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INSPIRATION FOR LOCAL DEBATE

CODE OF QUALITY AND ETHICS IN THE PUBLIC ADMINISTRATION

ESTA RIBA PER ALENAR DEL
DIRECCION A TORNAR LA
NOVA CATEGORIA DE INICIATIVES
D'IMPACTE SOCIAL I ECONOMIC
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Code of Quality and Ethics in the Public Administration

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PREFACE

In the autumn of 2015, the "Bo Smith Committee" published its report about the public official in the modern democracy ("Embedsmanden i det moderne folkestyre"). The report is the result of the Committee's work, which examined the role of the civil servants particularly in the state, but also in the municipalities. Insofar as the municipalities are concerned, the report includes a draft code of quality and ethics for managers and employees of the public administration. The code introduces seven standards for advice and assistance provided by the public administration to the municipal council, committees and the mayor:

- 1 / Legality**
- 2 / Truthfulness**
- 3 / Professionalism**
- 4 / Party-political neutrality**
- 5 / Responsibility and management**
- 6 / Development and cooperation**
- 7 / Openness about errors**

The new code is a suitable basis on which to discuss the standards according to which the public administration works when providing advice and assistance to the municipal council, committees and the mayor. Of course, ensuring that the public administration is aware of the standards and works according to them is a task for

the management, but the standards do not only concern the public administration. Dialogue and matching of expectations between politicians and the public administration concerning roles, interaction and the scope of the policy advice and practical assistance in everyday life are crucial. This is also the prerequisite for good and trusting interaction between public administration and politicians.

The standards will always be challenged by the dilemmas of everyday life. At the same time, new framework conditions, increasing complexity and changes in the municipalities' tasks will be challenging and changing the politicians' role and the task of political management. This makes new requirements on the public administration and on the interaction between politicians and public administration.

To support and inspire the local debate, Local Government Denmark has prepared this document. At the end of the document, the Committee's proposal for a "Code of quality and ethics in the public administration's advice and assistance to municipal councils, committees and mayors" is included. A number of questions are included for each of the seven standards to inform and facilitate discussions at municipal level. The questions are not exhaustive and the relevant themes will differ from municipality to municipality.

Also the form of the discussion may differ. Some municipalities may want to prepare their own code of ethics based on this document, while others may plan a process involving the discussion of selected themes over a period of time.

In addition to providing inspiration for the work with the new code, this document also proposes other themes it may be relevant to discuss in connection with the interaction between politicians and the public administration.

This document has primarily been prepared to inform and facilitate discussions between politicians and the public administration and in such a way that it is possible to choose priority themes and discussion topics from the document for a more in-depth discussion. In addition, the public administration may want to incorporate the discussions in the management work and the organisational culture.

Happy reading and have a good debate

Martin Damm

Kristian Wendelboe

THE LOCAL WORK WITH THE CODE

The seven standards, formulated by the Bo Smith Committee, relate to the interaction between the politicians and the public administration. It is important to stress the fact that the seven standards do not represent an exhaustive description of neither the roles of the public administration nor the tasks of the senior management. The code specifies the applicable standards that form part of the ethical basis for the interaction in the municipalities. The code does not constitute a legislative act, but the code expresses the requirements and code of conduct relating to public officials.

It may be self-evident that employees of the public administration must speak the truth, obey the law and perform their duties in a professional and party-politically neutral manner. But practice is never black and white, and there are many situations that may give rise to further consideration and assessment before taking any action. And sometimes there are cases involving conflicts and errors, precisely because the standards were not always considered properly.

Therefore, it is important to discuss the standards at regular intervals and also to think about how new politicians, managers and employees are introduced to the standards. The difficult part is to identify and provide follow-up in case of challenges or when an error has been committed. But discussions and matching of expectations are important prerequisites for a trusting interaction.

For each of the seven standards, a number of questions have been formulated below to inspire the local debate.

1 / LEGALITY

All advice and assistance to the politicians must be provided within the framework of applicable law.

