



Challenges to and Opportunities for Public Administration in the Context of the Financial and Economic Crisis

# TRANSPARENCY AND RESPONSIVE ACCOUNTABILITY

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*The current crisis has forced governments to make urgent and swift decisions with limited engagement of the public in the decision-making process. Being accountable, transparent and responsive during the implementation of solutions to the crisis is imperative to maintain public trust.*

OECD, "Government at a Glance, 2009"



# THE OPENNESS CONTRIBUTION TO GOOD GOVERNANCE

## → **Strengthens democracy**

- Contributes to punish misgovernment
- Exposes abuse of power
- Offers greater protection to minorities, providing better opportunities to popular participation

## → **Improves economic performance**

- High levels of transparency, effective parliamentary oversight, and high standards of corporate ethics are related to a higher rate of GDP growth (D. Kaufmann, World Bank Institute)

## → **Improves government performance**

- Better regulatory quality, budgetary management, and public expenditure processes (OECD)

## → **Maintains and restores public trust**

# MORE TRANSPARENCY

(Exposing government to a greater public scrutiny)

## Freedom of information

Access to information, a precondition for public scrutiny. It implies that governments publish information extensively and limits access only in cases of : **a)** public interest requiring confidentiality (i.e. for public security reasons); or **b)** protection of individuals' right to privacy

## Openness regarding government performance

Public access to data bases including performance measures. Publication of reports on government results. Massive use of ICTs to gather and publish information in a useful way for citizens

## Information on future decisions

Allowing public scrutiny of past government actions requires the publication of : **a)** strategic plans; **b)** legislative timetables; **c)** forthcoming projects; **d)** upcoming consultations. It is specially important in periods where governments are compelled to make tough choices and unpopular decisions

# MORE ACCESSIBILITY

(Facilitating citizens' access to public processes)

## **Equal treatment**

Provisions in legal administrative procedure have to uphold the rule of law and guarantee the citizens rights. A special consideration is due to citizens who are potentially affected by administrative decisions.

## **Service charters**

As a way to improve the quality of public services, charters define service standards, response times, opening hours, redress mechanisms, and other elements that well-informed users should know when interacting with government.

## **Reduction of administrative burdens**

Administrative simplification allows to reduce the transaction costs of dealing with government. One stop shops, both physical and electronic, are means to facilitate and simplify the access for the public.

## **Reducing barriers and fostering inclusion**

Application of the principle of subsidiarity (devolution policies) and use of ICT bring government closer to citizens. Some governments have made efforts, too, to provide services in minority languages.

# MORE ACCESSIBILITY

(Facilitating citizens' access to public processes)

## E-Government

A high level of readiness to develop and implement e-government services is a prerequisite for a high performing public sector that delivers integrated services, making life easier for citizens and business.

E-government can significantly lower the barriers for citizens and businesses by:

- a) reducing costs
- b) overcoming physical distances
- c) providing unrestricted access to government information and online services

In the current crisis scenario, e-government can be used for bringing down costs (i.e., reducing the number of services requiring the user's presence), better coordinating public activities, and decreasing the political costs of budget cuts and other unpopular measures.

# MORE ACCESSIBILITY

(Facilitating citizens' access to public processes)

## Measuring E-Government capacities

The **UN e-government readiness index** measures the capacity of governments to develop and implement e-government services. It consists of three sub-indices: the web measure index (quality of e-services and e-products); the telecommunication infrastructure index (infrastructure capacity); and the human capital index (educational levels of population)

The **European Commission e-government service maturity model** measures the maturity of 20 core e-government services using 3 indicators: a) sophistication (level of progress); b) full on line availability (number of services that can be entirely handled online); and c) national portal (degree of “one stop shop” in the main government website)

# MORE RESPONSIVENESS

**(Make the government responsive to new ideas, demand and needs)**

## **Better regulation**

The use of RIA (Regulatory Impact Analysis ), a tool that examines the effects of new regulation, has helped governments reduce regulatory costs to business. The current crisis and the present upsurge of regulatory governance demand excellent law- and rule-making practices.

## **Expanding public consultation**

The crisis compels governments to reach greater consensus on public decisions. New ways of engaging a wider range of actors throughout the policy-making process must be sought. These efforts are not intended to replace, but rather to complement, the representative democracy and the key role of elected governments and parliaments in the policy process.

## **Developing the potential of e-consultation**

New tools for online consultations include: government consultation portals; e-mail lists; online discussion forums; and online mediation systems to support deliberation. These are new tools in policy-making and examples of good practice are scarce yet.



