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رئاسة الحكومة



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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW  
(VENICE COMMISSION)**

**in co-operation with**

**THE PRESIDENCY OF THE GOVERNMENT OF TUNISIA**

**Regional seminar for senior public officials**

**UniDem Med**

**“ TRANSFORMATION AND INNOVATION IN THE SENIOR  
CIVIL SERVICE : CHALLENGES AND OPPORTUNITIES”**

**Tunis, Tunisia**

**24 - 27 September 2018**

**INSTILLING LEADERSHIP AND EXCELLENCE IN THE SENIOR CIVIL  
SERVICE: RECRUITMENT AND MANAGEMENT OF COMPETENCES**

**by**

**Mr Xavier SISTERNAS**

**(Principal Administrator, SIGMA)**

Ensuring Sustainable Democratic Governance and Human Rights in the Southern Mediterranean

Funded  
by the European Union  
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# **A professional “Top Management Service”: conceptual overview**

**Xavier Sisternas, SIGMA/OECD**

## **Unidem Conference**

*Transformation and innovation in the senior  
civil service: challenges and opportunities*

**Tunis, 24-27 September 2018**



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# **1) The top public managers: concept and rationale**



# From policy design to management

*From the dreams and ideas... ...to the results*

## **The Government**

### *Democratic legitimacy*

- Fixes the ministries' agenda (which are the problems to solve now?)
- Defines priorities and gives directions
- Develops public policies (supported by the Administration's expertise)

## **The Administration**

### *Technical legitimacy (expertise)*

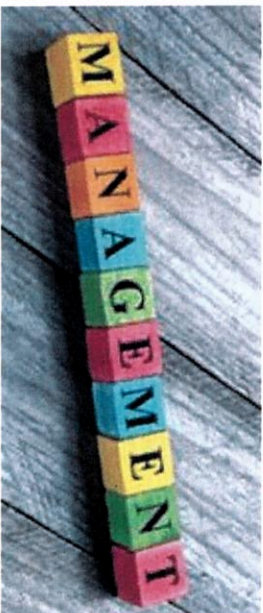
- Looks for technical solutions to the problems identified and selected by the Government
- Implements the public policies, following political priorities and orientations
- Delivers public services

*The Government designs public policies to fulfil its electoral programme and to tackle the political problems and the social needs*

*The political objectives are fulfilled through the public management*



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## **[Operational] Management**

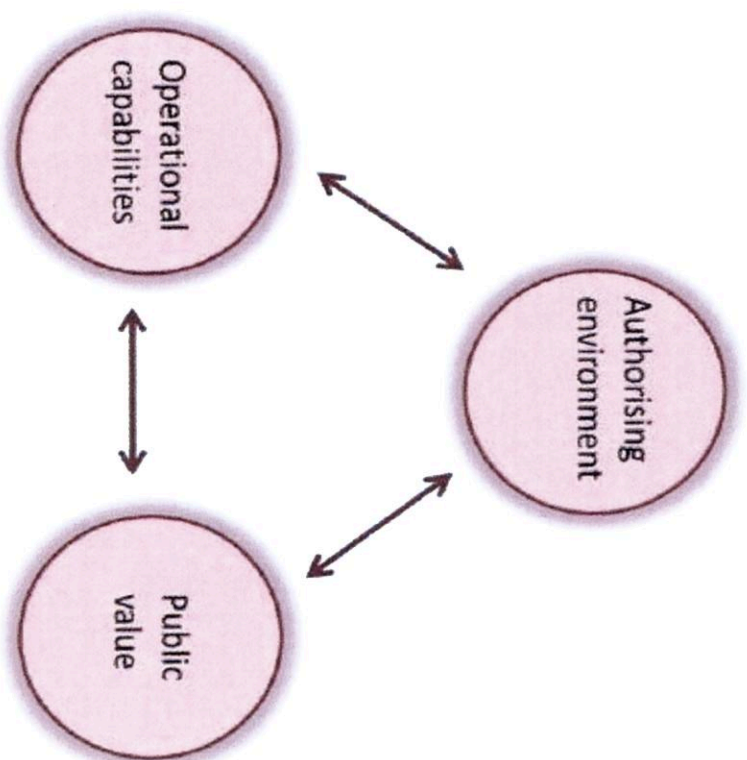
is a process of planning,  
organizing, mobilizing and  
controlling staff and other  
resources to achieve  
results





