responsible for the recruitment and selection of civil servants, training, quality management, annual assessment of civil servants and other issues related to the human resource management in subordinate service offices.

Legal relations in the civil service are governed by the Civil Service Act No. 312/2001 Coll. as later amended (in force as of 1 April 2002). However, the Programme declaration of the Slovak Government assumes the preparation and adoption of a new Civil Service Act. The new legislative proposal shall eliminate the unjustified disproportions in the legal status of certain service offices and groups of civil servants. Further on, the unified procedure of assessment of civil servants entitlements shall be laid down. As envisaged, the new Civil Service Act shall come into effect as of 1 July 2008.

Political Involvement in Senior Staffing Decisions

Generally, the political involvement in senior staffing decision is still relatively strong in Slovak civil service. Heads of service offices (the highest superior officers in state authorities) of ministries and other central state administration bodies are being appointed and recalled by the government of the Slovak Republic based on the proposal of the relevant minister or political head of the relevant central state administration body. In the vast majority of state authorities on the central and local level the position of the head of service office is joined with the position of the political representative of the state authority (so called personal union). These representatives are being appointed and recalled by the government of the Slovak Republic. In few state authorities these appointments are made by the relevant minister, e.g. National Labour Inspection Authority, Public Health Authority, Tax Directorate. However, very often the appointees are former civil servants with years of managerial experience in civil service.

Separation of Responsibilities between Ministers and Senior Officials

A head of service office shall fulfil tasks connected with the administration and supervision of the execution of civil service by civil servants in a service office, with the exercise of civil service employment relationships and other tasks imposed upon him/her by the minister or a superior officer in a political function, e.g. State Secretary. The extent of these other tasks may vary from ministry to ministry. In general, they include the management of financial and economic affairs of a ministry, crisis management and management of legal services of a ministry.

For more information see: <http://www.vlada.gfswitzer>

ov.sk/english/

SPAIN

Service Quality

The Statute of the State Agency for Evaluation of Public Policy and Service Quality, whose creation was authorized by Law 28/2006, dated 18th July, on State Agencies for the improvement of public services, was approved by Royal Decree 1418/2006, dated 1st December.

The Evaluation Agency is responsible for promoting the institutional quality of the Public Administrations, with the objective of:

- Providing information to public managers for improved decision-making in relation to the provision of public services.

- Increasing the orientation of the Administration towards citizens, leading to a better service.
- Promote learning and organizational improvement in public institutions, contributing to better performance.

The Agency's action related to service quality is integrated within the general framework for improved quality in the General State Administration, established by Royal Decree 951/2005, dated 29th July, which integrates a series of programmes for the coordinated and synergized continuous improvement of services, through the participation of the different interested players: political decision makers and higher bodies, managers and civil society in accordance with the stipulations in the information which is already included in the OECD Factsheet.

Through the application of these programmes, the bodies and organizations of the General State Administration have a homogenous regulatory framework to develop quality programmes, and the service users and general public have elements to intervene more actively in the improvement of the Administration.

The application and development balance of the framework programmes, since their establishment in 2005, indicates that the diverse bodies and organizations of the General State Administration have assumed a commitment to citizens with respect to the continuous improvement of their services, from a point of view of improving their internal operation and their relationship with the users of these services.

Royal Decree 1418/2006 has modified the aforementioned Royal Decree 951/2005, defining which competences and powers previously assigned to the Secretary General for Public Administration shall be carried out by the Public Policy and Service Quality State Evaluation Agency. The Agency takes on some of the "management and service provision" functions provided to the Public Administration organizations (consultancy, methodological standardization, evaluations, and certificates) and to citizens (channelled through the Public Service Quality Observatory).

In accordance with the aforementioned Royal Decree and the Statute, the Agency's functions are developed on three levels, which correspond to:

- Promotion of the institutional quality culture in public management.
- Evaluation of certain public services and the activity of State Agencies, as well as certifications based on quality, excellence and best practices.
- Configuration of a space for information and citizen participation, whose periodic reports on the quality level of the public services provided are openly communicated to citizens and public managers.

The main activity of the Agency in terms of quality is developed along the following lines:

- Evaluation of Public Services, particularly from the point of view of the citizen/user
- Analysis of the activity of the State Agencies
- Public Service Quality Observatory

- Good Practices
- Methodological Guidelines

Based on the previous version of this document, the most noteworthy innovations refer to the Recognition Programmes and the Public Service Quality Observatory of the general framework for quality improvement in the General State Administration and are:

- **Quality and Innovation Awards in Public Management**

The Award Ceremony for 2006 took place on 19th February this year. The notice for 2007 will be published shortly and, for the first time, will incorporate the category of Know How Management, within the Awards for Innovation.

- **Certification of the level of excellence of the organizations of the General State Administration**

In accordance with the EFQM Model of Excellence, a total of 30 organizations of the General State Administration have been recognised.

- **Incentives**

In view of the certificates awarded, and according to the provisions of Royal Decree 951/2005 and the Resolution dated 16th May 2006, which announced the operating instructions for the certification of the level of excellence of the organizations of the General State Administration applicable to 2006, the Secretary General for Public Administration assigned diverse sums as an additional financial contribution under the concept of productivity, for a value of 800,000 Euros.

- **Public Service Quality Observatory**

The Public Service Quality Observatory, whose objectives are the regular analysis of Public Service quality and the configuration of information and citizen participation area, is responsible for reporting periodically on the level of quality of the public services. For this, it presents and publicly circulates an Annual Report on Public Service Quality, which includes the results of the application of the remaining programmes within the general framework of quality improvement in the General State Administration, modernization programmes promoting the know how society and improved competitiveness, in addition to the Findings of the studies into citizens' perception of public services and those obtained from the in-depth analysis of a service selected from those with greatest demand or social importance.

A study into citizens' perception of public service operation was carried out in 2006, targeted at the general public and based on a sample of 2,500 surveys. The Report on the Findings of this study is being prepared and will be published in 2007, and these results will be integrated into the Annual Report on Public Service Quality.

Evaluation of public policies

By virtue of the aforementioned Royal Decree 1418/2006, the following corresponds to the Evaluation Agency:

- Promotion of the evaluation culture and its implementation in public management.

- Evaluation and analysis of public policies and programmes.

The creation of the Evaluation Agency represents a key element in the institutionalization process of evaluation in Spain. The Evaluation Agency has the vocation to become a reference institution, maintaining an open perspective to participation and collaboration with different bodies of the General State Administration, the Autonomous Communities and Local Administration.

The evaluation and analysis of public policies and programmes represents, as already mentioned, one of the Agency's strategic objectives. The diffusion of its efforts in this area responds to a learning objective and the creation of an evaluation culture, as well as the principle of transparency and citizen participation.

In this area, the following competences attributed to the Agency by its Statute are particularly noteworthy:

- Evaluation of public policies and programmes which is commissioned to it annually by the Council of Ministers and which is included in the Work Plan.
- Annual evaluation of the level of application and success of the leading measures of the National Reform Programme, which will be commissioned by the Government Delegate Committee for Economic Affairs.

The main organizational novelty of the Agency in relation to evaluation is the constitution on 5th February 2007 of its Governing Council, the governing body laid out in Article 9 of the Evaluation Agency Statute, which is made up of the President of the Evaluation Agency as well as different senior officials of the Ministries of the Presidency, the Treasury, Public Administrations, Foreign Affairs and Cooperation, as well as experts from the Autonomous University of Barcelona, the Complutense University of Madrid and the University of Seville.

At its first meeting, the Governing Council named the members of the Scientific and Professional Committee as the permanent working group established in the heart of the Council, to promote evaluation quality, the appropriateness of methodological standards and respect for the professional ethics of the Agency. Similarly, the members of the Council forming part of the Permanent Committee and the Control Committee, as laid out in the aforementioned Evaluation Agency Statute were also named.

