



EUPAN

Presidency Report

CZECH REPUBLIC

1 July – 31 December 2022

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From 1st July to 31st December 2022 the Czech Republic took over its second presidency of the **European Public Administration Network (EUPAN)**. During these 6 months we welcomed to Prague the representatives of the Member States of the European Union, the European Commission, observer countries (Norway and Serbia), as well as the speakers from EIPA, OECD and other institutions to discuss the topics related to the Civil Service and the Public Administration sector.

The Czech Presidency's work was guided by two important documents adopted during the French presidency; namely the **EUPAN Strategy Paper** for the period July 2022 – June 2025 and the **Strasbourg Declaration on the Common values and challenges of European Public Administrations**, which was approved by the ministerial conference in Strasbourg in March 2022.

The Czech Presidency aimed to build on the achievements of the previous presidencies and strived to discuss and share ideas on the strategic domains established by the updated **EUPAN Strategy Paper**.

1 Meetings

During the Czech Presidency several events took place:

- 5 September – online meeting of the **EUPAN 5 Secretariat** (FR, CZ, SE, ES and the EC)
- 8 September – online meeting on international mobility (PACE flagship project)
- 26 – 27 September – **EUPAN Working Level** meeting in Prague, Czech Republic
- 31 October – online meeting of the **EUPAN 5 Secretariat**
- 24 – 25 November – **EUPAN Directors General** meeting in Prague, Czech Republic

2 Strategic Domains and Topics

In accordance with the **Strategic Paper** approved during the French Presidency for the years 2022-2025, 3 main strategic domains were established:

1. Transformation of the Civil Service and HR policies
2. Transparent, accessible, resilient and green public services that meet users' expectations
3. Organizational changes, public innovation, digital transformation and “greening” of the Public Administration sector

2.1 Transformation of the Civil Service and HR policies

Under the first strategic domain **Transformation of the Civil Service and HR policies**, the issue of top public managers in a transparent, effective and professional civil service, two points were addressed: 1) relations between top senior civil servants and the political leadership of the Ministry, and: 2) the international mobility of civil servants.

2.1.1 Relations between Top Senior Civil Servants and the Political Leadership of the Ministry

Establishing the right balance between political leadership and a professional civil service is an important aspect of the civil service system. On the one hand, civil servants must be apolitical and carry out their tasks impartially thus ensuring professionalism and stability in the administration of the state. On the other hand, the responsiveness of top civil servants to, and their alignment with, the program of the political leadership is important for the Government to be able to carry out the political program with which the politicians were elected. During the Czech Presidency a questionnaire aiming at mapping the situation in the **EUPAN** countries in terms of the organization of the political and civil service leadership, as well as the nature of their relationship was sent out. It also touched upon the existence and functioning of other bodies supporting the political leadership (e.g. cabinets, assistants, advisors etc.).

The organization and institutionalization of political leadership as well as of the Civil Service varies across the countries. In order to clarify the areas of interest the Czech Presidency carried out a short workshop during **EUPAN Working Level** meeting where participants discussed these questions and reached a common understanding. The participants were divided into 4 groups of approx. 12 members. Each group had a moderator who was leading the discussion. Based on the discussion in the workshop, the Czech Presidency finalized the questionnaire which was distributed to the participants involved.

The Presidency carried out a survey among **EUPAN** members which was aimed at mapping the situation in **EUPAN** countries in terms of the organization of the political and civil service leadership. We have also touched upon existence and functioning of other bodies supporting the political leadership (e.g. cabinets, assistants, advisors etc.).

During the **EUPAN Directors General** meeting, an overview along with the results of the survey were presented. The presentation was followed by a roundtable discussion with the delegates. Questions asked in the survey can be found in the attachment below.

2.1.2 International Mobility of Civil Servants

Much attention is given to the international mobility of civil servants with various aspects being discussed widely. Recent initiatives which took place include the **Leadership Exchange Programme**, which was initiated during the Portuguese Presidency and Summer school organised during the French Presidency. The ministerial conference which was held in Strasbourg in March 2022; and which resulted in adoption of the Strasbourg declaration; also focused on this topic.

During the Czech Presidency the opportunities for participation in the **PACE Flagship** project for the international exchange of civil servants; which was organized by the **DG REFORM** within the **TSI** tool; were also examined. We put emphasized the sharing of ideas on those topics which are relevant to the Civil Service and the Public

Administration sector generally, in order to facilitate networking among Member States and identify possible common ground for realizing the international exchange of civil servants.

Informal Online Meeting on 8 September 2022

With a view to facilitating the discussions about possible participation in the **PACE** project, an informal online meeting with those Member States with an interest in this initiative, was organized. The idea of the meeting was to discuss topics of common interest for which an exchange could be organized. The aim of the discussion was also to support networking and help with matching the Member States interested in the same issues.

During the meeting the following themes emerged as points of interest: **Professionalization of the Public Administration Sector; Digital Transformation; Attractiveness; Social Dialogue; Innovation; Support of Mobility and Sustainability of HR Policies; Boosting Civil Servant Exchanges with the European Union Institutions; Improvement of the Performance of the Public Administration Sector.**

EUPAN Working Level Meeting

Following on the online meeting, another session dedicated to international mobility was organized during the **Working Level** meeting in Prague. It provided the space to share information and further discuss the common ground for participating in international exchange programs.

First of all, the **DG REFORM** had a presentation which introduced the **PACE** project as well as informing the participants about the current developments. The presentation was followed by contributions from Greece, Croatia and France. These countries presented those issues which have priority in their respective public administration sectors; in addition to sharing their initial considerations and views regarding participation in **PACE**.

Introducing Public Administration Cooperation Exchange (PACE), DG REFORM

DG REFORM first presented information about the structure of **DG REFORM and Unit Governance and Public Administration (REFORM/B2)** which is in charge of initiatives related to public administration. Then they spoke about the flagship **Technical Support Instrument (TSI) PACE – Public Administration Cooperation Exchange** and its objectives which are:

- Facilitate civil servant exchanges as well as knowledge transfer and best practice exchanges between the public administration bodies of the EU Member States.
- Promote direct, one-to-one dialogues and allow different stakeholders to learn from each other and share knowledge.
- Foster cross-border cooperation between Member States, between officials and synergies in working methods.
- Increase awareness of the European dimension in public administration bodies and the promotion of the values and principles of good administration.

DG REFORM also provided further details concerning the issues, modalities, reimbursement schemes and timeline of processes for the **2023 PACE** edition as well as having informed the delegates about the updates from the **Expert Group on Public Administration and Governance** which was established in 2021 under **DG REFORM**.

General Thoughts on the Potential Implementation of PACE Initiative based on the Recovery and Resilience Facility, Croatia

Croatia presented the areas of interest for their public administration, as well as the current projects realized under the **National Recovery and Resilience Plan**. They are most interested in the professionalization of public administration and digital transformation, including the improvement of the employment procedure in the Civil Service, new salary model and new ways of working in the **Civil and Public Service**, digital transformation of conservation materials and archival records, as well as functional and sustainable local self-government. Due to the large volume of work

related to the **Recovery and Resilience Plans** projects, joining **PACE** will not be considered this year, but remains an interesting opportunity for the following years.

TSI 2023, PACE, Greece

In Greece, the implementation of a comprehensive HR framework to create a new public administration for the citizen is currently under way. There are four priorities: Streamlining Public Administration, Accountability, transparency, anti-corruption measures, Human Resources Management and Development and HR Digital Transformation. The Greek administration has applied during the current **PACE** call with intended activities comprising of study visits, capacity building in people management and common projects in HRM and PA. Main areas of interest include: attracting the right candidates; improving the employer brand; onboarding of public servants; capacity building and motivation of staff.

PACE 2023 – First Ideas for a French Project

France shared with participants the goals they would like to achieve by participating in the **PACE** initiative. These include, among others: the promotion of the identification of common solutions to strengthen resilience; support for future work on the transformation of the Civil Service; increasing the levels of expertise in public administration in European Union countries; as well as the dissemination of emblematic projects deployed in the field of public transformation and function. These goals could be developed by focusing in particular on the following themes:

- the attractiveness factors of public administration bodies;
- the renewal of public management and the evolution of the levers of motivation for public workers;
- the adaptation to digital transformation;
- the integration of the objectives of sustainable development in HR policies, including by questioning the exemplary nature of the state as an employer.

European Commission External Mobility

The Commission had a presentation focusing on the external mobility programs in the Commission. Among other things; it entails mobility and secondments to national administrations, other EU institutions, international organizations and other EU bodies and agencies (both to and from the EU). There are many concrete types, e.g. **SNE**, **NEPT**, **TAIEX**, study visits, Erasmus for PA, twinning, etc. Secondments provide a valuable tool for the exchange of information and practices in addition to reinforcing mutual cooperation. The secondees benefit from the opportunity to grow professionally, the secondment also helps them to better understand functioning of the Commission. At the same time the secondees enrich the work environment in the Commission by bringing new ideas, offering different perspectives and reinforcing the European spirit. The presentation then focused on the **SNE** and **NEPT** programs, going on to explain the conditions, requirements and eligibility for these programs.

Supporting Czechs in the EU institutions, Czech Republic

This presentation focused on the measures and tools which the Czech authorities use to support the Czechs in the EU institutions, owing to the fact that the Czech Republic is underrepresented there. This support consists of many elements, with the main ones contained in the **Strategy to Support Czechs in the EU Institutions**, which was adopted by the government in 2015. Concrete activities include spreading awareness, preparation for the **EPSO** competition (free of charge), coordination role of the **Permanent Representation** in Brussels and enhancing the skills and knowledge of civil servants by seconding them to the EU institutions (support for **SNE**, **NEPT** and Erasmus for **PA** especially). It was stressed that the crucial elements of the **Strategy** include having a central budget for activities, establishing a network of contact points and the creation of guidelines.

EUPAN Directors General Meeting

During the **EUPAN Directors General Meeting** a session dedicated to discussing the benefits of the international exchange (not only from the point of view of the individual

civil servant, but also from the point of view of the sending and receiving institutions), the requirements demanded of the potential candidates and the challenges presented by the exchanges were discussed.

The main benefits of an exchange lie in broadening civil servants' horizons and professional expertise. The exchange can be viewed as a factor increasing the prestige and attractiveness of the Civil Service as a vocation. Exchanges are beneficial also for organizations, because they provide inspiration for applying a different approach to finding solutions to similar issues and problems across the countries.

In terms of preparing an exchange program, the crucial role played by detailed planning was stressed. In particular, it is necessary to clarify the objectives of the mission and to think whether the organization will participate in order to share its knowledge with others or to learn from others. It was advised to use digital skills where appropriate, since not all activities necessarily require the physical presence of civil servants abroad. Attention should be given to the length of the exchange, since both shorter exchanges (one week) and longer ones (in the order of several months) serve different purposes and both types have their own benefits and challenges. Other issues that were mentioned include finding a suitable partner organization in another Member State, the working language of the exchange, the financial resources for realizing the exchange and finding and directing a stand-in for civil servant who is on exchange.

Overall, the delegates highlighted the positive impact on cultural exchange, knowledge sharing and networking. On the other hand, some expressed uncertainty whether this is what we need to increase the efficiency of government. It was generally agreed that this topic was important for the development of the Civil Service in all Member States, and therefore recommended that efforts be made to further develop this area in the coming years. This is to be done regardless of whether it concerns mobility of civil servants at bilateral or multilateral level, as well as between Member States and the European Commission. At this level, a **TSI** or **LEP** is already underway, the conclusions and outcome of which will certainly contribute to further initiatives and programmes for the mobility of European Union civil servants.

3 Transparent, Accessible, Resilient and Green Public Services that Meet Users' Expectations

Under the second strategic domain, the topic of integrity and ethics in civil service was addressed by means of workshops dedicated to the sharing of experience and discussions on the development of ethical culture and values in the Civil Service. The themes of the workshops were: **Civil Service Ethics Education; Civil Service Ethics - Between Theory and Practice and Crisis; Public Administration and Civil Service Ethics**. In order to facilitate the discussion, the **EUPAN** meeting participants had been divided into 4 groups of approx. 12 members. Each group had a moderator who was leading the discussion. The questions posed were discussed during the workshops of the **EUPAN Working Level** meeting and of the **Directors General** meeting as well.

3.1 Civil Service Ethics Education

In recent years, plenty of attention has been given to civil service ethics, which is considered to be an effective tool to combat corruption and generally make the Civil Service more efficient and appealing to the public. This, of course, also led to the emergence of various forms of education concerned specifically with civil service ethics. Yet, this kind of education is often viewed by civil servants as a mere formality. There seems to be a recurrent belief that morality and good manners are mostly acquired in childhood – and therefore teaching ethics to adults cannot really change their behaviour.

During the workshops, the following questions were discussed. Is this belief justified, or is it possible to teach ethics to civil servants in a way that will actually have a positive impact on how they perform their duties? And what are the most effective approaches to teaching and promoting ethics to civil servants?

3.2 Civil Service Ethics - Between Theory and Practice

The relation between various branches of the administrative sciences and practitioners in the domain of administrative ethics is a complicated one. To assess the efficiency of

the various tools and elements of the ethical infrastructure, researchers (whether from academia, intergovernmental organizations, or NGOs) would like to study in detail what is happening inside the walls of various state authorities. Accessing and analysing publicly available records could reveal a lot but having direct knowledge of internal processes is invaluable. Yet institutions often have measures in place that guard them against such openness. At the same time, the push toward evidence-based decisions is on the rise across many areas of governance. It implies an effort on the side of institutional actors to get acquainted with the newest scientific results in the domain of administrative ethics. However, people in charge often have limited resources to follow the relevant literature and other sources. Relatedly, many countries run dedicated programs for educating future administrators and it is often assumed that graduates of such programs will be in a perfect position to implement scholarly results to practice. Yet it is not clear whether in the domain of ethics such an assumption is justified.

3.3 Crisis, Public Administration and Civil Service Ethics

In times of crisis (pandemic, energy, war) public administrations face unprecedented challenges that require the use of unprecedented methods for finding solutions. For instance, sometimes public officials have to take a decision about an urgent matter despite a lack of time and/or sufficient information. This can create a stressful situation accompanied by a growing feeling of uncertainty about the extent of one's accountability for the decisions made. At the same time, some public officials can be tempted to circumvent standard procedures and deliberations for the sake of a faster delivery of administrative outcomes, even if the circumstances do not require that. While the importance of ethics in administrative decision making obviously grows during times of crisis, politicians often view administrative ethics as a low-priority issue against the background of a set of immense practical problems to be solved. They might think that we should not waste precious time on such secondary matters such as ethics management and ethical culture until the crisis is over.

3.4 Summary of the Workshops on Ethics in the Civil Service

An important part of the **EUPAN Working Level** and **Directors General** meeting programme consisted of workshops on ethics in the Civil Service. The first workshop dealt with **Civil Service Ethics Training and Education**. There was extensive discussion among delegates on, for example, what key topics should be included in ethics education and training; what methods are most appropriate for ethics training and education in the Civil Service; how to promote ethics training and education and motivate officials to take an interest in ethics; how to make ethics training and education be seen as an important part of civil service education and not as "just a formality" and whether managers be educated in ethics differently to other civil servants.

In terms of contents and key topics in ethics education, the discussion showed that in many Member States, training courses on ethics focus on topics related to the prevention of corruption and conflict of interest. For instance, the Greek delegate described a new national anticorruption scheme that has commenced. The scheme participants are required to undertake a thorough training which is given via blended learning sessions of 150 hours in total. This training does not only consist of an in-classroom presence, but also contains a video project to make the education more interactive. The Italian delegate stated that ethics training mainly covers anti-corruption courses, as this is viewed as an important topic in Italy. In relation to corruption, the French delegate raised the question of how to deal with the concrete issue of, e.g., gifts to civil servants, who are in touch with a private company, etc. Also, the more general question of the relationship between the private and public sectors was raised by some members, who added that training courses focusing on the area of public procurement were an important part of ethics education as well. This frequent connection of ethics and anti-corruption themes is, however, not the case for all Member States. For example, in Poland, the prevention of corruption and ethics have separate trainings.

The other most common topics for education in ethics included the values and principles of the Civil Service and Public Administration, including knowledge of ethical codices, and the prevention of various forms of unfair treatment in the workplace (discrimination, harassment, mobbing), civil service impartiality, civil servants' integrity and risk management. It was also noted, that new fields where ethics is applied are emerging, such as digital ethics or ethics on social media. This part of the discussion concluded with the recommendation that ethics must be part of sustainable Human Resources Management and that it is essential to combat discrimination.

Further discussion focused on the scope of ethics training. Many Member States stated that ethics training is not given separately, but rather forms a part of a more general and compulsory training for civil servants. During the discussion suggestions were made that apart from such general trainings there are also specialised training courses focusing on particular groups of civil servants, such as managers, newcomers or ethical advisors. Some delegates stated that due to their higher levels of responsibility, managers receive special training, including in ethics, while for other Member States this was not the case, since it could be argued that ethical principles should be observed by all civil servants, regardless their position. Regarding the filling of vacant managerial positions, in some Member States the recruitment process includes elements of ethics by testing candidates on stress resistance, leadership skills, integrity etc. It was emphasised that such testing is important, because the Civil Service needs leaders who not only have good analytical skills and perform well, but also have vision and leadership skills.

Concerning the appropriate methods for, and ways of training ethics in the Civil Service, the questions of the online and in-person trainings were discussed. While online training and online tools may be more appealing to some civil servants (especially younger ones); for others the face-to-face training sessions are more effective. Eventually, a combination of e-learning and face-to-face courses is likely to be the most effective method for ethics training. A couple of delegates stated that they are using role playing scenarios in ethics trainings. There was an overall agreement on the importance of bringing concrete examples of situations that may occur in

practice into the training session. Otherwise, there is a risk, that the training will be too abstract. As was pointed out by Belgium, sometimes it had to be explained to the participants of the training exactly what behaviour was corrupt, as very often people's first reaction to the examples given was that they did not consider it to be corruption. By presenting and discussing practical examples, the ethical dilemmas can be demonstrated most effectively.

In the next part, the question of how to promote ethics and motivate officials to take an interest in ethics was discussed. First of all, some Member States expressed certain doubts about how possible it is to “train” ethics, since ethical values should already be internal to civil servants. This is also the reason why some delegates spoke about promoting ethics (discussing ethical dilemmas, presenting concrete examples), rather than teaching it. Some Member States consider a top-down approach to promoting ethics to be key to successful ethics enforcement, because it fulfils the principle of “leading by example”. Polish colleagues promote ethics through the head of the Civil Service, who talks about ethics when meeting with the Directors General. In the Netherlands, regular meetings of top public managers dedicated to ethics are organised. However, there were also Member States which stressed the bottom-up approach in which the ethical culture in an organisation should be supported and cultivated also by the civil servants themselves. It was also pointed out that a mature and sound ethical culture in public organisations increases the trust of citizens, and at the same time increases the attractiveness of the given organisation on the labour market.

Another widely used tool to promote ethics is the creation of a position of ethical advisors/counsellors/mediators (e.g. in Poland, the Netherlands, Portugal or Latvia), whose function is to support the sound ethics culture in the organisation, provide guidance and answers to civil servants' questions related to ethics. Other tools that were mentioned during the discussion included questionnaires on the topic of ethics, lectures on how to prevent corruption, brochures on ethics, organisation and participation at conferences dedicated to ethics.

In terms of promoting ethical conduct, there was also a strong positive response among participants to the example from Croatia, which, in addition to reducing the number of complaints of unethical conduct, also focused on regular praise in internal communications, where staff across the hierarchy of the ministry had the opportunity to express praise for selected ethical conduct.

The next workshop focused on **Civil Service Ethics - Between Theory and Practice**; in particular on experience with sharing information about civil service ethics with researchers; the impact of research on ethics in the Civil Service on the real-life institutional practice and evidence-based decision-making, as well as the importance of dedicated university programmes in public administration in order to increase the knowledge and skills of civil servants in the field of civil service ethics.

In general, the delegates agreed that academic research, questionnaires, etc. can be very useful for the development of public administration. It was confirmed by many Member States that there is cooperation with academia but it often focuses on field other than ethics, such as corruption. It was also pointed out that the cooperation is very rarely long term and systematic. Rather, it occurs on an ad hoc basis according to actual needs. Nonetheless, examples of dedicated university teams for studying ethics in public sector exist as well, e.g. in Finland. With regard to cooperation with academic institutions, it is quite common for Member States to have universities or institutes focusing on public administration (e.g. Malta, Hungary, Norway, Portugal, Bulgaria). It was noted, that these institutions may provide training in civil service ethics as well. In France, the **National Institute of Public Administration (INSP)** is in charge of cooperation with the universities.

Another feature of the cooperation with academia and researchers which was mentioned is the theoretical nature of the outcomes. This means that all the outcomes and findings of the research may not always be possible to use in practice. For carrying out research and studies some Member States contract advisory or consulting companies from the private sector; e.g. in Poland, recently a large project on the integrity culture in the Civil Service was carried out. Other international institutions and

organisations, such as **OECD** or the **European Commission** were also mentioned as a partners for research activities.

