

KINGDOM OF MOROCCO



MINISTRY FOR THE REFORM OF THE
ADMINISTRATION AND THE CIVIL
SERVICE



CDL-UD(2018)019
Or. En

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in co-operation with

**THE MINISTRY FOR THE REFORM OF THE ADMINISTRATION
AND THE CIVIL SERVICE OF THE KINGDOM OF MOROCCO**

Regional seminar for senior public officials

UniDem Med

**“IMPROVING THE RELATION BETWEEN THE
ADMINISTRATION AND THE CITIZENS :
A DEMOCRATIC IMPERATIVE”**

Rabat, Morocco

23 – 26 April 2018

TOWARDS AN OPEN AND RESPONSIBLE PUBLIC ADMINISTRATION

by

Mr Lech MARCINKOWSKI

(Public Administration, SIGMA, OECD)

Ensuring Sustainable Democratic Governance and Human Rights in the Southern Mediterranean

Funded
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Methodological Framework for the Principles of Public Administration

Lech Marcinkowski, SIGMA



UniDem Med Regional Seminar:

**Improving the Relations between the Administration
and the citizens: a democratic imperative**

Rabat, 23 April 2018



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Agenda

- SIGMA Programme
- The Principles of Public Administration
- Monitoring Framework for the Principles
- Real-life examples (access to information)
- Discussion (territorial availability of services, delegation of decision-making power)

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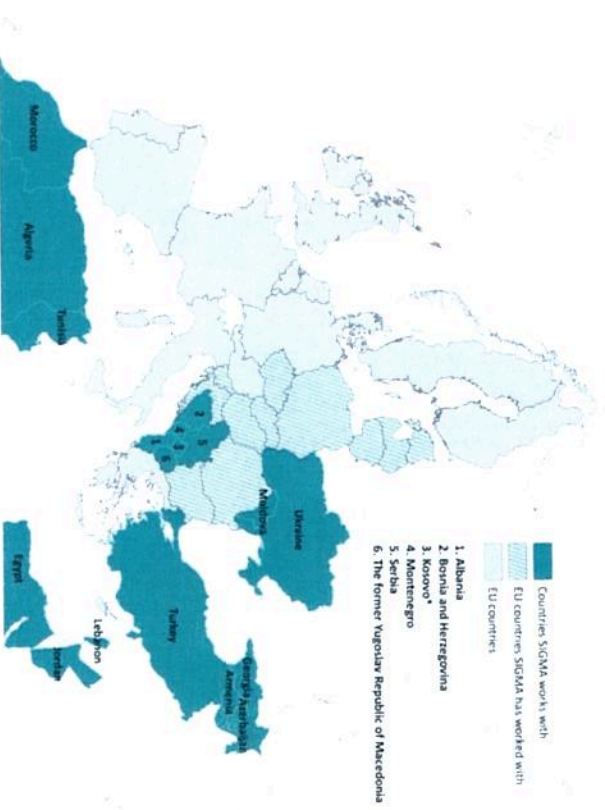
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- Support for Improvement in **Governance** and **Management**
- Joint initiative of the OECD and the EU, principally financed by the EU
- Support to EU accession countries for 25 years and ENP countries for 9 years



SIGMA ENP-SOUTH TEAM



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Why did SIGMA/EC develop the Principles?

- For each government good public administration is a key success factor.
- But what is good public administration ?
- A comprehensive, holistic and cross-sectoral framework was needed
- 38 Principles for ENP countries
- 48 principles for EU accession countries (more focus on IE and *acquis communautaire*)
- Structure: key requirements, principles, sub-principles

Compliance with the Principles is a minimum benchmark of good administration



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Six core areas of a comprehensive framework

Policy
development
and
co-ordination

Public service
and human
resource
management

Accountability

Service
delivery

Public
financial
management

Strategic framework of public administration reform



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Example of Key requirement, Principle and sub-principles

Key requirement: Administration is service-delivery oriented; the quality and accessibility of public services is ensured.

Principle 3: Mechanisms for ensuring the quality of public service are in place.

1. The service-delivery policy promotes one or several quality assurance tools (e.g. service charters, organisational quality management models and quality awards¹, self-assessment frameworks, ISO or other international standards).
2. Processes for regular monitoring of service delivery, assessment and re-design are in place, based on customer satisfaction and an analysis of users' evolving needs.
3. Service modernisation efforts are structured around achieving savings in the time spent by customers, the costs of acquiring and delivering services and the number of times physical presence is required, as well as improving the ease of obtaining both information on services and the services themselves.
4. Public officials involved in service delivery are regularly trained.
5. Mechanisms enabling sharing good practices and their dissemination are in place.
6. Standards of service delivery are set out for the main public services delivered by the public administration.