One of the tasks of the public administration is to assist the politicians in finding the right legal way to reach the political goals. This means that the public administration must not only refuse to comply if the politicians propose measures that are contrary to applicable law. The public administration must examine and clearly indicate the ways open to the municipality to reach the goal – i.e. indicate the scope

for action. The administration must also be clear about any possibilities of applying for an exemption afforded by applicable law. It is the task of the public administration to indicate the scope for political action and be clear about the legal framework and any grey areas as well as, in case of doubt, explain the public administration's interpretation of the legislation. A clear indication of the scope for action may help ensure that the politicians' time is spent on issues where it is in actual fact possible to make a difference.

› THEMES FOR DISCUSSION: LEGALITY AND THE SCOPE FOR POLITICAL ACTION

- › Does the public administration make the scope for political action sufficiently clear to the politicians?
- › To what extent does the public administration point out different options, including the scope of the framework legislation, possible exemptions and what other municipalities do?
- › To what extent is it made clear whether restrictions of the scope for political action are due to applicable law, local priorities, the physical and practical possibilities etc.?
- › Is there a common understanding between politicians and public administration on how and in what form the public administration will refuse to comply if the public administration believes a political desire to be contrary to applicable law?

2 / TRUTHFULNESS

The public administration must provide correct facts when assisting the politicians. This applies to all members of the municipal council and means that the public administration must not refrain from providing facts in the cases and must not

disclose incorrect information or refrain from considering pertinent matters in the cases. An important dilemma relating to the obligation to speak the truth is when sufficient information has been provided for the political work.

› THEMES FOR DISCUSSION: WHAT IS THE TRUTH?

- › How does the public administration ensure that the politicians have the right information, the right amount of information and at the right time?
- › Where does the public administration draw the line if the politicians ask the administration to present facts in a way that inspires a certain interpretation of the situation and developments in an area?
- › What should the public administration do if a politician provides incorrect information in the media or to the public?
- › How should a situation where the public administration has another view on events than the politicians be handled?

3 / PROFESSIONALISM

The public administration plays an important role in translating political goals and decisions into professionalism. The political goals need to be translated into professional actions, and the relevant professional dilemmas must be handled politically. But professional judgement can rarely dictate politics, and professional arguments cannot be used to present a politically decided solution as the only professionally

well-founded solution if there are actually several possible solutions available.

Creating unity and coherence across professional areas is a task that is taking on increasingly large dimensions politically as well as in the public administration. It must be incorporated in all processes and cases as well as in possible solutions.

› THEMES FOR DISCUSSION: WHEN POLITICS AND PROFESSIONALISM MEET

- › Do the proposals submitted for political deliberation take sufficient account of various considerations – citizens, economy, professionalism etc.?
- › Does the public administration focus enough on when professional themes develop into political issues?
- › Do the politicians have sufficient possibilities of challenging the professional assessments?
- › Do the politicians receive several different professional proposals for a solution?
- › Do the proposals submitted for political deliberation focus sufficiently on a unified and coherent task solution across professional areas?
- › Do the public administration's professional assessments include openness on methods, priorities, criteria and the like?
- › Are the professional motives on which recommendations are based clear?
- › Is there sufficient focus on ensuring that professional arguments do not limit the scope for political action?

4 / PARTY-POLITICAL NEUTRALITY

Local politicians have been elected to pursue the municipal politics of their political party. The public administration may not develop party politics, but its task is to assist in developing the policies discussed and ultimately adopted as the municipality's policies by the municipal council.

The public administration must be non-partisan. Not only when it comes to

political parties or non-party lists, but also when it comes to affiliation with particular residential areas, institutions, associations, schools and the like. The requirement for the public administration to be non-partisan also applies when it comes to the administration's own interest and preferences as a public administration.

› THEMES FOR DISCUSSION: POLITICAL ADVICE FROM THE PUBLIC ADMINISTRATION

- › Has a decision been made on to what extent the politicians require political-tactical advice?
- › Is there sufficient attention on how the public administration adapts its advice to different types of politicians?
- › How can politicians and public administration together develop a culture where they can challenge each other?
- › How do the politicians put their foot down if they believe that the public administration is acting as a political player in a case or is primarily considering the administration's own interests?
- › Is there a common understanding of how the public administration acts in the period leading up to an election?