The governing bodies of the Agency should decide on the appointment of directors, the contents of the Management Contract and the different decisions considered in the initial Plan and Report which were used as a base for the approval of the Agency's Statute, in order to develop in practice the task of the formal constitution of the Evaluation Agency.

In forthcoming meetings of the Governing Council, the proposed Evaluation Working Plan will be presented which should be approved by the Council of Ministers by 2007, and is an essential document to enable the Agency to formally commence its evaluation work.

Although the Governing Council has not announced all of its evaluation projects, some of them may be revealed. Hence, the elimination of bureaucratic red tape which obstructs the creation of companies and the study into the effectiveness of Social Security contributions are two priority projects that the Evaluation Agency intends to deal with. Along with these specific projects, the Agency intends to evaluate new agenda policies, such as environmental sustainability, gender equality, etc. On the other hand, under the orders of the Delegate Committee for Economic Affairs, the National Reform Programme (PNR) will be evaluated this year.

The Agency already has the following web page on the Ministry of Public Administration website: www.aeval.es

Regulatory impact analysis

One of the powers of the new Agency is the preparation of reports on the regulatory impact evaluations carried out by the competent bodies of the General State Administration, in addition to preparing, promoting and circulating guidelines and methodological guides to simplify this task for the aforementioned bodies. In addition to promoting the *ex ante* evaluation culture, the necessary training activities shall be carried out for the gradual introduction of regulation management techniques in the preparation and decision making process. The functions described above shall be carried out by the new public policy evaluation department created in the heart of the Agency.

E-Government

In this issue, the Spanish Ministry of Public Administration has concluded the following projects:

- Replacement of printed certificates for data transfer (DEVELOPMENT COMPLETED, Extension Initiated).
- On-line notifications (IN SERVICE and Extension Initiated) .
- Catalogue of publications (IN SERVICE).
- Registration in selection procedures via on-line registration (in service since March 2005).
- Electronic Contracting and Tender System. This system has been implemented in the Ministry of Development (it will come into effect at the end of the spring) and it is being implemented in the Ministry of Public Administrations (PILOT PHASE AND TESTING) .
- Promotion of the institutional image (COMPLETED). Manuals for institutional image and the creation of web-pages have been drawn up and distributed in the General State Administration .
- Reform of the Higher Informatics Council (COMPLETED). See RD 589/2005, of 20th May.

Strategic Plans for 2006-2010

The Council of Ministers approved an ambitious plan for the period 2006-2010 for the development of the Information Society and Convergence with Europe as well as between Autonomous Regions and Autonomous Cities, which is called the Avanza Plan.

The Avanza Plan is structured around five important lines of action:

1. Home and Citizen Inclusion,
2. Competitiveness and Innovation,
3. Education in the Digital Era,
4. Digital Public Services, with measures that allow the services offered by the Public Administrations to be improved, increasing the quality of life of citizens and the efficiency of businesses.
5. The new Digital Context.

In the area of digital Public Services, the objectives defined by the Plan are the following:

- Guarantee the right of citizens and companies to deal electronically with the Public Administrations, so that some of the services offered by the Administrations should be available on the Internet by 2010.
- Establish the mechanisms so that the offer of on-line services corresponds to demand, creating a clear catalogue of electronic services.
- Guarantee the existence of the appropriate channels so that all citizens and companies may use the services provided by the Public Administrations.
- Modernize Spanish Public Administrations in terms of improving quality, agility and performance of citizen services, efficiency in the use of public resources, cost reductions, user satisfaction, interdepartmental integration and administrative simplification.
- Create cooperation structures between the different Public Administrations (General State Administration, Autonomous Regions and Local Entities).

To achieve these objectives, a series of projects have been set in motion, among which the following can be highlighted:

- The right of citizens and companies to deal electronically with the administration will be regulated by law, whereby the preparation of an **Electronic Administration Law** is currently under study.
- Implementation of a System of Applications and Networks for Administrations (SARA), a technological infrastructure which allows and ensures communication between the different Public Administrations and offers the exchange of applications, allowing inter-administrative cooperation.
- Preparation of a catalogue of available electronic services, which currently consists of the services offered by the Central Administration and the Autonomous Regions.
- Implementation of an integrated network providing citizen attention administrative services (**060 network**), which offers multi-channel access to the services provided by the different administrations which are gradually being integrated into this network. This network consists of physical offices for public attention, a single telephone number (060) and an integrated services portal (www.060.es). It also offers a platform for communication by mobile phone (sms messages).
- Creation of a new National Identification Document (**e-DNI**) with an integrated chip, with digital identification certificates and electronic signatures (with a commitment to have 300 services available in December 2006, and 300 new processes with e-DNI annually as of 2007).
- In the area of General State Administration, a series of Royal Decrees has been approved, which eliminates the obligation of citizens to present documents in administrative procedures when these documents are in the hands of the Administration (photocopy of the DNI, registration certificate) and facilitates the electronic presentation of documents.

Decentralisation and strengthening of local and regional governments

The extensive process of territorial decentralisation in Spain continues developing. The following are among the most noteworthy measures.

Due to the important role of the Autonomous Communities in the Spanish political system, the reform process of their Self-Governing Statutes, which is currently underway is particularly relevant.

In Spanish law, it is the responsibility of the Autonomous Communities to propose and pass any reforms to their Statutes, which are their basic institutional regulation. Therefore, each of the Statutes has to first be approved by its Regional Parliament and later by Congress and the Senate. Furthermore, in four Autonomous Communities (Basque Country, Catalonia, Galicia and Andalucía), approval is accompanied by a third requirement: approval by means of public referendum.

Applying this system, the Statutes of the Valencian Community and Catalonia were reformed in 2006 (passed in the referendum of 1st November). During 2007, approval of those of Andalusia (passed in the referendum of 18th February) and the Balearic Islands have concluded. A further four are currently in parliamentary procedures: Aragon, Canary Islands, Castilla-La Mancha and Castilla y León.

In terms of general and common contents, the new approved Self-Governing Statutes or those still being debated consider self-government and decentralisation in depth, with the following contents and objectives:

- By means of a better distribution of powers corresponding to the Autonomous Communities.
- By means of a better financing system, with particular interest in guaranteeing the investment levels of the Central State in their territories and which corresponds to them according to their population or other objective criteria.
- By means of a better system which guarantees the participation of the Autonomous Communities in administrative bodies and procedures of the Central Administration.
- By means of a more exact recognition of the so called “foreign activity” carried out by the Autonomous Communities with other territorial entities located outside Spain.
- By means of recognition of the activity that the Autonomous Communities carry out in the sphere of the European Union.

As a result of the reform process of the Self-Governing Statutes, the Government is studying the possibility of implementing new instruments which respond to the new approaches of the Self-Governing Statutes; by means of the application of the principles of cooperation, coordination and participation of the Autonomous Communities in the decision making process of the State. The cooperation option is based on the fact that the new Statutes recognise the strong links and relations existing between the powers of the Central State and the Autonomous Communities.

As practical measures to perfect this system of cooperation, the following measures have been adopted:

1. The *Presidential Conference* has also been created, which unites the President of the Government of Spain and those from the various Autonomous Communities, as the highest authority of inter-territorial political cooperation. Three meetings have been held since 2004.

2. A procedure has been established for the direct involvement of the Autonomous Communities in European affairs through their participation in the EU Council of Ministers, together with the appropriate national minister.
3. Three new Sectoral Conferences have been set up: Local Affairs, Immigration and Water Policy. With these additions, the total number of Sectoral Conferences, which are bodies in which the national Minister and the 17 Ministers from the Autonomous Communities participate, has reached 31. On the other hand, the number of meetings held annually continues to grow and there were 69 in 2006. Through these meetings, and those of their technical support bodies, coherence and coordination of the different public policies in each administrative sector is guaranteed.

