

12 The Province of Limburg

The integrity network works

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Introduction

Administration with integrity

Integrity is an intrinsic part of good public administration. The government's monopoly position, coupled with the fact that it spends public funds, means that a high degree of integrity is demanded of the administration. Public trust in the government and its civil servants depends largely on the ethical status of public administration and the ways in which it is manifested. In the province of Limburg, that awareness is strongly represented. Promotion of the integrity of public administration in this province is a joint effort of the municipal authorities, the water authorities and the provincial authority. Limburg puts effort into integrity. This article outlines the alliance formed within Limburg in the field of promotion of official (concerning civil servants) and political-administrative (appointed and elected office holders) integrity; 'the Limburg method.'

Public administration

Dutch public administration consists of central government, the provincial authorities, the municipal authorities and the water authorities, with each of these tiers of government having its own duties. The provincial authority is an administrative tier lying between central government and the municipal and water authorities. The provincial authority has a supervisory role in relation to the municipal and water authorities. 'Province' refers both to a tier of government and to a geographical region of the Netherlands. The key tasks of the provincial authority lie in the fields of spatial development, the environment, energy and climate, public transport, the economy, culture and the quality of public administration.

Limburg is one of the twelve Dutch provinces, lying in the southernmost part of the Netherlands, between Germany, Wallonia and Flanders. Limburg has a population of 1.2 million. The public administration consists of the provincial authority, 33 municipal authorities and two water authori-

ties. The Limburg Provincial Parliament is the highest legislative body in Limburg, while the day-to-day management is in the hands of the Provincial Executive, with the King's commissioner chairing both administrative bodies. According to an old tradition, in Limburg the commissioner is known as the governor.

The provincial objective for the coming four years is best summarised by the name of the coalition accord recently drawn up: 'In action for a prosperous and socially committed Limburg'. The provincial authority employs 750 civil servants.

Joint integrity policy

Following a recent legal amendment, the King's commissioners are responsible for providing for integrity promotion at the provincial level. The mayors and chairmen of the water authorities have the same responsibility in relation to their organisations. In laying down the duty of care for integrity in law, the legislators aimed to eliminate the vulnerabilities relating to the position of these administrators in this field and to support them in the unrestricted enforcement of administrative integrity within their own organisations. On the basis of this joint responsibility, the mayors, the chairmen and the King's commissioner decided in 2012 to work intensively together in the field of integrity, on a voluntary basis.

In the southern part of the province, officials from the different authorities had already been working together in the field of integrity since 2006. In order to be able to advance the development of the integrity policy and to broaden this to the political-administrative environment, this alliance was upscaled in 2012 to the level of the entire province. Because the administrators took the initiative for this jointly, on the basis of the responsibility relating to their duty of care, it became clear to stakeholders that in Limburg considerable value is attached to ethical administration. The members share the view that the theme of integrity merits permanent attention.

Limburg has several alliances for different dossiers. Over the years, the larger municipal authorities have adopted the role of core municipal authorities, with both large and smaller municipal authorities experiencing the importance and power of administrative collaboration. The resistance to alliances that apparently exists in other provinces is considerably

smaller in Limburg, due to predominantly positive past experiences. In that light, the willingness to enter into far-reaching collaboration in the field of integrity can be explained.

Collaboration Objectives

The objective of the alliance is to develop the integrity maturity of public administration in Limburg. Every public administration in the Netherlands, including those in Limburg, has a duty to develop its domestic integrity policy and to set its own priorities. As a result of this policy, enormous diversity in the development of domestic integrity policies has arisen. Not every administration attached the same importance to the development and implementation of a balanced integrity policy and some municipal authorities all but lost interest in the theme of integrity. Consequently, the development of integrity policy remained primarily incident-driven across the board.

In Limburg too, the development of a uniform vision of integrity has only partly been realised. Not every administrative body proved able to deploy resources, experience and expertise in order to develop and implement a high quality integrity policy on its own. By addressing policy development together and linking the parties that are trailing to the leaders, strong professionalisation is now taking place in all the organisations working together in this domain, with relatively little effort.