5 / RESPONSIBILITY AND MANAGEMENT

The public administration is responsible for ensuring that the municipal council's decisions are implemented and that there is a connecting thread between the political management's decisions and the day-to-day operation of the municipality – all the way from the politicians and the employees at the town hall to the employees at schools, care homes, institutions etc.

The municipal council is responsible for the performance of tasks and operation

of the municipality. In order to be able to assume their responsibility and undertake the political management, it is important that local politicians can obtain specific knowledge about the performance of tasks in institutions and professional areas. Only by obtaining knowledge about the priorities in the municipality's institutions and about the professional and management dilemmas are the politicians able to weigh up the various considerations and make political decisions.

› THEMES FOR DISCUSSION: DIVISION OF WORK BETWEEN POLITICIANS AND PUBLIC ADMINISTRATION

- › What does the public administration do to maintain and develop the standards for the interaction with the politicians?
- › Do the politicians have insight into the values based on which the public administration works?
- › How does the public administration ensure that the political goals and political decisions guide the employees' performance of their tasks – even when there are professional wishes for something else?
- › Is there a common understanding of the division of work between politicians and public administration when it comes to the municipalities' role as an employer?
- › How is it ensured that the politicians obtain insight into the municipality's "engine room" – i.e. obtain concrete knowledge about its day-to-day operations (priorities etc.)?

6 /

DEVELOPMENT AND COOPERATION

The standard on “development and cooperation” is a new addition to the classic virtues of public officials. When the municipalities change, the political management also develops. This makes new demands on the public administration in connection with how the administration can best support the politicians. Add to this the fact that politicians are different and have different ways of fulfilling the role as politicians. Also, new generations approach the political work in new and different

ways. Politicians also demand training and competence development. Part of the task of providing services and assistance to the politicians therefore also involves assisting the politicians in searching for such possibilities. It is important to good interaction between politicians and the public administration that their mutual expectations are discussed regularly, and that the interaction is characterised by a culture where changes, challenges and errors can be discussed.

› THEMES FOR DISCUSSION: DEVELOPMENT OF THE POLITICAL WORK

- › Do the politicians get the right assistance and to the right extent from the public administration agendas, cases, practical assistance, assistance for the local politicians' day-to-day work etc.?
- › Does the public administration contribute to striking the right balance between focus on immediate problems and the municipality's more long-term challenges and development?
- › Does the public administration in its advice and assistance to the politicians focus sufficiently on the changes in the outside world, including in the municipal government and the municipality's interaction with other sectors?
- › How is it ensured that the public administration and politicians alike get inspiration and knowledge from outside the administration?
- › Is there focus on adapting the organisation and its competencies to the expectations of the political management with regard to the public administration?
- › How is space created for the politicians to develop in their role as politicians?
- › How is it discussed if the politicians or the public administration experiences inappropriateness in the cooperation?

7 / OPENNESS ABOUT ERRORS

The standard "openness about errors" is, like the standard on "development and cooperation", a new addition to the classic virtues of public officials. It is impossible to avoid errors in large and complex organisations such as the municipalities where the majority of the tasks are solved by people for people. It is important that

errors are discovered and handled, and that lessons are learned from past errors. Several conditions may create pressure for a zero-error culture, which is only suitable in exceptional cases. This is i.a. the case for the media development, which has led to increased focus on errors and responsibility.

› THEMES FOR DISCUSSION: THE MUNICIPALITY'S ERROR CULTURE

- › Is it clear for managers and employees in the public administration what to do if an error is discovered?
- › Is there a clear division of work between politicians and public administration when errors need to be explained to the outside world?
- › What expectations do the politicians have with regard to the advice provided by the public administration in connection with the handling of errors?
- › Is there a common understanding of when to involve the politicians in connection with inappropriateness of the services provided by the municipality and its exercise of authority?
- › Is there a common understanding of the willingness to take risks in the organisational culture?
- › How are errors resulting from decisions made by the previous municipal council handled?