Special laws have been created for the two largest Spanish cities -Madrid and Barcelona-, which will strengthen their powers and autonomy. The special Laws of Madrid and Barcelona have already been passed in Congress.

It must be highlighted that for the first time in the history of Spanish democracy, special systems have been established for specific large cities, through negotiation and consensus with the cities concerned, in line with the tendency towards strengthening urban policies which are evident on a continental level.

A draft of a fundamental law on government and local administration is being devised and is already in advanced stages. This Law strengthens the organisational autonomy and powers of local entities, especially those of the municipalities.

This Draft Bill is aimed at optimizing all of the options provided by the Constitution for the development of local autonomy, considered in the text as a political autonomy within the framework of the Constitution rather than merely administrative within the framework of the law, which is why this qualitative change should be particularly highlighted in the Spanish system of territorial entities.

The following points related to its contents are particularly noteworthy:

- A model of local government is extended with the concentration of administrative powers on local government, with extensive powers of delegation and deconcentration of duties to individual members and local public directors.
- The Statute of Local Representatives and control systems for local government is improved.
- Citizen participation mechanisms in local public life are strengthened, creating the Neighbour's Statute.
- Public ethics and transparency standards at local level are improved and noticeably extended.
- The possibility of creating the figure of local public directors is extended to all local entities, strengthening the administrative rise of Spanish Local Administration.
- The powers and legal authorities of the local entities are strengthened, hence extending the objective scope of local self-government.

- The system of inter-governmental relations is improved, with measures such as the creation of the General Conference on Local Policy, or the presence of representatives of the local entities as members with full rights at Sectoral Conferences affecting their powers.
- International activity of Spanish local entities is regulated for the first time, which is widely recognised in the text of the Draft.

Likewise, a Sectoral Conference for Local Affairs was created in January 2005 as the highest cooperative authority between the Central Government, the Autonomous Communities and the local entities as regards government and local administration, having met on several occasions since then.

Project of basic statute for public employees

On September the 8th the Spanish Parliament has assumed the discussion of the project of Basic Statute for Public Employee that had been sent by the Government the last July 2006.

This text sets the framework of general principles that rules all the situations of public employees, including personnel subjected to labour law, as well as everything that is common to all the public administrations (Central, Regional, Local).

The main points of this reform are:

- The up-date of rights and responsibilities of public employees, making a distinction between individual and collective rights and including, besides the classical rights, new rights as objectivity and transparency of procedures of evaluation, the respect to personal intimacy, specially in cases of mobbing and sexual pursuit, or the right to conciliate private and professional life.
- It is the first time that a catalogue of basic responsibilities of public employees is included in a formal text (Code of behaviour).
- The definition of the different groups of public employees: under civil service status (with or without life long guaranteed) ; under the system governed by the labour code; casual employees. It is innovating the inclusion of a new kind of category called "manager employee", whose management is submitted to effectiveness, efficiency, responsibility, and performance appraisal criteria. This new figure of management is considered to represent a key factor in administrative modernization in the future, given that their professional management is subject to effectiveness and efficiency criteria, responsibility and performance appraisals in accordance with objectives. Although there has, fortunately, been no lack of civil servants and other public employees with management ability and training in our Administrations, it is advisable to move decisively towards the legal recognition of this category of personnel, like in the majority of our neighbouring countries.

In the Civil Service Laws which are announced for each Public Administration in the development of this Statute, the specific legal system for management may be defined in addition to the criteria to determine their condition in accordance with the following principles, among others:

- Management carries out professional management functions in the Public Administrations, as defined in the specific regulations for each Administration.
- Their appointment shall be based on merit, ability and suitability by means of procedures which ensure publicity and concurrence.
- Management shall be subject to evaluation in accordance with effectiveness and efficiency criteria, responsibility for their management and performance appraisal in relation to the objectives they have been set.

The determination of the employment conditions for management shall not be considered to be subject to collective bargaining for the purposes of this Law. When management fulfils the condition of administrative staff, the special labour relations for senior management shall apply.

- The text changes the current classification system of public employees, setting two main groups: one for administrative tasks, and the other one for management tasks. These two categories are also divided in two more, respectively.
- It is also included some measures aimed to reduce the administrative temporality in some posts.
- The Basic Statute sets the framework, to be developed for all the Administrations, to create performance appraisal systems. The common principles must be equality, objectivity and transparency.
- Functional mobility is also one of the goals of the text, as well as introducing some changes in the current remuneration system for public employees.
- It is also relevant the inclusion of different bodies and cooperation tools aimed to reinforce and coordinate the relations between the different levels of Administration (Central, Regional, Local).

Conflict of interests

As far as the management of conflicts of interest is concerned, it is pointed out that Law 5/2006, of 10th April, regulating the conflicts of interests of members of the government and senior officials of the General State Administration entered into force in 2006. This regulation, which was explained before the OECD, along with the Code of Good Governance for members of the Government and senior officials of the General State Administration, constitutes a set of regulations whose objective, following the guidelines on this subject set out by the aforementioned international body, is to establish the appropriate mechanisms to prevent the conflicts of interests of senior officials of the General State Administration, emphasizing that their actions are inspired by the principles of ethics and conduct, which are set out in this regulation, in line with citizen demands.

The Ministry of Public Administration has now drawn up a draft Royal Decree, developing the aforementioned Law, which has been considered positively by different consultative bodies and which shall shortly be submitted for approval by the Council of Ministers.

Whereas the aforementioned actions refer to political heads of the General State Administration, it must be pointed out that the future Civil Service Statute establishes a Code of Conduct for public employees, similar to the one mentioned above in relation to senior officials.

SWEDEN

Staffing decisions and the separation of responsibilities within the Government

The Swedish System of Government

The Instrument of Government¹⁷ presents the basic features of the Swedish system of government. The Instrument of Government went into effect on January 1, 1975, when it replaced the outdated 1809 Instrument of Government.

The Government rules Sweden by implementing the decisions of the Riksdag and taking initiatives for new laws or amendments to laws, on which the Riksdag decides. Helping the Government in this task are the Government Offices with about 4,500 employees and about 250 other central government agencies with approximately 230 000 civil servants.

The Cabinet (the Prime Minister and the ministers) as a whole is responsible for all Government decisions. Although in practice numerous routine matters are decided upon by individual ministers and only formally approved by the Government, the principle of collective responsibility is reflected in all Government work.

Next in rank below the ministers are the state secretaries, who manage the ministry's work. The ministries also have press secretaries and political advisors entrusted with assisting the minister on policymaking. Unlike other civil servants in the Government Offices, the ministers and their political appointees leave their posts when there is a change of Government.

Besides the political leadership team, each ministry has one or more senior civil service officials. The duties of a ministry's director general for administrative affairs include ensuring that Government business proceeds in a lawful, consistent and uniform manner. The responsibilities of the Director General for legal affairs, who may be the same person, include ensuring that legislative proposals and other legal documents are drafted and that they are lawful, consistent and uniform.

The day-to-day work of the ministries is carried out by the various policy divisions. These divisions prepare items of business prior to a Government decision and are also responsible for contacts with the government agencies overseen by that ministry. For overarching issues, there is a legal secretariat and an administrative division.