# MORE ACCOUNTABILITY

*(Manage the expectations generated within and outside government) (1)*

## LEGAL ACCOUNTABILITY

### **Strengthen the Administration of Justice**

Public accountability under a Good Governance framework requires, above all, an independent and agile judicial system.

### **Ensuring robust external audit**

Supreme audit institutions are of central importance in exercising oversight of the executive branch and ensuring accountability of public funds usage. It is advisable to design these institutions as independent authorities, whose head is appointed by, and reports to, the legislature.

### **Establishing Ombudsman offices**

These offices are generally appointed by the parliaments and offer an important point of entry for citizen's complaints, appeals, and claims regarding the public administration.

(1) Definition and typology: Romzek & Dubnik, 1987)

# MORE ACCOUNTABILITY

*(Manage the expectations generated within and outside government) (1)*

## HIERARCHICAL ACCOUNTABILITY

### **Strategic focus**

Times of crisis inevitably require public officials to focus on priority objectives and action. Such times require the reassessment of the spending priorities.

### **Performance management**

Introduce management-by-objectives systems. Assess performance—at all levels—in relation to previously defined targets and measures. Develop management information systems to support performance management system.

### **Managerial accountability**

Employee accountability based on organizational and individual performance. Construct employee contractual framework based on principal-agent logic. Introduce incentive mechanisms (including sanctions) linked to performance.

(1) Definition and typology: Romzek & Dubnik, 1987)

# MORE ACCOUNTABILITY

*(Manage the expectations generated within and outside government) (1)*

## POLITICAL ACCOUNTABILITY

### **Strengthening parliamentary scrutiny**

Establish the obligation of ministers to respond to questions by members of parliament. Create special committees and other organs of control to track budget execution. Give power to parliament to launch inquiries.

### **Facilitating the role of external public watchdogs**

The number of civil society organizations with a sector-specific (e.g. environmental) or particular interest in ensuring the government openness (e.g. anticorruption, good governance) has risen significantly. Open governments should enhance their capacity for monitoring government action.

The innovative use of e-tools to collect and disseminate publicly available information , and their capacity to raise public awareness via the media, make them a force to be reckoned with.

(1) Definition and typology: Romzek & Dubnik, 1987)

# MORE ACCOUNTABILITY

*(Manage the expectations generated within and outside government) (1)*

## PROFESSIONAL ACCOUNTABILITY

### **Professionalize public employment**

Constructing merit-based employment systems—including competitive access, working conditions guaranteeing impartiality—is a fundamental prerequisite for attaining professional, corruption-free public administrations.

### **Strengthen the ethics of public employment**

Based on a merit-based system, public administrations can develop an ethics of public employment around the concept of responsible public professionalism. Government have the challenge to strengthen the ethical infrastructure of public-sector organizations.

### **Civil service charters**

UN initiatives such as the African or Iberoamerican civil service charters are powerful tools to promote professional public service values in areas of the world, where public sector capture and spoil systems still persist.

(1) Definition and typology: Romzek & Dubnik, 1987)

# FUTURE CHALLENGES

Openness is not an absolute good. It can collide with other public values. Building transparent, accessible, responsive, and accountable governments should take account of trade-offs challenges

## → Avoiding unintended consequences

- Performance measurement can move organizational focus to what is measurable rather than what is important.
- If all policy deliberations are held in the public realm, the quality of advice may be undermined.

## → Reconciling equity and openness

- Sometimes, the principal users of transparency instruments are businesses, seeking information on contracts or regulations, rather than the media, civil society organizations or individual citizens.
- Achieving a greater public awareness of the possibilities entailed by open government provisions may create a more equitable playing field.

# FUTURE CHALLENGES

## → **Managing the public-private interface**

- The public-private interface is today a wide “grey zone” where boundaries are unclear and applicable rules can be confusing.
- Clear guidelines and strong oversight are needed to adequately manage access to information, data protection, and privacy rights of agents and enterprises that provide publicly funded services.

## → **Preserving representative government**

- Participatory democracy mechanisms may imply that public officials and members of parliaments invest more time and energy in explaining their proposals and seeking citizen’s views than in making decisions.
- Elected and appointed officials cannot relinquish their responsibility for taking final decisions. To do otherwise would undermine the established accountability mechanisms of representative government.

## → **Preserving public trust**

- Ensuring public trust may require—in the decision-making process—some degree of confidentiality. Without it, hard truths are not told and good advice is replaced by self-censorship. Both of which are specially needed in times of economic crisis.