

3 The Dutch National Integrity Office

Supporting public integrity

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Introduction

Public organisations today pay more attention to ethics and integrity. In the Netherlands, public integrity has been on the administrative and political agenda since the early 1990s (Hoekstra and Kaptein, 2014). From an international perspective, Dutch efforts in the field of integrity management can therefore be qualified as long-lasting. Moreover, the Netherlands has the reputation of being a relatively non-corrupt country (Transparency International, 2012) and the work of its Dutch National Integrity Office (BIOS)¹ is regularly pitched as ‘good practice’ (European Commission, 2014a and 2014b).

Origins and organisation

BIOS originated just after the start of the new millennium. A massive fraud in the building sector, which also involved corruption of civil servants, led to an intensification of Dutch integrity policies. In addition to issuing new integrity provisions in the Civil Servants Act, the Minister of the Interior and Kingdom Relations established BIOS to support public sector organisations in implementing existing and new integrity provisions. In its early years, BIOS was part of the Ministry, but in 2009 it gained a more independent position, as required by the United Nations Convention Against Corruption (2003). The Ministry has subsidised BIOS since then, with an annual budget of approximately 1.3 million. Because BIOS is publicly funded, most of its activities are without charge for public organisations.

In comparison with other European anti-corruption and integrity bodies, BIOS is a relatively small agency. It is therefore also organised in a different way: it does not investigate incidents, but has a purely preventive task, operating as a centre of knowledge and expertise in the field of promoting of integrity. The agency has currently 8 employees. The employees have different backgrounds, such as law, public administration, philosophy and

accounting. BIOS has also a large external network. This external network consists of independent advisers, academics and experts who are frequently called upon for assistance, for example to develop instruments and conduct research.

Domain and definition

Scientists and experts from the Netherlands and elsewhere have different views on the definition of the term ‘integrity’ (see Chapter 1). In many countries, integrity is often equated with anti-corruption. In the Netherlands, integrity involves more than anti-corruption and has a broader, more extensive meaning. BIOS’s integrity approach not only concerns preventing breaches of integrity but also promoting an ethical climate marked by features including openness, safety, respect, trust, leadership, and justice.

BIOS uses integrity as a feature of the quality of good governance. A link is sought here with the concepts for ‘good employment practices’ and ‘good public service’, which are also used in the Civil Servants Act. In relation to integrity, good employment practices mean that the employer protects civil servants against potential temptations and miss-steps in their work, stimulates integrity awareness, and teaches civil servants to take responsible ethical decisions. The employer can do this by developing and implementing integrated integrity policies. The elements of these policies make part of the integrity infrastructure (discussed in more detail below). Good public service in relation to integrity concerns aspects such as how civil servants use their powers, resources and information provided by the employer. This concerns acting according to the leading ethical values and standards for work in public service. The bottom line here is that good employment practices enable and support good public service.

A similar development of the concept of integrity can be realised for elected and appointed holders of political office (like mayors, council members, and aldermen). In that structure, reference can then be made to ‘conduct befitting a good holder of political office’. This affords scope for dialogue and places the emphasis on the professional performance of the role as a politician. The dialogue does not focus on political and ideological convictions, but on how politicians operate within the principles of the democratic state², under the rule of law, and existing codes.

Ambition and activities

BIOS helps organisations to organise, manage and implement integrity policies. More precisely, BIOS helps organisations to help themselves. This distinguishes BIOS from ‘ordinary’ ethics consultants that can be hired to actually set up, audit, or fix integrity systems in organisations, or to investigate possible wrongdoing. But since integrity is such a core value of good governance, care for integrity should not – conveniently - be contracted out to (commercial) parties of this kind. Instead, organisations should be enabled to take care of ethics and integrity themselves and BIOS supports them in that endeavour.

Accordingly BIOS performs little or no custom work for individual organisations; most of the activities have a general character. For example, the integrity instruments, courses, brochures, research reports and meetings that BIOS organises are always of a nature that gives them a broad scope: they are available for and apply to the government as a whole. In addition, BIOS does not focus on individual government employees, but purely on the officials who must promote integrity within their own organisations. This could include integrity officers, confidential integrity counsellors, works councils, human resource management (HRM) employees, (senior) managers and administrators. BIOS also focuses solely on prevention and, therefore, unlike many other national investigative agencies and international anti-corruption agencies, does not itself perform any personal investigations of potential breaches of integrity as such. The functions and activities of BIOS are briefly outlined in the table below.

