

**Report to the federal Parliament:
Management and staff functions within the Federal Public Service**

April 2011 - The Belgian Court of Audit examined the appointments of federal top civil servants and sent its report to the Federal Parliament. The engagement, salary and assessment of managers and line managers were scrutinized.

The introduction of a new management culture and organization constituted one of the pillars of the Copernicus reform. Since 2001 top civil servants have no longer had life tenure or have no longer been appointed for an unlimited period, but have been subject to a time-limited mandate. They are required to go through specific selection criteria and procedures. During their term of office as well as at the end of their term mandated officers are accountable for their performance. They are assessed in the light of their performance and enjoy favourable salary terms. Their term of office can be extended provided their final assessment is very good.

The Court checked whether their engagement, salary and assessment were made according to the rules.

The examination showed that some mandated officers were engaged without outlining the scope of their function and without specifying for their functions an explicit position in the organizational chart of the Federal Public Service. The maximum number of functions allowed was the only requirement laid down.

Most of the time selection procedures attracted too few adequate candidates and resulted in the appointment of a "very adequate" candidate in only one case out of three. It also often took long before mandated officers were finally appointed. Delays were mainly due to organisational issues. Government's engagement body Selor implemented the selections in a proper way.

Too little account was taken by the Federal Public Service of a formal justification of appointments: more often than not the justification was confined to a description of the successful candidate's qualities. Those who failed were frequently not informed of the final decision.

As a result of the delayed implementation of the function weighting requirement (used to serve as a basis for fixing their salary) all chairmen of management committees were put in the same salary bracket although there are sharp differences of competence in terms of size and nature.

There is no proper matching in terms of function weighting between level A top civil servants and mandated officers. A general adviser's salary lies above that of some mandated officers although mandated officers are ranked higher in the hierarchy. It followed that these mandated functions were not easily filled.

When mandated functions remained unfilled for some time (for instance because of a resignation or in the event of the State Council's annulment of an appointment) the Federal Public Service sometimes resorted to a provisional appointment to ensure continuance of service. Such appointments, however, were not regulated and created additional problems, among others due to the questioning of the competence of the provisionally appointed mandated officers.

Finally, the Court noted several shortcomings with regard to the assessments as they were set to constitute the keystone of the mandate system:

- One interim assessment out of three was not implemented;
- Several assessments of management committee's chairmen were made without the use of an external bureau as required;
- In the instance of (mainly interim) assessments of the lower mandated officers the required minister's or State secretary's involvement as second evaluator was missing or his input was limited;
- In the cases of several performance reviews the requirement to be bilingual as set by law was not met.

The implementation of assessment was not optimal because management plans setting the mandated officers' management goals are not exhaustive: objectives are not SMART stated or cover only a part of their mandate period ; moreover plans are seldom updated. Awarded (end)assessment notes were not always sufficiently substantiated: either major objectives were not included or related indicators were not verified.

Assessment files are not kept in a homogeneous and accurate way. Assessment central quality control due to be set up by the Federal Public Service, Programming & Organization unit, has so far remained dead letter. Such a control, however, would ensure a uniform and quality assessment.

In the Court's view ministers and managers' input in the follow-up and assessment process of all mandated officers should be enhanced. Shifting to management contracts consolidating the objectives of all the organization's top civil servants could provide a good opportunity for this.