OTHER THEMES

The following text focuses on the public administration's role in broad terms in connection with the day-to-day political work, the actual policy development, the administration's role in the external relations, in the implementation of the political decisions and in handling the media. This part of the document is intended as supplementary inspiration in addition to the code.

The five themes are areas where the division of roles and work is, in principle, clear. The politicians set the goals for the municipality's development and task solution, make decisions in concrete cases and

ensure that the decisions are implemented as intended. The public administration provides advice and assists in the policy formulation and is responsible for providing the optimal bases for decision. In practice, however, the division of work is not razor-sharp. The division of work is defined based on i.a. how the mayor and municipal council want to be politicians and handle the political management, and the division of work may also vary from case to case. And precisely the fact that the division of work between politicians and public administration is not razor-sharp means that this may also be an important theme to discuss during an election period.

THE FRAMEWORK FOR THE DAY-TO-DAY POLITICAL WORK

The consideration of cases in committees and in the municipal council is a large part of the political work.

The public administration supports the political work by preparing bases for decision for the politicians, providing advice and planning the political processes and by providing practical assistance to the politicians.

As a public administration, it is important to ensure current development of the way in which the political work is supported.

At the same time, it is important that the municipal council, the committees and the mayor are able to discuss how the framework for the political work is best organised.

› **INSPIRATIONAL THEMES: BASIS, FRAMEWORK
AND SUPPORT OF THE POLITICAL WORK**

- › What effect should the increasing complexity have on the structure and contents of the cases and the political decision-making processes and methods of working?
- › Are the cases on the agenda for the committee meetings and in the municipal council the right cases?
- › Is there agreement between the amount of time spent on the individual cases and the importance of the cases?
- › Should more cases be considered in more committees?
- › Are decisions submitted to the municipal council at the right time?
- › Are the big cases, challenges and agendas discussed in the right fora and in the right manner?
- › Are the cases formulated and structured in such a way that it is clear on what a decision is to be made, what the background is and what the consequences of the individual decisions are?
- › How can the public administration support inter-municipal agendas in the municipal council's work?
- › How can the public administration support the inter-disciplinary holistic aspects of the municipal political work?
- › What is the extent of the assistance provided by the public administration to the members of the municipal council (assistance with speeches, calendar management, handling of material etc.)?
- › Is there a common understanding of to whom and to what extent the public administration provides advice? All political groups? Only the mayor/chairmen of committees?
- › Do we have clear ground rules for the politicians' contact and dialogue with the public administration?

THE PUBLIC ADMINISTRATION'S ROLE IN POLICY DEVELOPMENT

Setting the municipality's general development goals, formulating policies in the individual welfare areas and the political choices in concrete situations are all part of the policy development. The public administration may not pursue party politics; its task is to assist in developing the policies discussed and ultimately adopted as the municipality's policies by the municipal council.

A task of the public administration in the policy development could be to follow social developments and alert and assist the politicians when a political decision is required. This could e.g. be monitoring population trends, new legislation, new

tendencies in the demands and needs of the citizens and businesses. Another task is to contribute professionalism and knowledge to the political discussions when formulating policies. In this connection, the public administration has an important task to fulfil in making clear the scope for political action and contributing to examine how the scope for action can be increased through local management and transition initiatives. Sometimes the public administration prepares draft political goals. Finally, the public administration may, as part of the policy development, contribute advice on the political process, including involving the press, citizens etc.