¹. Such as European Foundation for Quality Management Excellence Model, EU-developed Common Assessment Framework.



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Need to assess the state of public administration

- Without knowing the starting point it is hard to decide **what needs to be changed**
- Without analysing progress over time it is impossible to say **what has been achieved**
- Therefore, the purpose is to provide a methodological tool which allows countries to evaluate their **current state of affairs and progress over time.**
- Monitoring framework has been set up (methodology for assessment)

Evidence-based measurement of



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Aims for the analysis

- Accurate, balanced, and economic measure of each Principle
- Good measure of implementation
- Good measure of outcomes
- Benchmarking and comparisons
- Robust conclusions based on clear criteria, that are replicable
- Actionable recommendations



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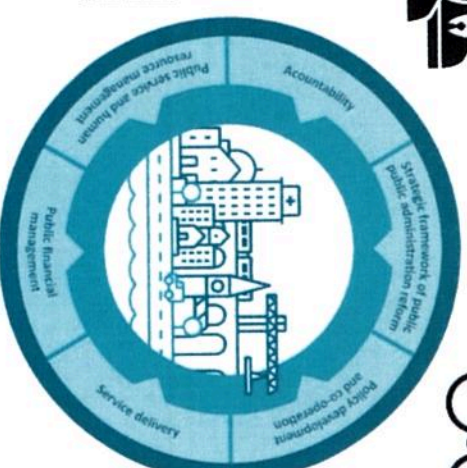


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Indicators that actively mix methods and triangulate data for good analysis

- Mixed methods
 - Desk review
 - Interviews
 - Test of practice
 - On-site verification
 - Review of cases
 - Survey methodology
 - Administrative data
 - Official statistics



- **52 indicators, composed of more than 340 individual sub-indicators**



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Use of the Principles and European Neighbourhood Policy

The Principles can facilitate dialogue with the EU and other donors, helping you to:

- Steer dialogue on public administration reforms
- Define indicators for sector budget support
- Inform discussions on sectoral programmes
- Mainstream public sector-related projects



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Use of the Principles in European Neighbourhood Countries

Each country can decide what to use:

- Full set
- One core area
- One or several Principles
- One or several subprinciples
- One or several indicators
- Any combination of the above



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Jordan: SIGMA review of service delivery area (4 principles)

- Context: ongoing reform Digital Jordan 2020
- Results:
 - Assessment report
 - Short- and medium-term recommendations
 - Explanatory paper
- Follow-up:
 - Action plan,
 - Light assessment of the ongoing reform
- Timeframe: Nov 2016 - Oct 2017 (too long)

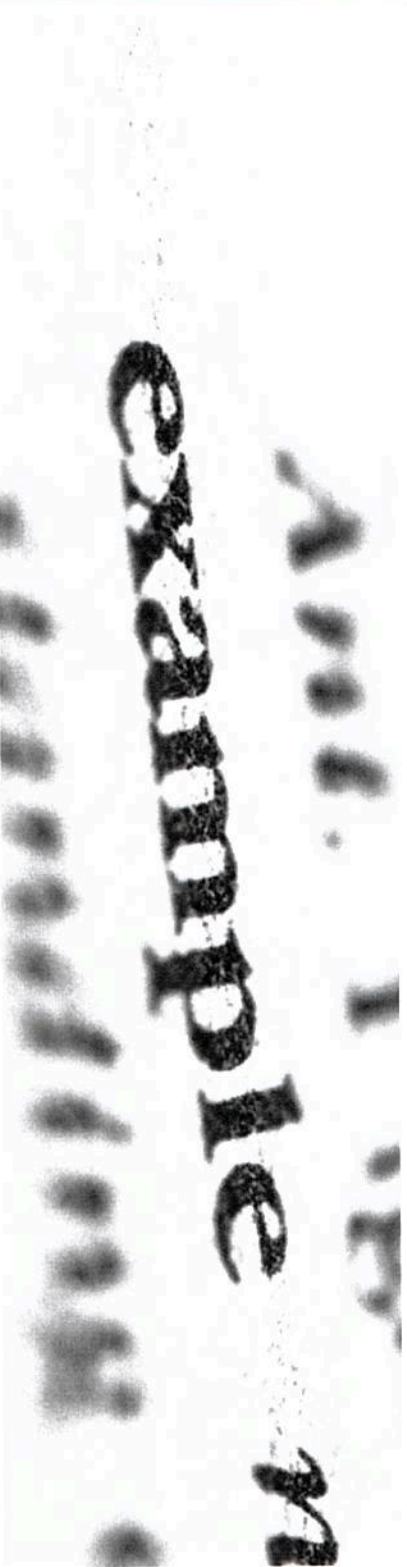
Illustrative examples



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Example: Accountability – access to public information

Principle 3: The right to access public information is enacted in legislation and consistently applied in practice.

