



Strengthening Public Ethics and Preventing Corruption in Public Administration

Toolkit for public authorities

Delivering Good Governance

BUILDING ETHICAL INFRASTRUCTURE IN PUBLIC ADMINISTRATION
CORRUPTION RISK ASSESSMENT
PUBLIC ETHICS BENCHMARKING



CENTRE OF EXPERTISE
FOR LOCAL GOVERNMENT REFORM

© 2017

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The opinions expressed in this work are the responsibility of the authors and do not necessarily reflect the official policy of the Council of Europe.

All rights reserved. No part of this publication may be translated, reproduced or transmitted, in any form or by any means, electronic (CD-Rom, internet, etc.) or mechanical, including photocopying, recording or any information storage or retrieval system, without prior permission in writing from the Centre of Expertise for Local Government Reform.

Council of Europe

Centre of Expertise for Local Government Reform

<https://www.coe.int/en/web/good-governance/centre-of-expertise>

© Centre of Expertise for Local Government Reform, 2017

Table of contents

INTRODUCTION	4
PART I.....	6
1) COUNTERACTING CORRUPTION RISKS AT THE LOCAL LEVEL.....	6
1.1. STRATEGIC APPROACH TO COMBATING CORRUPTION IN SELECTED EUROPEAN COUNTRIES.....	10
1.2. PREVENTING CORRUPTION AT THE LOCAL LEVEL: BUILDING THE ETHICAL INFRASTRUCTURE OF A LOCAL GOVERNMENT OFFICE	12
2) CORRUPTION RISK ANALYSIS	26
ORGANISATION OF RISK IDENTIFICATION AND ASSESSMENT.....	26
IDENTIFICATION AND ASSESSMENT OF THE LEVEL OF CORRUPTION RISK	30
PART II.....	37
METHODOLOGY FOR BENCHMARKING AND IMPROVING PUBLIC ETHICS AT LOCAL LEVEL	37
PUBLIC ETHICS BENCHMARKING AND IMPROVEMENT TOOLS	37
THE EUROPEAN SCORE CARD FOR PUBLIC ETHICS AT LOCAL LEVEL.....	41
MODEL PEER REVIEW TRAINING CONCEPT	67

INTRODUCTION

Democracy depends fundamentally on public trust. Without broad confidence of the public in the integrity of those they elect to represent them, and of those employed to deliver services to them, democratic institutions will falter. Market economies cannot flourish if defective governance undermines fair competition. Power cannot be devolved effectively to local governments if those receiving it are self-serving. Ultimately, democracy will fail in societies that do not maintain reasonable standards of ethical behaviour at all levels of public life; the result will be that people become disempowered and poorer.

Democracies across Europe are increasingly aware that standards of ethical behaviour must be actively nurtured.

To help do so, the Council of Europe's Centre of Expertise for Local Government Reform has developed this tool that helps local authorities to assess, ensure and improve public ethics where appropriate.

The Centre of Expertise for Local Government Reform

The Centre of Expertise for Local Government Reform was established by the Council of Europe in 2006. Its mission is to promote Good Governance through legislative assistance, policy advice, and capacity building to public authorities. The Centre currently has a repertoire of about 18 capacity-building tools which take inspiration from the relevant European standards and best practice. These tools enable the reinforcement and evaluation of the capacities of local authorities with respect to the 12 Principles of Good Democratic Governance. The Centre's connection to the Council of Europe's intergovernmental Committee on Democracy and Governance (CDDG) offers it ready access to high-level government officials from the 47 member states with a reservoir of knowledge and expertise in governance reforms. More information is available at <http://www.coe.int/en/web/good-governance/centre-of-expertise>

This is a practical tool that helps committed local authorities to improve local public ethics standards and compliance with them in the short to medium term.

This Handbook is a collection of the best European practice identified by the Council of Europe's European Committee on Local and Regional Democracy (CDLR), drawing on the experience of European countries and on other sources, including Recommendation 60 (1999) of the Congress of Local and Regional Authorities on political integrity of local and regional elected representatives, and was adopted by a high level international Conference (Noordwijkerhout, 31 March 2004).

The Public Ethics Benchmarking and Improvement Tool was first developed in 2006 by the Council of Europe's Centre of Expertise for Local Government Reform on the basis of the Handbook of Good Practice on Public Ethics at Local Level.

Special thanks to Professor Alan Doig for his help in developing the Score Card and to the Spanish Ministry for Public Administration and the municipalities of Barcelona, Cordoba, Donostia-San Sebastian, Madrid and Malaga for road testing it.

In 2016, the Handbook was edited and expanded to clarify and streamline the introduction of the presented solutions at the local administration level. The changes introduced in 2016 (Part 1: chapter 1 and 2) were authored by Dr Cezary Trutkowski, Council of Europe Expert.

This toolkit consists of two essential parts. The first one deals with the most important issues related to the prevention of corruption risks in public administration. The second part presents the Public Ethics Benchmark and the methodology of its application. Both parts may be used together or separately, depending on the scale of the project and local context.

Part I – Introduction and corruption risk analysis

The introduction provides an analysis of the prevalence of corruption. This chapter also includes an overview of the most important mechanisms for counteracting corruption risks in public administration. One important element in this part of the toolkit is the presentation of the methodology to assess the level of corruption risks in public administration offices.

Part II – Methodology for BENCHMARKING and improving public ethics at local level

The Methodology explains how to achieve the best results using the Benchmark in three main steps:

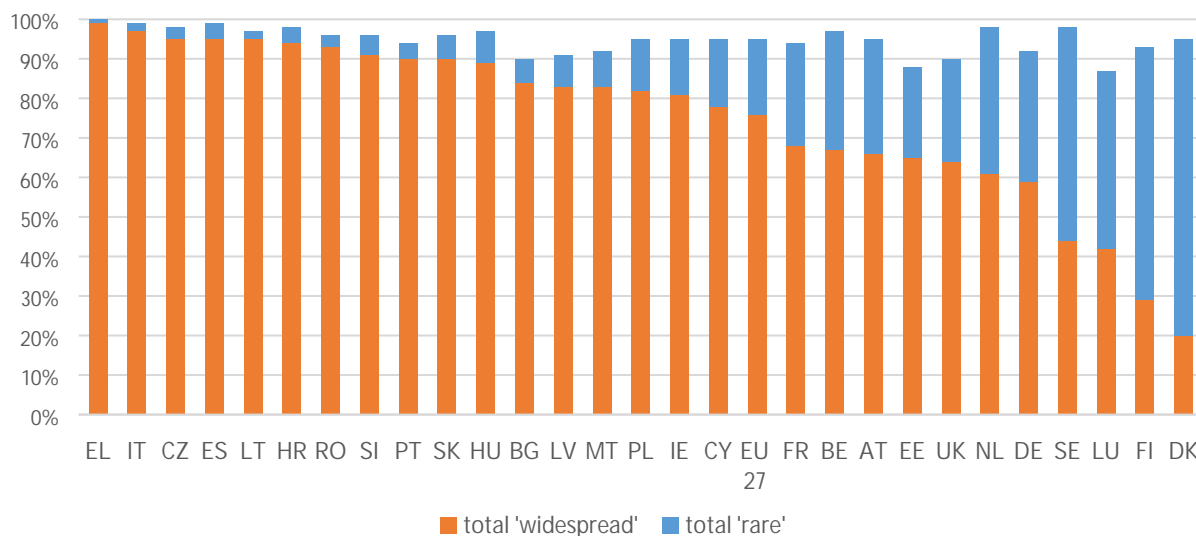
- adapting the European Score Card (in whole or only selected chapters) to national circumstances through a revision by participating municipalities;
- self-assessment and preparation of the National Benchmark on the basis of the National Score Card;
- conducting peer reviews which lay the basis for well-targeted reform programmes.

PART I

1) Counteracting corruption risks at the local level¹

Research commissioned by the European Commission indicates that, in the opinion of many Europeans, corruption is a serious problem in the countries where they live.² The data obtained in 2014 through a simultaneous survey conducted in 27 Member States and Croatia indicates that three-quarters of respondents (76%) think that corruption is widespread in their own country. The countries where respondents are most likely to think corruption is widespread are Greece (99%), Italy (97%), Lithuania, Spain and the Czech Republic (all 95%), Croatia (94%), Romania (93%), Slovenia (91%), Portugal and Slovakia (both 90%). The Nordic countries are the only Member States where the majority think corruption is rare – Denmark (75%), Finland (64%) and Sweden (54%).³

How widespread do you think the problem of corruption is in (our country)?



Important: The graph does not include answers "there is no corruption in our country" and "don't know"; the category "total widespread" is a sum of "very widespread" and "fairly widespread". The category "total rare" is a sum of "fairly rare" and "very rare".

Another source of data on the level of corruption in the world is the cyclical study by Transparency International. The Corruption Perceptions Index constructed by this organisation is a "survey of surveys - a composite index."⁴ This means that the research uses studies based on a variety of sampling methods and a variety of questioning methods. The result for a country is a place on a

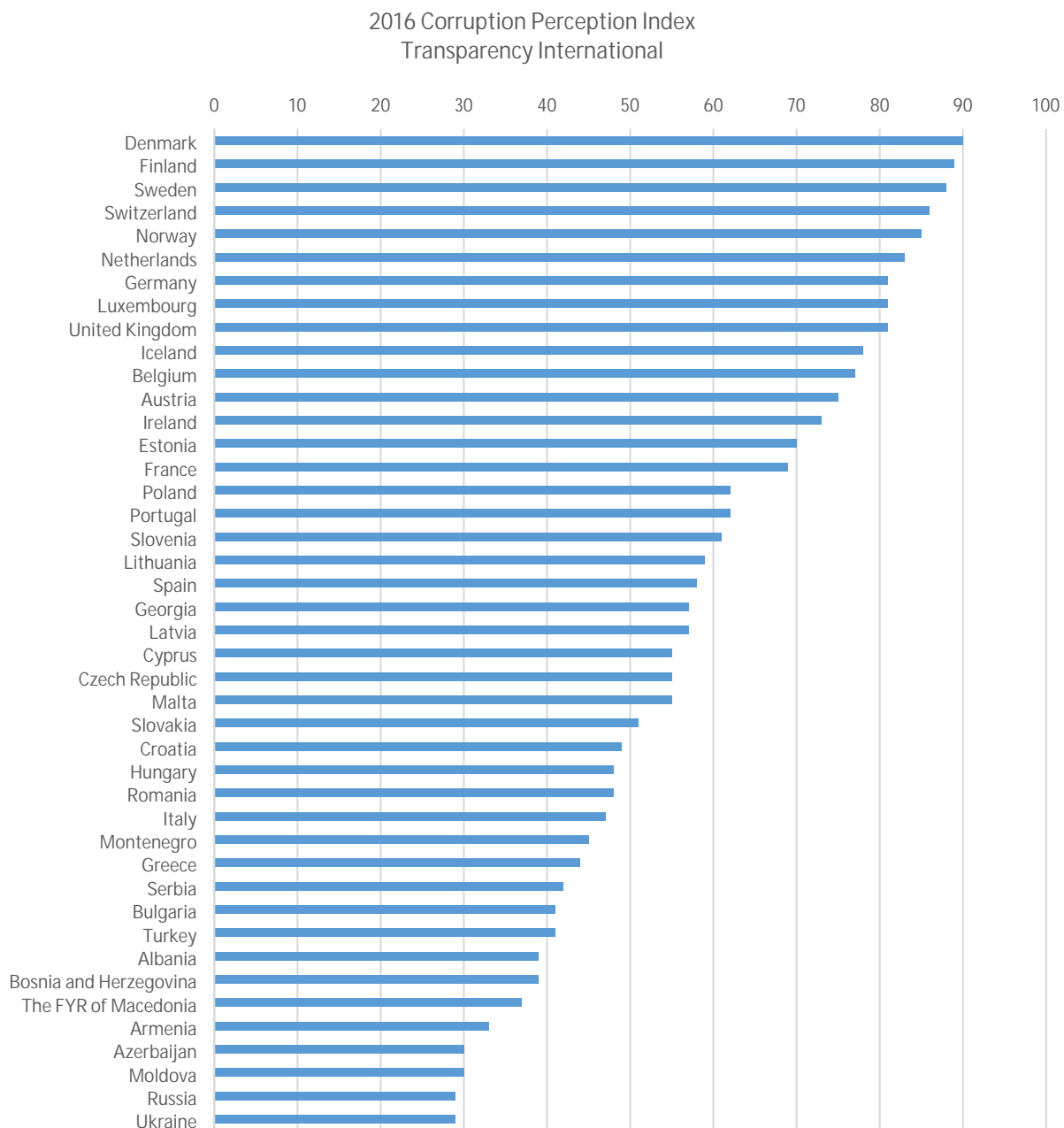
¹ This chapter uses the appropriately adapted parts of the paper "Combating corruption in practice. Anti-corruption policy in the Polish public administration" by Cezary Trutkowski and Piotr Koryś; Warsaw: Stefan Batory Foundation, 2013.

² Eurobarometer surveys (in 2005, 2007, 2009, 2011 and 2014).

³ *Special Eurobarometer 397, Wave EB79.1 – "Corruption"* (fieldwork: 2013, publication: 2014).

⁴ In general, these are three studies conducted in each country: on a nationwide representative sample of adult population, a sample of companies (interviews with businessmen) and a study with experts dealing with corruption in the country concerned.

scale where 10 (and 100 since 2012) means that there is no corruption and 0 (zero) corresponds to a very large scale of corruption.⁵



It should be emphasised that both the Eurobarometer results and the values included in the Transparency International Corruption Perceptions Index should not, in principle, be used to formulate conclusions about the level of corruption in various countries (however, they are in fact often used in this way in public debates). They are primarily an illustration of the status quo of public opinion rather than conclusive information on the extent of corruptive behaviours. It is worth recalling that the beliefs about corruption are largely based on media reports and second-hand information, and less on personal experience (a conclusion shared with Eurobarometer and other surveys). That is why they primarily depict "the state of social consciousness, usually with 2-3 years of

⁵ In 2012, TI introduced changes to how the results are calculated in order to track trends better. While the principle generally remained the same, a scale from 0 to 100 was used (unlike in the previous years), 0 still labels a, as most corrupt perceived, country and 100 labels a, as least corrupt perceived, country.

delay. (...) *The Corruptions Perception Index reflects the state of consciousness, and respondents' knowledge of the subject rather than the so-called 'hard data'.*⁶

Furthermore, when analysing available data, it is important to consider the cultural specificities of each country. An illustration of this type of consideration can be found in answers to a Eurobarometer question about the degree of acceptance of specific practices in the handling of official cases. "A quarter of Europeans (26%) think that it is acceptable to do a favour in return for something that they want from the public administration or public services. A slightly smaller proportion (23%) thinks it is acceptable to give a gift, and around one out of six (16%) considers it acceptable to give money."⁷ The authors of the report also emphasise that "respondents in the twelve Member States that joined the EU in or after 2004 (NMS12) are more likely than those that were EU Members prior to 2004 (EU15) to think it is acceptable to do a favour in order to get something that they need from the public administration or public services (35% vs. 23%, respectively)".⁸ The experiences gained in the times before the democratic transformation of certain countries in the early 1990s might account for these differences.

Nevertheless, there are analyses which enable a more in-depth estimation of the impact of this phenomenon by referring to the economic and social consequences of corruption.

What mainly follows from these studies is that corruption significantly contributes to the loss of confidence in public institutions and leads to a widespread culture of distrust in social relations.⁹ In corruption-related situations, the interest of the community is either omitted or limited in favour of the private interest of corrupt officials. Moreover, the lack of transparency in the administration, which is conducive for the development of corrupt behaviours, limits citizens' involvement in public life and, consequently, leads to a deficit of social capital that determines the development of local communities.¹⁰

Irrespective of the above indirect consequences, corruption also entails quite tangible economic costs. The European Commission has recently estimated that corruption could lead to losses of up to EUR 120 billion a year across the European Union.¹¹ However, there are analyses indicating that these data may be underestimated. The report presented at the European Parliament meeting on 9 April 2013 emphasised that "the statistically significant relationship between tax collection and corruption made it possible to estimate that 323 billion euros failed to be collected across the EU27 in 2010. This figure is equivalent to twice the EU yearly budget".¹²

⁶ G. Kopińska, *Wstęp* [Introduction] [in:] *Polityka antykorupcyjna. Ocena skuteczności polityki antykorupcyjnej polskich rządów prowadzonej w latach 2001–2011* [Anti-corruption Policy: Assessment of the effectiveness of anti-corruption policies pursued by Polish governments in 2001–2011], op. cit., p. 9.

⁷ *Special Eurobarometer 397*, p. 6

⁸ *Ibidem*, p. 12

⁹ Sztompka P., (1999). *Trust. A Sociological Theory*. Cambridge: Cambridge University Press

¹⁰ The relationship between the level of social capital and the broadly understood socio-economic development and the quality of life has been studied repeatedly. Public international institutions (such as the World Bank or the OECD) have generally begun to use social capital analysis in shaping their development programme, and many countries began to see investments in social capital as key elements of public policy making (see Woolcock M., 1998, *Social Capital and Economic Development: Toward a Theoretical Synthesis and Policy Framework*, *Theory and Society* vol. 272, no. 2, pp. 151–208.

¹¹ The information was taken from the European Commission website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/corruption/index_en.htm.

¹² Mungiu-Pippidi, A. (2013) "The good, the bad and the ugly: controlling corruption in the European Union." *Advanced Policy Paper for Discussion in the European Parliament*; p. 15; (<http://www.againstcorruption.eu/wp-content/uploads/2013/03/ANTICORRP-Policy-Paper-on-Lessons-Learnt-final.pdf>)

The conclusions presented by the authors of that report show that the major consequences of widespread corruption include:

1. Lower levels of trust in government;
2. Deviation of public spending from sectors less prone to corruption (health and maintenance) to sectors more prone to it (construction);
3. Lower levels of tax collection;
4. Exclusion of women and minorities;
5. Less talent retention or increased levels of "Brain drain";
6. Diminished capacity to innovate; and
7. Lower ability to absorb EU cohesion funds.