A number of central government agencies or authorities belong to the sphere of operations of each ministry. These agencies are responsible for the day-to-day activities of the Swedish central government administration. Together with the local governments, they ensure that the instructions approved by the Riksdag and the Government are implemented around the country. The Government controls the agencies through a strict performance management system and decides the goals, guidelines and allocation of resources for agency operations. Under the Swedish Constitution a Cabinet minister or a ministry are not permitted to influence agencies' public authority or their application of legislation in individual cases. As a consequence of their independent status, the central government agencies are expected to submit proposals to the Government on the guidelines they should follow. These often concern adjustments in the laws and

¹⁷ The instrument of Government is one of the four fundamental laws that forms the Swedish constitution.

ordinances that apply to the agency's respective fields. The agencies are themselves responsible for recruitment, wages, and other human resource policies. The Government monitors agencies' employment policies in regards to competence planning, salary level development, gender distribution, ethnic diversity, age structure and staff turnover.

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Selection procedures within the Swedish central government administration

Central-government administration, with its agencies, is the Government's principal instrument for implementing government policy. The Swedish central government administration comprises over 200 agencies. Agencies recruit their own staff, the total number about 230.000 employees, except certain senior management posts and judges with permanent appointments. The Government appoints about 225 heads of agencies, mainly Director Generals, and approximately 50 Deputy Director Generals. Civil service careers, in a strict sense, only exist for certain groups; judges, prosecutors, the police, military personnel of the armed forces, and foreign service staff. Accountability to the Government for the agencies' activities rests, in most cases, on the agency heads. Given these considerations, the Government's power of appointment and managerial resource policy are crucially important.

Merit and competence

When recruiting officials, including heads of agencies, for posts within the central government the following applies:

Attention shall only be given to objective factors such as merit and competence. (The instrument of the Government SFS number: 1974:152¹⁸).

Competence must be the primary criterion, unless there are special reasons otherwise. (the Public Employment Act SFS number: 1994:260).

The employment process is transparent in the sense that applications and underlying documentation in the form of specific profiles and required competence are public documents. This material is accessible to the public. Appointments within the central government administration can be appealed against (The Government Agencies and Institutes Ordinance SFS number: 1995:1322) with some exceptions. Posts appointed by the Government or appointments within the Government Offices (i.e. the ministries) cannot be appealed against.

Selection boards in the Swedish Central government administration

In accordance with the delegated employer responsibility the agencies are themselves responsible for setting up organisations for recruitment. Selection boards are generally not used in the Swedish central government administration. However, in these cases agencies are instructed to use selection boards:

The council responsible for nominating judges appointed by the government shall submit proposals to the Government.

The Swedish prosecuting authority has a council responsible for submitting proposals to the authority when appointing senior management and specialist posts.

¹⁸ The instrument of the Government is one of the four fundamental laws that forms the Swedish constitution.

The selection board, The Ministry for Foreign Affairs shall give advice to the Ministry in the recruitment of participants to the Swedish Diplomatic Training Programme.

The council responsible for nominating judges to the The Court of Patent Appeals shall give advice to the Government in the appointment of judges to the court.

In universities and institutions of higher education a faculty board, an artistic development board, or a special body whose area of responsibility mainly covers the position shall submit proposals for the appointment of professors, lecturers and research assistants.

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New developments in public sector reform in Sweden

Accelerating the reformation of Government through IT

Sweden's approach to e-government has been characterized by a high degree of decentralisation with independent agencies working under a performance management regime. This model has enabled an early development of a number of e-services as well as considerable administrative savings. However, it has delayed the development of cross-agency services and has not sufficiently addressed the need for common infrastructure. The new strategy addresses these problems within a time frame until the year 2010 with an important milestone by the fall of 2009 when Sweden is chairing the European Council.

The overall objectives with the new strategy are to

- Make it easier for citizens and businesses to interact with government under the saying "one case – one contact".
- Enhance quality in case handling and shorten turnaround times.
- Decrease the overall costs of government administration.

The strategy consists of three parts:

1) Reaching a number of operational goals

- *Goal 1:* By 2010 government is to have an integrated information management that allows information to be easily accessed and used across government while respecting privacy and security aspects.
- *Goal 2:* By 2010 suitable parts of the government's case management should be automated.
- *Goal 3:* By 2010 government should have the capacity to manage its procurement processes electronically. As of 1 July 2008, all agencies must handle incoming and outgoing invoices electronically.

2) Providing the critical enablers

- *Making sure government has secure systems for electronic identification and document handling.* The Swedish Administrative Development Agency (Verva) has been commissioned by the Government to lead and coordinate the government agencies work in this field.

- *Providing common standards for information exchange.* Verva has been commissioned by the Government to coordinate the work on simplifying access to government register and database information.
- *Providing financial and other incentives for cross-agency cooperation.* A model for cross-agency financing of common utilities will be developed.

3) Establishing a strong implementation regime

- *Political leadership:* The Government has set up a task force of state secretaries and an inter-ministerial working group of civil servants to strengthen coordination of cross-ministerial measures.
- *Mobilisation of Government staff agencies:* The Government has mobilised the staff agencies to lead and co-ordinate government's work in different fields. Besides the assignments to Verva, as mentioned above, the Government has commissioned the Swedish National Financial Management Agency to lead and coordinate the work on introducing electronic invoicing within government.
- *Stronger governance and control of individual government agencies:* A new follow-up and evaluation system will be put in place in order to strengthen governance of individual central government agencies.

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Government-appointed committee of inquiry to review all Government Agencies

The Swedish government has recently appointed a committee of inquiry (the Public Management Committee) to review the organisation and tasks of the government administration. In particular the review will focus on government agencies that engage in influencing public opinion and commercial activities on competitive markets. The overall aim and purpose of the review is to improve the efficiency of the government administration by:

- Clarifying the tasks of the government administration and the activities that the agencies should be involved in.
- Creating good conditions for the management of government agencies.
- Creating a more transparent structure and organisation of the government administration in order to improve accessibility for citizens and enterprises and to improve coordination between central and local government.
- Increasing government agencies' own ability to achieve greater efficiency and to perform their tasks in line with the demands made by Swedish EU-membership.

The committee is chaired by Director General Yvonne Gustavsson of the Swedish Financial Management Agency. A report on the first phase of the committee's work will be presented in December 2007 and a final report the following year.

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SWITZERLAND

Separation of political and administrative functions in the central administration and political involvement in the hiring of senior managers

The *Federal Council* is the highest executive authority in Switzerland (government). The *Federal Administration* ensures that the political decisions of the Federal Council are implemented, that the State's tasks are fulfilled efficiently and prepares the ground in areas for which it is responsible so as to support Parliament in the decision-making process.

The range of tasks and responsibilities of the federal government has remained constant in a large number of areas over a long period of time. Consequently, a certain degree of constancy is required on the part of the administration with regard to fulfilling these tasks. Continuity is also essential for the further development and firming up of political programmes, as these projects can often go on for a number of years during which time members of the executive may change. Political affiliation is therefore not a decisive factor in the hiring of senior managers (State Secretaries, Office directors). The focus is more on management capabilities, relevant expertise/ qualifications and practical experience. There is no general rule in the Federal Administration on the political affiliation of senior managers.

However, staff of the central and decentralised federal administration, the parliamentary services and the federal courts as well as members of the management organs of organisations entrusted with administrative tasks over which the Confederation has control, and persons who represent the Confederation in such organisations, may not be members of the Federal Assembly (Parliament Act Art. 14).

Within the close circle of a Federal Councillor (Minister), such as the secretary-general, personal advisors or communications officers, political affiliation plays a greater role. These categories of positions fall under a special rule in the employment contract, whereby a person can be released from employment with no special grounds.

If someone employed by the Confederation takes up public office or exercises paid employment alongside that of the Confederation, or does so to an extent that could reduce the person's ability to work for the Confederation, special authorisation must be sought. The same also applies if there is a risk that a conflict could arise with the interests of the Confederation (Federal Personnel Act and Ordinance).

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UNITED KINGDOM

PROFESSIONAL SKILLS FOR GOVERNMENT

The Civil Service needs to be better able to meet current and future challenges and to develop a culture of excellence across all government departments and agencies.