› **INSPIRATIONAL THEMES: POLICY DEVELOPMENT IN OUR MUNICIPALITY**

- › How does the municipal council obtain current knowledge about trends in the development of the municipality and the local communities?
- › How are the municipality's priorities determined in terms of challenges and problems to work with?
- › What knowledge and what data and input do the local politicians need in order to formulate long-term goals?
- › How does the municipal council include knowledge about dilemmas and professional challenges in the welfare areas in the policy formulation?
- › Are the goals for the long-term challenges formulated in time?
- › Are individual cases used to address fundamental discussions?
- › Are the citizens involved in the policy development in the right way?
- › Are new ways of working with policy development required?
- › To what extent does the public administration present the politicians with several possibilities?
- › Does the public administration sufficiently challenge the politicians' goals and policies before decisions are made, and is this done in the optimal way?
- › Do the politicians sufficiently challenge the public administration and its input and role in the policy development?
- › To what extent does the public administration contribute to increasing the scope for political action, e.g. by proposing efficiency enhancements, transitions, new possible solutions etc.?

THE PUBLIC ADMINISTRATION'S ROLE IN CONNECTION WITH EXTERNAL RELATIONS

More and more tasks are solved in cooperation across municipal borders. There is a long-standing tradition of inter-municipal operation e.g. in the utility areas, but in recent years even more tasks are being coordinated and solved across municipal borders – typically in municipal contact councils, in business regions, the new emergency management structures etc. This makes new requirements on both politicians and public administration and on the decision-making processes and the democratic legitimacy. For the public administration, the larger external role makes new requirements on its interaction with the pol-

iticians. In some areas, the municipality is one among many players, without necessarily sitting at the head of the table. And the municipality must be able to negotiate on equal terms with businesses, associations etc. that have other decision-making processes than the municipality. In other areas, the municipality is the owner or part of a group of owners of utility companies, emergency management units etc. Here the public administration has a supervisory duty and must at the same time assist the municipal council in safeguarding the municipality's interests.

› **INSPIRATIONAL THEMES: THE PUBLIC ADMINISTRATION AND THE EXTERNAL RELATIONS**

- › Is there a common understanding of rules, responsibilities, knowledge sharing and decision-making processes between the municipality's representatives in the external partnerships and the municipal council?
- › When can the public administration represent the municipality – alone or with politicians?
- › How are decision-making processes organised when the decision involves external players/municipalities – what are the experiences, are there situations where the process needs strengthening etc.?
- › What is done if negotiations involving the municipality require confidentiality among a small number of people in the municipality?
- › How is work divided between politicians and public administration when reaching out and establishing new partnerships?

THE PUBLIC ADMINISTRATION'S ROLE IN IMPLEMENTING THE POLITICAL GOALS AND DECISIONS

The municipal council is responsible for ensuring that the political decisions are implemented as intended.

This means that the political work is not necessarily finished when the municipal council has made a decision or formulated the goals. Often political attention and support are required for the actual implementation – particularly in case of large transitions. The implementation may involve a need to discuss the solution of the task politically and perhaps formulate additional goals or adjust the goals. The

public administration is responsible for ensuring that the political decisions are implemented. The politicians must always be able to trust that the public administration carries out the tasks in such a way that they are both professionally and factually correct and in compliance with applicable rules and the intention behind the political decisions. Therefore, it is important that the politicians are informed about the effect of their decisions in practice – whether the political intentions are realised or whether there are unintended consequences that require a new political decision.

› **INSPIRATIONAL THEMES: IMPLEMENTATION OF POLITICAL DECISIONS**

- › Are policies and goals communicated to citizens, businesses etc. in the right way, and how is the work divided between politicians and public administration in this communication task?
- › Do politicians and the public administration share the same picture of the ambitions of the political decisions?
- › What is the role of the politicians in the implementation of goals and political decisions?
- › Is there sufficient political awareness of the implementation of major political initiatives?
- › Is there an ongoing dialogue between politicians and public administration on the goals and progress of the implementation?
- › How should the administration act in case of political disagreement about the implementation?
- › How do the politicians obtain knowledge about the effect of goals and political decisions?

THE PUBLIC ADMINISTRATION'S ROLE IN HANDLING THE MEDIA

The state of the media has changed substantially. We have 24/7 news coverage, and social media have a strong presence. The speed of the news flow has increased significantly, thus creating pressure for quick reactions from both politicians and the public administration. Individual cases may accelerate in the media and escalate if they are not handled quickly. This may challenge the consideration of ensuring absolute professionalism before responding in a case, and comparatively small cases may demand considerable resources in the public administration and ultimately end up shifting focus in the political work. The decision-making processes in the mu-

nicipalities are challenged, which makes new requirements on coordination and interaction between politicians and public administration.

