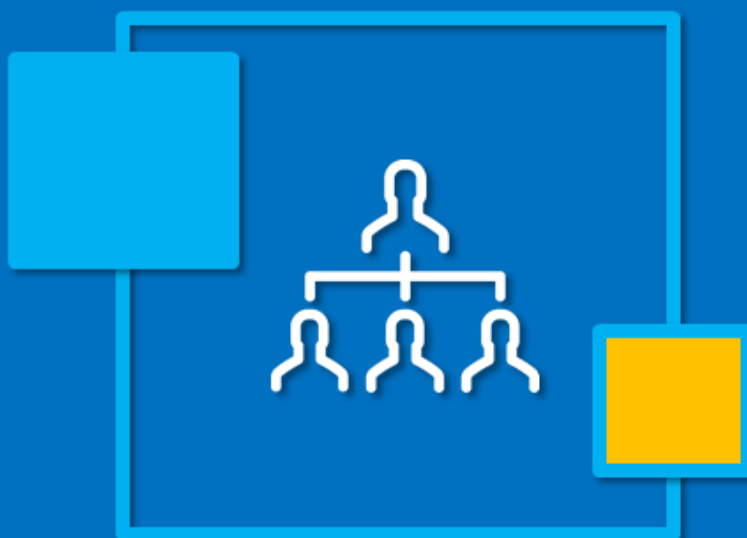


# THE STATUS AND ROLE OF THE SECRETARY GENERAL IN THE PUBLIC ADMINISTRATION



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## BACKGROUND

The “Top Public Managers in Europe” study conducted during the Dutch Presidency of the EUPAN in 2016, provided a classification of TPM’s functions and levels, at the top of which lies the position of Secretary General/Permanent Secretary (Level 1+ according to the suggested classification). It corresponds to the position of the top non-political civil servant and the principal administrator of a public organization.

While the TPM study focused mainly on the Human Resources perspective of the TPM, it would be useful to examine the role, duties and involvement in policy making of Secretaries General in the public administration – in other words, to tackle the topic from an organizational development perspective.

The issue is becoming more important in the contemporary context of increasingly complex policy-making and decision-making processes, where higher standards for transparency and accountability require clear answers to the questions related to political responsibility.

In the different Member States this position exists under various names – Secretary General, Administrative Secretary, Permanent Secretary and etc. though all Member States who responded to the questionnaire have positions that fulfill the general role. In some countries, the position of the Secretary General is situated at the Centre of Government (Prime Minister’s Office, Council of Ministers and etc.) and is specifically regulated as a separate position from the rest of the SGs, with different selection procedures, requirements and functions. While by definition it is a non-political post, some systems allow the SG to be appointed by the political level without a competition procedure.

## SUMMARY OF THE RESPONSES TO THE QUESTIONNAIRE

Under the Bulgarian Presidency, a new study has been conducted on the role of the SG within departments, within the government as a whole and the SG’s relations with the political level. We received 28 completed questionnaires with contributions from 25 EU Member States, Switzerland, Norway and the European Commission. The full results of this study are presented in the body of this report.

Member States’ responses to the questionnaire show that, despite some national differences, **the role and duties of SGs** is fairly similar in all responding countries. SGs sit at the head of a public administration organization, normally a Ministry. In almost all cases, the SG’s formal responsibilities are set out in national law. There is also a high degree of consistency in the regular duties of SGs which includes strategic oversight of the organization, including liaison with the political level, HR and budget management functions. In some cases the SG is also involved in operational delivery activities such as overseeing IT facilities and ensuring the security of the building. With respect to policy development, most SGs have a dual function that combines policy development with the operational aspect of leading the department to deliver on the politically-approved policies. In this way the SG combines expertise in the specific policy area with managerial and leadership responsibilities and this is a consistent pattern across Member States with only a very small number of exceptions.

On the **relationship between SG and the political level** the results of the questionnaire show some important differences between Member States on this key issue. While all SGs interact with and report to elected politicians, the role of politicians in their selection and the regularity and nature of the interaction between SGs and politicians varies widely across the EU. Two large groups of Member States approach the selection of SGs in very different ways. The first model uses a specialized competition for SGs in which politicians have no role but rather the candidate's specific experience and background determines their suitability and the independence and quality of the selection procedure is overseen by an independent body such as a special Commission. In the second model the power and responsibility of recruiting SGs lies with politicians. A common way this is done is for Minister concerned to recommend a candidate to the Prime Minister who then makes the final decision. In other cases the Prime Minister makes a recommendation on the appointment to the President for approval.

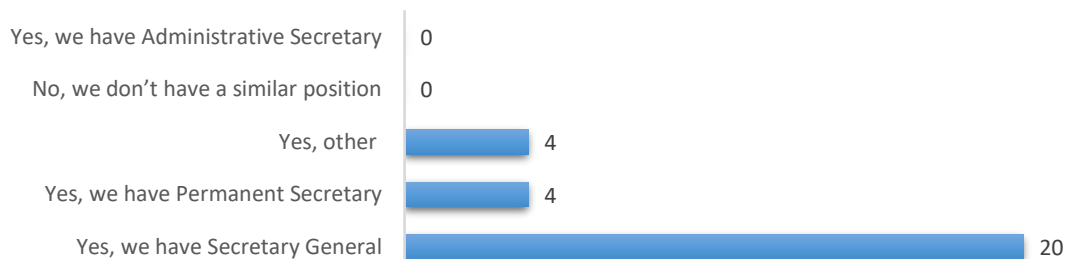
Another important dimension of the role of an SG is the form of their liaison with Ministers. An overarching area of consistency across Europe is that SGs tend to report directly to their Ministers although there are a small minority of cases where SGs need to first go through a political cabinet to reach the Minister. SGs also tend to represent the department as a whole to the Minister, for example directives from the Minister to the department tend to go through the SG first. However, there is a large minority of cases where the Minister interacts directly with experts in the department

The results on **SG's immediate management responsibilities and relations with other TPMs** also show some important differences. In most cases other TPMs in a department report to the SG for appraisals and are also dependent on the SG for their budgets and other resources. In most cases TPMs have the autonomy to act on their own account to a certain extent and to receive directives from other officials however there is a small group of Member States, who report that TPMs must strictly only work under directives from their own SG. This implies a more formal and hierarchical structure than is in place in most Member States. In terms of the particular position of SG in the Prime Minister's office, most respondents mentioned that there is no special legal basis or special formal responsibilities for this role though some noted that there are extra informal responsibilities due to the nature of the position. By contrast in a small number of Member States there is clear legal distinction between the SG at the Prime Minister's office and other SGs.

## SUMMARIZED RESULTS OF THE QUESTIONNAIRE

*Do you have the position “Secretary General” or equivalent in your Member State administration (according to the definition set in the introduction)?*

**Do you have the position “Secretary General” or equivalent in your Member State administration (according to the definition set in the introduction)?**



There is a very large majority of member States who have top civil servants with the title Secretary General. All member states have SG or equivalent position, sometimes known by a different name such as Permanent Secretary, State Secretary, Director General or General Coordinator.

### **Summary of the characteristics of national models**

**LV:** The State Secretary

**LU:** In Luxembourg, the top non-political civil servant in a ministry is called ‘General coordinator’, which corresponds to the function of ‘Premier Conseiller de Gouvernement’ or to ‘Administrateur général’

**PL:** In the Polish civil service there is no exact position called Secretary General, Permanent Secretary or Administrative Secretary.

