

Ethics, an integral part of the organizational culture in the European public administrations

Author: Maria Cristina Pantiru, National Agency of Civil Servants, Romania
EUPAN survey during the Romanian Presidency of the Council of the European Union in 2019

Contents

Table of figures	2
Introduction.....	3
EUPAN and ethics.....	3
Methodology and main concepts	5
Ethics code = Culture code?	7
Public sector values.....	8
The main focus of the codes of conduct and ethics in the European public administrations	9
Values as basis of a “uniform operating culture” in the public administration ..	12
Applied ethics in the public institutions - from individual choice to structures	14
How to approach ethical dilemmas.....	14
Institutional tools for tackling ethical issues.....	17
Ethics and human resource management	21
Ethics requirements for personnel selection - the role of the civil servant	21
Workplace relations.....	23
The prevention of conflict of interests	24
Ethical leadership in the public administration.....	25
Ethics training trends, dilemma training	27
Challenges for the future, conclusions and recommendations	29
Organizational culture, fairness, openness and trust	30
Trust in the public institutions: competence, public interest, integrity, commitments and efficiency	31
Focus on what is important for the citizens.....	32
Promoting fundamental rights.....	33
Ethics and new technology.....	34
Different perspectives regarding ethical leadership	34
Recommendations for promoting trust in the public administration	35
References	37
Codes of conduct or ethics cited in the report and other related resources	39
Annex 1 Questionnaire for EUPAN on Ethics, an integral part of the organizational culture	43

Table of figures

Figure 1 Values in the ethics regulations for public administration employees (survey)	8
Figure 2 Ethical principles for the delivery of public services (survey).....	9
Figure 3 Main focus of the codes of conduct or ethics (selection)	9
Figure 4 Values and organizational culture in the codes of conduct or ethics	12
Figure 5 Recommendations from the codes of conduct for ethical dilemmas.....	15
Figure 6 Main categories of institutional tools for tackling ethical issues (survey).....	17
Figure 7 Examples of institutional tools for tackling ethical issues (survey)	17
Figure 8 Human resource management provisions for ethical conduct.....	21
Figure 9 Requirements from the codes of conduct or ethics, for the role of the civil servant.....	21
Figure 10 Ethical requirements for recruitment, selection and performance management (survey) 22	
Figure 11 Ethics provisions for workplace relations (survey)	23
Figure 12 Ways to treat others, according to the codes of conduct/ethics	23
Figure 13 Conflict of interests as a breach of core values of the civil service	24
Figure 14 Examples of ethics provisions for managers in the public administration	25
Figure 15 How is ethics training delivered (survey)	27
Figure 16 Topics of ethics training in the European public administrations (survey)	28
Figure 17 Examples of ethics training in the European public administrations (survey).....	28
Figure 18 Challenges for ethics in the public administration in the next decade (survey).....	30
Figure 19 People's perceptions regarding the most important issues at the EU and national levels (Eurobarometer 92)	32

Introduction

This report was prompted by the growing interest in the European Public Administration Network (EUPAN) to exchange experience regarding measures to promote trust in the public administrations in the European countries. This led to the proposal of the survey on *Ethics, an integral part of the organizational culture* carried out during the Romanian Presidency of the Council of the European Union in the first semester of 2019. The preliminary results of this survey were presented at EUPAN events in 2019 and provided an input for the *EUPAN Strategy Paper July 2019 - June 2022*, which includes “Ethics and organizational culture in the public administration” as strategic domain.

The report aims to stimulate discussions regarding organizational culture in the public administration, core values and ethics provisions, as well as what is needed to strengthen trust in the public administration. It expands the lines of enquiry from the previous EUPAN studies, with emphasis on: ethics regulations as tools for role definition, values of public administration as a culture code, approaches for ethical dilemmas, tools for tackling ethical issues, ethics and human resource management (the role of the civil servant, work relations, prevention of conflict of interests, leadership, training), challenges for ethics in the public administration, as well as underexplored issues that could influence trust in the public administration: internal trust, the links between competence, integrity, commitments and trust, citizens’ concerns and human rights as ethics topics, the ethical use of technology, different perspectives regarding ethical leadership.

This report is relevant for: heads of public institutions, managers, human resource management specialists, ethics counsellors/advisors, members of ethics committees, training providers for the public administration, civil servants, students, researchers and others interested in applied ethics, from the European countries and beyond. The report aims to inspire new topics of ethics debates within EUPAN and European countries.

EUPAN and ethics

Over more than two decades European public administrations engaged in a coordinated effort to devise codes of conduct and ethics as well as corresponding institutions for ethical oversight and advice. In 2004 EUPAN launched a policy paper entitled *Main features of an Ethics Framework for the Public Sector*, adopted by the Directors General responsible for Public Administration in the member states in 2004, during the Dutch Presidency of the Council of the European Union. This document endorses the role of codes of conduct as part of the organizational culture:

“A code of conduct is an important tool and form of support in fostering an appropriate culture within administrative organizations. Such code needs to constitute an active and ‘living’ tool that is fully integrated in a necessarily open, transparent, and honest organizational culture. (...) A suitable code of conduct will be comprised of a prudent combination of a framework for the consideration of ethical issues, specific rules, and examples of situations confronted in practice” (EUPAN 2004: 2, 3).

The EUPAN recommendations for ethics codes included the following: general core values, specific standards of conduct, actions for implementing these standards and methods and procedures to report integrity related offences (EUPAN 2004: 3). The values endorsed in the EUPAN policy document were: principle of the rule of law, impartiality, objectivity, reliability, transparency, duty of care, courtesy, and willingness to help in a respectful manner, professionalism, accountability (EUPAN 2004: 5, 6). Ethics provisions were also included in guides for European public administrations such as the *Common Assessment Framework 2020* (elaborated with the contribution of EUPAN members) and *Quality of public administration - A toolbox for practitioners* (European Commission 2015, 2017).

Several EUPAN studies assess the values and issues tackled in the codes of conduct for public administration in EUPAN member countries (Moilanen and Salminen 2006, Demmke and Moilanen 2011). For example, the 2006 EUPAN *Comparative Study on the Public-service Ethics of the EU Member States* (Moilanen and Salminen 2006) tackled the following aspects: the values promoted in the codes of conduct or ethics, categories of regulations regarding ethical issues, actions to promote ethical conduct, instruments to tackle breaches of ethical norms, ethics in leadership, and perspectives for the future.

The EUPAN study on *Effectiveness of good governance and ethics in central administration: evaluating reform outcomes in the context of the financial crisis* (Demmke and Moilanen 2011) discusses ethics as “an integral element of good governance”, as well as the effects of public management and organizational reforms on ethics, public values, ethics policies, integrity management instruments, self-assessment/preventive tools, specialised ethics institutions, public management reform and workplace ethics, organisational reforms and human resources policies and values, ethics training, cost of implementing ethics regulations.

Following the ethics focus established in EUPAN, this report provides a unique combination of survey results, content analysis of codes of conduct and ethics, as well as a broader discussion of ethical issues and coordinates of organizational culture, aiming to promote new directions of debate and experience exchange in EUPAN, regarding ethics and organizational culture in the European public administrations.

The structure of the report is inspired by the issues indicated as main challenges for the future, in the survey, in order to emphasize how public administrations - through ethics regulations, organizational values and structures, human resource management - aim to promote trust in the public administration, face ethical dilemmas, tackle ethical problems, prevent conflict of interests, approach workplace relations, foster ethical leadership. The closing section reflects on the challenges indicated in the survey and proposes perspectives for further exploration, for ethics in the public administration: trust within public institutions, the basis of trustworthiness (competence, good will, integrity, fulfilled commitments), citizens' concerns and human rights issues, the ethical use of new technology, new perspectives on ethical leadership.

Methodology and main concepts

The survey questionnaire (in Annex 1) was distributed in the EUPAN network and responses were gathered between February and May 2019, from 26 representatives in EUPAN, experts from human resource management departments of central public administrations from 25 European countries and from the European Commission (EC): Austria (AT), Belgium (BE), Bulgaria (BG), Czech Republic (CZ), Denmark (DK), Estonia (EE), Finland (FI), France (FR), Germany (DE), Greece (EL), Hungary (HU), Italy (IT), Latvia (LV), Luxembourg (LU), Malta (MT), Netherlands (NL), Norway (NO), Poland (PL), Portugal (PT), Romania (RO), Slovakia (SK), Slovenia (SI), Spain (ES), Sweden (SE), Switzerland (CH).

The questionnaire included multi-choice questions regarding norms of conduct for different categories of officials, issues tackled in the codes of conduct, ethical requirements for public service delivery and human resource management in the public administration (recruitment, selection, performance management), workplace relations, ethics training, tools for tackling ethical issues, challenges anticipated for ethics in the public administration. The codes of conduct or ethics provided with the survey answers are sources for the illustrations included in this report.

The concepts “ethics” and “organizational culture” have many nuances. The EUPAN (2004: 1) policy document regarding the ethics framework for the public sector refers to ethics as shared standards, values and guiding principles to endorse integrity in the public sector.

The Common Assessment Framework (CAF 2020: 79, 85) endorsed by EUPAN proposed the following definitions for the two terms: “ethics in public service may be defined as those common values and norms to which public servants subscribe in carrying out their duties”, while “organisational culture is the total range of behaviours, ethics and values which are transmitted, practised and reinforced by members of organisations, influenced by national, sociopolitical and legal

traditions and systems” (CAF 2020: 79, 85). These are the working definitions for the two concepts, in this report.

However, looking from a broader perspective, ethics encompasses all moral reasoning regarding values, norms, duties, rights, virtues, actions, visions about “good life,” “good society,” etc. Broadening the definition of ethics can stimulate the enquiry regarding ethics in the public administration.

In addition, it is useful to acknowledge that “organizational culture” is defined in the specialist literature in various ways, from “sets of values, norms and beliefs” (Handy 1993), “collective programming of the mind” (Hofstede et al. 2010), to “set of living relationships working toward a shared goal” (Coyle 2018).

According to Handy (1993, chapter 7) organizations “have differing cultures - sets of values and norms and beliefs - reflected in different structures and systems. And the cultures are affected by the events of the past and by the climate of the present, by the technology of the type of work, by their aims and the kind of people that work in them.” Handy argues that the civil service has a “role culture” - “In this culture the role, or job description, is often more important than the individual who fills it. Individuals are selected for satisfactory performance of a role, and the role is usually so described that a range of individuals could fill it” (Handy 1993, chapter 7).

Hofstede et al. (2010) consider that “culture consists of the unwritten rules of the social game. It is the collective programming of the mind that distinguishes the members of one group or category of people from others.” In addition, cultures have “symbols, heroes, rituals, and values” and help define the “moral circle” of an organization: “culture is about how to be a good member of the moral circle”, “what to do if people are bad, and about whom to consider for admission” (Hofstede et al. 2010: 6, 12, 14).

According to Coyle (2018, Introduction), “culture is a set of living relationships working toward a shared goal. It’s not something you are. It’s something you do.” He argues that a successful culture is built with a focus on connection, belonging, identity, trust, shared goals and values.

This report explores aspects of organizational culture in the public administrations, from values, principles and shared goals, to roles, relations and tools that mark the boundaries of the “moral circle.” Across all sections, the report lets public administration ethics regulations “do the talk” in order to illustrate the main trends and offer concrete examples for the readers looking for inspiration in the experience of EUPAN member states. In addition, it draws attention to underexplored issues which are of interest for European citizens, and could strengthen the trust in the public administration, if addressed.

Ethics code = Culture code?

According to the Finnish ethics guidelines *Values in the daily job - Civil servant's ethics. A handbook for the state administration*, “values form a “common base”, “a uniform operating culture, which unites government departments with different tasks, procedures and sizes” (p. 24). This metaphor resonates with the “collective programming of the mind” (Hofstede et. al. 2010) as well as with Coyle’s (2018) metaphor from the title of his book, “culture code.” This section illustrates how public administrations attempt to create “culture codes” through codes of conduct or ethics. The similarities between these codes could suggest a European-wide public administration “culture code” *through regulations*, although there are differences in practice.

The survey shows that there is a common ground across Europe regarding ethics regulations in the public administrations. All respondents highlighted that they have ethics codes for public administration employees or civil servants. In some countries there are common norms of conduct for all public administration employees (BG CH FR DE EL IT LV LU NL NO PT SI ES SE). Usually, these are complemented with norms of conduct for specific categories of public employees. In addition, in some countries there are norms of conduct for political officials (AT BE DK EL NL NO PT SI ES EC). The most recent regulations and ethics codes were adopted in Slovenia (2015), Netherlands (2016), Latvia (2018), Slovakia (2019) and Romania (2019).