The social media have created a new, direct form of communication between citizens, politicians and public administration outside the traditional media. The political debate has a new platform. This creates a potential in relation to involvement, discussion and communication with the citizens – but at the same time leads the citizens to expect personal and quick replies, and it makes it easy for the citizens to organise around individual issues.

› **INSPIRATIONAL THEMES: THE PUBLIC ADMINISTRATION AND THE MEDIA**

- › Is the public administration's role in the media clearly defined – on what may the public administration make statements in connection with the political work in the municipality?
- › To what extent may the administration communicate facts about the municipal political work via the municipality's own communication channels (website, Facebook profile, LinkedIn etc.)?
- › How is criticism of the municipality's employees in the media handled?
- › Is the division of roles clear between the public administration and politicians when an individual case hits the media and action is required under pressure?
- › Is the public administration's role defined sufficiently clearly with regard to providing assistance to the politicians in the social media?
- › How should the public administration act if politicians present factually wrong information in the media, including in the social media?

APPENDIX / CODE WITH SEVEN KEY OBLIGATIONS*

Public officials and managers in the municipalities must professionally and loyally advise and assist the municipal council and committees within the framework of applicable law.

Therefore, they must comply with a number of obligations and standards of which some are based on fundamental legal standards, while others are based on informal ground rules that have developed for the interaction between political management and public officials.

Seven of these obligations have been formulated into a code under the headings:

- 1 / Legality**
- 2 / Truthfulness**
- 3 / Professionalism**
- 4 / Party-political neutrality**
- 5 / Responsibility and management**
- 6 / Development and cooperation**
- 7 / Openness about errors**

Compliance with these obligations is decisive to the quality of the work carried out in the municipalities. This means that it is also decisive to the work of the employees being perceived as credible by the politicians, the press and the citizens.

All public officials must therefore respect the seven central obligations in their day-to-day work.

* Source: The public official in the modern democracy – the Bo Smith Committee’s report on the interaction between politicians and public officials (Embedsmanden i det moderne folkestyre – Bo Smith-udvalgets rapport om samspillet mellem politikere og embedsmænd), Djøf Forlag, 2015
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1 / LEGALITY

All employees must always act within the framework of applicable law.

It is a fundamental principle of a state governed by law that everyone – including, of course, municipal councils, public officials and other employees of the municipality as well – stays within the framework of applicable law. All advice and assistance provided to the political management and the implementation of the decisions must therefore be within the framework

of applicable law. All actions must be performed within the boundaries defined by law and decisions etc. must be based on objective grounds.

There may be cases of doubt where the law is not clear and unambiguous. In such cases, it is decisive that the public official presents the municipal council or committee with the considerations on which her/his interpretation of the provision is based.

› **FOR INSTANCE, THIS DUTY IMPLIES:**

- › Public officials must ensure that agenda texts and recommendations for the municipal council and committees are in compliance with the applicable law.
- › If there is a political wish for a decision in a committee, which is believed to be unlawful, the public officials must notify the mayor.
- › If the mayor does not wish to interfere in connection with a decision that is believed to be unlawful or wishes to propose such a decision herself/himself, the public officials must make sure that the Finance Committee is notified in writing about the legal assessment.
- › If the municipal council, a committee or a superior officer gives an order for a certain action, the public officials must refuse to comply if it is clear that such action is unlawful.
- › Public officials and managers must ensure that the transactions and decisions made by the municipality (at the town hall as well as in the municipal institutions) are in compliance with relevant applicable law in the area, including in accordance with specific legislation and in compliance with administrative law.

2 / TRUTHFULNESS

Public officials and other employees must live up to the duty of truthfulness. They may not disclose information that is incorrect or which in the connection in question must be regarded as misleading. And they may not contribute to the mayor's, the municipal council's or a committee's disclosing incorrect or misleading information.