In addition, these analyses allow a more systematic assessment of the level of corruption risks in individual EU countries. A model was developed on their basis where it is assumed that "corruption at national level is an interaction of factors which create equilibrium between opportunities (resources) for corruption and deterrents (constraints) imposed by the state and society, as follows:

Control of Corruption =

Constraints (Legal + Normative) — Opportunities (Power discretion + Material resources)¹³

The application of this model has made it possible to distinguish five basic categories that take into account the different factors determining the occurrence of corruption threats in various countries:

EU Member States by Corruption Risk Group

	Constraints				
		high	medium	low	
Resources	low	Finland Netherlands Denmark Sweden	France Estonia UK Ireland Belgium	Lithuania	-
	medium	Luxembourg Germany Austria	Latvia Portugal Spain	Hungary Greece Slovenia	Italy
	high	Malta	Cyprus Slovak Rep.	Poland Czech Rep.	Croatia Romania Bulgaria

Groups:

A	B	C	D	E
---	---	---	---	---

¹³ ibidem, p. 25–26.

Group A includes countries which achieved high levels of control over corruption risks by ensuring transparency in the work of public administration and business activity. On the other hand (Group E), there are countries where the possibility of corruption is high due to favourable circumstances (economic, historical and social) while the level of protective measures remains low.

1.1. Strategic approach to combating corruption in selected European countries

The need for a strategic approach to combating corruption is recognised in many European countries (including the vast majority of new member states). It is expressed by developing national anti-corruption programmes/ strategies (although they are not always national programmes – e.g. in the Federal Republic of Germany only some of the lands (Länder) have adopted such strategies). It should be emphasised that in most cases these strategies (which are also under different names) refer to public administration in the broad sense, with the exception of the division into central and local government. The strategic approach, if implemented, generally complements the existing national criminal-law provisions on corruption offenses (differently defined).

Existing studies enable us to distinguish some of the basic, typical anti-corruption mechanisms applied in various countries. It should be emphasised that except for the reports published by GRECO¹⁴, reliable information on the effectiveness of the implemented security is lacking.

In most anti-corruption programs, the importance of the transparency of public administration is of prime importance. This is evident in projects involving concrete legislative solutions that bring public administration closer to the citizen and increase public access to public information, and that intensify the provision of information about anti-corruption measures taken by the administration. The adopted strategies most commonly indicate few main areas where the state intervention is needed:¹⁵

- Setting up a Strategic Plan to strengthen the transparency and legality of public administration (especially with respect to recruitment systems in the public sector, appraisals and employment regulations for public officials, reducing bribery and nepotism);
- Undertaking analytical work on the existing legal instruments and administrative measures to assess their effectiveness and adequacy in preventing and combating corruption;
- Formulating recommendations and legal solutions concerning public procurement, financial management systems and financial policies;
- Taking action to improve the transparency of public administration, transparency of decision-making criteria in public administration and citizens' access to public information;
- Implementing ethical codes and codes of conduct in public administration;
- Taking action on preventing conflicts of interest, both for active public officials, for those in public offices and retiring officials;

¹⁴ The Group of States against Corruption was established by the Council of Europe in 1999 to monitor compliance of actions taken by CoE member states with the standards set by this international organisation. For more information, please go to: www.coe.int/greco.

¹⁵ See J. Bil, *Badania porównawcze nad polityką antykorupcyjną* [Comparative studies on anti-corruption policies] [in:] J. Kosiński, K. Krak, A. Koman (ed.), *Korupcja i antykorupcja. Wybrane zagadnienia. Część I* [Corruption and anti-corruption: Selected issues. Part 1], Warsaw: Central Anti-Corruption Bureau, 2012.; pp. 391-451

- Undertaking anti-corruption actions in sectors: in the judiciary and the police (relating to strengthening the independent and fair performance of judges and public officials), health care, sport and private business;
- Taking action to increase transparency in the financing of political parties and election campaigns;
- Undertaking international cooperation aimed at exchanging experience and participation in transnational anti-corruption initiatives;
- Undertaking activities aimed at strengthening public awareness on corruption risks, undertaking educational and popularising activities.

One particular type of activities envisaged in some anti-corruption strategies involves various types of training and educational projects addressed to central and local government officials. Anti-corruption education and promotion of ethical behaviour are particularly emphasised in the national training strategies of local and regional governments, promoted for several years by the Council of Europe.

The World Bank identifies five key challenges in developing anti-corruption strategies.¹⁶ In order for such strategies to have a chance for success, special attention should be paid to the following:

- responsible, credible political leadership. Serious anti-corruption activities require the involvement of the highest public authorities and an unambiguously formulated message about the importance of the fight against corruption.
- a well-defined starting point for anti-corruption measures. For a long-term sustainable success in the fight against corruption, one needs to identify such actions which will bring measurable and relevant outcomes in a relatively short period of time. This will build social trust and engagement in activities that require greater investment and longer implementation prospects.
- a thorough diagnosis of the causes of corruption, its scale and barriers to its containment. It will allow us to properly define the social and cultural frameworks of strategic activities and to identify their priority directions. When developing the diagnosis, social research and the existing hard data on corruption-related crime should be used.
- analysis of the political culture prevailing in the country concerned. Its results will help to identify the factors which facilitate or obstruct the reforms, identify appropriate change-making instruments, and justify the sequence of planned actions.
- the choice of means to maximise influence: identification of motivators relevant to main stakeholder groups. This also means that the planned reforms need to be adequately contextualised so that they are presented in terms of potential benefits to relevant social, institutional and political actors.

Moreover, it is emphasised that the tasks covered by the anti-corruption strategy should be well-planned and coordinated. The effectiveness of the strategy largely depends on the ability to achieve the synergies resulting from the mutual interaction of many connected and complementary

¹⁶ See *Anticorruption in Transition: A Contribution to the Policy Debate*, Washington, D.C.: The World Bank, 2000, pp. 74–77.

activities. It is also necessary to build public support and to make appropriate use of expert resources.

1.2. Preventing corruption at the local level: building the ethical infrastructure of a local government office

Counteracting corruption in public institutions is an effort that requires multifaceted action. Apart from introducing appropriate procedures and parameterisation of the rules of conduct, efforts are also needed to strengthen the right attitudes and build ethical awareness among the employees. This should be enhanced by a well-structured network of related educational, organisational and technical components that, together with formal procedural solutions, will strengthen the effectiveness of corruption prevention.

Codes of ethics and codes of conduct

The most popular way to attract public administrators' attention to professional ethics is to adopt the so-called codes of ethics, which are generally general sets of rules and values applied at the office. Before discussing the most important issues related to the experience of applying codes of ethics, let us note that such codes cannot be treated as a sufficient and effective tool to enhance transparency and ethical operations of public administration. These codes generally have a declarative nature and their role does not usually go beyond educational or informative functions. The long-term, sustainable impact of codes on employees' attitudes and behaviours remains disputable. It is important to distinguish between *codes of ethics*, which are understood as statements of principles and values, and *codes of conduct* that are a type of instruction for specific professional situations or sets of rules for officials in their daily work.

The practice of implementing codes of ethics and of identifying the matters they concern is varied. However, many experts and practitioners use the existing canon of values related to the work of officials. Thus, ethical officials should be:¹⁷

1. *Impartial* – all decisions should be made in the name of the public good, omitting any of their own benefits or benefits to individuals or organisations that are close to officials.
2. *Objective* – all decisions should be made solely on the basis of substantive criteria. Objectivism as a rule excludes political motives (e.g. the decision will benefit my political party), religious motivations (e.g. refusing to hire someone for religious reasons), not to mention financial motives.
3. *Independent* – when making a decision, they should not be in any way and in any sense dependent on the people or environments that such a decision may concern.
4. *Transparent in their actions* – this means that all decisions should be made as openly as possible. Each decision should be openly justified and this principle may only be omitted in exceptional situations motivated by the public good.

¹⁷ See P. Fenrych, *Etyka w działaniu urzędnika publicznego* [Ethics in the world of public officials] [in:] C. Trutkowski (ed.), *Przejrzysty samorząd. Podręcznik dobrych praktyk* [Transparent local government: The best practice manual], Warsaw: Scholar 2006.; p. 99

5. *Reliable* – they should carry out all tasks with utmost diligence and care, using their full knowledge and skills.
6. *Responsible* – they should be aware that they are acting in the public interest and are responsible for their decisions before the society. Consequently, this means being constantly ready to undergo social control.

As a concrete example, we could invoke 'The Seven Principles of Public Life' developed in the United Kingdom in 1994 by the Committee on Standards in Public Life,¹⁸ chaired by Lord Nolan, as a set of ethical standards for all public sector workers:¹⁹

1. *Selflessness* – public officials should make decisions, guided only by the public good. They should not be guided by the desire to bring financial benefits to themselves, their relatives or friends.
2. *Integrity* – public officials must not incur any financial or other obligations towards individuals or institutions that may influence them in the course of their official duties.
3. *Objectivity* – when carrying out public tasks, such as filling public positions, concluding contracts, recommending people for prizes and other benefits, public officials should rely on substantive criteria.
4. *Accountability* – public officials are answerable to the public for their decisions and actions and must submit to all appropriate controlling procedures.
5. *Openness* – public officials should make decisions and act as openly as possible. They should give reasons for their decisions and only limit the flow of information if it is clearly in the public interest.
6. *Honesty* – public officials should disclose any the benefits received (related to their position) and avoid any conflicts that arise in this regard, and do so in a way that protects the public good.
7. *Leadership* – public officials should promote and support the implementation of these principles, starting with themselves and setting an example to others.²⁰

Another issue is the process of implementing codes of ethics. Given that they represent a sort of values' statement it is important to emphasise the need to reinforce the acceptance of the rules laid down in the Code by individual office workers. Therefore, wherever possible, these principles should be discussed by officials; particularly those principles which are valid in both the universal sense (e.g. honesty) and in the workplace (e.g. punctuality or respect for the customer). Such discussions may be conducted during one or more employee meetings (as appropriate). This will certainly strengthen employees' identification with the adopted principles and will enable them to reflect on the role that they have to play in the institution.

¹⁸ The Committee on Standards in Public Life was appointed by UK Prime Minister John Major.

¹⁹ These rules became the input for developing Rules of Ethics for MPs at the Polish Parliament (see <http://www.sejm.gov.pl/prawo/zep.htm>).

²⁰ Principle no. 7 deserves special attention: it points to the special role of ethical leadership.

The issue of the status of the ethical code remains an open question: it may be merely a general declaration of will for the employees of the public office or part of the regulations of the office, entailing disciplinary consequences for its breach.

Again, it should be emphasised that the code of ethics as a general declaration of principles and values related to work is not, regrettably, a sufficient tool to regulate officials' conduct. It does not generally provide information on the desired behaviour in specific situations of everyday life. The code that sets out the principles of honesty, impartiality and selflessness will not provide an unambiguous solution to various dilemmas. For example, "should I accept a bottle of wine as a form of gratitude for a successfully completed deal or not?" or "should I take part in a reception issued by a company applying for the possibility to carry out a public investment or not?". Answers to such questions should be provided by a code of conduct that would address practical potential ethical dilemmas.

EXAMPLE: The German Anti-Corruption Code of Conduct²¹

This Anti-Corruption Code of Conduct is intended to inform staff of situations in which they might inadvertently become involved in corruption.²² It is also aimed at urging staff to fulfil their duties properly and lawfully and at alerting them to the consequences of corrupt behaviour:

- Corruption hurts everyone;
- Corruption damages the reputation of the state and the people who work for it;
- Corruption is not a trivial offence, it leads directly to criminal liability;
- Corruption starts with small favours;
- Corruption leaves you open to blackmail;
- Corruption can cost you your job.

For this reason:

1. Set example: Show, through your behaviour, that you neither tolerate nor support corruption.
2. Immediately refuse any attempt to involve you in corrupt activities and inform the contact person for the prevention of corruption and your supervisor without delay.
3. If you suspect that somebody wishes to ask you for preferential treatment contrary to your duty, consult a colleague as a witness.
4. Do your work in such a manner that it can pass review at any time.
5. Separate your job strictly from your private life. Check to see whether your private interests might conflict with your work duties.
6. Help your workplace in detecting and clearing up corruption. Inform your supervisor and the contact person for corruption prevention in case of specific indications of corrupt behaviour.
7. Support your workplace in detecting defective organizational structures that favour corruption.
8. Take part in basic and advanced training on preventing corruption.

²¹ Annex to the Federal Government Directive concerning the Prevention of Corruption in the Federal Administration dated 30th July 2004.

²² It is worth noting the extensive descriptions and instructions provided in this example, as they enable employees of public institutions to understand the meaning of the provisions of the Code and, consequently, to facilitate identification with the attitudes promoted in the Code.

9. And what should you do if you have already been caught up in corruption? Free yourself from the constant fear of being found out! Get it off your chest! If you confess on your own initiative and your information helps clear up the facts, it may reduce the severity of punishment and consequences under public service law.

Re.: 1. Corruption in the federal administration can be better prevented if everyone makes it his or her goal to fight corruption. This is also in line with the duties which every staff member accepts at the time of hiring.

Upon hiring, each employee agrees to abide by the Constitution of the Federal Republic of Germany and its laws and to fulfil his or her tasks conscientiously. Employees must conduct themselves as befits a public employee and must act in a way that demonstrates their support for the free and democratic fundamental order within the meaning of the Basic Law. Therefore, all employees are to perform their functions in an impartial and fair manner.

Corrupt behaviour conflicts with such duties and harms the reputation of the public service. It destroys trust in the impartiality and objectivity of the public administration and hence the basis for living together as a community.

For this reason, every employee has the task of acting in a way that sets an example for co-workers, supervisors and the public.

Re.: 2. In dealing with persons outside your agency, e.g. with bidders, contractors or in the course of regulatory activities, you must put things on the right footing from the outset and immediately avert any attempt at corruption. You must never give the impression that you would be receptive to 'small gifts'. Do not be afraid to reject or return a gift, asking the giver to understand that rules prevent you from accepting.

If you work in an administrative area involved in awarding public contracts, you have to be particularly sensitive to attempts of third parties to influence your decisions. This area is where most corrupt activities take place.

For this reason, strictly abide by the law and regulations and follow the directives prohibiting acceptance of rewards or gifts.

If a third party asks you for a questionable favour, immediately inform your supervisor and the contact person for corruption prevention. First, this helps to avoid any suspicion of being corrupt; second, it may, under certain circumstances, also help to take legal action against the third party. If you reject such attempts but do not tell your supervisor or the contact person for corruption prevention, the same party will go to one of your co-workers and try to corrupt him or her. For this reason, also protect your co-workers by conscientiously disclosing third parties' attempts at corruption.

All staff members (supervisors and staff) have to work together so as to present a united and credible front.

Re.: 3. Sometimes you may have to meet with persons you think may try to involve you in a questionable activity which will not be easy for you to turn down. In these cases, it is often not enough to distance yourself clearly from such attempts. You should not try to deal with the situation on your own but ask a co-worker to join you. Talk over the situation ahead of time and ask your co-worker to act in such a way as to avert any attempt at corruption

Re.: 4. Your working methods should be transparent and comprehensible to all. As you are likely to leave your position at some point (promotion, transfer) or to be away for short periods (illness, holidays), your working methods should be transparent enough to enable a successor or substitute to familiarize him- or herself with your duties at any time. Transparency in your record-keeping also helps you protect yourself, in the course of reviews or inspections, against implicit or explicit accusations of dishonesty. You should never keep 'secondary files' so as to avoid even the slightest appearance of dishonesty. Hand files should be kept only if this is absolutely necessary for your work.

Re.: 5. Corruption attempts often start when a third party goes beyond official contacts to private ones. As you know, it is particularly difficult to deny granting a 'favour' when you are on excellent private terms with somebody and when you or your family receive advantages and benefits (concert tickets, discounts on holidays, invitations to expensive meals which you cannot reciprocate). You should make clear to your private contacts from the outset that you are obliged to keep your job strictly separate from your private life so as not to be suspected of accepting advantages.

You must observe such strict separation between your private interests and your official duties in any case – irrespective of any risk of corruption – in all your official activities. Your agency and every citizen are entitled to your fair, appropriate, impartial behaviour. For this reason, check every procedure for which you are also responsible to see whether your private interests or those of your relatives or of organisations to which you feel obliged could lead to a conflict with your professional obligations. Avoid any appearance of possible partiality. Make sure you do not give any appearance of being biased, not even through a general climate of influence exerted by an interested party.

If you recognise, given a specific official task, that your obligations and your private interests or the interests of third parties to whom you feel obliged might come into conflict, inform your supervisor so that he or she may respond appropriately (e.g. by releasing you from activities in a specific instance).

You must also clearly separate secondary activities you pursue or intend to pursue from your proper work. Personal relations arising from secondary activities must not influence your main professional activities. If in doubt, give up the secondary activity.

Also bear in mind that you might face sanctions under public service law or labour law if you pursue a secondary activity that is subject to authorisation but has not been authorised; the same applies to failures to give notice of a secondary activity.

Irrespective of this, sooner or later your reputation - and hence the reputation of the entire public service - will be damaged if you have given priority to your private interests in case of conflict. This applies all the more if you hold a position of influence. In this case, take special care that you claim only those conditions that are laid down in abstract terms for similar circumstances.

Re.: 6. Corruption can be prevented and combated only if everyone takes responsibility and all pursue the aim of a corruption-free workplace. This means that everyone must seek to ensure that third parties have no possibility of dishonestly influencing the decision-making process.

It also means that one should not cover for corrupt co-workers out of a mistaken sense of solidarity or loyalty. Everyone is obliged to assist with the investigation of criminal activities and to prevent his or her workplace from damage. One 'black sheep' hurts the entire flock. For this reason, do not participate in attempted cover-ups.