Table 1 Functions and activities of BIOS

	Function	Description	Some examples
I	Development	the development of practical instruments that can be used by government organisations	dilemma training videos for civil servants and counsellors, all kinds of manuals and handbooks, risk assessment tools
II	Sharing knowledge	gathering and making available integrity-related knowledge	providing courses for integrity officers, hosting a website (www.integriteitoverheid.nl), and publishing the Integrity Yearbook
III	Networking	connecting policy-makers, practitioners and scholars by hosting a variety of integrity platforms	organising conferences, workshops, network meetings, and round tables to exchange experiences and best practices
IV	Research	conducting research in the field of public integrity	reports on internal reporting systems, integrity plans, or on the impact of the financial crisis on public integrity
V	Advising	advising local governments on how to address breaches of integrity by political office holders	how to conduct an investigation, how to outsource an investigation, how to learn from such an incident and how to prevent it

Integrity Infrastructure: a coherent integrity management model

BIOS has developed an integrity management system.³ The model is based on the observation that integrity policies within organisations often have a fragmented character. In most public organisations various staff-departments and officers (like for instance HR, Audit, Works Council, Legal, Financial, Integrity Advisers) are responsible for certain integrity activities or instruments (such as pre-employment screening, training, reporting procedures, risk assessments, integrity audits). This multitude of integrity actors and areas may cause a lack of coherencies, but may also blur the view on the implementation.

The model is consequently designed to connect integrity activities within government organisations. It integrates the seven core aspects of integrity management, which are visualised in Figure 1 and further fleshed out in Table 2. Moreover, it combines hard, soft and operational controls (see Chapter 1), provides a cyclic approach, because the policies are also evaluated, and finally, it devotes explicit attention to the coordination and institutionalisation of integrity.

In this model the integrity officer is positioned at the centre, as its driving force and coordinator of integrity. Coordination is key since inter-connecting the involved integrity actors *‘is critical to the successful implementation of ethics and compliance programs throughout the organization’* (ERC, 2007: 25). Moreover, *‘An organization which implements an ethics and compliance program without designating an individual to oversee it, risks the possibility that the function will fail for lack of leadership. Similarly, talking about the importance of ethics without creating a formal function to uphold and promote organizational standards may be perceived as hypocritical’* (Ethics Resource Center, 2007:13-14). The creation of such a coordinating function also seems to be important since integrity officers do not see themselves as experts on all the areas involved, but rather as facilitators (Trevino et al, 2014). The OECD (2008) summarises the significance of coordination as it: allows for synergies between instruments, allows for an accumulation of expertise, ensures continuity of ethics in the long term, and strongly signals that integrity is considered important within the organisation.

Figure 1 Integrity Infrastructure



Table 2 Elements of the Integrity Infrastructure

Seven elements of the Integrity Infrastructure	
Commitment & vision	Integrity policies can only succeed if the top of the organisation is willing to promote them and to provide sufficient resources for them. Additionally, it is necessary that the top develops a clear vision on integrity management: why do we want to pay attention to integrity, how do we define it, what strategy do we follow, what is our ambition?
Values & standards	Public sector values and standards constitute the underlying basis for integrity policies. It is therefore important to establish the organisational values and standards and then to document them in a code of conduct. This will make it clear what the organisation and the employees represent and what they can be held accountable for.
Rules & procedures	Values should be supported by a clear set of organisational rules and procedures. These are often summarised as internal administration and control systems. Examples are: work processes, the ‘four-eyes’ principle, separation of duties, and job-rotation procedures.
HRM policies & culture	Integrity is also an important subject for HR and should, for example, be part of recruitment, selection, screening and exit policies. In addition, introductory meetings, internal courses and staff meetings seem natural occasions on which to raise employee awareness and to improve the organisational culture.
Incidents & enforcement	Investigating and sanctioning unethical behaviour is important. It gives a signal that integrity is highly valued and reduces the risk of future breaches. Provisions aimed at reporting and enforcement (such as reporting hotlines, integrity advisers, and investigation protocols) are important integrity elements.
Monitoring & reporting	Monitoring integrity policies and programmes is necessary in order to be able to evaluate and to improve the functioning of the integrity policies. Evaluations provide information about the implementation and effectiveness of the integrity policies.
Organising & embedding	The above integrity activities should be firmly embedded within the organisation. An integrity officer is the person appointed to develop the integrity management system for the organisation, to coordinate all integrity activities and actors and to advise the line management. This officer should draft an integrity plan/document which should cover all issues of this kind.

Reflection

BIOS continuously developed itself since its establishment in 2006. It developed a vision of integrity and designed various instruments that help organisations to implement integrity policies. The different instruments are presented on a website. The development of the instruments, such as

the integrity infrastructure, a risk analysis tool, several awareness instruments, courses for integrity officers and confidential integrity counsellors, and all sorts of guidelines helped organisations to implement integrity policies more effectively.