The duty of truthfulness applies towards the municipal council, the political committees and the mayor, towards the individual politicians, all employees and people outside the municipality.

The duty of truthfulness does not mean that information may be disclosed when

such disclosure is contrary to the duty of silence. In this connection, it is pointed out that members of the municipal council, as part of the discharging of their duties, are entitled to access to documents that are available in their final form in the municipal administration, including confidential information. A request for access to documents must be addressed to the mayor. Naturally, public officials must assist the members of the municipal council who may wish to see material in a specific case.

The duty of truthfulness also applies to managers and other employees to the extent they are asked to contribute information in connection with preparing decisions.

› FOR INSTANCE, THIS DUTY IMPLIES:

- › Public officials may not disclose incorrect or misleading information to the municipal council, employees or others.
- › Public officials may not contribute to the political management disclosing incorrect or misleading information.
- › Public officials may not provide advice to the municipal council, committees or the mayor in a manner entailing a breach of the duty of truthfulness, e.g. by providing incorrect information or withholding information. And they must warn the political management if it is taking steps to act in a manner that is contrary to its duty of truthfulness.
- › If the municipal council, a committee or a superior officer issues directions to disclose information, the public official must refuse to comply provided that it is clear that such disclosure is contrary to the duty of truthfulness.

3 / PROFESSIONALISM

Public officials, managers and other employees must act within the framework of generally accepted professional standards. This applies in connection with the preparation of agenda texts and other bases for decision as well as when preparing material that purports to reflect professional assessments. This applies to the same extent when the decisions are to be implemented.

The professional insight of the public officials must never dictate a particular policy and even in cases where a very unambiguous professional insight into a politically relevant problem exists, it will remain a political decision whether or not to act and, if acting, when and how to act and explain this to the public. In a municipality, the municipal council determines the pol-

itics it wishes to pursue and presents the politics to the public.

Public officials and managers should not under cover of professionalism and bypassing the municipal council work to promote points of view and solutions that may be regarded as an expression of their safeguarding interests associated with the branch of the public administration where they work or the professional group to which they belong. But the advice provided may include an assessment of how a contemplated decision will affect the municipal organisation.

Tasks involving communicating the municipal council's political initiatives etc. in an easily understandable form to the public are also part of the public official's work.

› **FOR INSTANCE, THIS DUTY IMPLIES:**

- › Public officials and managers must inform and advise the municipal council, committees or the mayor about the relevant professional basis in connection with decisions regarding e.g. a new political initiative or an administrative decision.
- › In their advice and assistance relating to the professional basis, public officials and managers must be guided by their professional opinion and not by e.g. what might be the most convenient in the political management's perspective or what might be in the interest of their professional group. Assistance and advice on the professional basis may be accompanied by political-tactical advice. The selection of alternative solutions and the final recommendation are, naturally, based on the basic view of the majority.
- › The public administration may assist the mayor and chairmen of committees in presenting their political opinions, e.g. by preparing draft speeches or answers to questions, but it must be done in such a way that the political presentation does not appear in a misleading professional light.
- › The public officials and the managers must ensure that concrete administrative decisions as well as decisions in connection with the provision of services to the citizens are made on the optimal professional basis and without being affected by irrelevant considerations.

4 / PARTY-POLITICAL NEUTRALITY

Public officials must exhibit party-political neutrality in their work.

Public officials must exhibit party-political neutrality, so that they are not perceived as part of the political game-playing, and so that they can be used as credible public officials if another majority comes into power.

In a municipality all political groups take part in the concrete decisions that are

made in the committees. If they are to be able to assume this responsibility, they must be able to rely on the information and analyses presented by the public officials. Similarly, a new mayor must be able to rely on her/him being given the same service as her/his predecessor. Therefore, the public officials must exhibit party-political neutrality.