Every workplace has a contact person for the prevention of corruption. You should not be afraid of talking to this person if co-workers' behaviour gives specific and reasonable indications that they might accept bribes. The contact person will respect your desire for confidentiality and then decide if and what measures should be taken. It is however absolutely essential that you express a suspicion only if you have reasonable grounds. Co-workers' names may not be blackened without specific evidence.

Re.: 7. Often, procedures that have been followed for a long time result in 'islands' which are especially conducive to corruption. These can be procedures in which one staff member is solely responsible for granting privileges. Or they might be vague work processes which hinder or even prevent review.

In most cases, changing organisational structures can remedy the situation. That is why all staff members should provide those responsible for organisation with relevant information in order to contribute to clear and transparent work processes.

Within operational units, too, work processes must be transparent enough to stop corruption before it starts.

Another effective means to deal with the danger of corruption is staff rotation. This personnel management tool should be extensively used in areas especially vulnerable to corruption. Doing so requires that staff are willing to take on different functions at regular intervals – as a rule, the period of assignment should not exceed five years - even if this usually results in more work (time needed to familiarize oneself with new tasks).

Re.: 8. If you work in an area especially vulnerable to corruption, take advantage of basic and advanced training offered by your workplace on forms of corruption, risk situations, preventive measures, and consequences of corruption under criminal, public service and labour law. You will then learn how to prevent corruption yourself and how to respond to attempts to corrupt you or when you discover corruption in your work environment. With such training, you can be sure you will be able to deal with corruption in the correct and lawful manner.

Ethical Advisors

An extremely important role in the ethical infrastructure of an office can be played by a person who is responsible for monitoring anti-corruption risks in the office and strengthening the ethics within public administration. This position can be described as one of an ethical advisor.

The function of an ethics advisor has been introduced to public offices in many Western European countries. There is even an organisation called the Ethics & Compliance Officer Association (based in the USA).²³ Established in 1992, this organisation describes itself as an association of managers dealing with ethics, compliance and norms of conduct. Currently, it has more than 1,000 members in 11 countries. The aim of the Association is to promote ethical practices and to provide an international forum for an exchange of information on ethics, including appropriate strategies.

Ethics advisors should have a high awareness of ethics and be respected by employees but, at the same time, they should be able to establish relationships with employees without professional or personal barriers. In other words, the personality, character or conduct of the advisor should be conducive to building social relationships. The task of the ethics advisor is to help employees to solve ethical dilemmas related to their professional activities or to respond to sensitive conflict situations. In addition, the ethics advisor's job is to carry out an active information policy on anti-corruption prevention, initiate discussions on work ethics and conduct internal training on ethical, organisational or legal issues.

²³ The Ethics & Compliance Officer Association (ECO), <http://www.theeco.org>.

EXAMPLE: JOB PROFILE OF AN ETHICAL ADVISOR

Providing your organisation with comprehensive ethics consulting and training services and avoiding/resolving conflicts of interest, counselling and support in accordance with applicable ethical standards and code of conduct, as well as initiating, supporting, evaluating and implementing measures preventing and combating corruption within the organisation.

Being a model of high standards of ethical practice in your organisation.

(Source: www.antykorupcja.gov.pl)

On the other hand, the nature of the tasks that the ethics advisor faces means that they should be placed within the organisational structure of the office in a way which means that the professional hierarchy does not constrain the advisor's casual contact with the staff. It is also important to avoid a situation where a senior manager becomes an ethics advisor, as this may cause difficulty among staff members to overcome the professional distance or it may cause fear of authority.

The core duties of an ethical advisor should include the following:

- developing and setting the directions of development for ethical standards and procedure compliance rules, including the rules of the institution;
- providing leadership, supervision and professional advice to ensure proper development, interpretation and implementation of ethics and compliance strategies, policies and programmes;
- taking responsibility for all actions relating to standards of conduct, including relationships with employees, customers, contractors, suppliers and other stakeholders that comply with ethical standards;
- leading the process of developing risk management programmes for potential violations of procedures, in order to set priorities and ensure compliance;
- implementing a confidential reporting programme for employees, customers, contractors, suppliers and other stakeholders in the case of possible violations of ethical or corporate standards or non-compliance with the law, without fearing retaliation.
- setting strategies and managing annual or periodic ethics and compliance training, and taking action to periodically share information on ethics, compliance with the institution's procedures and principles;
- acquainting new employees and services with ethical standards and rules of compliance with the procedures and operating principles of the institution;
- investigating possible violations of ethical norms and rules of compliance with the procedures or operating principles of the institution, and making recommendations regarding offenses, as well as initiating disciplinary proceedings;
- analysing and evaluating the institution's effectiveness in complying with ethical standards;
- submitting detailed reports to top-level management and various executive committees and/or elected representatives.

The scope of responsibilities of an ethics advisor/trainer should be subject to continuous review, depending on the needs and conditions set out by the public office.

EXAMPLE: A job description for an ethical advisor

Purpose of the position

The Ethics Advisor/Trainer will provide his/her organisation with comprehensive ethics consulting and training services with regard to avoiding and resolving conflicts of interest in order to promote ethical standards and the code of conduct. In addition, as part of his/her job responsibilities, the Ethics Advisor/Trainer will initiate, support and evaluate activities to prevent and combat corruption in the organisation.

The Ethics Advisor/Trainer is also expected to be a model and advocate of high ethical standards.

Key areas of activity and core responsibilities:

- providing advice and information on rules of conduct and ethical issues;
- analysing and monitoring the applicable ethical principles and standards to ensure their effective application;
- initiating and analysing new legal acts, standards and principles pertaining to ethics and ethical conduct for their subsequent implementation;
- undertaking various types of informational and educational activities among employees on ethical issues and the fight against corruption;
- continuous cooperation with other ethics advisors/trainers and exchange of information, studying best practice and conducting comparative analysis between various institutions.

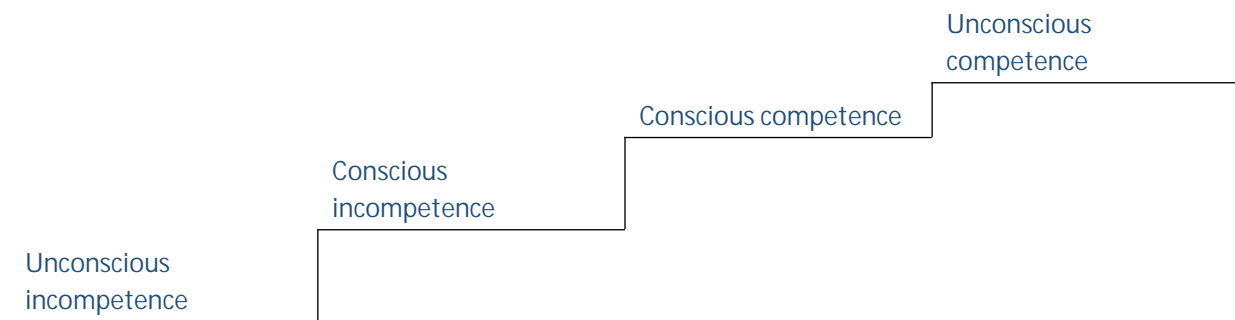
Training and awareness raising with regard to corruption risks

Ethics training is another important element when building ethical infrastructure in a public office. Contrary to what it may seem, ethics can be learned. Of course, this is not about imposing any particular set of values on anyone or organising exams in ethical principles. Such training plays a different role: they build the ethical awareness among public officials. Does this mean that they will have no such awareness without training? If we ask the staff of an office about the need for ethics training, most probably the majority will not express any expectations in this regard. It is worth noting, however, that ethics training is supposed to help to change the day-to-day operations of a public office. This, in turn, requires that employees accept the need to change many of their daily habits, attitudes and beliefs and they need to notice problems are not necessarily noticeable at first. In other words, as a result of training, employees will get a chance to become aware of the range of ethical dilemmas they face on a daily basis.

The process of awareness building as a result of training (also with respect to ethical awareness) is well illustrated by the model proposed by Leslie Rae,²⁴ called the competence ladder.

²⁴ Rae, L., (1997), *Planning and designing training programmes*; Gower Publishing Limited

Competence ladder



Training practice shows that very often people just do not realise that there is something they do not know.

People might perform their tasks and specific roles without having the appropriate competencies and not being aware of their shortcomings. However, sometimes circumstances allow people to realise this and enable them to take a step further. For example, when people know which skills they do not possess (conscious incompetence). Throughout a learning-process people gain competences. For example, participant in a driving course must think about coordinating the operation of the clutch and the gearbox, whereas an experienced driver does not think about it at all. When newly acquired knowledge and skills during work are fully used, this enables people to reach the stage of unconscious competence (i.e. employees have the required level of knowledge and perform their tasks efficiently and without thinking). The trouble is that unconscious competence can easily change into unconscious incompetence again.²⁵ Therefore, realising one's incompetence, ignorance of things and lack of knowledge is the most important step for development. Training programmes are designed to bring about such transformation, to reach at least the boundary between conscious and unconscious competence. An ethics education programme can help workers understand the nature of corruption risks and realise why attention given to anti-corruption prevention is essential in building an organisational culture.

Self-assessment processes and benchmarking tools are also essential for shaping employee awareness of corruption risks. This toolkit presents a number of solutions: a corruption risk assessment procedure, simplified benchmarking of local ethical infrastructure, and a very extensive Public Ethics Benchmark developed by the Centre for Expertise for Local Government Reform.

²⁵ Ibidem.

Internal communications

In addition to training, employee awareness building is also enhanced through ongoing communication on ethics and prevention of corruption. Such communication should happen at many levels and go in many directions.

Various intranet systems, internal information portals, e-mail, discussion forums, electronic newsletters, etc., are a natural, common and most widespread platform to disseminate information within institutions. These ensure fast effective communication while retaining its two-way nature. Consequently, not only some messages will be communicated to employees by authorised persons, but there will also be an exchange of information. Particular attention should be paid to the active use of the technical capabilities that these systems can offer.

Within internal communication, employees should be kept interested in the functioning of the anti-corruption system and its results. Likewise, great attention should be paid to wider and more universal issues. The ethics advisor plays an important role here. Active involvement in information is a factor that 'enlivens' this function, enhancing its significance and impact.

One should also stress that active efforts to build the message about the institution's values is among the most important tasks of the ethical leader. It is primarily the role of the institution's management to promote and support transformations that lead to greater transparency, integrity and ethical functioning. An ongoing and strong message of will in this sphere will be essential to strengthen the efficacy of these activities.

EXAMPLE: Discussions around ethical problems

In the Ministry of the Interior of the Netherlands, Security, Crisis Management and Integrity Department staff introduced the principle of constantly discussing important issues concerning the professional ethics of employees in the ministry. Once a month, a current, sometimes sensitive subject, is discussed for half an hour on the intranet. A question is asked, for instance: An entrepreneur has invited you to an event in a golf course. Would you accept this invitation? There are various answers, but there is nothing wrong with that. The idea is to hold a discussion, and to give a signal that dilemmas of this type occur on a daily basis. There is no need to fear them but one needs to be able to react properly. Such regularly repeated discussions also send a clear signal to employees that the ethical sphere is an important element of the ethos of a civil servant.

Technical and organisational solutions

Regulations in this area are usually structured into codes of conduct or sets of rules that are mandatory for institutions. The following elements of such regulations are the most important ones:

- Regulations concerning contacts with external stakeholders (the 'multiple eyes' principle, meeting with clients only in designated rooms, sometimes specially adapted, e.g. equipped with glass doors, avoiding informal meetings, preparing memos from all meetings, etc.);
- Organisational solutions (rules for document flow/circulation, signing and storage, customer registration, etc.);

- Adaptation of technical infrastructure (centralised customer service area which means there is no access to decision makers, a dedicated desk for submitting documents and applications, a CCTV system);
- Supervision of institutions and external organisations.

Technical and organisational solutions are an essential element to strengthen the ethical infrastructure of a public office. It should be emphasised that such solutions should be implemented to improve the working conditions rather than to strengthen control over the employees. The aforementioned elements should contribute to ensuring the safety and comfort of employees in the performance of the tasks entrusted to them, limiting the situations which give rise to risks for corruption. One crucial duty of an institution which wants to ensure transparency and ethics in its activity is to support staff members in achieving the objectives set out in the anti-corruption policy.

Ethical leadership

- The issue of ethical leadership is particularly important in the context of building and strengthening the ethical infrastructure of a local government office.
- Ethical leadership goes beyond the ordinary management of the organisation. It entails the leader's personal commitment to enhance the transparent, fair and responsible functioning of the institution as a whole. Through their actions and decisions, ethical leaders should set an example of appropriate and desirable conduct and the required level of involvement in the implementation of the institution's rules. Such leaders should work to strengthen employees' ethical attitudes and demonstrate such attitudes.



In addition to obvious enhancement of quality within the institution, the implementation of an anti-corruption system can in itself help to enhance ethical leadership. In fact, this sends the strong signal to workers that prevention of corruption is an important topic for the management. This can help to make a real and lasting change in the beliefs and attitudes of those officials who remain sceptical and distanced from the solutions adopted. Hence, a systematic and explicit message sent by the management to the employees can enhance the impact of the system and make it more than just a set of bureaucratic rules.

External communication

Being closer to citizens, local authorities should pay special attention to the transparency of their activities and put special emphasis on the lack of tolerance for any unethical actions. Such authorities do not only play an administrative role but also fulfil a number of educational and cultural functions. Citizens who watch the activities of their local government should learn democratic attitudes. A number of systematic measures to change people's habits should also be considered by officials. A nationwide social campaign based on these principles was conducted in Poland for several years.

The programme called 'Przejrzysta Polska' (Transparent Poland) was addressed to all local government units in Poland: each of them could voluntarily join and commit to a number of tasks related to the implementation of the transparent local government model.²⁶ It is worth stressing that despite the absence of any external coercion, one third of all Polish local government units joined the programme. Each of them took on additional tasks, not required under the law, in order to become a transparent, corruption-free and open local government unit.

The tasks to be implemented in the programme were grouped under six basic principles of good governance, namely areas where transparent procedures were to be introduced: transparency, no tolerance for corruption, social participation, predictability, professionalism and accountability.

By implementing the programme, each local government unit had to carry out one obligatory task under each principle. In addition, a number of optional tasks were assigned to each principle, which the office could perform to receive a certificate of participation.

According to the principle of transparency, any publicly funded activities should be transparent, with information on such activities being easily accessible for the public. Local residents should be effectively informed about the most important principles of work in the local administration. Basic documents regulating the functioning of local government (laws, statutes, regulations, and budget) should be easily accessible and the residents should know how to use them. One obligatory task under this principle was to develop a detailed description of the services provided by the local government office and to make these descriptions available to the public so that citizens knew how to arrange a particular matter, who was responsible for it and what kind of documents were needed. According to the guidelines, knowledge of how to handle all administrative procedures for citizens should eradicate (or at least reduce) the arbitrariness of decisions, delays in issuing decisions, demanding undue charges, or multiplying problems in case the official does not act in good faith. The optional tasks included the launch of a LGU information service, development of an internal signage system at the office, setting up an inquiries desk, setting up a network of Internet connection points/local government websites, setting up and developing a network of local information boards providing effective and universal access to information, using language that is understandable for the residents instead of using clerical jargon, and developing a municipal/county-level business directory.

The second principle – no tolerance for corruption, means that the local government acts ethically and is immune to corruption. Local authorities should clearly declare and implement the attitude of intolerance of corruption. The mandatory task under this principle concerned the development and

²⁶ This model was developed on the basis of the 'Transparent Municipality Model' (*Model Przejrzystej Gminy*) developed by the Stefan Batory Foundation in Poland.

implementation of a code of ethics for local government employees. Optional tasks included the preparation and implementation of an ethics code for councillors, the development of a code of conduct, the implementation of a broad information campaign in the local community on zero tolerance for corruption in the public office, training on ethics in public life for employees and development of procedures for dealing with violations of the code.

Another principle refers to the key importance of social participation. In local government units that share this belief, there is social dialogue and the office supports the efforts for residents to take part in solving problems faced by the local community. It is important to emphasise that transparency of the administration is effectively enhanced when the public is interested in its activities. Unethical or even fraudulent actions by officers can be significantly reduced if citizens get involved in public life, if they verify local government decisions, if they take part in discussions on local affairs. The obligatory task which was carried out here involved the development and implementation of a multi-annual programme of cooperation with non-governmental organisations. Such a plan should underpin activities of all NGOs and enable cooperation between the local government and these organisations on the basis of agreed and publicly known goals. These optional task consisted in creating an 'activity map'²⁷ of NGOs and local initiatives, delivering ethics education, introducing ethics and transparency in school curricula, creating a forum for cooperation with business organisations, and offering the possibility for residents to come up with decision proposals.

The principle of predictability is based on the belief that local governments which operate without a strategic plan cannot assess the decisions taken by the authorities. Without a prior strategic development plan, the authorities can always present some action as their undisputed achievements. Therefore, this principle states that the performance of public tasks should be predictable and planned and that the residents should be able to participate in the formulation of strategic plans. The implementation of these plans should become the basis for the evaluation of local government's performance. It is extremely important to cooperate with local residents. The obligatory task was to develop a short material that would present the current strategic development document to the local residents (of course, this means that such a document must be first developed and the adopted).²⁸ The optional tasks under this principle included the development of multi-annual financial and investment plans along with material to present them to the residents, and the introduction of a fixed schedule of council meetings to allow residents to plan ahead their participation in the meetings.

In accordance with the principle of professionalism, tasks should be carried out in local government institutions by competent individuals who can effectively utilise existing resources for public purposes. The mandatory task was to develop and introduce clear and objective recruitment procedures for posts at the local government office. The optional tasks included the introduction of a performance assessment system for officials and the implementation of training courses for councillors and officials on competencies and tasks of local government. The aim was also to develop solutions that would reduce nepotism in local administration.