1. The right of the individual or legal person to public information is enshrined in a law that is coherent, complete, logically structured, formulated in a simple and clear manner and easily accessible.
2. Public information is defined broadly as encompassing all information that is recorded and documented on the performance of public duties, by either public or private bodies.
3. All information on the performance of public duties that is recorded and documented is considered public unless there are compelling reasons to classify it. Exceptions are set down precisely in law and applied strictly.
4. Public information is disclosed proactively. All public authorities maintain official web pages displaying, at minimum, the information required by regulations (the minimum content includes legal acts, policy plans, public services offered, annual reports, budget, contact information, organisation chart). Information is accurate, up to date and intelligible.

Monitoring Framework – structure of an indicator

Indicator 4.3.1: Accessibility of public information

Sub-indicators Data sources | Maximum points

Legal and institutional framework for access to public information

- 1) Adequacy of legislation on access to public information Legislation 10
- 2) Comprehensiveness of monitoring on the implementation of legislation on access to public information Monitoring reports 5

Citizens' level of access to public information

- 3) Proactivity in disclosure of information by state administration bodies on their websites (%) Government websites 5
- 4) Proactivity in disclosure of datasets by the central government (%) Government websites 5
- 5) Perceived accessibility of public information by the population (%) Survey 2.5
- 6) Perceived accessibility of public information by businesses (%) Survey 2.5

Implementation and subsequent outcomes

Total points	0-5	6-10	11-15	16-20	21-25	26-30
Final indicator value	0	1	2	3	4	5

Sub-indicator: proactive disclosure



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Sub-indicator 4	Proactivity in disclosure of datasets by the central government (%)
Methodology	Number of datasets disclosed online divided by the total number of datasets required by the SIGMA standard and multiplied by 100 to determine the percentage.
4. Proactivity in disclosure of datasets by the central government (%)	5

Point allocation	<ul style="list-style-type: none"> • results of last national elections published aggregated on one website (i.e. the number of votes cast for all candidates in every constituency and appointed representatives) • national statistics on GDP and unemployment for the third quarter of 2016 • the government's annual (or multi-annual) work plan for 2017 or similar document • the government's annual report for 2015 or similar document • legislative proposals of the government as sent to parliament • public tenders announced by central government aggregated on one website • results of all public tenders awarded by central government aggregated on one website • company registry • land registry • salaries of individual senior civil servants (directors general, general secretaries) in all ministries available on the ministries' websites or government's portal <p>The standard is met if the information is available free of charge in all official languages of the country, displayed in a user-friendly manner and published in open format (HTML, PDF or ODF).</p>
Point allocation	<ul style="list-style-type: none"> • 5 points = 80%-100% • 4 points = 70%-79.99% • 3 points = 60%-69.99% • 2 points = 50%-59.99% • 1 point = 40%-49.99% • 0 points = below 40%

Product: Monitoring report



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Accessibility of public information

This indicator measures the extent to which the legal and institutional framework regarding access to public information is established, promoting timely responses to public information requests free of charge or at a reasonable cost. It also covers the practical application of these legal requirements, with particular focus on proactive disclosure of public information and perceptions of availability of public information.

Overall indicator value

0 1 2 3 4 5

Sub-indicators

Points

Legal and institutional framework for access to public information

1. Adequacy of legislation on access to public information	9/10
2. Comprehensiveness of monitoring on the implementation of legislation on access to public information	3/5

Citizens' level of access to public information

3. Proactivity in disclosure of information by state administration bodies on their websites (%)	2/5
4. Proactivity in disclosure of datasets by the central government (%)	2/5
5. Perceived accessibility of public information by the population (%)	1.5/2.5
6. Perceived accessibility of public information by businesses (%)	1/2.5
Total ³⁷⁸	18.5/30



