

36th Session of the Congress of Local and Regional Authorities (2-4 April 2019)

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Fighting nepotism within local and regional authorities

Speaking notes for the Rapporteur:- Wilma DELISSEN VAN TONGERLO

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Dear Colleagues,

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Today, I have the honour of presenting this report on nepotism.

Let's begin by being clear what we are talking about. Nepotism is favouritism shown to relatives or close friends by those in power, for instance, by offering them a job. Such favouritism has been around since ancient times, but, today, despite the high standards that we all claim to adhere to, we still see far too many examples of nepotism, both in the public and the private sectors.

This report is part of our roadmap of activities to combat corruption and is focused on identifying preventive measures and good practices in the fight against it. I'm optimistic that this report can help local and regional authorities to improve their administrative services for the benefit of the general public.

~~For local and regional authorities to function effectively, they need competent and highly motivated staff. Human resources lie at the heart of local and regional government and constitute one of its main assets.~~

~~Nepotism and favouritism, in all its forms, are types of corrupt practices that have the potential to undermine the proper functioning of the State, and also, compromise the ability of public authorities to serve the public good. At the local and regional level, they hinder the effectiveness and efficiency of local public service delivery, diminish public trust, and damage the perception that local and regional public authorities are serving for the interest of their constituents. The existence of a merit-based recruitment and promotion system are a precondition for ensuring the impartiality and quality of public service delivery.~~

Nepotism can discourage skilled, motivated and competent candidates from applying for certain positions. This can result in the recruitment of unqualified staff, and subsequently distort the proper functioning of government, by allowing private interests to prevail over public interests.

The power of local and regional authorities to recruit and dismiss staff has been recognised as being a significant risk that could indeed provoke corruption. Regional authorities are especially

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vulnerable to nepotism, ~~and other forms of favouritism,~~ due to their size, autonomy and proximity to citizens. ~~Many local politicians and officials feel pressure to favour relatives or friends by offering them jobs.~~

If nepotism is practised under these circumstances, it can shatter public trust, which undoubtedly acts as a key component for the proper functioning of government. The recruitment process should be transparent and conducted according to ethical rules and standards, to prevent the undue influence of public officials in the selection process, where conflicts of interest may arise.

Recognising that corruption in all its forms is a major threat to good governance at the local and regional level, the Congress agreed, at its 31st plenary session in October 2016, to prepare a report on nepotism. Preventive measures and good practices in the fight against this form of corruption are identified in the report.

But nepotism cannot be prevented by rules and regulations alone. There also needs to be a change in social attitudes and the administrative culture, which needs to evolve towards zero tolerance of such practices. Attitudes and tolerance of nepotism vary across the Council of Europe's member States, according to their administrative cultures. The approach of combatting such practices needs to be tailored to the specific context.

I have drafted a few recommendations for local and regional authorities in our member States. Let me highlight the most important of these:

- Local and regional governments need to enhance transparency in the recruitment and promotion process, by establishing clear and comprehensive procedures that can easily be understood and accessed by applicants and staff.
- We must guarantee equality and fairness in the recruitment and promotion process by taking account of the knowledge, experience, skills and ethical behaviour of the candidates. In this way, we establish a common set of rules and apply the principles of a merit-based recruitment.
- Reporting channels should be established in order to identify potential occurrences of favouritism, or conflict of interests, in the recruitment or selection process. These channels should be well advertised, and open to the general public and employees of local and regional administrations. The confidentiality and anonymity of the reporting persons should be guaranteed.
- We need integrity management structures to investigate claims of misconduct and ensure breaches of integrity, ~~misconduct or the withholding of information of a potential conflict of interest~~ to result in appropriate and deterrent disciplinary actions.
- Public officials should not be involved in any recruitment and selection process of staff - they should remain impartial.

My report presents several best practice examples for effective and impartial recruitment of staff, ~~such as: the borough of Stafford in the UK, the town of Martin in Slovakia, and the city of Amsterdam and the Municipality of Hellevoetsluis in the Netherlands.~~

Our aim is to deliver a corruption-free, effective and efficient local government. Preventing nepotism and other forms of favouritism in recruitment procedures is a key precondition for reaching that goal. ~~Adopting a clear and comprehensive recruitment and selection policy is key, since it is of utmost importance that recruitment and selection is unambiguous. It should be transparent for all parties involved, and crafted in a way to attract the most suitable candidates.~~

I urge all local and regional authorities who wish to counteract favouritism in their recruitment and other human resource processes to develop a systemic approach, based on identifying risks, establishing strong preventive mechanisms, ensuring policy compliance, and sanctioning misconduct.

Dear colleagues,

The combat against nepotism and other forms of corruption requires a strong organisational culture. ~~We need to development safeguards, such as job segregation and job rotation, and improvement of internal control mechanisms, that will lower the risk of misconduct. Finally, w~~We need strong leadership; we need leaders who can serve as a moral example and oversee the development of these measures.

I look forward to hearing your views and comments on this important topic.