Last but not least, the principle of accountability refers to any activity of local government involving spending public money which should therefore be measured and recorded. Also,

²⁷ A list of organisations with their spheres of activity.

²⁸ According to the implementation standards for this task any strategic documents should be developed with active involvement of the local residents.

accountability of individuals should be clearly defined. According to this principle local governments should always be able to effectively inform the local community about the financial and organisational aspects of their work. The mandatory task was to prepare and disseminate a newsletter entitled 'Where do we have the money from and how do we spend it?' In this way, any citizen could become familiar with the situation of local finances and understand the decisions made by the office in this regard. Other tasks concerned measuring the impact of projects and programmes implemented by the local government and introducing 'roll-call' voting in local government.

The implementation of the 'Transparent Poland' programme had a strategic dimension at the local level: for officials, it meant leaving the old, non-transparent style of governance, whereas for citizens it meant the ability to control elected officials and hold them accountable from time to time in a reasonable way.

2) Corruption risk analysis²⁹

Risk analysis tools were developed several decades ago for the needs of business and financial institutions of estimating the risks of unexpected and undesirable events (e.g. fires, accidents, etc.). Despite some criticism, these tools are becoming increasingly more popular in public administration (e.g. to estimate the risk of corruption). The goal of such tools is not to detect the existing corruption phenomena but rather to assess the risk that these might materialise. Consequently, risk analysis tools can provide effective prevention and protection from potential negative circumstances. It is worth stressing that risk analysis in different areas follows a very similar methodology and that there are many tools and manuals related to this issue.

Organisation of risk identification and assessment

There is no widely accepted model for corruption risk analysis. Approaches vary from a procedural point of view and for their practical implementation. Notably, they have different consequences in the functioning and effectiveness of security measures.

The prerequisite for any effective assessment of corruption risk is not only a proper procedure that covers detailed estimation rules but also the way in which this process is organised, including the selection of stakeholders.

It is generally accepted that the risk should be estimated by teams, generally appointed by 'risk owners', i.e. individuals responsible for the flow of individual potentially threatened processes.

In this understanding, a process can mean a specific path for issuing an administrative decision (from the initiation to the final decision), or specific tasks performed by the office (e.g. quality monitoring of service delivery, management of a cultural centre, organisation of a sport event, etc.).

As a rule, the risk assessment involves those individuals who are subject to the assessed processes. On the one hand, this guarantees a good knowledge of the details of each process. There might also be a tendency to underestimate the risk. This may be caused by the fear that if a high risk is identified, this will create suspicion about workers prone to corruption (which means that the tendency to make such assessments will be contained). It may also result from the risk being assessed in personal terms (resulting from good relationships between employees, shared trust resulting in the belief that 'my colleagues wouldn't behave like that', 'this institution employs honest officials', etc.) rather than from actually low systemic risk.

Three main approaches to the organisation of this process can be distinguished:³⁰

- Centralised model, where the risk identification and assessment, related recommendations and presentation of opinions is developed within the organisational units of the office and then presented for consultation and approval to a higher-level instance which coordinates/oversees the process within the entire institution. It should be emphasised that, in principle, the final

²⁹ This chapter uses the adapted excerpts from the following publication: 'Przeciwdziałanie korupcji w praktyce. Polityka antykorupcyjna w polskiej administracji publicznej' [Preventing corruption in practice: The anti-corruption policies in Poland's public administration] by Cezary Trutkowski and Piotr Koryś; Warsaw: Stefan Batory Foundation, 2013.

³⁰ It should be emphasised that the typology presented here is not a formal but analytical one: it is based on the results of research carried out in Poland in 2012–2013 by the Stefan Batory Foundation in Poland's public institutions.

decision regarding the assessment results and the related accountability would be shifted outside the core organisational unit.

- Coordinated activities model, which implies that the core risk assessment takes place in individual organisational units of the institution but is supported or monitored by the management. This model assumes that the estimation will follow the same path in all organisational units. This also means that the responsibility for the assessment results will be distributed between those units and the co-ordinating entity.
- Dispersed model, where the risk identification and assessment take place at the level of organisational units, which bear total responsibility for the flow and results of this process. In this model it is often assumed that the results of the assessment will be forwarded to an entity responsible for keeping a register of risks, and that all the results will be formally summarised and consolidated.

As a rule, the centralised model implies the appointment of one team within the institution. Such a team will generally perform the following functions:

- Verification of the risk assessment carried out in individual organisational units of the local government office (departments, offices, delegations, etc.);
- Standardisation of risk assessment practices at the level of specific organisational units;
- Development of recommendations. The team has the possibility to influence changes in the local anti-corruption protection system at the very general level;
- Collect and provide information. Members of the team receive questions related to the functioning of anti-corruption procedures but also notification on the ethical dimension of work at the office.

If a centralised model is adopted, the coordination team members should be appropriately selected. The team may include people working in individual organisational units or people authorised by the management of the office. It is important that the team members, through their daily tasks and their status (managerial positions held) have a broader understanding of the activities of the office as a whole. This will help avoiding unidimensional risk analysis results.

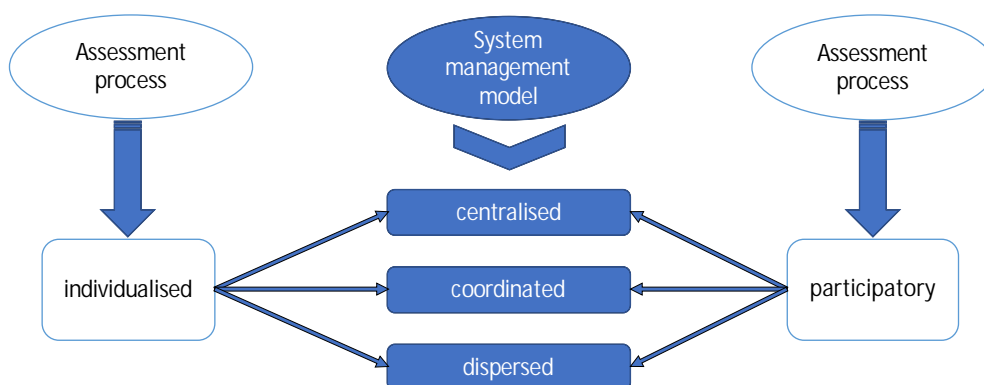
The coordinated activities model leads to the established of risk assessment teams in parallel, at the level of each organisational unit. These teams assess risks and report results to their supervisors for approval. By applying this model, the work performed by the teams must be coordinated. For example, attendance by a representative of the management to any risk assessment exercises in all organisational units could be set by internal rule.

The dispersed model assumes that the approach to the identification of corruption risks and the risk assessment depend on the habits of each organisational unit. Risk assessment teams are created by unit managers ('risk owners') who determine the size and composition of the team as well as the mode and rules of their work. In practice, this poses a number of threats: the risk assessment process depends on the will and commitment of the managers of various units, the consistency of the assessment at the institutional level could be undermined and the whole process becomes more susceptible to distortions resulting from individual beliefs of the officials involved (as there is no exchange between the teams).

The organisation of this process at the lowest level is a separate issue, although it is linked to the identification and risk assessment process at institutional level. The assessment results can also be potentially influenced by the extent to which the whole process is open to employees. There are institutions where corruption risk is a subject of genuine and broad debates among employees. In other contexts, documentation is filled in by one authorised employee and possibly approved by his/her immediate supervisor. It is certainly easier to conduct “participatory” risk analysis in smaller offices. Conversely, some amount of centralisation is needed in complex, diverse and dispersed institutions.

On the other hand, a participatory risk assessment process, opened to employees, implies certain difficulties. Firstly, it involves the participation of many people, entailing some distortion in the usual daily work of the institution. Secondly, it requires genuine engagement from participants, which should be built to strengthen their motivation. Finally, it is about the need to create a safe forum for discussion where employees will not be afraid to talk about sensitive issues related to work ethics and to reflect on the behaviour of their colleagues and/or the operation of the entire institution. Undoubtedly, this inclusive approach is more challenging than individual work, where there is no room for confusion and which is not exposed to the inconvenience of a social process. Nevertheless, it is strongly recommended that the ‘participatory’ approach is used. In fact, the set of anti-corruption measures is not just a collection of bureaucratic rules of conduct. In order to be effective, the anti-corruption system must be understood and accepted by employees. The latter would not adopt specific rules, procedures and process to regulate the work of the institution if they are not convinced about their appropriateness and necessity. Employees must be committed to building transparency in public administration. Exchange of views and debates on corruption risks would strengthen positive attitudes towards the system. Co-responsibility of participants in the implementation of the anti-corruption system can be enhanced through the involvement of employees in the identification of risks and thanks to their co-deciding role on the significance and probability of the risks.

Organisation models for the risk assessment process:



When opting for the participatory model for threat identification and corruption risk assessment, another issue should also be kept in mind. According to the analysis conducted by GRECO, “the power of female participation in government to control corruption *is* contingent on democratic political institutions and thus that where corruption is stigmatised, women will be less tolerant and less likely to participate in compared to men.”³¹ On the basis of existing data, it is not possible to conclusively and unambiguously state that women’s participation in public life contributes to reduced corruption, yet it can be reasonably assumed that gender equality is related to the overall development of liberal democracies where lower rates of corruption are generally observed. For this reason, “gender dimension, particularly in the context of increasing gender equality, adds to that democratic capacity to prevent corruption.”³² Thus, the introduction of equal representation of women and men in the evaluation of the activities undertaken by institutions (including the identification of corruption risks) should enable a broader perspective on the phenomena concerned, making these processes more open.

In conclusion, it should be emphasised once again that the practices related to the organisation of the risk assessment process at the level of the entire institution can vary a lot. It does not, of course, constitute a significant problem *per se*. After all, different institutions, with different specific profiles and separate areas of activity and levels of experience, may prefer solutions that are more suitable for their profile. However, there is a strong correlation between the way the risk assessment process is organised and the impact of the whole system. Two factors play a key role: coordination of activities (to enable verification and standardisation of organisational units’ work on risk assessment) and the previously mentioned involvement of employees. The preventative impact of the anti-corruption system will generally be better if more attention is devoted to the following aspects:

- coordination of the risk assessment process between individual organisational units;
- standardisation of the results with respect to each process; and
- broad involvement of employees in the discussion on identification of risks and their significance.

Particular emphasis should be put on the importance of the preliminary identification of risks and the related first risk assessment exercise in institutions. The list of risks identified during this initial phase represents an important benchmark for subsequent, routine assessment of corruption risks. However, it should be beard in mind that on the one hand, it facilitates further assessment exercises and enables the monitoring of the impact of changes made in institutions but, on the other hand, it may limit the overall reflection on the changing conditions of the institutions’ operations.

³¹ Cf. Esarey, J. & G.Chirillo (2012), ‘Fairer Sex’ or Purity Myth? Corruption, Gender and Institutional Context. Working Paper; <http://jee3.web.rice.edu/corruption.pdf> (pp. 21, 24 and conclusions).

³² “Gender dimensions of corruption” – GRECO report by Helena LISUCHOVÁ (2012), p. 5.

Identification and assessment of the level of corruption risk

The identification of corruption risks usually comprises a set of fairly complex practices, engaging many employees in institutions and most organisational units. The primary challenge related to the launch of such a procedure lies in building the right attitudes among employees towards participating in the identification of these risks. Experience has shown that many people find it very difficult to separate institutional processes from personal involvement: it is not uncommon for employees to perceive the identified corruption risks in terms of personal liability and to take action to avoid possible accusations. Therefore, when assessing the risk of corruption, it is extremely important to depersonalise administrative processes and to present them as components of the institution's operation, irrespective of the involvement of specific employees. This should be emphasised very clearly: the analysis of corruption risk refers to the conditions of operation of the institution and not to the integrity or ethical conduct of its employees. The former may be subject to modifications as a result of management decisions while the latter may be part of human resource management policies together with a system of rewards and disciplinary punishment.

1) Identifying key processes in the operation of the institution

The identification of key administrative processes should be the most important task preceding the assessment of corruption risk at a local government office. Such identification should help to generate a structured directory of services provided by the office. Any description of such a service, understood as a formal procedure leading to an administrative decision, should contain some essential elements, i.e.:

- A list of legal acts pertaining to the service;
- A list of documents required in the procedure leading to the decision;
- A thorough description of the administrative process (e.g. the duration of the service provided by the office i.e. the time needed to issue a decision);
- List of official deadlines which are binding for the office and for citizen in administrative procedures;
- A list of required fees;
- Contact details of the office (the place where the matter is to be settled) and an indication of responsibilities for the case at the office; and
- List of further steps of the process (outside the office) and indication of the mode of appeal against the decision.

All processes identified in the office should take the form of standardised service cards. Such cards enable the citizen:

1. to get acquainted with the course of procedure in the case concerned;
2. to gather all the necessary documents and prepare the necessary forms before visiting the office;
3. to monitor the functioning of operations, in an informed way.

In addition, the office gets the opportunity to structure its internal procedures and systematise the work of civil servants, to make better use of human resources. Moreover, the introduction of service cards helps to minimise the impact of subjective factors on administrative processes carried out at the office.

A sample service card for an administrative service:

SERVICE CARD	
Name and scope of service offered:	
	Card approval date:
	Responsible person:
Documents required to settle the matter	
How to file the application / Where to submit documents	
How and when the matter will be arranged	
Responsible individuals at the office / Contact persons	
Fees	
Legal basis	
Appeal procedure	
Additional remarks	
Information on appendices / forms	

Such service cards should be designed for all services provided by the office. At the initial stage, a transitional solution can be adopted whereby service cards are prepared for key administrative services. The choice of key services should be preceded by a discussion where the topic of corruption threats should be an essential element.

2) Corruption risk analysis for identified processes

Corruption risk analysis comprises two essential elements:

- identification of corruption risks for individual administrative processes (services provided by the office); and
- quantitative assessment of the level of corruption risk.

Risks should be identified in respect of all identified administrative processes at the office. Information on possible ways to organise this process is presented in the previous section. At this point, some important issues of general nature are worth mentioning:

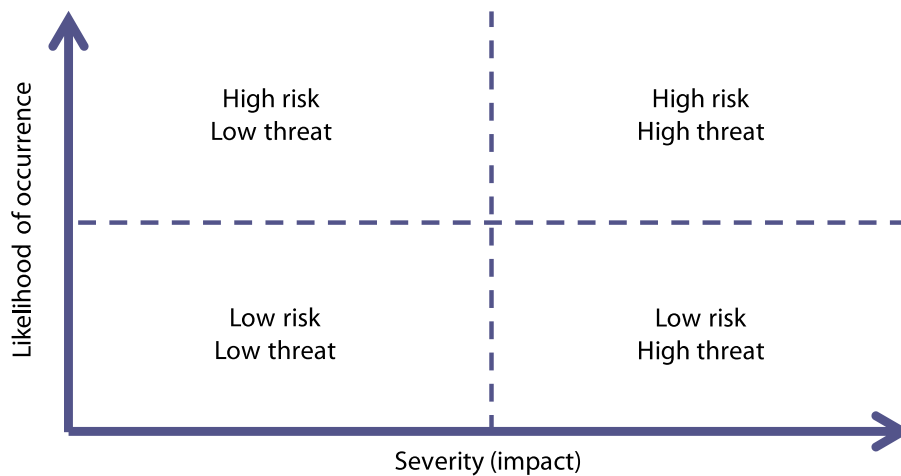
- Firstly, risks should be identified for each process, and this should not be solely based on historical knowledge (the fact that there was no case of abuse of procedures or corruption in the past does not mean that the risk does not exist).
- Secondly, the discussion of possible corruption risks should be conducted in isolation from the specific employees involved in the administrative process at stake.
- Thirdly, the identification of corruption risks should be done in accordance with a specific procedure, uniform across all administrative processes in the institution (examples are presented below).

Identification of potential corruption risks in administrative processes is instrumental for a proper assessment of the level of corruption risk. In fact, risk assessment is carried out exclusively for previously identified risks. It is therefore a good idea for an institution to plan a verification mechanism to identify risks. This mechanism may involve a dedicated committee appointed to review and approve the risks identified in each organisational unit, or it may involve coordination arrangements, where, for instance, a representative of the institution's management could take part in all risk identification processes across units. The latter solution will help institutions to ensure that various groups of staff apply a coherent approach, thus enabling the transfer of experience across particular organisational units.

Corruption risk assessment involves the quantitative evaluation of the probability of risk (corruption risk) and the consequences of its materialisation for a particular institution. The likelihood of a corruption event is determined by the institutional arrangements, external pressures, and the regulations in place. The consequences of such an event for the institution mainly relate to the legal, financial and reputational consequences arising from a corruption event being detected and publicised. Importantly, while the likelihood of a corruption event may be regulated by the institution (e.g. it may be limited by introducing specific organisational or procedural arrangements), the effects of its materialisation are largely independent from the preventive measures taken. The impact of corruption is rather related to specific sanctions provided for by legal regulations or to the media influence on the public opinion.

The likelihood of a corruption event and the magnitude of its effects are independent from each other: the impact does not increase or decrease the probability of a risk, and, likewise, a high or a low likelihood does not necessarily translate into the severity of the effects of a materialised risk.

CORRUPTION RISK MAPPING



The assessment of the likelihood of a corruption risk and of the consequences of a materialised corruption risk should be precisely parameterised. It is not enough to accept some seemingly simple assessment scale (e.g. from 1 to 10): it may turn out that individual values of this scale will be understood differently by the members of the risk assessment team. The definition of the scale is obviously a matter of a choice. It is worth remembering, however, that the adoption of too many different values may hinder the effective assessment of the likelihood and consequences of risks whereas the use of small number of values may lead to imprecise assessments. Therefore, it is important that the methodology of the process is clearly defined before the assessment of corruption risks begins. The methodology should include both the findings of the risk identification process and the precisely described scales to assess the likelihood and effects of a materialised risk.

