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**MANAGING THE SENIOR PUBLIC SERVICE
A SURVEY OF OECD COUNTRIES**

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

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EXECUTIVE SUMMARY

The senior public service is a key instrument of public management reforms and in this context is itself the target of reform efforts in a number of OECD countries. Changes affecting the structure and management of the public service are having a significant impact on both the policy and managerial roles of senior public servants.

This report provides an overview of the way the senior public service is managed across a selection of OECD countries. Its purpose is to contribute to exchange of information at a time when many countries are seeking to develop new management approaches and to learn from the experience of others.

The survey

The report is based on a survey carried out by the OECD's Public Management Service (PUMA) in 1995. Twenty-one countries participated in the survey. For the purposes of the survey, the senior public service was defined as including:

- public servants working for national government;
- occupying important management or specialist positions at high levels in ministries or operational or policy agencies.

In general the group covered by this definition comprises between one and two percent of the total national public service (although it is higher or lower than this figure in some countries) and includes the top two or three functional levels of the service.

The topics covered by the survey include:

- the definition and composition of the senior public service;
- whether there is a separate management system or strategy for the senior group;
- recruitment and employment arrangements;
- performance management;
- provisions relating to certain aspects of official conduct.

Trends in numbers of senior public servants

Data on the number of senior officials were collected for two points in time: 1985 and 1994. These data reveal that there have been quite different experiences in terms of the growth, in absolute numbers, of the senior public service, with some countries showing a decrease, others remaining more or less stable and yet others showing a substantial increase. The representation of women at senior levels increased in almost all the countries for which data is available. Most countries reported between 10 and 20 per cent women in the senior public service in 1994; however, there are large variations between countries.

Management systems and strategies

Countries were asked to indicate the most important changes in the characteristics of the senior public service and the way it is managed. The most frequently mentioned changes included:

- A stronger emphasis on management skills and competencies rather than specialist skills;
- Changes in recruitment and appointment procedures which broadened access to the senior public service, diminished or eliminated seniority as a selection criterion, and aimed to bring in a more highly educated group of people;
- Greater attention to career management and development of senior public servants;
- A concern to increase the diversity of the senior public service in terms of bringing in more women and also, in several countries, more people from under-represented language or ethnic minorities.
- New initiatives related to remuneration, mobility, termination of employment and selection criteria or procedures.

A few countries have established separate senior executive systems in the public service. These systems emphasise the notion of senior managers as a service-wide resource with a shared culture, broad experience, a government-wide perspective, and possessing generic managerial competencies. However, most of the countries surveyed do not have a separate management system; nevertheless, senior managers are, in many cases, covered by special terms and conditions of employment that do not apply to the rest of the public service. Top officials (heads of ministries and agencies) are treated as a distinct group in some countries.

Recruitment and selection

There is considerable variation between countries in the way recruitment and selection of senior officials is done. However, there are two basic patterns. The first is what is termed the career-system approach, in which the public service is managed as a more or less closed career system. In contrast to the career-system approach, a number of countries operate position systems, with open competition for access to senior positions. In these countries, the trend in recent years has been towards more open recruitment to senior positions, with the aim of attracting a wider range of talent to the management ranks. Nevertheless, in all of the countries surveyed, the majority of those entering the senior public service come from within the national public service and very few come from outside the public service.

Senior recruitment other than to top level posts tends to be under the decentralised control of the recruiting organisation, although there are often standard selection processes that must be followed. In many countries top public servants, those occupying the highest rank, are selected and appointed by a different method to that used to select and appoint other senior officials. Given the responsibility and sensitivity attached to the functions of top officials, ministers or the government as a whole are frequently involved in their selection.

A changing skill profile

The survey asked countries to indicate skills which have become more and less important for senior public servants over the past decade. The responses indicate that the skill profile of senior managers is changing in most public services and that there is a shift in emphasis towards more broadly-based management skills and away from more narrowly based specialist or technical skills.

Employment policies

Ten of the twenty-one countries that responded to the survey indicated that they have some provision for contract employment for their senior public servants. In many cases, there is provision for fixed-term contracts, with or without provision for renewal.

There are often special provisions relating to termination of employment of senior officials: in some countries senior public servants serve at the will of the government of the day and can be resigned at will; in a number there is provision for termination for unsatisfactory performance; and in others there is provision for termination due to reduction or restructuring of the public service. However, most do not have the practice of wholesale changeover in the senior ranks when the government changes.

Most of the countries surveyed did not report any type of formal mobility arrangements or mobility policy. However, several reported a concern to increase mobility at senior levels and a number have put in place or reinforced mobility instruments of various types in recent years.

Most countries maintain a clear-cut division between political staff and the senior public service and with only a few exceptions public servants are not permitted to serve as personal staff to ministers.

Performance management

Fourteen of the countries surveyed reported that they have some type of formal reporting or performance appraisal arrangements for senior public servants and several others reported the use of informal mechanisms of various types. The majority of countries have formal mechanisms available to deal with poor performers: formal warning, transfer to a less demanding job, reduction in classification, removal from the senior public service and dismissal. However, it would appear that such formal mechanisms are rarely used. The usual approach to performance problems is to take corrective action by setting up a performance improvement plan and providing training if necessary; or by agreeing a voluntary transfer, reclassification to a lower level or voluntary retirement with the individual concerned.

Official conduct

A comprehensive exploration of provisions relating to the official conduct of senior public servants was considered to be beyond the scope of the survey. However, the survey included questions relating to:

- restrictions on political activities of senior officials;
- requirements to declare personal interests and prohibitions on acceptance of gifts or benefits; and
- restrictions on employment of senior public servants after they leave the public service.

The majority of the countries surveyed allow senior public servants to participate in public debate on political issues, albeit with explicit or implicit restrictions in many cases, and to become members of political parties. In many countries senior officials can contest elections and a number of countries allow a senior public servant to hold a seat in the national legislature, in all cases with leave of absence from the public service.

Ten of the countries surveyed have formal requirements for senior public servants to declare personal interests such as shares, property, personal or business relationships, directorships of private

boards and the like. In most cases these declarations are required to be in writing and they are confidential. Several other countries have requirements to declare interests for particular groups of senior officials or in particular circumstances.

In all of the countries surveyed, public servants are exempt from obeying instructions which would require them to break the law, and in a number they are also explicitly exempt from obeying instructions which would be likely to jeopardise the public interest. However, the degree of guidance provided to officials to help them deal with such situations, especially where they merely suspect that the intended action is illegal or against the public interest, varies considerably between countries. In the majority, there appears to be no provision for public servants to disclose mismanagement or suspected corruption and no specific measures to protect public servants who do this from reprisals or victimisation.

INTRODUCTION

The senior public service is a key instrument of public management reforms and in this context is itself the target of reform efforts in a number of OECD countries. Changes affecting the structure and management of the public service are having a significant impact on both the policy and managerial roles of senior public servants.

This report provides an overview of the way the senior public service is managed across a selection of OECD countries. The report covers areas such as employment status, recruitment and performance management, and identifies significant changes and developments affecting the senior public service. The report is descriptive rather than analytical. It responds to a demand by countries for basic information on key aspects of senior public service management. Its purpose is to contribute to exchange of information at a time when many countries are seeking to develop new management approaches and to learn from the experience of others.

The report is based on a survey carried out by the OECD's Public Management Service (PUMA) in 1995. Twenty-one countries participated in the survey.¹

For the purposes of the survey, the senior public service was defined as including:

- public servants working for national government;
- occupying important management or specialist positions at high levels in ministries or operational or policy agencies.

In general the group covered by this definition comprises between one and two percent of the total national public service (although it is higher or lower than this figure in some countries) and includes the top two or three functional levels of the service.

Groups excluded from the survey include:

- officials who work in the private offices of Ministers or politicians;
- public servants who work in sub-national or municipal government;
- those who work in state-owned enterprises.

The survey collected information on the size and composition of the senior public service; systems and procedures for managing the senior group; and recent changes and developments in the senior public service and the way it is managed. The topics covered by the survey include:

1. Countries included are: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Ireland, Japan, Mexico, the Netherlands, New Zealand, Norway, Portugal, Sweden, Switzerland, Turkey, the United Kingdom and the United States.

- the definition and composition of the senior public service;
- whether there is a separate management system or strategy for the senior group;
- recruitment and employment arrangements;
- performance management;
- provisions relating to certain aspects of official conduct.

The survey excludes some important areas: remuneration for senior public servants is not included because PUMA has carried out a number of separate studies in this area (OECD, 1993, 1994a, 1995, 1997); training and development is also excluded for this reason (OECD, 1992) and because this is an area that receives a good deal of attention in other international forums.

MANAGING THE SENIOR PUBLIC SERVICE A SURVEY OF OECD COUNTRIES

The Senior Public Service: Definitions and Characteristics

As the primary focus of this study is on the management of the senior public service, rather than statistical comparisons across countries, it was not considered useful to attempt to impose a strict definition on the participating countries. Instead, countries were asked to identify the group which they consider comprises their senior public service, following the broad parameters mentioned in the introduction to this report.

Although only a minority of the countries surveyed have concise definitions of the senior public service (for example, a Senior Executive Service), all were able to delineate more or less clearly their senior management group. Details of the group covered for each country are set out in Annex 1 by functional level, title and classification.

The size and structure of the senior public service varies considerably between countries and it is important to emphasise that the data are not directly comparable in a statistical sense. For this reason we have not presented data on the proportion of senior public servants in the total national public service. As public services are built along widely differing lines and there is no fully comparable set of cross-national data on the overall size of the public service such attempts at comparison can be quite misleading (cf. OECD, 1994b).

Trends in numbers of senior public servants

Data on the number of senior officials were collected for two points in time: 1985 and 1994. These data reveal that there have been quite different experiences in terms of the growth, in absolute numbers, of the senior public service, with some countries showing a decrease, others remaining more or less stable and yet others showing a substantial increase (Table 1). These data reinforce the need to examine each country's particular situation to discover the reasons behind changes in the size of the senior public service. There are a number of factors which could explain the changes observed. For example, overall reductions in the size of the public service could be expected to lead to a reduction in the number of senior positions. Another possible factor could be rises in rates of attrition induced by pay freezes or disparities in pay rates between the public and private sectors. Increases in the number of senior officials may be explicable by corresponding increases in the overall size of the public service, or they may be attributable to a relaxation of controls on senior staffing, or devolution of responsibility for senior recruitment from central agencies to line ministries during the period under review. An exploration of the precise factors underlying the data shown in Table 1 is beyond the confines of this survey.