There are circa 65 directors general in the whole country, who seem to match the definition – they are the highest position in the civil service and they are the principal administrators of an

institution (only one in institution). **Therefore, all the answers in this questionnaire will relate to the directors general positions.**

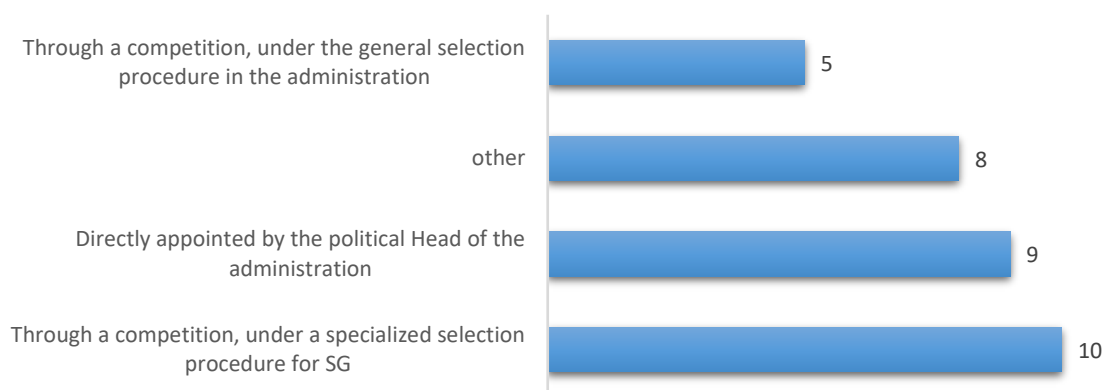
**DE:** State secretaries are the highest-ranking civil servants in a federal ministry. They are responsible for ensuring that the ministry is able to carry out its tasks in line with the minister's directions and guidance; they also represent the minister as head of this supreme federal authority within the ministry and beyond. Because this position requires a high level of agreement with the minister's policy and subject-related objectives, state secretaries, unlike most other civil servants, may be suspended at any time on the recommendation of the federal minister.

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*How is one appointed to the position of SG?*

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### How is one appointed to the position of SG?



Most Member States' representatives reported that they appoint their SG through a specialized selection procedure but for many other Member States, they either use their standard competition or appointment by the political head of the administration. In some of the specialized selection procedures for SGs eligibility requirements include aspects such as: a specialised university degree and around 10 years of professional/ management experience.

### **Summary of the characteristics of national models**

**FR:** Discretionary appointments: As a top public manager, SG are appointed by the Government (Presidential Decree).

**HU:** Official employer of the Administrative State Secretary is the Minister. The Minister who intends to appoint **the administrative secretary of state** in the ministry first of all shall propose a person for this position. Furthermore, the Minister shall consult about his/her proposal with the minister responsible for quality policy and staff policy in the public administration, who may make observations regarding the proposed person. Then, on the basis of the initiative of the Minister concerned, the Prime Minister makes her/his proposal for the appointment. Finally, the administrative secretary of state is appointed by the President of the Republic according to the proposal of the Prime Minister.

**LV:** Selection of heads of direct public administration institutions (SG at the line ministries, director of State Chancellery and heads of direct public administration institutions) is regulated by the Cabinet of Ministers Regulation No 293 of 9 June 2015 laying down selection procedure.

In case of Latvia choice of the procedure consisting of two options is up to the respective minister:

- To organize open competition - procedure is centrally provided by the State Chancellery ensuring uniform and professional selection;
- To choose candidate from public servants applying rotation procedure according to the State Civil Service Law.

**MT:** The appointment of Principal Permanent Secretary and Permanent Secretary is made in terms of Article 92 (3) of the Constitution of Malta as follows:-

‘92. (1) Where any Minister has been charged with responsibility for any department of government, he shall exercise general direction and control over that department; and, subject to such direction and control, the department may be under the supervision of a Permanent Secretary:

Provided that two or more departments of government may be placed under the supervision of one Permanent Secretary.

(2) The Prime Minister shall be responsible for assigning departments of government to Permanent Secretaries.

(3) Power to appoint public officers to hold or act in the office of Permanent Secretary and to remove from office persons holding or acting in such office shall vest in the President acting in accordance with the advice of the Prime Minister given after the Prime Minister has consulted with the Public Service Commission.’

**PT:** As mentioned in the answer to the former question, the manager’s statute is applied to SG. Such statute lays down that top manager’s positions holders shall be recruited by open

competition procedure, from among university graduates, attached or not to Public Administration, who have skills, aptitude, professional experience and training suitable to the performance of the respective duties.

In the case of recruitment for 1st grade top management positions, the applicants must have a university degree, for at least 10 years, on the date of holding the open competition procedure.

The initiative of the procedure shall be incumbent upon the Government member with managerial or inspection and supervision powers over the public service in which the position to be filled is integrated, being responsible for identifying the position competencies, outlining the management mandate and the main related responsibilities and functions as well as the respective mission charter.

The open competition procedure is ensured by the Recruitment and Selection Commission for Public Administration, an independent entity that operates with the Government member in charge of Public Administration area.

The mentioned Commission shall submit a competence profile proposal for the applicant selection to the Government member that shall be approved or amended within twenty days, after which such proposal is deemed tacitly accepted.

The mission charter outlining the goals to be achieved during the duties performance shall be publicized along with the open competition procedure notice.

**SK:** In the Service office that is ministry, the Secretary General is appointed by the government upon the proposal of respective minister.

In the Service office that is other Central government Administration the Secretary General is appointed by the government upon the proposal of respective head of this Administration.

**SE:** The position is non-political and the employment is time limited. The final decision on the appointment is taken collectively by the Government. (1996:1515, 34 §)

**DE:** State secretaries are politically appointed on a proposal of the relevant minister to be approved by the Federal Cabinet.

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*Are there any specific requirements for holding the position of  
SG in terms of professional experience?*

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### **Summary of the characteristics of national models**

**BE:** Yes, to take part to the selection for a job of SG, you need a management experience of at least 6 years or a useful professional experience of at least 10 years. The management experience can have been acquired in the public or the private sector.

**CY:** Yes, there is a requirement for at least 10 year experience in a senior post, out of which at least 5 year experience in management, supervision, guidance, training of staff, planning, coordination etc.

**CZ:** According to the CSA only following persons can apply to the selection process:

1st round:

- TPM (levels 1+, 1 and 2). These posts include: Director-General for the Civil Service, the Head of a service authority, the Secretary-General, Deputy Minister for Management of Section or a Director of a Department,
- Director of the Regional Authority or a Secretary of a Municipal Authority of a municipality with extended powers,

provided they have been, in the past 8 years, for a period of at least 4 years, in a managerial post in the public service and performed activities pursuant to Article 5 of the CSA or similar activities.

2nd round:

- TPMs (level 3),
- Head of a Department of the Regional Authority or a Head of a Department of a Municipal Authority of a municipality with extended powers,
- Director of a Regional Council of a Cohesion Region,
- EU official, or
- Official of an international organisation,

provided they have been, in the past 8 years, for a period of at least 4 years, in a managerial post in the public service and performed activities pursuant to Article 5 of the CSA or similar activities.