Over the years, BIOS has developed a new function, the signalling function. Many tools and a great deal of knowledge had become available, so that it became time to also consider the extent to which these were implemented and which issues played a role in this. The results are made visible on the basis of various, sometimes critical, research reports. This helps to promote integrity within the public sector.

In the first instance, BIOS focused on promoting integrity in the civil service organisations. From about 2011, the promotion of integrity among holders of political office (administrators) was added. The development of both ‘disciplines’ still varies somewhat; the policies for civil servants (officials) seem to be more comprehensive, explicit, and formalised than the policies for administrators. This explains why the latter is intensified now.

Since the start of 2015, BIOS has been assigned an additional task of advising mayors (and their ‘equals’ in other tiers of government) in integrity investigations of holders of political office. Conducting integrity investigations is an activity in its own right, calling for a high degree of care. Integrity investigations are materially different from police/criminal investigations. Because mayors do not deal with integrity investigations on a daily basis, there has proved to be a need for assistance at the moment when suspicions of breaches of integrity arise. What should be done, is an investigation necessary, what precisely is the investigation question, who should conduct the investigation and how can the client maintain control during and after the investigation? The Support Centre for Integrity Investigations of Holders of Political Office has been set up at BIOS to handle questions of this kind.

BIOS has increasingly become an authoritative centre of knowledge and expertise on public sector ethics and integrity. Its visibility has increased, the target group and the functions of BIOS have expanded, and the expertise of the individual employees has further improved. Despite these positive developments, BIOS must continue to develop, and must remain alert to trends and (social) developments that influence integrity.

With regard to its signalling role, in particular, it is important that BIOS is able to operate independently. After all, critical comments are never welcome, even though they are intended to make improvements. BIOS will have to make these critical comments. Precisely for that reason, its independent position is of crucial importance. This applies with regard to all institutions with which BIOS maintains relationships, including the Ministry of the Interior and Kingdom Relations, institutions forming part of the broader integrity landscape, and other national and international organisations that ask BIOS for advice.

In the coming years, BIOS will want to further strengthen its authoritative position, and the agency will continue to further institutionalise public integrity.

BIOS is aware that its position and practices are a consequence of the Dutch context. It seems to be unwise to copy them blindly. The machinery of government has its own structure and culture in each country, and the institutional embedding differs. However, based on our experiences, the following recommendations should be considered since they could be valuable for other countries as well.

- Firstly, it is important that integrity policies are laid down in law. A legal framework is a requirement for organizations to take action. In the Netherlands, this is laid down in, for example, the Civil Servants Act, the Basic Standards, and in the Municipalities Act, the Provinces Act and the Water Authorities Act;
- It is then necessary for public sector organisations to receive support in implementing these policies. In the Netherlands, BIOS plays that role;
- It is also important to monitor the actual implementation of the policy (Dutch National Integrity Office, 2012, see Chapter 7). Regular monitoring and evaluation are crucial and enable us to intensify and to adjust these policies on a regular basis;
- If integrity breaches do occur within individual organisations, the media will immediately seize on this for publication. This is unavoidable, but it is possible to objectify the media reporting. Keeping the public informed of the state of affairs and (proactive) information will create a better grip on what is published, resulting in more objectivity;
- But integrity and integrity policies also benefit from the criticisms of NGOs, audit offices, supervisory authorities, and scholars that can provide input for improvement;

- In addition, integrity policies will be more effective (van Tankeren 2010) if a structural, coherent approach is taken with the aid of an integrity infrastructure;
- With a clear internal integrity network (see for example Chapter 11), defining who has a role to play in which area, it will become clear who does what in the implementation of the integrity policies. This could include the confidential integrity counsellor, the HRM department, the security department, finance & control, and the management. An organisation will benefit from the appointment of an integrity officer, who will act as a linking pin; connecting all the actors together, maintaining an overview, and ensuring that integrity remains on the agenda. This forms the basis for a sound organisation in which integrity is thoroughly embedded as a permanent element.

Notes

- 1 BIOS is the Dutch abbreviation for ‘Bureau Integriteitsbevordering Openbare Sector’, the Dutch National Integrity Office.
- 2 Netherlands Code for Good Public Governance (2009). Principles of proper public administration; The model code of conduct for the integrity of people’s representatives in municipal and provincial authorities and water boards (Association of Netherlands Municipalities (VNG), Association of Provinces of the Netherlands (IPO), Dutch Water Authorities (UvW), Ministry of the Interior and Kingdom Relations (BZK), March 2015, pdf); and the model code of conduct for the integrity of (day-to-day) administrators in municipal authorities, provincial authorities and water boards (VNG, IPO, UvW, BZK, March 2015, pdf).
- 3 The model can be found on the BIOS website: www.integriteitoverheid.nl/toolbox/model-infrastructuur.html

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