Table 1. Number of senior public servants and trend 1985-1994

Countries	1985	1994	Percentage increase
Australia ¹	1639	1695	+3.4
Austria	-	1386 ('95)	
Belgium ²	767	563	
Canada	4434	3910	-11.8
Denmark	-	736	
Finland	656	655	-0.2
France	1149	1107	-3.7
Germany ³	2370 ('87)	2689	+13.5
Iceland	403 ('89)	376	-6.7
Ireland	449 ('84)	448 ('95)	-0.2
Japan	689	698	+1.3
Mexico ⁴	501 ('84)	1533 ('92)	
Netherlands ⁵	479	469	-2.1
New Zealand	123	154	+25.2
Norway ⁶	567	933	
Sweden ⁷	343	423	+18.9
Switzerland	651 ('91)	855 ('95)	
Turkey	-	405 ('95)	
United Kingdom	3551	3878	+9.2
United States	6818	7509	+10.1

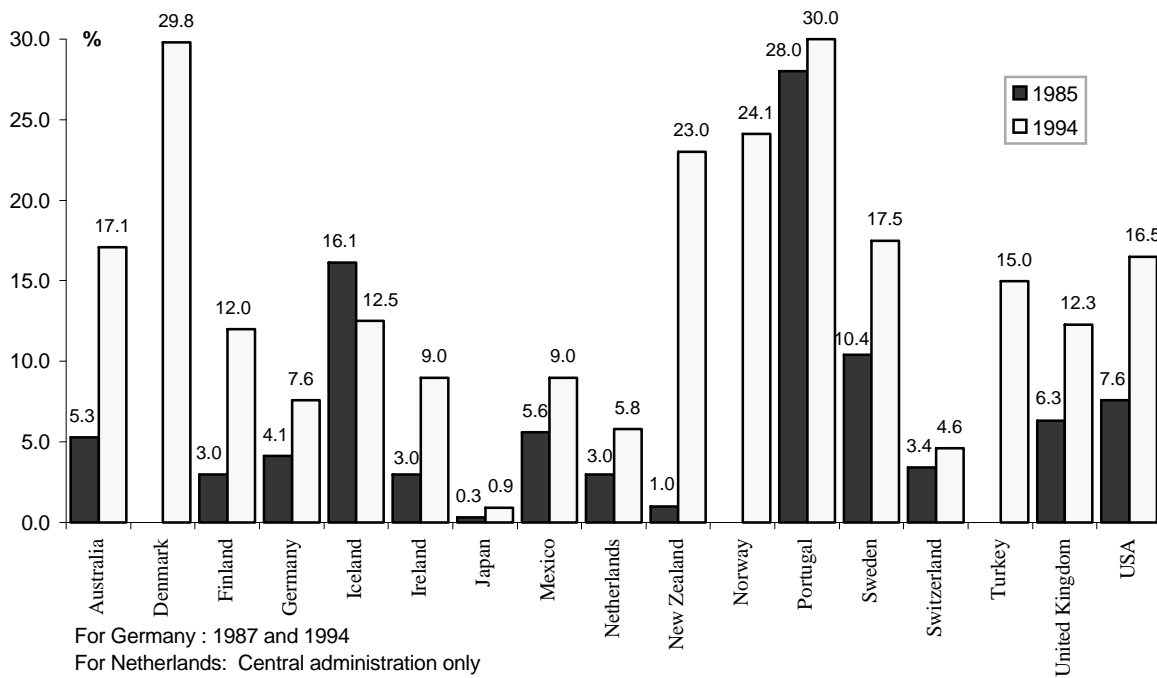
Notes:

1. Australia - In each year, the number of 1st level officials is excluded.
2. Belgium - In 1985, the number of officials in public enterprises is included.
3. Germany - In 1994, the number reflects the result of German reunification.
4. Mexico - In 1984, the number of the 3rd level officials is excluded. The comparable number in 1992 is 381 (-24.0%)
5. Netherlands - In each year, the number of ambassadors/advisers etc. (above scale 19) is included.
6. Norway - In 1985, this number shows only the 3rd level officials. The comparable number in 1994 is 566 (-0.2%).
7. Sweden - In each year, the number of 3rd level officials is excluded.

Women in the senior public service

The proportion of women in the senior public service in 1985 and 1994 is shown in Chart 1. Here again it must be emphasised that the data are intended to provide an approximate indication only and they are not strictly comparable between countries. For example, some countries include the foreign service whereas for others the figures refer to the central administration only. The representation of women at senior levels increased in almost all the countries for which data is available. Most countries reported between 10 and 20 per cent women in the senior public service in 1994; however, there are large variations between countries. **Denmark, New Zealand, Norway** and **Portugal** stand out as having relatively high proportions of women, but in none of the countries shown in the Chart did the proportion of women reach even one-third of the total senior service in 1994.

Chart 1. Women in the senior public service



These data may reflect the gradual success of equal employment opportunity programmes. For example, **Canada, New Zealand, Norway, Sweden** and the **United States** mention in their responses to the survey that they have had active policies aimed at increasing the proportion of women at senior levels and a number of other countries have made particular efforts in this area. But other factors may also have had a significant impact. Changes in the way senior officials are recruited may be influential: in countries where talented individuals are identified early in their careers and set on a path to successive promotions, changes in the relative proportions of men and women may take a long time to feed through to the senior levels, because of established patterns which favour the promotion of men rather than women. By contrast, countries which recruit to the senior levels on a more open basis, or in which there is recruitment from outside the public service, may be in a position to respond more rapidly to demands for a greater representation of women.

Turnover rates

The survey also requested data on the average rate of turnover in the senior public service, i.e. the number of people who left the service during 1994 divided by the total number of people who were in the service in 1994. The average rate of turnover was approximately 10 per cent. However, there was lot of variation in the rates between countries, with some apparently having a much more stable group than others (for example, the turnover rate was 3 per cent in **France** compared to 14.7 per cent in the **Netherlands**). Such differences may be indicative of an explicit management strategy aimed at securing higher or lower turnover rates at senior levels, or they may reflect broader differences between countries in the employment culture of the public service.

Age and experience profiles

Eleven of the countries that participated in the survey were able to provide information on the age profile of their senior public service in 1985 and 1994. The average age of the senior group remained relatively stable in most countries. **Canada, Iceland, Mexico, Sweden** and the **United States** recorded slight increases in the average age, while **Australia, New Zealand, Norway** and the **United Kingdom** recorded decreases. Only seven countries were able to provide data on the length of service in the public service of their senior officials. Of these, **Australia, Canada, Finland, New Zealand** and the **United Kingdom** show a decrease in the average length of service.

Important changes in the characteristics of the senior public service

Countries were asked to indicate the most important changes in the characteristics of the senior public service in the period from 1985 to 1995, and the responses provide some indication as to the factors that produced the changes commented on above. The most frequently mentioned changes included:

- A stronger emphasis on management skills and competencies rather than specialist skills;
- Changes in recruitment and appointment procedures which broadened access to the senior public service, diminished or eliminated seniority as a selection criterion, and aimed to bring in a more highly educated group of people;
- Greater attention to career management and development of senior public servants;
- A concern to increase the diversity of the senior public service in terms of bringing in more women and also, in several countries, more people from under-represented language or ethnic minorities.

Management Systems and Strategies for the Senior Public Service

Recent policy initiatives

Changes in the way the senior public service is managed have been an important feature of public management reforms. The majority of the countries surveyed have introduced changes affecting the senior public service in recent years and in some countries there have been major new initiatives. The most frequently mentioned initiatives related to remuneration systems, mobility, new provisions relating to the termination of employment and related measures to aid the transition out of the senior public service, and new selection criteria or procedures. Two countries, the **Netherlands** and the **United Kingdom** established new senior public service systems, involving changes to the range of policies affecting the management of the senior cadre. Table 2 summarises the initiatives reported.

Table 2. Summary of major initiatives affecting the senior public service in 1990-1995

Nature of the initiative	Countries
More flexible remuneration system or other reform of the pay system	Australia, Austria, Finland, Ireland, New Zealand, Turkey
Measures to promote greater mobility	Australia, Austria, Belgium, Finland, United States
Employment termination/transition measures	Canada, New Zealand, Sweden, Switzerland
New selection criteria/procedures for senior managers and/or identification of core competencies	Australia, Finland, United States
New management development and training measures	Austria, France, New Zealand
Restructuring of the senior public service	Australia, Canada
Establishment of new senior civil service system	Netherlands, United Kingdom
Reduction in the size of the senior public service	Canada
Introduction of performance evaluation	Denmark
Provision for fixed-term appointments	Finland
Equal opportunity initiatives	Sweden
Succession planning	United States

Separate senior public service management systems

A few countries have established separate senior executive systems in the public service: **Australia** (Senior Executive Service.), **Canada** (Executive Group), the **Netherlands** (Senior Public Service) **New Zealand**, (Senior Executive Service), the **United Kingdom** (Senior Civil Service) and the **United States** (Senior Executive Service). These systems emphasise the notion of senior managers as a service-wide resource with a shared culture, broad experience, a government-wide perspective, and possessing generic managerial competencies. Box 1 provides examples of key aims of the senior executive systems in the **Netherlands**, the **United Kingdom** and the **United States**.

Box 1. Key aims of senior executive systems - examples from the Netherlands, the United Kingdom and the United States

Netherlands

- Respond to increasing complexity and internationalisation of policy issues by creating a common frame of reference in which interdepartmental consultation, co-operation and co-ordination are the norm
- Ensure that civil service managers have adequate managerial and administrative skills to meet the increasing demands made on them
- Promote mobility in the civil service in order to foster flexibility, innovativeness, problem-solving abilities, an outward-looking attitude and a keen political awareness

United Kingdom

- A “corporate Resource” of senior managers and professionals
- A broader-based senior management structure, of which a greater proportion will be specialists and professionals
- A greater emphasis on departmental co-operation and the encouragement of a service-wide vision. The conscious maintenance of common civil service standards and ethics which safeguard against possible fragmentation of this culture as a result of decentralising and delegation

United States

- Provide greater authority to agencies in managing their senior executive resources
- Attract and retain highly competent executives, and assign them where they will be most effective in accomplishing the agency’s mission and where best use will be made of their talents
- Provide for the development of managers and executives
- Hold executives accountable for individual and organisational performance
- Reward the outstanding performers and remove poor performers
- Provide for an executive merit system free of prohibited personnel practices and arbitrary actions

In **Australia, Canada** and **New Zealand**, heads of ministries and agencies are not part of the senior executive systems and they are treated as a separate group for the purposes of appointment, performance management and terms and conditions of employment. In the **United States**, the top positions are reserved for political appointees, and these officials do not come under the Senior Executive Service. In New Zealand, only about 80 of an estimated 350 senior managers are members of the Senior Executive Service.

Table 3 sets out some of the main characteristics of senior executive systems in the six countries where such systems exist. There is quite a lot of variation between these systems. The **Australian** and **Canadian** systems involve a relatively centralised approach to management for the senior public service, whereas the other countries take a more decentralised approach. All of the systems feature open recruitment to senior executive positions, although in practice the majority of positions are filled from within the public service (cf. Table 6). The majority of the systems have a separate classification and pay system for the senior executive group. The use of core selection criteria is also a common feature. Two of the six countries, **New Zealand** and the **United Kingdom** have a system of employment contracts for the senior executive group; in **New Zealand** the majority of senior managers are on open-term contracts, in the **United Kingdom**, they are mainly indefinite.

Table 3. Main characteristics of senior executive systems

Characteristics	Australia	Canada	Netherlands	New Zealand	United Kingdom	United States
Centralised management of career development and mobility	Yes	Yes for top 2 levels; no for other 3 levels	Yes, there is central coordination and guidance	No	No, but there is central encouragement	No, but there is central encouragement
Centralised recruitment and promotion	Yes	Yes	Yes, there is central coordination and guidance	No	Yes for top posts; no for other senior posts	No
Open recruitment system	Yes	Yes	Yes	Yes	Yes	Yes
Separate classification and pay system	Yes	Yes	No	At discretion of employing department	Yes	Yes
Use of core selection criteria	Yes		No	Yes	Yes	Yes
Employment contracts	No	No	No	Yes, mainly open-term	Yes, mainly indefinite	No

Countries without distinct management systems for senior officials

Most of the countries surveyed do not have a separate management system for the senior public service. However, in a number of countries, senior managers are covered by special terms and conditions of employment that do not apply to the rest of the public service; the most common features are special remuneration arrangements, the possibility of fixed-term appointments (usually in a minority of cases), performance contracts, arrangements to facilitate termination of appointments (including special redundancy provisions) and mobility policies. Top officials (heads of ministries and agencies) are treated as a distinct group in some countries (for example, **France, Germany, Sweden**), with their own terms and conditions. Table 4 illustrates some of these features.