Moreover, professional requirements are specified in Civil Service Regulations issued by the DG. They include: Master's degree, command of English, French or German language at level 2 or higher and security clearance classified Confidential.

Furthermore, based on particular circumstances at respective ministries specific requirements for the posts of SGs can be stipulated by the Civil Service Regulation issued by the DG, e.g. the SG at the Ministry of the Interior is required to have Master's degree in law.

**DK:** In the recruitment process of SG's following are required: (1)relevant personal competencies, e.g. communicative skills, (2)experience within a political driven organisation, (3)documented results, e.g. change management, (4)experience from other sectors, e.g. municipalities, private sector etc., (5)knowledge of the professional field, and (6)experience with financial management and business management.

**EC:** There is no formal text which establishes specific requirements for holding this position in terms of professional experience. However, in view of the tasks of the SG (as notably set out in Article 20 of the Commission's Rules of Procedure), the SG must have a strong professional experience and must have acquired an excellent knowledge of the Commission's policies and priorities as well as of its administrative procedures.

**EE:** No there are not. A person just needs to have sufficient education, knowledge of foreign languages and experience in leadership. Competences that are needed on Top Management level are stated in the Competency Framework of Estonian Top Civil Service.

**FI:** The general selection criteria of SCSs are defined in the State Civil Servants' Act. Executive and senior management positions in central government require both a higher university degree and effective practical experience in leadership and in line management positions. Furthermore, according to the Act, appointees to executive and senior management positions are required to have wide work experience. Experience of this kind can be gained in various jobs in central and local government, in the private sector and in the international duties.

The actual selection criteria, based on these general criteria, are defined in each recruitment case. There are no standard procedures to assess candidate's competencies. The range and relevance of every candidate's work history is evaluated individually for each government post being filled and from the viewpoint of the function of the post.

Persons to be appointed to the highest positions in the central government must first present a report on their business activities, holdings in companies and assets in general, as well as the duties that are not affiliated with the position, outside employment, and other commitments that might affect the person's abilities to carry out the duties required by the position.

**FR:** No requirements. The Government is free to appoint a civil servant or a non-career civil servant and to remove him/her at any time and without a specific cause.

**EL:** There were no specific requirements for holding the position of SG at the past, although the educational level of the person might affect the appointment of the SG by the political Head of the administration. With the provisions of the law 4369/2016 there are specific requirements, in order for someone to be selected for this position after a competition procedure.

**HU:** The Act CXCIX/2011 on Public Officials determines the basic requirements of the employment related to the government officials: Public service employment may be established and maintained with persons who have no previous criminal records, a disposing capacity and a minimum educational level of completed secondary education. If the central administrative authority wishes to employ a junior government official with a higher education degree in its basic activities, the applicant must, beyond complying with the requirements for public service employment mentioned before, also hold an officially recognized language examination certificate in English, French or German. Provisions of the law – or in cases stated by provisions of the law, the one who exercises employer authority – may make public service employment conditional upon, beyond those requirements mentioned before, a specific education level or qualification, as well as medical and mental eligibility or specific skills.

According to the Act, SG can be appointed if he/she has no previous criminal records, may be elected in parliamentary elections and has special degree (Law MSc/Expert of Public Administration – Public Administration MSc/Economist MSc, BSc/other higher education degree and special qualification in accordance with tasks and duties of SG.

#### **LV: Open competition**

In case of the open competition, the selection commission is created upon approval by the respective minister and the Cabinet of Ministers. It also includes independent observers, who are cooperation stakeholders (NGO or social partners' representatives) of the respective institution.

If respective minister chooses to apply open competition procedure to recruit state secretary, professional experience criteria is defined. Professional experience of candidates is assessed during selection procedure consisting of three stages:

- Evaluation of documents submitted by candidate (correspondence of compulsory requirements: education, professional experience and candidates conformity to the criteria set in the State Civil Service Law);
- Interview (assessment of candidate's motivation and public sector values, candidates presentation on vision about development of institution or policy field and discussion about public sector structure and principles, budget planning, administrative process in an institution);

Candidates, who have received necessary assessment level from commission, are invited to the competences interview carried out by professional personnel selection company attracted from the private sector.

**LU:** Usually, civil servants holding the position of coordinator general are quite experienced civil servants with a rather long seniority in the public sector or even in the relevant ministry/administration.

**MT:** The holder has to be a public officer in terms of the Constitution. Furthermore, an officer in this position is expected to have the knowledge and experience, leadership and management capabilities to be able to fulfil the duties and responsibilities of the post.

**NL:** SG, as well as director-generals, should fulfil 3 out of these 4 criteria:

- Has worked at at least 2 different ministries
- Has worked in 3 out of the following 4 contexts: policy, organisation management, government agency, inspection
- International experience

Has worked outside of the national government

**PL:** In general requirements for DGs are mostly the same as for all senior positions in the civil service (mainly directors of departments and their deputies) and includes:

- holding Master degree (or its equivalent);

- being not convicted with a lawful sentence that prohibits holding managerial positions in the public authority offices or to exercise functions related to disposition of public funds;
- Holding managerial skills.

However there is also an important requirement **to meet requirements specified in the job description**, which may also include those related to the professional experience (but this depends on the specific individual position and its job description).

**PT:** The requirements for SG positions recruitment and selection are the same applied for all remaining top managers' positions. Such requirements were identified in the former answer.

**SK:** The valid civil service act stipulates the requirements for position of Secretary General: integrity, completed university education, 3 years of professional experience in public administration, 3 years of managerial experience

**SL:** Yes, specific requirements in terms of professional experience are determined by Standards of professional qualifications with selection criteria and methods of qualification testing for position officials in state administration, adopted at the sessions of the Officials' Council on 8 November 2010, 9 December 2013 and 11 April 2016 in force as of 1 May 2016.

The standards are divided into two main sets and each set is further divided into two elements:

- 1) Experience and management skills:
  - a) Scope and quality of work and leadership experience as well as leadership and management skills,
  - b) Value of development vision of a body;
- 2) Professional knowledge:
  - c) Knowledge of the field of work and understanding the body's mission and its role in the system,

Knowledge of resource planning and use.

**SP:** Under-secretaries shall be appointed from civil servants belonging to bodies classified as subgroup A1 (which requires a university degree). Secretaries general are appointed according to their qualifications and experience in the highest management positions in public or private sectors. In both cases, candidates need to fulfil the requirements established in the Act 3/2015, regulating the exercise of high office in the Central Administration.

**SE:** The requirements are, as usual in Sweden's position/skills based system, set to fit upcoming work tasks and challenges in the role at the time of recruitment.

**CH:** University degree (master degree, doctorate) often in jurisprudence, economics or political science; profound knowledge of the Federal Administration and its political processes; fluent in German, French and Italian and mostly also English.

**AT:** For the appointment of Secretaries General, general appointment requirements (according to BDG §42a; affiliation with the Republic of Austria, Austrian citizenship) as well as personal and professional suitability are applied.

In practice, persons with many years of excellent administrative experience are appointed.