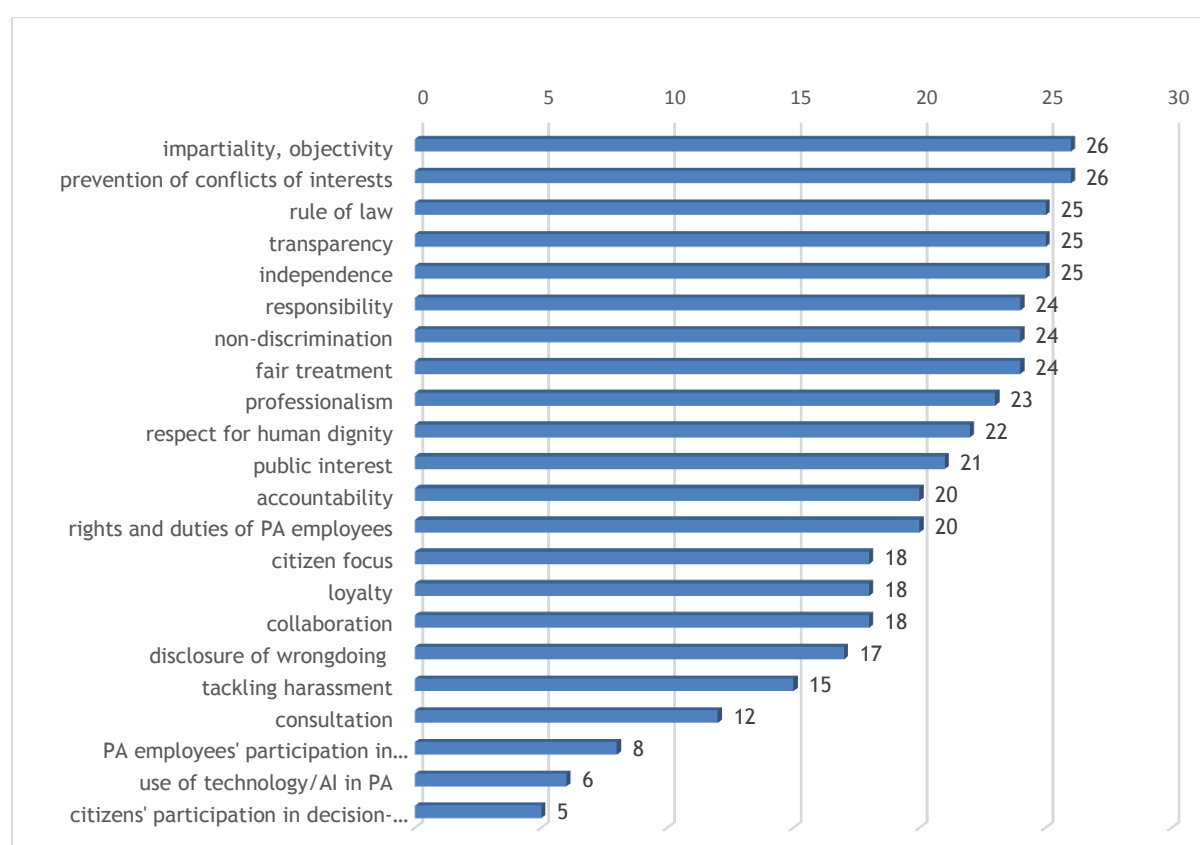
Across Europe norms regarding the conduct of public administration employees are promoted through various types of regulations, from Constitutions to administrative law, special laws regarding ethical norms for civil servants and other categories of public administration employees (the military, state police, prison police, magistrates), as well as guides, declarations and brochures. The breach of ethical norms may lead to disciplinary action, while serious offences are tackled in the criminal law. In addition, ethics requirements are part of the internal control system in the public administration institutions, focused on identifying and addressing risks.

The codes of conduct or ethics for the public administration, mentioned in the survey responses, have a common structure: they include values of the public service, rights and duties of civil servants/public employees, and norms of conduct, with examples of desirable behaviour as well as examples of interdictions. Another commonality is that these codes have been developed by specially designated committees or interministerial working groups.

Public sector values

According to the survey, the main values and themes tackled, in various configurations, in the ethics regulations for public administration employees, are: impartiality and objectivity, prevention of conflict of interests, legality and rule of law, transparency, independence (from political or business influence), responsibility, non-discrimination, fair treatment, professionalism, respect for human dignity, public interest, accountability, rights and duties of public administration employees, citizen focus, loyalty, collaboration, disclosure of wrongdoing, harassment, consultation, public administration employees' participation in decision-making, use of technology/Artificial Intelligence in the public administration, citizens' participation in decision-making, incompatibilities, professional discretion and professional secret, secularism, innovation, efficiency, protection of privacy, society wellbeing, etc.

Figure 1 Values in the ethics regulations for public administration employees (survey)

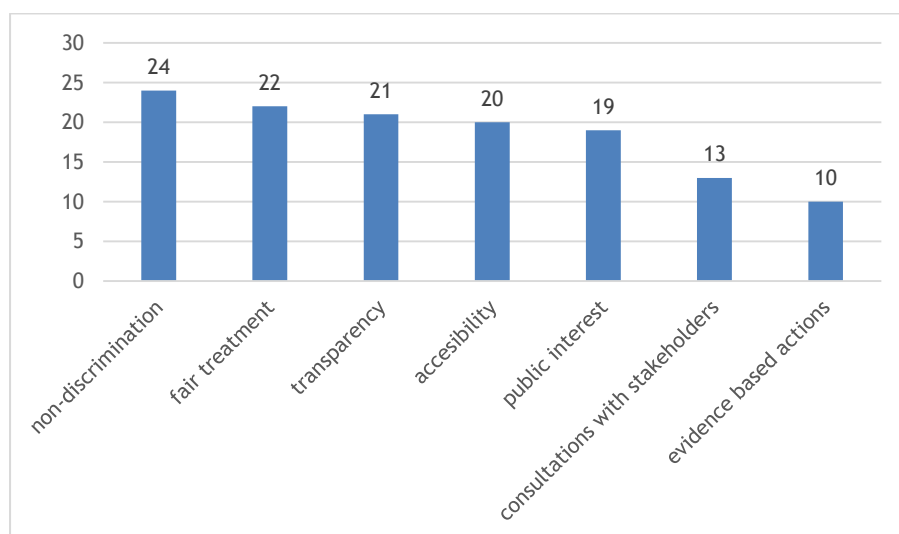


The survey includes references to a broader range of values than the EUPAN (2004) policy paper (rule of law, impartiality, objectivity, reliability, transparency, duty of care, courtesy, and willingness to help in a respectful manner, professionalism, accountability). This reveals the diversity of ethical issues in the European public administrations, as well as the emergence of new topics such as ethical provisions for the development and use of technology/Artificial Intelligence, as well as provisions regarding ethics in the workplace (collaboration, consultation, tackling

harassment) and provisions regarding the participation of stakeholders (citizens) in decision-making.

The values that public administrations aim to endorse can be clustered with various criteria. For example, the survey highlights the following ethical values and principles for the delivery of public services: non-discrimination, fair treatment, transparency, accessibility, public interest, consultations with stakeholders, evidence-based actions, trust, independence, responsibility, quality and professionalism, liability for action or omission, rational management of public funds.

Figure 2 Ethical principles for the delivery of public services (survey)



The main focus of the codes of conduct and ethics in the European public administrations

The codes of conduct and ethics in the public administrations of European countries include: principles and values of the state, civil service or public administration (legality, integrity, impartiality, objectivity), prevention of conflicts of interests and corruption, ethics provisions for managers, rights and duties for civil servants.

Figure 3 Main focus of the codes of conduct or ethics (selection)

Country	Titles of codes	Values, principles, main issues tackled
Austria	<i>Code of Conduct to Prevent Corruption The RESPONSibility rests with me</i>	to prevent corruption, objectivity, avoid conflicts of duty/interest, promote equality, regulation of courtesy gifts and sponsorship, total dedication to Austria, regulation of secondary employment and positions in other activity sectors, transparency, discretion/confidentiality, responsibility, duties regarding organizational framework interlinked with duties for preventing corruption, provisions for managers.

Belgium	<i>Code de déontologie des mandataires publics</i>	principles of service: general interest, equality, dignity, integrity, prevention of conflict of interest, regulation regarding gifts, objectivity, effectiveness, promptitude, transparency, independence, incompatibilities, respect of law, respect of private life, confidentiality, obligations after the end of the service.
Denmark	<i>Code of conduct in the public sector</i>	values: openness, democracy, the rule of law, objectivity, integrity, impartiality, legality. good administration, duty to advise and warn, right and duty to decline, expression of personal opinions, confidentiality, limitations (no defamatory statements), right to disclosure and whistleblowing, confidentiality, impartiality, prevention of conflict of interest, duty to report conflict of interest, regulation regarding gifts, secondary employment, dignity, liability, sound financial management.
Estonia	<i>Code of Ethics for Officials</i>	values and their connection with practice (lawfulness, focus on people, trustworthiness, professionalism, impartiality, openness and cooperation), prevention of conflict of interest, promoting professionalism, impartiality and mobility, regulation regarding gifts, openness and cooperation, measures for the implementation of the Code of Ethics.
Finland	<i>Values in the daily job - Civil servant's ethics: a handbook for the state administration</i>	value base of state administration: effectiveness, transparency, quality and expertise, trust, service principle, impartiality and independence, equality, responsibility, values as operational practices: as a tool of management, as an official's moral code, as something to be implemented, rights and duties of the civil servants (selection): occupational health and safety, competence, compliance with supervision and regulatory requirements, regulation regarding gifts, regulation regarding secondary employment, provisions regarding discussion of ethical issues, sanctions for misconduct.
Hungary	<i>The Code of Professional Conduct</i>	principles of professional ethics: loyalty, national interest, commitment, responsibility, professionalism, efficiency, fairness, dignity, impartiality, justice, equity, proportionality, protection of rights, equality of treatment, transparency, cooperation, conscientiousness, leading by example, etc. duties: to report abuse, be impartial, comply with incompatibilities, to not abuse official position, to not misuse information, use public resources responsibly regulation regarding gifts and benefits, unacceptable conduct, conflict of interests, provisions regarding the ethics councils and Ethics Board.
Germany	<i>Rules on Integrity</i>	to prevent corruption, transparency, scrutiny, staff mobility in the areas vulnerable to corruption, contact person and organizational unit for corruption prevention, staff awareness and education for corruption prevention and conflict of interest, supervision of tasks, guidelines for awarding contracts, anti-corruption clause, regulation of sponsorship, guidelines for supervisors and heads of public authorities/agencies.
Latvia	<i>Values of public administration and basic principles of</i>	values and principles: professionalism and efficiency, good faith, liability, work for the public, national sustainability and public welfare, public administration open and accessible to the public, cooperation in public administration,

	<i>ethics</i>	provisions for heads of institutions and directors, transparency in communication with lobbyists, activity and behaviour outside work.
Netherlands	<i>Code of Conduct for Integrity in the Central Public Administration</i>	good employment practice - trust, duty of care, integrity policy and human resources policy, integrity values: independence and impartiality, reliability and carefulness, personal responsibility, accountability, prevention of conflict and interests: regarding gifts, services, other benefits, invitations, commercial activities, secondary/ external employment, cooling-off period, rules regarding procurement, hiring, tenders, confidentiality, expression of personal opinion, use of resources, respect, integrity counsellor, provisions regarding discussion of ethical issues and whistleblowing, provisions for leaders.
Poland	<i>The Ordinance no 70 of the Prime Minister on the guidelines for compliance with the rules of the civil service and on the principles of the civil service code of ethics</i>	principles of the civil service: legality, rule of law, increasing public confidence in public administration, protection of human and civil rights, selflessness, openness and transparency, secrecy protected by law, professionalism, liability for action or inaction, reasonable public funds management, open and competitive recruitment procedures, principles of ethics for the civil service: decent behaviour, public service, loyalty (to Poland, institutions), political neutrality, impartiality, fairness.
Portugal	<i>Code of ethics and conduct for DGAEP</i>	principles: legality, loyalty, impartiality, independence, equality, responsibility, competence, integrity, commitment to public interest, improvement, environmental responsibility, communication, prevention of conflict of interests and incompatibilities, discretion, rational use of resources, probity and dignity, quality and efficiency in delivering public services, impartiality, competence and proportionality, courtesy, integrity and prevention of corruption, social responsibility, solidarity and cooperation, health protection, provisions for managers.
Romania	<i>Emergency ordinance no. 57/2019 regarding the Administrative code</i>	principles: supremacy of the Constitution, equality of treatment, professionalism, impartiality, independence, moral integrity, freedom of expression, honesty and fairness, transparency, responsibility, rights and duties of civil servants, duties: professionalism, impartiality, loyalty to the institution, limits regarding political activity, regulation regarding gifts and benefits, separate regulations regarding incompatibilities and conflict of interests, provisions regarding the ethical counsellor.
Sweden	<i>The Ethical Foundations of the State - professional values for good governance</i>	principles: democracy, legality, objectivity, transparency, respect, efficiency and good service, prevention of conflict of interests (linked to objectivity).
Norway	<i>Ethical guidelines</i>	duties: public interest, loyalty, legality, efficiency, transparency,

	<i>for the public service</i>	disclosure of information, whistleblowing, confidence in the public service (not to be influenced by extraneous factors), impartiality, objectivity, professional independence, regulation regarding secondary employment, regulation regarding gifts and benefits.
European Commission	<i>Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union</i>	rights and obligations of officials, focus on the interest of the Union, objectivity, impartiality, loyalty to the Union, integrity and discretion, conflict of interest, disclosure of irregularities, protection of whistleblowers, prevention of psychological or sexual harassment.

(source: review of topics from the codes of conduct or ethics)

Values as basis of a “uniform operating culture” in the public administration

The codes of conduct or ethics aim to have the following impact in practice: to shape the “organisational framework” (Austria), to form “a uniform operating culture which unites government departments”, to be a “shared foundation of the state administration” (Finland), to constitute “the professional ethical foundation of all state employees” (Sweden), to support management by results and organisation’s strategy (Finland). In this sense, it could be argued that the codes of conduct and ethics are intended as “culture codes” for the public administration.