Due to some incidents in the past, Limburg suffers an image problem concerning integrity. The members of the public administration in Limburg accept that little or no influence can be exerted on shifting perceptions. The decision to work together intensively in the field of integrity was therefore based on the need for professionalization of policy-making and to address the administrative duty of care. Furthermore, the fact that intensification of policy could be coupled with an increase in the number of reports and further to this, increased national attention to incidents in Limburg, was accepted without reserve. The envisaged secondary effects of the alliance therefore lie in the field of sharing knowledge, experience and expertise and the joint application of the instruments developed. The alliance offers the possibility to learn from each other at all levels and to consequently develop a common vision of integrity.

Improving the quality of the integrity policy, increasing efficiency, the development and application of best practices and creating the ability to address the theme of integrity on a permanent basis are also objectives of the alliance.

The integrity structure in Limburg

Embedding of collaboration

In order to be able to embed the alliance in the affiliated organisations, a form was sought in which the development of the joint integrity policy could take place. This led to the creation of the Limburg integrity structure. The structure consists of a steering committee, a working group, an official counsellor (for civil servants), an administrative counsellor and integrity officers. The organisations participate in the structure on a voluntary basis. The administrative bodies have consented fully to joining the alliance structure. The structure has an informal character and the members are equal; there is no hierarchy. That enables a fast and effective collaboration

The steering committee

The steering committee heads the alliance. The steering committee consists of four mayors, the chairman of a water authority and the governor, who also serves as chairman of the steering committee. The committee meets as often as is considered necessary, but at least twice a year.

The tasks of the steering committee are:

- To promote administrative collaboration in integrity policy;
- To develop a long-term vision;
- To focus continual attention on integrity risks in public administration;
- To stimulate new developments;
- To create support in the members' own organisations;
- To assign tasks to the working group and confidential integrity counsellors;
- To monitor product quality criteria;
- To act as a sparring partner and sounding board for administrators.

The steering committee discusses proposed or developed policy with the mayors and chairmen of the water authorities each year. This meeting also serves as input for future policy development or for the adjustment of existing policy.

The working group

The working group supports the steering committee. The working group also has the objective of supporting administrators and organisations in the field of integrity, either with expertise or with the development of concrete instruments in the field of integrity. The working group meets once a month. The chairman is also an advisor of the steering committee and in that capacity, serves as a linking pin within the structure. The working group is broadly-based, consisting of civil servants of the member organisations. Various disciplines and competencies are represented (by choice), such as legal, financial, management, registrar, human resources management and executives. The broadly-based composition ensures that the theme of integrity can be addressed from the most varied range of angles, viewpoints and experiences. This approach promotes the expertise of the working group and improves the quality of the output.

The tasks of the working group are:

- To perform tasks for the steering committee;
- To support the steering committee;
- To develop integrity instruments;
- To support and advise public administration within the integrity domain;
- To create support in the members' own organisations;
- To act as a sparring partner and sounding board for official organisations;
- To keep attention to integrity alive;
- To develop expertise and make this available.

In order to increase the support base for the joint integrity policy and promote the use of the instruments, the working group organises meetings with the stakeholders in the official (civil service) and political-administrative environment, where the policy proposals or the instruments developed are presented and discussed.

The official counsellor

The official counsellor was installed in order to enable civil servants to discuss integrity dilemmas with a completely independent confidential integrity counsellor. The counsellor is available to the civil servants of the administrative bodies in the alliance. The counsellor is the designated official with whom to discuss misconduct in confidence. In the collaborating

organisations, policy is aimed at immediate reporting of misconduct to the management of the organisation concerned. If this is not possible or desirable, the report can be made to the confidential integrity counsellor.

The position of counsellor is held by different persons in the alliance. Because the counsellors are not affiliated to the member organisations, they can operate entirely independently. The position of counsellor has a statutory basis. In the interests of good employment practice, official organisations are required to create the position for their civil servants.