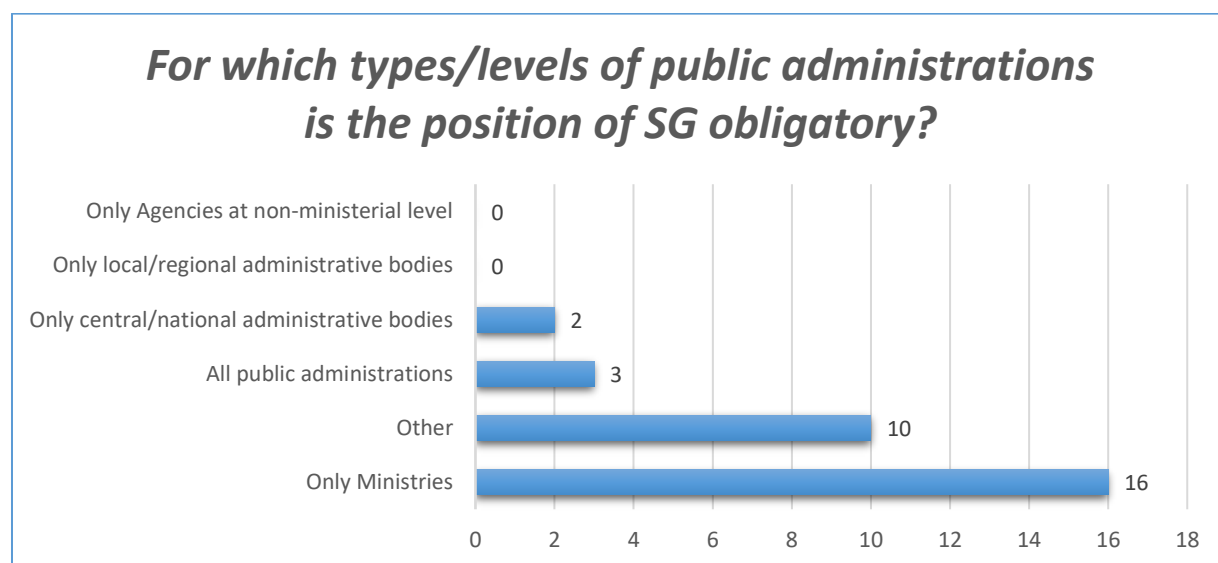
**DE:** Yes, but they are not formalized.

**IT:** Ordinarily, SG can be appointed among Senior Civil servants with a level not below that of Director general. In addition to that, SG may be appointed also among qualified people who are not civil servants at all but who have to comply with defined criteria in terms of education and professional experience.

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*For which types/levels of public administrations is the position of SG obligatory?*

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For a very large majority of administrations, the position of SG is obligatory only in Ministries. A small minority of member States have SGs in all public administrations.

### **Summary of the characteristics of national models**

**BE:** Ministries (Federal Public Services) and agencies (in Belgium “Public Interest Organisations” and “Social Security Public Organisations”)

**EC:** N/A –there is only one SG at the European Commission

**FR:** One SG can be responsible for several ministries (ex : one SG for the Ministry for Public Action and Accounts as well as for the Ministry for Economy and Finances)

**PL:** There are 65 directors general of government offices in:

- The Chancellery of the Prime Minister
- Ministries - 19
- central offices - 29

voivodship (regional government) offices - 16

**SK:** The position of Secretary General is obligatory for all service offices under the civil service act.

**SE:** Only one position at the Governmental Offices.

**CH:** Ministries of Federal Administration, administrations of cantons and some large towns

**CZ:** Office of the Government

**AT:** The Federal Ministries Act (“Bundesministeriengesetz”), which regulates the organization of the Federal Ministries, makes it possible to appoint Secretaries General but an appointment is not obligatory.

**IT:** First and foremost, SG may be present in central, regional and local public administrations. As to Ministries, it must be said that non all the Ministries have SG positions: if they are organized in Departments, there are several Heads of Department who interrelate directly with the political body. In addition, the position of SG is also present in Authorities and in Constitutional bodies where it holds the function of administrative head and top-level manager of those administrations.

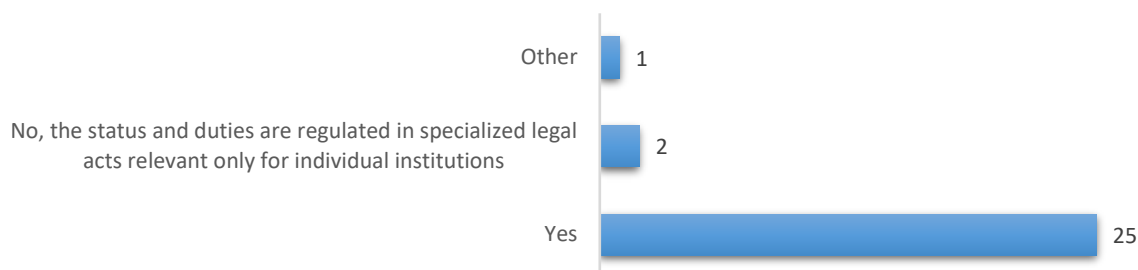
As to Regions and local Municipalities, there are as well top professional positions called Secretary General who hold functions of top administrative level directly relating to political body.

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*Are there uniform rules and regulations regarding the status and duties of the SG, set in a legal act?*

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**Are there uniform rules and regulations regarding the status and duties of the SG, set in a legal act?**



In only one case is the legal status of the SG not set in a legal act. For all other respondents the SGs duties have clear legal basis.