Figure 4 Values and organizational culture in the codes of conduct or ethics

Values shape the internal organization of public institutions, including job descriptions, responsibilities, communication, the internal control systems, audit, work procedures (the rotation principle). In some countries the integrity advisor has responsibilities for the internal control system.	<p>The Austrian <i>Code of Conduct to Prevent Corruption</i> emphasize the following:</p> <p><i>“We shape our organisational framework - no chance for corruption</i></p> <p>A good and transparent organisation makes an important contribution to a public service free of corruption.</p> <p>We - those who hold positions of responsibility within the organisation - create clear competences and responsibilities.</p> <p>We develop preventive measures such as the rotation principle and mandatory dual control to prevent corruption in vulnerable areas.</p> <p>We install and respect internal control systems, not least of all to protect members of staff and the organisation.</p> <p>We develop binding regulations to govern sponsorship.</p> <p>We define information structures and communication channels, both within the administration and vis-a-vis the public and the media.</p> <p>We work together in a spirit of trust with control and auditing bodies.</p> <p>We organise advice and training to raise awareness of sources of danger and also offer opportunities for participation.</p> <p>In the exercise of powers of ownership in privatised legal entities we are guided solely by factual considerations.</p> <p>We actively speak out against - also to members of the public or business partners - against the culture of giving gifts”</p> <p>(Austria: <i>Code of Conduct to Prevent Corruption. The RESPONSibility rests with me</i>, p. 29).</p>
The codes are a shared foundation of state administration, for all state	<p>“Values form a “common base”, “a uniform operating culture, which unites government departments with different tasks, procedures and sizes”</p> <p>(Finland: <i>Values in the daily job - Civil servant’s ethics. A handbook for the state administration</i>, p. 24).</p>

<p>employees, a “uniform operating culture”.</p>	<p>The values that form the shared foundation of state administration are: “effectiveness, transparency, quality and expertise, trust, service principle, impartiality and independence, equality, responsibility”.</p> <p>“Uniformity of the values of a Ministry and its administration is the starting point for internalisation of the values in the work of operational units. The values of an operational unit cannot conflict with the shared value base of state administration” (Finland: <i>Values in the daily job - Civil servant’s ethics: a handbook for the state administration</i>, p. 6).</p> <p>“A sound administrative culture deals with the professional ethical foundations that must characterise the work of all state employees. The focus of our work is on the importance of leadership and management and on the special role of being a state employee.</p> <p><i>A sound administrative culture deals with the professional ethical foundations that must characterise the work of all state employees. This includes being aware of and complying with the laws, together with working to prevent corruption. It also deals with developing an ethical compass and the ability to handle difficult situations and dilemmas. All this helps to establish, maintain and strengthen confidence in national government</i>” (Sweden: <i>The Ethical Foundations of the State - professional values for good governance</i>, p.4).</p> <p>“The fundamental values of Swedish society, as expressed in our constitution and laws, form the basis of the ethical foundations of national government. The ethical foundations consist of six principles that form the basis for a professional platform for all state employees and make it clear what it means to work for the state authorities” (Sweden: <i>The Ethical Foundations of the State - professional values for good governance</i>, p.4).</p> <p>Professional ethical foundations for all state employees: Democracy, Legality, Objectivity, Transparency, Respect, Efficiency and good service (Sweden: <i>The Ethical Foundations of the State - professional values for good governance</i>).</p>
<p>The values endorsed in the codes define the integrity culture in the public administration and directly impact the human resource policy. They define what it means to work for the public administration through ethical demands.</p>	<p>“Integrity must become ‘second nature’ to every civil servant and management takes the lead in that regard. Continuous attention to integrity is essential. Integrity belongs in all aspects of the work, business operations and HR policy; recruitment, selection and the induction of personnel, work instructions, work meetings, training and instruction, performance reviews and exit interviews. Integrity must be taken into account intentionally in the organisation of the work. It will be clear that management has an important part to play in this and the duty to promote the integrity policy in both words and actions” (Netherlands: <i>Code of Conduct for Integrity in the Central Public Administration</i>, p. 8).</p>
<p>Values as strategic orientation and management tool in the public administration.</p>	<p>“Values are incorporated into management by results. Values are involved in the control of the administrative sector comprehensively. The values of the ministry and the subordinate department are incorporated into the annual result discussions between them” (Finland: <i>Values in the daily job - Civil servant’s ethics. A handbook for the state administration</i>, p. 16).</p> <p>“The defining of values is part of an organisation’s strategy work. Mission, vision, strategy and values are the foundation of each organisation. The task of values is to steer the activity so that the other aforesaid factors can be implemented. Values are implemented as practical actions, in decisions relating to the activity, in unconscious cases in choices, etc. They are the unit’s way of acting both in order to implement their own societal task and to safeguard the work organisation’s internal efficacy” (Finland: <i>Values to</i></p>

	<i>be part of the daily job, p. 27).</i>
--	--

(source: review of topics from the codes of conduct or ethics)

The values and principles included in the codes of conduct or ethics define the moral group of civil servants/state employees. This is a moral circle, according to Hofstede et al. (2010), which has an inside (those who subscribe to these values) and an outside (those who do not subscribe to these values or are not bound to do so). How is the “border” between the inside and the outside defined? What happens if an individual has a dilemma about this border, or crosses the border? What role does the human resource management have for promoting the values of the civil service/public sector? The next sections provide answers to these questions.

Applied ethics in the public institutions - from individual choice to structures

This section discusses how public administrations guide the application of the values and principles outlined in the codes of conduct or ethics in the work of the public institutions and in the choices made by the civil servants/public employees, with a focus on the approach of ethical dilemmas and the institutional structures for tackling ethical issues, through training, counselling, reporting of potential breaches of the codes.

How to approach ethical dilemmas

In the codes of conduct or ethics surveyed, ethical conduct is linked with the duty to ensure trustworthiness in the public service. Ethical dilemmas are defined as situations in which the civil servant/public employee has doubts regarding the right course of action, for example when the civil servant:

- faces a situation of potential conflict of interests,
- is in doubt whether to raise a concern regarding the legality of the action of a colleague/superior,
- disagrees with the disposition of a manager/superior,
- has doubts regarding the interpretation of the legislation or about the choice between different legally possible courses of action,
- provides advice for a political official but the political decision is contrary to the professional advice,
- faces a choice between a political or policy requirement, on the one hand, and expertise-based advice for action, on the other hand,
- faces a choice between short-term political gains and long-term policy goals or public interests,

- faces a choice between actions based on different values (e.g. collegiality/friendship and loyalty towards the institution/public service, respect for the law vs. friendship, compassion).

The table below provides examples of perspectives that can help solve ethical dilemmas.

Figure 5 Recommendations from the codes of conduct for ethical dilemmas

Raise awareness about problems to ensure trustworthiness	<p>“The trustworthiness of the civil service means, among other things, that the official draws attention to an unethical or illegal act of a colleague. This principle refers to the collective responsibility of officials to contribute to the resolution of situations that damage official dignity. Ethical violations are not necessarily always malicious: they may result from a lack of knowledge of the standards of conduct of the civil service, rules of the institution or statutory restrictions. A solution to the situation may be giving advice to a colleague, internally discussing topics that give rise to dissenting opinions, drafting rules or procedures, carrying out disciplinary proceedings in the event of more serious violations or informing investigative bodies” (Estonia: <i>Code of ethics for officials</i>, p.9).</p>
Reasoning and knowledge for ethical competence	<p>Civil servants will need to realize that it is impossible to lay down comprehensive rules for moral actions, and they will repeatedly need to seek recourse to their ethical awareness” (EUPAN 2004: 2, 3).</p> <p>“In their work, officials come across situations where there is no legislation or where the legislation is controversial. Such cases call for ethical competence on the part of the official, i.e. the skill to analyse situations based on the broader goals of the state and the values of the civil service and to reach a considered, proportional and purposeful solution. The official can draw the attention of the issuer of the legal instrument or another relevant body if a legal instrument is in conflict with a law or the Constitution in their field of work”(Estonia: <i>Code of ethics for officials</i>, p.2-3).</p>
Focus on what is professionally justifiable	<p>The Norwegian <i>Guidelines: Seven Duties of the Civil Service - About the Relationship between Political Leadership and the Civil Service</i> point out the role of „professional integrity” in the relation between civil servants and political leadership, as a basis for trust in public administration:</p> <p>“It is conceivable that situations may arise where there is a contradiction between professional advice provided by the civil service and what the politicians want to decide. When the civil service has given its professional assessment and recommended a solution based on this, but the politicians choose another solution, the democratic rules of play imply that the politicians have the last word. The professional integrity of the civil service is expressed by its competence and provision of advice based on what is professionally justifiable, regardless of the sitting political leadership. This is important in order to maintain trust in public administration.” (p.17)</p>
Duty to advise and warn	<p>“Public employees must make their superiors aware of any doubts that they may have about the legality of an action or decision within their field of work so that the superior can decide on the issue.</p> <p>This also applies if there are doubts about the factual or technical basis for a decision. When such situations arise, the question will typically be resolved through the normal dialogue between the manager and the employee after the employee has drawn attention to the situation and explained their concerns.”</p> <p>“When such disagreements arise where a manager maintains a decision against advice, the employee must carry out the manager's order, unless the employee is certain that the matter is unlawful (manifest illegality)” (Denmark: <i>Code of</i></p>

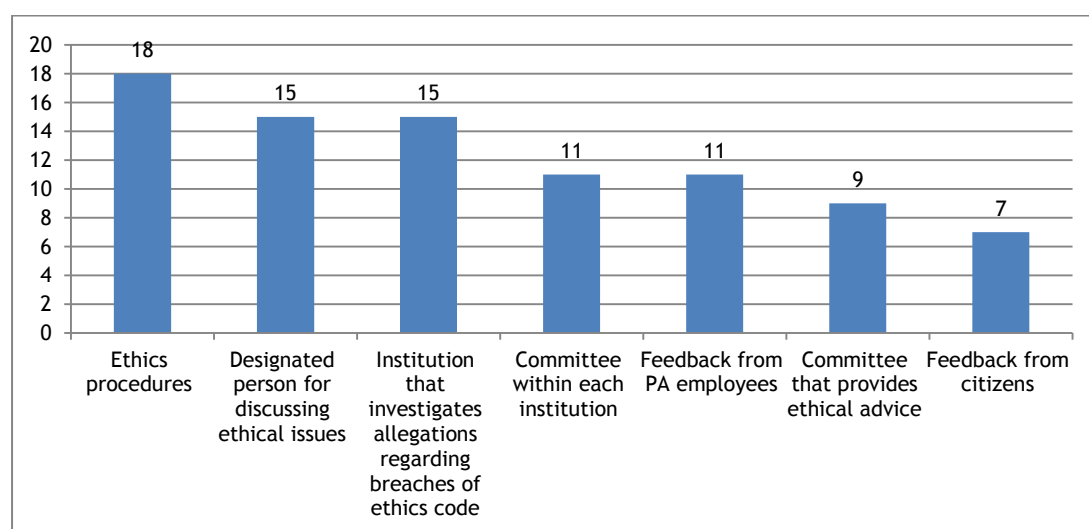
	<p><i>conduct in the public sector</i>, p.11-12).</p> <p>“In addition, public employees who are issued unlawful orders have a right - and in certain cases also a duty - to make known internally within their workplace any unlawful, including professionally irresponsible, circumstances that they become aware of” (Denmark: <i>Code of conduct in the public sector</i>, p.18).</p>
Right and duty to decline	<p>“Employees have both a right and a duty to decline an order if a manager issues and maintains an order that is manifestly unlawful or which requires the employee to do something that is itself a criminal offence. This also applies even if the order is to not to do something, for example to fail to make a decision for which there is a legal duty to make. At the time that the employee declines to carry out an order, they must explain to the manager their reasoning for declining the order and recommend that the manager rescind the manifestly unlawful order” (Denmark: <i>Code of conduct in the public sector</i>, p.12).</p>
Duty to disclose, “whistleblowing”	<p>“Public employees have a so-called right to disclosure. This means that public employees have a right to give the press and other external parties information in cases when there may be questions of unlawful administration or other types of wrongdoing in the public administration - e.g. obvious misuses of public funds. Such forms of expression are sometimes also referred to as whistleblowing” (Denmark: <i>Code of conduct in the public sector</i>, p.18).</p> <p>“This code of conduct attaches much value to making integrity a subject of discussion. Detailing what is to be understood by acting with integrity is something that we must do with each other. You need each other for that purpose. It is also very important that this can be done safely and that the organisation does not react tensely. This demands a lot from both employees and supervisors, both in the workplace and particularly in top management. Many make the mistake of thinking instantly of whistleblowing when an integrity issue is raised and many civil servants are put off by the image of the 'snitch' for whom things do not work out well in the end. That is regrettable, because the easier it is to talk to one another, the more common it becomes to intentionally include integrity in all our decisions. This applies both to decisions in our work and decisions regarding the organisation of our work” (Netherlands: <i>Code of Conduct for Integrity in the Central Public Administration</i>, p.6).</p> <p>“Public officials must be able to report circumstances in the public service that are worthy of criticism. Before a report is filed, an attempt should be made to sort the matter out in-house” (Norway: <i>Ethical guidelines for the public service</i>, p.12).</p>
Courage and duty to make politicians aware of conflicts between professional perspective and political choice	<p>“Civil Service managers have a duty to make politicians aware of such conflicts. They must carry out critical analyses, provide constructive counter-arguments, explore alternative solutions and carry out reliable impact assessments. They must have courage. The duty of loyalty must not be imposed in such a way that it compromises a manager’s professional integrity or undermines the regard for well-informed and knowledge based decisions. Managers have a responsibility for ensuring that freedom of expression is safeguarded for all Civil Service employees within the framework of the ethical guidelines for the Civil Service and notification routines in the agency concerned” (Norway: <i>Leadership in Norway’s Civil Service</i>, p.8).</p>

(source: review of topics from the codes of conduct or ethics)

Institutional tools for tackling ethical issues

The survey emphasizes the following main institutional tools for tackling ethical issues: ethics procedures, designated person for discussing ethical issues, institution that investigates allegations regarding breaches of the ethical code(s) and/or proposes sanctions, committee within each institution that investigates allegations regarding breaches of the ethical code(s) and proposes sanctions, feedback from public administration employees regarding ethical issues, committee that provides ethical advice, feedback from the citizens/clients. Some countries and the European Commission have several of these tools: Estonia (6), Belgium (6), Italy (7), European Commission (7).