Professional Skills for Government (PSG) is a major, long-term change programme designed to ensure that civil servants, wherever they work, have the right mix of skills and expertise to enable their employer department or agency to deliver effective services.

PSG clarifies the skills individuals need to develop and progress in the civil service, and provides access to more consistent opportunities to develop those skills. It sets out the requirements for a whole range of skills and experience, depending on role and job context. Not everyone needs to have everything, though there are some common core skills.

PSG acknowledges that depth of expertise is required for most civil service employees, and that it is increasingly important to broaden out as staff move into more senior roles.

Business Benefits:

The PSG approach defines three distinct career groupings for government employees, all of which have equal parity of esteem.

- Operational delivery
- Policy delivery
- Corporate service delivery

Training will be more focused to improve leadership, management and customer care skills at every level. There will be an incentive for staff to improve their skills because PSG will be reflected in pay and performance arrangements and opportunities for promotion.

Boosting Skills:

PSG represents a move away from generalist roles. The framework sets out the skills required in a person's current job and areas to focus on for promotion. This makes it easier to identify skills gaps and tailor training and development to individual needs.

There are four core skills applicable to everyone, whatever their career grouping or profession at whatever level they are in the organisation:

- people management
- financial management
- programme and project management
- analysis and use of evidence.

Senior Civil Servants must also meet minimum standards in strategic thinking and communications and marketing.

A partnership approach:

PSG has been developed by a partnership between Government Skills (the Sector Skills Council for Government), HR professionals working in government departments, the Cabinet Office Corporate Development Group, Heads of Profession and a group of leading academics.

Government Skills is working with government departments, agencies and non-departmental public bodies to encourage them to build PSG into their own staff development, recruitment and promotion practices. It is increasingly being used by line managers and individuals in their own performance appraisals and personal development plans.

PSG is already making a difference. In 2004 25% of finance directors in central government were professionally qualified. Now 75% have professional qualifications.

The Future

PSG is seen as a long-term change programme that will form part of the sector skills agreement between all those involved in skills development activity in the sector (Government Skills, employers and training providers), and also a brand to promote skills development right across central government.

An independent review by Pearn Kandola has concluded that PSG will have a positive impact on diversity in the civil service. Having more transparent skills requirements for different roles will help internal promotion, secondments, succession planning and fast track development, as well as overall staff retention.

The PSG framework should encourage greater mobility of staff and open up more two-way traffic in and out of the civil service, between different departments, sectors and career groupings.

The demand for more delivery-focused skills will make civil service jobs attractive to people working in the private and voluntary sectors. In the long run this should help civil service employers with recruitment and improve service delivery.

For further information, visit www.civil-service.gov.uk/skills

THE POLICY REVIEW

Overview

The Policy Review was set up by the Cabinet in October 2006. Its aim is to take stock of the challenges and opportunities facing the UK and, building on existing policies, to review what ought to be the UK's longer term strategic priorities.

The Prime Minister established six Ministerial Working Groups to lead the Policy Review process, looking at :

<ul style="list-style-type: none"> • Economic Dynamism • Energy and the Environment • Public Services 	<ul style="list-style-type: none"> • Security, Crime and Justice • The Role of the State • Britain and the World
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Process

Working Group meetings are chaired by the Prime Minister and are attended by members of the Cabinet. Each is looking at the long-term trends likely to impact on their policy areas and the implications for future strategy that flow from the challenges identified.

Alongside these Cabinet-level meetings, seminars led by Ministers below Cabinet level have been taking place across government looking at policy around the six themes. A public engagement strand of the Review has also been launched, giving a representative group of the population the opportunity to contribute directly, debating key issues around the future of public services.

The Strategy Unit, with departments and other parts of the Cabinet Office and No 10, is supporting the Working Groups and wider consultation and engagement on the Review. The strand of work focusing on Economic Dynamism is being steered by the Economic Affairs, Productivity and Competitiveness (EAPC) Cabinet Committee with the Foreign Office leading the Britain and the World strand.

Outputs

The Strategy Unit has prepared a series of presentations and papers for the Working Groups. Edited versions of the Strategy Unit papers are on the SU web site at www.cabinetoffice.gov.uk/strategy/. These include:

A summary of key themes emerging from the Policy Review seminars for Ministers outside the Cabinet

http://www.cabinetoffice.gov.uk/strategy/work_areas/policy_review/seminars.asp

A paper summarising the key issues being addressed by the Policy Review - prepared as background to the Prime Minister's appearance before the House of Commons Liaison Committee.

<http://www.pm.gov.uk/output/Page10915.asp>

Four papers providing background to individual strands of the Review: Public Services; Security, Crime and Justice; the Role of the State; and Energy and the Environment.

http://www.cabinetoffice.gov.uk/policy_review/public_services/index.asp

http://www.cabinetoffice.gov.uk/policy_review/security/index.asp

http://www.cabinetoffice.gov.uk/policy_review/role_of_the_state/index.asp

http://www.cabinetoffice.gov.uk/policy_review/environment/index.asp

A background paper to inform a Cabinet discussion of the Review: Strategic Priorities for the UK: The Policy Review.

http://www.cabinetoffice.gov.uk/strategy/work_areas/policy_review/index.asp

Further information about the Policy Review is also available on the Cabinet Office web site at <http://www.cabinetoffice.gov.uk/policy%5Freview/> and on the No 10 web site at: <http://www.pm.gov.uk/output/Page10729.asp>.

Next steps

The Policy Review process will conclude in the Spring. The outcomes will feed into a range of government business including the 2007 Comprehensive Spending Review, PSA targets, departmental plans, White Papers and the Budget.

CROSS-GOVERNMENT PLANS FOR THE SIMPLIFICATION OF REGULATION

The UK Government is engaged in an ambitious programme to reduce the administrative burden of complying with regulation by 25% by 2010. The Better Regulation Executive have used a Standard Cost Model methodology to estimate the administrative burden of regulation in the UK. This has been welcomed by business, which has been vociferous in its demands for visible reductions.

Nineteen Government Departments, Regulators and Agencies published Simplification Plans in December 2006, setting out how they will reduce the administrative burden created by their regulation by 25% (net) by 2010. Each Simplification Plan has details on what measures they will take to reduce their burden, and when they expect to implement the change by. Departments have consulted business and stakeholders to ensure that plans will deliver a real, tangible decrease in regulatory burdens that matter most to stakeholders.

Simplification Plans also outline the regulations and resulting burdens each Department expects to introduce in the forthcoming years. The 25% reduction target is a net target – so these future impacts are taken into account in the estimates. The Simplification Plans published in 2006 identified over 500 simplification measures, that create potential savings of £2bn for the private and third sectors in the UK. There are further savings for the public sector.

Simplification Plans will be published each year to 2010, highlighting progress on delivery, and identification of options for future simplification to help the UK Government reach a 25% net reduction. Examples of the planned simplification measures include:

- The Companies Act will introduce fundamental reforms, such as joint-filing between Companies House and HM Revenue and Customs, removing the requirement for private companies to hold AGMs, that will deliver estimated administration savings of almost £150 million.
- The International Trade Single Window will allow traders to lodge documentation with a single body to fulfil all import and export requirements, saving around £60 million a year.
- Initiatives to deliver a simpler, faster and more efficient planning system will save £124 million. It will be possible to submit a single national planning application electronically, judged against more consistent criteria, increasing certainty for those using the system.
- Retail Enforcement Pilots are establishing new ways of working between trading standards, environmental health, health and safety and fire authorities, resulting in up to 33% fewer inspections for compliant businesses. The scheme will be rolled out to 70 new local authorities from 2007.