The administrative counsellor

In order to facilitate counselling for political administrators, the position of administrative counsellor has been created. This counsellor is available to provide advice and information in the field of integrity for administrators, i.e. mayors and aldermen, the governor, the chairman and members of the water authority executive. The counsellor is available to administrators who face questions and dilemmas relating to integrity in the performance of their duties. This position has no statutory basis but was created to meet the need of administrators to be able to discuss dilemmas in confidence. The counsellor must be seen as a coach, who has a supportive role.

This counsellor is an experienced administrator who holds a completely independent position and is subject to the confidentiality obligation. In view of the confidential nature of the work and the increased risk of traceable casuistry, the administrative confidential integrity counsellor does not account for his or her work in public. Structural policy-matters are submitted to the steering committee in the form of policy recommendations.

The official integrity officer

In order to increase the integrity network, the position of official integrity officer was added to the structure. Every member of the alliance is represented in this group by officials. These officers are civil servants with a (co-ordinating) task within their organisations, or in any event, with a responsibility in the field of integrity. They are also responsible for the implementation of the jointly-developed policy or promoting the application of the instruments developed. The integrity officers also develop (regional) alliances and provide input for the working group.

Innovation

The structure chosen is not new or innovative, but the alliance within Limburg public administration is. The policies and the supporting instructions and best practices have been developed in a way that allows the members to add or omit their own accents, without prejudicing their essence. Consequently, each individual organisation can now take steps forward with their own integrity policies in a manner appropriate to the local context, while preserving their own identity and autonomy.

The intensive collaboration has led to a joint integrity framework in public administration in Limburg which can count on wide support. The structure is an alliance organised on the basis of voluntary participation and as such, does not have its own entity or legal status. The members contribute on a proportional basis to the alliance, in time and money, so that the structure functions without a budget of its own. The provincial authority facilitates the structure (in advance), but any costs are shared afterwards.

Its own website at integriteitlimburg.nl is used in the communication of the policies. Via this website, the policy and the instruments developed are shared and are made widely available. This methodology has led to the application of the policies and the instruments outside Limburg too.

Development of joint integrity policy

The first step

During the meeting of the mayors, chairmen of the water authorities and the governor in 2012, it was decided that the alliance should focus on policy development in the broadest sense within the integrity domain. The policies and the instruments and methods developed were to be made accessible and applicable within the public administration in Limburg and also, if necessary, beyond. The steering committee establishes the policy frameworks, while the working group is responsible for the execution and implementation. The municipal authorities expressed a wish to develop two instruments to support the integrity policy for the municipal elections in 2013. The steering committee decided in the start-up phase to assign priority in the alliance to the promotion of integrity in the political-administrative environment, because a catch-up drive could still be made there.

The first step in the joint policy development was the development of a screening procedure for proposed administrators, as well as an integrity introductory programme for newly-elected representatives.

Screening (risk analysis) of administrators

The essence of the approach is the performance of screening prior to the appointment of an administrator, so that integrity risks are identified and can be managed. The screening process is recorded in an instruction that has been made freely available. In the jointly developed process, candidates for appointed offices / administrators are subjected to screening. On the basis of open sources and with the cooperation of the candidate, an external agency investigates whether circumstances have arisen or could arise in the field of integrity that could prevent unobstructed performance of the candidate as an administrator. If such circumstances are revealed, it is investigated whether sufficient preventive measures can be taken to manage the risks and thus make the appointment possible. After the analysis of the screening has been discussed with the candidate, an advisory report is drawn up, with his or her consent, and is then discussed with the chairman of the executive, the mayor. The mayor monitors integrity within the executive. The screening is therefore also the starting point for integrity development during the term of office of the executive.

For the appointment, the chairman of the executive shares the findings with the elected representatives, the municipal council, which then takes the outcomes of the screening into account in the nomination of the candidate. In this form, the screening, in the form of an integrity risk analysis, is an aid for the person involved in relation to integrity awareness. It is not a selection tool or a barrier. Naturally, the outcome of the screening may be a reason for the candidate to withdraw from the appointment procedure before the municipal council takes a decision on appointment.