Figure 6 Main categories of institutional tools for tackling ethical issues (survey)



The EUPAN study on *Effectiveness of good governance and ethics in central administration: evaluating reform outcomes in the context of the financial crisis* (Demmke and Moilanen 2011) argues that:

“the institutionalization of ethics policies continues to become more complex and also more regulated in the Member States of the European Union. Still, it is highly fragmented and differs amongst the Member States. Generally, the Member States are much more active in the institutionalization of anti-corruption and conflicts of interest policies than in other ethics related policies. As regards corruption and conflicts of interests policies, one can observe a trend towards the creation of specialized bodies to investigate conflicts of interest and corruption in the national public services” (Demmke and Moilanen 2011: 68).

As of 2019, the trend of institutionalization and specialization continues, as shown in the examples from the table below, regarding the institutional tools for tackling ethical issues according to the survey responses.

Figure 7 Examples of institutional tools for tackling ethical issues (survey)

Austria	Designated person for discussing ethical issues and “Network of Integrity
---------	---

	Officers 2018.”
Belgium	The Bureau of administrative Ethics & Deontology offers interactive ethics workshops tailored for specific functions. During these workshops, real-life cases are debated with participants thus enabling them to reflect together about ethical “grey zones” and share best practices on how to recognize and approach the risks involved.
Bulgaria	The Disciplinary Board - According to the Civil Servant's Act, each administration shall create a disciplinary board consisting of three to seven regular members and two reserve members who are all civil servants, to analyse cases on non-compliance with the rules of the Code of conduct of the employees in the state administration.
Czech Republic	Disciplinary committee - Committee within each institution that investigates allegations regarding breaches of the ethical code(s) and proposes sanctions. The disciplinary committee decides whether the civil servant committed a disciplinary breach of the Code of Conduct and after that imposes a disciplinary measure. The committees providing ethical advice is a separate structure in the state institutions, for the implementation of ethics principles.
Switzerland	Mediation offices that employees can turn to in case of conflicts. Personnel survey every three years including a wide range of aspects such as feedback regarding superiors, mobbing or sexual harassment. A representative random sample survey every year. Whistleblower institution.
Germany	The Federal Government Directive concerning the Prevention of Corruption contains rules on the introduction of a designated person for discussing ethical issues . In addition, there is a contact person for corruption prevention , appointed based on the tasks and size of the agency, advising agency management, keeping staff members informed, assisting with training, monitoring and assessing any indications of corruption.
Denmark	E-learning course which deals with the issues in the code of conduct. The e-learning course is available for all employees in the state sector. The regional and local sector can buy access to the e-learning course, making it available for public employees at regional and local level.
Estonia	Integrity officer, provisions regarding freedom of expression and the use of social media.
Finland	Ethics e-learning course for the state civil servants (forthcoming at the date of the survey). This is the first training dedicated exclusively to ethical issues within the state administration.
France	The Public Service Ethics Commission (Commission de déontologie) The role of the Public Service Ethics Commission is to control the departure of public employees who are planning to work in the private sector and in the competitive public sector. It examines whether the private activities they intend to pursue are not incompatible with their previous functions, is responsible for examining requests for authorization from public research service personnel wishing to be seconded or made available to companies promoting their research work or collaborating with them, etc. In 2017, 7216 requests have been submitted to the Public Service Ethics commission. The Commission submits an annual report to the prime minister.
Greece	“Guide of good administrative conduct” regarding the relations between civil servants and citizens.

Hungary	Integrity advisor , regulation on integrity system of public administration organisations. The integrity advisor ensures the establishment of a control environment for the internal control system, coordination of integrated risk management, receives reports on integrity and corruption risks associated with the activity of the organization.
Italy	<p>The IV National Action Plan for the open government 2019-2021 focuses three actions out of ten on transparency, participation and corruption prevention fields:</p> <ul style="list-style-type: none"> • Stimulus for the ability of the administrations to be efficiently transparent towards their citizens; • The use of quality public consultations within the Italian public administrations, in order to offer a concrete support to participation in the decision-making process; • Corruption prevention, in order to strengthen trust between citizens/firms and public administrations.
Latvia	<p>Innovation Laboratories - in 2018, under the State Chancellery's stewardship, three Innovation Laboratories have been put in place in Latvian public administration, including one on public administration reputation and branding lab. One of the goals of this laboratory is to improve public administration image (brand) and reputation by promoting new common public sector values and ethical principles.</p> <p>In 2018, special trainings were provided in the Latvian Public Administration School on: ethics in recruitment; internal control systems for prevention of corruption and conflicts of interest; rule of law (including on integrity, accountability, transparency).</p> <p>The Latvian Public Administration School is working on an e-training on ethics in public sector (as part of work on corruption prevention).</p>
Luxembourg	Psycho-social service within the Ministry for the Civil Service, for all public employees. Its mission is to improve wellbeing and quality at work. This service tackles ethical issues through its support services in the fields of conflict mediation , support in case of interpersonal conflicts (among colleagues, with users), support regarding the prevention of moral and sexual harassment.
Malta	Code of Ethics for public officers , which addresses the following subjects: general principles, conflicts of interest, acceptance of gifts and benefits, personal and professional behaviour, fairness and equity, use of official information, use of official facilities and equipment, political participation and public comments, and sanctions.
Netherlands	The Whistleblowers Authority , which offers confidential advice to employees who want to report an abuse. At the request of the reporter, it can also carry out an independent investigation into the abuse and the treatment of the reporter. The Authority also provides information on integrity policy and open organisational cultures.
Poland	<p>Designated person for discussing ethical issues (the ethical advisor - in the vast majority of the offices governed by a director general, namely the Chancellery of the Prime Minister, ministries, central offices, voivodship offices).</p> <p>Self-assessment regarding the integrity culture The Head of Civil Service recommend conducting a regular, fully anonymous self-assessment on the integrity culture in the organization to all directors general/heads of offices in the Polish civil service. The aim of this survey is to: increase the knowledge of the management team about the integrity issues in the institution; support to identify areas for improvement in order to strengthen the culture of integrity; support to adjust the organization's management strategy regarding integrity; provide information on the effectiveness of the integrity policy.</p>

Portugal	Specific and compulsory training for public service managers. The quality of leadership is of paramount importance for an effective implementation of ethical conduct within public services. If leaders adopt public values of loyalty, neutrality, impartiality, in practice, the probability that other workers follow this example is much higher.
Romania	Ethics counsellor/ethical counselling and monitoring According to the provisions of Emergency Ordinance 57/2019 regarding the Administrative Code (art.454), the ethics counsellor fulfils the following tasks: <ul style="list-style-type: none"> - monitors the application of the principles and norms of conduct by civil servants in the public institutions, - elaborates reports and analyses regarding the observance of the norms of conduct, - carries out the activity of ethical counselling (based on the formal request of the civil servants or at the initiative of the ethics counsellor), - organizes information sessions for civil servants on ethical norms, - may analyse the notifications submitted by citizens regarding the conduct of civil servants.
Slovakia	The Civil Service Council has attributes such as to elaborate expert studies on the application of ethical standards and to issue opinions by responding to specific ethical dilemmas submitted by institutions or civil servants (following the adoption of the Code of Ethics of civil servants, which was in the legislative process at the date of the survey). The ethical adviser , according to the Code of Ethics of civil servant provides the option for institutions to designate a special advisory body or person in order to develop and promote ethical norms, apply the Code into all areas of government, and respond to ethical dilemmas at the request of civil servants.
Sweden	Government agencies have staff disciplinary boards. For senior civil servants there is an independent Government Disciplinary Board.
Norway	Seven Duties of the Civil Service - About the Relationship between Political Leadership and the Civil Service. The aim of the guidelines is to make it easier for both the civil service and politicians to be able to handle the administrative ethical dilemmas that may arise in practical daily life. This can support a good relationship of mutual trust between politicians and the civil service, and between public administration and the citizens.
European Commission	Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union Article 11 of the Staff Regulations outlines the principles of how conflicts of interest are managed. At the beginning of an officials' career, there is a check on conflict of interest as part of the recruitment process. During active service, staff members must fill out declarations relating to their spouse's employment, seek authorisation for outside activities they wish to pursue, notify the Commission of an intention to publish on the work of the EU, or to stand for public office. The general advice is to refuse gifts and hospitality unless diplomatic/courtesy requirements would justify accepting these. When staff members leave the service they continue to be bound by certain requirements by the Staff Regulations, notably those relating to the information received in the course of their duties, the need to behave with integrity and discretion as regards the acceptance of certain appointments or benefits, and approval for engagement in occupational activities.

(source: survey responses)

Ethics and human resource management

Ethics regulations aim to shape the public administration institutions from the inside, through value-based provisions for recruitment and selection, performance management, workplace relations, prevention of conflict of interests, management and leadership in the public institutions.

According to the guide *Quality of public administration - A toolbox for practitioners* (European Commission 2017), the following human resource management provisions are recommended to promote ethical conduct.

Figure 8 Human resource management provisions for ethical conduct

- “Merit-based recruitment as the antithesis of patronage, cronyism and nepotism;
 - Competency frameworks with ethics as an integral feature;
 - Recruitment practices that screen candidates for ethical behaviour;
 - Performance appraisals that consider not only technical and team factors, but also the track record against ethical standards;
 - Ongoing professional development and career management that rewards ethics, including improvements in systems to prevent and control corruption;
 - Unambiguous limits on acceptance of gifts;
 - Restrictions on the ancillary activities and outside interests of staff (for example a tax officer cannot also become a tax consultant) and the accumulation of different positions which may present conflicts of interest (such as policy-maker and regulator);
 - Restrictive covenants in employment contracts regarding future private sector jobs in related fields where they might be able to take advantage of privileged public information for personal gain, such as obliging the official to seek position from the public body or to observe a ‘cooling-off’ period (such as 6 or 12 months)
 - Effective disciplinary policies, in the event of wrong-doing.”
- (source: European Commission 2017: 60)

Ethics requirements for personnel selection - the role of the civil servant

Ethics codes provide requirements which are directly relevant for the recruitment and selection process, as well as for performance management, and define what moral and professional profile is expected from candidates in order to be accepted as civil servants/public employees.

Figure 9 Requirements from the codes of conduct or ethics, for the role of the civil servant

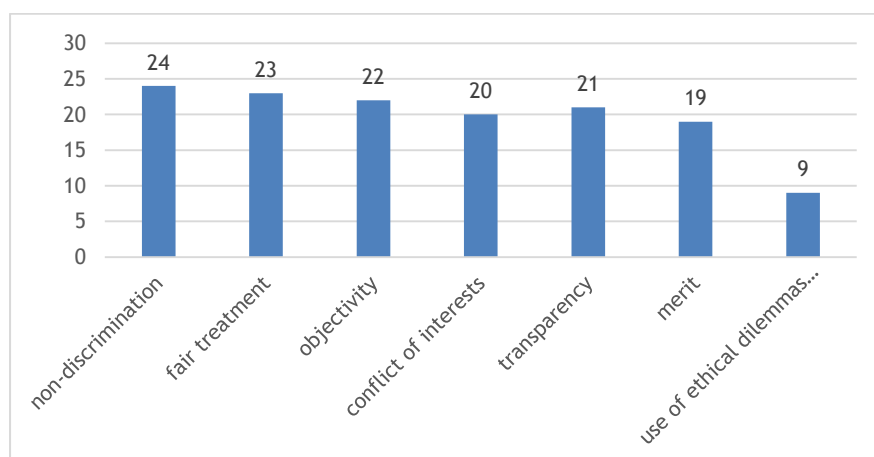
<p>Taking responsibility for one's own feelings and conduct</p>	<p>“Taking responsibility for one's own skill and its maintenance</p> <ul style="list-style-type: none"> • Awareness of the work organisation's basic task and of the objectives and methods by means of which the basic task is managed in the organisation • Awareness of the profile of one's own job and of its implementation at the level of activity • Respect for oneself and others: compliance with sufficiently good manners at the work place, ability to discuss things objectively with colleagues • The ability to give and take both positive and corrective feedback • The ability to talk about things with their real names; the skill to raise matters that need to be examined with the relevant person, the understanding to avoid "cliques" and to refuse to talk about people behind their backs.” (Finland: <i>Values in the daily job - Civil servant's ethics</i>, p. 26)
--	---

<p>Professionalism and efficiency as ethical requirements</p>	<p>“Professionalism and efficiency:</p> <ul style="list-style-type: none"> - use and develop the competences, skills and knowledge necessary for public work, take over industry and private sector best practices and international experience; - is goal-oriented and result-oriented; - work efficiently, achieving the set goals and qualitative results with the least possible resources; - actions, decisions and opinions are reasonable and weighted, based on case studies, objective facts and data; - is open to change and engages in new approaches and innovations in public administration; - strives for excellent customer service so that everyone in their dealings with public administration is satisfied with the service they receive; - seeks to reduce the administrative burden and adhere to the "first come, first served" principle.” (Latvia: <i>Values of public administration and basic principles of ethics</i>) <p>“Professionalism means that</p> <ul style="list-style-type: none"> - the official acts based on the best knowledge and skills in their field of work; - the official keeps themselves informed about developments in relevant fields in order to perform their duties, and constantly develops themselves; - the official is innovative in their activities, aiming to resolve work-related problems.” (Estonia: <i>Code of Ethics for Officials</i>)
--	--

(source: review of topics from the codes of conduct or ethics)

The survey emphasizes the following ethical principles for recruitment, selection and performance management: non-discrimination, fair treatment, objectivity, transparency, prevention of conflict of interests, merit. In some countries (BE BG IT MT NL PL PT RO SI) selection panels may use ethical dilemmas to assess candidates’ ethical attitudes.