EXAMPLE: Assessment levels for the effect of a corruption event³³

Score	Assessment
1	Negligible, i.e. the occurrence of a risk will have no effect or a marginal effect.
2	Insignificant, i.e. there may be consequences associated with delays in the execution of tasks and tarnished reputation of the institution.
3	Significant, i.e. there may be effects related to the tarnished reputation and trust in the institution, or significant delays in accomplishing tasks, or minor financial implications.
4	Serious, i.e. there may be financial and legal effects, or a significant damage to reputation and trust in the institution, or the institution's goals and tasks will not be accomplished.
5	Very serious, i.e. there may be serious financial and legal consequences, or the institution's strategic tasks and goals will not be accomplished, or the institution's reputation will be seriously damaged.

An additional step that will undoubtedly enhance the risk assessment process is to develop a catalogue of factors which have a systemic (positive or negative) effect on the corruption risk. With

³³ This example and the next one are taken from a Polish government agency – The Material Reserves Agency. It was presented in the work entitled *'Przeciwdziałanie korupcji w praktyce. Polityka antykorupcyjna w polskiej administracji publicznej'* [Preventing corruption in practice: The anti-corruption policies in Poland's public administration] by Cezary Trutkowski and Piotr Koryś; Warsaw: Stefan Batory Foundation, 2013; p. 75

such a catalogue, it is possible to standardise risk assessment in respect of the processes occurring within the institution. It also provides a frame of reference for employees who might face dilemmas when performing an assessment.

EXAMPLE: Factors that reduce or increase the likelihood of a corruption event – a sample catalogue

Factors that reduce the likelihood of a risk – the existing safeguards

1. Clearly defined powers within the scope of employees' responsibilities and authorisations
2. Transparent and objective compensation for employees, defined in the Compensation Rules
3. A clear division of powers regarding the development, verification and validation of financial documents and operations
4. Activities performed by one employee are verified by a colleague or a supervisor
5. There are clear, stable and transparent rules of conduct set out in internal regulations (e.g. Internal Audit Rules, Sales Rules)
6. Meetings between the employees and outsiders take place in the presence of several people
7. Tender committees are composed of representatives of several organisational units, in accordance with the rules set out in the internal regulations (e.g. Internal Audit Rules, Sales Rules)
8. Members of the tender committee sign a declaration of impartiality
9. Records are kept to enable traceability and accountability of completed activities
10. More than one organisational unit participate in various processes

Factors that increase the likelihood of a threat:

- a) Vulnerability
 1. A large number of operations and their types
 2. Meetings between employees and outsiders are held without witnesses, outside the institution's premises
 3. No rules governing the area concerned
 4. Employees are exposed to external pressures
 5. No clear criteria for dealing with issues/discretion in dealing with cases
- b) Historical data
 1. Occurrence of the same threat in the institution in the past
 2. Occurrence of the same threat in other organisations

Based on the results of risk analysis, the processes within the institution are divided into safe ones and those involving a higher risk of corruption events. Safe processes are those where, given their nature and goals, the risk of corruption events is low (the value of the associated risk is below an agreed threshold). High-risk processes (labelled in various ways, depending on the institution) are those which involve a higher risk of corruption.

Sample risk assessment card

Corruption risk assessment for a process (service): ✂	
Description of corruption risks: ✂	
Outcome of corruption risk assessment:	
Likelihood of materialisation of a corruption risk (according to the adopted scale): ✂	Effects of materialisation of a corruption risk (according to the adopted scale): ✂
Total score for assessed corruption risk (likelihood x assessment of effects) ✂	
Factors that reduce risk: ✂	
Factor that increase risk: ✂	
Proposed preventive measures: ✂	
Way of monitoring corruption risk: ✂	

When assessing corruption risks, it is important to establish a threshold value for the assessment: whenever the risk exceeds that value, monitoring and prevention measures will be required at the institutional level. However, this exercise is far from simple. The threshold value should be established across the institution level in a uniform manner. This decision should be agreed by management and selected employees. This reflection should take into account the different internal aspects of the operation of the institution as well as external influences. Importantly, the threshold value does not necessarily have to be the middle point of the scale.

A sample risk assessment matrix for a 5-point scale

		Product = Risk assessment score				
		5	10	15	20	25
Likelihood	very high (5)	5	10	15	20	25
	high (4)	4	8	12	16	20
	medium (3)	3	6	9	12	15
	low (2)	2	4	6	8	10
	minor (1)	1	2	3	4	5
		negligible (1)	insignificant (2)	significant (3)	serious (4)	very serious (5)
		Effect				

Operations (services) whose risk assessment is above the accepted threshold value should be covered by monitoring procedures. Moreover, a set of corrective actions should be developed for each of these processes to help reduce the risk of corruption. Measures to respond to identified corruption risks should be implemented in a formal way.

Overall, several standard response strategies can be applied:

- Risk tolerance,
- Risk prevention,
- Risk avoidance, or
- Transfer of risk to another entity.

Risk tolerance could be privileged in situations where it is very difficult or very costly to implement measures reducing the risk levels (relative to the benefits achieved). However, a decision to tolerate risk should not entail the acceptance of risk. As a minimum standard, actions aimed at systematic monitoring of processes should be implemented, targeting those identified risks which are difficult to eliminate. Moreover, the tolerance of risk should be limited in time: risks that are difficult to eliminate can be reduced by introducing specific organisational solutions.

The prevention of the materialisation of corruption risks is generally based on changes to administrative procedures, the introduction or improvement of technical solutions, the strengthening of control mechanisms, and/or undertaking specific educational actions. It is advisable to develop indicators to monitor the effectiveness of the actions taken. Once the changes have been implemented, it is a good idea to re-evaluate the risk to assess the effectiveness and validity of the solutions adopted.

Risk avoidance is an effective solution but not in all instances. A public administration office may not abandon certain activities it normally undertakes. However, sometimes even minor changes can make a fundamental difference in respect to the risk of adverse events.

Finally, the risk can be transferred to another entity by outsourcing certain tasks. However, it is important to remember that such an approach does not eliminate the risk of corruption as such but only reduces the institution's exposure to the materialisation of such risk. Moreover, because of the social mission often pursued by public institutions, this kind of a solution would not always be justified.

Finally, it is worth emphasising that the assessment of corruption risk cannot be a one-off event. Of course, the first assessment exercise is the hardest one: it sets standards, builds employees' awareness and sets the course of action. However, public institutions operate in an environment which is subject to dynamic social, legal and organisational change. Therefore, regular assessment of corruption risks in public administration offices should become part of systematic practices. Each time, this exercise should take into account the identification of changes in the institution, its external environment and the impact of these changes on corruption risks related to the analysed processes. It is important to bear in mind that a change to the pre-defined values of parameters and/or the effects of a corruption event can be made only on the basis of a clear indication of the impact of these changes.

PART II

Methodology for benchmarking and improving public ethics at local level

Given the absence of extensive awareness of corruption risks and ethical dilemmas associated with the operation of public administration in many countries, it is a good idea to undertake introductory activities before the implementation of the ethical benchmark (and, therefore, the development of the National Score Card). The most important activities are presented below:

- organising introductory training (or a training cycle) to structure participants' knowledge of key issues related to counteracting corruption risks and building an ethical infrastructure in a public administration office;*
- carrying out a corruption risk analysis in selected local administration offices.*

The team in charge of introducing the National Score Card should comprise people who: (1) have received relevant introductory training, (2) have actively participated in corruption risk assessment at the local level.

Objectives of the Public Ethics Benchmarking and Improvement Tools

- to identify a national level of public ethics against which local authorities can compare themselves;
- to help local authorities to drive up their standards towards those of the best;
- to provide an opportunity for local authorities to take responsibility for their own improvement;
- to help local authorities to assess the impact of their policies in respect of improving public ethics;
- to give the local government national association(s) the capacity to lead the drive for self-improvement throughout local government.

Public Ethics Benchmarking and Improvement Tools

Process

Typically, a National Association seeks, as one of its goals, to enhance standards of public ethics across local government. It is therefore in the best position to take responsibility for the Public Ethics Benchmarking and Improvement Tool.

However, in some countries, ministries responsible for local government may be interested in taking part in the process. This can also prove to be effective insofar as there is no coercion for local governments to join the Programme and they are truly committed to making the best use of it in order to improve the level of public ethics in their municipalities.

Preparatory work by the National Association

1. Translate the Public Ethics Benchmarking and Improvement Tool into its own language.

2. Send the Public Ethics Benchmarking and Improvement Tool to local authorities to seek their views and gain their commitment and establish a list of interested municipalities on the basis of the interest expressed.
3. Establish a small Project Team (2-4 staff, including 1-2 project managers) to manage the Programme.

Step 1. Adaptation of the European Score Card

1. Ask interested municipalities to provide their comments on the European Score Card, in order to establish the chapters and sections which municipalities want to include in the national benchmarking exercise.
2. Prepare a draft National Score Card including the selected chapters, updated in the light of the opinions expressed.
3. Hold a workshop with local government representatives (both staff and elected members) from the interested municipalities to discuss the concept and amend (or add to) the draft National Score Card in ways that make it more meaningful to local circumstances.
4. Prepare the final National Score Card for public ethics at local level.

Step 2. Self-Assessment and creation of a complete National Benchmark

1. Participating municipalities use the National Score Card for self-assessment.
2. Participating municipalities send their replies to the Project Team with the National Score Card form filled in.
3. Confidentially, the Project Team processes the contributions and creates a National Benchmark composed of the National Score Card and the average scores of the participating municipalities. In order to ensure that the National Benchmark is simple enough and scores just slightly better than the average of the replies, the score to each statement will be rounded-up to the next half point and the total score for each section will be adapted accordingly (e.g. if the average score to a statement is 2.31, it will be rounded to 2.5; if it is 2.6 it will be rounded to 3).
4. The National Benchmark is disseminated to all municipalities.
5. Municipalities compare their replies with the National Benchmark in order to identify their strengths and weaknesses.
6. Municipalities prepare an Improvement Programme in order to increase their public ethics standards.
7. After one year, municipalities organise a new assessment in order to verify the situation of public ethics, its evolution and the successfulness of the Programme.

Step 3. Peer Review and follow-up

This is an optional but very powerful part of the Programme.

N.B. Peers should understand that participating in a Peer Review is an extremely valuable personal development experience for them.

1. The National Association invites local authorities to take part in the Peer Review Programme. There is no coercion. Local authorities must want to participate because they see the benefits of doing so.
2. Local authorities express their interest and commitment to join the Peer Review Programme.
3. The National Association establishes a volunteer pool of around 20-30 local experts (Peer Reviewers) from the more senior positions in local authorities (both staff and elected members); the criteria should be knowledge, skills and experience in leadership and service provision in local government.

The pool of Peers may be supplemented by independent people from outside local government but who may have relevant knowledge, skills or experience.

4. The National Association runs a 2-3 day training programme for the pool of experts to familiarise them with the concept and practice of the Public Ethics Benchmarking and Improvement Tool.
5. The Project Team selects a number of the most appropriate volunteering authorities and agrees the dates for the peer visits with them. A visit should last for 3-4 days.
6. For each selected local authority, the Project Team puts together a team of about 4-5 Peers (Peer Review Team) under the leadership of a Mayor or Chief Executive, and supported by a Project Manager, to work with a local authority to carry out the peer assessment and make a report.
7. *Four weeks before the visit.* The Project Manager requests background documents relevant to the Peer Review (e.g. the local self-assessment benchmark, the codes of conduct, results of any survey or public polls, statistics concerning the number and types of complaints, administrative sanctions and court rulings, training strategy, organisation chart, etc.) from the local authority and distributes them to the Peer Reviewers. Each member of the Peer Review Team should receive a set. This will enable the Team to gather a certain amount of evidence in advance of the visit and develop some understanding of the local authority.
8. The Project Manager asks the local authority to make arrangements for accommodation, meals, transport and administrative support for the Peer Review Team for the duration of the visit. Peers work on a voluntary basis but transport and accommodation costs are usually covered by the host.
9. *Two weeks before the visit.* The Project Manager draws up a schedule for the Peer Review visit in consultation with the local authority. The schedule should include individual discussions with key senior staff and elected members, workshops with representative groups of senior, middle and junior staff in different departments, and discussions with the local authority's principal external partners (private and voluntary sector and other public sector bodies).

The aim of the discussions would be to build up a picture of the effectiveness of the local authority from the views of the people involved to complement the evidence gained from relevant documents.
10. The Peer Review visit takes place (3-4 days). The Peer Review Team normally works in pairs, and is guided in each discussion or workshop by a prepared set of questions and in particular by the elements included in the National Benchmark.

The Peer Review Team will also need time to come together to discuss their findings with each other.

11. At the end of the visit, the Peer Review Team will want to discuss its preliminary findings with the leadership of the local authority to seek consensus.
12. Shortly after the visit, the Peer Reviewers submit their written comments and recommendations to the Project Manager.
13. *Two weeks after the visit.* The Project Manager prepares a confidential draft report with conclusions and recommendations, and shares it with the Peer Review Team and local authority concerned.
14. On the basis of the comments received from the local authority and the Reviewers, the Project Manager prepares a final report and sends it to the Peer Review Team and the local authority. If the local authority so desires, this report may be confidential. The report should point to interesting experiences which could be shared (possibly through the Best Practice Programme Tool) and weaknesses which need to be addressed.
15. On the basis of recommendations made in the report, the local authority, as part of its commitment to the Public Ethics Benchmarking and Improvement Tool, draws up an Improvement Programme to build on its strengths, exploit opportunities and tackle weaknesses. This might include introducing specific communication policies, structures and procedures, training programmes, making better use of particular staff, initiating projects, setting targets, etc.

Clear responsibilities will be allocated for implementing and monitoring the Improvement Programme, with final responsibility being given to the Chief Executive/Mayor.
16. The Project Manager arranges a monitoring visit after 12 months to confirm that action is being taken in line with the Improvement Plan.

In the course of the assessment, the Project Team will come across examples of best practice. With the agreement of the local authority, the National Association may want to use these examples as a basis for study visits or case-study publications, so that other local authorities can learn from them.

The European Score Card for Public Ethics at Local Level

The European Score Card is a list of good European practices. It is made up of six separate Chapters. [Participating authorities will first choose which chapter they want to implement and will then adapt these chapters](#) (including by deleting or adding sections and statements and by modifying others) in order to create a National Score Card. The European Score Card provides the starting point for the preparation of a National Benchmark.

Once elaborated, the National Benchmark will include average scores of participating municipalities. It will become the yardstick against which each municipality can be measured, either by self-assessment sessions, or peer reviews.

The Score Card helps identify the basic ethics framework at local level as proposed by the Handbook and is thus intended to help municipalities to identify their strengths and weaknesses. Strengths should be shared, while weaknesses should be addressed by the preparation and implementation of effective Improvement Programmes. There are no 'good' or 'bad' scores but rather they will be a guide to progress and improvement for local authorities and an indicator to local authorities and to the Council of Europe where help may best be provided, and to whom.

It will be seen that the Score Card relies heavily on a limited number of key council documents. However, the participating authorities should also adapt the list of key documents to the national circumstances. The purpose of mentioning these sources of verification is to encourage councils to bring together a range of policies, procedures and practices into such documents. This is in part intended to streamline the source of guidance and controls on any activity or issue where there is an ethical dimension and integrate them into everyday council business. Many councils may have only partly achieved all the expectations in a single document or form, or may have achieved the same impact in different ways and by a variety of documents and procedures. The purpose of the Score Card is not only to explore how far the local authority addresses all the issues but also whether or not there are other means of verification or evidence that the council has in place: the appropriate policies and procedures to verify their scores.

How to complete the Score Card?

Fill in the right hand ("Score") column by giving a score ranging from 0 to the maximum indicated in the "Max Score" column. A zero means "never/not at all", the maximum score means "completely/always": between these, councils may score at that point where they feel they have in place some but not all the expectations or requirements.