Table 4. Examples of special terms and conditions of employment applying to senior public servants

Country	Special remuneration arrangements	Provision for fixed-term appointments	Performance contracts	Special arrangements to facilitate termination of employment	Mobility policy
Austria		X			
Denmark	X	X	X		X
Finland	X	X		X	
France	X	X		X	X
Germany		X		X	
Ireland	X	X			
Norway	X	X	X	X	X
Sweden	X	X		X	X
Switzerland		X		X	
Turkey	X	X			

Recruitment to the Senior Public Service

Table 5 summarises some key features of recruitment and selection procedures for senior public servants. Box 3 summarises arrangements relating exclusively to top public servants. While there is considerable variation between countries, there are two basic patterns. The first is what is termed the career-system approach, in which the public service is managed as a more or less closed career system. In these systems, of which **Belgium, France and Japan** are perhaps the purest examples, entry to senior positions is on the basis of internal promotion, there is a clearly defined career path, there is no formalised selection process (for example an interview process or an assessment panel) and the majority of those who are promoted to management positions in a given ministry come from within the ministry. This is not to say, of course, that promotion is automatic after a given length of service. **Germany and Ireland** are also examples of career systems, with senior positions being filled from the lower ranks of the public service and no provision for advertising of vacancies outside the public service. It is important to note, however, that appointments to top rank positions in **France and Germany** are handled differently and in both cases these may be filled by non-public servants (see Box 3).

In contrast to the career-system approach, a number of countries operate position systems, with open competition for vacancies and no formal qualification conditions for access to senior positions (such as fixed educational requirements or prior service in the administration). The **Nordic** countries, the

Netherlands, Australia, New Zealand, the United Kingdom and the **United States** fall into this category. While the details of the process vary considerably between countries, selection methods tend to resemble those in private sector organisations; for example, the use of standard core selection criteria or competencies is quite common, there is normally an interview procedure and several countries make use of assessment centres or assessment by external consultants.

In the countries which operate position-based systems, the trend in recent years has been towards more open recruitment to senior positions, with the aim of attracting a wider range of talent to the management ranks. In several countries (for example, **Australia, Canada, New Zealand, Sweden, the United States**) there has also been an explicit attempt to increase diversity within the senior ranks by attracting more women and more people from ethnic or language groups that are currently under-represented.

However, even in countries which operate open recruitment systems, the majority of those entering the senior public service come from within the national public service and very few come from outside the public service. All of the countries responding to the survey identified the national public service as the primary feeder group for senior management positions. Moreover, except in **Mexico**, it would appear that a large proportion of senior managers are drawn from within the same ministry or agency in which they take up senior management positions. Table 6 shows, for countries which were able to provide such data, the relative proportions of those entering the senior public service for the first time who were recruited from within and from outside the national public service and the proportion recruited from within the same ministry.

In the majority of countries, senior recruitment other than to top level posts is under the decentralised control of the recruiting organisation (See Table 5). However, in many cases there are standard selection processes that must be followed (see Box 2). Involvement by central agencies is most common in countries that operate senior executive management systems, the exception being **New Zealand**, where responsibility for recruiting senior managers has been devolved to Chief Executives of departments and agencies and the State Services Commission is involved only in the selection of Chief Executives. **Ireland, Sweden** and **Switzerland** also have involvement by central agencies. In the majority of countries, the relevant minister or the Prime Minister has the final say in the appointment.

Table 5. Recruitment procedures for senior public servants¹

Country	Involvement by central agency	Approval by minister required	Use of standard core selection criteria or competencies	Advertising of positions	Formal access conditions for senior positions	Formal selection process
Australia - SES	Yes	No	Yes	Open advertising	No	Yes
Austria	No	Yes	No	Open advertising	No	Yes
Belgium	No	Yes	No	In official gazette	Yes - only officials of a given rank may move into a higher rank	No
Canada	Yes	For Deputy Ministers	Yes		No	Yes
Denmark	No	No	No	See note 2	No	Yes
Finland	No	See Note 3	Yes	Open advertising	No	Yes
France	No	Yes	No	In official gazette	Yes ⁴	No
Germany	No	Yes	No	See note 5	Yes ⁶	No
Iceland	No	For top rank appointments	No	See note 7		No
Ireland	Yes	Yes	No	Internal advertising	No	Yes
Japan	No	Yes	No	No	Length of service	No
Mexico	No	No	No	No	No	No
Netherlands	Yes	Yes	Being introduced	Internal advertising via SPS Office	No	Yes
New Zealand	No	Yes, for Chief Executive positions	Yes	Open advertising	No	Yes
Norway	No		No	Open advertising	No	Yes

Country	Involvement by central agency	Approval by minister required	Use of standard core selection criteria or competencies	Advertising of positions	Formal access conditions for senior positions	Formal selection process
Portugal	No	Yes	No	Open advertising in some cases	Yes, grade and length of service	No
Sweden	For 1st and 2nd level appointments	For top rank appointments	No	At discretion of recruiting organisation	No	Yes
Switzerland	Yes		No		No	No
Turkey	No	Yes	No	No	Yes, educational and length of service requirements	No
United Kingdom	Yes	Yes	Yes	At discretion of recruiting organisation ⁸	No	Yes
United States - SES	Yes	No	Yes	Open advertising or advertising within Federal Service	No	Yes

Notes:

1. See Box 3 for special provisions relating to appointment of top public servants.
2. Positions are advertised initially within the hiring organisation, if no qualified applications are received there is open advertising.
3. Before taking the appointment to the Council of State, approval of the relevant minister is required. The appointing authority is either the Council of State (the ministers) or the President.
4. Senior management posts are reserved for members of the corps of Civil Administrators and of other groups which have graduated from the *Ecole Nationale d'Administration (ENA)* or the *Ecole Polytechnique*. There is also a mobility requirement and a length of service requirement.
5. Open advertising of department head positions in federal ministries and of director positions within lower level agencies of federal ministries. Other senior positions must be filled from within the public service and are advertised internally.
6. Candidates for senior positions must possess the relevant diploma and have passed prescribed examinations; they must also have completed a preparatory service and have passed an associated examination.
7. Top rank positions are advertised in an official bulletin. Second and third rank positions may be excluded from advertisement.
8. Under approved, delegated arrangements. For top posts see Box 3.

Box 2. Examples of selection processes for senior positions (excluding top positions where there is a separate procedure for staffing these - see Box 3)

Austria: An independent examining board is set up for each vacancy, consisting of representatives of the Minister, the Staff Committee and the Union. Candidates may or may not be interviewed. The use of assessment centres is possible but rare.

Belgium: Each ministry has its own internal procedure. The management board considers the applications and proposes a short list to the Minister, who makes the final decision. Consideration is given to ensuring balanced political representativeness of senior appointments.

Canada - Executive level positions: Short listed candidates are assessed by a board, including an interview, and a recommendation is made to the Public Service Commission for approval. In the case of entrants to the bottom two levels of the Executive Group use is made of an Assessment Centre. Written tests may be used as a screening tool.

Denmark: Selection is made on the basis of the written application, performance at interview and earlier job performance.

Germany: Selection is made by the Minister in consultation with the human resource manager of the relevant Ministry.

Ireland: Selection is made by an interdepartmental committee (the Top Level Appointments Committee), comprising five Secretaries of departments and one non-civil servant.

New Zealand: Procedures vary between agencies. As individuals have the normal rights at law in respect of appointment decisions agency Chief Executives need to use processes which enable to make and sustain appointment decisions.

Norway: Procedures include interview and possibly the recommendation of a recruitment consultant.

Selection and appointment of top public servants

In many countries top public servants, those occupying the highest rank, are selected and appointed by a different method to that used to select and appoint other senior officials. Given the responsibility and sensitivity attached to the functions of top officials, ministers or the government as a whole are frequently involved in their selection. Box 3 summarises the procedures used in various countries.

Box 3. Procedures for appointment of top public servants

Australia: The top public servants are Secretaries and their equivalents who are in charge of departments and agencies. These officials are currently appointed by the Governor General of Australia on the advice of the government of the day. However, under the proposed terms of a new Public Service Act, scheduled to be introduced in Parliament in 1997, the power to appoint departmental Secretaries would be vested in the Prime Minister, who would, as now, exercise his power only after receiving advice from the Secretary of the Department of the Prime Minister and Cabinet, or in the case of an appointment to that department, from the Public Service Commissioner. These are statutory appointments and they are made on a contract employment basis. Top officials may be removed from their posts by a decision of the government. Where the officials concerned have been members of the public service prior to their appointment to top posts, they would normally have rights to reintegration at their former level at the conclusion of their statutory appointment.

Austria: Top public servants, Directors General or Presidents of ministries and agencies, are appointed in the same way as other senior ranking officials (see Table 5).

Belgium: For top officials, Rank 17, the government meeting in the Council of Ministers appoints a candidate upon a proposal by the Minister concerned; in other respects, the selection procedure is the same as for other senior

officials (see Table 5). For public bodies, the relevant legislation may provide for a special procedure to appoint the head, including derogation from the condition that the person appointed must be a government official.

Canada: The top positions, Deputy Minister positions, are for the most part filled by redeploying existing Deputies to more challenging positions and promoting Associate Deputy Ministers or senior executives. In some cases, however, appointments may be made from outside the public service. Deputy Ministers are appointed by the Prime Minister. The Clerk of the Privy Council is responsible for providing advice to the Prime Minister on filling vacancies. The relevant minister is also consulted. Deputy Ministers are appointed by Order of the Governor in Council and they may be removed from their posts by a decision of the government.

Denmark: Top officials, Permanent Secretaries and Deputy Secretaries are selected and appointed in the same way as other senior officials (see Table 5).

Finland: Top officials, Secretary of State, Secretary General, Under-Secretary of State, are selected in the same way as other senior public servants (see Table 5).

France: Top officials, Secretaries-General, Directors-General, Directors and top positions in devolved administrations (Rectors, , Prefets, Ambassadors), are “under government decision” and, as such, vacancies are not advertised. The nomination proposal is made by the minister concerned and a nomination decree is submitted to the Council of Ministers and to the President for signing. The selection for these positions is not subject to any statutory requirement and non-public servants may be nominated. In practice, however, it is unusual for persons to be selected from outside the public service.

Germany: Top posts, Permanent Secretaries of State and Heads of Directorate-General in federal ministries and director positions within the lower level agencies of the federal ministries, must by law be advertised and may be filled by non-public servants. Candidates for these posts are selected by the minister in charge of the area (in consultation with the responsible human resource manager), who then makes a recommendation to the federal administration. The federal President makes the appointment on based on the recommendation of the federal administration.

Iceland: Top posts, those of Director General of a ministry or agency, must be advertised in an official bulletin, whereas posts at the second and third level may be excluded from advertisement. In some instances the minister is required to obtain recommendations from the steering committee of the agency or institution concerned; if there is no legal stipulation, the minister is free to take the decision without consultation. In practice, however, ministers generally follow the recommendations of the steering committees.

Ireland: Top officials, Secretaries of departments, are selected in the same way as other senior officials (see Table 5). However, in the case of Secretary posts, three names are forwarded to the government by the Top Level Appointments Committee and the final selection is made by the government.

Japan: Top officials, Administrative Vice-Ministers, are selected and appointed in the same way as other senior officials in the Designated Service (see Table 5).

Mexico: Top officials, Secretaries of State and Deputy Secretaries who are political appointees are selected by te President.

Netherlands: Selection for top posts, Secretary General or Director General are made in the same way as for other senior positions (see Table 5). However, in the case of top posts, the minister concerned, after seeking the approval of the minister of the Interior, recommends the candidate to Cabinet, which makes the final decision.