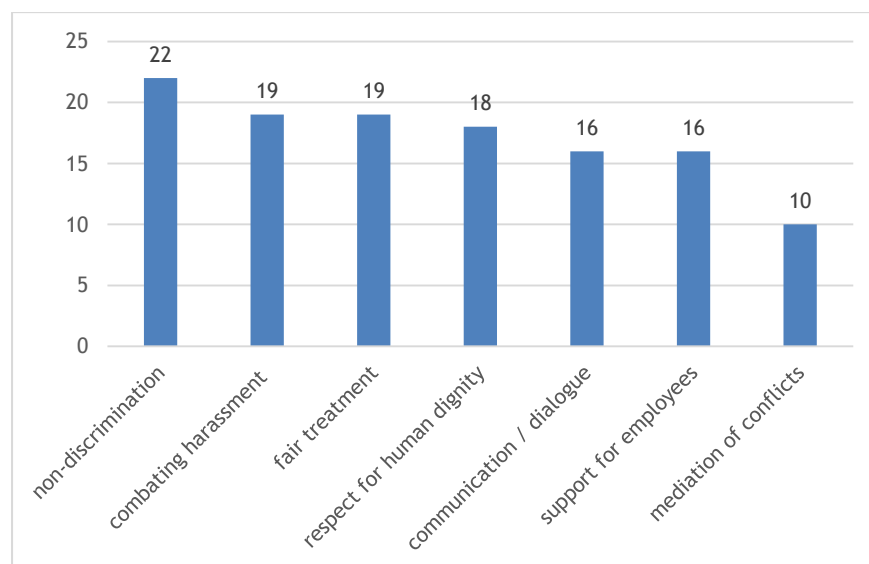
Figure 10 Ethical requirements for recruitment, selection and performance management (survey)



Workplace relations

The main ethics provisions for workplace relations highlighted in the survey were: non-discrimination, preventing and combating harassment, fair treatment, respect for human dignity, communication/dialogue, support for employees, mediation of conflicts.

Figure 11 Ethics provisions for workplace relations (survey)



The figure below illustrates some basic rules regarding workplace relations created to ensure respect and collegiality and prevent undesirable conduct.

Figure 12 Ways to treat others, according to the codes of conduct/ethics

<p>Treat others how you wish to be treated</p>	<p>“We strive within central government for collegiality, cooperation, team spirit, openness and a service-oriented attitude. You must also respect each other’s privacy and take each other into consideration. Do not complain and gossip behind someone else’s back. Do not cause any inconvenience at work and comply, for example, with the smoking policy rules. Insults, discrimination, sexual harassment, bullying, aggression and violence are manifestations of undesirable conduct and are not tolerated within the Central Public Administration. Manifestations can be verbal and non-verbal, oral or in writing, or even digital. Sometimes this is done intentionally, other times less so. Take care to make others realise this kind of behaviour is unacceptable by leading by example, confronting each other about undesirable behaviour and supporting colleagues that are the victim of undesirable conduct. As a victim of undesirable conduct, you can approach a counsellor or your supervisor and, if necessary, make use of a complaints procedure”(Netherlands: <i>Code of Conduct for Integrity in the Central Public Administration 2016</i>, p.28).</p>
<p>Good manners</p>	<p>“There are general provisions for good manners in the workplace, in work relations and even in leisure time: Good conduct and manners raise the quality of public services and is characteristic to them. Every civil servant represents his or her own agency or office and at the same time the whole government in the eyes of citizens. In the workplace community, good manners contribute to a good atmosphere. Different tasks set different demands, with which the personnel in each</p>

	office is familiarised. The position of a civil servant may place specific demands on behaviour also in leisure time.” (Finland: <i>Values in the daily job - Civil servant’s ethics</i> , p.22-23)
Occupational safety	“Occupational safety particularly means that the work environment is safe and tools and equipment suitable for their purpose. Labour protection also means immediate intervention in cases of bullying, harassment or other inappropriate behaviour”(Finland: <i>Values in the daily job - Civil servant’s ethics</i> , p. 21).

(source: review of topics from the codes of conduct or ethics)

The prevention of conflict of interests

The management of conflict of interests at individual level (named as such or integrated in wider issues of objectivity and impartiality) is a common denominator/issue in the codes of conduct or ethics and could cover the following:

- Prohibition for accepting gifts, services and other benefits,
- Careful management of invitations to events, trips, etc.,
- Disclosure of financial interests (of the civil servant and family members), commercial activities and sponsorships,
- Disclosure and selection of secondary activities to avoid incompatible duties,
- Post-public employment restrictions,
- Cooling-off period in a sensitive move to other work,
- Provisions regarding participation in procurement, tenders, hiring.

Codes of conducts define conflict of interests not only in relation to the actions outlined above, but also as a breach of fundamental values of the civil service/public sector such as objectivity, impartiality, independence, trustworthiness, as detailed in the figure below.

Figure 13 Conflict of interests as a breach of core values of the civil service

The prevention of conflict of interests is interlinked with the core values of the civil service: objectivity, impartiality, independence, trustworthiness.	<p>In Denmark <i>The Code of Conduct in the Public Sector</i> emphasizes that a conflict of interests would be a breach of the principle of “impartiality”: “It is a fundamental principle that public employees must both be and appear to be impartial and that they must make decisions and rulings based on objective grounds. Public employees who make decisions based on considerations that from an objective point of view are irrelevant - for instance considerations for their own personal or economic interests or those of private friends or acquaintances - are acting, therefore, in conflict with their official duties.” (p. 25)</p> <p>In the Netherlands <i>The Code of Conduct for Integrity in the Central Public Administration</i> defines the conflict of interests in relation to the values of “independence” and “impartiality”: “As a civil servant, you must be independent and impartial. A conflict of interests exists if you are directly or</p>
---	--

	<p>indirectly a stakeholder or party to a decision over which you have influence as a civil servant. This can also be the case if your partner, friend or colleague has an interest in the decision rather than yourself. You must be seen to prevent a conflict of interests, or even the appearance of one. By acting in time, you protect both yourself and the organisation.” (p.10)</p> <p>In Sweden the document <i>Ethical Foundations of the State</i> tackles the prevention of conflicts of interests in the description of the principle of “objectivity”, outlining the restrictions regarding gifts, benefits, favours and incidental employment. “Everyone must be able to trust that, as state employees, we act objectively and impartially. Therefore, we are on the alert to recognise and call attention to the conflicts of interest that may arise. The principle of objectivity deals with maintaining confidence in the state authorities and national government.” (p.10)</p> <p>In Estonia the <i>Code of Ethics for Officials</i> links the prevention of conflict of interests with “trustworthiness” and prevention of corruption. “A conflict of interest involves a discord between the public duty and private interests of a public official, in which the public official has private interests which could improperly influence the performance of their official duties and responsibilities.” (p. 6).</p>
--	---

(source: review of topics from the codes of conduct or ethics)

Ethical leadership in the public administration

Leadership is central for human resource management and for promoting ethics in the public administration. In some countries the codes of conduct or ethics have specific provisions for heads of institutions, managers, supervisors and highlight their role in promoting responsibility and professionalism, preventing deviations from ethical norms, translating ethical requirements in decision-making, as illustrated in the examples below.

Managers’ responsibilities regarding the observance of ethical norms in state institutions is a central part of their role, irrespective of whether public administrations assign some responsibilities to ethical counsellors. Ethical leadership includes: trustworthiness, commitment to civil service values and the objectives of the institution, integrity (including the prevention of corruption), social responsibility, courage, professionalism, efficiency.

Figure 14 Examples of ethics provisions for managers in the public administration

<p>In Austria the <i>Code of Conduct to Prevent Corruption - The RESPONSibility rests with me</i> stipulates the following desirable behaviour of managers / executives in the public administration: “As an executive I have a responsibility toward my organisation, my staff and the public. As an executive I am committed to the values integrity, transparency, objectivity and fairness, and seek to conscientiously carry out my responsibilities and serve as an example. I am committed to ethical values, act in accordance with them and expect the same from my staff. I lead my staff with a sense of social responsibility and treat them with respect. I trust in the abilities and expertise of my staff and entrust them with commensurate tasks. I further the development of my staff and provide them with support and instruction. Within the framework of my disciplinary and specialist supervision I also guarantee compliance with the applicable laws and regulations. I am committed to preventing and fighting corruption and actively raise awareness among my staff</p>

for this issue, especially within the framework of the structured appraisal meeting. Within the scope of my responsibility I implement suitable control measures designed to protect my staff as well as sanctions to protect the organisation. I promote staff identification with the goals of the organisation. I take care that my staff and I have correct and clear forms of communication and behaviour. I make transparent and comprehensible decisions.” (*Code of Conduct to Prevent Corruption - The RESPONSibility rests with me*, p. 27)

In Germany *Rules on Integrity* include Guidelines for supervisors and heads of public authorities/agencies:

“As supervisors and heads of public authorities or agencies, you are both responsible for and serve as an example to those working under your supervision.

Your conduct and attentiveness are extremely important in preventing corruption.

For this reason, you should be pro-active in your personnel management and evaluation. In particular, you should ensure that responsibilities are clearly designated, that job descriptions are transparent, and that staff performance is assessed with appropriate frequency.” (Annex 2, p. 6-23)

In Portugal, the *Code of ethics and conduct for DGAEP* stipulates that “leaders encourage their workers to perform their duties efficiently and with quality, mutual appreciation, respect and cooperation, aiming at developing their responsibility and autonomy. Managers also seek to ensure harmonious working relationships, promote team spirit, the motivation of its employees and recognition, in an environment of full affirmation of the primacy of competence and the value of people.” (p.11-12)

In Latvia the *Values of public administration and basic principles of ethics* include the following provisions for heads of institutions and directors:

- “promote awareness of public administration values and ethical behaviour; (...)
- clearly formulate the operational objectives and priorities of the institution or unit and its link with the institution's objectives;
- be able to define and translate into action a strategic vision for the institution's or industry's development and organize the work of the institution or department so as to achieve the intended result;
- promote awareness of the workforce of the institution and of the public administration, mobilizes them in the common interest and promotes mutual trust;
- create a work environment based on openness, participation, professionalism and respectful and equal treatment;
- encourage the involvement of employees in the development of the institution, encourage their professional development and initiative, their interest in their duties and their performance;
- promote the continuity of professional knowledge, the introduction of new employees and their development;
- criticism of the employee's work is expressed on an individual basis. Emphasizes the importance of cooperation in achieving common goals by welcoming teamwork;
- continuously improves the institution's internal control system, working environment and work processes so as to minimize potential irregularities and increase the efficiency of the institution's work;
- regularly evaluates performance, employee engagement and customer satisfaction to continuously improve public administration performance.”