- Health and Safety Executive (HSE) committing to savings of over £300 million through making compliance easier without compromising safety (e.g., by encouraging businesses to focus on practical risk management, removing over half of all their forms which are no longer in use, making inspections of appliances risk-based).

For more information:

<http://www.cabinetoffice.gov.uk/regulation/reform/simplifying/plans.asp>

THE LOCAL BETTER REGULATION OFFICE

The Local Better Regulation Office (LBRO) will be a new body set up to reduce burdens on business imposed by local authority trading standards and environmental health services without jeopardising the public protection that the regulations provide.

LBRO will be set up this year as a company fully-owned by the UK Government with a programme budget to support trading standards and environmental health services in applying new approaches to inspection and enforcement.

Through legislation, LBRO will be established as a statutory Non-Departmental Public Body and given powers to: tackle inconsistencies in advice given by local authorities; issue guidance to them; review and revise central government priorities; and provide advice to Government. Legislation will also allow a company operating across the UK to rely on the advice of one Local Authority for regulatory advice and support, making this advice more consistent and reliable for the company.

As part of the Government's wider better regulation agenda, LBRO will implement key Hampton recommendations¹⁹ that embed comprehensive risk assessment at the core of local authority regulatory activities, promote better targeting of resources on the areas where they make the most impact and deliver more consistency for business. This is about looking afresh at how to support local authorities in raising business compliance.

With a remit initially covering local authority trading standards and environmental health services, LBRO will focus on:

- ensuring that risk-based business inspection and enforcement means a lighter touch for compliant business and targeting of local authority regulatory activity where it will have most impact
- delivering greater consistency for all businesses and particularly those operating across local authority boundaries

LBRO will initially be set up in 2007 by the Cabinet Office as a Government-owned company limited by guarantee. The process for recruiting the independent Board, Chair and Chief Executive has already begun. With relevant business, local authority and national regulation skills, background and competence,

¹⁹ The Hampton Review report, 'Reducing administrative burdens: effective inspection and enforcement', considers how to reduce administrative burdens on business. The Review proposes entrenching the principle of risk assessment throughout the regulatory system, so that the burden of enforcement falls most on highest-risk businesses and least on those with the best records of compliance. For more information, see: http://www.hm-treasury.gov.uk/budget/budget_05/other_documents/bud_bud05_hampton.cfm

the Board members will have the expertise and influence to change the behaviour of local authority regulatory services.

For more information:

<http://www.cabinetoffice.gov.uk/regulation/reform/lbro/index.asp>

THE LEGISLATIVE AND REGULATORY REFORM ACT 2006

The Legislative and Regulatory Reform Act 2006 forms a key part of the Government's ambitious "better regulation" agenda. It provides a mechanism for turning the aims of better regulation into reality for the end-user – those in business that create wealth and jobs in our economy and those in public services, voluntary and charitable organisations that improve the lives of our citizens.

Part 1 of the Act will provide Ministers with an order-making power which allows them to use secondary legislation to remove or reduce burdens arising from legislation. This will allow departments to pursue their ambitious plans for removing unnecessary regulatory burdens without having to fight for precious time in Parliament.

Part 2 of the Act aims to change the behaviour of regulators, ensuring that they adopt a risk-based approach when conducting their regulatory activities. This will have a huge impact on those regulated, especially on small and medium enterprises where the effects of regulation are felt most.

Part 3 of the Act will make the transposition of European Commission obligations into domestic law more straightforward while also making it easier for individuals and organisations to understand and work with this legislation.

Royal Assent was granted on 8 November 2006, and the Act came into force in January 2007. Government Department have started to formulate 'Legislative Reform Orders' to help them deliver better regulation.

For more information:

<http://www.cabinetoffice.gov.uk/regulation/reform/bill/index.asp>

THE MACRORY REVIEW OF REGULATORS' PENALTY REGIMES

The Hampton Report recommended that the Better Regulation Executive (BRE) should undertake a comprehensive review of regulators' penalty regimes used to enforce compliance. In the light of the recommendation, the Chancellor of the Duchy of Lancaster established a Penalties Review in September 2005, under the guidance of Professor Richard Macrory, Professor of Law at University College London.

The review issued a call for evidence in December 2005. Consultation ended on 18 August 2006 and the review received over 85 written responses from businesses, trade associations, academics NGOs, government departments and others. The review has documented respondents' views and has examined academic literature, research and looked at domestic and international sanctioning regimes. It has concluded:

- That the current penalty regime is often cumbersome and inefficient with an over reliance on criminal prosecution.

- Penalties handed down by courts are not seen to reflect either the severity of the offence or the economic benefit a business has gained for its non-compliance
- The range of enforcement tools available to many regulators is limited, giving rise to the disproportionate use of criminal sanctions. The criminal prosecution remains the primary sanction in the regulators toolkit. The use of prosecutions is an expensive process for both the regulators and business.
- The infrequency of prosecutions means that magistrates rarely see regulatory offences. Infrequency of contact with regulatory cases, and the sometimes complex nature of the legislation and offences, can lead to inconsistent judgements, or fines that fail to reflect the seriousness of the offence.

The review looked at a number of additional and alternative sanctions and options for change to evolve the ‘enforcement toolkit’. As a result of this a number of recommendations were made including the following additions to the ‘enforcement toolkit’:

Civil Sanctions

- Monetary Administrative Penalties
- Enforceable undertakings
- Strengthening the Statutory Notices system
- The introduction of an independent Regulatory Tribunal.

Alternative criminal sanctions

<ul style="list-style-type: none"> • Publicity Orders • Mandatory Audits • Conditional Cautions 	<ul style="list-style-type: none"> • Restorative justice • Community projects • Publicity Orders
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For more information:

http://www.cabinetoffice.gov.uk/regulation/reviewing_regulation/penalties/index.asp

OFFICE FOR NATIONAL STATISTICS - UK CENTRE FOR THE MEASUREMENT OF GOVERNMENT PRODUCTIVITY (UKCEMGA)

UKCeMGA’s aim is to strengthen the Office for National Statistics (ONS) services to customers by publishing authoritative, credible analyses of the productivity of government-funded services which are recognised as independent. This will also strengthen the UK National Accounts – public services account for around one-fifth of Gross Domestic Product – and improve overall estimates.

Further information can be found on the UKCeMGA web pages:

<http://www.statistics.gov.uk/ukcemga>

Establishing the Principles consultation

UKCeMGA held its first consultation seminar on 30-31 October 2006 to discuss the cross-cutting methodological issues set out in the 'Establishing the Principles' consultation paper published on 18 September. The two days were very successful and highly productive, with participants from a wide range of backgrounds (e.g. academic, private, government sectors) actively taking part in the discussions on adjusting for quality change and the value of public services in a growing economy. These were extremely thought provoking with many interesting points raised for the ONS to feed into its plans for how this work should proceed. The event was chaired by Robert Chote, Director of the Institute of Fiscal Studies and a member of the UKCeMGA Advisory Board.

This consultation closed on 11 December 2006 and the written responses and a summary of the seminar were published on the UKCeMGA web pages on 22 January 2007.

Education Consultation

A wide variety of people, including representatives from the Children's Society, the National Foundation for Educational Research, economists and statisticians, came together on 4 December 2006 for a second consultation seminar on measuring the performance of the Education Service. The seminar provided an opportunity for external specialists and practitioners to discuss the ONS proposals set out in the accompanying consultation paper entitled 'Education Consultation: measuring performance in our public services'. Delegates actively participated in group discussions on how to measure the output of the schools service (e.g. measurement of pupil attendance vs pupil numbers, childcare contribution, etc).

This consultation has also closed and a summary of the group discussions will be published alongside any written responses to the consultation paper by 5 April 2007 on UKCeMGA's web pages.