New Zealand: The most senior position is that of the State Service Commissioner, who is appointed by the Governor In Council; the Controller and Auditor-General and the Solicitor-General are also appointed by the Governor in Council; these three are statutory appointments. In the case of Chief Executives of departments and agencies, the State Services Commissioner’s recommendation for appointment is submitted to Ministers, the Cabinet Appointments and Honours Committee, the Cabinet and the Governor-General in Council.

Norway: Top posts, Secretary General and Director General, are filled in the same way as other senior positions (see Table 5).

Portugal: Top officials, Director General and second rank positions, Deputy Director General, are selected jointly by the Prime Minister and the minister concerned when the people to be appointed are not already established public servants. Otherwise top posts are filled in the same way as other senior positions (see Table 5).

Sweden: Top officials, heads of agencies/boards/county administrations, and their deputies, are selected by the responsible ministry in consultation with the Under-Secretary and the minister. The Cabinet office and the Ministry of Finance are involved in making the final recommendation and the pay conditions and the appointment is made by a formal government decision.

Switzerland: Top officials, Secretaries-General and Directors, are selected in the same way as other senior officials (see Table 5). However, nominations to the top posts and second rank posts are made by the Federal Council, whereas for less senior appointments the nomination is made by the department concerned.

Turkey: Top posts are filled in the same way as other senior positions (see Table 5).

United Kingdom: Appointments to the most senior posts require the approval of the Head of the Home Civil Service and the Prime Minister either after consideration by the Senior Appointments Selection Committee (SASC) or following an open recruitment exercise conducted under the auspices of the Civil Service Commissioners. The SASC considers the basis on which appointments to the most senior posts are to be handled (i.e. whether the post is necessary, whether it should go to open competition or to Civil Service-wide competition or be filled from within the department concerned).

United States: Top officials, such as heads of departments and agencies, are political appointees, who are appointed by the President.

Table 6. Estimated proportions of those entering the senior public service for the first time who were recruited from within the public service and from outside the national public service. Data refer in most cases to 1993 or 1994.

Country	% from within the national public service (of which % from within the same ministry)	% from outside the national public service
Australia (SES)	75.8 (83)	24.2
Canada (Executive Group)	91.9 (93.9)	8.1
Finland	72.2 (71.4)	27.8
Mexico	92.5 (31.3)	7.5
Netherlands	76.5 (45.1)	23.5
New Zealand	No central statistics kept but appointments are reported to be "mostly from within the public service"	
Norway	78	22
United Kingdom	72	28
United States (career SES)	89 (86)*	11

Note:

* 86 % of all new career SES appointees in 1994 came from within the same agency, 3% came from a different agency or from the legislative or judicial branches of the Federal Government and 11% came from outside the Federal Government.

Skills required by senior public servants

The survey asked countries to indicate skills which have become more and less important for senior public servants over the past decade. The responses indicate that the skill profile of senior managers is changing in most public services and that there is a shift in emphasis towards more broadly-based management skills and away from more narrowly based specialist or technical skills. Skills mentioned by a number of countries as being more important include:

- Leadership;
- Strategic vision;
- Capacity to initiate and manage change;
- General management skills;
- Ability to manage people and interpersonal skills;
- Team leadership;
- Communication;
- IT skills.

At the same time, several of the responses emphasised the continuing importance of traditional strengths and values required of senior public servants including, for example, integrity, probity and impartiality and sensitivity to Ministers. Several of the European countries also mentioned the importance of being able to deal with internationalisation issues and it is interesting to note that this is cited as one of the reasons for establishing a the Senior Public Service in the **Netherlands**.

Core selection criteria

As shown in Table 5, most of the countries that operate senior executive systems have established standard or core selection criteria for senior positions and these reinforce the picture of a strong emphasis on leadership and managerial skills. Some examples are shown in Box 4. Core competencies are also generally used for purposes of management development.

Box 4

Core selection criteria for the Senior Executive Service, Australia

- Corporate management skills
- Representation and interpersonal skills
- Leadership
- Conceptual and analytical skills
- Judgement

Profile of leaders and managers in the public service, Canada

Judgement; Integrity; Self-confidence; Flexibility; Initiative; Perseverance; Leadership; Thinking skills; Organisational awareness; Interpersonal relations; Communication; Action management and Knowledge

Core criteria for Senior Civil Service jobs, United Kingdom

- Leadership
- Strategic thinking and planning
- Delivery of results
- Management of people
- Communication
- Management of financial and other resources
- Personal effectiveness
- Intellect, creativity and judgement
- Expertise and professional competence

In most other countries, it is left to the discretion of the recruiting ministry or agency to set the selection criteria, although in **Germany** training and educational requirements required to qualify for senior positions are laid down in law. **Denmark** and **Finland** have recently developed some standard selection criteria for senior positions.

Succession planning

Few countries appear to use formal succession planning systems or strategies. **Canada**, however, uses succession planning strategies to fill top positions at Deputy Minister level, including identifying executives who have potential to become Deputy Ministers, but no specific succession plans are formulated for individuals. Individual departments are expected to engage in succession planning as a matter of good practice in both **Australia** and **Canada**. In **Ireland**, succession planning is undertaken by the Top Level Appointments Committee and departmental management in an informal way. In **New Zealand**, there is an implied Service-wide succession management strategy based on the concept of the senior public service as a “unifying force”; principally, however, Chief Executives are responsible for their own succession planning strategies. In the **United Kingdom**, departments conduct a succession planning exercise each year to assess their future staffing needs at senior levels and the supply of people to meet these needs. They identify staff with potential for further promotion, check that people are being developed to enable them to fill likely future jobs effectively and identify people who might benefit from a move either with a department or between departments. In the **United States**, agency heads are encouraged to implement succession planning strategies and the Office of Personnel Management has

worked with an interagency group to identify components of an executive succession planning programme. The components identified include:

- project executive resource needs and skill requirements based on the agency strategic plan;
- identify recruitment sources, feeder groups and potential candidates for executive positions consistent with merit principles and equal employment opportunity;
- assess individual developmental needs;
- prepare employees by providing training and development, including mobility experiences;
- select from among the available qualified candidates.

In a few countries the selection of candidates as possible future senior public servants starts early, by identifying those with high potential at the start of their careers and providing them with developmental opportunities in a structured way. An example of this is **France**, where senior public servants are recruited from two main groups of people (both of which are selected by means of a highly competitive examination)

- a set of administrative “corps” whose members are ENA-trained (Conseil d’Etat, Cour des Comptes, Inspection des Finances);
- a set of technical “corps” whose members are Polytechnique-trained (Ingénieurs des Mines, des Ponts et Chaussées etc.)

On entering the administration the officials are given career assignments, including a period of statutory mobility, over a number of years to prepare them for senior management positions. In the **United Kingdom**, there are special "Fast Stream" entries to provide training and development for staff considered likely to merit early promotion to the higher civil service and with the potential to reach senior levels. Selection to the Fast Stream is done using an assessment centre and an interview. Fast Stream staff are managed by their own employing department or agency which is responsible for their training and development.

Mobility Within the Senior Public Service

Most of the countries surveyed did not report any type of formal mobility arrangements or mobility policy. However, several reported a concern to increase mobility at senior levels and a number have put in place or reinforced mobility instruments of various types in recent years.

Both the **Netherlands** and the **United Kingdom** have attached particular importance to mobility for managers in the context of establishing their new senior services. Research undertaken by the Dutch government indicates that “the average level of mobility in the Dutch civil service is relatively high compared to that in other Western European countries” (Office for the Development of the Senior Public Service, 1996). Nevertheless an effort is being made to increase the mobility of civil servants, not least because of the sharp drop in staff turnover at ministries in recent years. Promoting mobility of senior public servants is a key element in the development of the new Senior Public Service.

In the **United Kingdom**, the White Paper - *The Civil Service: Continuity and Change* - emphasised the contribution that mobility of staff would make to supporting the objectives of the new Senior Civil Service, in particular by helping to:

- promote the most effective development and deployment of senior staff, in support of the work of the civil service as a whole;
- promote an understanding of the collective interest of Government, in support of collective Cabinet responsibility;
- encourage both organisations and individuals to gain through the transfer of ideas between organisations; and
- stop people being trapped in organisations or functions where they are capable of contributing more or better elsewhere.

A recent report on the Senior Executive Service in the **United States** noted that as Federal Government becomes smaller and the issues across agencies become more consistent, the advantage of learning from one another becomes evident. In addition, advances in technology enable senior executives to stay in touch with one another, to identify needed resources and to explore possibilities for professional development. (Office of Personnel Management, 1995).

Measures to encourage mobility that were reported in the survey are summarised below.

Box 5. Mobility within the senior public service

Australia: Individual departments may have in place regular rotation schemes. SES officers interested in changing positions may apply for transfer to advertised vacancies, which, in most circumstances, they would have to gain on merit. There is a committee of senior departmental Secretaries and the Public Service Commissioner focusing primarily on the career development of officials at Deputy Secretary level and First Assistant Secretary level and the considerations of this committee have resulted in a number of interdepartmental transfers.

Denmark: Some ministries (e.g. Justice, Defence) and some of the larger departments (e.g. police) have formal mobility programmes. Other than this, the most common mobility tool is short-term contracts, for 3, 5 or 6 years. The purpose of these contracts is to increase mobility and to broaden recruitment. The contracts carry an additional salary loading of 20-30 per cent above the normal salary. Further information on these contracts is provided in Section 5 of this report. In 1994, approximately 10 per cent of the total senior public service population were employed on short-term contracts.

Finland: Mobility is regarded as an important part of management development and its role in the career development and recruitment of senior public servants is expected to grow. A 1994 decree which introduced the possibility of appointing civil servants on a fixed-term basis is intended to enable greater mobility.

France: There is a statutory mobility programme for ENA-trained public servants, on which access to management positions depends. This occurs at the beginning of the career, prior to entry to the senior management levels. There is no formal system for encouraging senior public servants to be mobile during their careers; rather, mobility tends to be an integral part of the management policies of public service organisations and is generally considered as a positive factor in career advancement.

Japan: Job rotation plays an important role in career development for future senior executives.

Netherlands: Mobility, especially interdepartmental mobility, is considered to be essential in building professionalism and dynamism within the civil service. Promoting mobility is one of the key aims of the new Senior Public Service and in this context attention is focused particularly on the way vacancies are filled and on

organising transfers in the context of career development planning. The aim is to have civil servants remaining in the same post for an average of about five years by the year 2000.

Sweden: There is a policy that heads of government agencies should not normally head the same agency for any great length of time. Mobility is considered to be desirable both for the development and effectiveness and efficiency of government agencies and for the development of the officials concerned. The aim is to make it normal for senior officials to change posts and assume non-executive tasks. Fixed-term appointments are used as a means of increasing mobility and discussion of career moves is a normal part of planning talks between ministers and agency heads.

Switzerland: Only people in closest collaboration with heads of department can be dismissed at any time, and receive compensation. Other senior civil servants are recruited on the basis of the Law on civil servants' status (public law) for a four year period. In case of organisational change in the department, they are eligible for a new appointment under certain conditions.

United Kingdom: There is no formal mobility programme. However, great importance is attached to those in the senior ranks of the civil service having experience in another department or organisation. The management framework for the new Senior Civil service has a number of measures designed to encourage more movement between departments, including more internal advertising of posts and regular monitoring of the number of vacancies advertised and a Concordat on mobility detailing the roles that departments and individuals should play to make increased mobility a reality. Mobility will be an integral part of continuing training and development for members of the Senior Civil Service. Some departments are establishing "mobility clubs" of several departments through which swaps of staff can be encouraged.