Chapter A. Status of Local Elected Representatives

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. General Framework					
A1.1	Adoption of standard Code of Conduct to include clear guidance to councillors as to what should be done in respect of: <ul style="list-style-type: none"> duties and responsibilities, including service to the public mutual respect for rights and obligations on reporting breaches conflict of interest, gifts and hospitality disclosure disclosing any financial, family or other interest in any activity of the council, including meetings, appointments, dealing with officials, etc. allowances, expenses and compensation for loss of wages holding incompatible posts transparent decision making not using official resources or facilities for party purposes corruption and undue influence 	Detailed Code covering all areas		10	
A1.2	The council included amendments to Code to reflect local circumstances	Identified as such in Code		5	
A1.3	The Code is publicly available in booklet form and through the council website	Booklet or website		9	
A1.4	The council identified a committee to monitor the implementation of the Code, including the completion and publication of the register, and to recommend revisions of the Code to the full council	Committee terms of reference		10	
A1.5	All councillors are required to sign an undertaking before taking up office to adhere to the Code and its contents, and to agree to the disciplinary processes associated with the Code. At the start of annual life or cycle of council, all councillors must re-sign agreement to adhere to the Code and its contents	Signed statements, recorded by committee		8	
A1.6	All new councillors receive training/induction in the duties and roles of a councillor, including the purpose and contents of Code, as well as the requirements on completing an entry in the register and on disclosing interests during council proceedings	Training programme		8	
A1.7	The council has a register for all councillors to register financial or family interests, to be publicly available during office hours or published on the council website	Register of interests		10	

A1.8	The council has included the Code within its wider rules and procedures used to govern all proceedings of the council (hereafter called Administrative Procedures or Standing Orders)	Administrative Procedures or Standing Orders document		10	
A1.9	All procurement and supply contracts contain a clause voiding contract if councillors' involvement is identified at any stage (including the evaluation or award process and having links to or involvement with the bidders)	Standard contract		10	
A1.10	The Code has requirements on councillors disclosing relevant interests in any aspect of council proceedings, including official dealings with government agencies, council officials and members of the public	Code		10	
A1.11	All council and committee meetings have terms of reference for the conduct of such meetings. The terms of reference include a requirement that at the start of all meetings, councillors are invited to disclose any relevant interests. Any disclosure is formally taken down in the minutes	Code Committee terms of reference Committee minutes		8	
A1.12	The Administrative Procedures or Standing Orders specify the council policy on dealing with allegations of breaches of the Code and failures to make entries in the register or disclosures during council proceedings. The policy is publicly available and also covers the procedure for members of the public to make a complaint and the sanctions available for proven breaches	Code Administrative Procedures or Standing Orders document		8	
A1.13	The council has a committee designated to receive complaints about and adjudicate on failures to make entries in the register or to make disclosures during council proceedings, and other breaches of the Code. It makes recommendations on its findings to the full council, as well as indicating possible sanctions	Committee terms of reference		10	
A1.14	The Administrative Procedures or Standing Orders specify the full council as the arbiter on the conduct of a councillor and solely responsible for the imposition of any sanction for proven breaches	Administrative Procedures or Standing Orders document		8	
A1.15	Council conducts an annual public survey on perceptions of ethics and conduct and on service satisfaction	Survey report		7	
A1.16	Publication to council or a central government agency of an annual report reviewing ethical framework in terms of Code, documentation, public survey, procedures, work with other agencies, breaches, and imposition of sanctions	Annual report		6	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Disqualification, suspension and termination of office					
A2.1	Subject to any central government body responsible for local government elections, all candidates for local council elections must sign a form attesting that they do not hold any office whose membership would be incompatible with election to the council. Upon election and as part of signing up to the Code, all successful candidates for local council elections must again sign such a form	Pre-election incompatibility form, lodged with Election Commission Post-election incompatibility form, lodged with Election Commission		9	
A2.2	The council has a published policy on reporting any incompatibility which has been drawn to its attention to the appropriate central government agency	Administrative Procedures or Standing Orders document		8	
A2.3	The committee designated in A1.13 has in its terms of reference procedures to suspend or disqualify any councillor holding incompatible posts	Committee terms of reference		10	
A2.4	Where appropriate, the council has signed a protocol with Election Commission or equivalent body to report potential incompatibility and apply any sanctions	Protocol		8	
A2.5	The Committee designated at A1.13 is identified as responsible for receiving, considering, reporting potential breaches and enforcing any sanctions	Committee terms of reference		10	
A2.6	Presentation to council or a central government agency of an annual report reviewing ethical framework in terms of Code, documentation, public survey, procedures, work with other agencies, breaches, and imposition of sanctions (see A1.16)	Annual report		6	
SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
3. Rights and obligations of elected representatives					
A3.1	The council ensures that, in relation to colleagues, officials and members of the public all councillors agree to: <ul style="list-style-type: none"> • Work in the public interest • Avoid discriminatory conduct • Avoid unsuitable or inappropriate behaviour • Adhere to the council Code of Conduct • Report breaches of Code by others • Avoid conflict of interest in relation to personal, financial, family interests or holding other appointments and ensure that everything is disclosed • Exercise budget prudence • Act transparently in making decisions • Do not practise nepotism and canvass for posts, contracts, etc. 	Code of Conduct		10	

	<ul style="list-style-type: none"> • Maintain party discipline • Furnish information as requested within the appropriate council policy • Avoid unauthorised disclosure of information • Promote anti-corruption stance of council • Avoid any interference in the work of officials 				
A3.2	The council has included in its Administrative Procedures or Standing Orders procedures to deal with allegations of failure to adhere to any of the expectations of a councillor listed in A3.1	Administrative Procedures or Standing Orders document		10	
A3.3	The Committee designated at A1.13 is identified as responsible for receiving, considering, reporting potential breaches and enforcing any sanctions	Committee terms of reference		10	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
4. Liability of elected representatives					
A4.1	The council has agreed a protocol with Ombudsman on process to deal with maladministration and redress	Protocol		10	
A4.2	The council published a policy on payments of compensation for maladministration identified by Ombudsman	Administrative Procedures or Standing Orders document		9	
A4.3	The council has published and circulated booklet for public on types of compensation, limits on amounts, process for applying and redress	Booklet or website		8	
A4.4	The council has a committee for adjudicating on Ombudsman recommendations	Committee Terms of reference		9	
A4.5	The council has a policy on recovery from a member or official concerned where official negligence is identified by Ombudsman	Administrative Procedures or Standing Orders document		9	
A4.6	The Administrative Procedures or Standing Orders give guidance on responsibility for official negligence	Administrative Procedures or Standing Orders document		8	
A4.7	The Administrative Procedures or Standing Orders, and committee terms of reference, specify the counting and recording of votes	Administrative Procedures or Standing Orders document Committee Terms of Reference		7	
A4.8	The council has designated a legal official as responsible for giving guidance to councillors and officials on the implications of negligence allegations	Job Description; Terms and Conditions of Service for post		8	
A4.9	The council has designated a legal official as responsible for confirming payment to member of public and acting on recovery where member found negligent	Job Description; Terms and Conditions of Service for post		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
5. Remuneration, working conditions and careers of local elected representatives					
A5.1	Stated policy on remuneration or compensation for elected members for expenses, loss of earnings and allowances	Administrative Procedures or Standing Orders document		9	
A5.2	Independent panel to meet annually to set levels of remuneration, compensation and allowances, comprising councillors and appointed independent members	Panel Terms of Reference		9	
A5.3	Non-councillor appointments to the panel are made after public advertisement, with full publication of the appointments made	Non-councillor members of committee		8	
A5.4	Remuneration and compensation schemes linked to local average management salaries; annual publication of expenditure for all members	Administrative Procedures or Standing Orders document		7	
A5.6	The council maintains a small training budget for skills training for any full-time councillors leaving office	Annual Budget meeting minutes		7	
A5.9	Administrative Procedures and Standing Orders contain requirements that all councillors, on leaving the service or employment of the council, must refrain from working on behalf of their new employer negotiating with former colleagues or officials in relation to any council activity, such as contracting or seeking planning permission, and that failure to do so may void the decision/contract agreed	Administrative Procedures or Standing Orders document		10	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
6. Training, informing and co-operating with local elected representatives					
A6.1	The council has an induction manual for councillors	Manual		10	
A6.2	The council provides a training course, possibly shared with neighbouring councils, on the duties and responsibilities of a councillor, the structure and working of the council, the Code, etc.	Training course programme and materials		8	
A6.3	The council works with neighbouring councils for training purposes, and in particular for updating competences to act as councillor and to be fully conversant with central government requirements	Training course programme and materials		6	

Chapter B. Funding of political parties, political associations³⁴ and individual candidates at local level

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. General Framework					
B1.1	The council signs a protocol with the Election Commission, if such exists, on its election responsibilities or, otherwise, defines on the basis of the law the council's roles during an election - national and local	Protocol		8	
B1.2	Subject to either the law or an Election Commission, the council designates a senior council official as election monitoring official;	Job Description; Terms and Conditions of Service for post		8	
B1.3	Subject to either the law or an Election Commission, the council publishes the rules and regulations on party funding and election expenditure	Booklet or website		7	
B1.4	Subject to either the law or an Election Commission, the council publicises to whom any complaint should be made on any aspect of election and party expenditure	Booklet, poster or website		6	
B1.5	The council issues timely guidance on the procedures for standing for election, and on the conduct of an election, to candidates and voters	Booklet, poster or website		7	
B1.6	As far as is practicable, the council makes available public premises for meetings and for voting stations in all suitable locations with equality of provision and opening hours to ensure accessibility	Booklet, poster or website		7	

³⁴ Associations which put forward candidates in central, regional or local elections or aim at supporting such candidates.

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Funding of Local Political Parties					
B2.1	The council ensures that no public expenditure from the local budget is allocated to parties, party activity and associations affiliated with parties	Administrative Procedures or Standing Orders document		9	
B2.2	The council ensures that no councillor uses any council facility or resource for party purposes without authorisation (see B1.6 above)	Administrative Procedures or Standing Orders document		8	
3. Election Campaign Funding					
B3.1	The council provides facilities and staff to support the administrative work of the Election Commission during an election	Confirmation by Election Commission		8	
B3.2	At the start of any election period, the council sends the register of interests to the Election Commission	Confirmation by Election Commission		7	
4. Monitoring compliance					
B4.1	The council provides facilities and staff to support the monitoring work of the Election Commission during an election	Confirmation by Election Commission		7	
B4.2	After each election, the council publishes the Election Commission's findings on candidate expenditure and the conduct of the election on the council website or in print	Report or website		7	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
5. Information and Publicity					
B5.1	Laws and explanatory material about the conduct of elections, the eligibility of candidates, rules on campaigning and campaign expenditure and the role, if it exists, of an Election Commission, as well as material on who is responsible for dealing with allegations of breaches of any of the above are to be made available to the public during office hours or on the council website by the council's designated official (see B1.2).	Report or website		8	
B5.2	The council supports the administrative work for elections by agreeing a mailshot or mailshots of party material on an equitable basis, and material on voting arrangements	Report or website		6	

Chapter C. Control and audit of local authorities

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. External Control					
C1.1	The council has a designated official point of contact with the external audit agency	Job Description; Terms and Conditions of Service for post		9	
C1.2	The council includes in the officials' terms and conditions of service a requirement that their duty lies to the council but that they are protected from dismissal on the grounds of co-operating with the external audit agency or drawing the agency's attention to activities or expenditure that may be in breach of a council's responsibilities	Job Description; Terms and Conditions of Service for post		10	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Internal Control					
C2.1	The council appoints officials to an Internal audit unit with responsibility for auditing procedures and systems, assessing risk and reporting on mismanagement, service quality, fraud. Such appointments must receive employment protection to undertake such work without fear or undue influence or retaliation (see C1.2)	Job Description; Terms and Conditions of Service for post		10	
C2.2	The council establishes a Finance committee of the council to receive reports from the internal audit unit and then report to whole council	Committee Terms of Reference Report		9	
C2.3	The council, through the internal audit unit, maintains an approved list of private sector audit firms for confirmation of accounts; privatisation; risk assessments, fraud and investments	List held by Internal Audit		8	
3. Judicial supervision					
C3.1	The council has a policy on co-operation and provision of information or documentation to any audit or law enforcement agency officially investigating allegations of financial irregularity or criminal activity	Administrative Procedures or Standing Orders document		9	
C3.2	The council formally implements any judicial decision on the work of the council and makes public such decisions and follow up given to them	Administrative Procedures or Standing Orders document		9	
4. Alternative mechanisms					
C4.1	The council, or designated officials, have established points of contact or protocols either with private sector audit firms, or with appropriate audit, ombudsman and law enforcement agencies to deal with allegations of misconduct	Job Description; Terms and Conditions of Service for post		8	
C4.2	The council invites appropriate audit, ombudsman and law enforcement agencies on an annual basis to advise it on procedures and practices	Submission to council or a central government agency of an annual report reviewing ethical framework in terms of Code, results of public surveys, procedures, work with other agencies, breaches, and imposition of sanctions (see A1.16)		6	

C4.3	The council initiates or is part of peer group membership at councillor or senior official level to discuss areas of common interest	Presentation to council or a central government agency of an annual report (see A1.16)		6	
C4.4	The council considers exchange of councillors or auditors to undertake initial inquiries into allegations of misconduct	Protocol Presentation to council or a central government agency of an annual report (see A1.16)		6	
C4.5	The council invites appropriate councillors or senior officials on an annual basis to peer review procedures and practices	Protocol Publication to council or a central government agency of an annual report (see A1.16)		6	
C4.6	The council ensures that councillors have official premises or locations to hold weekly meetings or surgeries with constituents	Confirmation by councillors		6	
C4.7	The council undertakes biannual or annual public meetings by ward/constituency to discuss council activities and services	Report (see A1.16)		6	
C4.8	Presentation to council or a central government agency of an annual report reviewing Code, procedures, breaches, and imposition of sanctions	Presentation to council or a central government agency of an annual report (see A1.16)		6	

Chapter D. Status of local public servants

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. General framework					
D1.1	The council draws up a Code of Conduct for officials that is equivalent as far as possible to the Code of Conduct for councillors	Detailed Code covering all areas		10	
D1.2	The Code of Conduct is incorporated into terms and conditions of service of all officials and has the force of an employment contract	Standard Terms and Conditions of Service		10	
D1.3	The Code of Conduct is publicly available and, where possible, published on the council website	Publication or website		8	
D1.4	The relevant committee of the council annually reviews the Code	Committee Terms of Reference Annual Report		8	
D1.5	The council publishes the procedure and person or committee responsible for dealing with alleged breaches of the Code in accordance with the law and established employment practice	Terms and Conditions of Service Administrative Procedures or Standing Orders document		9	
D1.6	The council publishes an appropriate appeals procedure as part of the disciplinary process in accordance with the law and established employment practice	Administrative Procedures or Standing Orders document		9	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Disqualification, suspension and termination of duties					
D2.1	All officials' terms and conditions of service contain the requirements on the registration, declaration and resolution of conflicts of interest, including what information to provide and to whom	Terms and Conditions of Service		10	
D2.2	The terms and conditions of service describe the disciplinary procedure on violation of terms and conditions of service	Terms and Conditions of Service		9	
D2.3	The personnel department holds a confidential register on all financial and family interests that relate or may relate to activities of the council, hospitality connected with official duties, and any gifts that may indicate possible conflict with their official duties - all councillors or senior officials who consult their register will sign	Register held in HR		8	

D2.4	All new staff receive induction training, possibly shared with neighbouring councils, and include training on conflict of interest, on accountability and responsibility, customer service and adherence to service delivery charters	Training programme and materials		8	
D2.5	Each year, officials will sign a form confirming their awareness of the requirements on conflict of interest and confirm any entry on the register	Standard form		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
3. Rights and obligations of local public servants					
D3.1	The council has standard terms and conditions of service that reflect the law, central government guidance and standard practice among neighbouring councils	Standard Terms and Conditions of Service		10	
D3.2	The terms and conditions of service include a Code of Conduct that broadly covers the same issues as the Code of Conduct for councillors	Standard Terms and Conditions of Service Code of Conduct		10	
D3.3	The terms and conditions of service have clear guidance on second jobs, incompatible appointments, party membership, or outside income-earning activities	Standard Terms and Conditions of Service		10	
D3.4	All terms of reference of committees include the requirement that no official is discussed or named in public in relation to the performance of any activity in an official capacity	Committee Terms and Conditions of Service		8	
D3.5	The council ensures that each department has monthly meetings to discuss work-related issues	Work consultation meeting minutes held by HR		7	
D3.6	There is a joint councillor-official representative committee to discuss council services and terms and conditions of service	Work consultation meeting minutes held by HR		7	
D3.7	All officials have annual ethics awareness training	Training programme materials		8	
D3.8	All officials are surveyed annually on their awareness of the Code, register of interests and other ethical issues	Results of annual survey held by HR		6	
D3.9	The council provides all officials on appointment with a statement of the legal and lawful requirements of their post, and guidance on what to do if they consider they are being asked to work outside such requirements	Standard Terms and Conditions of Service Whistle-blowing policy		9	
D3.10	The council initiates a whistle-blowing policy with designated internal and external persons or agencies to receive allegations under that policy, the making of which in good faith should be included in officials' terms and conditions of service as not being grounds for disciplinary action or dismissal	Whistle-blowing Policy Job Description; Terms and Conditions of Service for post		9	

D3.11	The council has a policy on recruitment, including where posts are advertised, composition of selection committees, taking up references and feedback to unsuccessful candidates	HR personnel policy file		8	
D3.12	Within the requirements of any employment law or laws governing the activities and conduct of council officials, the council has comprehensive and standard terms and conditions of service for all officials that include the equivalent of the councillors' Code of Conduct	Standard Terms and Conditions of Service Code of Conduct		10	
D3.13	The terms and conditions of service have explicit information on disciplinary, sanctions and appeals process for any breach of the terms and conditions of service	Standard Terms and Conditions of Service		9	
D3.14	The council has monthly worker consultative committees to: report to the council on constraints on, and improvements to, council services; discuss terms and conditions of service	Work consultation meeting minutes held by HR		7	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
4. Liability of local public servants					
D4.1	The council agrees protocol with Ombudsman on the procedure to deal with maladministration and redress	Protocol		8	
D4.2	The council publishes a policy on payments of compensation for maladministration identified by Ombudsman	Booklet or website		7	
D4.3	The council publishes and circulates a booklet for the public on types of compensation, limits on amounts, procedure for applying and redress	Booklet or website		6	
D4.4	The council has a committee for adjudicating on Ombudsman recommendations	Committee Terms of Reference		7	
D4.5	The council has a policy on recovery for a member or official concerned where official negligence is identified by Ombudsman	Administrative Procedures or Standing Orders document		7	
D4.6	The Administrative Procedures or Standing Orders give guidance on responsibility for official negligence	Administrative Procedures or Standing Orders document		6	
D4.7	The Administrative Procedures or Standing Orders, and committee terms of reference, specify that the documentation or official advice on which voting decisions are made shall be recorded	Administrative Procedures or Standing Orders document Committee Terms of Reference		7	
D4.8	The council designates a legal official as responsible for giving guidance to councillors and officials on the implications of negligence allegations	Job Description; Terms and Conditions of Service for post		8	
D4.9	The council designates a legal official as responsible for confirming payment to a member of the public and acting on recovery where a member is found negligent	Job Description; Terms and Conditions of Service for post		8	
D4.10	The council enacts an annual percentage allocation to a group of councils for risk pooling <i>or</i> annual premium payment for fidelity insurance	Annual Budget Allocation Report		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
5. Recruitment, remuneration, working conditions and career development of local public servants					
D5.1	The council has clear recruitment procedures on merit	HR personnel policy file		8	
D5.2	All posts have a business plan to support the need for the post and a specific job description, including qualifications and experience required	Job descriptions for all posts		7	
D5.3	All posts are publicly advertised, in the local media, on posters in council offices and on the council website	Record of advertisements		7	
D5.4	The council documents the selection process, including membership, references, criminal violations, confirmation of qualifications. The process is managed by the employment, human resources or personnel department. All appointments are only confirmed after receipt of references and other checks on the background of the applicants	HR personnel policy file		8	
D5.5	Where there is a formal examination process, the council documents a process to deal with complaints	HR personnel policy file		7	
D5.6	The council, subject to national requirements, publishes salary scales and grades associated with all official posts	Annual council structure chart, with numbers, types of post and associated salary grades, in report or on website		6	
D5.7	The council terms and conditions of service for officials provide clear guidance on eligibility for expenses and allowances	Terms and Conditions of service		9	
D5.8	The council publishes in its personnel manual clear guidance on job descriptions, criteria for promotion, promotion procedures and appeals against failed promotions	HR personnel policy file		6	
D5.9	The council publishes annually a list of expenses and allowances claimed by officials, with explanations of the amounts and purposes	Annual report or on website		6	
D5.10	The terms and conditions of service require that all officials undertake work as stipulated but that transfers and other movements are made on clear and transparent grounds	Terms and Conditions of service		9	
D5.11	The council establishes a committee to oversee the work of the personnel department, approve recruitment for posts, and will hear any appeal on promotions or transfers	Committee Terms of Reference		8	
D5.12	The Code of Conduct in the terms and conditions of service states that the council will treat as a disciplinary offence any proven allegation of discrimination, notably on the ground of age, disability, sex, marital status, sexual orientation, race, colour, ethnic or national origin, social background, political or philosophical opinions or religious beliefs	Administrative Procedures or Standing Orders document Standard Terms and Conditions of Service Code of Conduct		8	
D5.13	The council undertakes an annual review to assess the availability of the appropriate staff levels, resources and facilities to deliver the work outlined in the job description	Annual council structure chart, with numbers, types of post and associated salary grades, in report or on website		6	