In the Netherlands the *Code of Conduct for Integrity in the Central Public Administration 2016* stipulates that “inspiring leadership and exemplary behaviour is required from them in relation to integrity. They must be continually aware of this, show that integrity is important and look in depth at the subject. It is essential that they recognise and label integrity risks in time and then approach them correctly, as well as openly discuss dilemmas, reward positive behaviour and be able to offer employees advice and assistance. They must also support and, where necessary, protect employees who display a lack of integrity. Only then can employees feel safe enough to approach each other and management about improper behaviour. (...)the employer also has an explicit responsibility

towards the supervisors, namely by giving them the opportunity and, where necessary, the guidance to be able to duly fulfil their role. Collegial deliberations among supervisors are also important to test whether the role of the management is being properly realised.” (p.9)

In Norway, the document *Leadership in Norway’s Civil Service* stipulates that: Civil Service managers “are required to loyally implement policies once they are decided” and at the same time “managers must seek to ensure that decisions are based on professionally and legally sound assessments and that they take proper account of the interests of the general public both today and in the future. There may be a clash between these two considerations. Short-term political gains are sometimes made at the expense of long-term policy goals.” (p.8)

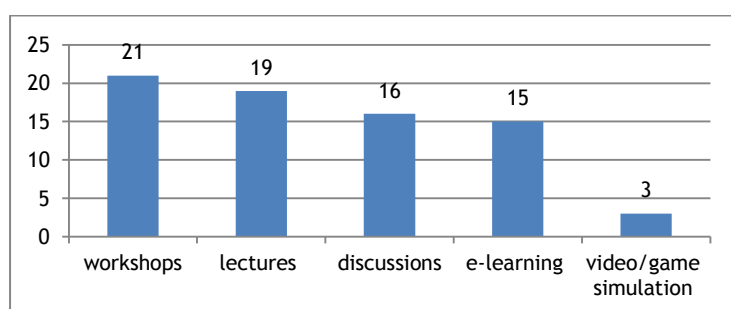
The Common Assessment Framework 2020, endorsed by EUPAN member states, points out that “leaders are responsible for improving performance. They prepare for the future by organising the changes necessary to deliver the mission. The initiation of a continuous improvement process is a core target of quality management. Leaders prepare the ground for continuous improvement by ensuring an open culture for innovation, learning and ethical behaviour.” (p.16)

Ethics training trends, dilemma training

Some of the examples provided in the survey regarding tools for tackling ethical issues (discussed in the previous chapter) refer to training and guidelines. This shows that, beside the institutional approach (regulations, committees, designated persons) there is a trend for dialogue for guiding behaviour. In some countries, the approach for training includes open discussion about what could become problematic, even if it is not a breach of the law, because it affects institutional credibility, may diminish the trust in public administration and has a negative impact on the economy and the public administration employees. Moreover, it is apparent that training is important not only for civil service role definition but also for preparing actual and potential managers.

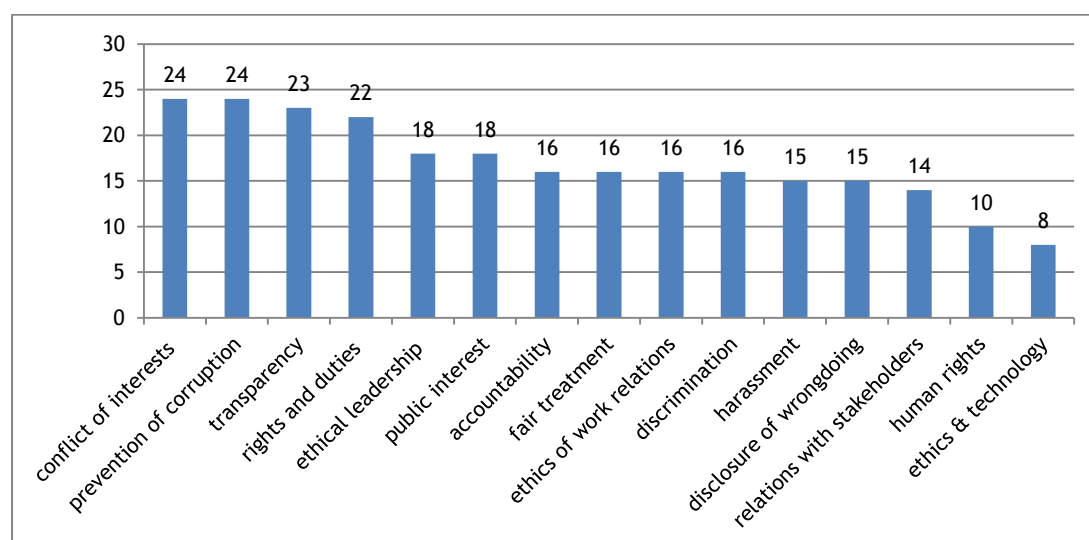
Ethics training is delivered with workshops, lectures, discussions, e-learning, video/game simulation, writing reflections, role play, podcasts.

Figure 15 How is ethics training delivered (survey)



According to the survey, European public administrations provide ethics trainings on similar topics: conflict of interests, prevention of corruption, transparency, information regarding rights and duties, ethical leadership, public interest, accountability, fair treatment, ethics of work relations, prevention of discrimination and harassment, disclosure of wrongdoing, relations with stakeholders, human rights, ethics regarding the use of technology.

Figure 16 Topics of ethics training in the European public administrations (survey)



The figure below shows the trends regarding ethics training in the public administration, as of 2019.

Figure 17 Examples of ethics training in the European public administrations (survey)

In Belgium, the Bureau of administrative Ethics & Deontology offers interactive ethics workshops tailored for specific functions, focused on discussing real-life cases, “grey zones” and sharing best practices. (survey response)

In Finland a new ethics e-learning course is provided to the state civil servants. Previously the ethics training was included in the orientation programme for new civil servants. (survey response)

In Latvia special trainings are provided at the Latvian Public Administration School on: ethics in recruitment; internal control systems for prevention of corruption and conflicts of interests, rule of law (including on integrity, accountability, transparency). In 2019 the Latvian Public Administration School was working on an e-training on ethics in the public sector (as part of corruption prevention). (survey response)

In Sweden government agencies focus on ethics in their training of new employees. Agencies with operations with specific ethical dilemmas, for example in the judicial system, usually have dilemma discussions in their workplaces. Government agencies or ministries can arrange their own training in accordance with the specific needs of their operations. In addition, Statskontoret offers workshops, lectures, e-learning resources and publishes information in different formats (i.e. handbooks, videos, podcasts, practice cases of ethical dilemmas etc.). (survey response)

In Portugal specific training including ethics norms is compulsory for management functions. This training is provided by the service responsible for training in public administration (Directorate-General for Qualification of Employees in Public Functions - INA) and by higher education institutions. Public service ethics is one of the topics included in this training programme and aims to include ethical decision making into the organizational culture. Its main objective is to discuss personal and management ethics. Regarding the workplace environment, objectives are to develop the employees’ ethic awareness and pay particular attention to daily issues arising from the relationships with stakeholders. Motivation and enforcement of ethical behaviour are a core concern of leadership, in addition to the promotion of a healthy and happy workplace environment. (survey response)

During the EUPAN DG Meeting on 3 June 2019 participants at the World Café discussions shared examples regarding various types of ethics training and awareness campaigns:

- Ethics training to policy makers/politicians;
- Awareness campaigns regarding the importance of ethics in public administration;
- Mandatory integrity/ethics courses (in classrooms or e-learning) for managers and new employees;
- Internal discussions and reflections, regarding ethics in the organization (with internal/specific cases to be analysed, debated). (EUPAN Romania 2019)

Ethics dilemma training

Some public administrations use ethical dilemmas in the training as well as in the recruitment process (BE BG IT MT NL PL PT RO SI). For example, the Swedish ethics code regarding *The Ethical Foundations of the State* stresses that it is “important to train your ethical compass as well as to train in other professional skills” and that “dilemma discussions can be an excellent tool to develop the ability to deal with difficult situations and to build a sound administrative culture. By working with hypothetical cases that are adapted to your own activities, you can try out and further develop your ability to determine what is appropriate. This contributes to establishing independent and competent employees” (p.20).

Dilemma training is used not only for public administration ethics but also for business ethics (e.g. the program and book *Giving voice to values* by Mary Gentile). According to Mary Gentile (2010) “our own internal awareness of our biases and tendencies is important but not enough to prevent us from falling prey to them: we need to go beyond awareness to active preparation for values-based decision making, a preparation that includes the scripting and action planning,” through reflection on one’s own ethical conduct, values, with a focus on the following question: “If we were going to act on our values, what would we say and do?”

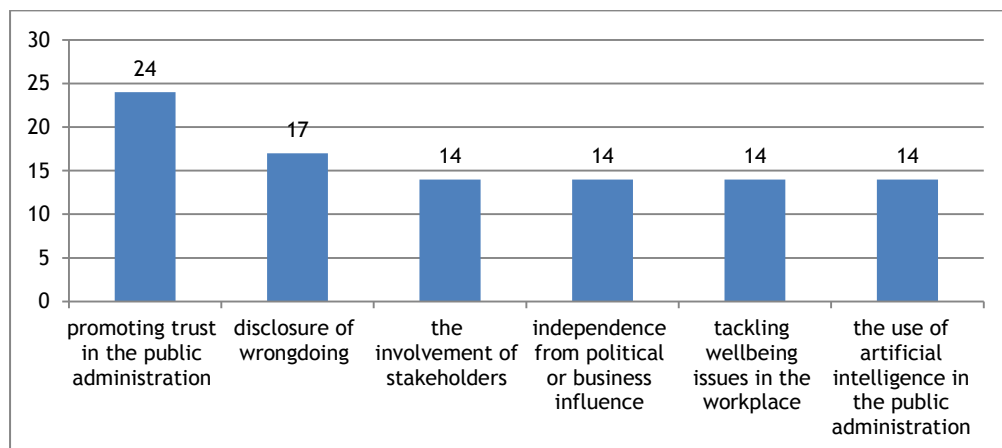
The answers to this question depend not only on the individual choice, but also on the organizational context, both in the private and the public sectors. This understanding has implications for the approach to ethics training in the public administration: Does the training tackle aspects of the organizational culture alongside ethical dilemmas? Do organizations face ethical dilemmas? How are individual choices shaped by the perception of the actual organizational culture? How do trainers respond to ethical dilemmas raised by the participants at ethics trainings? What ethical challenges do public administration employees face in their activity, what challenges do they anticipate for the future?

Challenges for the future, conclusions and recommendations

This section outlines the challenges for ethics in the public administration indicated in the survey followed by analysis, recommendations and questions for further exploration. The issues mentioned in the survey as the main challenges for

ethics in the public administration are: promoting trust, disclosure of wrongdoing, the involvement of stakeholders, independence from political or business influence, tackling wellbeing issues in the workplace, the use of artificial intelligence in the public administration.

Figure 18 Challenges for ethics in the public administration in the next decade (survey)



The survey shows a significant consolidation of approaches for promoting ethics in the European public administrations, through regulations (laws, codes of conduct or ethics) and institutional settings, which aim to promote values as a “uniform operating culture.” However, the main challenge identified is trust in the public administration. This is puzzling and is an opportunity to ask new questions and try to expand the horizon of ethics in the public administration. This section provides several suggestions, as responses to the following question: *What issues need to be tackled in the public administration in order to secure citizens’ trust?*

Organizational culture, fairness, openness and trust

Trust in institutions is not only about institutional trustworthiness but also about trust within institutions (civil servants’ perception of fairness in the institution, internal transparency and openness towards raising awareness about problems).

Trust within organisations is based on the perceptions regarding fairness on multiple levels: outcomes, procedures and interactions (Trinkner, Tyler, and Goff 2016, Rotenberg 2018). For example, a survey by Trinkner, Tyler, and Goff (2016) of patrol officers and sergeants of a large urban police force shows that “when officers were in a procedurally fair department, they were more likely to trust and feel obligated to obey their supervisors, less likely to be psychologically and emotionally distressed, and less likely to be cynical and mistrustful about the world in general and the communities they police in particular. More importantly, these effects were associated with greater endorsement of democratic forms of policing, increased organizational efficiency, and officer well-being. Taken together these results clearly support the utility of infusing procedural justice into

the internal working climate as a means to improve police officer job performance, their well-being, and their relationship with the communities they police” (from article abstract).

Kidder (2006) and Gentile (2010) argue that organizational enablers (such as trust and an open approach for discussing problems) are crucial for the expression of values. Thus, it is important to acknowledge that not only individuals are instrumental for promoting ethics in the workplace, but also the organizational culture as a whole. This perspective is important because it shifts the focus from the individual to a collective responsibility for ethics in the organization.

Kidder (2006) provides an example of the pitfalls of the organizational culture, from the NASA analysis regarding the Columbia accident, which emphasized that “NASA’s organizational culture and structure had as much to do with this accident as the external tank foam”, the “broken safety culture” that “suppressed the willingness of employees to come forward, share their concerns, and speak up about potential problems.”

This example is an invitation to reflect on how public administrations tackle the problems raised by their employees, in practice, beyond the norms regarding whistleblowing.

The perception of public employees/civil servants regarding fairness and openness/transparency in the public institution is an important component of internal trust, as part of the actual organizational culture, beyond the provisions of the codes of conduct or ethics. This influences the everyday activity of public employees, the quality of their work, how they translate values in practice, how they voice their values and signal identified problems.

Trust in the public institutions: competence, public interest, integrity, commitments and efficiency

According to the literature, trust is based on perceptions regarding competence/abilities, benevolence/good will, commitments and integrity/honesty (Hawley 2012, Rotenberg 2018).

Rotenberg (2018, chapter 8) argues that “a party’s trust and trusting action in the workplace is the result of his or her propensity to trust (e.g., predisposition to believe others keep promises), and perceived trustworthiness of the other party (ability, benevolence, and integrity). Perceived ability comprises perceptions of the other party’s skills, competencies, and expertise in a given domain. Perceived benevolence comprises the extent to which the other party is believed to be engaged in actions intended to benefit the party in question (i.e., do him good). Finally, perceived integrity comprises the perception that the other party adheres to a set of acceptable principles such as demonstrating credible communications and a strong sense of justice, and manifesting words into actions.”