Next, delegates discussed specific university programs dedicated to public administration and whether their graduates have better prospects of becoming civil servants. It was noted, that in some Member States such university programs, or at least university courses, dedicated to public administration exist. However, the delegates stated that graduation from such programs is not a necessary condition for obtaining a post in the Civil Service. Other programs may provide adequate preparation as well, e.g. legal study programs were viewed as quite appropriate, since they provide students with good overview of public administration. At the same time, a career in public administration often requires specialised knowledge, and so graduates from highly specialised courses, such as IT, are welcome.

Finally, during the **Directors General** meeting one of the workshops was dedicated to ethics in times of crisis. The delegates discussed whether there were any ethically problematic situations in the Civil Service during times of crisis and what was the interaction between top public managers and politicians like in these situations.

Many delegates responded that there was no grave conflict between top civil servants and politicians, since the civil servants have clearly defined competences, which followed even during the time of crisis. Moreover, continuity plans, crisis teams and other institutes which guide the public administration processes during the crisis were activated as well. Some delegates mentioned that regular procedures could not be followed due to the speed of legislative processes or the extent of consultations, but no serious problems were mentioned. It was also noted that during a crisis there is less time to think about ethics, because “the things need to be done quickly”.

The introduction of working from home on massive scale was mentioned as an issue which brought many new questions. Some of the problems which emerged were often connected to the challenging communication styles and interpersonal relations among civil servants, less social contact and increased symptoms of burnout.

With regard to preparing for future crisis, it was noted that that it is not clear whether we can fully prepare for a potential future crisis, which, by definition, comes suddenly and often takes us by surprise while bringing previously unseen phenomena. What can be done is to evaluate the management of the current crisis and learn from the conclusions? Some delegates mentioned that one of the lessons learned is to prepare better for communication, also among the authorities themselves. Many of the networks and various groups, which were created during the crisis, produced good results which gives rise to the tendency to let those groups function also during normal times.

In terms of interactions with politicians, it was stated that civil servants primarily should guard the ethics, as it is their vocation. Research carried out by the **OECD** shows, that the public places more trust in civil servants than in politicians. According to another view, ethics is not always top priority for politicians, yet they always expect ethical behaviour from civil servants. With regard to the topic under discussion, Finland, during their presentation, informed us that in their country special discussion forums were created during the crisis, which included politicians, officials and the public. In this way, various points of view were brought together and discussed.

4 Organizational Changes, Public Innovation, Digital Transformation and “Greening” of Public Administration Bodies

Presentations and follow-up discussions on various sub-topics within this strategic domain took place during the **Working Level Meeting** as well as the **Directors General Meeting**.

4.1 EIPA Services for EU Member States and EU Institutions, EIPA

EIPA and the activities it offers to EU Member States was introduced. Currently **EIPA** focuses on 5 main areas: Better Governance; Effective Public Administration; Global EU; Management of Public Funding and EU Policies and EU Law. A lot of attention is paid to the area of Effective Public Administration, where **EIPA** focuses on issues related to **Human Resources and New Work; Quality and Effectiveness; Digitalization of Public Administration or Negotiations**; communication and soft skills. **EIPA** also provides advice and support to Member States for applying to the EU funds, for example within the **TSI** instrument. **EIPA** is currently introducing a series of online training on the Moodle platform and the **Digital Training Hub**. It has also established a database of **European Public Sector Awards (EPSA)**, i.e. awards that reward significant projects in public administration, and operates the **CAF** resource centre.

4.2 Strengthening the Resilience of the Public Administration Sector: Lessons Learned from CAF Users from the COVID-19 Pandemic, OECD

The main aim of this **OECD** project has been to support more resilient public sector administrations and organizations in EU Member States. The objectives included collecting data on public administration responses to **COVID-19** and sharing studies and examples from practice, promoting innovative topics to make the Public Administration Sector more resilient in the future, and last but not least, the support of the **CAF Network** in revising the use of the **CAF** model. Results suggest that, in general, the authorities responded effectively to the crisis, especially by establishing

health protocols, social safety nets and business continuity plans. However, there is room for future improvement when it comes to speed, scale and transparency in the processes. Lessons can be learned also in the areas of strategy, planning, leadership, human resources management, relation to stakeholders and processes. The final report should be published at the beginning of 2023.

4.3 European Commission HR Strategy

The Commission informed us about its new **HR Strategy**. The strategy focuses on 4 main areas: attractiveness, flexible careers and mobility, selection and recruitment and HR processes. In terms of attractiveness, new approaches are needed in order to be appealing to young people, who are often not interested in a lifelong career but would rather have flexible employment and working conditions. One of the problematic issues is the length of the external selection procedure, which is too long and needs to be shortened. The Commission also places emphasis on other areas, e.g. the greening of the administration, anti-harassment policies or support for inclusion and diversity. Among other things, the Commission tackles the issue of geographical balance among Commission officials by preparing **Action Plans** for individual Member States.

4.4 Implementing Quality Management in Service Authorities, Czech Republic

Delegates were presented with a model for implementing quality management in state administration which was applied in the Czech Republic. In order to support the introduction of quality management a project co-financed from the **European Union** funds has been carried out under the auspices of the **Civil Service Section of the Ministry of the Interior**. Improvement in quality management was defined within 10 criteria (e.g. strategy of the development of service authority, defining measurable goals, communication, Human Resources Management, employee satisfaction survey etc.), each of them establishing minimum standards of quality management which have to be adopted by each service authority. In order to implement the individual steps, a methodological tool was prepared. Service authorities may go beyond the minimum standards and further implement one of the certified tools, such as **CAF** or **ISO**.

4.5 Training Programme for Analysts in Public Administration, Czech Republic

The presentation told of an upcoming training event for the development of analytical skills of Czech civil servants. This is a pilot version of the program created as a follow-up to the Czech strategy **Client-Oriented Public Administration 2030**. The goal of this pilot version is to train 120 analysts from the Civil Service. During the 4-day training, participants will learn about quantitative and qualitative research methods, open data and data visualization.

4.6 Geolocation Data as a Tool for the Public Administration Spatial Structure Adjustment, Czech Republic

An EEA and Norway grants project implemented by the **Ministry of the Interior of the Czech Republic** aims to examine the mobility patterns of individuals gained from the geolocation data from the mobile phone network. According to those patterns, the location of public services should be overly determined. The crucial idea of the assignment is to bring public services closer to the people and not people to the services. This contribution opens the discussion of the adjustment of the administrative borders of the territorial units of the state based on data on the inhabitants' mobility. A discussion followed the presentation of the project.

5 Political Leadership and Top Civil Servants in the Ministry

A) Political Leadership of the Ministry

1. What functions in the ministry, apart from the minister, are considered to be „political functions“ (e.g. Deputy Ministers, Junior Ministers, Under Ministers, Secretaries of State etc.)?
2. Is the minimum and/or maximum number of these positions set?
3. Who appoints them to, and removes them from the function?
4. What are their main tasks and responsibilities?

B) Top Civil Servants (Secretary General/Permanent Secretary and Directors General)¹

1. Who appoints them and removes them from the function?
2. What is the form of selection process (e.g. political appointment, selection commission, political appointment based on shortlisted candidates etc.)?
3. Is there a fixed term of appointment? If so, what is the length of the term.
4. What is the process, and conditions, for removing them from the function?

C) Advisors and Advisory Bodies to the Minister (e.g. Cabinets)

1. What type of positions or bodies exist to advise the minister in policy areas?
2. What is their employment status (civil servants or employees)?
3. What are their main tasks and responsibilities?

¹ A thorough study concerning Top Public Managers was conducted by the Dutch presidency in 2016 (see *Top Public Managers in Europe: Management and Employment in Central Public Administrations*, Ministry of the Interior and Kingdom Relations, The Netherlands, 2016). The group of Top Civil Servants, in understanding of this questionnaire, includes Level 1+ and Level 1 functions as specified in the study (p. 15-16).

6 Outcomes of the Questionnaire²

One of the priorities of the Czech Presidency was future-oriented strategic, efficient and effective HRM. Within this priority, the Czech Presidency focused in particular on the relationship between the top public management and political leadership in the ministry. In line with the expected results, a questionnaire on this topic was developed and sent to all participants of the **EUPAN DG** meeting on 24 and 25 November 2022 in Prague.³ The questionnaire was divided thematically into three areas with several specific questions - the political leadership of the ministry, top civil servants and advisors, and advisory bodies.

6.1 The Political Leadership of the Ministry

The first area targeted the political leadership of the ministry. Specifically, the aim was to find out what functions are considered political within the ministry structure. Other questions focused on whether there is a minimum and/or maximum number of these positions, who appoints and removes candidates to and from these positions, and what their roles and responsibilities are.

6.1.1 Political Positions in the Ministry

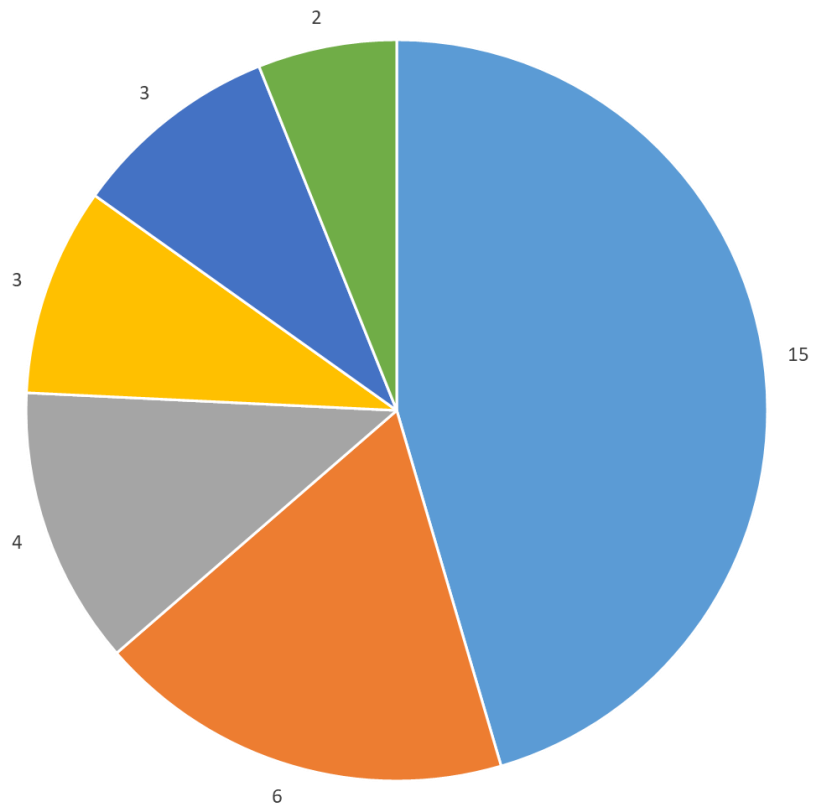
As shown in the chart below, the majority of participating states indicated the Secretary of State or State Secretary to be a political position, specifically in 15 cases. The next two most frequently cited positions were Political Advisors and Deputy Ministers. Two states mentioned the position of Secretary General as a political position. The exception was the post of Under Minister, which only one country, Greece, had. Similarly, only Slovakia has the position of Government Deputy in certain cases. In

² The following countries were approached with a request to complete the questionnaire: Austria, Belgium, Bulgaria, Croatia, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey

³ The following countries completed and submitted the questionnaire: Austria, Belgium, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Latvia, Lithuania, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden,

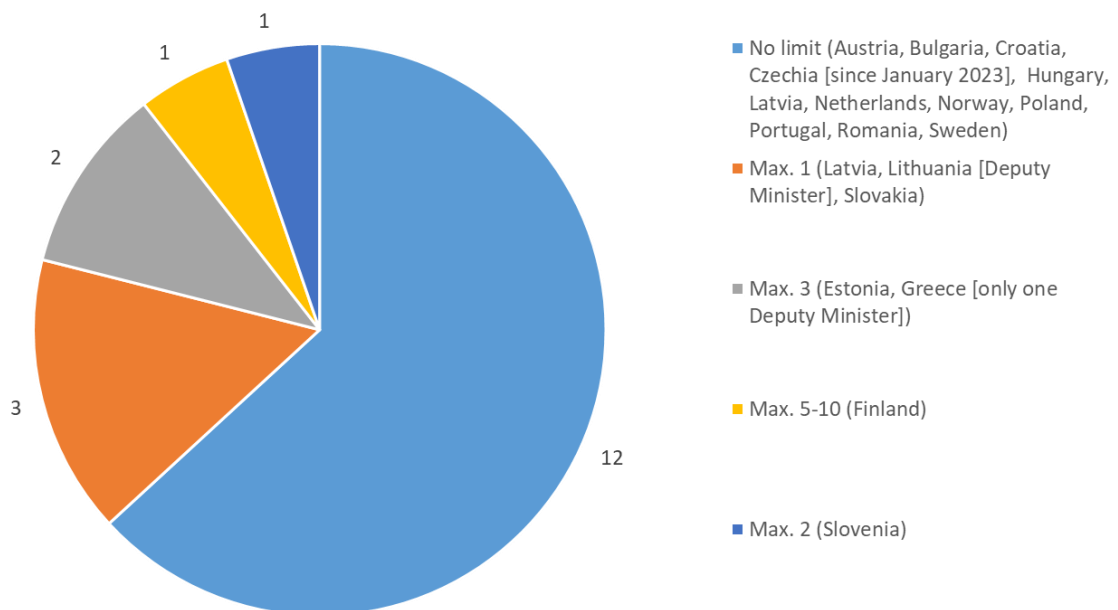
three states there is no political position in the structure of the ministry, except for the minister himself.

- State Secretary, Secretary of State or Undersecretary of State (Austria, Croatia, Finland, France, Hungary, Germany, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden)
- Political advisors ,(Bulgaria [members of the political cabinets], Estonia, Latvia, Lithuania, Norway, Sweden)
- Deputy Minister (Bulgaria, Greece, Hungary, Lithuania [Vice-Minister])
- None (Belgium, Cyprus, Denmark)
- Other (Government Deputy, Under Ministers, Chancellor)
- General Secretary (Greece, Slovakia)



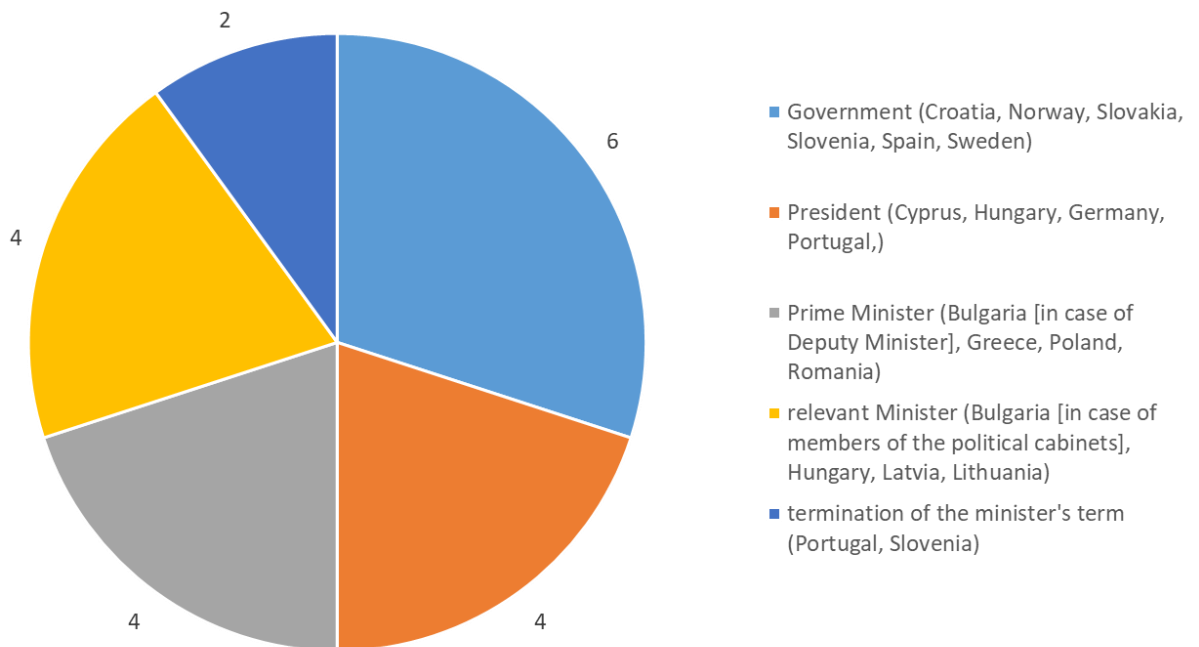
6.1.2 Minimum or Maximum Number of Political Positions

As can be seen in the attached chart below, the majority of respondents indicated that they have no set maximum number of political positions in the ministry. In contrast, only one respondent is allowed to have a maximum of 2 of these positions, and two respondents have a maximum limit of 3 political positions and three states mentioned that they have set up maximum of these positions on 1. An exception in this matter is one respondent who stated in their response that they have the ability to have 5 to 10 of these positions perceived as political in certain cases.



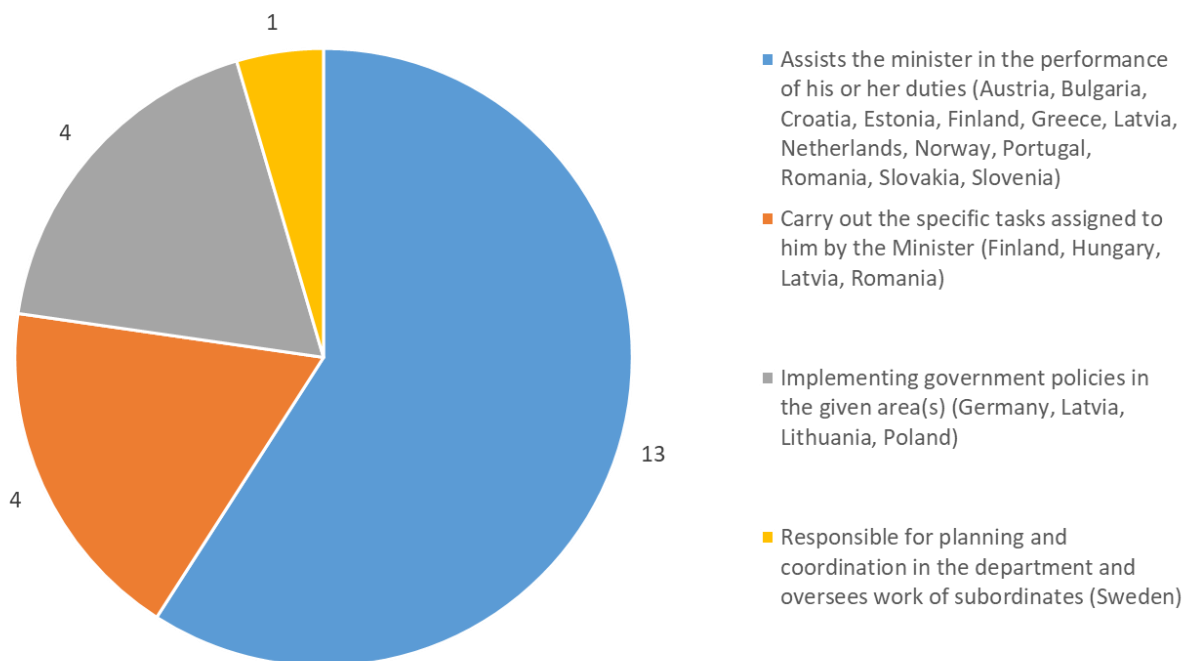
6.1.3 Appointment and Dismissal

This section focused on the appointment and removal process, more specifically on the authorities who appoint and remove political positions in the ministry. As can be seen from the chart below, in the vast majority of states that responded to the questionnaire, policy positions in the ministry are appointed and removed by the executive authority, i.e., the government, the prime minister, the relevant minister or the president. Two participating states indicated that the tenure of political positions in the ministry is linked to the tenure of the minister.



6.1.4 Main Tasks and Responsibilities of Political Positions

Equally important for political positions in the ministry is the scope of the tasks connected with the job and attendant responsibilities. Within this framework, the questionnaire aimed to find out what agenda the political positions are responsible for and what their role is in the functioning of the ministry. The chart showing the result received shows that in a large majority of participating countries these positions are primarily tasked with assisting the minister in the performance of his or her duties. In some countries, people in policy positions are assigned specific tasks by the minister; in others they are responsible for planning and coordination in the department as well as overseeing the work of subordinates, and in rest they are in charge of implementing government policies in the field.