United States: There is no formal mobility programme. However, mobility is considered desirable and the Office of Personnel Management (OPM) is available to assist executives who seek mobility opportunities. Executive mobility was encouraged by the National Performance Review and OPM is working with agencies to promote more movement between agencies and occupations.

The survey requested information on the average length of time a senior public servant occupies a single senior public service position. The responses from countries which were able to provide data, which in most cases are estimates, are shown in Table 7. If this is used as an indicator of mobility, the most mobile public services are Canada, France, Mexico, Sweden, the United Kingdom and the United States.

Table 7. Average amount of time (years) spent in a single senior public service position

Country	Years spent in a single position
Austria	10
Belgium	10
Canada*	EX-5 (2.7); EX-4 (3.9); EX-3 (4.4); EX-2 (4.0); EX-1 (4.1)
Denmark	10
Finland	13
France	Prefets - 2; director in the central administration - 4; sub-directors - 4/5.
Iceland	10-15
Mexico	6 - usually corresponds to the Presidential term
New Zealand	Maximum contract for a Chief Executive is 5 years, with an option to extend by 3 years. No data are available for average tenure for either chief executives or other senior officials
Norway	7
Sweden	8
United Kingdom	3
United States	Career SES - 3.7

Note: *For an explanation of the grading structure, see Annex 1.

The survey also requested data on *senior public service positions which were filled by people who were already members of the senior public service*, asking what percentage of such positions were filled by people from the same ministry or agency and what percentage were filled by people from a different ministry or agency. The responses are shown in Table 8. On this indicator, **New Zealand** and **Mexico** come out as having the most mobility; however, the figure for **New Zealand** refers only to Chief Executive positions. **Australia, Canada** and the **United Kingdom** also show relatively high mobility rates.

Table 8. Of senior public service positions which were filled in 1994 by people who were already members of the senior public service, what % were filled by people from the same ministry or agency and what % were filled by people from a different ministry or agency?

Country	Filled from the same ministry/agency (%)	Filled from a different ministry/agency (%)
Australia	78.9	21.1
Canada	71.8	28.2
Finland	88.9	11.1
France	83.0	17.0
Ireland	84.0	16.0
Mexico	58.1	41.9
Netherlands	57.0	41.0
New Zealand	22.0	78.0
Norway	93.0	7.0
United Kingdom	72.0	28.0
United States	89.0	5.0

Note:

* The figure for New Zealand refers to Chief Executive positions only.

Contract Employment

For the purposes of the survey, a contract was defined as “a written agreement made between public service employer and a member of the senior public service, which sets out pay, conditions of employment and duration of employment and may also, but does not necessarily, set out matters of responsibility and performance”.

Ten of the twenty-one countries that responded to the survey indicated that they have some provision for contract employment for their senior public servants (Box 6). Only in **New Zealand** (with the exception of the three statutory appointees - see **Box 3**) and the **United Kingdom** are all senior public servants employed on contracts. In the other countries, contract employment applies to a minority of senior officials, as shown below. For example, in **France** and **Germany** contract employment tends to be used only in rare cases when someone is appointed to a senior positions from outside the public service. It is noteworthy, however, that several countries have introduced provisions for contract employment in recent years or are intending to expand the use of such provisions.

In many cases, there is provision for fixed-term contracts, with or without provision for renewal. Fixed-term arrangements are most widespread in **Australia, New Zealand** and **Sweden**. The recently introduced contract arrangements for the **United Kingdom** Senior Civil Service are for the most part indefinite. Where contract arrangements have been introduced, the main driving forces appear to have been performance management and remuneration considerations. This is particularly true of the **Nordic** countries and the countries that operate senior executive systems. It would appear that contract provisions

are also in some cases intended to provide governments with more flexibility to reassign senior officials (especially those in top positions) or to terminate their appointments.

Box 6. Contract employment arrangements for senior public servants

Australia: Secretaries of departments are appointed on a contract basis, for a maximum of five years. They can be terminated earlier at the discretion of the Prime Minister. Under the proposed terms of a new Public Service Act to be introduced in Parliament in 1997, members of the Senior Executive Service should be able to enter into fixed-term contracts with their Secretaries, with fewer procedural barriers than currently exist.

Austria: A minority of senior public servants are employed on fixed-term contracts. The contracts are standard and their main provisions relate to remuneration. Contracts are established by the organisation in which the vacancy occurs, but they must be approved by the Federal Chancellery and the Ministry of Finance. If the minister proposes not to renew the contract, the official concerned has appeal rights relating to job performance and qualifications for another term. The final decision on renewal is taken by the minister.

Denmark: A minority of Senior public servants are employed on fixed-term contracts of 3, 5 or 6 years. Those eligible for contract employment are directors/heads of major directorates. The contract is negotiated between the Permanent Secretary of the ministry and the individual concerned and has to be approved by the Ministry for Finance. The main objective of introducing contracts was to establish a link between performance and remuneration. Contract employment is relatively new and will progressively be extended to a larger proportion of senior public servants.

Finland: Contracts between the employing authority and the civil servant can be made about the terms of employment, not about the duration of the employment. The 140 highest civil servants have contracts with the Council of State setting out the terms of their remuneration, which is determined on an individual basis. The contracts do not cover other matters and they are generally indefinite. Agencies may establish contracts with their senior staff, relating to terms of employment. Following legislative change in 1994, it is possible to appoint a civil servant for a fixed term if the nature of the job so requires.

France: Senior officials can be appointed on a contract basis for a minority of posts, but nomination of a non-civil servant is rare. Contracts cannot be indefinite.

Germany: Contracts employment is only used in rare cases where people are appointed from outside the public service. In 1994, 5.4 per cent of senior officials were employed on a contract basis. Contracts are usually indefinite.

Ireland: There is no provision for contract employment. However, the term of office of Secretaries of departments is limited to 7 years.

Netherlands: No provision for contract employment.

New Zealand: All Chief Executives and senior managers are employed on a contract basis. These are individual contracts based on a standard model. Contracts of Chief Executives are for a fixed term of 5 years. Reappointment of Chief Executives is subject to the State Services Commissioner's recommendation and decision by Cabinet. The majority of senior managers are on open-term contracts. Only about 80 of an estimated 350 senior managers are, as members of the Senior Executive Service, employed on contracts fixed for a maximum of 5 years. The positions covered by these contracts must be advertised at the expiry date and the incumbent is eligible for reappointment for another term of up to 5 years.

For Chief Executives, the contract is with the State Services Commissioner and the contract sets out:

- Responsibilities of the Commissioner and the Chief Executive;
- Tenure, remuneration and leave
- The Chief Executive's obligations, including performance requirements and performance review provisions
- Non-renewal of contract, removal from office for misconduct, special termination arrangements, termination on medical grounds, termination of contract in the event of departmental restructuring or abolition.

For senior managers, the contract is with the Chief Executive and it sets out a similar range of provisions.

Norway: A minority of senior public servants, those at the two highest levels who are covered by the pay system for top leaders, are employed on a contract basis (39 per cent). Some of these contracts are fixed-term. Central guidelines for the contracts are set by the Ministry of Government Administration. The contract is established by the ministry in which the individual concerned works, but it must be approved by the Ministry of Government Administration. Contracts include provisions relating to:

- demands connected with the post in general and specific results to be achieved
- remuneration
- annual evaluation and discussion of results achieved, job expectations and job performance
- handling of cases of unsatisfactory performance, transfer to other position/work, and handling of disputes in connection with this.

Fixed-term contracts make additional provisions in relation to the duration of the contract (usually 6 years, with the possibility of renewal for an additional 6 years) and redundancy.

Sweden: Most heads of government agencies are appointed on fixed-term contracts, normally for a period of 6 years. They cannot be dismissed before expiry of their contract, but the government can transfer the head of an agency to another civil service post. Contracts are established with the government and salaries are fixed individually. Heads of Departments in public utilities are generally employed on individual contracts, usually for an indefinite term. Contracts are used mainly because of the need to pay competitive salaries for these positions, especially when recruiting from the private sector. The contract is established by the employing agency. A special advisory board deals with the content of the contract and submits its recommendation to the government before a decision is formally made.

Turkey: A minority of senior public servants (such as the Prime Ministry Undersecretary, some Deputy Undersecretaries, Directors General and Deputy Directors General and Heads of those departments attached to the Prime Ministry) are employed on contract basis. They make up 15 per cent of the total number of these posts. The contracts which are established by the organisation where the individual is serving are standard except for the salary provisions.

United Kingdom: As of 1996, all members of the new Senior Civil Service are covered by personal contracts. A standard contract of indefinite duration applies to the majority of these staff. Contract provisions set out the terms and conditions of employment, including those relating to performance management. The contract is established between the individual concerned and the Crown; in practice, the Permanent Head of a department or Chief Executive of an agency is authorised to act in the name of the relevant Minister in establishing contracts. Departments and agencies may use fixed-term and rolling contracts where they are appropriate to the individual or the post; for example, in the case of external appointees in time-limited posts.

Termination of Employment

The contract provisions shown in Box 6 in some cases include explicit arrangements in relation to non-renewal or termination of employment. Aside from this, many countries have special provisions relating to termination of employment of senior officials: in some countries senior public servants serve at the will of the government of the day and can be resigned at will; in a number of countries there is provision for termination for unsatisfactory performance (see Section 8); and in others there is provision for termination due to reduction or restructuring of the public service. Box 7 summarises the information provided by countries on this point.

Box 7. Termination of employment of senior public servants

Australia: Top officials, Secretaries of Departments, can have their appointments terminated at the will of the government. There is provision for payment of an indemnity in such cases. Members of the Senior Executive Service can be retired voluntarily or involuntarily by the Public Service Commissioner in situations involving redundancy or poor performance. Again there is provision for payment of a financial benefit in such cases. Involuntary retirement is rare.

Austria: There is no general provision for terminating employment of senior officials. However, fixed-term employment can be terminated by the Minister.

Canada: Top officials, Deputy Ministers, may be removed from their posts by a decision of the government. Executives can be laid off due to lack of work or discontinuance of a function. Under new provisions introduced in 1992, Deputy Ministers have the authority to negotiate a cash settlement in exchange for an executive's resignation when there are no alternative employment opportunities within the public service. There is flexibility, within prescribed limits, to design the settlement to respond to the individual employee's requirements.

Denmark: Renewal is not automatic when a short-term contract expires.

Finland: Top civil servants can have their appointments terminated if they forfeit the special trust they enjoy or fail to achieve the goals set for them for reasons within their control.

France: The most senior appointments are made at the discretion of the government (cf. Box 3) and can be terminated at will. However, where the official concerned is a civil servant, he or she has the right of reintegration.

Germany: Civil servants may not be dismissed. Certain classes of high level officials (e.g. Permanent Secretaries of State and Heads of Directorate-General in ministries) can be retired involuntarily at the will of the government).

Ireland: Senior civil servants may be dismissed by the government and, while the normal retirement age is 65, an official may be required to retire at age 60.

Netherlands: Top civil servants can have their appointments terminated if they forfeit the special trust they enjoy or fail to achieve the goals set for them for reasons within their control.

New Zealand: The Employment contracts of Chief Executives contain provision for "no fault" termination of employment, termination in the event of restructuring or abolition of the department for which a Chief Executive is responsible, and termination after due process in the event of unsatisfactory performance. In the first two instances there is the possibility of redeployment and there are particular financial indemnity provisions applying in all three instances. Contracts for senior managers contain provision for termination and non-renewal of the contract.

Norway: For officials on fixed-term contracts there is provision for non-renewal with an entitlement to redundancy compensation.

Portugal: Managers are always appointed on a secondment basis, with provision for non-renewal or termination in the event of misconduct or unsatisfactory performance.