This approach was followed in all municipal authorities in Limburg during the last elections in 2013. In the rest of the Netherlands, after the Minister of the Interior and Kingdom Relations had sent a letter to all administrators drawing attention to the instruction 250 of the 403 municipal authorities participating in the elections applied the screening process. In the elections in 2017, the application of this screening process can be expected to be a fixed part of the appointment procedure. The screening approach was made available to the municipal authorities in good time, via the website.

After this, the screening approach was used nationally in two thirds of the administrative bodies for the provincial elections and the elections of water authorities in 2014. Here too, the process can be expected to become a fixed part of the appointment process for administrators in 2018.

Integrity introduction programme for elected representatives

At the same time, an integrity introduction programme was introduced for newly-elected representatives. The programme was set up in order to provide newly-elected council members with guidance regarding integrity in relation to service as people's representative. The programme supports the elected representatives in interpreting integrity rules, strengthening their own ethical opinion-forming and in jointly maintaining a justifiable form of enforcement of integrity rulings. The programme also provides a first step towards a long-term integrity programme, focusing on deepening these themes. The mayor, as holder of primary responsibility for integrity in the municipal authority, is responsible for the implementation of the introductory programme. In this case too, the process is recorded in an instruction which is made freely available within the public administration.

Both the screening approach and the introductory programme were produced by the working group in a short space of time and, in order to increase the support base, were presented at a meeting with the stakeholders. An evaluation of the process with the municipal authorities showed that this is a successful approach to implementing integrity policies. What makes this working method exceptional is that the policy is realised and applied jointly, without prejudicing the individual contributions and input of each member. This strongly promotes the application of the jointly-developed approach.

State of affairs

Review

The alliance has been active since 2012, enabling a form of reflection. A number of successes can be noted. The alliance is administratively embedded and its importance is recognised and acknowledged. The most striking result is the realisation of a shared integrity framework within public administration in Limburg. The integrity policy has passed the incident-driven era and the panic factor has been sharply reduced.

This does not alter the fact that not all the members have yet reached the same level of integrity maturity. At some members, the Basic Standards have not yet all been implemented. Some of them regard taking preventive measures to avoid the appearance of conflicts of interest as fairly invasive of personal privacy, which leads a number of members to take a cautious line in this regard. The voluntary nature of the alliance also makes it possible for members to deviate from the joint policy with regard to certain dossiers or subjects. This could harm the common vision of integrity.

Outlook

The steering committee's challenge for the coming years lies in continually activating the members to work together to reach a higher level of integrity maturity. Now that the start-up phase lies behind us, the ambition of the steering group is directed at embedding the theme of integrity in the thinking and actions of the organisations, with the aim of including integrity as a core value in the quality of public administration in Limburg. In order to achieve this goal, apart from the activities in the political-administrative environment, the promotion of integrity in the official environment is also being addressed.

The working group is currently developing policies in the field of financial integrity (conflicts of interest, the reporting of secondary positions and income, claiming behaviour and the possession of financial interests and avoiding the appearance of conflicts of interest in the broadest sense. At the same time, the working group is developing codes of conduct for mayors, aldermen and elected representatives. In response to growing demand from Limburg administrators, the working group is setting up a general advisory functionality in which questions relating to policy or the application of instruments can be answered within a reasonable term or can be given policy follow-up.

The alliance will soon be holding a theme-based meeting with the stakeholders of the joint integrity policy. In this way, the involvement of the members is stimulated and the theme of integrity remains on the administrative agenda.

Summary and conclusion

Since 2012, the provincial authority, the municipal authorities and the water authorities in Limburg have worked together to promote the integrity of public administration. The alliance has been embedded through the creation of an integrity structure with broad, active participation by the members. This form of collaboration is unique in the Netherlands. It has ensured that a joint framework is developing in Limburg around the theme of integrity. This has made integrity open to discussion and identifiable, within both the official (civil service) and the political-administrative environment. In short, Limburg is genuinely working on integrity.