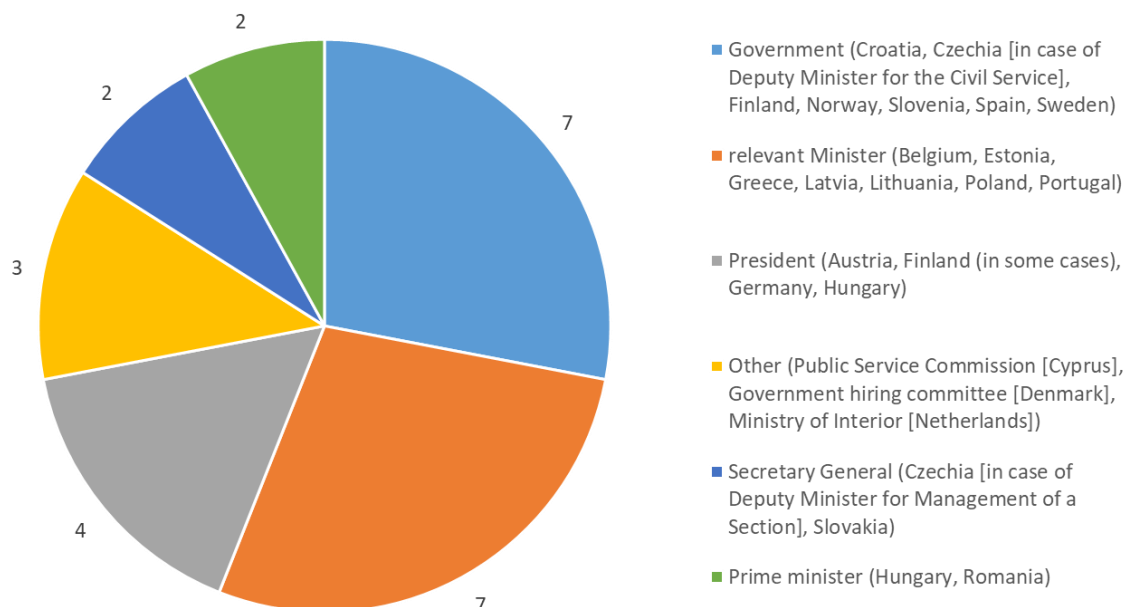


6.2 The Top Civil Servants

The second part of the questionnaire focused on the most senior civil servants within the ministry. Like the first part, this part also contained several questions directed at the position of top civil servants in the ministry. Specifically, the questions focused on the form taken by the selection process, who appoints and removes these civil servants, their tenure, and the form and conditions of their removal from office.

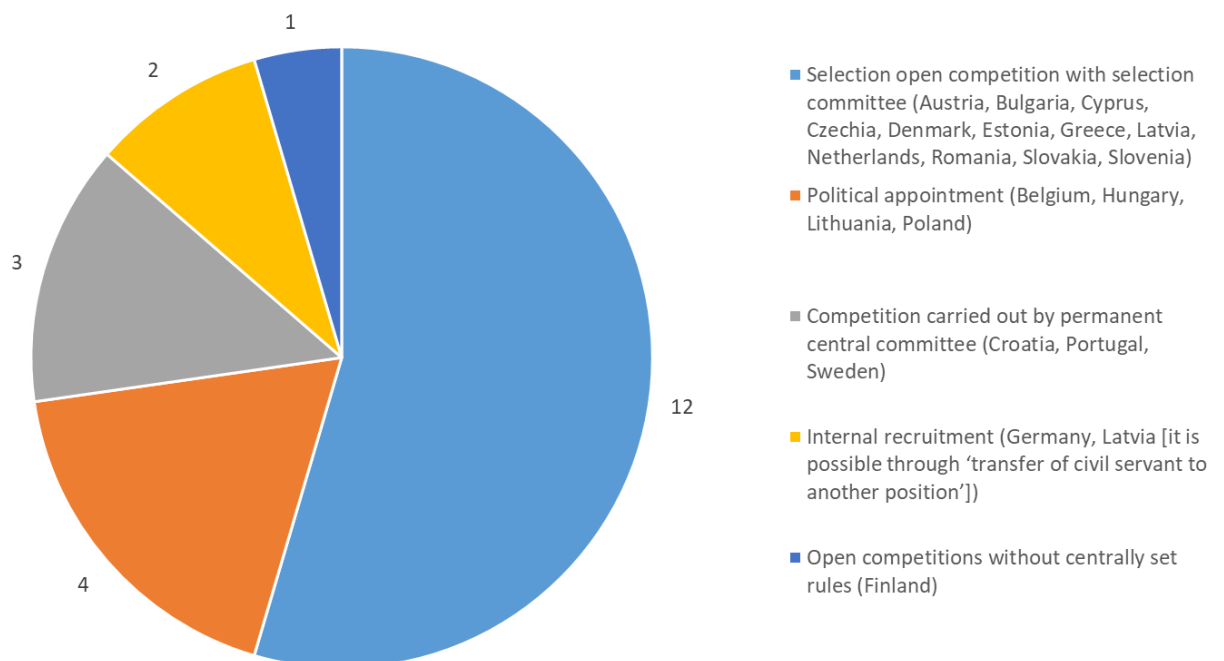
6.2.1 Appointment and Dismissal

The purpose of the first question was to determine what authority has the power to appoint and dismiss the top civil servants. The data collected shows that in almost 75% of the countries participating in the questionnaire, the Government, relevant minister or president appoints candidates to these positions. The same applies in the case of dismissal from these positions. In two countries this is done by the Prime Minister and in an equal number of countries by the Secretary General. The remainder of respondents said that top civil servants are appointed and dismissed by the **Ministry of Interior**, the **Public Service Commission** or the **Government Hiring Committee**.



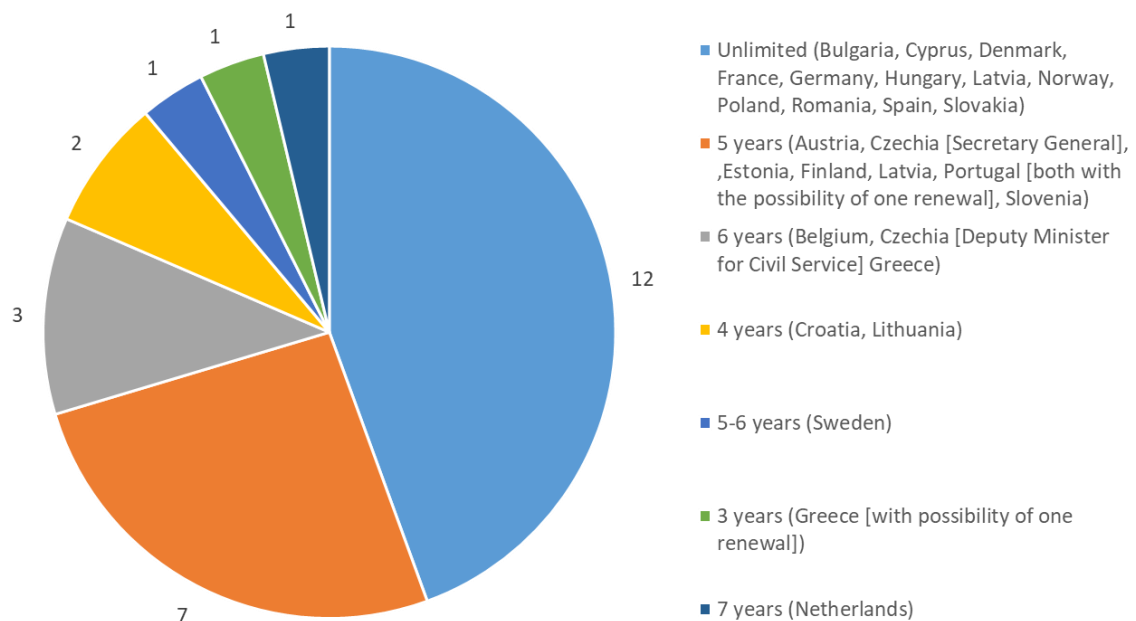
6.2.2 The Form of Selection Process of Top Civil Servants

The second question focused on how the top civil servants in the ministry are selected. Slightly more than half of the states responded that they select top civil servants through an open selection process in which a selection committee chooses from among the candidates. In three cases, the competition is then carried out by a permanent central committee. In four states, the top civil servants are then selected by political appointment. Two respondents stated that top civil servants are selected in an internal recruitment process. In only one country it is an open competition without centrally set rules.



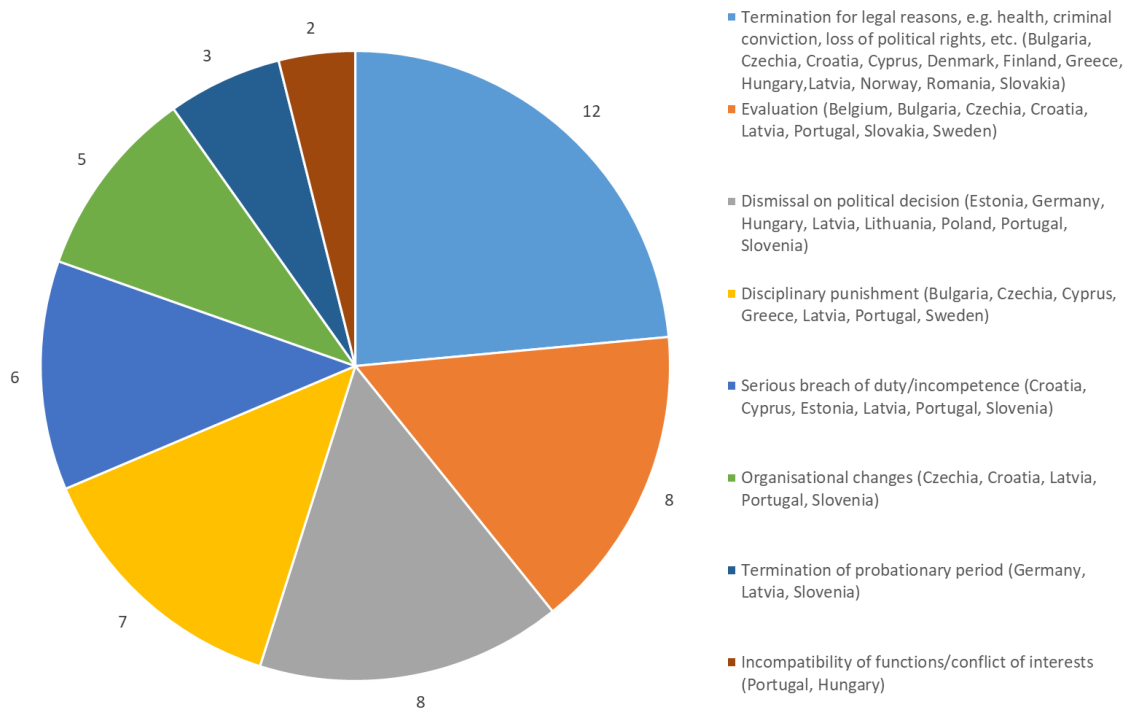
6.2.3 The Term of Appointment of Top Civil Servants

This question was designed to determine whether there is tenure for top civil servants, or how long, or whether it is a lifelong career. Here, the answers varied quite considerably. In less than half of the cases, the answer was that these positions are appointed for an indefinite period. In seven countries, the term of office is 5 years, and in three countries it is 6 years. The remaining responses were isolated cases one country at a time, specifically the tenure of these positions for a maximum of 4 years, or 5-6 years, or 7 years.



6.2.4 The Process and Conditions for Removing them from the Function

This particular question was chosen in relation to the first and second questions, as the process of selection and appointment to these positions is closely linked to the process of removal from these positions. The answers are also consistent with this fact, namely that in most cases the authority to dismiss the top civil servants rests with the government. However, the answers differ on the conditions for dismissal from office. More than two-thirds of respondents said that top civil servants can be removed from office for reasons specified by law, such as medical unfitness to serve, disciplinary punishment, performance evaluation, serious breach of duties or incompetence. In the remaining third of the countries participating in the questionnaire, top civil servants could be dismissed on the basis of organisational changes, political decision or termination of probationary period.

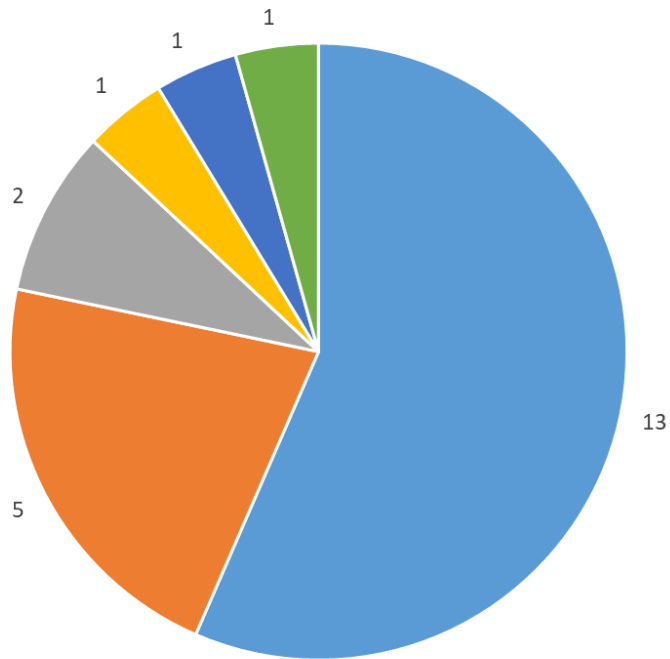


6.2.5 Advisors or Advisory Bodies at the Ministry

The last part of the questionnaire dealt with the positions of advisors or advisory bodies to the minister. The structure of the questions was similar to the previous ones, namely the questions related to what positions or bodies exist within the structure of the ministry, what employment status these positions have and what their role depends on the activities of the ministry.

6.3 Type of Positions or Bodies that Exist to Advise the Minister in Policy Areas

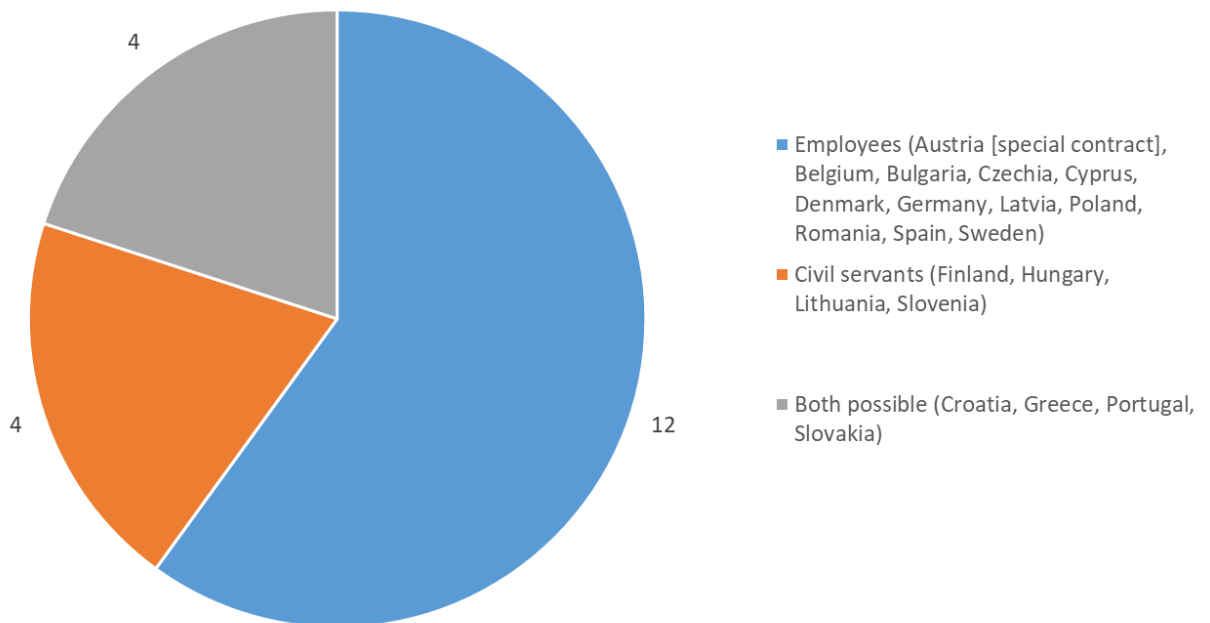
As mentioned above, the first question focuses on the actual description of the positions or bodies that can be considered to be advisory entities within the structure of the ministry with direct subordination to the minister. Slightly more than half of the participating states indicated that they had established a **Cabinet of the Minister**. In five cases, the advisor position is that of personal assistant or advisor. Two respondents stated that they have a special body within the ministry whose agenda is to advise the minister on policy areas. As part of the responses, we also received 3 other positions or departments within the Ministry, namely a special office, an ad hoc advisory body and an ad hoc committee established in the Office of the Government.



- Cabinet of the Minister (Austria, Belgium, Bulgaria [political cabinet] Croatia, Czechia, Hungary, Latvia, Poland, Portugal, Romania, Slovenia, Spain, Sweden)
- Personal assistants or advisors (Cyprus, Denmark, Germany, Lithuania, Slovakia)
- Special body within the ministry (Finland, Slovakia)
- Ad hoc advisory body (Croatia)
- Special office (Greece)
- Ad hoc committee in the Office of the Government (Estonia)

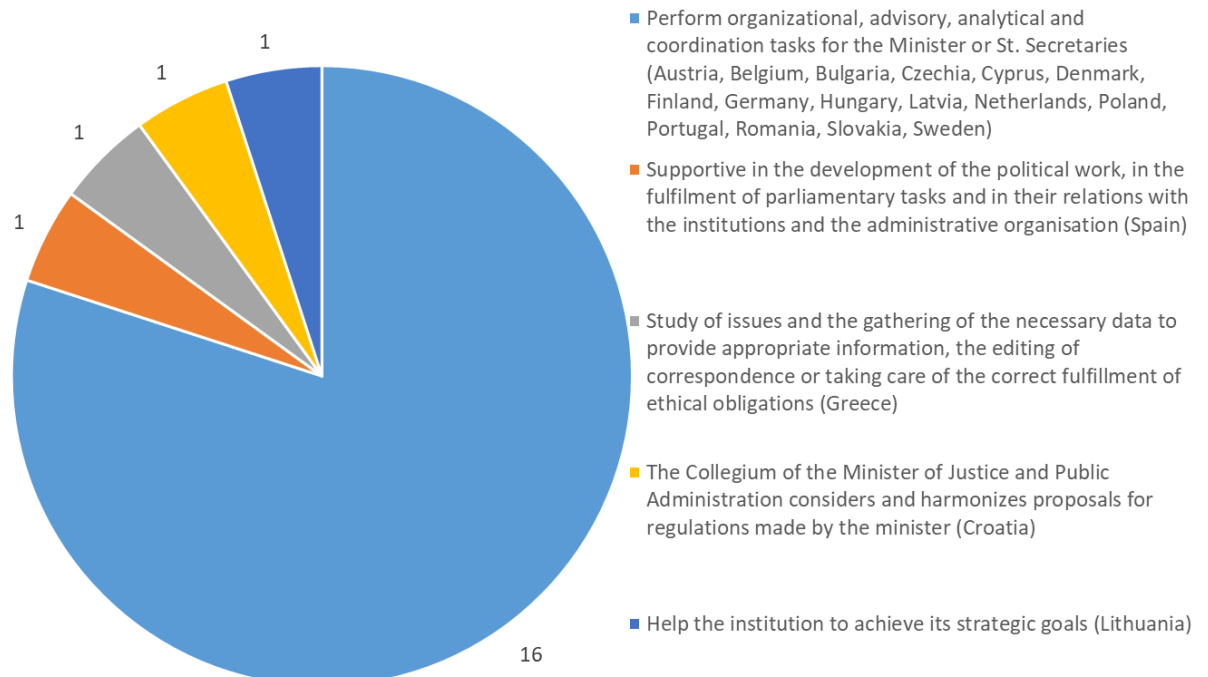
6.3.1 Employment Status of Advisors

The main purpose of the second question was to find out the employment status of the advisors or employees assigned to the advisory body; whether they are civil servants or employed in a regular employment relationship. It is quite clear from the chart below that in most of the participating countries these advisers or employees in the advisory body are employed in regular employment relationship. On the other hand, in four cases they are civil servants in these positions, and in the same number of countries it is possible to have both types of employment status.



6.3.2 Main Tasks and Responsibilities

As with political positions, the position of the advisory bodies and advisors in the ministry is important. Therefore, the last question is directed at their main tasks and responsibilities within their agenda. Over 80 % of respondents indicated that the main task of these positions and bodies is to perform professional, organizational, advisory and coordination tasks for the minister and the state secretaries. The remaining less than 20% of the countries participating in the questionnaire indicated 4 other types of agenda for which these advisors are responsible. Specifically, the study of issues and the gathering of the necessary data to provide appropriate information, taking care of communication with parliamentarians, citizens, representatives of social organizations and public officials in general, as well as taking care of the correct fulfilment of ethical obligations, supportive in the development of the political work, in the fulfilment of parliamentary tasks and in their relations with the institutions and the administrative organisation as well as discussing and harmonising draft regulations submitted by the minister and in one state all ministry staff including advisors should help the institution to achieve its strategic goals.



7 Annex 1: Received answers to the Questionnaire

The political leadership of the ministry

Political position of the ministry

CZECHIA

In Czechia, deputy ministers are generally considered political positions at the ministry.

AUSTRIA

A Federal Minister may appoint one or more State Secretaries - these are political posts. At the moment (December 2022) 4 State Secretaries are appointed: one in the Federal Chancellery, one in the Federal Ministry for Arts, Culture, the Civil Service and Sport, one in the Federal Minister of Labour and Economy and one in the Ministry of Finance.

BELGIUM

None.

BULGARIA

In addition to ministers, deputy ministers and members of the minister's political cabinet (where advisers and experts may be appointed) perform political functions.

CROATIA

Pursuant to Article 45 of the Law on the State Administration System, state administration bodies are managed by state officials. In addition to the Minister, the Secretary of State is also state official in the ministry.