**Summary of the characteristics of national models**

**EC:** N/A –there is only one SG at the European Commission

**AT:** Federal Ministries Act (“Bundesministeriengesetz” – BMG);

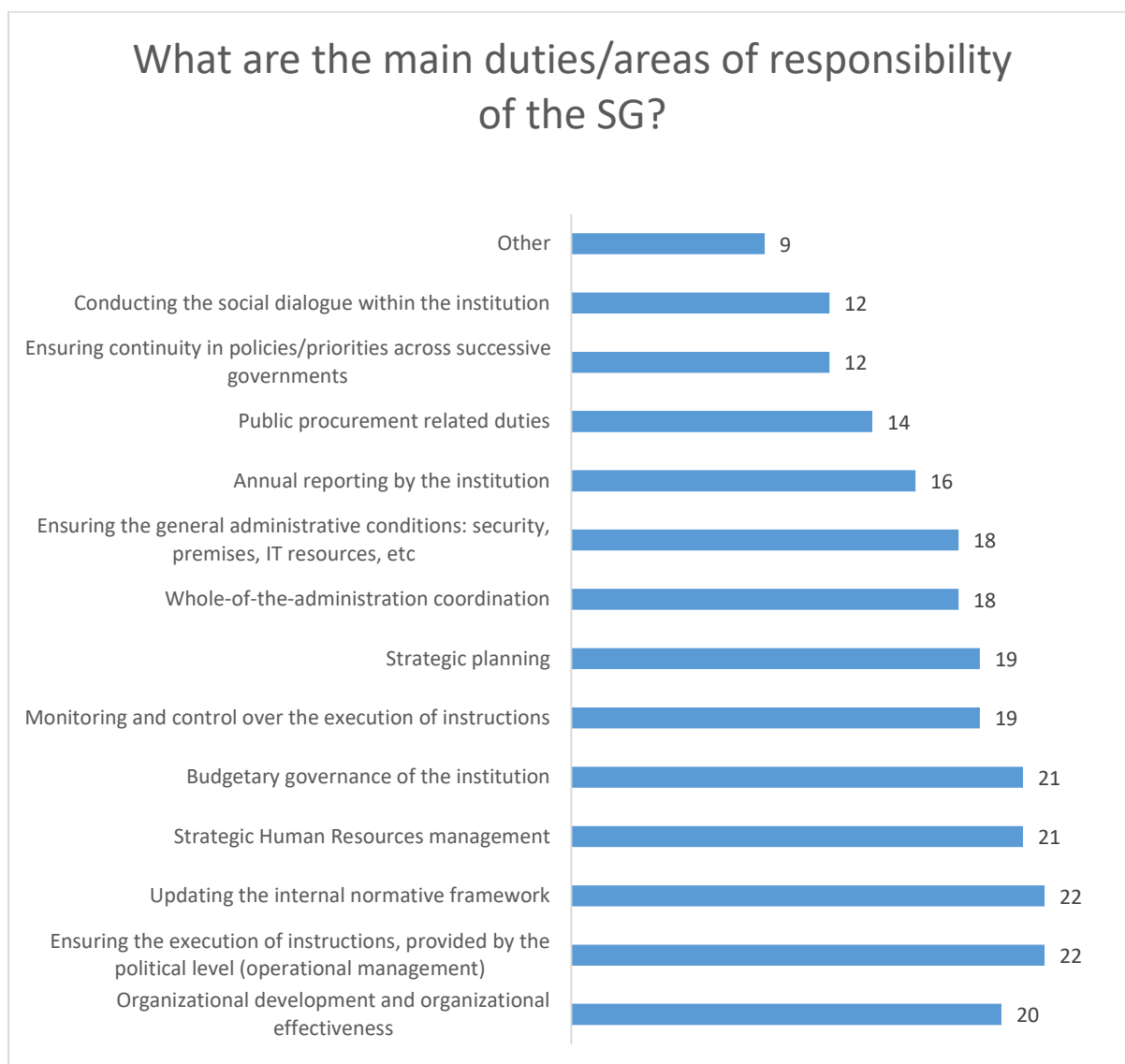
Adjustments in the Civil Servants Employment Act (“Beamten-Dienstrechtsgesetz” – BDG 1979) as well as the Law regulating the private law employment of Civil Service staff (“Vertragsbedienstetengesetz” – VBG) and the Civil Servants’ Remuneration Act (“Gehaltsgesetz”) are planned.

**IT:** There are several common rules for SGs, though, but most of their competences and regulations is ruled by specialized legal acts relevant for individual Administrations

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*What are the main duties/areas of responsibility of the SG?*

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The most commonly reported responsibilities for SGs are strategic functions including setting internal norms and organizational structures, liaison with the political level and institutional HR and budgets.

### **Summary of the characteristics of national models**

**FI:** Overall management responsibility of all functions. However, some operational management duties are delegated to other managers under the supervision of the Permanent Secretary.

**LV:** Represent the ministry and ensure the execution of the orders of the minister and the parliamentary secretary.

**PL:** The Act of 21 November 2008 on Civil Service describes main duties of DGs as:

#### Article 25

1. The post of the Director General of Office shall be created in the Chancellery of the Prime Minister, in office of minister, in office of a chairperson of committee forming part of the Council of Ministers, in office of a central body of the government administration and in voivodship office.

2. The position of the Director General of Office shall not be created in the Police Headquarters, State Fire Service Headquarters and the Border Guard Headquarters.

3. The Director General of Office shall report directly to the head of the office.

#### **4. The Director General of Office shall:**

1) ensure the functioning and continuity of work of an office, conditions for its operation, as well as work organisation, in particular by:

- a) exercising direct supervision over the office's organisational units regarding the proper performance by them of tasks specified by a head of the office, except for units directly supervised by a head of the office in pursuance of acts of law,
- b) supervising the organisation-wise course of work on timely preparation of a draft budget and detailed schedule relating to the budget in part pertaining to the office,
- c) submitting requests to a relevant Government administration body for conferring the organisational regulation for an office,
- d) conferring the organisational regulation for organisational units of and laying down the work rules and regulations,
- e) managing the office's property, including contracting out services and making purchases for the office and ensuring that records of the office's property are maintained,
- f) performing the competence of the head of the procuring entity in accordance with the Act of 29 January 2004 – Public Procurement Law (Journal of Laws of 2007 No. 223 item 1655 and of 2008 No. 171 item 1058),
- g) representing the State Treasury in the scope and according to the principles specified in the Act of 16 December 2016 on the principles of state property management (Journal of Laws, item 2259),
- h) exercising supervision over inspections and internal audits in the office,
- i) (annulled),

- j) ensuring compliance with regulations concerning statutory secrecy,
- k) ensuring compliance with legislative technique;

2) perform activities envisaged under labour law in relation to persons employed in the office and implement the staffing policy, in particular by:

- a) preparation of a human resources management plan for the office,
- b) performing activities resulting from entry into and maintenance of employment relationship with members of the Civil Service and activities relating to the termination of employment relationship,
- c) organising recruitment for vacancies for officials,
- d) making use of the bonus fund, unless separate regulations provide otherwise,
- e) administering funds from the company employee benefit fund in the office.

5. The Director General of Office shall, by the end of January annually, **submit a report to the Head of Civil Service concerning performance** of the act-specified objectives in the previous year.

**SK:** The Secretary General acts in the matters of civil service relationship and in the matters of relationship of officials if stipulated in special regulation.

**SL:** The areas of responsibility of the Secretary General are additionally settled by the Decree on the internal organisation, job classification, posts and titles in public administration and justice bodies.

**SE:** These duties count for the Government Offices.

**CZ:** According to the CSA the SG is responsible for the activities related to the organisational aspects of civil service, management of service relations and remuneration of civil servants. The scope of those activities is very wide and includes above all activities such as preparing the draft systemisation of the public authority, organising recruitment to fill a vacant service post and conducting performance appraisal. See also Q1.

*ad Updating the internal normative framework* – the SG has no responsibility for the overall normative framework of the ministry. However according to the CSA the SG shall issue civil service regulations, which guide logistical aspects of the service.

**AT:** The BMG (BGBl. I No. 164/2017) states:

(no official translation)

§ 7. (11) The Federal Minister may [...] entrust a Secretary General with the processing of all tasks within the scope of the Federal Ministry. [...], the Secretary General shall be the immediate superior of all Directors General in the Federal Ministry as well as superior of all subordinate bodies to the Federal Ministry.

§ 9. (2) Contract staff who are entrusted with the highest top management position of a secretariat general, a directorate general or an embassy shall, at their request, be included in the public service as civil servants with employment under public law.

The entrustment of a Secretary General does not affect the responsibilities and agendas of the Federal Minister regulated by the federal constitutional law.

Due to a modification of the BMG in 2017, the Secretary General is the immediate superior of all Directors General in the Federal Ministry as well as superior of all subordinate bodies to the Federal Ministry and thus has the authority to give directives. So he/she can be seen as responsible in all named duties/areas.

The Act on the Advertisement of Vacancies 1989 (“Ausschreibungsgesetz” – AusG) cannot be applied to General Secretaries.

