

Personnel policy in the Belgian federal strategy bodies and the ministerial secretariats

The Court performed an audit of the personnel policy in the federal strategy bodies and the ministerial secretariats. It found that the appropriations allocated to one minister or secretary of State in the general budget of expenditure are amalgamated under a single budget programme for all strategy bodies regardless of whether they refer to the minister or the federal department. Moreover, several ministers use appropriations earmarked for experts' remuneration to pay other staff members of the strategy bodies and secretariats. Similarly, in their activities, strategy units are connected to ministers and are not part of federal public services (FPS) or public programming services (PPS). Finally the statutory rules applicable to the recruitment of the members of strategy units are hardly abided by and internal control as implemented by the Prime Minister's Chancery is subject to certain risks.

A number of new bodies were set up under the royal decrees of 7 November 2000 and 19 July 2001 to replace the former ministerial cabinets. These decrees provide that policy sustaining or coordinating bodies, such as strategy units, strategy councils or policy coordinating units operate as part of a FPS or PPS, whereas bodies meant to sustain a minister or secretary of State on a personal or political level such as the secretariat and the general policy unit are directly connected to the Government member concerned.

Under these regulations, ministers or secretaries of State have some leeway in matters of appointment and payment of these bodies' staff provided they do not exceed the limits of the allocated budget. A limited selection procedure was set up only for the members of strategy units. However, the Prime Minister's Chancery (FPS) issued a vade mecum establishing the maximum number of staff members that can be assigned for every strategy body per member of government as well as the maximum labour cost permitted for each post.

The Court pointed in the first place to the lack of budget transparency. A case in point was that the amalgamation of appropriations under a single budget programme for all strategy bodies connected to a minister or secretary of State is not compatible with the layout set out in the regulations; according to them strategy sustaining or coordinating bodies are part of a FPS and the appropriations earmarked are therefore to be allocated to that specific FPS. As far as budget execution is concerned, the Court also noted that several ministers used appropriations earmarked for experts' remuneration for the purpose of paying out other staff members' salaries.

There are unclear delimitations between strategy bodies as strategy units are in reality connected to the minister or secretary of State and are not part of a FPS or PPS. As a result, strategy units are also accommodated at the same address as the secretariats, so that in their everyday activities the distinction between the tasks of these bodies is not always respected.

A check of the staff population showed that staff members were assigned to two ministers who resigned in a personal capacity in spite of the fact that the regulations make this only possible when Government resigns collectively.

With the exception of two Government members, the strategy unit staff had not been recruited on the basis of a job description and a qualification profile, in disregard of the express provisions of the royal decree of 19 July 2001. Similarly, the possession of the required degree had hardly been verified.

Lastly, internal control as used by the Prime Minister's Chancery was subject to certain risks resulting both from shortcomings in the legislation and the implementation of the control itself. For instance, under the regulations, the Prime Minister's Chancery has only an approval competence as to the composition of strategy bodies, so that there is no across the

board (so-called “horizontal”) control authority within the FPS charged with checking the salaries awarded by the strategy bodies.

The chairman of the Prime Minister’s Chancery answered on behalf of the entire Government that the Prime Minister would plan a meeting with his colleagues with a view to taking account of the Court’s observations.