Sweden: When the government changes all Under-Secretaries resign from their posts. Those who held a post as Director-General before being appointed Under-Secretary are guaranteed a job under the new government at the same level and with a salary of at least the same amount as they had before resigning. All other Under-Secretaries are entitled to severance pay.

Switzerland: Appointments of top officials can be terminated at any time, with payment of an indemnity.

Turkey: Senior appointments are made at the discretion of the government and can be terminated in the same way. After termination, alternative employment opportunities are provided within the public service.

United Kingdom: Senior civil servants can have their employment terminated at the will of the Crown and their contracts contain provision for notice periods and compensation for early termination.

United States: Members of the Senior Executive Service must undergo recertification every three years, based on their performance. They may be removed from the SES for misconduct or neglect of duty.

Turnover when the government changes

It is important to note that although many countries have provision for terminating the appointments of senior public servants on various grounds, most do not have the practice of wholesale changeover in the senior ranks when the government changes. The only countries that have a significant group of senior appointees whose tenure normally terminates with a change in government are **France** and the **United States**. In **France**, as noted earlier (cf. Box 3), the most senior positions are “under government decision”. In 1994, such positions represented approximately 42 per cent of the senior public service. These appointments can be terminated when the government changes. In the **United States**, up to 10 per cent of all Senior Executive Service positions (and up to 25 per cent in a single agency) are designated “non-career”; appointments to these positions are made by the President and would normally terminate with a change of administration.

In **Sweden**, as noted above, the position of Under-Secretary is a political appointment and all Under-Secretaries resign from their posts when the government changes. In **Germany** the top public servants are political appointees in the sense that they hold offices which they are expected to exercise in constant conformity with the views and goals of the government of the day. These officials can be forced into temporary retirement for life by the government. The relevant offices include the two highest levels of the civil service - Permanent Secretaries of State and Heads of Directorate-General in ministries, and high level officials in the foreign service, the federal bureau for the preservation of the Constitution and the federal news service. **Finland** has one appointment which changes with a change of government - the Secretary of State at the Office of the Council of State. In **Australia**, **Canada** and **Switzerland** the top public servants are appointed by and can be dismissed by the government, but there is generally not a major turnover when the government changes.

Most of the countries surveyed maintain a clear-cut division between political staff and the senior public service and with only a few exceptions public servants are not permitted to serve as personal staff to ministers. The exceptions again are **France**, where a high proportion of staff serving in ministerial cabinets are senior civil servants, and **Sweden** and the **United States**, where there is a distinct group of senior public servants who are political appointees.

Managing the performance of senior public servants

The survey requested information on:

- reporting and appraisal arrangements;
- mechanisms for identifying poor performers and for resolving performance problems;
- the actual use of sanctions for poor performance.

Fourteen of the countries surveyed reported that they have some type of formal reporting or performance appraisal arrangements for senior public servants and several others reported the use of informal mechanisms of various types. These are outlined in Box 8. The use of individual performance agreements and formal performance appraisals appears to be most common in the countries that operate senior executive management systems, although the **Netherlands** appears to place less emphasis on this. Only three countries - **Canada**, **New Zealand** and the **United Kingdom** - have formal performance appraisal for all of their top public servants, although **Denmark** has a formal appraisal for those employed on contracts. In the **Nordic** countries, particularly **Finland**, **Norway** and **Sweden**, and also in the **Netherlands**, the main performance management mechanism is reporting in the context of management contracts or budget contracts rather than individual performance appraisals. Some countries report that audit mechanisms function as a way to monitor the performance of individual managers. Other countries report a range of informal performance management mechanisms.

The majority of countries have formal mechanisms available to deal with poor performers: formal warning, transfer to a less demanding job, reduction in classification, removal from the senior public service and dismissal. However, it would appear that such formal mechanisms are rarely used. The usual approach to performance problems is to take corrective action by setting up a performance improvement plan and providing training if necessary; or by agreeing a voluntary transfer, reclassification to a lower level or voluntary retirement with the individual concerned.

Box 8. Performance reporting and appraisal arrangements for senior public servants

Australia: Secretaries of departments are responsible to the relevant minister. There is no formal system for appraising their performance. Members of the Senior Executive Service have formal annual performance agreements against which they are assessed. Performance problems on the part of SES officers are expected to be dealt with by the Secretary of the department, for example through an agreed plan to improve performance, reassignment to another work area, or an agreed reduction to a lower classification. Formal sanctions include involuntary reduction in classification and involuntary retirement, but these are rarely used.

Austria: There is no formal reporting or appraisal mechanism for senior public servants. However, there is provision for agreements on core objectives between ministers and top public servants and this will become mandatory in 1998. In cases of unsatisfactory performance the normal course of action is informal measures, such as reassignment. There is provision for transfer or non-renewal in the case of poor performance but in practice these are not used.

Belgium: Top officials are responsible to the minister and to the management board of their institution. There is no formal provision for performance reporting or assessment. The Secretary-General of a ministry, who chairs the Management Board, plays an active part in performance management through the activities of the Board. In the case of a performance problem on the part of a senior official, the minister's cabinet takes on the management role, possibly with assistance from another senior official within the ministry concerned.

Canada: Deputy Ministers are directly accountable to the responsible minister as well as the Prime Minister and the Clerk of the Privy Council. Their performance is assessed annually through a series of ministerial visits, by input received from central management agencies and through a review by the Committee of Senior Officials. Departments are expected to put in place performance reporting and evaluation arrangements for their managers. Evaluations may be highly structured or less formal, it is left to departments to determine their own needs. The normal approach to dealing with poor performance is collaborative development of a corrective action plan, subject to close monitoring by the supervising manager. On-the-job training or redeployment to another position may be used. Demotion and release for incompetence are possible, but are rarely used. In times when the performance pay plan is being applied poor performance would result in no salary increase.

Denmark: A number of permanent directors/heads of major directorates are employed on contracts, with performance goals agreed in the contract, an annual evaluation of performance against the agreed goals and performance-related remuneration. The intention is to increase the use of this mechanism. Performance evaluation for other senior officials has recently been introduced in the context of a comprehensive set of management tools, including general management principles and management training. Budget analyses and organisational reviews by the Department of Finance, audit reports, and the media are the most important mechanisms for identifying poor performance. The most common approach to dealing with poor performance is demotion from a ministry to a subsidiary institution. Dismissal is possible, but rarely used.

Finland: In the context of the management-by-results system which applies to the public service, senior officials are subject to an annual discussion with their superior to review whether they have reached the targets set for them, how well they have attained their goals and reasons for any deviation from the targets. Poor performance is normally dealt with by withholding further promotion or reassignment to less demanding duties. Formal sanctions include a written warning and, in the case of top officials, termination of their employment. However, these sanctions are rarely if ever applied.

France: All public servants, including senior officials, undergo a formal assessment of their performance annually. Sanctions for poor performance include removal from their post in the interests of the service. In this case, the administration has to find another post for the person concerned.

Germany: There is no formal reporting or appraisal mechanism for senior officials. Formal sanctions for poor performance include transfer to another post at a level at least comparable to the original. Civil servants cannot be dismissed. Top officials - Permanent Secretaries of State and Heads of Directorate-General - can be retired involuntarily. It is normally expected, however, that any performance problems will be dealt with by management rather than formal sanctions.

Iceland: There is no formal reporting or assessment mechanism for senior officials. Evaluation of the performance of managers is the responsibility of their superior in co-operation with the Secretary General of the ministry. The most common approach to dealing with poor performance is to take responsibilities away from the individual concerned or to reassign them. Formal sanctions include a written warning, suspension and dismissal.

Ireland: There are no formal reporting or appraisal arrangements for Secretaries of departments. Assistant Secretaries have their performance assessed in the context of the performance-related pay system and this provides an informal mechanism for dealing with poor performance. Voluntary early retirement is also used in cases of poor performance. Formal sanctions include dismissal and involuntary early retirement.

Japan: There are no formal reporting or appraisal arrangements for senior officials.

Mexico: There are no formal reporting or appraisal mechanisms for senior officials. Where a superior feels that an official under their management is performing poorly, the individual concerned is informed of this. If performance does not improve the individual may be asked to resign.

Netherlands: There is provision for formal performance assessments and discussions of functions. However, informal dialogue and reviews of management contracts are the more widely used performance management mechanisms. Poor performance is most commonly dealt with through discussion on corrective action, mobility to other functions and pressure to depart voluntarily. Formal sanctions include removal from post, transfer and dismissal.

New Zealand: Chief Executives are accountable to their responsible minister through a written performance agreement. The State Services Commissioner, as the Government's employer and performance manager of Chief executives, annually assesses their performance by taking account of:

- the performance agreement between the Minister and Chief Executive;
- the relevant Corporate Plan approved by the Minister;
- the objectives of the department approved by the Minister and the priority accorded them by the Minister
- any other arrangements between the Minister and the Chief Executive.

The Commissioner also consults the minister concerned, draws on self-assessments, referees and the monitoring of key result areas. The outcome of the review process is a rating of whether the Chief Executive has met, exceeded

or failed to meet expectations of competent performance. Because Chief Executives are on fixed-term contracts they are considered formally for reappointment after their first term and past performance is a significant element in this context. Mechanisms to identify poor performance can include: the annual performance review process; specific requests from the minister to investigate areas of performance or issues of concern that emerge during the year. In the case of poor performance this is brought to the attention of the person concerned and their minister and strategies are developed to address personal deficiencies in subsequent performance agreements. Formal disciplinary and dismissal provisions are included in the individual contract negotiated with each Chief Executive at commencement of employment.

For senior managers, departments are expected to have in place some form of performance planning which identifies areas of accountability and performance measures, a way of tracking performance and a full review of performance at least once a year. In cases of poor performance departments generally have provision for formal training and development, mentoring and coaching and discussions concerning movement, time out or other options.

Norway: Performance management for senior officials occurs in the context of the financial resource allocation process. A budget contract may be established on the basis of a discussion between different management levels within the ministry and these contracts are followed up regularly through discussions with the managers concerned. For all senior officials on contract, an annual performance appraisal is compulsory. Other senior officials are also normally subject to annual appraisals. Poor performance is normally dealt with through informal action, including voluntary resignation. Officials on contract are obliged to accept reassignment to other duties if they do not meet the targets set in their contracts.

Portugal: Top officials report formally to the relevant minister concerning annual plans of activities and their execution. Internal and external audit may also be used to assess performance. Poor performance may lead to non-renewal of the secondment to a management position at the end of a three year period or termination of the appointment prematurely.

Sweden: The annual performance review which is part of the budget system is the main performance reporting mechanism. Annual audit reports and continuous dialogue between ministries and agencies also function as performance management mechanisms. Poor performance is usually dealt with through voluntary agreement with the individual concerned. A senior public servant who performs poorly will not be reappointed at the expiry of their contract and in serious cases the head of an agency can be removed from their position and transferred to another post. Formal dismissals and demotions are rarely used.

Switzerland: Evaluation is a part of the legislative agenda and system of management by objectives. In case of breach of service duties, sanctions are imposed according to the code of conduct.

Turkey: There are no formal performance management mechanisms.

United Kingdom: Performance review for Permanent Secretaries occurs in the context of the Remuneration Committee which determines the pay of individual Permanent Secretaries. The majority of members of the Committee are from the private sector. As part of the evidence submitted to the Committee, Permanent Secretaries are asked to complete a self-assessment of their performance during the year against departmental objectives, assessing how far these objectives were achieved and their personal contribution to the department's achievements. Ministers are then given an opportunity to comment on the self-assessment.

Below Permanent Secretary level there is a common performance review system for all members of the Senior Civil Service, key elements of which are: a summary personal development plan; self-assessment by the job-holder; a structured assessment against "achievement of objectives" and "core criteria" and an assessment of potential.