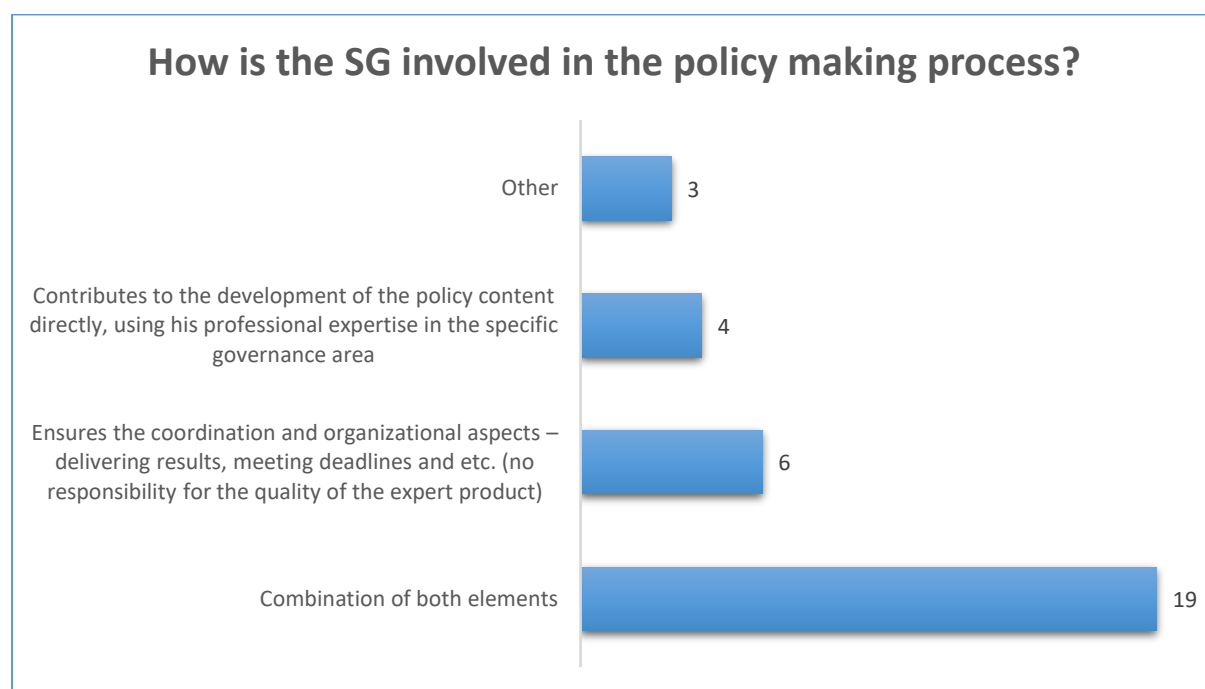
The regulation, that contract staff from the highest top management positions in a directorate general or an embassy can, at their request, be included in the public service as civil servants with employment under public law, has been extended to Secretaries General.

**IT:** In addition, SGs may be expected to comply with additional duties provided by the specific legal framework of every Administration.

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*How is the SG involved in the policy making process?*

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There is a large majority of administrations where SGs are involved in both the organization of the department (results and deadlines) and contributing directly to policy content (expertise in specific area).

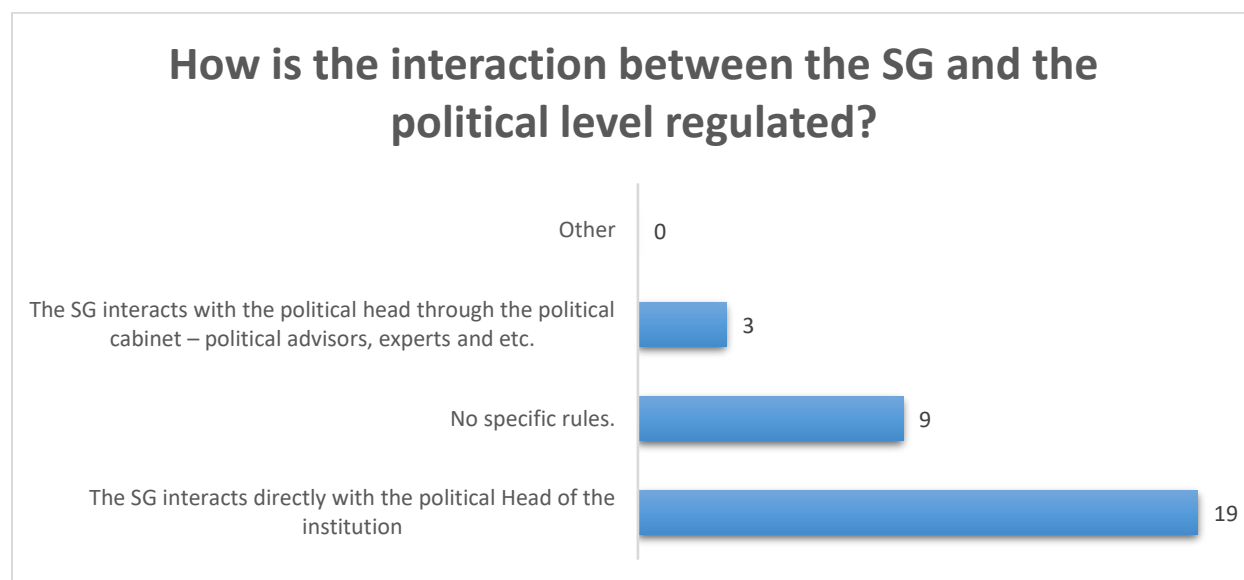
### **Summary of the characteristics of national models**

**MT:** Each ministry has a Director responsible for policy development and programme implementation reporting to the Permanent Secretary. Ministries may also have other Directors General or Directors, as well as advisers/experts, on particular areas of expertise. The Permanent Secretary is responsible to ensure the implementation of policy formulation and direction.

**SK:** The Secretary General acts in the matters of civil service relationship and in the matters of relationship of officials if stipulated in special regulation.

**CZ:** The SG is involved in policy making process only if the draft legislation concerns the agenda of civil service.

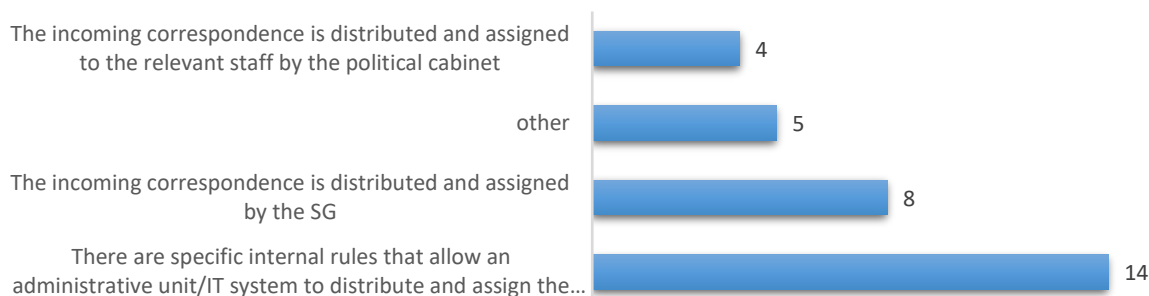
*How is the interaction between the SG and the political level regulated?*



Most of the Member States' responses show that the SG interacts directly with the political level. In some other Member States there are no specific rules and for a very small number of them, the SG interacts with the political head through the political cabinet.

