19th Session of the Committee of Experts on Public Administration (CEPA)

Written Input by Public Services International

Agenda item 7: Government and public sector workforce of the future

The new paper prepared by the Committee raises very interesting questions. First, there is the issue of the property rights or ownership of data.

The Economist already described data in a cover story in 2017 as the new oil, remarking that data had become the "world's most valuable resource". Indeed, everything we do produces data (what, where and when we buy things; our movements, whether it is by car or if we simply do a bit of workout; the time we spend in front of a screen; the time it takes to write and email), which then is collected, stored, segmented, and analysed very easily by those with the ability to monetized it. The paper Public Sector Workers in a Data-based Society (IT for Change, 2019) shows that data is a valuable resource created by the collective work of users and workers who have handed over the rights to this work without adequate compensation. Further, the data only has value in its aggregated form. In the current situation, we are giving the property of a natural monopoly to global digital corporations – largely US based, and now some from China – with all the associated economic, social and political problems that such monopolies bring.

Despite its importance for modern economies, few governments have already developed policies or institutions to ensure data can be utilised for public good and generate public resources. As a result, the data governments need to operate critical public services is in the hands of private companies, and/or many governments are handing over the rights to this data without understanding its value, without compensation, and without fully assessing privacy issues and implications. See the case of the UK National Health Service handling patient's data to Google. Also, for instance, Uber holds essential data on city traffic flows that is both very important for policy makers and car manufactures alike, genome mapping companies are collecting massive databases on DNA sequencing required to develop future medicines, and Facebook can influence election results with essentially no regulatory oversight.

On the other hand, trade instruments are increasingly securing corporate protections over data, data that is essential for the delivery of public services, public revenue, as well as for the operations of a functioning democratic state. The now defunct Trade in Services Agreement (TISA) pushed for the expansion of these rules. However, such clauses have returned in other regional trade deals and a renewed push for e-commerce rules in the World Trade Organization.

For these reasons, data should be best seen as a collective resource of the community that created it – much like mineral resources are the collective resources of the nation whose land it lies under. This will potentially resolve many of the problems currently created by big tech and will ensure that governments maintain control and ownership over data necessary to provide national security, realise human rights and provide quality public services.

In addition, raw data needs to be preserved and secured, and regulations are needed to give data owners the ability to monetize their data while still respecting their privacy.

Second, when the paper refers to "focusing on people" it seems to suggest that (i) the transformation of public services should only orbit around or take into account the expectations and needs of "customers" and (ii) that the "Uberization" of the public sector workforce is inevitable or even desirable in order to fulfil those demands or expectations.

We have concerns with such an approach. For instance, a human-centred approach in the context of the "future of work" discussions that took place at the International Labour Organization included consideration of the rights and wellbeing of workers as well. The transformation and modernization of the public sector should also weight the impacts on the workforce. The report Digitalization and Public Services: A Labour Perspective (Voss & Rego, 2019) concludes that the outcomes for workers and users of public services which undergo digital transformation depends on the balance of power over control of the changes. Such power must not be left solely in the hands of corporate actors but should include the social partners and be regulated in the public interest. If not, several major negative aspects can arise including (i) facilitating privatisation, (ii) creating dependency of public institutions on private digital technology providers, (iii) increasing surveillance and control of workers in the workplace, (iv) work intensification leading to health and safety risks, (v) cost cutting and job losses (vi) less responsive and accessible public services, (vii) more precarious and informal work and de-unionisation.

The "Uberization" of the public sector workforce could lead to the same outcome, and, as an example, there are cases within the UN. Consultants make up a considerable part of the UN workforce and UN management resorts to consultancy/external collaboration contracts to reduce costs and be more flexible or "agile" to respond to the member States' needs. Whereas the situation is not new (two UN Joint Inspection Unit reports, of 2012 and 2014, already addressed the problem and issued recommendations), a PSI-backed survey carried out in 2018 shows that this "flexible" work status is creating further problems for UN consultants in Geneva, in addition to their precarious situation.

In the last section of the paper, the Committee refers – among other issues – to the adoption of performance management systems and monetary and non-monetary incentives in the public sector. The Committee also highlights the criticism these systems attract.

This resembles very much – if not the same – to performance-related pay schemes introduced in many countries in previous decades, which have been discussed and assessed at length. In this regard, we would like to quote the study Performance-Related Pay for Government Employees (OECD, 2005), which refers that "[p]erformance pay is an appealing idea, but the experiences reviewed in this study indicate that its implementation is complex and difficult. Previous OECD studies on the impact of performance pay at the managerial level concluded that many of the schemes had failed to satisfy key motivational requirements for effective performance pay, because of design and implementation problems, but also because performance assessment is inherently difficult in the public sector (OECD, 1993; OECD, 1997)". Therefore, public administrations should be cautious when implementing these systems in order to avoid obstacles faced in the past.

Public Services International wishes the Committee a fruitful deliberation in addressing these and the other issues in the Agenda of its 19th session.