› **FOR INSTANCE, THIS DUTY IMPLIES:**

- › Public officials must not allow their own political views to influence the advice and assistance they provide to the municipal council, the committees or the mayor, but must professionally and loyally ensure the best possible implementation of the politics they wish to pursue.
- › Public officials may not assist the mayor or other members of the municipal council in activities of a purely party-political nature or assist them in campaigning.
- › Public officials cannot contribute advice on which parties should be given a particular political office etc.; except, however, for e.g. lists of offices to be filled or technical calculations regarding the method of election based on proportional representation.

5 / RESPONSIBILITY AND MANAGEMENT

All employees must actively contribute to realising the tasks, strategies and goals established by the municipal council, the mayor and the administrative management. Within the framework of applicable law, they must comply with the directions received from their superiors in accordance with the division of responsibility in their organisation.

All employees must contribute to the implementation of the municipal council's decisions. This is part of their general duty of loyalty. They must also contribute to ensuring that the municipal council's general policy is translated into administrative and management practice.

This requires cooperation between the public officials who normally work at the town hall and the executive units such as schools, care homes, daycare centres or recycling centres.

The day-to-day work will normally be performed in informal cooperation between the employees, involving discussions of how the tasks should be carried out. In case of several views, the superior will make a decision which the employees must comply with. The employees are as a general rule subject to a duty of obedience to comply with directions issued by their superiors. This follows from the general principles of managerial powers and the authority to issue directions.

The responsibility held by superiors in the organisation also manifests itself if questions of doubt arise as to e.g. professional issues. Such questions are to be decided by the superior who in so doing assumes responsibility for having made the right decision.

› FOR INSTANCE, THIS DUTY IMPLIES:

- › Public officials and other employees must demonstrate responsibility and willingness to cooperate in connection with the tasks they are to perform.
- › All public officials must contribute to the implementation of the municipal council's and committees' decisions and must monitor whether they have the desired impact.
- › Public officials must draw the attention of their superiors to any doubt about the lawfulness of an action or to doubt about professional issues or compliance with the duty of truthfulness, so that the superior may decide on the matter. In case of disagreement, a public official must as a general rule comply with her/his superior's decision.
- › Public officials must refuse to comply provided that it is clear that a manager issues directions to carry out unlawful actions or to violate the duty of truthfulness. If the manager insists that her/his directions be complied with, the public official must inform the manager's immediate superior of the matter and at the same time inform the manager of this.

6 / DEVELOPMENT AND COOPERATION

The employees must at all times strive to develop their task solution and to improve the quality of the assistance provided to the political management. In their effort to achieve the best results, they must keep up with developments in their field and be open and responsive to the outside world and cooperate with others. And they must manage the public resources in an economically effective way.

The municipalities must develop with regard to quality and efficiency. Public officials and managers should therefore focus on whether it is possible to improve quality and efficiency in their field of responsibility. This requires openness to professional criticism from the outside world

and openness to new inspiration from outside. It requires that public officials have the ability and willingness to think innovatively – e.g. in relation to the municipal council's, committees' and the mayor's political wishes or in the light of new challenges and opportunities. Finally, it also requires close contact to the citizens.

In order to achieve the best results, the municipalities must act as part of a coherent public sector.

The resources – grants, buildings, equipment etc. – must be managed in an economically effective way and in compliance with the objects they are intended to realise.

7 / OPENNESS ABOUT ERRORS

The management must ensure the existence of a culture where errors are handled as soon as possible and where lessons are learned from past errors.

It is the management's responsibility to ensure the existence of a culture in the municipality which allows all managers and employees to feel free to approach their superior if an error has been made. The superior must then decide on the nature of the error and on how to handle it.

Public officials must make every effort to avoid committing errors. But errors cannot be completely avoided. The municipality must have a culture where errors are handled, so that they are rectified and lessons are learned from them. If errors are committed, they must not be denied and no cover-up attempts must be made.

› **FOR INSTANCE, THIS DUTY IMPLIES:**

- › An employee who discovers that a not insignificant error has been committed in the organisation must immediately inform her/his manager of the problem to ensure that the error is rectified.
- › The employee may not cover up such an error, so that the superior and ultimately the political management will not discover it.



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