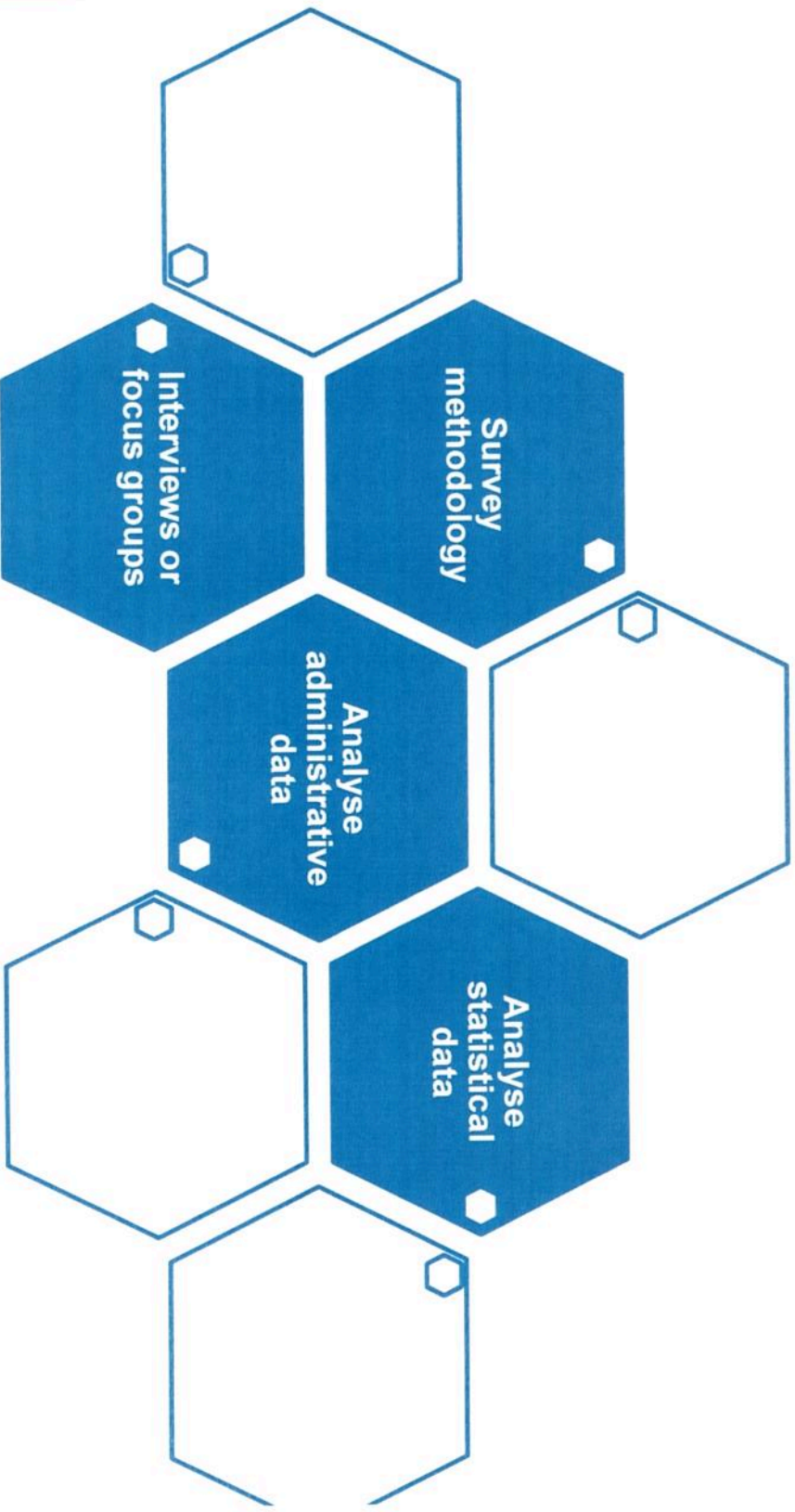
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What method works best in your area?





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PSHRM: Performance appraisal

Principle 6: The professional development of public servants is ensured; this includes regular training, fair performance appraisal, and mobility and promotion based on objective and transparent criteria and merit.

1. Professional training is recognised as a right and duty of public servants, established in law and applied in practice.
2. Strategic training needs assessments and the development of annual/bi-annual training plan(s) are conducted through transparent and inclusive processes, co-ordinated or supported by the central co-ordination unit for public service and/or public service training institution.
3. Strategic annual or bi-annual training plan(s) of public servants (for different categories, including senior managerial positions) are adopted, implemented, monitored and evaluated.
4. Sufficient resources are allocated for training public servants.
5. The principles of performance appraisal are established in law to ensure coherence across the whole public service. The detailed provisions are established in secondary legislation. The performance appraisal of public servants is carried out regularly. Public servants have the right to appeal against unfair performance appraisal decisions.