CYPRUS

In Cyprus, there is no other political positions in Ministries apart from the Minister. According to the Constitution, Ministers are appointed (and removed) by the President of the Republic. The Ministers are 11 (their number is limited by the Constitution) and they are the political heads of the Ministries.

Each Minister has responsibilities on the following matters:

- a) the execution of laws relating to, and the administration of all matters and affairs usually falling within, the domain of his Ministry;
- b) preparation of orders or regulations concerning his Ministry for submission to the Council of Ministers;
- c) the issuing of directions and general instructions for the carrying out of the provisions of any law relating to his Ministry and of any order or regulation under such law;
- d) the preparation for submission to the Council of Ministers of the part of the Budget of the Republic relating to his Ministry.

The President of the Republic appoints also Deputy Ministers. Now, in Cyprus there are 5 Deputy Ministers for specific matters (Culture, Shipping, Tourism, Social Welfare and Research, Innovation and Digital Policy) and 1 Deputy Minister by the President. The appointment of the Deputy Ministers for specific matters stems from specific legislative acts for the establishment and functioning of each different Deputy Ministry.

DENMARK

None.

ESTONIA

In Estonia, only the Minister and his/her political advisors are considered to be “political functions”. The other advisors, employees and top civil servants (e.g. Deputy Secretary Generals) are politically neutral positions.

In the Estonian system the Ministers usually have 2-3 political advisors, every ministry has one Secretary General (non-political position who is responsible for running the ministry) and Deputy Secretary-Generals (usually 4-6 per one ministry) who are responsible for policy fields. The Heads of Department are directly accountable to Deputy Secretary Generals. The civil servants and employees are politically neutral and work in the ministry departments led by the Head of Department.

FINLAND

Political secretaries of the state and special assistants to the minister.

FRANCE

Under the leadership of the Prime Minister, the Government determines and conducts the policy of the Nation. It has the administration and the armed force at its disposal.

It is accountable to Parliament (Article 20 of the Constitution of 4 October 1958).

The Government is composed of ministers placed under the authority of the Prime Minister. It is a collegial and united body.

The powers of the ministers are set out in a decree.

There are several titles or ranks of minister:

- “Ministres d’Etat”: this is an honorary title that underlines the "special" importance conferred on a minister or the portfolio for which he or she is responsible.
- “Ministres de plein exercice” are members of the Government who enjoy the full constitutional powers of ministers and are not placed under the authority of any other minister.
- “Ministres délégués et secrétaires d’Etat” perform their duties under the Prime Minister or a minister for whom they are responsible and for whom they take on certain responsibilities as defined in a decree of attribution. Secretary of states usually do not attend the Council of ministers.

Some governments may also include high commissars (“hauts commissaires”) in charge of specific missions/reforms.

The Government Spokesperson (Porte parole du Gouvernement) is responsible, by delegation from the Prime Minister, for providing information on the activities of the Government to the media and citizens, through press briefings and public speeches in the field. He/She reports on the work of the Council of Ministers and publishes various summary documents on government action and current events: draft laws, action plans, emergency responses, international events, etc.

The choice of the Prime Minister is a prerogative of the President of the Republic. Article 8 of the Constitution, on the other hand, provides that the choice of ministers is made by the Head of State on the proposal of the Prime Minister.

There are no conditions governing these different choices (for example, there is no requirement that the Prime Minister or the ministers be members of parliament); however, the functioning of the institutions and democratic practice lead the President of the Republic to choose a Prime Minister who has the support of the parliamentary majority. It is customary for the Government to respect the parity of women and men.

The number of members of the Government is not limited.

GERMANY

There is no legal definition of the notion and the term of a political civil servant in Germany. Functions for political civil servants are:

- State Secretaries,
- Departmental Directors in Ministries,
- Directors of certain federal administration authorities,
- directors of departments directly subordinated to ministries

GREECE

Political functions are considered those of Deputy Ministers, Under Ministers, General Secretaries (recallable employees with grade 1 of the category of special posts) and

Special Secretaries (recallable employees with grade 2 of the category of special positions of the Ministry).

HUNGARY

Apart from the Minister, two functions considered to be political. The deputy minister and the State Secretary with the exception of the State Secretary responsible for the operation of the Ministry.

LATVIA

In Latvian public service the following officials are considered 'political officials' in executive power:

- Members of the Cabinet (Prime Minister, Ministers, as well as Deputy Prime Minister and Minister for Special Assignments);
- Parliamentary Secretary;
- Head of the Prime Minister's Office and heads of Minister's Offices;
- Advisors, consultants and assistants to members of the Cabinet of Ministers.

The member of the Cabinet may also have supernumerary advisory employees (non-staff advisors). These persons are regarded as neither political, nor administrative officials in accordance with the State Administration Structure Law. However, considering their status and the role of these officials in day-to-day life they are considered 'political officials' because – like advisory officials – they are close to a member of the Cabinet, and their duties include the consultation of the Cabinet member in the relevant field.

In 2020 State Chancellery developed 'Guidelines for the cooperation of political and administrative officials' as part of GRECO recommendation that provides more detailed information about political officials and is available in English: <https://www.mk.gov.lv/lv/media/9065/download?attachment>.

NETHERLANDS

The political leadership in the Netherlands is in the hands of ministers and state secretaries. We do not have politically elected civil servants.

NORWAY

Political functions are the state secretary and the political adviser.

POLAND

Secretaries of States and Undersecretaries of State (some Secretaries of States are considered as Deputy Ministers).

PORTUGAL

Apart from the Minister, the functions exercised by Secretaries of State and, where applicable by Under-Secretaries of State (the lowest category of government members), are also considered to be political functions. These ones have no political or legislative functions and exercise delegated powers under the direct guidance of the respective Ministers, being accountable to them and to the Prime Minister.

ROMANIA

In accordance the Government Emergency Ordinance No. 57/2019 on the Administrative Code, in the public administration system of Romania, with the exception of the position of minister, the positions of Secretary of State and Undersecretary of State are considered positions of public dignity.

The Government is composed of Prime Minister and Ministers. The Government comprises: Deputy Prime Ministers, Ministers of State, Delegated Ministers, Ministers with special tasks attached to the Prime Minister, appointed by the President of Romania on the basis of the vote of confidence granted by the Parliament.

The Government has a General Secretariat which is headed by the Secretary General of the Government with the rank of Minister, appointed by decision of the Prime Minister. The Secretary-General of the Government is assisted by one or more Deputy

Secretaries General with the rank of Secretary of State, appointed by decision of the Prime Minister, as well as, where appropriate, by one or more Secretaries of State, appointed or dismissed from office by decision of the Prime Minister.

The Deputy Prime Minister's own working apparatus is a structure without legal personality, financed by the budget of the General Secretariat of the Government, headed by the Deputy Prime Minister; one or more Secretaries of State and Counsellors of State, appointed or dismissed from office by decision of the Prime Minister, on the proposal of the Deputy Prime Minister, operate within the working apparatus of the Deputy Prime Minister.

The Prime Minister's Chancellery is a structure with legal personality, subordinated to the Prime Minister, financed by the budget of the General Secretariat of the Government and is headed by the Head of the Prime Minister's Chancellery with the rank of Minister, appointed and released from office by decision of the Prime Minister. One or more Secretaries of State and Counsellors of State operate within the Prime Minister's Chancellery, as well as the Director of the Office of the Prime Minister with the rank of Secretary of State, appointed or dismissed from office by decision of the Prime Minister.

The Prime Minister appoints and dismisses from office: the Heads of specialized bodies subordinated to the Government, unless they are a member of the Government; the Secretary General of the Government and the Deputy Secretaries General of the Government; Secretaries of State and Counsellors of State within the Government's working apparatus; Secretaries of State and Undersecretaries of State; other persons for whom he/she has the competence to appoint, in cases provided for by law.

In the management of the Ministry, the Minister is assisted by one or more Secretaries of State, according to the normative act establishing, respectively organizing and operating the Ministry, as the case may be. Within ministries, public institutions and other specialized bodies of central public administration the function of Undersecretary of State may be used as well, according to the aforementioned normative act. Secretaries of State and Undersecretaries of State exercise the powers established by

the normative act establishing, respectively organizing and operating the Ministry, as the case may be, as well as other powers delegated by order of the Minister.

SLOVAKIA

Secretary of the state, general secretary (head of the civil service office), in some cases government deputy.

SLOVENIA

In Slovenia, the additional political functions at a Ministry are the state secretaries, which are also directly responsible to the Minister.

SPAIN

First of all, as regards the Structure of the General Administration of the State, Article 55 of Law 40/2015, 1st October, on legal framework of the public sector establishes that the organization of the General Administration of the State responds to the principles of functional division in ministerial departments and territorial management integrated in government delegations in the Autonomous Communities.

The General Administration of the State includes:

- a) Central Organization, which integrates the Ministries and the common services.
- b) Territorial Organization.
- c) General Administration of the State abroad.

As far, as the central organisation, they are higher organs/bodies and directive/management bodies:

- a) Higher organs:
 1. The Ministers.
 2. The Secretaries of State.
- b) Directive/Management bodies:
 1. The Subsecretaries and General Secretaries.
 2. The Technical General Secretaries and Directors General.
 3. The General Subdirectors.

According to Law 50/1997, 27th November, of the Government:

- The Government is composed by the President, the Vice-President or Vice-Presidents, where appropriate, and the Ministers.

It is the president of the Government who decides which and how many Ministries exist: he/she creates, modifies and eliminates Ministries and Secretariats of State by Royal Decree.

- The Secretaries of State are senior organs of the General Administration of the State, directly responsible for the implementation of the Government's action in a sector of specific activity of a Department or the Presidency of the Government.

According to Article 62 of Law 40/2015, 1st October, on legal framework of the public sector, they may represent in addition, their respective Ministers by the express delegation of those in matters of their competence, including those with international projection, without prejudice, in any case, to the rules which govern the relations of Spain with other States and with international organizations. The Secretaries of State direct and coordinate the Secretariats and the Directorates-General under their dependence, and are accountable to the Minister of the implementation of the objectives set for the Secretariat of State. To this end they:

- a) Exercise powers over the sector of administrative activity assigned to them by the rule of creation of the body or delegated to them by the Minister and to carry out the external relations of the Secretariat of State, except in the cases legally reserved to the Minister.
- b) To exercise the powers inherent in its management responsibility and, in particular, to promote the achievement of the objectives and the execution of the projects of its organization, controlling its compliance, monitoring the activity of the management bodies attached to and issuing instructions to their holders.
- c) Appoint and remove the Deputy Directors General of the Secretariat of State.

- d) Maintain relations with the organs of the Autonomous Communities competent for the matter.
- e) The prior authorization to hire the Autonomous Bodies attached to the Secretariat of State, above a certain amount, as provided for in the third transitional provision of the Royal Legislative Decree 3/2011, of 14 November for which the Recast Text of the Law on Public Sector Contracts is approved.
- f) Authorize the commissions of service entitled to compensation for exact amounts for the high offices dependent on the Secretariat of State.
- g) To conclude contracts related to the affairs of its Secretariat of State and the non-reserved to the Minister agreements for which they are dependent, without prejudice to the relevant authorisation where it is required.
- h) Grant subsidies and aids from the State Secretariat's own budgetary credits, with the limits set by the Department's holder.
- i) To resolve the complaints against the decisions of the management bodies which are directly dependent on it and whose acts do not finish the administrative procedure, as well as the conflicts of powers between such organs.
- j) Manage the expenditure allocations of the Ministry's budgets for its own field of the Secretariat of State, approve the budgetary modifications thereof, approve and commit the expenditure charged to those credits and the recognition of the economic obligations and to propose their payment in the framework of the plan of provision of funds from the Public Treasury. All within the amount which, where appropriate, the Minister establishes for the purpose and provided that the acts do not fall within the competence of the Council of Ministers.
- k) Any other competencies that are attributed to them by the legislation in force.

They act under the direction of the holder of the Department to which they belong. When they are attached to the Presidency of the Government, they act under the direction of the President.

The Secretaries of State are appointed and separated by Royal Decree of the Council of Ministers, approved on the proposal of the President of the Government or of the member of the Government to whose Department they are attached.

The system of incompatibilities established for the high positions of the General Administration of the State is applicable to the Secretaries of State.

SWEDEN

As a prelude, a few words about how the central Government sector is organized in Sweden. As oppose to most countries within the EUPAN, we make a clear distinction between the policy making process carried out by the Government Offices (incl. the ministries) and the agencies where current law is converted into operational decisions.

To give some proportions, in total there are some 4.700 co-workers within the Government offices incl. both political as well as non-political positions. We also have some 200 agencies with a total amount of some 270.000 co-workers and it is in those agencies policy will be transformed into operational decisions. Each agency is headed by a Director General, and they are (in almost all cases) recruited and hired by the Government for a fixed term. These DGs (heads of agencies) are however not part of the staff working inside the Government offices and for this reason, the answers provided below does solely aim at the conditions within the Government Offices.

In Sweden, each minister has at least one state secretary, one press secretary and three political advisors. All of these are to be considered as political functions.

Minimum or maximum number of political positions

CZECHIA

Until the end of 2022, the Czech Civil Service Act sets the maximum number of Deputy Ministers at 2. As of 1 January 2023, there is no limit on this position. On 1 January 2023, an amendment to the Civil Service Act will enter into force, removing this limit on political positions.

AUSTRIA

A Federal Minister may appoint one or more State Secretaries

BULGARIA

There is no minimum number. The Ministry's Rules of Procedure regulate only the maximum number of political cabinets.

CROATIA

A ministry can have one or more Secretaries of State, that is, the Law on the State Administration System does not specify the maximum number of such positions.

FINLAND

Yes, the maximum number of the state secretaries for ministers (5-10) and special assistants to the minister (~50) is set.

GERMANY

The number is restricted to the number of posts established before appointing the respective official.

GREECE

No Ministry can have more than three (3) positions of Deputy Ministers and Under Ministers in total. The positions of Deputy Ministers cannot be more than one in each Ministry.

HUNGARY

The number of these positions depend on the number of duties and powers determined in the law.

LATVIA

The number of ministers (and ministries) is set out in the Cabinet Structure Law. Currently the Cabinet of Ministers consists of Prime Minister and 13 ministers

(ministries) that are set out in Cabinet Structure Law. Each member of the Cabinet (Prime Minister and each minister) may appoint a parliamentary secretary.

As for other 'political official' positions, there is no set limits for advisory positions, it depends on the member of the Cabinet.

We would like to note that currently we are in a process of forming the new government after the election that took place in October, because of that there may be changes in the number of ministers (ministries) and possibly some changes to the positions of 'political officials'.

NETHERLANDS

There is no maximum

Over the past 150 years, the number of ministers has varied from 6 in earlier years to 14-16 after WW2. After a change in the constitution in 1937, NL has the possibility to appoint ministers without a portfolio. Since 1947, we also have state secretaries (=political posts).

minister without portfolio are responsible for a specific policy area, but not in charge of a department. Unlike state secretaries, ministers without portfolio have a seat in the Dutch Council of Ministers and can therefore also vote on all decisions.

In our current cabinet, there are 20 ministers, of which 8 without portfolio and 9 state secretaries (total 29 politically appointed).

NORWAY

No, not formally. Usually there is only one political adviser, while the number of state secretaries can vary between one and five, depending i.a. on the size of the ministry, whether the minister is also a party chairman etc.

POLAND

No. Number of such positions is individually set in the statute of the ministry given by the way of Prime Minister's ordinance.

PORTUGAL

There is no minimum or maximum limit in Portuguese law on the number of Ministers and Secretaries of State or Undersecretaries of State. It is up to each Government to establish its number. The organic law of each Government establishes the respective structure, identifying its composition - the sectorial Ministers and the respective Secretaries of State. For example, the current Government has 17 Ministers and 38 Secretaries of State (in the previous government there were 50). However, we have had another government with 11 Ministers and 36 Secretaries of State.

ROMANIA

In the management of the Ministry, the Minister is assisted by one or more Secretaries of State, according to the normative act establishing, respectively organizing and operating the Ministry, as the case may be. Therefore, at present, the Romanian legislation stipulates the competence for each public authority or institution to establish the number of posts related to the positions of public dignity by their own normative acts of establishment, respectively of organizing and operating.

The functions title list of ministries is approved by ministers within the limit of the number of posts approved by Government Decision.

SLOVAKIA

For each ministry, state secretaries can be appointed and recalled by the government upon a proposal of the competent minister. In justified cases, especially in the case of multisectoral ministries, the government may determine that two state secretaries (exceptionally three) should be appointed to a ministry; the minister will determine the areas and situations in which they are to be represented by the state secretaries. While representing the minister during Cabinet meetings, state secretaries have a consultative vote.

Secretary General – one

Government Deputy – no limit, but not used very frequently (currently there are only two or three deputies within all ministries).

SLOVENIA

Yes, article 17 of the State Administration Act stipulates that no more than two state secretaries shall be appointed within each ministry, a maximum of three state secretaries can be appointed in the ministry responsible for health, and a maximum of four state secretaries in the ministry responsible for finance.

SWEDEN

For at least the last 15 years, every Government has had a goal of appointing no more than 200 political functions within the ministries. In the end it, is up to the prime minister to decide how many should be allowed. As a result of their total area of responsibility, a single minister can be granted more political functions than the average. For this reason it is more or less a practice for the Minister of Finance to be granted three state secretaries, regardless of from which party the Prime Minister comes.

Appointment and dismissal

CZECHIA

In the Czech Republic, Deputy Ministers are appointed and dismissed by the relevant minister.

AUSTRIA

State Secretaries may be appointed by a respective Federal Minister.

BULGARIA

Deputy Ministers shall be appointed/dismissed by order of the Prime Minister. Members of the political cabinets shall be appointed/dismissed by order of the Minister concerned.

CROATIA

According to Article 46 of the Law on the State Administration System, Secretaries of State are appointed and dismissed by the Government on the proposal of the Prime Minister.

ESTONIA

Estonian Civil Service Act states that: A person who performs support or advisory functions with the President, Vice-President or member of a fraction of the Riigikogu, the Prime Minister, a minister, a chairman or vice-chairman of the council or fraction, a rural municipality mayor or city mayor or a member of the municipal or city government until the expiry of the term of office of the person specified or the termination of the activities of the fraction. Such person, performing support or advisory functions, shall work under the employment contract entered into for a specified term.

The employment contract does not set any restrictions on choosing and appointing the advisors. (In comparison: The civil servants working under the Civil Service Act have to be recruited through public recruitment where the system is open for sending the CV and motivation letter at least for 14 days).

FINLAND

Government appoints state secretary for minister and prime minister appoints special assistant to the minister.

GERMANY

Pursuant to Article 60 (1) of the Basic Law, the Federal President appoints and dismisses federal judges, federal civil servants, officers and non-commissioned officers, unless otherwise provided by law. In practice, this is limited to the appointment, dismissal and transfer to temporary retirement of senior civil servants and officers above a certain grade (high B grade), and otherwise delegated.

GREECE

Deputy Minister may be appointed to any Ministry by a decision of the Prime Minister published in the Government Gazette. The Under Ministers are appointed to the Ministries by a joint decision of the Prime Minister and the competent Minister or by a decision of the Prime Minister, which is published in the Government Gazette.

The General Secretaries and the Special Secretaries are appointed and terminated by a joint decision of the Prime Minister and the relevant Minister, which is published in the Government Gazette.

HUNGARY

The Deputy Minister is always chosen from among the State Secretaries. Their appointment and dismissal are also the responsibility of the Minister. The State Secretary is appointed by the President of the Republic on a proposal from the Prime Minister after consulting the Minister. The Prime Minister may, at any time, after consulting the Minister, propose to the President the dismissal of the State Secretary.

LATVIA

Parliamentary secretary is appointed by the relevant member of the Cabinet.

The member of the Cabinet can dismiss the Parliamentary Secretary from his or her office on his or her own initiative or at the will of the Parliamentary Secretary.

Other advisory officials and employees are also appointed and dismissed from the office by the relevant member of the Cabinet.

NETHERLANDS

Ministers are appointed by royal decree. A cabinet formation precedes that. During a cabinet formation, a coalition of parties is formed in the House of Representatives that are willing to work together in a cabinet. Once agreement has been reached and a coalition agreement has been concluded, a formateur, usually the future prime minister, will look for ministers. But almost always the parties that are in the coalition nominate candidate ministers.

The ministers are then appointed by the King (royal decree, which is countersigned by the prime minister. This procedure is formalized in Article 43 of the constitution. The Royal Decree appointing the Prime Minister is co-signed by the Prime Minister himself. Ministers are also dismissed by royal decree.

Ministers are collectively and separately accountable to parliament for actions and omissions in the performance of their duties. The ministers are also politically responsible for the actions of the head of state, the King. Parliament also monitors the actions of state secretaries. Each State Secretary is accountable to the House of Representatives and the Senate, but the Minister remains ultimately responsible for the State Secretary.

A minister and the cabinet as a whole must have the confidence of parliament. The House can withdraw confidence by submitting a motion of no confidence against a minister or against the entire cabinet. If there is no longer confidence in a majority of parliament, a minister, or the entire cabinet, must resign. In the event of a conflict within the cabinet, the cabinet itself usually offers the King his resignation. This is often followed by new elections and a new cabinet formation.

NORWAY

Formally they are appointed by the King in Council. The actual decisions are made by the minister, after having consulted with the Prime Minister

POLAND

They are appointed by the Prime Minister on the motion of a given minister. They are removed from the position by the Prime Minister.