According to Hawley (2012: 46, 98) trusting someone to do something involves expectations of good intentions, honesty, skills/abilities as well as fulfilment of commitments. She argues that the idea of trust in institutions (e.g. state

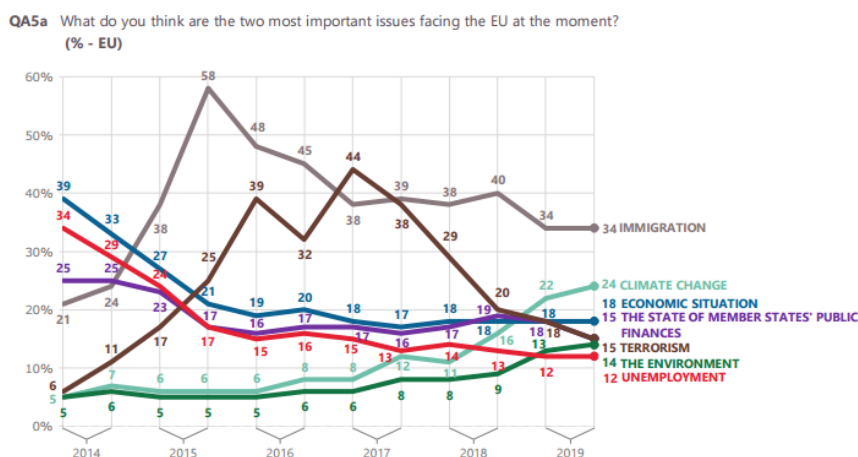
institutions, companies, the justice system, the business sector) makes sense because institutions make commitments, promises, undertakings, through legal contracts, agreements, charters, statements of purpose, other documents in which they set up goals and guidelines (Hawley 2012: 98). Moreover, she points out that “as with individual people, neither honesty nor competence alone is enough for full trustworthiness: well-meaning but dysfunctional organizations cannot be trusted, and nor can highly effective groups that disguise their true goals and actions. And as with individual people, it seems reasonable for us to resent institutions and organizations that betray our trust, and to appreciate those that live up to their commitments” (Hawley 2012: 99).

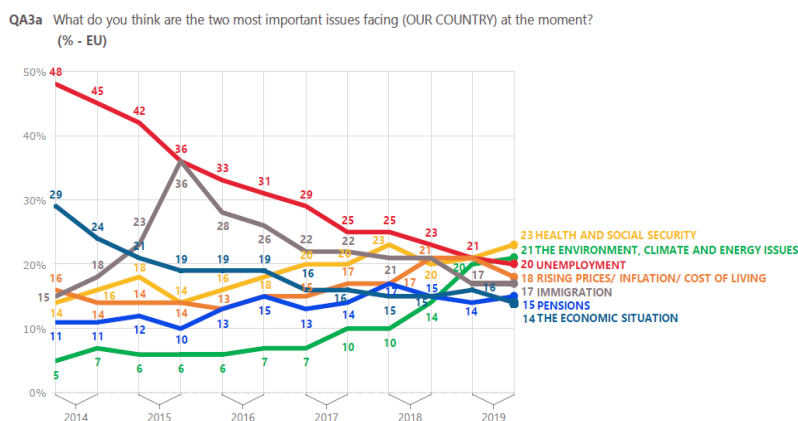
Taking into account that trust in institutions is about perceived competence, good will (for the endorsement of the public good), integrity and fulfilled commitments (goals, objectives, ethical provisions), the measures to improve trust in institutions could lead to actions to ensure professionalism, competence-based selection of the personnel, adequate performance management, efficiency, quality public services, realistic objectives and strategies, oriented towards what matters for the citizens, good internal and external communication, etc.

Focus on what is important for the citizens

A comparison between the focus of ethics in the public administration and the concerns of citizens highlighted in the *Eurobarometer* sheds light on underexplored issues. For example, according to the *Eurobarometer 92 - Public opinion in the European Union* (Autumn 2019, p.16) citizens show concern regarding the following challenges facing the European Union: immigration, climate change, economic situation, public finance, terrorism. Regarding the national issues, citizens show concern for health and social security, environment, climate and energy issues, unemployment, rising prices, inflation, cost of living, immigration, pensions, the economic situation.

Figure 19 People's perceptions regarding the most important issues at the EU and national levels (Eurobarometer 92)





(source: Eurobarometer 92, Autumn 2019, p.16, 22)

How could public administrations adapt their ethics agenda to fit in these issues?
What do public employees think about how public institutions tackle these challenges?

Promoting fundamental rights

Human rights monitoring and research by the European Union Agency for Fundamental Rights (FRA) points out, as of 2019, ethical issues regarding workers' exploitation, discrimination against Roma, people with disabilities, LGBTI people (Lesbian, Gay, Bisexual, Transgender and Intersex), migrants, as well as antisemitism (*Second European Union Minorities and Discrimination Survey - Roma Selected findings* (FRA 2016), *Fundamental Rights Report 2019 FRA opinions* (2019a), *Protecting migrant workers from exploitation in the EU: workers' perspectives* (FRA 2019b), *Young Jewish Europeans: perceptions and experiences of antisemitism* (FRA 2019c), *A long way to go for LGBTI equality* (FRA 2019d).

For example, FRA stresses that "eighteen years after the adoption of the Racial Equality Directive and 10 years after the adoption of the Framework Decision on Racism and Xenophobia, people with minority backgrounds and migrants continue to face widespread harassment, structural discrimination, entrenched prejudice and discriminatory ethnic profiling across the EU, as the findings of FRA's 2018 surveys and reports of human rights bodies show. Several Member States have still not correctly and fully incorporated the Framework Decision on Racism and Xenophobia into national law" (FRA 2019a: 9).

The FRA research shows a face of Europe that requires awareness at all levels, including in the public administrations. Do national governments have among priorities discrimination issues? Do people who feel discriminated trust public administration institutions? Do civil servants have clear responsibilities for ensuring an anti-discrimination approach in their activities, from direct contact with people to drafting regulations? What do public employees think about how the issues mentioned above are tackled by their institution, and by public administration at large? What suggestions do they have to improve awareness for human rights issues in the public administration?

It could be useful to promote training and open discussions focused on human rights issues, for public administration personnel, as discrimination may be hidden in situations taken for granted, in the use of new technology, etc. Other approaches could include frequent consultations with organizations representing vulnerable groups, volunteering for social causes, including raising awareness regarding discrimination and vulnerability.

Ethics and new technology

A recent report on *Ethics guidelines for trustworthy AI* elaborated by the High-Level Expert Group on Artificial Intelligence set up by the European Commission outlines “seven key requirements for Trustworthy AI: (1) human agency and oversight, (2) technical robustness and safety, (3) privacy and data governance, (4) transparency, (5) diversity, non-discrimination and fairness, (6) environmental and societal well-being and (7) accountability” (High-Level Expert Group on Artificial Intelligence 2019: 24).

The Eurobarometer 92 - Europeans and Artificial Intelligence (Autumn 2019, p.25) shows that a majority of respondents in 26 EU Member States believe that public policy intervention is needed to ensure the ethical development of artificial intelligence applications, with the highest proportions in the Netherlands (77%), Sweden (72%) and Denmark (63%).

The ethical concern regarding the use of AI is quite recent. Scrutiny and clear communication are needed for detecting the impact of the use of such technology, including unintended consequences that could affect people. It is important to involve diverse stakeholders in the design of AI systems for the public administration, to ensure that their expectations and concerns are taken into account.

Different perspectives regarding ethical leadership

The analysis of the codes of conduct or ethics show that, in some countries, the requirements for heads of institutions and managers to uphold the values of the public service are quite detailed, spanning from ensuring efficiency, prevention of conflicts of interests and corruption, to the wellbeing of the employees. The profile of ethical leadership in the public administrations requires more attention and discussion, particularly in the countries where this topic is underdeveloped.

Insights from management studies could be useful for framing and reframing the roles of the heads of institutions and managers in the public service/sector, in accordance with the changing expectations from the society/stakeholders regarding the role and performance of the public administration. For example, the model of “servant leadership” (Greenfield 2002, Blanchard and Broadwell 2018), focused on being in the service of the organization and its employees, building on empathy, openness (listening), awareness, foresight, persuasion,

conceptualization, commitment to the growth of people, building community (Greenfield 2002), could be inspiring for ethical leadership in the public service. These aspects could be explored further in the public administration through events, webinars, training and research, in order to stimulate reflection on the role of the civil service/public sector to be in the service of the society, the role of managers to serve the society, citizens, the institutions, the public sector employees, etc.

Recommendations for promoting trust in the public administration

Taking into account that trust in institutions is about perceived competence, integrity, good will and fulfilled commitments (Hawley 2012, Rotenberg 2018), improving the trust in the public administration means actions to ensure quality public services, professionalism, integrity, the promotion of public interests and efficiency. Some examples of actions, in this sense, may include:

- Public services co-designed together with the main stakeholders (e.g. digital services that suit the needs of the citizens and of all tax contributors),
- Competence-based selection of the personnel,
- Adequate performance management as well as performant management,
- Continuous professional training for the public administration employees, in accordance with the new developments in their respective fields,
- Clear and focused ethics provisions, regarding prevention of conflict of interests, disclosure of wrongdoing, transparency and openness towards raising awareness about problems,
- Independent analysis and public regular reports regarding the performance of public institutions (to assess how they attained their goals, objectives, how they comply with ethical provisions).

The survey showed that there are differences regarding how European countries approach ethical issue about:

- Prevention/management of conflict of interests, disclosure of wrongdoing,
- Leadership (the ethical responsibilities of the heads of institutions and managers),
- Ethics counselling and debate in the public institutions,
- Wellbeing at work (including health and safety), preventing harassment, discrimination, mediation of conflicts.

These topics could be tackled in programs of experience exchange or collaboration between public administrations, as well as in EUPAN events, working groups and policy papers, for disseminating examples, lessons learned and challenges, and for stirring innovative approaches regarding these issues, in the public administration. In addition, it could be useful to expand the scope of ethics in the public administration in order to include the following:

- New topics and experience exchange for ethics debate regarding citizens' concern (health, the environment, climate change, the use of Artificial Intelligence, as indicated in the *Eurobarometer*), as well as human rights issues such as discrimination against Roma, people with disabilities, LGBTI, migrants, antisemitism (highlighted by the FRA).
- Experience exchange between public administration institutes, universities, business schools (with ethics programs), regarding ethics in organizations, ethical dilemma training, leadership approaches, ethical issues regarding AI, expanding the understanding of ethics in the public administration, etc.

These issues are relevant for the three strategic domain of the *EUPAN Strategy Paper July 2019 - June 2022* regarding ethics and organizational culture, digitalization and innovation, and future-oriented strategic, efficient and effective human resources management in the public administration, and could strengthen trust in the European public administrations.

References

- Blanchard, Ken and Broadwell, Renee (2018) *Servant Leadership in Action: How You Can Achieve Great Relationships and Results*, Berrett-Koehler Publishers.
- Coyle, Daniel (2018) *The Culture Code: The Secrets of Highly Successful Groups*.
- Demmke, Christoph, Timo Moilanen (2011) *Effectiveness of good governance and ethics in central administration: evaluating reform outcomes in the context of the financial crisis*. Study for the 57th Meeting of the Directors General responsible for Public Services in EU Member States and European Commission. European Institute of Public Administration.
- EUPAN (2004) *Main features of an Ethics Framework for the Public sector*, adopted by the Directors General responsible for Public Administration in the member states in 2004, during the Dutch Presidency of the Council of the European Union.
- EUPAN, EIPA, CAF Resource Centre (2019) *Common Assessment Framework - CAF 2020 The European model for improving public organisations through self-assessment* (cited as CAF 2020)
- EUPAN (2019) *EUPAN Strategy Paper July 2019 - June 2022*
<https://www.eupan.eu/wp-content/uploads/2019/06/EUPAN-Strategy-Paper-2019-2022.pdf>
- EUPAN Romania (2019) The 72nd EUPAN Directors General Meeting Atmosphere Report 3-4 June 2019
<http://www.anfp.gov.ro/R/Doc/2019/stiri%202019/Atmosphere%20Report%20EUPAN%20DG%20Meeting%203-4%20June%202019%20Ro.pdf>
- European Commission (2015, 2017) *Quality of public administration - A toolbox for practitioners*.
- European Commission (2018) *Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union*
- Eurobarometer 92 - Public opinion in the European Union* (Autumn 2019)
https://data.europa.eu/euodp/en/data/dataset/S2255_92_3_STD92_ENG
- Eurobarometer 92 - Europeans and Artificial Intelligence* (Autumn 2019)
- European Union Agency for Fundamental Rights (FRA) (2016) *Second European Union Minorities and Discrimination Survey - Roma Selected findings*
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf
- European Union Agency for Fundamental Rights (FRA) (2019a) *Fundamental Rights Report 2019 FRA opinions*

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019-opinions_en.pdf

European Union Agency for Fundamental Rights (FRA) (2019b) *Protecting migrant workers from exploitation in the EU: workers' perspectives*

<https://fra.europa.eu/en/publication/2019/protecting-migrant-workers-exploitation-eu-workers-perspectives>

European Union Agency for Fundamental Rights (FRA) (2019c) *Young Jewish Europeans: perceptions and experiences of antisemitism*

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-young-jewish-europeans_en.pdf

European Union Agency for Fundamental Rights (FRA) (2019d) *A long way to go for LGBTI equality*

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality_en.pdf

Gentile, Mary C. (2010) *Giving Voice to Values: How to Speak Your Mind When You Know What's Right*. Yale University Press: New Haven and London.