D5.14	The personnel department requires all line managers to undertake annual appraisal to assess competences, resources and training requirements of staff to undertake work	HR personnel policy file		6	
D5.15	Administrative Procedures and Standing Orders contain requirements that all officials, on leaving the service or employment of the council, must refrain from working on behalf of their new employer negotiating with former colleagues or councillors in relation to any council activity, such as contracting or seeking planning permission, and that failure to do so may void the decision/contract agreed	Administrative Procedures or Standing Orders document Standard Terms and Conditions of Service Code of Conduct		10	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
6. Training, information, co-operation and transparency					
D6.1	The personnel department has an annual training programme across the council	Training programme and materials Training responsibilities in job description		7	
D6.2	The annual training programme has an ethics module whose delivery includes representatives from agencies responsible for the promotion or investigation of ethical conduct and misconduct	Training programme and materials		8	
D6.3	The personnel department seeks to share the annual training programme with neighbouring councils	Training programme and material		7	
D6.4	The council makes an annual report on its training activities	Annual report (see A1.16), and website		7	
D6.5	The council holds regular briefings for local media	Confirmation by council press officer or mayor's staff, and by local media		6	
D6.6	The council undertakes an annual public survey on perceptions of ethics and conduct and on service satisfaction	Annual report (see A1.16), and website		8	
D6.7	The council publishes an annual anti-corruption strategy, with risk assessments and actions taken	Annual report (see A1.16), and website		6	

Chapter E. Transparency, administrative procedures, anti-corruption campaigns and evaluation

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION/EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION/EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. Transparency and access to information					
E1.1	The council has a general policy document on service delivery, on access to information, and on complaints procedures. This refers not only to the council's internal procedures but also to those available from those agencies with responsibility in whole or in part for the activities of the council (such as a Local Ombudsman or State Audit)	Administrative Procedures or Standing Orders document		8	
E1.2	The council publishes a short policy statement on data protection and access to information. Where documents that may be accessed are not on the website, the council publishes the office and hours of opening where the documents may be accessed; councils may make a small charge for copying	Administrative Procedures or Standing Orders document		8	
E1.3	The background papers to the policy reflect prior consultation with appropriate anti-corruption, ombudsman and other bodies	Papers held by council		6	
E1.4	Council Procedures or Standing Orders have clear statement on days/times of council meetings which is published monthly, and ensure the right of access for the public. Administrative Procedures or Standing Orders prohibit investments unless for a specified purpose and in receipt of the full council's approval.	Administrative Procedures or Standing Orders document		8	
E1.5	All official documents, including committee and council agendas and minutes, and procedures for all departments, are publicly available during office hours or on the council website	Administrative Procedures or Standing Orders document Evidence of access; booklet on access, or on website		8	
E1.6	The council has a policy on recordkeeping, and storage time with a designated official responsible	Administrative Procedures or Standing Orders document Job Description; Terms and Conditions of Service for post		6	
E1.7	The council has an official website, with a designated official to maintain it	Website		7	
E1.8	All services to the public issue a service delivery charter, to be available in relevant council offices	Departmental charters – on paper and on website		9	

E1.9	The Code of Conduct and officials' terms and conditions of service state that unauthorised disclosure is a disciplinary offence	Administrative Procedures or Standing Orders document Standard Terms and Conditions of Service Code of Conduct		9	
------	---	--	--	---	--

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Administrative procedures					
E2.1	The Administrative Procedures or Standing Orders require all grants and funding to be approved by committee rather than administrative action, with allocations formally recorded in minutes	Administrative Procedures or Standing Orders document		9	
E2.2	The council publishes its service delivery processes on initiating requests, decisions, names, access, etc., to be available in all relevant council offices	Council publications		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
3. Anti-corruption campaigns and policies					
E3.1	There is a clear commitment against corruption from the local leadership and councillors, public servants and citizens are well aware of it	Speeches of the mayor and main councillors Council documents		10	
E3.2	There are regular campaigns to encourage citizens' resistance to bribe requests and whistle blowing	Leaflets, brochures, website campaigns		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
4. Evaluation of compliance with ethical standards					
E4.1	There is an anonymous and easily accessible system of collecting complaints (complaints box)	Presence and accessibility of the box		9	
E4.2	The council undertakes an annual public survey on perceptions of ethics and conduct and on service satisfaction; the survey includes questions on the supply side (availability to pay bribes)	Annual report (see A1.16), and on website		6	
E4.3	Data from various sources (complaints box, administrative complaints, cases brought to court and solutions given, public survey) are regularly analysed, published and their evolution is monitored	Council documents and publications		10	

Chapter F. Local authorities' relations with the private sector

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
1. Public contracts for the supply of goods or services, concluded by local authorities					
F1.1	The council has a standard manual or document stating its procurement policy, procedures and required paperwork	Standard procurement policy file and forms		10	
F1.2	The manual specifies the levels of procedure and authorisation by value of contract	Standard procurement policy file and forms		8	
F1.3	Administrative Procedures or Standing Orders require committee approval to proceed with sole-tender contracts on a specified exemption basis	Administrative Procedures or Standing Orders document		9	
F1.4	Administrative Procedures or Standing Orders require committee approval to proceed with contracts linked to activity or service but which are divided by amount or function	Administrative Procedures or Standing Orders document		8	
F1.5	The council has a procurement unit or designated official who will liaise with state audit and internal audit on procedures	Unit terms of reference Job descriptions		8	
F1.6	Each contract specification has published criteria for the selection procedure: quality, purpose, cost, lead-times, continuity, risks, sustainable development, job protection	Standard procurement policy file and forms		9	
F1.7	Each tender is published, with sensible closing dates, in the local or national media	Evidence of local media advertisements or on website		8	

F1.8	All tenders must be submitted with: <ul style="list-style-type: none"> • identification of bidders, owners and sub-contractors • signed agreement to good conduct, voiding and debarment clauses in the event of proven influence or corruption 	Standard procurement policy file and forms		10	
F1.9	All contract tender evaluation processes: <ul style="list-style-type: none"> • require due diligence and independent experts to be part of selection process • include scoring on quality and cost and will involve internal audit 	Standard procurement policy file and forms		9	
F1.10	The Administrative Procedures or Standing Orders specify that no contract extensions or variations may be permitted without a decision by the relevant council committee	Administrative Procedures or Standing Orders document		9	
F1.11	All failed or disqualified bidders are notified in writing as to the reasons why they were not selected	Standard procurement policy file and forms		8	
F1.12	Each contract involves the opportunity for public consultation on projects or contracts which may impact on the public (such as leisure facilities or planning permission)	Standard procurement policy file and forms		7	
F1.13	Any contract document specifies that proven allegations of undue influence or corruption could lead to debarment and voiding with regard to future contracts	Standard procurement policy file and forms		10	
F1.14	The council's Administrative Procedures or Standing Orders, Code of Conduct and terms and conditions of service: <ul style="list-style-type: none"> • prohibit councillors and officials from any involvement in appointments, bids or contracts • make it a disciplinary offence not to declare the involvement of any family member in any appointment, bid or contract • require confidentiality on the part of councillors and officials about sensitive aspects of the contract process • bar councillors and officials from accepting any hospitality from existing or prospective contractors and suppliers • allow the council to void any appointment, bid or contract where any councillor or official failed to disclose the involvement of any family member 	Administrative Procedures or Standing Orders document Standard Terms and Conditions of Service Code of Conduct		10	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
2. Delegation of public services to the private sector					
F2.1	All policies and procedures are compliant with central government guidance	Evidence of guidance in policy documents and noted in committee terms of reference Annual budget allocation report		9	
F2.2	All decisions on delegation are the subject of a due diligence report by council officials and submitted to the relevant council committee, with a focus on the public interest and cost savings in favour of the public	Committee minutes		9	
F2.3	A designated committee decides on any delegation proposal and agrees a contract that specifically addresses: <ul style="list-style-type: none"> • supervision arrangements to protect the public's rights • clear and detailed funding, risk-sharing and delivery protocols • specified reporting arrangements and performance indicators • social provision clauses • clauses to cover pricing and level and range of delivery 	Committee terms of reference Committee minutes		8	
F2.4	All contracts include a requirement to take back the service without compensation if the delivery or charges exceed those agreed	Standard procurement policy file and forms		8	
F2.5	The Council seeks to develop longer-term partnership projects with other councils with joint investment, joint risk agreements and agreed pricing and delivery	Evidence in any existing contracts		7	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
3. Shareholdings					
F3.1	Administrative Procedures or Standing Orders forbid investments unless for a specified purpose and with the approval of the full council	Administrative Procedures or Standing Orders document		10	
F3.2	Administrative Procedures or Standing Orders require audit, or an approved external audit firm, to undertake due diligence of proposed investment to ensure security of scheme, before any decision of the council	Administrative Procedures or Standing Orders document		8	
F3.3	Administrative Procedures or Standing Orders require, where relevant, that the council must require proportionate representation on any board where the level of investment justifies it	Administrative Procedures or Standing Orders document		7	
F3.4	Administrative Procedures or Standing Orders require a designated committee of the council to annually monitor and publish accounts relating to any investment	Administrative Procedures or Standing Orders document Committee Terms of Reference		6	

F3.5	Administrative Procedures or Standing Orders require that, where any contract or signed documentation is associated with an investment, it specifies review and sunset clauses in such contracts	Administrative Procedures or Standing Orders document Standard procurement policy file and forms		9	
------	--	---	--	---	--

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
4. Privatisation of public undertakings					
F4.1	There are policies on sale of public service organisations, including requirements on protection of staff transfer, supply of services back to the community, involvement of audit in the sales process, involvement of those affected in the decision on privatisation	Administrative Procedures or Standing Orders document		9	
F4.2	Post-privatisation service level agreements are reviewed annually	Council or Committee Terms of Reference		8	
F4.3	All contracts include a requirement to restore public ownership of the service at the price of original sale if the delivery or charges exceed those agreed	Standard procurement policy file and forms		9	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
5. Relations with the non-profit sector: subsidising associations and delegating public services to them					
F5.1	There is a policy on funding of non-profit sector with clear criteria and reasons for decisions, including public interest and transparent management	Administrative Procedures or Standing Orders document		8	
F5.2	Due diligence inspection of the association is carried out prior to decision	Committee Terms of Reference Committee Minutes		8	
F5.3	A designated committee of the council decides on funding and conditions associated with funding	Committee Terms of Reference Committee Minutes		7	
F5.4	Published and specific service level agreements are attached to funding decision	Standard procurement policy file and forms		7	

F5.5	Council policy bans councillors and officials from serving on funded associations	Administrative Procedures or Standing Orders document Standard Terms and Conditions of Service Code of Conduct		10	
F5.6	All funding arrangements include a requirement to re-negotiate or rescind any agreement if the delivery or charges exceed those agreed	Standard procurement policy file and forms		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
6. Issuing licences/permits and certificates (particularly in town planning matters)					
F6.1	Service delivery charters are adopted and published governing applications for permits and planning, access to council premises and relevant documentation required	Copies of charters		9	
F6.2	There are official forms that state office/official responsible, timescale for decision, and reasons for decision	Application forms		9	
F6.3	Applications are available for public consultation during office hours	Charters; published office arrangements		7	
F6.4	There are formal public participation procedures for community-relevant licences, such as alcohol sales or planning	Charters; published office arrangements		7	
F6.5	Planning decisions are published in local media or on council website and are available for inspection in the council's offices	Charters; published office arrangements		9	
F6.6	There is a committee in charge of decision review and appeals	Committee terms of reference		8	
F6.7	There is an appeals procedure to external body on planning decisions	Charters; published office arrangements		7	
F6.8	There is a public statement in all application documents for licences and planning warning that influence or bribery will void any decision.	Application forms		8	

SECTION/ STATEMENT	ACTIVITY	STANDARD VERIFICATION / EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION / EVIDENCE (PLEASE DESCRIBE)	MAX SCORE	SCORE
7. Management of municipal assets					
F7.1	There is a full, referenced, published inventory, available during office hours or on website	Asset register, in paper copy and published on website		8	
F7.2	An official responsible for managing assets is designated	Administrative Procedures or Standing Orders document Job Description; Terms and Conditions of Service for post		7	

F7.3	A policy on sale or rent of assets is adopted and published			7	
F7.4	There are formal public participation procedures for community-relevant sale or rent, such as open land or buildings currently used for community purposes	Published procedures		6	
F7.5	There is a committee to oversee sale, rent, use of and income from assets, including appropriate tender and bidding procedures	Committee Terms of Reference		7	
F7.6	Annual inspection of inventory of assets is performed	Annual report submitted to council or committee		6	
F7.7	Annual audit confirmation of the use of and income from assets is effected	Annual report submitted to council or committee		7	
F7.8	There is an annual audit statement of assets held, sold, rented to whom and income received	Annual report submitted to council or committee		7	

GENERAL RESULTS

This is an example of a general results form to be used for self-assessment (in the preliminary self-assessment the Average Score column could be deleted) and Peer review assessment. It is based on the European Score Card and therefore needs to be updated in each country before use according to the Chapters and sections actually retained in the National Score Card.

Chapter	Section	Maximum possible	National Benchmark	Score
A. Status of Local Elected Representatives	1. General Framework	137		
	2. Disqualification, suspension and termination of office	51		
	3. Rights and Obligations of Elected Representatives	30		
	4. Liability of elected representatives	76		
	5. Remuneration, working conditions and careers of local elected representatives	50		
	6. Training, informing and co-operating with local elected representatives	24		
Total Chapter A		368		
B. Funding of political parties, political associations and individual candidates at local level	1. General Framework	53		
	2. Funding of Local Political Parties	17		
	3. Election Campaign Funding	15		
	4. Monitoring compliance	14		
	5. Information and Publicity	14		
Total Chapter B		113		
C. Control and audit of local authorities	1. External Control	19		
	2. Internal Control	27		
	3. Judicial supervision	18		
	4. Alternative mechanisms	50		
Total Chapter C		114		
D. Status of local public servants	1. General framework	54		
	2. Disqualification, suspension and termination of duties	43		
	3. Rights and obligations of local public servants	118		
	4. Liability of local public servants	72		
	5. Recruitment, remuneration, working conditions and career development of local public servants	121		
	6. Training, information, co-operation and transparency	49		
Total Chapter D		457		
E. Transparency, administrative procedures, anti-corruption campaigns and evaluation	1. Transparency and access to information	69		
	2. Administrative procedures	17		
	3. Anti-corruption campaigns and policies	18		
	4. Evaluation of compliance with ethical standards	25		
Total Chapter E		129		



F. Local authorities' relations with the private sector	1. Public contracts for the supply of goods or services, concluded by local authorities	122		
	2. Delegation of public services to the private sector	41		
	3. Share-holdings	40		
	4. Privatisation of public undertakings	26		
	5. Relations with the non-profit sector: subsidising associations and delegating public services to them	48		
	6. Issuing licences/permits and certificates (particularly in town planning matters)	64		
	7. Management of municipal assets	56		
Total Chapter F		397		
GRAND TOTAL		1578		

Model Peer Review Training Concept

The peer review methodology may be a very powerful improving experience for both the reviewers and reviewees, provided that it is conducted in an efficient and organised manner. Training for first-time reviewers is very important.

The model training concept paper presents the plan of a three-day training course. Such a plan includes presentations and discussions on the various aspects of the programme, training on communication skills needed for a successful review visit and role playing exercises.

Modules aiming at helping with the communication skills training are appended. The rest of the substance of the training should be derived from the tool itself and from the Council of Europe's Handbook on public ethics at local level.

1. Introduction

The peer review process is a powerful experience for reviewers and those under review alike. Some training may be necessary for designated peer reviewers in order to make the most out of this process.

This model training concept offers an example of a practical two and a half day Peer Reviewers Training Session. It has been developed for a number of five participating municipalities, a very likely number of pilots upon launching the programme. Explanations concerning its adaptation to a different number of municipalities appear at the end of the document.