If the resignation of the Government is accepted by the President of the Republic of Poland, the resignation shall be submitted also by Secretaries and Undersecretaries of State.

PORTUGAL

The President of the Republic appoints the Ministers and Secretaries of State upon a proposal from the Prime Minister. This means that the Secretaries of State are chosen by the Prime Minister, and are formally appointed to office by the President of the Republic.

The functions of Secretaries of State expire when the respective Minister or the Prime Minister terminates their duties. However, there is nothing to prevent the reappointment of a Secretary(s) of State previously in office when a new minister of the same governmental area is appointed. This possibility applies only to cases of a change of minister within the same government.

ROMANIA

The Prime Minister appoints and dismisses from office: the Heads of specialized bodies subordinated to the Government, unless they are a member of the Government; the Secretary General of the Government and the Deputy Secretaries General of the Government; Secretaries of State and Counsellors of State within the Government's working apparatus; Secretaries of State and Undersecretaries of State; other persons for whom he/she has the competence to appoint, in cases provided for by law.

In addition, the Minister manages the Ministry's own working apparatus, established by Government Decision and appoints and dismisses the staff.

The position of Member of the Government ceases by revocation, resignation, loss of electoral rights as a result of a final court decision, the finding of incompatibility, following a final evaluation report or a final court decision, death, criminal conviction by a final court decision and the impossibility to exercise the duties for more than 45 days.

SLOVAKIA

Government.

SLOVENIA

State secretaries have the status of holders of public office. They are appointed and dismissed by the Government on the proposal of the minister that heads the ministry. A state secretary's term of office expires upon the termination of the ministers' office (Article 17 of the State Administration Act).

SWEDEN

State secretaries are hired by the Government. It is also the Government decision when one or more state secretaries are to be removed from their position.

Press secretaries and political advisors are hired by the Government Offices (the agency that provides support to the Government). The terms which they must follow when they are to be removed from their positions are being regulated in a collective agreement.

Main tasks and responsibilities of political positions

CZECHIA

The Deputy Minister represents a member of the government and carries out his/her tasks on behalf of the government. The Deputy Minister also imposes official tasks and monitors their performance.

AUSTRIA

State Secretaries can be appointed for the political support and the representation of the Minister in the Parliament or at the European level respectively.

BULGARIA

Under the Administration Act, Deputy Ministers assist the Minister in implementing the Government's policy agenda, drafting legislation and exercising his powers. The Political Cabinet is an organizational structure with advisory, information and analytical functions, which assists the relevant executive authority in defining and implementing government policy in the sphere of its competence, as well as in presenting it to the public. The Political Cabinet shall also organise public relations.

CROATIA

Secretaries of State implement the established policy of the Government in one or more administrative areas, in accordance with the authority and orders of the Minister. The Minister appoints the Secretary of State who replaces him in case of absence or inability. The Secretary of State is answerable for his work to the Minister and the Government.

ESTONIA

The main tasks and responsibilities of the advisors for the Minister are to

- Assist and inform the minister in every way relevant to the respective policy field;
- Coordinate communication between the minister and other parties (also managing information on social media);
- Coordinate cooperation with the parliament and other constitutional institutions;
- Prepare memos and presentations for the minister (with the help of policy departments);
- Fulfilling other tasks attributed by the Minister.

FINLAND

The political state secretary for minister acts as an assistant to the minister in tasks related to political guidance and the preparation of matters. He/she assists and represents the minister in forming political policies, coordinating between ministries and harmonizing positions, implementing the government program in the minister's field, and managing EU affairs and international tasks.

The special assistant to the minister performs the tasks given to him/her by the minister and also takes into account the political line of the party and his/her minister in his/her actions.

GERMANY

Political officials are generally entrusted with functions that belong to key political positions and are necessary for the effective support of the government. They thus

have a so-called "transformation function" and must be in continuing agreement with the fundamental political views and objectives of the government.

GREECE

Deputy Minister and Under Minister exercise the responsibilities defined respectively by a joint decision of the Prime Minister and the competent Minister or by a decision of the Prime Minister, which is published in the Government Gazette. With the above decisions it may be provided that the legislative initiative and the competence for the issuance of regulatory acts for the relevant responsibilities are exercised by the Deputy Minister.

The duties of the General Secretaries are the following: (a) assist the Minister, Deputy Minister or Deputy Minister during the process of planning and implementing public policies in the field of competence assigned to them, (b) head immediately after the Minister, the Deputy Minister and the Under Minister of all the services that make up the General Secretariat and coordinate them to the direction of the implementation of the planned government policies, the service or further specialization of its strategic goals and the management of potential crises or risks, (c) ensure the smooth operation of the services of the General Secretariat and to this end cooperate with the Service Secretary of the Ministry for every matter within the competence of the latter, (d) countersign all documents signed by the Minister, the Deputy Minister or the Under Minister, according to the part of their competence, as long as they come from the services under them, (e) participate in the drafting process of the Y's Action Plan factory as well as in monitoring the implementation of the government project, in the part of their competence (f) implement the target setting and the action program that has been set for them based on the Performance Contract and (g) exercise any authority transferred to them.

Special Secretariats may be recommended to the Ministries for the management of a specific project of particular governmental importance, which is specified in the decision of their establishment. The Special Secretariats may report to a member of the Government, Deputy Minister or Secretary General. The establishment decision

determines: (a) the term of office of the Special Secretary, (b) the services that are established or transferred together with the staff to the Special Secretariat, (c) the transfer of responsibilities and final signature authority. In general, the Special Secretary: (a) heads the services of the Special Secretariat, (b) coordinates its operation and is responsible for the quality of its work and its efficiency, (c) countersigns all documents originating from the he services and are signed by his superior Minister, Deputy Minister, Under Minister or Secretary General.

Evaluation of General and Special Secretaries: Each General or Special Secretary signs a Performance Contract with the relevant Minister which includes the objectives and actions expected of him during his term of office. The Contract is posted on the website of the Presidency of the Government and the relevant Ministry. Each General or Special Secretary is evaluated on an annual basis for his performance. In the event that the Secretary does not substantially achieve the target through his own fault, the Minister may recommend to the Prime Minister the non-continuation of his term of office and they jointly decide on the immediate termination of his term of office.

HUNGARY

The Deputy Minister and the State Secretary carry out the specific tasks assigned to him by the Minister, including the development of concepts and proposals for solutions, and participates in the formulation and representation of the positions of the Ministry.

LATVIA

The Parliamentary Secretary, in accordance with the competence of the relevant member of the Cabinet, liaises with the Saeima [Latvian Parliament] and committees thereof, represents the relevant member of the Cabinet in the legislative process in the Saeima, participates in the drawing up and examination of draft laws, as well as carries out other tasks given by the member of the Cabinet, and performs the duties laid down in laws and regulations.

The advisory officials and employees perform the following tasks:

- Political analysis of issues affecting the sector;

- Identifying problems, preparing proposals to address them;
- Inform the public of the activities of the member of the Cabinet and the sector they lead;
- perform other tasks in accordance with the instructions of the respective member of the Cabinet (Section 25 (1) of the Cabinet Structure Law).

The Prime Minister's Office, in addition to the aforementioned, has the following tasks:

- expressing their opinion on any policy issue of interest to the Prime Minister;
- analyzing government policy and contributing to its implementation in line with the Declaration of the intended activities of the Cabinet;
- providing information needed for the visits and negotiations of the Prime Minister, and timely communication of the information or tasks received during the meetings to the addressees, etc.

In addition, the duties (competencies) of each advisory official are indicated in the employment contract and job description of the official.

A supernumerary advisory employee is responsible for:

- consulting the member of the Cabinet on the development and implementation of State policy in the sector managed by the member of the Cabinet;
- ensuring the relationship of the member of the Cabinet with the public.

Cabinet Regulation includes the following tasks of supernumerary advisory employees:

- providing proposals to the member of the Cabinet on official policy development and implementation in a specific sector;
- advising the member of the Cabinet on the specific sector;
- by a special authorization of the respective member of the Cabinet, representing the views of the member of the Cabinet in other State institutions, working groups, consultative councils and meetings where views are coordinated;
- participating in the work of public institutions in accordance with the tasks laid down by the member of the Cabinet;

- by authorization of the respective member of the Cabinet, expressing the opinion of the member of the Cabinet in the media.

The member of the Cabinet and the supernumerary advisory employee agree in writing on the scope of the specific obligations of the supernumerary advisory employee. The competence of the supernumerary advisory employee is indicated in the order, by which the employee is appointed by the member of the Cabinet.

NETHERLANDS

A minister is politically responsible for a specific policy area, or for a combination of policy areas. All ministers are jointly responsible for general government policy, which is discussed in the Council of Ministers. Legislative proposals and policy documents must be approved by the Council of Ministers before they are sent to the House of Representatives for assessment. Proposals for general administrative measures must also be approved by the Council of Ministers.

In order to function, a minister needs the confidence of the House of Representatives. According to the principle of ministerial responsibility, a minister must resign if he no longer enjoys the confidence of the majority of the House of Representatives. A minister can be forced to resign if parliament disapproves of the policy pursued under the relevant minister.

In the absence of a minister, the State Secretary acts as deputy. If the State Secretary is also absent, another minister will act as minister ad interim. Each minister has a permanent deputy. The replacement scheme is drawn up when the cabinet is formed. If the replacement is also absent, the Prime Minister, Deputy Prime Minister or the most senior minister acts as a temporary replacement. If a minister resigns prematurely, a separate arrangement will be made regarding the temporary deputy.

For votes in the Council of Ministers, a minister ad interim can only cast one vote, a State Secretary never has the right to vote in the Council of Ministers.

NORWAY

The state secretary is second in command (deputy minister) within the ministry. With more than one state secretary, each of them usually takes responsibility for a limited part of the ministry's policy area.

The political adviser has no formal authority over the civil servants. He/she is only an assistant to the minister, both in political and practical matters.

POLAND

The minister performs his/her tasks with the help of the secretaries and undersecretaries of state. Therefore, as to the rule, secretaries and undersecretaries of state support minister in implementing government policies.

The scope of activities of the secretaries and undersecretaries of state shall be determined by the competent minister, who also notify the Prime Minister about these tasks. Therefore detailed tasks and responsibilities may differ between ministries, however in most cases these may include: implementing government policies in the given area(s) by cooperation and substantive supervision over given department(s) within the Ministry, representing ministry in different fields and occasions, giving information in the given field etc.

PORTUGAL

The ministers have the competence that the law attributes to them and the competence that, under the terms of the law, is delegated to them by the Council of Ministers or the Prime Minister.

Ministers may delegate, with the power to sub-delegate, the competence related to the services, organisms, entities and structures under their responsibility to the Secretaries of State who assist them.

The Ministers, like the Secretaries of State, may delegate to the Secretaries-General of the respective ministries the competencies relative to the practice of acts necessary for the adoption of mobility instruments. Or the signing of contracts provided for by law,

relative to the exercise of technical and administrative support functions in the respective offices, as well as to authorize the realization of expenses on behalf of the budget of the respective office, up to the limit provided for by law.

The main tasks consist of implementing the policy defined for their Ministries and are responsible for their respective administrative management, being their number and the designation and attributions of the respective Ministries determined by the appointment decrees of their holders or by decree-law.

The Secretaries of State are part of the Government, but are not part of the Council of Ministers, although they may be summoned to participate in the meetings of this body. They do not have political or legislative functions and exercise delegated competencies, under the direct guidance of the respective Ministers, being accountable to them and to the Prime Minister. In general terms, they are responsible for assisting their respective ministers.

ROMANIA

The main tasks of ministers are as follows:

- organizes, coordinates and controls the application of laws, ordinances and decisions of the Government, orders and instructions issued according to the law, respecting the limits of authority and the principle of local autonomy;
- drafts and expresses legal opinions on draft laws, ordinances, Government decisions, under the conditions established by the methodology approved by Government decision;
- develops and implements the Ministry's own strategy, integrated with the economic and social development strategy of the Government, as well as the policies and strategies in the fields of activity of the Ministry;
- is the principal authorising officer;
- provides the basis and draws up proposals for the annual budget and submits them to the Government;
- implement the Ministry's budget;

- monitors the design and realization of investments in the Ministry's system, based on the approved budget;
- represents the interests of the State in various international bodies, in accordance with the agreements and conventions to which Romania is a party and within other arrangements established for this purpose, and develops collaboration relations with similar bodies and organizations from other states and within international organizations in their field of activity;
- initiates and negotiates, with the empowerment of the President of Romania or of the Government, under the terms of the law, the conclusion of international conventions, agreements and other forms of cooperation or proposes the drawing of the forms of accession to the existing ones, in their field of activity;
- monitors and controls the application of international conventions and agreements to which Romania is a party and takes measures to achieve the conditions for integration into other international bodies;
- performs duties resulting from international conventions and agreements to which Romania is a party;
- expresses legal opinions on the establishment of non-governmental bodies in the field of competence and cooperates with them in achieving the purpose for which they were created;
- collaborates with the National Institute of Administration and other specialized institutions for the training and professional development of its personnel;
- approves, where appropriate, the publication of specialized and informational publications;
- performs other specific tasks established by normative acts.

The Minister is assisted by one or more Secretaries of State in the management activity of the Ministry, according to the normative act establishing respectively organizing and operating the Ministry, as the case may be. Secretaries of State and Undersecretaries of State exercise the powers established by the above mentioned normative act, as well as other powers delegated by order of the Minister.

SLOVAKIA

State Secretary - During his absence, the state secretary represents the minister within the scope of his rights and duties. In other cases, the Minister may also authorize the Secretary of State to represent him in the scope of his rights and obligations. The State Secretary has an advisory vote when representing the minister at the government meeting.

Secretary General - Each ministry has a Secretary General, appointed, and revoked by the government upon a proposal of the competent minister, whose task is to manage the administrative services of the ministry, including for civil servants. Each ministry is also considered a service office, which is headed by the Secretary General. Structural units dealing with substantial issues would be directly under the minister or a state secretary. Government administration is essentially composed of civil servants. Tasks connected with the professional, organisational, and technical provision of the government's activity are fulfilled by the Government Office. The Corruption Prevention Department, which centralises policies to prevent corruption, comes under the Government Office. The Head of the Government Office is appointed by the Government.

Plenipotentiary - The government can appoint and dismiss its plenipotentiaries to carry out specific tasks. The scope of authorization of the authorized representative will be determined by the government when appointing him. The Government may decide that the plenipotentiary shall perform the function without the right to remuneration. The authorized representative according to the third sentence can perform the tasks of a senior employee according to a special regulation.

SLOVENIA

A state secretary, within the powers conferred thereon by the minister, assists the minister in the performance of his or her duties. A minister can authorize a state secretary in writing to substitute for him or her in the management and representation of the ministry and in the presentation of materials for discussion to the Government during his or her absence or non-availability. The minister shall not be relieved of his

or her responsibility by granting such authorization (Article 17 of the State Administration Act).

SWEDEN

The state secretary is, although belong to the political functions, to be considered as a civil servant during a tenure. The state secretary is the most top ranked manager within the Ministry and the work within a ministry is directly led by the state secretary. The State Secretary is primarily responsible for planning and coordination in the department and in relation to other public bodies, and oversees that the work is carried out in accordance with the planning.

The top civil servants

Appointment and dismissal

CZECHIA

The Deputy Minister for Civil Service at the Ministry of the Interior, which is the highest-ranking civil servant in the Czech civil service is appointed and dismissed by the Government on the proposal of the Prime Minister. The Secretary of State at the Ministry is appointed and dismissed by the Government on the proposal of the relevant Minister. The Deputy Minister for Management of Section is appointed and dismissed by the Secretary of State. The Deputy Minister for the Civil Service is responsible for the development of the entire Czech civil service and for HR in the civil service. The State Secretary manages activities relating to the organisation of the service, the administration of service relations and the remuneration of civil servants and the head of a service office subordinate to the Ministry. The State Secretary also performs tasks relating to the employment relations of employees in the Service Authority. The Deputy for Management of Section is a civil servant who is empowered to lead subordinate civil servants in his section, to assign them official tasks, to organise, direct and control the performance of their service and to give them orders to that effect.

AUSTRIA

A federal minister may appoint a secretary general to deal with all matters concerning the ministry's sphere of activity.

Each Ministry has several (obligatory) Directorates General. According to the Austrian Federal Constitutional Law (Bundes-Verfassungsgesetz) the Federal President appoints civil servants (art 65) however he may transfer this right to the different relevant Federal Ministers (art 66) - which has been done. Thus the Directors General are regularly appointed by the Ministers they are working for.

BELGIUM

The minister.

BULGARIA

According to the Civil Servants Law, the Secretary General, the Secretary of a municipality, the Director General of a General Directorate, the Director of a Directorate and the Head of an Inspectorate are senior civil servants. They are civil servants and are appointed and dismissed, like other civil servants, in accordance with the Civil Servants Law. According to this law, entry into the civil service in the relevant administration must be preceded by a competition.

CROATIA

Pursuant to Article 74.a of the Civil Servants Act, in the category of top civil servants, the positions of the Director General who manages the administrative organization within the ministry and the Secretary General of the ministry are appointed and dismissed by the Government on the proposal of the head of the body, based on a public competition for a period of four years.

CYPRUS

The Permanent Secretaries of Ministries are members of the public service and are appointed by the Public Service Commission, which is the designated body responsible for appointments and promotions of all civil servants according to the

Cyprus Constitution and the Public Service Law. Permanent Secretaries, like all public servants, are subject to the Public Service Law. Usually an oral exam is conducted by the Public Service Commission and for the final decision the qualifications of candidates are taken into consideration.

There is not a fixed term of appointment. Permanent Secretaries are retiring at the age of 65, likewise all public servants. They cannot be removed from their office before the completion of the retirement age except after disciplinary action by the Public Service Commission, which is also the designated body responsible to apply the disciplinary code of the Public Service Law. Among the disciplinary punishments that may be imposed by the Public Service Commission to a public servant are the compulsory retirement and dismissal. A public servant, including Permanent Secretaries may also retire for a) health reasons, b) voluntary retirement before the retirement age, c) in case of unjustified inefficiency in the execution of his/her duties or unsuitability of the officer (always after the decision of the Public Service Commission).

DENMARK

Government hiring committee. Candidates are nominated via a selection committee.

ESTONIA

Estonian citizens who meet the requirements of the Public Service Act and the regulation of the Government of the Republic can apply for the position of the top manager of the Estonian public service. Candidates must have sufficient management experience, education and foreign language skills, as well as the competencies required for work according to the competency model for top managers of the Estonian public service.

The public competition for the position of top manager is carried out by the selection committee for top managers of the public service.

The Secretary of State announces the competition for the position of senior manager.

At the meeting organizing the competition, the selection committee reviews the applications submitted to the competition and decides which evaluation rounds will be organized.

Candidate evaluation methods and the number of evaluation rounds depend on the competition, the number of applications and the level of the candidates. Various interviews and psychometric tests are used the most, but a combination with several other methods is also possible, such as practical tasks, simulations, behavioral tasks, language or other tests, questionnaires, background research, etc.

After the interview (the final stage of the competition), the committee makes a decision and submits the candidate (or candidates) to the minister for appointment.

FINLAND

The Government appoints top civil servants unless the appointment has been designated as a prerogative of the President of the Republic.

The Government appoints the ministries' Permanent Secretaries and other ministries' top civil servants. (The government plenary session appoints the Ministry's public officials as State Secretary, Permanent Secretary, Permanent Secretary, under-Secretary of State, Director General, Director General and other Director General, Deputy Director General, Head of Office and some of the "lower" positions.

The President appoints the permanent secretary of the Office of the President of the Republic and the heads of Finnish diplomatic missions abroad. In addition, the President of the Republic appoints the Chancellor of Justice and the Deputy Chancellor of Justice, the Prosecutor General and the Deputy national rapporteur as well as judges and officers.

(Other civil servants are appointed by ministries and government agencies themselves.)

FRANCE

We refer to “Cadres dirigeants” (senior executives : general directors, directors) for the jobs decided by the Government and governed by specific rules (decree n°85-779 of July 24, 1985). Their nomination and termination is office is at the full discretion of the Government.

They are selected after passing before a hearing committee managed at the interministerial level by the interministerial delegation for senior State management;

Their role is to advise the highest authorities of the State on the possible evolution of public policies, to define the strategic orientations within the framework validated by the Government, and to guide all administrations and public services in their implementation.

As these are posts decided by the Government, there is in principle no limitation as to the duration of the functions (Article L. 341-1 of the General Civil Service Code states that "These appointments are essentially revocable", which means that these functions may be terminated at any time). Appointments and dismissals are made by decree in the Council of Ministers.

However, for some of these posts, maximum periods of tenure have been set as part of the reform of the senior civil service. For example, the functions of prefect (Article 2 of Decree No. 2022-491 of 6 April 2022) and ambassadors (Article 22 of Decree No. 2022-561 of 16 April 2022) are limited to 9 years of continuous service. This does not preclude being appointed again as prefect or ambassador at a later date, but there must necessarily be an intervening period of two years.

GERMANY

Pursuant to Article 60 (1) of the Basic Law, the Federal President appoints and dismisses federal judges, federal civil servants, officers and non-commissioned officers, unless otherwise provided by law. In practice, this is limited to the appointment, dismissal and transfer to temporary retirement of senior civil servants and officers above a certain grade (high B grade), and otherwise delegated.