The system incorporates an overall marking summarising the assessment; this includes a marking for 'Areas of weakness: improvement needed' and 'Unacceptable: immediate management action required'. In addition, line managers are likely to have informal reviews of performance with their staff throughout the year. Areas of poor performance are generally addressed in discussion with the individual concerned and measures taken may include training or a move to another post. The *Civil Service Management Code* contains formal inefficiency procedures.

United States: Each member of the Senior Executive Service must have an annual performance appraisal. Agencies establish their own appraisal system, under standard rules. At the beginning of the appraisal period, goals

are established for each executive in a collaborative effort between the executive and the supervisor. Goals cover both organisational and individual performance. Typical areas for measurement are productivity, quality of work, timeliness of performance, cost-efficiency and progress in meeting affirmative action goals. By law, agency performance systems must provide for at least three levels of competence: unsatisfactory, minimally satisfactory, and fully successful. Agencies may provide up to two additional levels above fully successful. The performance appraisal system is the primary means of dealing with poor performance. The statute requires that any senior executive receiving an unsatisfactory rating shall be reassigned or transferred within the SES, or removed from the SES. There is also a recertification process under which senior executives must be recertified in their positions on the basis of their overall performance every three years. Agencies may take informal action to deal with poor performance, for example by providing the option of voluntary retirement or acceptance of a position outside the SES.

Official Conduct of Senior Public Servants

A comprehensive exploration of provisions relating to the official conduct of senior public servants was considered to be beyond the scope of the survey. Ethics in the public service is the subject of separate work by PUMA (cf. OECD, 1996). However, the survey included questions relating to:

- restrictions on political activities of senior officials;
- requirements to declare personal interests and prohibitions on acceptance of gifts or benefits; and
- restrictions on employment of senior public servants after they leave the public service.

Restrictions on political activities by senior public servants

Restrictions on political activities are summarised in Table 9. All of the countries surveyed, with the exception of **Ireland** and **Turkey** allow senior public servants to participate in public debate on political issues, albeit with explicit or implicit restrictions in many cases. Official codes of conduct or informal norms generally lay down guidelines relating to the avoidance of breaching the principle of political neutrality, not attracting adverse comment on the government of the day and avoidance of comment on matters in which the official is involved in the course of his or her official duties. **Ireland** and **Turkey** are also the only countries that prohibit senior public servants from becoming members of political parties. Less than a third of the countries surveyed prohibit senior officials from contesting elections while still a public servant (those that do are **Australia, Ireland, Japan, Mexico, Turkey, the United Kingdom** and the **United States**). A number of countries require the official to take leave of absence for a specified period leading up to the election. Nine of the 21 countries (**Austria, Belgium, Finland, France, Germany, Iceland, the Netherlands, Norway** and **Sweden**) allow a senior public servant to hold a seat in the national legislature while remaining a public servant, in all cases with leave of absence from the public service.

Table 9. Restrictions on political activities by senior public servants

Country	Participation in public debate on political issues	Membership of a political party	Contest national government elections while still a public servant	Hold a seat in the national legislature	% of national legislature consisting of existing/former senior public servants
Australia	No restriction, but official code of conduct applies	No restriction	Prohibited	Not while still a public servant	0/ N.A.
Austria	No restriction	No restriction	No restriction	Yes, with either time off to undertake parliamentary functions or leave of absence	37/ no response
Belgium	No restriction	No restriction	No restriction	Yes, with leave	N.A.
Canada	Restricted by code of conduct and professional norms	No restriction	Possible with formal approval and formal leave of absence	Not while still a public servant	0/1
Denmark	No legal restriction but practices vary between institutions	No restriction but it is rare for senior officials to publicly declare membership of a party	No restriction, but in practice senior officials do not contest elections	Not while still a public servant	0/ N.A.
Finland	No formal restriction	No formal restriction	No formal restriction	Yes, with leave of absence	0.5/ N.A.
France	No formal restriction, but such activity may breach the principle of neutrality	No formal restriction	No formal restriction	Yes, the official is seconded	15.9 in 1993/N.A.
Germany	No formal restriction but good judgement is required concerning compatibility with official duties	No restriction	No restriction, the official may request unpaid leave of absence to contest an election	Yes, with leave of absence	N.A.
Iceland	No formal restriction, but informal norms apply	No restriction	No restriction	Yes	N.A.
Ireland	Prohibited	Prohibited	Prohibited	No	N.A.
Japan	Restricted	Public servants are prohibited from becoming executives or advisors to political parties, but they may join as general members	Prohibited	No	N.A.
Mexico	No restriction	No restriction	Prohibited	No	N.A.
Netherlands	No restriction	No restriction	No restriction	Yes, the official is put on non-active status	0/N.A.

Country	Participation in public debate on political issues	Membership of a political party	Contest national government elections while still a public servant	Hold a seat in the national legislature	% of national legislature consisting of existing/former senior public servants
New Zealand	No formal restriction, but such activity must not conflict with public service code of conduct	No formal restriction, but good judgement is expected	No restriction, provided they vacate their position during the election period	No	0/N.A.
Norway	Senior officials are generally not allowed to participate in public debate on issues that affect their own professional.	No restriction	Yes, except for employees in ministries and in the diplomatic and consular service	Yes, with leave of absence, except for employees in ministries and in the diplomatic and consular service	N.A.
Portugal	No restriction	No restriction	No restriction	No, the secondment to a senior position is suspended if an official is elected	N.A.
Sweden	No restriction	No restriction	No restriction	Yes, with leave of absence	Less than 1% in both cases
Switzerland	No restriction	No restriction	No restriction	No	N.A.
Turkey	Prohibited	Prohibited	Prohibited	No	N.A.
United Kingdom	Restricted	Restricted	Prohibited	No	N.A.
United States	Possible, subject to official standards of conduct	Possible, with limitations	Prohibited	No	N.A.

Note: N.A. = Not available

Declaration of personal interests and acceptance of gifts or benefits

Ten of the countries surveyed have formal requirements for senior public servants to declare personal interests such as shares, property, personal or business relationships, directorships of private boards and the like (cf. Table 10). In most cases these declarations are required to be in writing and they are confidential. Several other countries have requirements to declare interests for particular groups of senior officials or in particular circumstances (see **France** and **Japan**, for example). The most extensive provisions appear to be in the **United States** and this is the only country in which the declarations are fully public.

All of the countries surveyed have restrictions on the acceptance of gifts or benefits

Table 10. Provisions relating to declaration of interests and acceptance of gifts or benefits

Country	Requirement to declare personal interests	Status of such declarations	Acceptance of gifts or benefits
Australia	Yes, in writing to the departmental Secretary	Confidential	Only with written approval of the departmental Secretary. Gifts or benefits in connection with overseas trips must be declared to the Secretary.
Austria	No, but there are restrictions	N.A.	Not permitted if they relate to official duties
Belgium	No	N.A.	Not permitted
Canada	Yes	Initial declarations are confidential, more limited public declarations are prepared from them for all Public Office Holders	Any gifts or benefits that could influence office holders in carrying out their public duties are to be declined. There is a requirement for Public Office Holders to declare gifts over \$200
Denmark	No	N.A.	Regulated by the common penalty clauses in the penal code relating to bribery and the principles of the ombudsman concerning "satisfactory administration". Trivial gifts not directly related to discharge of official duties are permitted in practice.
Finland	Yes, from 1 September 1997	Declaration concerning financial matters is confidential. Otherwise the declaration is public.	A civil servant may not demand, accept or receive any financial or other advantage if this may reduce confidence in him/her or in an authority.
France	No, except for senior officials of public enterprises, subsidised housing bodies and mixed economy companies		Public servants may not accept or request gifts or benefits

Country	Requirement to declare personal interests	Status of such declarations	Acceptance of gifts or benefits
Germany	Civil servants must request permission to engage in other activities and they must notify their superior when they undertake an official act that affects them or their families	Information may not be disclosed with consent	Civil servants are not permitted to accept benefits arising out of their office except with approval of the highest level authority
Iceland	Yes, an oral declaration	Confidential	Left to the judgement of the individual
Ireland	Yes, written declaration	Confidential	No written rules, accepted practice is that gifts of any significant value should be returned or handed over the Department
Japan	No formal mechanism, but public employees are prohibited from holding executive positions at profit-making enterprises and approval of the Prime Minister is required before starting a business on the side		Legal and disciplinary sanctions for acceptance of gifts or benefits which are recognised as bribes
Mexico	Yes, annually and at the beginning and end of a public service assignment	Confidential	Public servants are prohibited from receiving gifts of benefits in connection with their work
Netherlands	No formal requirement, it is left to the discretion of the individual		Gifts or benefits cannot be accepted without permission of top management
New Zealand	No formal mechanism for the public service as a whole, but requirements for some positions (e.g. in Treasury)		No formal rules, but the public service of conduct states that public servants must not accept gifts or benefits which might compromise, or be seen to compromise integrity or the integrity of the organisation
Norway	No	N.A.	Officials may not accept a gift or benefit which is likely to or is intended to influence his/her official actions.
Portugal	Senior officials are required to submit a written declaration to the Office of the Attorney General	Confidential	Public servants are not permitted to benefit directly or indirectly from the execution of their functions

Country	Requirement to declare personal interests	Status of such declarations	Acceptance of gifts or benefits
Sweden	Yes, a declaration of outside employment. The government decides which agencies should have the right to demand written declarations from their employees showing their holdings of stocks and bonds.	Declarations of outside employment are open to the public. Declarations of stocks and bonds are confidential	Not permitted.
Switzerland	No	N.A.	Civil servants are prohibited from receiving gifts or benefits in connection with their official duties.
Turkey	Yes, every 5 years, in writing	Confidential	Civil servants cannot accept any gifts or benefits
United Kingdom	Yes, the details of how declarations are made is left to departments and agencies		Departments and agencies are expected to inform their staff of the circumstances in which they need to report offers of gifts or benefits and the circumstances in which they need to seek permission before accepting them
United States	Yes, annually in writing	Public	Officials are prohibited from accepting gifts or benefits.

Restrictions on employment of senior public servants after they leave the public service

Eight countries report that they have formal post-employment restrictions, as set out in Box 9. In the **United States**, the rules and regulations are very detailed covering different target groups and different situations. Elsewhere there are no specific restrictions, although most countries have general restrictions on the disclosure of official information after leaving the public service.

Box 9. Post-employment restrictions applying to senior public servants

Canada: One-year limitation on employment or directorships with entities where the person had significant official dealings in the year before departure from the public service. There is also a one-year limit on lobbying the person's former department.

France: A senior public servant may not pursue any activity in a private enterprise for five years after leaving the public service when he/she has participated in the supervision or control of the enterprise or in government procurement with the enterprise.

Germany: The engagement by civil servants in other activities during or after their term of service is regulated by law and prior approval must be sought from the responsible civil authority.

Japan: An official is prohibited for two years after leaving the service from serving in a position with a profit-making enterprise which holds a close connection with any agency of the State in which she/he was formerly employed within five years prior to separation from the service, unless with the approval of the National Personnel Authority.

Mexico: public servants are prohibited from taking up any employment relating with their duties as public servants for one year after separation from the service.

Netherlands: There are no restrictions applied to senior public servants.

New Zealand: Each Chief Executive has a specific employment contract which contains a post employment condition or “cooling off” period of 12 months after leaving the public service. There is a general onus on all public servants not to use information gained in the course of their employment for personal gain.

Turkey: Senior public servants cannot take up employment in a firm that has relations with the organisation in which they served for 2 years after their departure from the service and cannot represent the firm for a period of 3 years.

United States: There are restrictions relating to involvement in trade or treaty negotiations, lobbying and procurement which are too complex to summarise here.