5. Professionalism of performance assessments	4
6. Linkage between performance appraisals and measures designed to enhance professional achievement	4



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Performance appraisal - criteria

- Legislation meets basic criteria for the performance assessment system (2 points)
 - Performance is assessed against individual objectives;
 - Civil servants are informed about these objectives;
 - The results are recorded in written form;
 - Interviews between the civil servants and their managers are compulsory.
- Performance appraisal is applied to at least 70% of eligible civil servants (1 point)
- The proportion of results falling into the higher performance scales is not over 60% (1 point)



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Questions:

- Do you think this indicator is a valid measure of performance appraisal? Would the results reflect the reality in the country more or less?
- Do you know of any similar or alternative measures of this that have already been done?
- Would the information to assess this be (publically) available? Would the data be reliable?



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Delegation of decision making

Principle 1: The overall organisation of central government is rational, follows adequate policies and regulations and provides for appropriate internal, political, judicial, social and independent accountability.

1. There are rules governing the creation and organisation of all public bodies under the executive power at the central level; a limited number of types of organisational categories are defined; all agencies and similar bodies have a defined line of accountability to the relevant ministry to which they report on a periodic basis.
2. The creation of new bodies and their organisation is controlled in order to ensure their rationality and value for money.
3. Management units report through clear lines of accountability; managerial accountability is enhanced by empowering managers and supervisors and delegating decision making to them.
4. The legal framework clarifies the legal status and degree of autonomy of the different types of autonomous or semi-autonomous bodies, as well as their accountability lines, and enhances a results-oriented management.
5. The ministries have assigned responsibilities for steering and controlling the subordinated agencies/bodies and have sufficient specialised professional capacities available.
6. Direct accountability of agencies to the parliament is an exception.
7. Ministers are answerable for the performance of the agencies/bodies subordinated to their ministry.



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Delegation of decision making

- **5 ministries, 4+3 decisions:**
 - Procurement of low-level purchases (less than EUR 5 000) are signed below the level of minister;
 - Recruitment decisions and employment contracts of senior advisers and similar positions are signed below the level of minister;
 - Payments of salaries to the staff of the ministry are signed below the level of minister;
 - Replies to public information requests are signed below the level of minister;
 - Annual leave requests are formally approved below the level of permanent secretary or equivalent;
 - Business trips of staff members are formally approved (signed) below the level of permanent secretary or equivalent;
 - Approval of training for staff members is authorised below the level of permanent secretary or equivalent.



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Questions:

- Do you think this indicator is a valid measure of delegation of decision making power within ministries? Would the results reflect the reality in the country more or less?
- Do you know of any similar or alternative measures of this that have already been done?
- Would the information to assess this be (publically) available? Would the data be reliable?



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Service Delivery: Territorial accessibility of services

Principle 4: The accessibility of public services is ensured

1. The territorial service-delivery network of state administration ensures equal access to services.
2. One-stop shops/points of single contact covering a wide range of services are available to individuals and businesses.
3. Communication and handling of official matters is possible through user-friendly electronic channels covering a large range of services.
4. Official websites and published leaflets provide contact information and clear advice and guidance on accessing public services, as well as on the rights and obligations of users and the public institutions providing services.
5. Service provision (including e-services) takes into account the needs of special groups of customers (e.g. disabled persons, older persons, cultural or linguistic minorities, foreigners and families with children).



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Territorial availability of public services

- 7 services are assessed from the perspective of physical availability to citizens in the country.
 - Renewing a personal identification document
 - Registering a personal vehicle
 - Declaring and paying personal income taxes
 - Starting a business
 - Obtaining a commercial construction permit
 - Declaring and paying corporate income taxes
 - Declaring and paying value-added taxes



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Point allocation

- There exists **normative standard** for accessibility in terms of distance and/or time from anywhere in the country (1 point);
- **Mobile service delivery solutions** are provided, especially for remote regions, as well as for people with special needs (1 point).
- **Data is available** on the number and type of services rendered **per office** (0.5 points);
- Geo-coded data is available on the position of all the offices providing a service (**map of service providers**) and this information is **publicly available** (0.5 points);



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Questions:

- Do you think this indicator is a valid measure of territorial accessibility? Would the results reflect the reality in the country more or less?
- Do you know of any similar or alternative measures of this that have already been done?
- Would the information to assess this be (publically) available? Would the data be reliable?



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