HUNGARY

The State Secretary responsible for the operation of the Ministry and the Deputy State Secretary are the two Top Civil Servants in the Ministry.

The State Secretary responsible for the operation of the Ministry is appointed for an indefinite term by the President on a proposal from the Prime Minister. The Prime Minister makes his or her proposal for appointment on the initiative of the Minister. The state secretary is dismissed by the President on a proposal from the Prime Minister, after consulting the Minister.

The Deputy State Secretary of the Ministry is appointed for an indefinite period by the Prime Minister on a proposal from the Minister. In the case of the Deputy State Secretary of the Ministry, the Minister may at any time propose to the Prime Minister that the Deputy State Secretary be dismissed from her/his position.

LATVIA

Head of institution (including State secretary of a ministry – a civil servant)* is appointed by the relevant member of the Cabinet. A State secretary of a ministry is considered the head of institution.

Minister shall appoint candidate to the position of a State secretary of a ministry, the Head of the Secretariat of the Minister for Special Assignments, the Head of the Secretariat of a Deputy Prime Minister, the Director of the State Chancellery and the head of an institution under supervision thereof after approval by the Cabinet of the Ministers. If the institution is under subordination (not supervision) the minister does not need approval by the Cabinet of Ministers to appoint the head of institution.

However, Director General is appointed by the relevant head of institution. In a ministry Director General is appointed by State secretary of the ministry.

Heads of institution is dismissed from civil service by the relevant member of the Cabinet in the cases stated in State Civil Service law. If the head of institution was appointed by the member of the Cabinet to his or her position only after approval by

the Cabinet of Ministers (see the positions listed above), the same procedure applies in cases of dismissal – it is necessary for member of the Cabinet to receive approval for dismissal. The approval is not necessary in cases of dismissal on civil servants own free will or on the basis of a mutual agreement.

Director General is dismissed from the civil service by the head of institution, in ministry – State secretary of the ministry.

*In accordance with the study mentioned in the reference State secretary of the ministry would be considered Secretary General/ Permanent Secretary.

POLAND

Directors General are the top civil servants in Poland. Appropriate minister or the head of central (or voivodeship/province) office (agency).

PORTUGAL

Top civil servants are appointed and removed by the Government member with managerial or inspection and supervision powers over the public organisation in which the position to be filled is integrated.

NETHERLANDS

The Bureau for the Senior Civil Service plays a central role in the procedures for top civil servants. There is a procedure for the senior civil servants as well as the top management group. For the Top Management Group, the minister can only reject a candidate prior to the selection committee and only with reasons. If the minister does not know the candidate and wishes to reject it, an exploratory meeting must first be held between the minister and the candidate in the presence of the DG for the Senior Civil Service.

NORWAY

The top civil servants are appointed (and removed) by the King in Council.

ROMANIA

The appointment, modification, suspension, termination of service relations of senior civil servants, as well as disciplinary sanctioning of senior civil servants are performed, in accordance with the law, by the Prime Minister, by decision, with the exception of public offices for which the power of appointment is expressly regulated by special normative acts.

The Secretary General of the Ministry and the Deputy Secretaries General are senior civil servants, appointed by competition or examination, on the basis of professionalism. They ensure the stability of the ministry's functioning, the continuity of the management and the achievement of functional links between the structures of the ministry, as well as with the other authorities and bodies of the public administration.

The category of senior civil servants includes persons which are appointed to one of the following public offices: Secretary General and Deputy Secretary General in public authorities and institutions of the central public administration, including autonomous administrative authorities provided for in the Constitution or established by organic law; Secretary General of the Prefect's Institution; Government Inspector.

The category of management civil servants includes the persons appointed to one of the following civil service positions: Director General in local and central public authorities and institutions, as well as the equivalent specific public functions, with the exception of those in the category of Senior Parliamentary Civil Servants and Deputy Director General within the local and central public authorities and institutions, as well as of equivalent specific public functions.

SLOVAKIA

Secretary General (head of the civil service).

SLOVENIA

Secretaries-general and directors-general in ministries are appointed by the Government on the proposal of the minister.

SPAIN

They are regulated by Law 40/2015, 1st October, on legal framework of the public sector:

The Undersecretaries.

The Undersecretaries hold the ordinary representation of the Ministry, direct the common services, exercise the powers corresponding to these common services and, in any case, the following:

- a) Support the higher bodies in the planning of the Ministry's activity, through corresponding technical advice.
- b) Assistance to the Minister in the control of the effectiveness of the Ministry and its public bodies.
- c) Establish the inspection programmes of the Ministry's services, as well as determine the precise actions for the improvement of the planning, management and organization systems and for the rationalization and simplification of procedures and working methods, within the framework defined by the Ministry of Finance and the Civil Service.
- d) Propose the Ministry's organizational measures and direct the operation of the common services through the corresponding instructions or service orders.
- e) To assist the higher bodies in the relations of jobs, employment plans and policy of managers of the Ministry and their public bodies, as well as in the elaboration, implementation and monitoring of the budgets and planning of information and communication systems.
- f) Leadership of all Department staff.
- g) Responsibility for legal advice to the Minister in the development of his duties and, in particular, in the exercise of his or her regulatory powers and in the

production of the administrative acts of its competence, as well as the other organs of the Ministry.

In the same terms as the previous paragraph, report the proposals or draft rules and acts of other Ministries, when regulatively applicable.

For such purposes, the Undersecretary shall be responsible for coordinating the corresponding actions within the Ministry and in relation to the other Ministries to be involved in the procedure.

- h) Exercise the powers of management, promotion and supervision of the Technical General Secretariat and the other management bodies that are directly dependent on it.
- i) Administer the allocations for expenditure of the Ministry's budgets for their own matter from the Secretariat, approve the budgetary modifications thereof, approve and commit the expenses charged to those credit and to recognize the economic obligations and to propose their payment in the framework of the plan of provision of funds from the Public Treasury. All within the amount which, where appropriate, the Minister establishes for the purpose and provided that the acts do not fall within the competence of the Council of Ministers.
- j) Grant grants and aid from the Ministry's expense credits with the limits set by the Department's holder.
- k) Request from the Ministry of Finance and Public Administrations the affectation or lease of the buildings necessary for the fulfilment of the purposes of the services in charge of the Department.
- l) Appoint and remove the Subsecretariat's Deputy Directors and Assimilated Persons, the other free designation staff, and the eventual staff of the Department.
- m) Start and resolve selection procedures of official and labour staff.
- n) Start and resolve official personnel contests.
- o) Exercise the disciplinary authority of the Department's personnel for serious or very serious misconduct, except for the separation of service.

- p) Adopt and promote, under the direction of the Minister, measures aimed at the centralized management of human resources and material resources in the field of its Ministerial Department.
- q) Authorize service commissions entitled to compensation for exact amounts for senior officials dependent on the Undersecretary.
- r) Any other than those inherent in the Ministry's common services and the ordinary representation of the Ministry and those attributed to them by the legislation in force.

The Undersecretariat of the Ministry of the Presidency, in coordination with the General Secretariat of the Presidency of the Government, shall exercise the powers of the common services of the Departments in relation to the area of the Presidency of the Government.

The Undersecretaries shall be appointed and separated by Royal Decree of the Council of Ministers on the proposal of the Minister.

The appointments must be made between career officials of the State, the Autonomous Communities or the local authorities, belonging to Subgroup A1, as referred to in Article 76 of Law 7/2007, of 12 April, approving the Basic Statute of the Public Employee. In any event, they shall meet the eligibility requirements laid down in Law 3/2015 of 30 March 2015 on the exercise of the high office of the General Administration of the State.

The Secretaries-General.

The General Secretaries exercise the powers inherent in their responsibility for the management of the dependent bodies and all those which expressly assign to them the Royal Decree of the structure of the Ministry. Where the rules governing the structure of a Ministry provide for the existence of a Secretary-General, they shall determine the powers of the Secretary-General in respect of a given sector of administrative activity.

The Secretaries-General, with a status of Under-Secretary, shall be appointed and separated by Royal Decree of the Council of Ministers, on a proposal from the Minister or the President of the Government.

The appointments will be made between people with qualifications and experience in the performance of positions of responsibility in public or private management. In any event, they shall meet the eligibility requirements laid down in Law 3/2015 of 30 March 2015 on the exercise of the high office of the General Administration of the State.

The Technical Secretaries-General.

The technical secretaries general, under the immediate dependence of the Undersecretary, will have the competences on common services that the Royal Decree of structure of the Department has attributed to them and, in any case, the relative ones to normative production, legal assistance and publications.

The Technical Secretaries-General have all the effects of the category of Director-General and exercise on their dependent organs the powers conferred on that body.

The Technical Secretaries-General shall be appointed and separated by Royal Decree of the Council of Ministers on the proposal of the Minister. The appointments must be made between career officials of the State, the Autonomous Communities or the local entities, belonging to Subgroup A1, as referred to in Article 76 of Law 7/2007, of 12 April. In any event, they shall meet the eligibility requirements laid down in Law 3/2015 of 30 March 2015 on the discharge of the High-Office of the General Administration of the State.

The Directors-General.

The Directors-General are the heads of the management bodies responsible for the management of one or more functionally homogeneous areas of the Ministry. For this purpose, they:

- a) Propose the projects of their Directorate-General to achieve the objectives set by the Minister, direct its implementation and control its proper compliance.

- b) Exercise the powers conferred on the Directorate-General and those that are delegated to it.
- c) Propose, in the remaining cases, the Minister or the head of the body to which he is dependent, the resolution he deems appropriate on the matters affecting the management body.
- d) To promote and supervise the activities that are part of the management of the management body and to ensure the proper functioning of the organs and dependent units and the personnel integrated into them.
- e) The other attributions entrusted to them by laws and regulations.

The Directors-General shall be appointed and separated by Royal Decree of the Council of Ministers, on a proposal from the head of the Department or the President of the Government.

The appointments must be made between career officials of the State, the Autonomous Communities or the local authorities, belonging to Subgroup A1, as referred to in Article 76 of Law 7/2007, of 12 April, unless the Royal Decree of Structure allows, in the light of the specific characteristics of the functions of the Directorate-General, its holder does not fulfil that status as an official, the concurrency must be motivated by reasoned memory of the special characteristics which justify this exceptional circumstance. In any event, they shall meet the eligibility requirements laid down in Law 3/2015 of 30 March 2015 on the exercise of the high office of the General Administration of the State.

SWEDEN

In the same way as for the state secretaries, it is in both cases a matter for the Government to decide upon. It is however important to stress out that these positions not are to be considered as a part of the political functions.

The form of selection process of top civil servants

CZECHIA

In the Czech Republic, the Deputy Minister for Civil Service at the Ministry of the Interior, the Secretary of State and the Deputy Minister for Management of Section are selected through an open competition consisting of two rounds. Only current civil servants or public administration employees who meet the selection criteria, in particular the requirement for professional and managerial experience, can apply for the first round. The second round is then open to external applicants who meet the same selection criteria.

AUSTRIA

Since the entrustment of secretaries general is optional, there are no generally applicable regulations on the selection process.

The selection of Directores General has to follow the rules laid down in the Act of Advertisement and in various implementation documents. In general, for each selection procedure an individual selection Board has to be established (the Act foresees only some special cases where a permanent Board has to be set). Each hearing of the candidate in front of the board. Afterwards the Board prepares a report which identifies the qualified as well as unqualified candidates for the relevant profile. Candidates who are qualified for the relevant function are split in three groups: extremely highly qualified for the relevant function/ highly qualified/ less qualified. The number (not the names) of qualified candidates together with the names of the Board members have to be published on the website of the Ministry in charge of recruitment, as well as the final selected candidate's name.

BELGIUM

A selection process (assessment) classifies the candidates in 4 categories : A Very able, B Able, C Less able, D Not able.

The minister chooses a candidate in the A category or in the B one if nobody in A. If he doesn't follow the ranking established by the selection process, he has to motivate.

BULGARIA

According to the Civil Servants Law, entry into the civil service must be preceded by a competition. The appointment to any post of public servant shall be made by competition based on professional merit. The competition is conducted by a competition committee. The competition is conducted in one or more ways (e.g. a test, a written essay on a specific topic, a practical exam, a concept justification, a competency test) and must include an interview.

CROATIA

As stated in the answer to the previous question, the Director General who manages the administrative organization within the ministry and the Secretary General of the ministry are appointed and dismissed by the Government on the proposal of the head of the body, based on a public competition. The public competition for the appointment of the aforementioned managerial civil servants is carried out by the Commission appointed by the head of the body. The commission determines which public competition applications are timely and complete and the list of candidates registered for the public competition who meet the formal requirements from the public competition, and directs the candidates from that list to an interview in order to determine their professional knowledge, abilities and skills, as well as the results achieved in previous work. The conversation (interview) with the candidates is conducted by the head of the body or a person authorized by him. Based on the results of the conversation (interview), the head of the body proposes a candidate for appointment to the Government. A security check is carried out for the proposed candidate in accordance with special regulations.

DENMARK

Open job ad and later appointed by governments hiring committee.

ESTONIA

There is a selection commission, their work is organized by the Top Civil Service Excellence Centre (Government Office).

FINLAND

Merit-based open recruitment process without shortlisting or selection commission. Each ministry is responsible for the recruiting procedure.

(The Chancellor of Justice is responsible for ex ante supervision of appointments to public officials appointed by government plenary sessions. The supervision of the Office of the Chancellor of Justice covers the appointments of senior civil servants in ministries and government agencies that have social significance due to their position in office. Supervision in advance ensures the lawfulness of appointment decisions and procedures in these appointments, which is why there is no need or grounds for granting the right of appeal in the same way as in other appointments to the central government.)

GERMANY

Internal recruitment procedures without a vacancy announcements.

GREECE

For the selection of the Service Secretaries of the Ministries, a call for expressions of interest is issued by ASEP which is published on the website opengov.gr, on the website of A.S.E.P. and on the website of the relevant Ministry at least two (2) months before the end of the term of the previous ones. The selection of the Service Secretaries of the Ministries is made by a five-member Public Executive Selection Committee, which is established by decision of the President of ASEP and consists of four (4) Vice-Presidents or advisors of ASEP with an equal number of advisors as deputies and the President of EKDDA with his deputy. For the selection of the Service

Secretaries of the Ministries, three (3) groups of criteria are taken into account: (a) Scoring of formal educational qualifications, (b) Scoring of experience qualifications, (c) Scoring following a structured interview. The candidate ranked first in the score is appointed by decision of the relevant Minister which is published in the Government Gazette.

For the selection of heads of General Directorates a call for expressions of interest is issued by a joint decision of the Minister of the Interior and the relevant Minister or, in the case of NPDD, by a decision of the supervising Minister. For the Independent Authorities, the announcement is issued by the President or the head of the Authority and the Minister of the Interior. The announcement is issued five (5) months before the end of the term of office of the serving heads of General Directorates and is published on the websites of the relevant bodies and of the A.S.E.P. The selection is made by a Special Council for the Selection of Chiefs (E.I.S.E.P.). For the selection four (4) groups of criteria are taken into account: a) scoring based on formal, educational and vocational qualifications, b) grading based on work experience and exercise of duties in management posts (head of section/ directorate/general directorate and duties as service secretary, c) assessment-based scoring and d) interview based scoring.

HUNGARY

The selection process is political appointment.

LATVIA

If there is a vacancy for a top civil servant position it can be filled in two ways:

- a) through an open candidate competition, or
- b) by transferring a person who is already a civil servant to a top civil servant position in the same or different institution.

Open candidate competitions

Open candidate competition to position for head of an institution (including State secretary of the ministry) is organized centrally by State Chancellery. However, open

candidate competition for Director General position is organized by the relevant institution (ministry or subordinate institution).

The open candidate competition for head of institution (including State secretary of the ministry) is organized as follows:

- a) Relevant minister informs State Chancellery about the necessity to organize the open candidate competition;
- b) Commission for assessment of candidates that consists of five people is established by the relevant member of the Cabinet. Observers from non-governmental organizations are invited to observe the process. Observers are there to ensure that the selection process is done in accordance with laws and regulations. Observers do not assess the candidates.
- c) The competition consists of three rounds:
 - 1) In the first-round commission reviews the documents submitted by the candidate. If the candidate meets the requirements, he or she is invited to the next round which is an interview.
 - 2) The interview consists of three parts – a conversation about candidate's motivation to participate in the open candidate competition, as well as about the public administration and candidate's own values. After that candidate answers to 10 previously selected questions (about public service, relevant field of the institution, budget, administrative procedures etc.) that are approved by the relevant member of the Cabinet (these questions are the same for all candidates). After that a presentation from the candidate about his or her views on the specific topic (usually regarding the further development of the institution or the field the institution works in) that is laid out in the announcement of the open candidate competition. If the candidate gets the required points, he or she qualifies the next round which is a competency-based interview.
 - 3) Competency-based interview is carried out by two HR company experts (chosen through public procurement procedure). After these rounds the commission makes a decision and recommends to the relevant member

of the Cabinet one or more candidates for appointment for the head of institution position.

- d) The relevant member of the Cabinet has the opportunity to invite candidate or candidates for a meeting before making the final decision.
- e) The candidate is appointed for the head of institution position by relevant member of the Cabinet. Member of the Cabinet shall appoint candidate to the position of a State secretary of a ministry, the Head of the Secretariat of the Minister for Special Assignments, the Head of the Secretariat of a Deputy Prime Minister, the Director of the State Chancellery and the head of an institution under supervision thereof after approval by the Cabinet of the Ministers. If the institution is under subordination (not supervision) the minister does not need approval by the Cabinet of Ministers to appoint the official to the head of institution position.

For the position of Director General, the open candidate competition is organized by the relevant ministry and there is no detailed procedure, the relevant institution sets out the procedure for each competition.

Transfer to top civil service position

Relevant member of the Cabinet can transfer other civil servant if he or she meets the necessary requirements to a vacant head of institution position. For the positions mentioned above the approval of the Cabinet of Ministers is also necessary in cases of transfer.

NETHERLANDS

The top 96 positions comprise the Top Management Group (TMG), which consists of Secretaries-General, Deputy Secretaries-General, Directors-General, Inspectors-General, Managers of Major Executive Services, Directors of Planning Offices and some equivalent positions. Members of the top management group are not employed by the ministries, but by the Ministry of the Interior and Kingdom Relations.

NORWAY

The selection process for appointing a Secretary General is headed by the Secretary General of the Prime Minister's Office. The selection process for appointing a Director General is headed by the Secretary General of the Ministry in question.

POLAND

Political appointment based on some determined requirements:

- holding a master's degree or an equivalent degree;
- having not been convicted by a final judgment prohibiting him or her from holding managerial positions in public authorities' offices or performing functions related to the disposal of public funds;
- having managerial competences;
- meeting the requirements specified in the job description (and if relevant – in separate regulations)

PORTUGAL

As a rule, top civil servants are recruited by means of an open competition procedure carried out by the Recruitment and Selection Commission for Public Administration (known as CReSAP), an independent entity that reports to the Parliament.

In case of an insufficient number of candidates or dropout, or if the selection board cannot find three suitable candidates to integrate the short list to be submitted to the government member, the procedure may be repeated once. If the same situation occurs, the Government member can appoint a person of his/her choice, which must fill in the recruitment requirements in force.

Senior management positions cannot be appointed between the calling of elections for the Parliament or the resignation of the Government and the parliamentary investiture of the new Government.

ROMANIA

The occupation of civil servant position in the category of senior civil servants, with the exception of those in the category of senior parliamentary civil servants, are carried out under the terms of the Administrative Code by: selection competition; promotion competition; mobility; temporary exercise; redeployment from the reserve body of civil servants. The decision on the choice of modalities of employment of senior civil servants belongs to the person who has the power to appoint to the public office, on the proposal of the head of the public authority or institution within which the vacant public office is located.

In order to fill a senior civil servants position, it is necessary to fulfil a series of cumulative conditions laid down in the Administrative Code.

The selection competition and the promotion competition to occupy senior civil servant positions is managed by a permanent, independent Competition Committee and, where appropriate, by an Appeals Committee. The Competition Committee, respectively the Appeals Committee, consist of 7 members, appointed by decision of Prime Minister, on the proposal of the Ministry with responsibilities in the field of public administration. Members of the committee are appointed on five-year terms.

In the case of Directors General, the filling of vacant civil service position is done by: competition organized under the terms of the Administrative Code; modification of service relations; redeployment to a vacant civil service position; other methods expressly provided by the Administrative Code. The decision on the choice of modalities to occupy these civil service positions belongs to the person who has the power to appoint to the public office, in accordance with the law.

SLOVAKIA

They are part of the professional civil service. The position is in principle occupied on the base of a selection procedure (it is publicly announced, there is a selection commission, etc.)

SLOVENIA

Candidates for senior civil service positions (which also includes the position director general and secretary-general) are selected through a special open competition. The main role in this procedure goes to an independent body – the Officials Council, which is composed of 12 members who are elected (senior officials of high rank) or appointed by the President of the Republic, Government and trade unions for a term of six years.