Protection for senior public servants who are asked to do something illegal or which the public servant considers inadvisable

In all of the countries surveyed, public servants are exempt from obeying instructions which would require them to break the law, and in a number they are also explicitly exempt from obeying instructions which would be likely to jeopardise the public interest. However, the degree of guidance provided to officials to help them deal with such situations, especially where they merely suspect that the intended action is illegal or against the public interest, varies considerably between countries: in some countries there appears to be no specific guidance provided; in others a public servant can request a written confirmation of an instruction and can formally inform their superior that the proposed action is illegal or inadvisable; in a few countries, public servants are provided with detailed guidelines on the course of action to be taken (cf. Box 10). In the majority of countries there appears to be no provision for public servants to disclose mismanagement or suspected corruption and no specific measures to protect public servants who do this from reprisals or victimisation. (cf. OECD, 1996). Such protection, generally known as “whistle-blowing” protection, is provided in the **United States**; in **Australia** it is proposed to provide protection for whistleblowers under the new Public Service Act, scheduled for introduction in Parliament in 1997.

Box 10. Guidance/protection for public servants when asked to do something illegal or inadvisable or who report mismanagement or corruption

Australia: There is a positive obligation on public servants in supervisory positions to report to the Secretary of their department all breaches of the regulations which come to their knowledge. Under provisions proposed for inclusion in the new Public Service Act, Secretaries will be required to ensure that public servants are able to present evidence of fraud, waste or misconduct without harassment and the Public Service Commissioner will be able to investigate such disclosures.

Canada: The *Conflict of Interest and post-Employment Code for Public Office Holders* requires ministers to act in the public interest and to observe ethical standards that go beyond the requirements of the law. In addition, there are two government policies that are meant to provide protection public servants and the Crown against legal action initiated by their parties; these policies do not apply to internal employment-related matters.

New Zealand: The *Principles, Conventions and Practice Guidance* for senior public servants explains what course of action to follow in circumstances where a minister intends to do something illegal, instructs an official to take an action that may involve an illegality, or where a minister may act or intend to act in a way that is *ultra vires*, breaches government policy, or for which they have no authority. The *Guidance* also covers situations where officials are asked to do something by a minister which the official considers to be unwise or ill-advised. The general rule in the latter case is that officials are ultimately to accept that the minister is accountable for his or her actions or inactions.

United Kingdom: The *Civil Service Code* sets out the course of action for any civil servant who believes he/she is being required to act in a way which is illegal.

United States: Certifying officers for federal funds may refuse to certify an expenditure which they believe is being spent for an unauthorised purpose or exceeds an authorised amount, until the Comptroller General renders an opinion that expenditure of the funds is permissible. Additionally, federal statutes prescribe merit system principles and permit employees to challenge prohibited personnel practices; this includes retribution taken or attempted to be taken against any employee based on the employee's refusal to obey an order which would require the employee to violate the law. Employees are protected against reprisal for the lawful disclosure of information which they reasonably believe shows evidence of a violation of any law, rule or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. These protections are referred to as "whistleblower" protection.

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ANNEX 1.
DESCRIPTION OF THE GROUP OF SENIOR PUBLIC SERVANTS INCLUDED
IN THE SURVEY FOR EACH COUNTRY

Definitions

The following parameters are used in order to identify broadly comparable groups in the countries. The group to be studied should:

- comprise civil servants working for national governments; following people are not included: senior people in State-owned enterprises or companies or those who work on the personal staff of a minister;
- comprise not more than about one or two per cent of their country's civil service; on the other hand the group should not be too small either; this study has been rather inclusive than exclusive, e.g. in some cases the major feeding groups for senior civil service are listed;
- comprise people whose work is made up of leadership or management (or both); who are called upon to deal directly with elected officials; who have very significant responsibilities; and who may be called upon to assist their head of agency to manage the agency;
- include the senior management cadre; in some countries there is a clear identification of a cadre with a separate personnel management system; in some countries there are special personnel management arrangements for senior public servants but not a separate system; in some countries it is a matter of judgement as to where to draw the line on who comprises "the senior public service";
- generally include about the top three levels of in the hierarchy of public servants in a ministry or agency; it has been fully acknowledged in this study that the comparison between hierarchical management structures and lean and flat management structures in terms of levels of the hierarchy has its limitations; study has been more inclusive than exclusive, e.g. in most cases Permanent Secretaries and Deputy or Under Permanent Secretaries of State are considered to be the topmost or the first level in a ministry or a department;
- include those who work in operational agencies (as well as those who work in central policy bodies).

Functional level	Typical title	Classification
AUSTRALIA		
1st level	Secretary of a Department of State Secretary equivalent e.g. Public Service Commissioner, Commissioner of Taxation	Statutory Office Holder
2nd Level	Deputy Secretary	Senior Executive Band 3
3rd Level	First Assistant Secretary	Senior Executive Band 2
4th Level	Assistant Secretary	Senior Executive Band 1
AUSTRIA		
1st Level	Director General President of --	A1/9, A1/8
2nd Level	Group Director Head of --	A1/7
3rd Level	Group Director Director Head of --	A1/6, A1/5
BELGIUM		
	Secretary-General	Rank 17
	General Administrator	Rank 16
	Director General	
	General Inspector	Rank 15
	General Auditor	
	General Adviser	
	Director of Administration	
	Deputy-General Administrator	
	As a rule, these officials, “general public servants”, are members of the management board of the ministry concerned. There may be exceptions.	
CANADA		
1st Level	Deputy Minister Associate DM	Deputy Minister Group, Levels DM-1 to DM-3
2nd Level	Assistant Deputy Minister Executive Director or Deputy Secretary	Executive Group, levels EX-4 and EX-5
3rd Level	Director General	Executive Group, levels EX-2 and EX-3
4th Level	Director	Executive Group, level EX-1

Exceptionally, titles like Clerk of the Privy Council and Secretary to the Cabinet, Secretary of the Treasury Board and Comptroller General, and that of President are used for certain positions classified as DM-1, DM-2 or DM-3.

Functional level	Typical title	Classification
DENMARK		
1st Level	Permanent Secretary Deputy Secretary	Grades 40-42
2nd Level	Assistant Secretary Permanent Director/Head of major Directorate Head of major service delivery institution Head of major permanent Board Deputy Head/Director at major Agencies	Grades 38 and 39
3rd Level	Head of Office	Grade 37 (few in 38)
FINLAND		
1st Level	Secretary of State Secretary General Under-Secretary of State	Grades A33-A34 Grade A32
2nd Level	Director General Head of Department Head of the Agency (directly under a ministry)	Grades A32-A34 Grades A31-A32
3rd Level	Director/Head of Office Head of Department (in an agency which is directly under a ministry)	Grades A29-A30
FRANCE		
Posts under government decision:		
	– in central administration: Secretary-General Director-General, Director	
	– in devolved services: Prefect Ambassador Vice Chancellor	
Other posts:		
	Head of Unit, deputy Director, sub-director Chief treasurer, paymaster	
GERMANY		
High-level federal authorities		
1st Level	Permanent Secretary of State	B11
2nd Level	Head of Directorate-General	B9
3rd Level	Head of Directorate	B6
4th Level	Head of Division	B3/A16/A15
Lower level federal authorities		
1st Level	President (Agency Director)	B10-B4
2nd Level	Vice President (Assistant Agency Director)	B8-6, B4 and 3

Functional level	Typical title	Classification
IRELAND		
	Secretary Deputy Secretary Assistant Secretary	
	Heads of civil service offices/agencies Deputy heads/directors of offices	
ICELAND		
1st Level	Secretary General in ministries	Grade 173
2nd Level	Head of Office in ministries Director General	Grade 155/157 Grade 161/181
3rd Level	Head of Division in ministries	Grade 151/153
JAPAN		
1st Level	Administrative Vice-Minister	Designated Service Step 11
2nd Level	Director General of an Agency which is not headed by a Minister of State Assistant to Administrative Vice-Minister	Designated Service Step 9-10
3rd Level	Director-General of a Bureau	Designated Service Step 7-8
4th Level	Deputy Director-General of a Bureau	Designated Service Step 4-6
MEXICO		
1st Level	Director General Deputy Director General Directors and Deputy Directors	Grade 37 Grade 36 Grade 35E
2nd Level	Senior Officials	Grade 33E
3rd Level	Area Director	Grade 30
NETHERLANDS		
1st Level	Secretary General/Director General	Scale 19
2nd Level	Deputy Secretary General/ Deputy Director General Director	Scale 18
3rd Level	Director	Scale 17
NEW ZEALAND		
1st Level	State Services Commissioner	No classification
2nd Level	Chief Executive (CE) Secretary Director-General	No classification
3rd Level	Deputy Director-General Group Manager Assistant Director-General General Manager	No classification
NORWAY		
1st Level	Secretary General in ministries Director General in ministries and directorates	Pay Category 3 and 4 (system for top leaders)

Functional level	Typical title	Classification
2nd Level	Director general in ministries and directorates Deputy Director General in ministries and acting Director in other directorates	Pay Category 1 and 2 (system for top leaders)
3rd Level	Director in directorates Deputy Director General Assistant Director General Head of Division	Pay steps 41-63 (main pay system)
	All 3rd level titles refer to positions in ministries	
PORTUGAL		
1st Level	Director General Secretary General Inspector General	
2nd Level	Deputy Director	
3rd Level	Director of Services	
4th Level	Head of Division	
SWEDEN		
1st Level	Under-Secretary (ministries) Director-General (heads of boards/agencies) County Governor (heads of Country Administrations)	
2nd Level	Permanent Under-Secretary (ministries) Under Secretary for Legal Affairs (ministries) Deputy Director-General County Director	
3rd Level	Assistant Under-Secretary (ministries) Head of Department (major boards and agencies) Other important management and specialist positions	
SWITZERLAND		
1st Level	Secretary General (secrétaires-généraux) Director of Office (directeurs d'office)	V-I
2nd Level	Assistant Secretary General (suppléant) Assistant Director and equivalent	VII-VI
3rd Level	Deputy Head (sous-directeur)	30-31
TURKEY		
	Under Secretary Deputy Under Secretary Director General Deputy Director General President Heads of major government bodies Governors	Grade 1

Functional level	Typical title	Classification
UNITED KINGDOM		
1st Level	Permanent Secretary	
2nd Level	Director	
3rd Level	Deputy Director	
1st Level in agency	Agency Chief Executives	
UNITED STATES		
	Deputy Assistant Secretary	
	Office or Division Director	
	Branch Chief	
	Senior Executive Service SES:	ES-6 ES-1

ANNEX 2.
ORGANISATIONS WHICH RESPONDED TO THE SURVEY

Public Service Commission, Australia

Federal Chancellery, Austria

Bureau Conseil ABC, Belgium

Privy Council Office, Federal Public Service Of Canada

Ministry of Finance, Denmark

Ministry of Finance, Personnel Department, Finland

Ministère de la Fonction Publique, France

Bundesministerium des Innern, Germany

Department of Finance, Ireland

Ministry of Finance, Office of Personnel Management, Iceland

International Affairs Division, National Personnel Authority, Japan

Direccion General de Normatividad y Desarrollo Administrativo, Mexico

Ministry of the Interior, The Netherlands

State Services Commission, New Zealand

Royal Ministry of Government Administration, Norway

Presidencia do Conselho de Ministros, Secretariado Para a Modernizacao Administrativa, Portugal

Ministry of Finance, Division for Personnel Policy, Sweden

Office Federal du Personnel, Switzerland

Prime Ministry, State Personnel Presidency, Turkey

Cabinet Office, Office of the Public Service, United Kingdom

Office of Personnel Management, United States