Greenleaf, Robert K. (2002) *Servant Leadership* [25th Anniversary Edition] Paulist Press.

Handy, Charles (1993) *Understanding organizations*, Fourth edition. Penguin Books.

Hawley, Katherine (2012) *Trust: A Very Short Introduction*, Oxford University Press.

Hofstede, Geert, Gert Jan Hofstede, Michael Minkov (2010) *Cultures and Organizations: Software of the Mind*, Third Edition

Kidder, Rushworth M. (2006) *Moral Courage*, Harper.

Moilanen, Timo, Ari Salminen (2006) *Comparative Study on the Public-service Ethics of the EU Member States*, A report from the Human Resources Working Group, EUPAN.

Rotenberg, Ken J. (2018) *The Psychology of Trust (The Psychology of Everything)*, Routledge: London and New York.

Trinkner, R., Tyler, T. R., & Goff, P. A. (2016). "Justice from within: The relations between a procedurally just organizational climate and police organizational efficiency, endorsement of democratic policing, and officer well-being." *Psychology, Public Policy, and Law*, 22(2), 158-172. Abstract from: <https://psycnet.apa.org/record/2016-13452-001>

Codes of conduct or ethics cited in the report and other related resources

Austria - Code of Conduct to Prevent Corruption The RESPONSibility rests with me

https://www.oeffentlicherdienst.gv.at/moderner_arbeitgeber/korruptionspraevention/infos/VerhaltenskodexEnglish_2012_druck.pdf?4ppzt1

Belgium - Code de déontologie des mandataires publics, 15.07.2018

https://www.lachambre.be/kvvcr/pdf_sections/deonto/Code_de_deontologie_des_mandataires_publics.pdf

Czech Republic - Code of Conduct for civil servants (Service Regulation of Director-General for Civil Service on the Code of Ethics for Civil Service No. 13/2015)

Staff regulations website <https://www.mvcr.cz/sluzba/clanek/sluzebni-predpisy.aspx>

Germany - Federal Ministry of the Interior (2014) *Rules on Integrity*

https://www.bmi.bund.de/SharedDocs/downloads/EN/publikationen/2014/rules-on-integrity.pdf?__blob=publicationFile&v=3

Danemark - Agency for Modernisation, Local Government Denmark, Danish Regions (2017) *Code of conduct in the public sector*

<https://modst.dk/media/18742/code-of-conduct-in-the-public-sectorforside.pdf>

To support the code there is a collection of 25 cases - *KODEX VII Cases*

https://modst.dk/media/17483/kodex_vii_english_version.pdf

Estonia - *Code of Ethics for Officials*, approved on 11 March 2015 at the meeting of the Council of Ethics Officials

https://www.rahendusministeerium.ee/sites/default/files/document_files/personalipoliitika/code_of_ethics.pdf

‘E for Ethical Decision-making Model’

Finland

Values in the daily job - Civil servant's ethics: a handbook for the state administration

Ministry of Finance (2005) *Values to be part of the daily job*. Working paper 6b/2004

Ministry of Finance (2010) *Hospitality, benefits and gifts*

Ministry of Finance (2017a) *Outside employment, disqualification*

Ministry of Finance (2017b) *Post Government employment waiting*

Ministry of Finance (2017c) *State of Civil Service Ethics in Finland - a Survey of the Ethical Values and Principles of Central Government Employees*

Ministry of Finance (2017d) *The state of civil servants' ethics and morals in Finland - citizens' survey results*

Ministry of Finance (2018) *Long-term development and future prospects of civil-service ethics in Finland*

available on the webpage *Civil service law*

https://vm.fi/valtio-tyonantajana/virkamiesoikeus?p_p_id=56_INSTANCE_SSKDNE5ODInk&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-2&p_p_col_count=1&_56_INSTANCE_SSKDNE5ODInk_languageId=en_US

France

<https://www.fonction-publique.gouv.fr/statut-general-des-fonctionnaires>

Loi n° 83-634 du 13 juillet 1983 portant droits et obligations des fonctionnaires. Loi dite loi Le Pors.

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000504704&fastPos=1&fastReqId=1169277459&categorieLien=cid&oldAction=rechTexte>

Greece - Code of Regulations of Public Civil Administrative Servants and Employees of Legal Entities of Public Law, which was ratified by Law 3528/2007 (Civil Servants' Code)

An administrative Regulation/ Guide issued in 2012 by the Greek Ombudsman (Independent Authority) and the Ministry of Administrative Reform and E-Government (now Ministry of Administrative Reconstruction) called "Guide of good administrative conduct" regarding the relations between civil servants and citizens

http://www.ydmed.gov.gr/wp-content/uploads/20120405_oods54_odigos_orthis_dioikitikis_siberiforas.pdf

Hungary - The Code of Professional Conduct (2014)

<http://mkk.org.hu/hivatasetika>

Italy - Code of Conduct (2013) by the Decree of the Republic President n° 62/2013

Disciplinary duties, responsibility and sanctions

<http://www.funzionepubblica.gov.it/lavoro-pubblico-e-organizzazione-pa/rapporto-di-lavoro-pubblico/doveri-responsabilita-e-sanzioni>

Latvia - The Cabinet of Ministers of Latvia (2018) *Values of public administration and basic principles of ethics*

<https://likumi.lv/ta/id/303328-valsts-parvaldes-vertibas-un-etikas-pamatprincipi>

Luxembourg - Norms of conduct are in the Luxembourgish public service laid down in the status of civil servants (law of 16 April 1979) in the articles 9-16.

http://legilux.public.lu/eli/etat/leg/code/fonction_publique/20190101

Malta - The Public Administration Act (1994)

<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8963>

The Public Service Management Code

Netherlands - *Code of Conduct for Integrity in the Central Public Administration 2016*

<https://www.government.nl/documents/decrees/2017/02/10/code-of-conduct-for-integrity-in-the-central-public-administration-2016>

Vision of Public Leadership: The Netherlands Senior Civil Service

<https://www.algemenebestuursdienst.nl/documenten/publicatie/2017/04/13/vision-of-public-leadership>

Norway - *Ethical guidelines for the public service*

<https://www.regjeringen.no/en/dokumenter/Ethical-Guidelines-for-the-Public-Service-2/id88164/>

https://www.regjeringen.no/globalassets/upload/kilde/fad/bro/2005/0001/ddd/pdfv/281750-etiske_retningslinjer_engelsk_revidert.pdf

About the Relationship between Political Leadership and the Civil Service: Seven Duties for the Civil Service

https://www.regjeringen.no/contentassets/8145632385cb477cba018d4a8dfaf6f8/about_the_relationship_between_political_leadership_and_the_civil_service.pdf

Leadership in Norway's Civil Service

https://www.regjeringen.no/globalassets/upload/fad/vedlegg/lonns--og-personalpolitikk/ledelsesplattform_eng.pdf

Poland - *The Ordinance no 70 of the Prime Minister on the guidelines for compliance with the rules of the civil service and on the principles of the civil service code of ethics*

https://dsc.kprm.gov.pl/sites/default/files/pliki/ordinance_no_70_of_the_prime_minister_on_the_guidelines_for_compliance_with_the_rules_of_the_civil_service_and_on_the_principles_of_the_civil_service.pdf

Portugal - *DGAEP Code of ethics and conduct for DGAEP (2018)*

https://www.dgaep.gov.pt/upload/Instrumentos_Gestao/Codigo_Etica_Conduta.pdf

Romania - Emergency ordinance no. 57/2019 regarding the Administrative code (2019)

<http://legislatie.just.ro/Public/DetaliiDocumentAfis/215925>

Slovakia - Legal act no. 55/2017 Coll. on Civil service. From the 1st of January 2018

Slovenia - Code of Conduct for Civil Servants and the Code of Ethics for Civil Servants in State Bodies and Local Communities

Spain

Royal Legislative Decree 5/2015, of October 30th, which approves the consolidated text of law for the Basic Statute of Public Employees (Arts. 52-54)

Law 19/2013, of December 9, on transparency, access to public information and good governance (Arts 25-32)

Sweden - *The Ethical Foundations of the State - professional values for good governance*

https://issuu.com/statskontoret/docs/ethical_foundations_of_the-state?e=31803674/59872645

Switzerland - *Personnel Policies*

<https://www.admin.ch/opc/de/classified-compilation/20011178/index.html#a9>

<https://www.bkms-system.ch/bkwebanon/report/clientInfo?cin=5efk11>

<https://www.efk.admin.ch/en/whistleblowing-e.html>

https://www.epa.admin.ch/dam/epa/de/dokumente/dokumentation/publikationen/370_verhaltenskodex_e.pdf.download.pdf/370_verhaltenskodex_e.pdf

<https://intranet.infopers.admin.ch/infopers/de/home/gewinnung/rekrutierung-und-auswahl.html>

<https://www.bkb.admin.ch/bkb/de/home/oeffentliches-beschaffungswesen/korruptionspraevention.html>

<https://www.admin.ch/opc/de/classified-compilation/20000738/index.html#a4>

https://www.epa.admin.ch/dam/epa/de/dokumente/dokumentation/publikationen/370_grundanforderungen_e.pdf.download.pdf/370_grundanforderungen_e.pdf

http://www.admin.ch/ch/d/sr/172_220_111_3/a9.html

Annex 1 Questionnaire for EUPAN on Ethics, an integral part of the organizational culture

Please provide your contact details:

Name:

Institution:

Country:

Email:

Tel:

1. Your public administration has norms of conduct for the following categories of employees?

- ☐ the same norms of conduct for all public administration employees
- ☐ norms of conduct for civil servants
- ☐ norms of conduct for top managers
- ☐ norms of conduct for political officials
- ☐ norms of conduct for other categories of public administration employees

2. Please provide a brief description and / or links to webpages (if available) regarding codes / norms of conduct in your public administration, in the box below or by email to ro.eupan@anfp.gov.ro .

3. Which of the following issues are tackled in the norms of conduct for public administration employees in your country?

- ☐ legality, rule of law
- ☐ impartiality, objectivity
- ☐ respect for human dignity
- ☐ non-discrimination
- ☐ fair treatment
- ☐ transparency
- ☐ responsibility
- ☐ public interest
- ☐ citizen focus
- ☐ independence (from political or business influence)
- ☐ professionalism
- ☐ accountability
- ☐ loyalty
- ☐ collaboration
- ☐ consultation
- ☐ rights and duties of public administration employees
- ☐ conflict of interests
- ☐ disclosure of wrongdoing
- ☐ harassment
- ☐ citizens' participation in decision-making
- ☐ public administration employees' participation in decision-making
- ☐ use of technology / artificial intelligence in the public administration
- ☐ other

4. Your public administration has specific ethical requirements for recruitment, selection and performance management, regarding:

- ☐ non-discrimination
- ☐ objectivity
- ☐ fair treatment
- ☐ transparency
- ☐ merit
- ☐ conflict of interests
- ☐ the use of ethical dilemmas in the recruitment process
- ☐ other

5. Your public administration has specific ethical provisions for the delivery of public services, regarding:

- ☐ non-discrimination
- ☐ fair treatment
- ☐ transparency
- ☐ public interest
- ☐ accessibility
- ☐ evidence based actions
- ☐ consultations with stakeholders
- ☐ other

6. Your public administration has specific ethical provisions for workplace relations, regarding:

- ☐ communication / dialogue
- ☐ respect for human dignity
- ☐ support for employees
- ☐ non-discrimination
- ☐ fair treatment
- ☐ preventing and combatting harassment
- ☐ mediation of conflicts
- ☐ other

7. What issues are tackled in ethics training, in your public administration?

- ☐ conflict of interests
- ☐ discrimination
- ☐ harassment
- ☐ abuse of authority
- ☐ corruption
- ☐ ethical leadership
- ☐ relations with stakeholders
- ☐ ethics of work relations
- ☐ human rights
- ☐ rights and duties of public administration employees
- ☐ fair treatment
- ☐ transparency
- ☐ accountability
- ☐ public interest
- ☐ disclosure of wrongdoing
- ☐ use of technology / artificial intelligence in the public administration

☐ other

8. How is ethics training delivered?

- ☐ workshops
- ☐ lectures
- ☐ e-learning resources
- ☐ video simulation
- ☐ discussions
- ☐ writing reflections on ethical behaviour
- ☐ other

9. What challenges do you anticipate for ethics in the public administration, in the next decade?

- ☐ tackling wellbeing issues in the workplace
- ☐ the use of artificial intelligence in the public administration
- ☐ the involvement of stakeholders (citizens, NGOs, advocacy groups, business lobby)
- ☐ promoting trust in the public administration
- ☐ disclosure of wrongdoing
- ☐ independence (from political or business influence)
- ☐ other

10. Do institutions in your country have the following “tools” for tackling ethical issues:

- ☐ ethics procedures
- ☐ designated person for discussing ethical issues
- ☐ committee that provides ethical advice
- ☐ feedback from public administration employees regarding ethical issues
- ☐ feedback from the citizens / clients regarding ethical issues
- ☐ institution that investigates allegations regarding breaches of the ethical code(s) and / or proposes sanctions
- ☐ committee within each institution that investigates allegations regarding breaches of the ethical code(s) and proposes sanctions

Please provide one case study / presentation of a “tool” for tackling ethical issues in your public administration, in the box below or by email to ro.eupan@anfp.gov.ro.

--

(source: author’s elaboration)