The Officials Council, after being informed about a vacant senior civil service position, appoints a special selection committee who, on the basis of standards of professional qualifications with selection criteria and methods of qualification testing for position officials in state administration – hereinafter standards of professional qualifications, selects the suitable candidates for the particular civil service position. The list of suitable candidates is submitted to the minister to whom the official, once appointed to position, will be responsible. The law also allows the possibility that none of the candidates are chosen for the position. In such case, the minister may request that the Officials Council conducts the procedure again.

SWEDEN

Even though the Government may decide as if it was a political appointment, the vast majority of recruitments within this category will be based on merits and skills. This means that the Government will advertise by publishing a job description. The recruitment process will be carried out by the staff of the Government offices, even though it will be led by the minister responsible for the vacant position. In the end it will be that Minister who proposes to the Government that someone should be granted the position.

The term of appointment of top civil servants

CZECHIA

In the Czech Civil Service, the Deputy Minister for Civil Service at the Ministry of the Interior is appointed for a term of 6 years, the Secretary of State is appointed for a term

of 5 years and the Deputy Minister for Management of Section is appointed for unlimited period.

AUSTRIA

In terms of employment law, a Secretary General is a contract staff member with a special, temporary contract.

Director Generals are appointed for a limited term of five years and may be reappointed.

BELGIUM

Yes, 6 years.

BULGARIA

Senior civil servants, as well as other civil servants, shall be appointed on a permanent basis. The probationary period shall be 1 year on the first entry into the civil service.

CROATIA

As stated in the answer to the 1st question, the Director General who manages the administrative organization within the ministry and the Secretary General of the ministry are appointed for a period of four years.

DENMARK

No.

ESTONIA

Yes, the length of the fixed term of appointment is 5 years.

FINLAND

Yes, all top civil servants have 5-years fixed term appointments. Appointments can be renewed without limitation.

GERMANY

No, according to the lifetime principle.

In Germany, TPM at the director general level in the ministries (official states ministerial directors) and also state secretaries are in principle civil servants with lifetime employment.

GREECE

The term of office of the Service Secretaries is three (3) years with the possibility of renewal for another three years.

Those selected by the E.I.S.E.P. as heads of General Directorates are placed, by a decision of the relevant body for a term of three (3) years.

HUNGARY

Top Civil Servants are appointed for an indefinite term.

LATVIA

Head of institution is appointed for a term of five years that can be extended once. Amendments to State Civil Service Law came into force on 1 July 2022, before these amendments a head of institution was appointed for a term of five years and it could be extended an indefinite number of times. Now after the first term relevant member of the Cabinet makes a decision whether to extend the term for another five years, to transfer the civil servant to another position or dismiss from civil service. After the second term relevant member of the Cabinet has to either transfer civil servant to another position or dismiss from civil service.

Director General is usually appointed for indefinite term and have no term restrictions. In certain cases, he or she may be appointed to a position for a definite term (substitution of another civil servant while they are on parental or maternity leave etc.).

NETHERLANDS

In principle, they do not hold a position at a department for longer than seven years. If there is no follow-up appointment, they will look for a new position, supported by Bureau ABD, for which they must apply themselves.

NORWAY

The top civil servants have no fixed term of appointment.

POLAND

There is no fixed term of appointment.

PORTUGAL

Yes, there is. Top civil servants' positions are filled by mandate of a 5-year period, renewable once for an equal period.

The mandate term and the respective renewals shall not exceed 10 consecutive years and the top civil servant shall not hold the same position in the same organisation before 5 years have elapsed.

ROMANIA

The service relationship of civil servants are born and exercised on the basis of the administrative act of appointment, issued in accordance with the law. The exercise of service relationship is carried out indefinitely or on a determined time period.

Appointment to public office is made by the head of the public authority or institution or, as the case may be, by the person who has the legal competence to appoint under specific normative acts, by administrative act issued within the terms and conditions of the law, on the basis of the results of the competition.

SLOVENIA

The selected candidate for the position of secretary-general or director-general is appointed for a five-year term and can be re-appointed to the same position without internal or open competition.

SWEDEN

These positions have got at two step arrangement, the decision to hire someone as a Director General is for the time being, but the actual area of responsibility will be decided for a fixed term, usually for five or six years. By the end of a tenure the performance will be evaluated and, after that, the current position may be prolonged.

SLOVAKIA

A position of a director general is, in most cases, a permanent position. In case of a permanent position, there is no fixed term of appointment. There are two basic exceptions when a new civil servant may be appointed temporarily only:

- a) A position becomes temporary vacant (e. g. due to maternity leave of the civil servant).
- b) A position is created for a fixed term.

The process and conditions for removing them from the function

CZECHIA

The Czech Civil Service Act generally sets out the conditions under which senior civil servants, can be dismissed. Specifically, the Secretary of State may be dismissed if:

- his post has been abolished,
- the performance appraisal contains a conclusion that he has performed inadequately or insufficiently in the service,
- he no longer meets the medical fitness requirement,
- he or she no longer meets the eligibility requirement for access to classified information under the legislation governing the protection of classified information.
- has been released from service on grounds of detention.

AUSTRIA

The special contract ends automatically if the respective Federal Minister is recalled from his or her function.

Director Generals are appointed for a limited term of five years and may be reappointed.

BELGIUM

He is removed from the function if he receives an evaluation “insufficient”.

BULGARIA

Senior civil servants shall be dismissed as other civil servants - in accordance with the provisions of the Civil Service Act. It lists a number of situations for dismissal, which may be on general grounds, unilateral dismissal by the civil servant, unilateral dismissal by the appointing authority (with or without notice). Some of the grounds are, for example: entitlement to a pension, disciplinary dismissal, receiving the lowest possible annual performance appraisal.

CROATIA

Top civil servants such as the Secretary General of the ministry and the Director General who manages the administrative organization within the ministry are dismissed by the Government: 1. at personal request, 2. if he or she has committed a serious breach of official duty, 3. if he or she has been evaluated as "satisfactory" for the previous calendar year, 4. after the abolition or change of the scope of the organizational unit or the state body it manages, 5. in case of termination of the civil service in accordance with the law.

DENMARK

General rules for civil servants apply.

ESTONIA

There is no specific process of removing them from the function, since there is a fixed term of appointment. The minister has the right to make a proposal to the Government of the Republic to dismiss the Secretary General due to non-cooperation, within 6 months from the beginning of their cooperation.

FINLAND

Conditions for removing senior civil servants in central government are laid down in sections 26 and 26a of the State Civil Servants' Act. In general, provisions on the dismissal of civil servants are laid down in sections 25, 27, 33 and 34 of the State Civil Servants' Act. The decision is subject to appeal and the civil servant must be heard before it is made.

GERMANY

Top-level civil servants with the status of political civil servants can remain in a particular position only as long as they have the government's confidence. Otherwise they can be dismissed any time.

Other top-level civil servants without the status of political civil servants have to pass a probationary period of approximately two years in order to evaluate and enhance their management and leadership skills. The appointment is put into effect through issuance of a certificate that designates the holder as a civil servant. In Germany, TPM at the director general level are civil servants with lifetime employment; however, at this level they can remain in a particular position only as long as they have the confidence of the politician(s).

After the probationary period the same rules and regulations apply as to other civil servants.

GREECE

The term of office of the Service Secretaries ends prematurely in the event of their resignation, as well as ipso jure in suspension according to the provisions of paragraph 1 of article 103 of the Civil Service Code. The term of office may also end, by decision of the competent Minister, in case of permanent inability to perform his/her duties for reasons of health or disability, physical or mental, as well as if the conditions for a potential suspension are met according to the provisions of paragraph 1 of article 104 of the Civil Service Code.

By decision of the relevant body, the General Director is compulsorily terminated before the end of his term, if the following conditions are met: a) if he is finally convicted of serious offenses referred to in case a' of paragraph 1 of article 8 of Code of Civil Servants, b) if he is deprived of his political rights due to a conviction and for as long as this deprivation lasts, c) if he is subjected to deprivation of judicial support (full or partial), to subsidiary legal support (full or partial) or the Court has decided a combination of the two previous arrangements, d) if he is suspended or on holiday or is finally imposed any disciplinary penalty higher than the fine of four (4) months' wages for any disciplinary offense until the penalty is deleted.

By decision of the relevant body following the agreement of the E.I.S.E.P., the General Director is relieved of his duties before the end of his term for a serious official reason concerning the improper performance of his duties. The supervisor can also be relieved of his duties at his request, following a decision of the E.i.S.E.P., which takes into account service needs

HUNGARY

The service of the State Secretary responsible for the operation of the Ministry and the Deputy State Secretary is terminated in cases like:

- by death,
- if she/he is no longer eligible to stand for election as a Member of Parliament,
- by a declaration of conflict of interest,
- elected or appointed as a Member of Parliament, a local government representative, a nationality advocate, a mayor, a senior political leader or a political leader,
- by resignation
- by dismissing

LATVIA

The process of dismissal is similar to dismissal of any other civil servant. The grounds for dismissal from civil service position are defined in State Civil Service Law. However,

the difference from dismissal of any other civil service position is that the relevant member of the Cabinet needs approval from the Cabinet of Ministers to dismiss the head of institution. If the head of institution was appointed by the member of the Cabinet to his or her position only after the approval by the Cabinet of Ministers (see the positions this applies to in answer to question 1 and question 2 subsection "e"), the same procedure applies in cases of dismissal – it is necessary for the member of the Cabinet to receive approval for dismissal. The approval is not necessary in cases of dismissal on civil servants own free will or on the basis of a mutual agreement.

Director general is dismissed from civil service by the head of institution in cases that are defined in State Civil Service Law. There is no specific procedure that is different from dismissal of other civil servants.

NETHERLANDS

The new law “Legal Status of Civil Servants Act” (Wnra) came into force on 1 January 2022. This changed the legal position of civil servants, also top civil servants.

The official status has not disappeared. Every employee employed by a government employer is still a civil servant. Special rules for civil servants remain. These are set out in the new Civil Servants Act containing rules for civil servants, for example about:

- duty of confidentiality;
- prohibition to accept donations;
- the duty to report other functions.

The appointment for most civil servants has disappeared. Civil servants have had an employment contract since 1 January 2020, just like employees in the business community. Collective employment agreements (CAOs) replace legal status regulations.

Private employment and dismissal law applies to most civil servants. This means that a civil servant goes to the subdistrict court in the event of a disagreement with his employer or in the event of dismissal. He can no longer object to his own employer and appeal to the administrative court. The UWV or the subdistrict court must give

permission for dismissal. The dismissal procedure has therefore changed. But the employer must still have a good reason for dismissal. Just like civil service law.

Some groups do not fall under the Normalization of the Legal Status of Civil Servants Act. They do not have to deal with labor law, but keep their old position. These include:

- police and defense employees;
- judges and prosecutors;
- political office holders, such as MPs, mayors and aldermen.

NORWAY

Top civil servants can be removed by the King in Council on certain conditions, i.a. if the civil servant is permanently unable to fulfil his/her duties, if there has been grave misconduct etc. However, it is extremely rare that these regulations are applied.

POLAND

Decision of appropriate minister or the head of central (or voivodeship/province) office (agency).

PORTUGAL

Top civil servants' mandate may terminate under the following situations;

- Mandate term or non-renewal following performance appraisal.
- Taking office followed by the carrying out, under any title, of another position or function, except in cases where the mandate can be suspended, or the accumulation of functions is allowed.
- Organization extinction or restructuring.
- Breach of norms related to exclusivity, incompatibilities, impediments, inhibitions, and accumulation regimes.
- Non-achievement of objectives laid down (poor performance), in particular those set out in the mission charter (where the objectives to be achieved during the exercise of their functions are defined).

- Non-provision or poor provision of information, when deemed essential for compliance with the Government's overall policy.
- Inability to ensure compliance with superiorly set guidelines.
- Need for a new orientation to the organisation management.
- Application of a disciplinary sanction following disciplinary procedure.
- Non-attendance due to an imputable cause or for non-successful attendance at compulsory vocational training.
- Non-application of employees' performance appraisal procedure without reasonable ground;
- Top civil servant's request.

In the case of top manager mandate termination due to performance appraisal, it requires a decision from the respective Government member that shall be presented in writing 60 days prior to its end.

ROMANIA

In the case of Senior Civil Servants, the unfounded refusal to comply with the mobility entails release from the public office, in accordance with the law.

The termination of the service relationships of Civil Servants is done by the administrative act of the person with the legal power of appointment to the public office and takes place under the following conditions: rightful termination (de jure); by agreement of the parties recorded in writing; by release from civil service; by dismissal from civil service; by resignation.

SLOVAKIA

The Secretary General shall remove a senior civil servant if his secondment is terminated. The Secretary General shall remove a senior civil servant who has lost the presumption of good repute if the civil employment relationship has not been terminated based on the Civil Service Act.

The Secretary General may remove a senior civil servant from office if

- a) achieves satisfactory results or unsatisfactory results in the service evaluation for a calendar year; or
- b) a senior staff member may not perform the duties of a senior staff member for more than six consecutive months for medical reasons.

The Secretary General shall remove a senior civil servant from office if

- a) has been temporarily posted to carry out civil service abroad for a period of more than six months; or
- b) he asks for an appeal.

The Secretary General may remove from the position a senior civil servant whom he directs without giving any reason, with the consent of the statutory body, within 10 days from the date of receipt of the written consent, unless a special regulation provides otherwise.

The Secretary General shall remove from the position a senior civil servant directly managed by the statutory body, without giving any reason, on a proposal from the statutory body, unless this law or special regulation provides otherwise. The Secretary General shall remove from the position a senior civil servant if directly directed by a civil servant in a public capacity, without giving any reason, on the proposal of a civil servant in a public capacity, unless otherwise provided by special legislation.

The Secretary General, who is the statutory body, may remove from the post of head of staff he directs, without giving any reason, unless a special regulation provides otherwise.

The civil servant may be dismissed if:

- a) a civil servant, due to his state of health, has long ceased to be fit to perform the civil service in a particular civil servant place or if he or she is prevented from performing it for a long time because of an accident at work, an occupational disease or a threat to the disease, or if he or she has reached the highest permissible exposure to factors of work and working environment determined by a decision of the competent public health authority and the

- service authority does not have an appropriate civil employment post for him or the civil servant does not consent to the permanent transfer to an appropriate civil employment post and does not agree otherwise with the service authority,
- b) the civil servant's position is to be abolished or has been abolished as a result of an organisational change and the civil servant does not have an appropriate civil employment post for the civil servant or the civil servant does not consent to the permanent transfer to an appropriate civil employment post and shall not agree otherwise with the service office;
- c) a civil servant who has been removed from the position of the senior civil servant cannot be permanently transferred to a suitable civil employment post because the civil servant does not have it, or the civil servant does not consent to the permanent transfer to an appropriate civil employment post and does not agree otherwise with the service office;
- d) a civil servant whose capacity as the senior civil servant is to cease or has ceased by virtue of the Civil Service Act cannot be permanently transferred to an appropriate civil service post because the civil servant does not have it, or the civil servant does not consent to the permanent transfer to an appropriate civil employment post and will not agree otherwise with the service office,
- e) the civil servant achieves unsatisfactory results in a recurrent civil evaluation;
- f) the civil servant has repeatedly violated less serious professional discipline;
- g) there is a reason for the immediate termination of the civil servant's employment relationship.

SLOVENIA

The directors-general or secretaries-general can be removed from managerial positions by a decision in the following cases:

- upon their own request or with their consent;
- when no employment contract or annex to the employment contract is concluded within one month of appointment;

- when it is established that the official is not competent to perform the tasks of the managerial position;
- in the case of the termination of an employment relationship in accordance with the agreement on the annulment of the employment contract or in accordance with the termination of the employment contract by a public employee.

A holder of public office or the authority competent for appointments may dismiss within one year of his or her appointment the director-general or secretary-general of a ministry, notwithstanding the reasons referred above. The dismissal referred to in this paragraph shall be possible within one year of the appointment of an official in a managerial position notwithstanding the date when the holder of public office took office.

The position of a secretary general shall terminate upon the expiry of the period of appointment (after 5 years) or in the event the position or the organizational unit, led by the secretary general is abolished.

SWEDEN

As stated there will be room for evaluation by the end of a tenure. If such an evaluation or, even though such a situation occurs very rarely, the need of rapidly removing someone from a current position evolves, he or she will step down but remain the title Director General until a new position is being identified.

Advisors or advisory bodies at the Ministry

Type of positions or bodies exist to advise Minister in policy areas

CZECHIA

In the Czech Republic, the Cabinet of Ministers is a department within the ministries.

AUSTRIA

Organizational bodies (also in form of groups or departments) may be created to handle all business areas of a ministry in a summarized manner and to advise and

support the federal minister. These can be, on the one hand, ministerial departments and groups and, on the other hand, so-called “Stabstellen” (staff units) such as, in particular, the ministerial cabinets (or, for example, the staff unit for internal audit).

BELGIUM

Those are the “cabinets”.

BULGARIA

According to the Administration Law, the work of the Political Cabinet is organized by the Head of Cabinet. The Political Cabinet of the Prime Minister includes the Head of Cabinet, the Speaker, the Parliamentary Secretary and the Head of the Public Relations Unit. The political office of the Minister shall include the Deputy Ministers, the Chief of Staff, the Parliamentary Secretary and the Head of the Public Relations Unit, and the political office of the Minister for Foreign Affairs shall include the Speaker. The activities of the Prime Minister's and Ministers' political offices are supported by advisers on certain matters who cannot perform management functions, by experts and by technical assistants.

CROATIA

The bodies/organizational units for advising the minister in policy areas are: Cabinet of the minister, Collegium of the minister and Ad hoc advisory bodies. The Cabinet of the minister is an organizational unit of the ministry. Civil servants are assigned to positions in the Cabinet of the minister for a certain period of time until the end of the minister's mandate. After the end of the minister's mandate, the civil servants of the Cabinet of the minister are assigned to jobs of equal complexity in the state body from which they were transferred, for which the same level of education and the required work experience of the same duration are prescribed. In ministries, as a rule, the Collegium of the minister is established as a permanent professional and advisory body of the minister, but ad hoc advisory and working bodies (working groups and expert commissions) can be established for drafting proposals for regulations, strategic planning acts, collecting data and preparing analyses, reports and proposals on

specific issues within the scope of the ministry. Other persons, who are not civil servants and governmental employees, and who are appointed by the minister by decision, may perform the tasks of supporting the minister in the implementation of the government's established policy for a certain period of time, and at most during the minister's term of office. The positions for the support of the minister in the implementation of the established policy of the Government are Special advisor in the Cabinet of the minister and Administrative assistant in the Cabinet of the minister.

CYPRUS

The ministries are staffed by civil servants who are appointed by the Public Service Commission. Each Minister/Deputy Minister may employ up to 2 consultants/associates (private status employment). Associates/consultants employment shall be for a specified period and ends with the expiry of the mandate of the government or the withdrawal of the Ministers/Deputy Ministers. Ministers/Deputy Ministers have the obligation to conclude a specific contract (covered by private sector law provisions) with their consultants/associates. According to the provisions of the abovementioned contract, consultants/associates are responsible for any assignment and the preparation of reports and memos asked by their Minister/Deputy Minister.

DENMARK

'Særlig rådgiver' – special adviser (person) to the minister.

ESTONIA

Mostly the Ministers are advised by their ministry departments (politically neutral) and their political advisors. There are no other permanent positions or bodies to advise ministers, although they can initiate working groups or expert groups when needed. There is an option to establish a non-permanent committee within the structure of Government Office as well working for the Prime Minister and advising respective Ministers.

FRANCE

The cabinet has both a political and an administrative role with the minister. Unlike the central administration, the cabinet is not a permanent body. Its existence ends when the minister leaves office. There is no legal rule defining a particular organization of ministerial cabinets. Ministers are free to appoint members of the cabinet (by decree), who may come from the private sector or the administration. the limit is fifteen advisors for a Minister, thirteen for a Minister Delegate and eight for a Secretary of State. In addition to the fifteen advisors, the Minister in charge of health may appoint an advisor for Covid-19.

Over time, the cabinet has become increasingly important in the political and administrative functioning of the government. A member of the cabinet sometimes attends, in place of the minister, interministerial meetings whose purpose is to make government decisions. The members of the cabinet are more and more the privileged interlocutors of the central administration services.

GERMANY

Personal assistants and parliamentary state secretaries who are neither considered civil servants nor are they in civil service. The status of parliamentary state secretaries is in Germany governed by a special law (ParlStG). Parliamentary state secretaries are in an official relationship under public law.

GREECE

For each member of the Government, except for the Prime Minister, for each Deputy Minister, for each General and Special Secretary, there is a special office that assists them in their duties. Special offices are public services that report directly to the person for whose assistance they operate.

HUNGARY

Advisors as Ministerial Commissioner, Chief of Cabinet, Senior Political Advisor and Political Advisor and advisory bodies as Ministerial and State Secretarial Cabinets.

LATVIA

Each member of the Cabinet of Ministers has his or her office that consists of the head of the Cabinet of Minister's office and different advisors and employees. More information about these officials is provided in the answers given in the section A of this survey as well as in 'Guidelines for the cooperation of political and administrative officials' that are available in English: <https://www.mk.gov.lv/lv/media/9065/download?attachment>.

NETHERLANDS

The secretary-general is the most senior civil servant of a ministry.