2. Participants

Each of the (five) municipalities participating in the Public Ethics Benchmarking and Improvement Programme will appoint 3-5 peer reviewers. Ideally, they should be the Mayor/Deputy Mayor, 1-2 local councillors and 1-3 senior local public servants (at least one of whom having some form of special professional interest in issues related to public ethics at local level).

3. Objectives

1. To develop participants' understanding of the Public Ethics Benchmarking and Improvement Programme;
2. To present to the participants the main elements of the peer review process: preparation for and organisation of visit, conducting of interviews, preparation of conclusions and recommendations;
3. To help participants deal with potential difficult situations of peer review visits;
4. To give participants practical training in the conducting of peer reviews;
5. Establish a network of relations of partners and critical friends across municipalities.

4. Outcome

Participants should be able to fully understand the Programme and the peer review process and to derive maximum benefit for their municipality from it, both when participating as reviewers and when being under review.

5. Programme duration

Two and a half days (this may be adapted where necessary).

6. Preparatory work

Each participant is asked to familiarise him/herself with the main ideas of the Benchmark and prepare a presentation of his/her municipality's practice regarding one of the sections of the Benchmark. If a section is considered to be too large to be usefully presented and discussed during a session, a specific chapter (sub-section) could also be selected.

All participants from the same municipality will be asked to prepare the presentation on the same section. As far as possible, sections to be prepared will differ from one municipality to the other.

7. Model Programme

Ideally, the five half-day sessions (3.5 hours each) in a two and a half day training course should be organised according to the same structure:

- a. Theoretical training (one hour)
 - 2-3 presentations of maximum 10 minutes each;
 - questions and answers (around 20 minutes);
 - open discussion (around 20 minutes).
- b. Practical exercise in workshops
 - presentation by officials of the municipality "under review" (around 15 minutes); in each session, a different municipality will be considered to be "under review";
 - coffee break (15 minutes);
 - interview by the "peer reviewers" (around 30 minutes);
 - preparation of conclusions and recommendations with the help of the moderator (around 30 minutes).
- c. Comparison of results and conclusions in plenary session
 - presentation of conclusions and recommendations by the various moderators (15 minutes);
 - discussion of common elements and variations (around 25 minutes);
 - conclusions concerning the session (around 20 minutes).

a. Theoretical training

In each session, it is suggested that presentations be made by 2-3 experts, preferably with some degree of practical experience. A list of topics for a five-session training course may be:

Session 1:

- Description of the Public Ethics Benchmarking and Improvement Programme – objectives and methodology;
- Skills training: Meeting and greeting – make your partners feel welcome.

Session 2:

- The content and role of the Public Ethics Benchmark in the peer review process – use without abuse;
- Skills training: Body language – understand and uses it properly.

Session 3:

Communications and Relationship Development Skills – how to build confidence and achieve success in a peer review:

- Setting up a meeting environment: space is meant to enhance meetings, not to separate participants;
- Feedback skills: how to give constructive feedback;
- Positive language skills: how to be constructively critical.

Session 4:

- Preparation of the peer review visit – responsibility for the host, for the project co-ordinator and for the peer reviewers;
- Skills training: The importance of good questions – open questions and their usefulness.

Session 5:

- From visit to conclusions: preparation of the report and recommendations;
- Skills training: Growing relationships.

b. Practical exercise in workshops

Ideally, there should be three parallel workshops. If there are three participants from each of the five municipalities, each workshop will receive one participant from each municipality. The composition of the workshop should stay the same throughout the training. Ideally, workshops should be as homogenous as possible (e.g. a workshop of mayors/deputies, a workshop of councillors and a workshop of civil servants).

Where there are more than three participants from each of the five municipalities, they will be distributed among the workshops as evenly and homogeneously as possible.

In any particular session, participants from the same municipality will make presentations, in the various workshops, on the same topic (the topic on which they have been invited to prepare).

Presentations will be followed by questions from the other participants, who will try to identify strengths and weakness in order to prepare, with the help of the moderator, conclusions and recommendations which could be addressed to the municipality making the presentation.

Flip-charts or blackboards will need to be used in order to list and discuss recommendations made by participants.

c. Comparison of results and conclusions

This is an occasion to discuss in a plenary meeting the recommendations reached by the three workshops and to examine the common ideas and the reasons for variations. Consequently, participants would be invited to assess the usefulness and to make conclusions and recommendations in respect of the full session.

8. Practical example of a full session programme (Session 3):

Theoretical training 3: Preparation of the peer review visit – work in plenary meeting		
9.00-9.10 Presentation by international expert		
9.10-9.20 Presentation by local expert		
9.20-9.40 Questions and answers		
9.40-10.00 Open discussion		
Practical exercise of Session 3 – work in workshops		
<i>Workshop 1</i>	<i>Workshop 2</i>	<i>Workshop 3</i>
10.00-10.15 Presentation by Mayor of municipality 3 on Theme 3	10.00-10.15 Presentation by councillor of municipality 3 on Theme 3	10.00-10.15 Presentation by public servant of municipality 3 on Theme 3
10.15-10.30 Coffee break		
10.30-11.00 Questions from the peers	10.30-11.00 Questions from the peers	10.30-11.00 Questions from the peers
11.00-11.30 Preparation of conclusions and recommendations	11.00-11.30 Preparation of conclusions and recommendations	11.00-11.30 Preparation of conclusions and recommendations
Conclusions of Session 3 – work in plenary meeting		
11.30-11.35 – Presentation of conclusions and recommendations by Moderator of Workshop 1 (international expert)		
11.35-11.40 – Presentation of conclusions and recommendations by Moderator of Workshop 2 (local expert)		
11.40-11.45 – Presentation of conclusions and recommendations by Moderator of Workshop 3 (project co-ordinator)		
11.45-12.10 – Discussion of the common elements and variations		
12.10-12.30 – Conclusions concerning Session 3		
12.30-14.00 – Lunch		

N.B. This model programme assumes that the number of participating municipalities is equal to the number of sessions (five).

If the number of municipalities participating is smaller than five, the number of sessions may be reduced accordingly. If the number of municipalities is higher than the number of sessions (more than five municipalities are participating in the programme or less than five sessions can be organised), up to two municipalities can make presentations on the same topic during the Practical Exercise of the same session.

This means that the maximum number of participating municipalities in a Peer Review Training is twice the number of sessions (a maximum of ten municipalities for a two and a half day training course).

Skill Training Modules to be used in connection with the *Model training for peer reviewers concept paper*.

SKILLS 1: Meeting and Greeting – make your partners feel welcome

The relationships formed through the Peer Review visits have the potential to be a significant resource to all municipalities involved in the Peer Review Project for sharing knowledge and experience. How we start a relationship with the Peer Reviewers and representatives of other municipalities can significantly influence the potential for the growth of those relationships. It is 'building a bridge' to that person and their municipality.

In welcoming peer reviewers to your municipality, it is important to consider what acts and gestures may make them feel welcome and lay good foundations for an ongoing professional relationship. Suggestions include:

- introducing yourself to the peer reviewers by telephone before they arrive
- offering to help arrange or provide advice on their travel and accommodation
- providing the peer reviewers with information on your municipal community
- welcome the peer reviewers on their arrival
- provide a short tour of your municipality – its resources, history & culture
- questions to the peer reviewers about their municipality – how it may differ or be the same – to identify subjects and issues of possible common interest

It may help to prepare questions to the person you are meeting to find out their personal and professional interests. What are their community interests? Do they play sport?

The meeting environment

The environment in which a meeting is held and its layout can also influence rapport-building. Desks and furniture between meeting-participants are physical and visual barriers between people and this can contribute to the perception, though unspoken, of there also being a communication barrier. Prior to a meeting, it is good practice to consider how the meeting room and its furniture might be best arranged to maximise the meeting's impact and potential.

Informal seating arrangements encourage people to speak more freely. Rather than sitting across desks from one another, as traditionally in meetings, depending on the number of participants in a meeting, it is suggested that they might:

- if it is a discussion between two people, to sit facing one another, across the corner of a table. In this situation both people have a side of the table available for their papers, though the table is not a physical barrier between them
- in a group meeting, sit in circle of chairs
- in a group meeting, sit together at the one end of the board table or at a smaller group of desks, rather than spread along a long board table.

Although the amount of papers participants have might limit these options, the option chosen should be the one which has the least physical barriers between people. Chairs should be of the same height so participants do not appear or feel they have different status. Be aware of the temperature and airflow in a room, especially in long meetings. In meetings over 90 minutes length it is recommended to take a short comfort break. Meeting participants will be refreshed and more energetic when returning to the meeting.

When meeting others, words of welcome accompanied by a good, firm, but not pressured, handshake conveys confidence and sets the tone for a positive meeting. Offering a beverage before the meeting conveys hospitality and provides the opportunity for rapport-building conversation for example, about their journey and business day.

Skills 2: Body Language and using it to enhance relationships

Humans, just as animals, convey messages about ourselves and our willingness to build rapport with one another by the way we communicate using our bodies. According to a study by the psychologist, Albert Mehrabian, body language constitutes 55% of communication, verbal communication contributes 7% and our tone contributes 38%. Body language therefore conveys powerful messages. Body language is culturally specific and Project participants should be aware of good, appropriate body language from their own culture. However, body language generally is conveyed through:

- gestures
- posture
- facial expressions
- eye contact
- personal space

Positive body language

Positive, open body language is conveyed by standing evenly on both feet, feet square to our shoulders, our arms and legs uncrossed. Rocking back and forth on our feet or standing unevenly can convey uncertainty. Arms folded across our chests and crossed legs can convey discomfort, self-protection, nervousness, defensiveness, stubbornness and unwillingness to engage with others and should be avoided.

When seated, both legs should be on the floor, arms resting to our sides. Steady, relaxed eye contact with others conveys honesty and reliability. Sitting forward in our chairs, leaning slightly towards the person we are meeting and maintaining direct, but relaxed, eye contact with them conveys interest in their ideas. When we sit back in our chairs, cross our arms and legs and do not maintain eye contact we can appear distracted and indifferent to the discussion and the other person. We need too to be aware of our gestures. Gestures can be used to make our communication more expressive. Fidgeting can however convey frustration, nervousness or impatience.

When people sit too far forward at a desk in a meeting, leaning over it, they can appear to lack energy – using the desk for support – or place themselves at a lower eye-line height to the person they are meeting and so seem submissive and 'looking up' to them. If a desk is used in a meeting, it is best used to lay our arms and papers on.

How we respond with our facial expressions can also indicate engagement in another's ideas. Nodding occasionally while listening indicates non-verbally that we have heard what has been said and encourages others to share more of their thoughts and ideas. When we disagree with a point we should not feel constrained from expressing this, but must try not to let our facial expressions be too negative.

Mirroring

One technique to build rapport and help put those with whom we're meeting at ease is to subtly mirror their body posture and gestures. For example, if they take a drink of water from their glass or touch their chin, to slowly and subtly do the same, a few moments later. This creates a feeling of synchronicity and similarity between people.

Skills 3: Feedback Skills and the Power of Open Questions

The Peer Training Project is a potentially powerful opportunity for all involved to share ideas about methodologies to improve governance. The presentations provide the opportunity to receive feedback on ideas to assist their development. Giving feedback should however be handled carefully so that it is a positive and constructive experience. As giving and receiving feedback is a structured process, it is suggested that the process is facilitated or led by a person, external to the group. Before the presentation and feedback sessions starts, participants should agree Ground Rules for the process. It is acknowledged as good practice that the Ground Rules for feedback should:

1. Include the speaker – ask Open Questions

The most powerful learning is that which we identify for ourselves. Powerful tools to prompt self-realisation of need are Open Questions. Open Questions start with What? How? Who? Where? Why? When? And seek an open, explanatory answer. Closed Questions are where we can answer Yes/No. Open questions include:

– What aspects of the ideas you're developing are you most satisfied with?

- What aspects are you least satisfied with?
- How can you and your colleagues address this perceived need?

2. Be specific

Telling a person that “the presentation was quite good” is not very helpful. Try to identify 3-4 specific examples of behaviour or content – something a person did or said. It is crucial therefore to take notes in the presentations. Giving feedback on a person's personality or physique is not helpful.

3. Use the “Compliment Sandwich” approach. Each Peer Reviewer should:

- Feedback on 1-2 strengths of the presentation. What was effective and why?
- Give specific feedback on 1-2 areas of the presentation for development
This feedback should be future-focussed and share ideas on could be changed or developed
- Conclude with a further compliment on strength of the presentation.
- Give the speaker the opportunity to respond to comments and ask questions.

Feedback is constructive if:

- Clear and accurate
- Asked for, rather than imposed
- Future-orientated and solution seeking
- Not accumulated and shared at once
- Given in the context of trust for support and development.

Feedback is not constructive if:

- general and vague
- attacking, blaming or critical of an individual
- past-orientated.

Skills 4: Active Listening

Good communication involves both receiving and responding to information. Hearing is the way in which we physically receive what is said, but listening involves trying to understand meaning and is therefore an active process. The impact of active listening for the person being listened to is that they perceive a heightened interest in the conversation by others. The benefits for the listener include building rapport and gaining a greater depth of information about the speaker and their views, ideas and concerns.

There are different levels of listening, which include:

- Recognising words
- Being aware of meanings
- Picking up on feelings
- Empathising i.e. understanding what is said, from the speaker's point of view
- Noticing non-verbal communication

In meetings we should try to limit barriers to listening such as:

- Physical – interruptions, background noise, room temperature, time constraints
- Psychological – feelings, values, prejudices, stereotypes, lack of concentration
- Linguistic – different uses of words and meaning, difficulty of expression, accents

Active listening is characterised by:

1. Acceptance of what the speaker is saying without judgment
2. Responding in ways that demonstrate the listener has heard and is trying to understand. This often notices and uses the specific words chosen and used by the speaker, to reflect what has been said and is called “Reflective listening”. For example “so if I understand correctly, you felt this approach worked well because of” Reflective listening can also serve to clarify and summarise what has been said, for example “correct me if I am wrong, but to summarise, you think the major causes of this situation are.....” Clarifying and summarising through a discussion and at its conclusion contribute structure and clarity and increases participants’ retention of what has been discussed.
3. Noticing and acknowledging underlying feelings, attitudes and values
4. The listener physically showing they are attentive by their eye contact, alert posture and nodding at appropriate moments

The impact of active and effective listening can be:

- a greater amount of information, and more accurate and in-depth information, is given by the speaker
- the speaker is enabled to speak more freely
- the attention and interest shown by the listener makes the speaker feel more appreciated
- given the opportunity to express their thoughts and feelings, the speaker may come to understand the situation more clearly.

Silence, though sometimes avoided as reflecting awkwardness between people, is not however a negative aspect of communication. Silence in a conversation can provide useful time for thought and reflection. When a listener does not immediately verbally respond to what has been said, but remains focussed on the speaker, the silence can prompt the speaker to continue and to share more and a greater depth of information.

Skills 5: Growing Relationships – Creating an Action Plan

Project participants might consider ways to build upon their personal and professional relationships established during the peer review training for the longer term. Municipalities which participate in the training may however be geographically distant from one another, preventing regular on-going meetings. Geographical remoteness, sensitivity to criticism, competitiveness and the absence of a history of sharing information and experience may all represent barriers to on-going contact and information sharing between municipalities. The development of governance and services in all

municipalities will however be enhanced and progress more rapidly, the greater the pool of knowledge and experience each municipality can draw upon. Each represents a valuable source of knowledge and experience to all others.

Participants should consider the means of communication at their disposal and devise an Action Plan for on-going contact using these resources, which might include:

- Meetings, hosted by a different municipality of the group on each occasion. The meetings might take place at agreed intervals, the responsibility to host and chair the group being shared in turn by each of the municipalities. This shares the burden of hosting duties and provides each host municipality the opportunity to share something more specifically of their municipality at the meeting.
- Telephone – diarizing telephone contact – planning to call and share information on ideas and progress at regular and agreed intervals.
- Newsletter – each member of the group to provide information to the others on their initiatives under the project.
- Internet – if all municipalities which are members of the group have computer and internet access, creation of a web-group for sharing information. This would not however be ideal if all municipalities do not yet have access to the internet.
- What other means of communication can municipalities use?

Creating an Action Plan

Creating an Action Plan for on-going contact ensures that ideas are converted into action and that intended actions following on from the Peer Training are clarified, roles and responsibilities agreed, time frames established and resources identified. Plans encourage commitment and make the prospect and benefit of the on-going contact more real and attainable. Questions for developing an Action Plan may include:

- What needs to happen next?
- How does it need to happen?
- Who will do it?
- By when will it need to be done?
- What resources will be required?
- How will we know if it's been done successfully?
- What will be the next steps?

Centre of Expertise for Local Government Reform
<https://www.coe.int/en/web/good-governance/centre-of-expertise>



Current tools on Good Governance
<https://www.coe.int/en/web/good-governance/toolkits>



ENG

The Council of Europe is an international political organisation promoting human rights, democracy, and the rule of law. Founded in 1949, it has 47 member states including approximately 820 million people. The aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage. Council of Europe member states commit themselves through legal instruments and co-operate on the basis of common values and common political decisions. The most influential instruments of the Council of Europe include the European Convention on Human Rights and, in the field of democracy, the European Charter of Local Self-Government, both ratified by all member states.

The Centre of Expertise for Local Government Reform was established by the Council of Europe in 2006. Its mission is to promote Good Governance through legislative assistance, policy advice, and capacity building to public authorities. The Centre currently has a repertoire of about 18 capacity-building tools which take inspiration from the relevant European standards and best practice. These tools enable the reinforcement and evaluation of the capacities of local authorities with respect to the 12 Principles of Good Democratic Governance. The Centre's connection to the Council of Europe's intergovernmental Committee on Democracy and Governance (CDDG) offers it ready access to high-level government officials from the 47 member states with a reservoir of knowledge and expertise in governance reforms.