# The 3 spheres of action of a top public manager\*

1. *Authorising environment*,  
**political sphere**: getting  
legitimacy and support from  
the minister
2. *Public value, strategic*  
**sphere**: maximising the  
value for the citizens
3. *Operational capabilities*,  
**operational sphere**:  
mobilizing the  
organisation/resources



\*Based on Mark Moore





# The top public manager needs a responsibility framework

***Capacity to decide  
and certain discretion***

...not over priorities  
but over processes

***Fully accountable***

...but controls (only)  
at the beginning  
and at the end  
of the management cycle

**Incentives  
and evaluation**

- Continuity or not
- Performance-related pay?
- Sense of achievement
- Working for the society/country
- (Weak) recognition

**Reference values**

- Effectiveness
- Efficiency
- Ethical values





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## **2) A merit-based Top Management Service (TMS): why?**



# Who usually occupies the top management positions in public organisations?

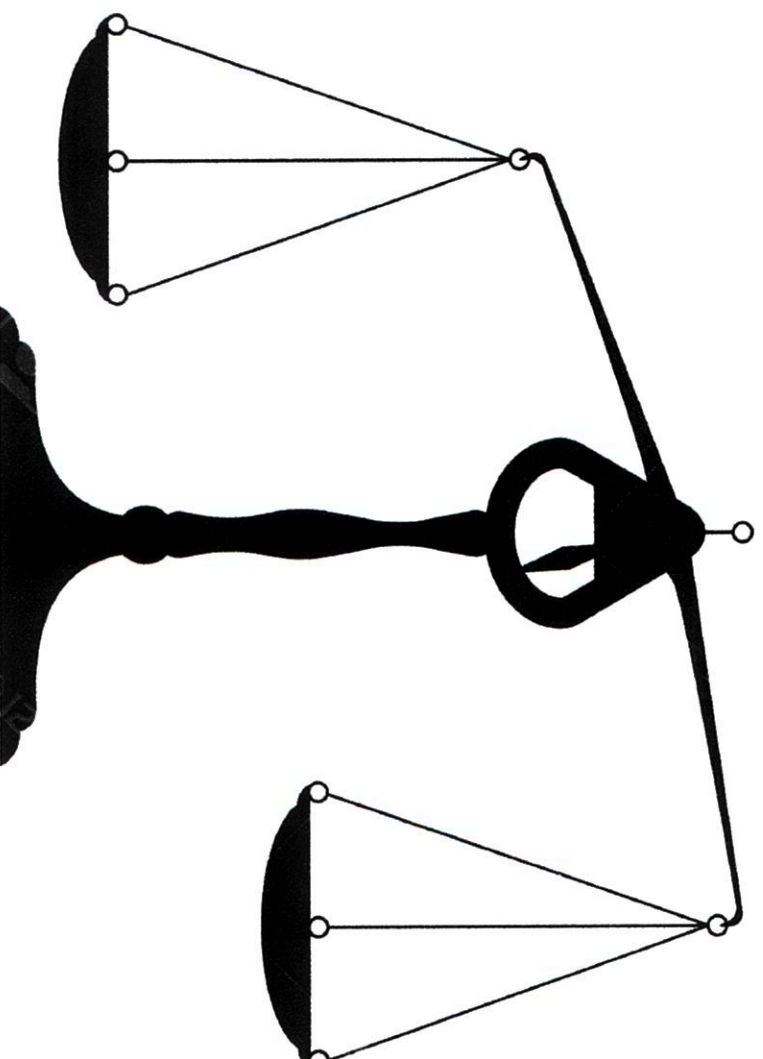
Directors generals, heads of agencies, CEOs of public enterprises...  
...all too often unqualified, unexperienced  
or lacked of managerial skills