Health Consultation

Most recently, UKCeMGA hosted two consultation seminars on measuring the productivity of the Health Service in London and Edinburgh on 6 and 21 February, respectively. Delegates came from a wide range of organisations, including the National Health Service, the Centre for Integrated Healthcare Research, the Oxford Policy Institute, and the Organisation for Economic Cooperation and Development (OECD).

The formats enabled a lively and fruitful discussion to take place and the post-event feedback from participants has been very positive. Again, a summary of the group discussions will be published alongside any written responses to the consultation paper by 15 May 2007 on UKCeMGA's website.

WIDER PROGRESS

Measuring the Criminal Justice System

A second Criminal Justice Steering Group meeting took place in October 2006. This group has been established to advise UKCeMGA on the methodology for estimating the output and productivity of the Criminal Justice System, which needs to be suitable for the National Accounts (concerned with output only), UKCeMGA's productivity articles, and experimental datasets. On 9 October, the Group agreed to proceed with a two strand approach to measuring the productivity of the Criminal Justice System (CJS).

1. The first strand, will use the Administration of Justice Framework (developed by the Home Office (HO), Office for Criminal Justice Reform (OCJR), Department for Constitutional Affairs (DCA) and Crown

Prosecution Service (CPS)) to calculate the output, and consequently productivity, of the criminal justice as three separate components:

- i) bringing perpetrators to justice (once a crime has been permitted);
- ii) administering the sentences imposed by the Courts;
- iii) non-investigative work (including activities directly concerned with crime prevention). This would include activities related to crime prevention, for example, much of the community support policing work and Police patrols.

2. The second strand, a more long-term piece of work, will devise an econometric approach for estimating the effects of these activities on crime rates.

Eurostat Task Force on Purchasing Power Parities for non-market education

UKCeMGA staff work with international organisations to find solutions to difficult problems. We are currently working with Eurostat and the Organisation for Economic Cooperation and Development (OECD) to develop purchasing power parities (PPP's) for non-market health and education services. Using PPP's to compare the GDP's of different countries is more accurate than using exchange rates (which do not always reflect a currency's purchasing power). The basis of these PPP's will be internationally comparable output measures.

FUTURE EVENTS

Publications

- UKCeMGA will be publishing its Annual Report at the end of April. The Report will set out progress made throughout 2006-07 and plans for the next financial year.
- We also aim to publish a Strategy Paper in early summer on how we will be taking forward the information gathered during the public consultation programme on measuring output and productivity in public services.
- Following that, we aim to publish two Public Service Productivity Articles on Education and Health in the summer period.

2006 SOCIAL ENTERPRISE ACTION PLAN

In recognition of the increasingly important role the third sector plays in both society and the economy, the Prime Minister announced the creation of a new Office of the Third Sector (OTS) in the Cabinet Office in May 2006. Ed Miliband was appointed as the new Minister for the Third Sector, working in the Cabinet Office to Hilary Armstrong, Chancellor of the Duchy of Lancaster.

The OTS has been set up to drive forward the Government's role in supporting a thriving third sector, and brings together sector-related work from across government. The third sector includes voluntary and community organisations, charities, social enterprises, cooperatives and mutual societies. The sector is diverse in its needs and priorities, and that diversity is fully reflected in the approach of the new Office.

The OTS works as an advocate for the third sector across government, as well as delivering its own policy programmes. For instance, it works closely with the new Department for Communities and Local Government (DCLG) on embedding the role of third sector organisations in communities and decision-

making at a local and regional level; and with the Department of Trade and Industry (DTI) on promotion of enterprise and creating the environment for business success.

The new Office brings together the work of the former Active Communities Directorate (ACD) from the Home Office and the Social Enterprise Unit (SENU), formerly in the Department of Trade and Industry.

2006 Social Enterprise Action Plan

Social enterprises are firms founded for a social or environmental purpose, reinvesting their profits for that purpose in the company or the community, changing people's lives for the better everyday. They are

diverse, ranging from small, community-owned village shops to large companies winning multimillion pound contracts. They are generating more than £27 billion turnover and contributing more than £8 billion to GDP a year. Social enterprises tackle some of society's most entrenched social and environmental challenges. They also set new standards for ethical markets which raises the bar for corporate responsibility. Social enterprises have the potential to improve public services by shaping service design and pioneering new approaches.

Government does not create social enterprises, but can create the conditions that enable social enterprises to thrive. There are at least 55,000 social enterprises in the UK, the Social Enterprise Action Plan aims to open the door to thousands more.

The plan aims to raise awareness of what they can achieve and encourage more people make a difference, either by involvement or investment. The action plan will drive change in four areas:

- embedding the cultural change that is already underway, especially through inspiring the next generation to start thinking about the social impact of business
- improving advice and support available to start-up and growing social enterprises
- tackling the barriers in access to finance that restrict the growth of social enterprises
- enabling social enterprises to work effectively with government in pursuit of common goals.

Success will be measured by tracking the number of social enterprises (from the Annual Small Business Survey), awareness of social enterprise (from the Small Business Service Household Survey) and whether social enterprises report fewer barriers to growth.

Action Plan:

http://www.cabinetoffice.gov.uk/third_sector/documents/social_enterprise/se_action_plan_2006.pdf

UK DEPARTMENTAL CAPABILITY REVIEWS

The UK Civil Service is currently conducting an innovative programme of ‘Capability Reviews’ aimed at improving the capability of the Civil Service to meet today’s delivery objectives and to be ready for the challenges of tomorrow.

Every central government department is being reviewed before December 2007 by an external team assembled especially for the department under review. The reviewers have been drawn from the private sector, the wider public sector and board level members of other government departments. Review teams use a capability model, designed especially for the reviews, to assess departments’ capability in the areas of leadership, strategy and delivery. The overall programme is being run by the Capability Reviews Team in the Cabinet Office.

The review process is open and transparent and includes staff, stakeholders and delivery partners. The results of each review are published. The reports include the findings of the review team with an assessment against each of the 10 areas of the model and identify the areas which need to be addressed by the department to improve its capability. The department’s senior management team then draws up an improvement plan outlining the key actions they will take to address the weaknesses highlighted in the review. These are agreed with the Cabinet Secretary. Departmental Permanent Secretaries are then held to account by the Cabinet Secretary through a regime of follow-up, support, monitoring and, if necessary, intervention.

To date, seven reviews have been published, and the next five will be published on 27 March 2007. The remaining departments will be reported on in the summer and autumn of 2007.

Department	Publication Date
Home Office	July 2006
Department for Education and Skills	
Department for Constitutional Affairs	
Department for Work and Pensions	
Cabinet Office	December 2006
Communities and Local Government	
Department of Trade and Industry	
Department for Environment, Food and Rural Affairs	March 2007
Department for Culture, Media and Sport	
Foreign and Commonwealth Office	
Department for International Development	
Ministry of Defence	

The Capability Reviews programme is doing more than just improving the capability of individual departments. The programme is also looking at cross-departmental lessons from the reviews which are critical to achieving the goal of building capability in the Civil Service as a whole to meet the challenges of the future. For each ‘tranche’ of reports, a cross-cutting report is published, looking at capability themes across those departments, and the team is working with the National School of Government in holding a series of seminars and events to disseminate learning from reviews. The Cabinet Office is also working to ensure that the activities of the centre are focussed on addressing these cross-cutting themes.

Further information including the published reports from the first two tranches can be found on the Civil Service website at <http://www.civilservice.gov.uk/capabilityreviews>

THE REFORM OF THE PERFORMANCE MANAGEMENT FRAMEWORK

The UK Government introduced Public Service Agreements (PSAs) as a cornerstone of the national performance management framework in 1998. They have played a vital role in galvanising public service delivery and achieving major improvements in outcomes that really matter. The Government has improved the performance management system with each successive spending review: reducing the number of targets, moving to outcomes rather than micromanaging inputs and driving an agenda of greater devolution, giving the frontline more autonomy to deliver.