*What is the role of the SG as a filter for the incoming correspondence of the institution and the following document/dossier management?*

### What is the role of the SG as a filter for the incoming correspondence of the institution and the following document/dossier management?



Demonstrating the increasing use of IT in public administration, most representatives reported the use of an IT system (or an administrative unit) to distribute correspondence to the responsible official. Only in a minority of cases does the SG personally distribute correspondence.

#### **Summary of the characteristics of national models**

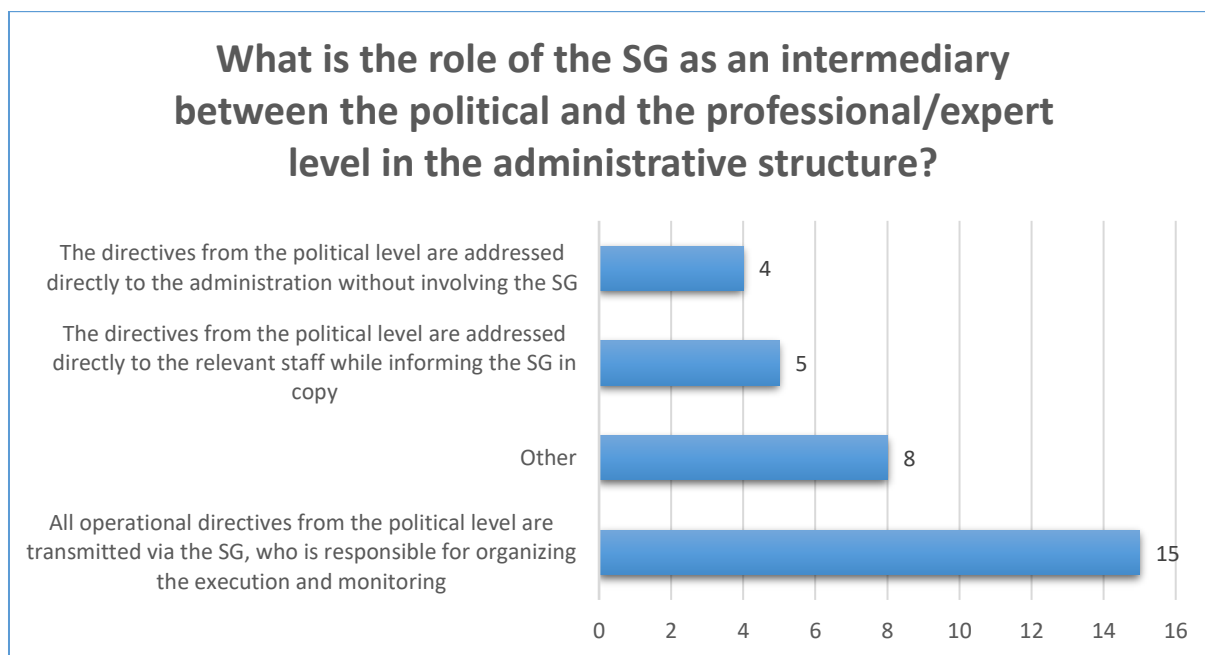
**FI:** It depends on the nature of the matter concerned: the Permanent Secretary distributes the most important matters, and those matters that have been addressed to the ministry as a whole. Likewise, the most important decisions are taken by the Minister and/or the Permanent Secretary. Other matters are being delegated to the heads of departments following internal procedures and rules in each ministry.

**PL:** The rules may differ across the civil service.

**SL:** The Decree on administrative operations regulates the dealing with incoming correspondence. More detailed issues are also regulated by the internal rules of each Ministry.

**CZ:** The CSA does not stipulate any rules for this area and therefore the practice among ministries varies.

*What is the role of the SG as an intermediary between the political and the professional/expert level in the administrative structure?*



In most reporting administrations, the SGs are responsible for executing directives from the political level. However, in a significant minority of cases directives are passed to administrative staff without directly involving the SG, though the SG may be in copy.

**Summary of the characteristics of national models**

**EC:** Directives may be passed directly by Commissioners to their portfolio services in their respective area of competence, while the SG exercises an overall steering and coordination role under the authority of the President of the Commission.

**FI:** There are some exceptions to this general rule: in some ministries, concerning some functions, political directives are addressed directly to the relevant departments or functions.

**NL:** The minister interacts directly with his/her SG, director-general's, and directors.

**NO:** SG will be involved like all the above, depending on the format and stage of policy development.

**PL:** All options possible. It depends of many factors as e.g. type of dossier, office's organization and management culture, internal rules.

**SE:** There is a regulated and elaborated way to take government decisions that affect more than one ministry called joint preparation. Joint preparation takes place between ministries at official level and, where necessary, at political level. All ministers must agree about the decision before it is taken up at the government meeting.

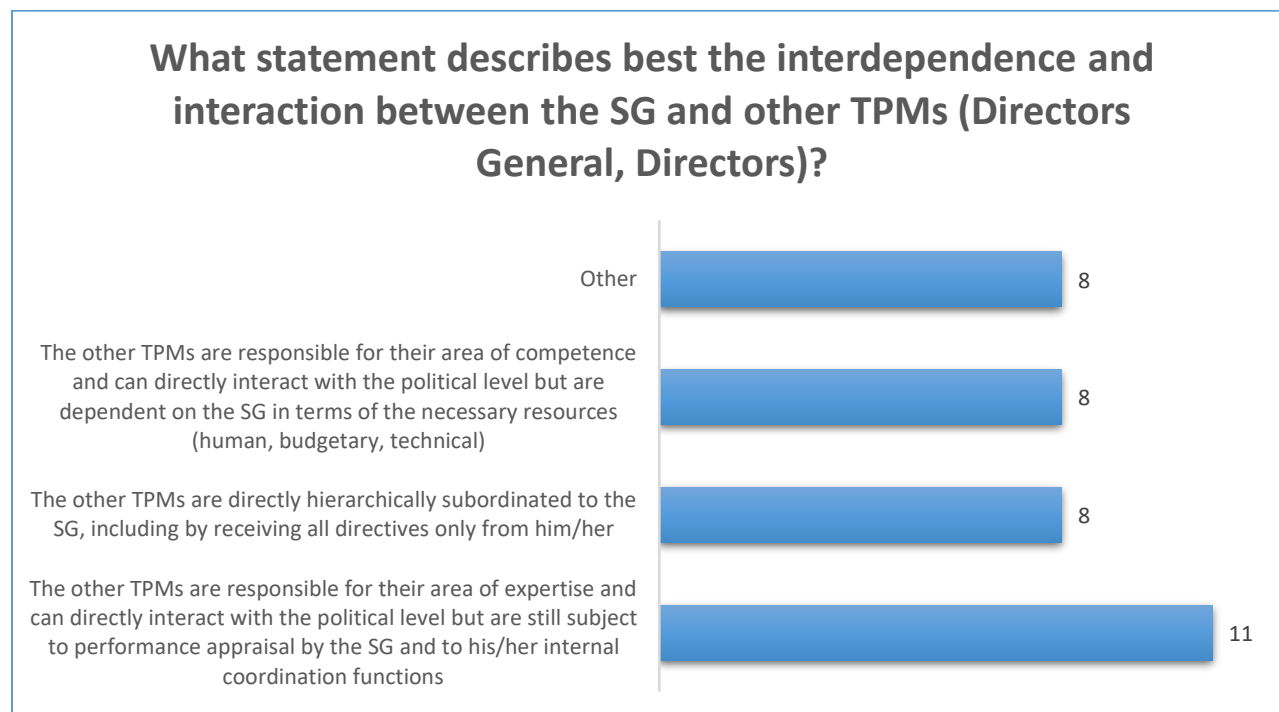
**IR:** Operational directives from the political level are transmitted via the SG in the main who is responsible for organizing the execution and monitoring. The Minister may also deal directly with senior managers at the level below SG (Assistant Secretary General).