1	2	3
<b>"Politicians/ Party officers"</b>	<b>"Bureaucrats"</b>	<b>"Politicised bureaucrats"</b>
Colleagues from the minister's political party/fraction	Civil servants from elite corps	Civil servants close to the minister's party

**Obedience and fidelity**

**over**

**Talent and competence**



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# Top staff turnover with a change of government in OECD countries, 2016

<b>All (&gt; 95%) or many (&gt; 50%)</b> 9 countries	<b>Some (5-49%) or none (&lt; 5%)</b> 26 countries
(All) In EU: Hungary, Slovak Republic, Spain	(None) In EU: Austria, Belgium, Denmark, Estonia, Finland, Ireland, Luxembourg, NL, Portugal, Sweden, UK



# Top Management Service : definition

A Top Management Service (TMS)  
is a differentiated\* HRM system  
for the higher non-political positions  
in the public sector

\*Differentiated: out of the regular civil service





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# Top Management Service: key elements

1. **Position-based** system
2. Open recruitment: **equal access** for civil servants and for any other citizen
3. **Limited-term** appointment, with no permanent tenure
4. **Performance** agreements and incentives
5. **Centralised** system





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# Why to create a TMS?

## To improve the performance of the public organisations:

- Reducing political influence on appointments and dismissals: avoid nepotism
- Expertise: necessary to deal with complex organisations
- Better management: effectiveness and efficiency
- More dynamism: orientation to results
- Stability/continuity across changes of government, election periods and political crisis
- “Frank and fearless” policy advice to politicians
- Neutrality and objectivity in the public action
- Reinforcing the objectiveness of administrative decisions and reducing politically-biased actions
- Reinforcing of the pan-governmental vision/weakening of the ministerial compartmentalisation



# Advantages of an effective TMS



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## For the citizen

- Better quality of public services
- Public money managed more efficiently
- Increased effectiveness of public policies
- Reduction of favouritism:
  - ⇒ Regeneration of politics
  - ⇒ Increased trust in Government

## For the ministers and political authorities

- Through the (good) managers, the minister:
  - Can better ensure that the Government's political decisions are adequately implemented
  - Can gain better control of complex public bodies
  - Can get "frank and fearless" policy advice
  - Can reinforce its influence in terms of strategic capacities and political leadership



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# 3) A merit-based Top Management Service: **how?**



# The principles of a TMS



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Access and selection	Development of the management functions	Evaluation
<p>Attractiveness for senior professionals [low / non-competitive salaries]</p> <p>Open access to all citizens; absence of discrimination</p> <p>(Mainly) based on merit, competitive and transparent</p> <p>Guided by the <u>competency profile</u> identified for the TMS and for the specific position</p> <p>Neutral/non-political selection body</p> <p>Limited mandates (3-7 years); limited renewals</p>	<p>Impartiality and objectivity (<i>professionalism</i>)</p> <p>Loyalty to the Government and receptivity to the political priorities</p> <p>Management autonomy: [limited] discretion on the processes, no discretion on the priorities</p> <p>Performance orientation: effectiveness and efficiency</p> <p>Reinforced ethics</p>	<p>Objectives, resources, action plan and indicators discussed and fixed in advance</p> <p>Explicit competences and responsibilities</p> <p>["Mission charter"]</p> <p>Regular performance assessments</p> <p>Performance incentives: renewal of mandate and bonuses</p> <p>Managerial accountability</p>





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# Competency profile (Quebec, Canada)