90% of PSAs come to an end during the Comprehensive Spending Review period (2008-2011) giving the opportunity to further strengthen the framework. The Government will respond to new challenges and the changing delivery environment with a strengthened approach to performance management and public service delivery, including:

- Setting clear national priorities: Agreeing a refreshed and smaller set of ‘corporate’ PSAs that will articulate Government’s top priority outcomes for the spending period. Driving more effective co-ordinated action across Departments by setting PSAs across Government according to the key challenges we face in the long-term, rather than solely on a Department-by-Department basis. To ensure efficient use of resources and a coherent framework for delivery across the totality of Government business, priority PSA outcomes will be placed clearly in the context of department’s own strategic objectives for the spending period.
- Strengthening accountability for delivery: Going further to ensure the frontline influences the way PSA outcomes are defined, measured and delivered. For the first time the Government will publish a single, coherent, cross-departmental Delivery Agreement for each PSA, informed by consultation with the delivery chain. Delivery Agreements will clearly set out the level of ambition, strategy for delivery, and role of each organisation involved.
- Incentivising responsive public services: The Government will give more weight to user experience and satisfaction in PSAs, and ensure that central bureaucracy does not crowd out local ability to deliver. Another aim is to reduce the number of indicators underpinning PSAs and attach national-level targets only where they can effectively drive delivery. There will be a sharp focus on the need to remove inefficient data collection across all central government business.
- Empowering communities and citizens to engage: The Government will ensure that timely data is published regularly on key indicators and can be easily accessed by all. The Government will also work to broaden and deepen local user engagement mechanisms to ensure those that deliver services are more directly answerable to the public.

More detail on the changes to the performance management framework in the CSR in the Pre-Budget Report 2006: http://80.69.6.120/media/571/C7/pbr06_chapter6.pdf

2007 COMPREHENSIVE SPENDING REVIEW

The UK Government’s aim is to deliver world-class public services through sustained investment and far-reaching reform. The 1998 Comprehensive Spending Review (CSR) put in place a modernised

framework for public spending and performance management to support the delivery of the Government's long-term priorities.

A decade on from the start of the first CSR, the Government is now conducting a second CSR reporting in 2007. Since its launch the Government has been laying the groundwork with:

- an examination of the key long-term trends and challenges that will shape the next decade, analysis published in November 2006 (“Long-term opportunities and challenges for the UK: analysis for the 2007 Comprehensive Spending Review”);
- detailed reviews on specific cross-cutting issues where innovative policy responses across departmental boundaries will be required in order to meet the challenges ahead;
- an ambitious and far-reaching value for money programme to release the resources needed to address these challenges, involving both further development of the efficiency programme in the areas identified by the Gershon Review, and a set of zero-based reviews of particular areas of departments' baseline expenditure to assess their effectiveness in delivering the Government's long-term objectives;
- a more strategic approach to asset management and investment decisions, ensuring that the UK is equipped with the infrastructure needed to support both public service delivery and the productivity and flexibility of the wider economy; and
- a review of the performance management framework to continue driving outcome-focused improvements and ensure that public services are accountable and responsive to the needs and expectations of users.

In preparation for the 2007 CSR, the 2006 Pre-Budget Report announced:

- solid progress in the Government's 2004 Spending Review efficiency programme, with departments and local authorities reporting gains of £13.3 billion by September 2006, over halfway towards the target of over £21 billion by 2007-08;
- building on this success, the baseline savings ambition for the 2007 CSR period will be at least 3 per cent per year across central and local government, with a focus on net cashable savings to free-up resources to meet the challenges ahead;
- administration budgets across departments will be reduced by at least 5 per cent per year in real terms over the 2007 CSR period, releasing resources for reallocation to frontline services;
- the publication of Sir David Varney's review of public service transformation, which makes recommendations to strengthen and join up public service delivery and make public services more efficient and responsive to the needs of users;
- reforms to the performance management framework, so Public Service Agreements (PSAs) clearly articulate cross-government priority outcomes; reducing bureaucracy, increasing accountability and embedding user engagement in delivery.

Further information:

Long-term opportunities and challenges in the 2007 Comprehensive Spending Review:

http://www.hm-treasury.gov.uk/media/298/55/csr_longterm271106.pdf

Gershon Review, “Releasing Resources to the Front Line”:

http://www.hm-treasury.gov.uk/media/B2C/11/efficiency_review120704.pdf

Varney Review, “Service transformation: A better service for citizens and businesses, a better deal for the taxpayer”:

http://www.hm-treasury.gov.uk/media/53D/F2/pbr06_varney_review.pdf

MINISTERS AND CIVIL SERVANTS

The *Ministerial Code*, *Civil Service Code*, and the *Code of Conduct for Special Advisers* are the key documents setting out the responsibilities and standards of conduct expected of Ministers and civil servants.

Ministerial Code

The *Ministerial Code* is a Code of Ethics and Procedural Guidance for Ministers. The *Code* is issued by the Prime Minister, and is normally updated after each General Election. In the foreword to the *Code*, the Prime Minister is clear that he or she expects all Ministers to work within the letter and spirit of the *Code* and to undertake their official duties in a way that upholds the highest standards of propriety. The Prime Minister also highlights the importance of there being clarity about how Ministers should account, and be held to account, by Parliament and the public.

The *Ministerial Code* includes a section on the relationship between Ministers and civil servants. It states that Ministers have a duty to give fair consideration and due weight to the informed and impartial advice from civil servants, as well as to other considerations and advice, in reaching policy decisions; a duty to uphold the political impartiality of the Civil Service, and not to ask civil servants to act in any way which would conflict with the *Civil Service Code*; a duty to ensure that influence over appointments is not abused for partisan purposes; and a duty to observe the obligations of a good employer with regard to the terms and conditions of those who serve them.

The current version of the *Code* was published in July 2005, and is accessible at:

http://www.cabinetoffice.gov.uk/propriety_and_ethics/ministers/ministerial_code/index.asp

Civil Service Code

The *Civil Service Code* sets out the core values of the Civil Service, and the standards of behaviour expected of civil servants. It forms part of the terms and conditions of service for all civil servants.

The *Civil Service Code* is clear that civil servants are accountable to Ministers, who in turn are accountable to Parliament. Civil servants are expected to act with integrity, honesty, objectivity and impartiality, including political impartiality. In relation to Ministers this means, for example, that civil servants must provide advice to Ministers on the basis of the evidence, and accurately present the options and facts, and that civil servants must act in a way which deserves and retains the confidence of Ministers, while at the same time ensuring that they will be able to establish the same relationship with those with whom they may be required to serve in some future Government.

The current *Code* was published in June 2006 and is accessible at:

http://www.cabinetoffice.gov.uk/propriety_and_ethics/civil_service/civil_service_code.asp

In December 2006, the Home Office agreed a new 'compact' between Ministers and officials to clarify how they should work together, setting out expectations on respective responsibilities and how they should be carried out (attached).

Code of Conduct for Special Advisers

Special Advisers are temporary civil servants employed personally by Ministers to help them on matters where the work of Government and the work of the Government Party overlap and it would be inappropriate for permanent civil servants to become involved. Due to the particular status of their appointments, Special Advisers are appointed under separate terms and conditions of service which include adherence to the *Code of Conduct for Special Advisers*. The *Code* sets out the sorts of work a Special Adviser may do if their Minister wants it, and describes their relationship with the permanent Civil Service.

Like the *Ministerial Code*, the *Code of Conduct for Special Advisers* is normally revised and reissued after a General Election. The current version of the *Code* was published in July 2005 and is accessible at:

http://www.cabinetoffice.gov.uk/propriety_and_ethics/special_advisers/code.asp