Next to this each minister / state secretary can appoint 1 political assistant. After the resignation of the minister, the political adviser can stay on for a maximum of six months, to perform duties for the benefit of the department. The minister must inform the Prime Minister and the Council of Ministers of the appointment, duties, term and remuneration (including any allowance to be provided) of the policy adviser, after which the Prime Minister informs the House of Representatives about this.

NORWAY

Formally, there is no advisory body (cabinet) to the minister. In practice, however, the state secretaries and the political adviser together can function as a consultative forum for the minister.

POLAND

Cabinets of minister's advisors.

PORTUGAL

The minister's cabinet offices provide advice in the respective policy areas.

The head of the cabinet, advisers, and technical specialists compose the members of government cabinets' offices.

It is incumbent upon the advisers of the cabinet office to provide the members of the Government with the political and technical support required from them. The number of advisers may not exceed five in the ministers' cabinets' office, three in the cabinets of Secretaries of State, and one in the cabinets of Under-Secretaries of State

Technical specialists provide support in their area of speciality (specialized advising). Within the budget available, those with legal public employment relationships or from public sector entities under the tutelage or superintendence of the respective Government member are preferably designated. If there is budgetary availability there is no limit to their number.

However, if they come from the private sector, their number cannot exceed the maximum limit for advisers in the respective cabinet - 5, 3 or 1, whether it is the office of a minister, secretary of State, or undersecretary of State.

Within the dependency of some members of the government, there are bodies, such as directorates-general, whose attributions include technical support to the government in the definition of sectoral policies.

ROMANIA

Within the Prime Minister's Chancellery, one or more Secretaries of State and Counsellors of State operate, as well as the Director of the Office of the Prime Minister with rank of Secretary of State, appointed or respectively removed from office by decision of the Prime Minister.

The Minister's Office is organized in each ministry in accordance with the Administrative Code.

SLOVAKIA

Expert to a constitutional official – A citizen who is an expert performing tasks for a member of the Government is for the purposes of the Civil Service Act also considered a civil servant. An expert of a constitutional official performs a civil service without the designation of a branch of the civil service.

Other experts – Not appointed as civil servants.

Advisory bodies – Advisory bodies established according to special regulations operate at the Ministry (e.g. a special commission established to decide on an appeal against a decision of a central body of state administration according to the Administrative Procedure Act). The Minister may also establish other advisory bodies.

SLOVENIA

There is only the Ministers' office (a.k.a. Cabinet) at every ministry performing the role of an advisory body. The work posts are titled the same as the ones in other internal organizational units at the Ministries (for example advisor, senior advisor, undersecretary, secretary).

SPAIN

The Cabinets are political and technical support bodies of the President of the Government, the Vice-Presidents, the Ministers and the Secretaries of State.

The members of the Cabinets perform tasks of trust and special counseling without in any case being able to adopt acts or resolutions that correspond legally to the organs of the General Administration of the State or the organizations attached to it. They are particularly supportive in the development of the political work, in the fulfilment of parliamentary tasks and in their relations with the institutions and the administrative organisation.

They are a type of public employees, named temporary support staff or political advisor. They are appointed with a non-permanent nature appointment. They only perform duties expressly classified as managerial or special advisory, being paid out of the budget allocations assigned to this purpose. Appointment and dismissal shall be discretionary. Dismissal shall take place, in any event, when the authority for which the managerial or advisory duties are performed ceases. The position of temporary employee may not be counted as merit for access to the civil service or for internal promotion.

The Cabinet of the President of the Government is regulated by Royal Decree of the President, determining its structure and functions (Real Decreto 662/2022, de 29 de julio, por el que se reestructura la Presidencia del Gobierno)

Members of Cabinets:

- Vice-Presidencies: 10 members
- Ministers: 6 members
- Secretaries of State: 4 members

In the case of arrival of a whole new government they will continue until the formation of such new government.⁴

Civil Servants who join the Cabinets shall be subjected to the situation of special services, unless they choose to remain in the active service situation in their own Administration. Similarly, non-official personnel (employees under a labour law contract, who were working in the private sector or in the public sector but with a labour law contract) who are incorporated into these Cabinets shall be entitled to a reserve of their job positions and seniority reserve, in accordance with the provisions of their specific legislation.

Press advisors and Protocol advisors of the Ministers are usually members of Cabinet coming the Media or from private institutions.

SWEDEN

Each ministry consists of units with employees whose task is to assist the government and ministers in their activities.

⁴ The Spanish Government ceases after celebration of general elections, in the cases of loss of parliamentary confidence provided for in the Constitution, or by the resignation or death of its President. The government continues to be in office until the start of the new government, with limitation of activities.

Employment status of advisors

CZECHIA

In Czechia the Civil Service act shall not apply to employees assigned to the Office of Minister, i.e. their status is an employment relationship governed by the Labour Code.

AUSTRIA

In terms of employment law, Cabinet employees are contract staff members with special, temporary contracts. The special contract ends automatically if the respective Federal Minister is recalled from his or her function.

BELGIUM

They remain civil servants if they are seconded civil servants, otherwise employees.

BULGARIA

Members of political cabinets are not civil servants, but are employees under contract.

CROATIA

Persons assigned to positions in the Cabinet of the minister are civil servants. The composition and scope of the Collegium of the minister is prescribed by the internal acts of the ministry. Members of the Collegium of the Minister of Justice and Public Administration are Secretaries of State, top civil servants and civil servants of the Cabinet of the minister. The Special adviser in the Cabinet of the minister and the Administrative assistant in the Cabinet of the minister are not civil servants, they do not perform tasks within the scope of these bodies determined by the Constitution, the law or other regulations adopted on the basis of the Constitution and laws, and the provisions of laws, other regulations and collective agreements governing the rights and obligations of civil servants do not apply to them.

DENMARK

Employee.

FINLAND

Civil servants or commission agreement.

GERMANY

Personal assistants and parliamentary state secretaries who are neither considered civil servants nor are they in civil service. The status of parliamentary state secretaries is in Germany governed by a special law (ParlStG). Parliamentary state secretaries are in an official relationship under public law.

GREECE

The act of appointing the persons referred to in paragraph 1 hereof automatically constitutes an act of setting up a special office and the jobs. Special offices are automatically abolished with the termination of the persons they assist. The service of the staff of the special offices automatically ends with the termination of the term of office of the head member of the Government, Deputy Minister, General or Special Secretary in any way. The positions of collaborators may be filled by: (a) private individuals through recruitment, who occupy exclusively recallable positions, (b) civil servants or officials with an employment relationship under public law or private law of indefinite duration who serve in Public Sector bodies, through secondment, (c) lawyers with a salaried mandate from the State who serve in the bodies of the previous case through secondment.

HUNGARY

They are civil servants, their employment status is Advisor and Commissioner.

LATVIA

Advisory officials and employees are employed by employment contracts for the time period of members of the Cabinet term of office. A member of the Cabinet may give notice of termination of the contract with an advisory official or employee at any time without specifying the reasons for such notice.

Supernumerary advisory employees do not receive remuneration and are not statutory staff members of the institution. They are neither considered civil servants or employees. Supernumerary advisory employees are experienced experts in their field of activities, and the position of a supernumerary advisory employees is considered an honorary responsibility.

NETHERLANDS

The political adviser is included in the civil service organization of the related ministry, preferably with the Office of the Secretary-General or similar directorate.

POLAND

Minister's advisors are not the civil service corps members. They are employed on the basis of the labour law.

PORTUGAL

The Cabinet office staff is appointed and dismissed by order of the respective Government member. The appointment confers neither the status of a civil servant nor that of an employee. Retirees, pensioners, and reservists or equivalent may be appointed to exercise functions in the cabinet of members of the Government, and the regime provided for in the Retirement Statute shall apply to them.

The appointment of cabinet office members is only subject to the need to verify the existence of a budget allocation for the respective cabinet.

The Head of Office shall receive a gross monthly remuneration corresponding to that fixed for 1st-grade senior management positions, plus an amount for representation expenses equivalent to one-quarter of that remuneration

For exercising their functions on a permanent stand-by basis and exempt from working hours, arising from the nature and specific operating conditions of the offices, the other members of the cabinet have their own remuneration scheme, consisting of a base remuneration and a remuneration supplement.

The one who is an employee with a legal employment relationship governed by the private employment regime may opt for the remuneration status corresponding to the original employment position, which may not, exceed in any case, the basic remuneration established for the respective member of the Government.

They shall not be subject to the maximum limits on normal working periods, and no remuneration shall be due for overtime or night work or work performed on rest days and public holidays.

Cabinet members are subject to the regime of incompatibilities, impediments, and inhibitions provided for in the provisions regulating conflicts of interest resulting from the exercise of public functions and in the Administrative Procedure Code.

They may not hold, for a period of three years from the end of their functions, the posts of inspector-general and deputy inspector-general, or those expressly assimilated to them, in the specific sector in which they performed their functions. The return to the activity exercised on the date of appointment is an exception to this prohibition, without prejudice to the application of the provisions relating to impediments contained in the Administrative Procedure Code.

In terms of guarantees for cabinet office members, they shall not due to the transitional discharge of their duties, adversely affect the stability of their employment, their professional careers or the social security scheme under which they operate, or their rights, benefits, allowances, or other social advantages enjoyed in their original professional position. They are guaranteed to return to the legal and functional situation they were in at the time of their appointment.

Time served in the cabinet shall be considered, for all purposes, namely seniority and promotion, as having been served in the category and career occupied at the time of appointment, and the appointee shall retain all rights, allowances, social, remuneration and any other benefits corresponding to that category and career.

When they are, at the time of their appointment, in a public office or position of temporary exercise by virtue of law, act, or contract, or in tenure, the exercise of duties in the cabinet shall suspend the respective term or exercise

On termination of office, they shall automatically resume the functions they held on the date of appointment.

In the case they hold a previous public employment relationship, the appointment only depends on the agreement of the entity of origin in the case of regional or local administration entities and private entities or companies, and the appointment order is communicated to the respective entity.

The members of the cabinets may not, during the performance of their respective functions, sign any employment or service provision contracts with entities supervised by the respective Government member that are to remain in force after the termination of their functions.

ROMANIA

The positions in the offices of local dignitaries and elected officials and in the Prefect's Chancellery may be occupied by contract staff.

The staff employed in the dignitaries' offices belongs to the category of budgetary staff to whom the legal provisions concerning civil servants do not apply.

The Prime Minister, the Deputy Prime Minister, the Minister of State, the Delegated Minister, the Secretary General of the Government, the Deputy Secretary General of the Government and the Head of the Chancellery of the Prime Minister, the Counsellor of State, the Secretary of State and the Undersecretary of State and the assimilated staff within the Government's working apparatus, within the ministries and other specialized bodies of the central public administration, the Head of specialized bodies of the central public administration with the rank of Secretary of State are entitled to the organization of an office within the institutions which they manage or within which they carry out their activity. Under the subordination of the Deputy Prime Minister which also has the status of Minister, a single office functions, with the maximum number of

posts established for the function of Deputy Prime Minister with portfolio, organized within the ministry they lead.

The position of Secretary of the Chancellery is assimilated from the salary point of view to the position of Head of Office.

The Administrative Code stipulates the maximum number of posts in the Cabinet and Chancellery.

The remuneration of the staff in the Office and the Chancellery is established in accordance with the law on the remuneration of staff paid from public funds. The funds necessary to ensure the proper functioning of the Office's, respectively the Chancellery's activity are provided from the annual budget approved for the institution by the institution's head.

The staff of the Office, respectively in the Chancellery is appointed or dismissed from office only on the basis of the proposal of the persons mentioned in paragraph 3 of this section (C2). The dismissal of the staff in the Office and the Chancellery takes place at the proposal of the dignitary [...] who made the appointment in the following situations: in situations where the term of office of the person who proposed the appointment ceases, irrespective of the cause of termination; following the final conviction for certain offences stipulated in the Administrative Code; in situations where the rightful termination of contractual relationships occurs, under the terms of the Labor Law or the Administrative Code. The staff above mentioned is employed on the basis of an individual fixed-term contract, concluded during the term of office of the persons referred to in paragraph 3 of this section.

SLOVAKIA

Experts – Government advisers primarily belong to the category of “experts to a constitutional official” (“constitutional officials” include – but are not limited to – the President and government members). For the purposes of the Civil Service Act, civil servants include individuals who are working as an expert for government members. However, they are part of temporary civil service. Their appointment differs from that

of ordinary civil servants, as they are not subject to the provisions of the Civil Service Act on selection procedure, assessment, and qualification development. While a permanent civil servant must pass through a selection procedure which is, one of the conditions for appointment in civil service, the method for selecting “experts to constitutional officials” is not legally regulated. However, in addition to these advisers, there are advisers who are hired based on the Labour Code and to whom the principles of the Civil Service Act therefore do not apply.

Advisory bodies - Advisory bodies can be civil servants, notably working in government, they can also be recruited from other sectors.

SLOVENIA

They are civil servants, they have fixed-term employments, that are linked to the personal trust of the minister.

SWEDEN

Employees, and it is important to stress out that we do not recognize formal “civil servants” within the Government sector.

Main tasks and responsibilities

CZECHIA

In the Czech Republic, the employees assigned to the Office of the Minister are responsible for formulating policies exclusively for the Minister himself.

AUSTRIA

The political management of the federal ministries is supported by the cabinet employees. They form the link between politics and administration, are often in direct contact with individual staff members at all levels of the ministry and thus, for example, provide information for the respective Federal Minister(s). In terms of day-to-day politics, the cabinet is of great importance.

BELGIUM

Advise the minister on the political dossiers in coordination with the administration.

BULGARIA

Under the Administration Act the Political Cabinet is an organizational structure with advisory, control and information and analytical functions, which assists the relevant executive authority in defining and implementing government policy in the sphere of its competence, as well as in presenting it to the public. The Political Cabinet shall also organise public relations.

CROATIA

The Cabinet of the minister performs tasks defined by the decree on the internal organization of the ministry. For example, the Cabinet of the Minister of the Ministry of Justice and Public Administration performs, among other things, tasks of professional and administrative support for the minister and Secretaries of State in order to enable the smooth and successful performance of their official tasks and protocol tasks, i.e. in order to realize the program of activities of the minister and Secretaries of State; performs tasks related to protocol and public relations, exercising the right to access information, receiving petitions and complaints within the scope of the Ministry; performs tasks related to ensuring the timely delivery of documents for the Government of the Republic of Croatia and the Croatian Parliament; coordinates international cooperation affairs; prepares the appearances of ministers and Secretaries of State in the media and closely cooperates with other internal organizational units of the Ministry; performs tasks related to communication and presentation of the activities of the Ministry; prepares opinions on submitted drafts of bills and proposals of other regulations and acts; participates in the drafting of proposed regulations and other acts from the scope of the Ministry in cooperation with other internal organizational units of the Ministry; participates in the development of the Ministry's strategic plan; coordinates the implementation of policies and decisions on issues within the scope of individual administrations and other internal organizational units of the Ministry, and

coordinates tasks that include the scope of several internal organizational units of the Ministry.

The Collegium of the Minister of Justice and Public Administration considers and harmonizes proposals for regulations made by the minister, i.e. proposals for regulations under the jurisdiction of the Croatian Parliament and the Government of the Republic of Croatia, as well as proposals for reports, strategies and other acts.

Supporting tasks for the minister, which are performed by the Special advisor in the Cabinet of the minister and the Administrative assistant in the Cabinet of the minister, include consulting, preparatory actions related to strategic planning, cooperation with the media, and assistance in performing the aforementioned tasks.

DENMARK

Give advise to the minister but has no formal authority over the administration.

FINLAND

*Before a decision on a matter is made (in the relevant ministry or at a plenary session and/or presidential session of the Government), the necessary political preparatory work is undertaken in an informal government meeting or a meeting of another composition of ministers, and possibly in one or more of the four statutory Ministerial Committees (see below). The Government may agree to set up a ministerial working group for the purpose of cooperation and coordination in preparing a particular matter or a package of related matters, such as a major cross-government reform package (see below).

Ministerial committees (four permanent statutory Ministerial committees):

<https://valtioneuvosto.fi/en/marin/ministerial-committees>

Ministerial working group (appointed by each Government):

<https://valtioneuvosto.fi/en/marin/ministerial-working-groups>

In addition to the above, there are various advisory bodies in different ministries. These are not, however, directly advisory bodies for ministers, but rather bodies or discussion forums focusing on a specific matter that can make initiatives, issue statements etc. For example, the Prime Minister's Office branch there are Finnish Council of Regulatory Impact Analysis and Economic Council.

GERMANY

A Parliamentary state secretary in Germany has an official relationship under public law like a minister or head of government and assists the latter in fulfilling the government's duties. He or she represents the member of the government externally, e.g. in the plenary, committees and parliamentary groups and at public appointments. As a rule, the Parliamentary State Secretary belongs to the same parliamentary group as his or her Federal Minister.

GREECE

The responsibilities of the special offices include: (a) the study of issues and the gathering of the necessary data to provide appropriate information, (b) the editing of correspondence, (c) taking care of communication with parliamentarians, citizens, representatives of social organizations and public officials in general, as well as (d) taking care of the correct fulfillment of ethical obligations.

HUNGARY

The adviser may be employed to perform tasks directly related to the preparation of decisions of the Government and to the activities of the Minister and the State Secretary

LATVIA

The advisory officials and employees perform the following tasks:

- Political analysis of issues affecting the sector;
- Identifying problems, preparing proposals to address them;

- Inform the public of the activities of the member of the Cabinet and the sector they lead;
- perform other tasks in accordance with the instructions of the respective member of the Cabinet (Section 25 (1) of the Cabinet Structure Law).

The Prime Minister's Office, in addition to the aforementioned, has the following tasks:

- expressing their opinion on any policy issue of interest to the Prime Minister;
- analyzing government policy and contributing to its implementation in line with the Declaration of the intended activities of the Cabinet;
- providing information needed for the visits and negotiations of the Prime Minister, and timely communication of the information or tasks received during the meetings to the addressees, etc.

In addition, the duties (competencies) of each advisory official are indicated in the employment contract and job description of the official.

NETHERLANDS

The secretary-general is the most senior civil servant of a ministry. In addition to being an important official adviser to the Minister and/or State Secretary(ies), the Secretary-General is also responsible for the management of the civil service. He can be supported by a deputy SG.

Political assistant

A political assistant is the right hand, confidant and assistant of a minister. He/She supports the minister wherever possible and where necessary. The political assistant is paid by his minister's department, but unlike the rest of the civil servants in its department, has a clear political color and does have contact with MPs, where the other officials may not. A political assistant may not have spokesman duties.

POLAND

The general task of cabinets is policy and political advisory to the minister. The more detailed tasks are described by the minister and head of the cabinet. They may include

all issues related with the minister's activities, depending on a given minister. These may include coordination and building contacts between minister and departments in the ministry, Parliament, media etc.

PORTUGAL

The head of the cabinet office is responsible for its direction and coordination, as well as for liaising with the organizations and bodies under the respective Government member, the cabinets of the other Government members, and other public and private entities.

The Government member may delegate to the head of the cabinet the competencies for the practice of any acts related to the management of the cabinet and the respective staff, as well as any acts of authorization of expenses to be supported by the cabinet budget, up to the maximum limit foreseen in the law.

The head of the cabinet may also exercise competencies related to current administrative matters delegated to him/her by the respective Government member, within the area of his/her competencies.

Advisors shall provide the political and technical support that is determined for them.

Technical specialists provide support in their area of expertise and shall not be subject to the exclusivity regime, although the exercise of other functions must be expressly authorized in the respective order of designation.

ROMANIA

The role of the contract staff in Offices and the Chancelleries is to support the dignitary in the cabinet where they are assigned in carrying out the activities directly resulting from the exercise of the duties established by the Constitution or by other normative acts.

The purpose and duties of each type of function occupied by contract staff are determined in relation to the category to which they belong, as follows: for the functions performed on a basis of an individual employment contract, by the job description or

for the functions performed on a basis of a management contract, by the terms of the management contract.

Their duties are established by the persons subordinated to whom the Office, respectively the Chancellery operates.

SLOVAKIA

Experts – There are no significant legal limitations regarding tasks or responsibilities that may be committed to an expert. Government members, including the PM, choose advisers at their own discretion. In making this selection, they will in particular consider their expertise, experience and track record. Advisers report directly to the minister for whom they perform tasks. While advisers do not themselves have executive functions, they will often be closely associated with decision-making powers of the ministers that have selected them.

Advisory bodies – They have mostly advisory role in decision making, creating policies etc. There is no legal limitations regarding tasks that may be committed to an advisory body.

SLOVENIA

They perform professional, organizational, advisory and coordination tasks for the Minister and the State Secretaries. They plan, organize and coordinate the work between organizational units of the Ministry and monitor the implementation of tasks. They participate in the planning and designing of legal system solutions and monitor the appropriateness, quality and timeliness of the implementation of the decisions of the minister's colleges and working bodies.

They also coordinate the work between the ministry and the bodies within the ministry and the bodies that operate in the areas for which the ministry is responsible.

The detailed tasks for individual work posts in the Cabinet are defined in the systematization act that is individual for each Ministry.



SWEDEN

Each unit will be led by a deputy Director General. This manager will in most cases be given instructions from, and also report directly back to the state secretary. The staff within each unit are responsible of providing the demanded support back to the political level, but do not have other responsibilities than which follows of employment law.