## Profil de compétences

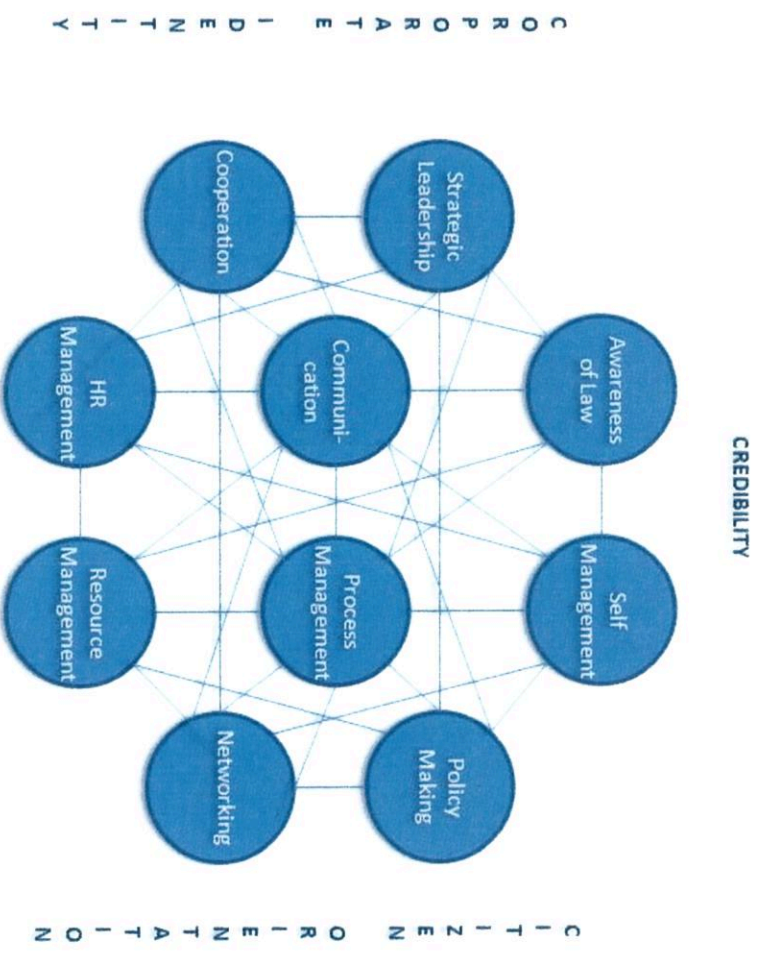
Titulaire d'un emploi supérieur en situation de gestion



Acuité - Écoute - Diplomatie - Résilience - Humilité



# Competency profile (Estonia)



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# A TMS: challenges **for the ministers**

*“Manager’s*

*right to manage”*

The minister

is to manage differently

A TMS cannot fully work  
without political  
authorities exerting  
their role and behaving  
in a respectful way  
regarding the  
managerial roles

Focusing on policy  
objectives and strategies,  
with less operational

command:

- Not interfering in daily management
- Delegating the administrative decisions
- Listening the managers’ advice: obstacles, risks, consequences...





## **A TMS: challenges **for the managers****

### **The manager**

- Should understand, accept and be able to manage in a semipolitical territory
- Should work faithfully to achieve the minister's policy objectives



## 4) Typology of Top Public Management models in EU Member States

	Formal TPM status	No formal TPM status
Special conditions for TPM	No. 1 With central TPM office: EE, NL, UK ..... BE, CZ, IE, FR** (level 1), IT, LU, MT, PL, PT, RO, FI No. 2	DK, DE*, ES, FR** (level 2), SL, CY, LV, LT, HU*, AT, SK*, SE, EC No. 4
No special conditions for TPM	BG No. 3	HRV No. 5

Source: H. Kuperus and A. Rode, Top Public Managers in Europe, 2016





# Recommended readings

SIGMA/OECD, Analysis of the Professionalisation of the Senior Civil Service and the Way Forward for the Western Balkans. SIGMA PAPER No. 55, 2018

<http://www.sigmaweb.org/publications/Analysis-of-the-professionalisation-of-the-senior-civil-service-and-the-way-forward-for-the-Western-Balkans-SIGMA-Paper-55-May-2018.pdf>

EUPAN, **Top Public Managers in Europe**. Management and Employment in Central Public Administrations, 2016

[http://www.eupan.eu/files/repository/20170206083832\\_TopPublicManagersinEurope2016Managementsummary.pdf](http://www.eupan.eu/files/repository/20170206083832_TopPublicManagersinEurope2016Managementsummary.pdf)

OECD, **Government at a Glance 2017**

<http://www.oecd.org/gov/government-at-a-glance-22214399.htm>





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**Thank you/Merci/ا  
شكر**

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