**AT:** The Secretary General is the immediate superior of all Directors General in the Federal Ministry as well as superior of all subordinate bodies to the Federal Ministry and thus has the authority to give directives.

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*What statement describes best the interdependence and interaction between the SG and other TPMs (Directors General, Directors)?*

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In most cases, other TPMs are free to interact with the political level. TPMs are however normally subordinate to the SG in various respects such as: performance appraisal, resources. Often TPMs must receive directives only from the SG.

### **Summary of the characteristics of national models**

**CY:** According to the Public Service Law, the Ministers (political level) are responsible for all staff in their corresponding Ministry and its Departments but they usually act through the respective Permanent Secretary of their Ministry.

**EC:** The other TPMs are responsible for their area of expertise and may directly interact with the political level. The SG exercises an overall steering and coordination role under the authority of the President of the Commission. The necessary resources (human, budgetary, technical) are subject to a global programming and allocation exercises, coordinated by the horizontal services ( SG , BUDG and HR services) and decided at a political level.

**MT:** The TPMs reporting relationship follows the Public Service grades hierarchy. Depending on a ministry's top structure, top senior managers on different grade levels may report directly to the Permanent Secretary.

**PT:** Top manager's positions are equivalent in independence and powers, there is no hierarchy applied to them. All TPMs interact directly with the corresponding responsible Government member without any interference or subordination to any other top management positions whatsoever.

**SK:** The other TPMs are responsible for their area of competence and can directly interact with the political level. The Secretary General acts in the matters of civil service relationship and in the matters of relationship of officials if stipulated in special regulation.

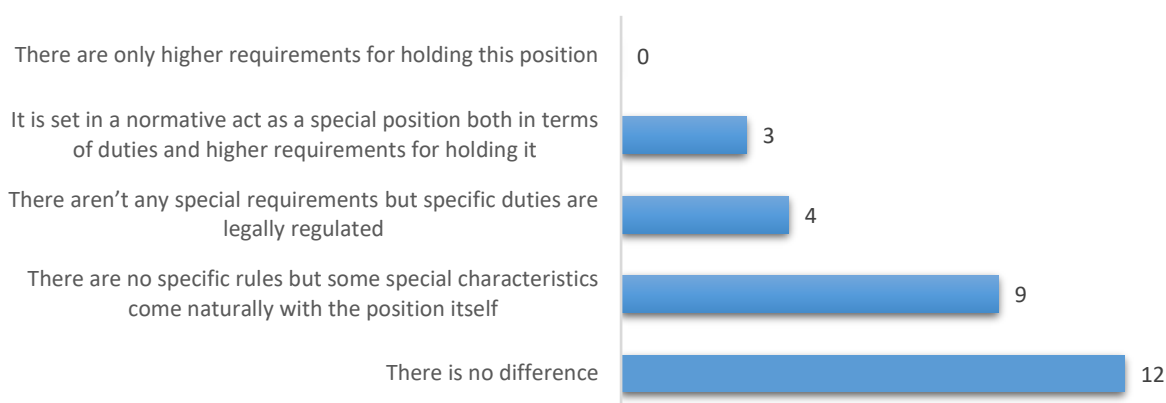
**SE:** The PS has no relation towards Director Generals for agencies. The Director Generals for agencies, appointed by the Government, have a semi-autonomous role towards the Government, which for example gives them the full responsibility for employer policy in the agency. The Government issues the regulation with instruction for each agency and annually gives the agency so called appropriation directions (*regleringsbrev*). Appropriations set in advance secures that budget limits are kept.

**AT:** The Secretary General is the immediate superior of all Directors General in the Federal Ministry as well as superior of all subordinate bodies to the Federal Ministry and thus has the authority to give directives.

**DE:** The other TPMs are directly hierarchically subordinated to the SG. However, the other TPMs may receive directives also directly from the minister.

*Are there special regulations regarding the position of SG at the Prime Minister's Office/ Center of Government compared to the other SG positions?*

### Are there special regulations regarding the position of SG at the Prime Minister's Office/ Center of Government compared to the other SG positions?



For the majority of Member States there is no regulatory difference regarding the two positions but many add that there are some special characteristics and extra responsibilities that are informally associated with the position of SG at the Prime Minister's office. For a few Member States there are indeed specific regulated duties for the position holder.

### **Summary of the characteristics of national models**

**BE:** The mandate of this SG stops with the designation of a new Prime Minister. The mandates of the other SGs are of 6 years.

**CY:** The Presidency does not have a Permanent Secretary (civil servant) but a Deputy Minister and a Director of Office, both of whom are political appointees.

**EC:** N/A –there is only one SG at the European Commission

**FI:** Unlike in other ministries, the management of the the Prime Minister's Office is the responsibility of the State Secretary. She/he works for the Prime Minister and her/his term is fixed to the term the Prime Minister is in power. The highest career civil servant in the Prime Minister's Office is the Permanent under Secretary of State.

**FR:** The Secretary General of the Government (SGG) has a very different role. He/she steers the Services of the Prime Minister. He/she attends the CoM, is in charge of preparing the agenda

and the secretariat of the Council of Ministers, as well as a large number of interministerial meetings. It also oversees the publication of legislative and regulatory texts, and ensures relations between the government and Parliament. The SGG is a centerpiece of the decision-making process, which operates at all stages of government organization and operation.

Like other SG, the SGG is freely appointed by the Government (discretionary appointment). However the custom is that the SGG comes from the French Council of State.

**MT:** The appointment and duties of the Principal Permanent Secretary are set out in Article 13 and 14 of the Public Administration Act, CAP 497.

**PT:** The Prime Minister's Office has no Secretary General assigned to it. Only the Presidency of the Council of Ministers has a General Secretariat supporting its functioning.

The Presidency of the Council of Ministers General Secretariat holds the competencies and attributions assigned to it by the respective organic law and it is related to the specific powers and duties assigned to this Council.

**SL:** The Prime Minister's Office is government office and is composed of state secretaries (personal expert and political advisers) and civil servants, some of them tied to the personal trust and mandate of the office-holder. The Secretary General is not employed in the Prime Minister's Office. The applicable law does not allow employment of the Secretary General in the Prime Minister's Office.

**SE:** The question is not relevant in the Swedish context.

**CH:** Switz. has a rotation system, one of the ministers acts as Prime Minister (primus inter pares) for the duration of 1 year. The SG has no special position / function during this

**IR:** The SG, Department of the Taoiseach (Prime Minister) is also Secretary General to the Government

**DE:** Currently, the Head of the Federal Chancellor's Office has the status of a minister.