Top Management Service in Central Government: Introducing a System for the Higher Civil Service in Central and Eastern European Countries

OECD

OECD

GENERAL DISTRIBUTION

OCDE/GD(95)45

SUPPORT FOR IMPROVEMENT IN GOVERNANCE AND MANAGEMENT IN
CENTRAL AND EASTERN EUROPEAN COUNTRIES (SIGMA)

A JOINT INITIATIVE OF THE OECD/CCET AND EC/PHARE
FINANCED MAINLY BY EC/PHARE

SIGMA PAPERS: NO. 1

TOP MANAGEMENT SERVICE IN CENTRAL GOVERNMENT:
INTRODUCING A SYSTEM FOR THE HIGHER CIVIL SERVICE IN
CENTRAL AND EASTERN EUROPEAN COUNTRIES

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

Paris 1995

SIGMA -- Support for Improvement in Governance and Management in Central and Eastern European Countries -- is a joint initiative of the OECD Centre for Co-operation with the Economies in Transition (CCET) and the European Union's Phare Programme. SIGMA assists public administration reform efforts in Central and Eastern Europe. It is 75 per cent funded by Phare; several OECD Member countries also provide resources.

The OECD -- Organisation for Economic Co-operation and Development -- is an intergovernmental organisation of 25 democracies with advanced market economies. The CCET channels OECD advice and assistance over a wide range of economic issues to reforming countries in Central and Eastern Europe and the former Soviet Union. The Phare Programme is a European Union initiative which provides know-how and investment support to Central and Eastern Europe to foster the development of market economies and democratic societies.

Established in 1992, SIGMA operates within the OECD's Public Management Service (PUMA). PUMA provides information and expert analysis on public management to policy-makers in OECD Member countries, and facilitates contact and exchange of experience amongst public sector managers. Through PUMA, SIGMA offers eleven central and eastern European states a wealth of technical knowledge accumulated over many years of study and action.

Participating governments and the SIGMA Secretariat collaborate in a flexible manner to establish work programmes designed to strengthen capacities for improving governance in line with each government's priorities and SIGMA's mission. The initiative relies on an international network of experienced public administrators to provide counselling services and comparative analysis among different management systems. SIGMA also works closely with other international donors promoting administrative reform and democratic development in Central and Eastern Europe.

Throughout its work, SIGMA places a high priority on facilitating co-operation among the governments of economies in transition. This includes providing logistical support to the formation of networks of public administration practitioners in Central and Eastern Europe, and between these practitioners and their counterparts in OECD Member countries.

SIGMA's activities are divided into six areas: Reform of Public Institutions, Management of Policy-making, Expenditure Management, Management of the Public Service, Administrative Oversight, and Information Services.

FOREWORD

The SIGMA Papers series is a new series of specialised reports prepared as a contribution to SIGMA's work in Central and Eastern Europe and focused on particular issues in public management, such as expenditure control, administrative oversight, inter-ministerial co-ordination, and public service management. *Top Management Service in Central Government: Introducing a System for the Higher Civil Service in Central and Eastern European Countries* deals with a topical subject in the last of these issue areas.

SIGMA has prepared this document for countries to use in analysing the feasibility of establishing some kind of commonly structured management of top public servants in government. In central and eastern European countries, as in OECD Member countries, officials at the top levels of government are crucial for raising professionalism in the administration, as well as for reforming the administration as a whole.

Most central and eastern European countries have not adopted civil service laws. Yet, agreed policies for recruitment, selection, career management and transfers of top officials can limit the scope for politicization of the administration's work force at levels that should be professionally staffed. In a context without civil service legislation defining duties and rights of public servants, the establishment of a Top Management Service (TMS) can be a stabilising factor.

In many countries in transition, changes in governments mean changes of staff to an extent that is too significant to be motivated even by political reasons. The shifts seem to be random in a way that differs from OECD Member countries, where changes of staff certainly take place when governments change, but in ways that are usually predictable and recognisable.

The paper does not aim to define a concept for a TMS suitable everywhere. Indeed, development of a TMS is a task which must be undertaken in countries choosing to adopt such a service, taking into account national objectives and preconditions. Rather, this publication aims to provide practical input to countries which are conducting the necessary analyses and preparing decisions.

A TMS would probably be useful in most SIGMA countries, especially in those lacking public service legislation; in such circumstance, a TMS could be a useful short-cut to a more stable administration.

Professor Jacques Ziller, Director of Research, French International Institute for Public Administration (IIPA), wrote this document for presentation at the October 1994 meeting of the SIGMA Liaison Group. With its production as a SIGMA Paper, *Top Management Service in Central Government* becomes available to a wider audience.

This document is also available in French, under the title *Un corps de cadres supérieurs de l'administration centrale : la mise en place d'un système de gestion pour la haute fonction publique dans les pays d'Europe centrale et orientale.*

Derry Ormond
Head
Public Management Service, OECD

TABLE OF CONTENTS

INTRODUCTION

Professional administrative leadership is regarded as crucial in all OECD countries for the quality and efficiency of the administration at large as well as for its corporate culture.

This issue has been dealt with differently in different countries. Some countries, such as Germany, France or the United Kingdom have established long ago a set of traditions for the career of the entire higher civil service, with specific rules for appointments to top positions. Others have more recently created special career services for these positions, such as the *Senior Executive Service* in 1978 in the United States[1].

It is common practice in most countries that individuals holding the very top positions are appointed centrally by the highest level of Government. They are managed more centrally than the totality of government agents and civil servants and sometimes according to regulations which are partly different from general civil service regulations. The notion of top managers as an elite of the civil service, or as a club to which membership is desirable or attractive, is used to some extent in western countries.

By making a special effort as to the selection and management of top public managers, governments secure objectives of stabilisation, professionalism, attraction of the highest level of personnel as well as quality and cohesiveness in the decision-making.

A series of questions has to be addressed in designing a civil service system:

-- Should there be a distinction between the top civil service and the mass of government servants, or should there be an integrated system?

-- Should the civil service be party-politically neutral or do civil liberties require transparency as to the political opinions of civil servants?

-- Should the government servants be organised in a career service or should there simply be a system of job staffing without organised rules for promotion?

-- Does the government need mainly generalists or mainly specialists (and what type of specialists)? What are the differences in training and career patterns between generalists and specialists, if both coexist?

-- Should the top managers in the civil service be managed centrally for the whole government or be managed on a sectoral basis by each ministry?

There are strong correlations in the answers to these different questions, as is shown by the system of Top Management Service (TMS) discussed here. In a transitional context, the establishment of defined institutions and management procedures and tools for top public managers might be a short-cut to reach stabilisation and professionalism as well as to carry through reforms.

---

[1] The word *executive*, in use in northern America and the Pacific to designate top managers, is misleading. In the United Kingdom and Ireland it is applied to the lower levels of the civil service: the *executive class* whose members are recruited without university education. Furthermore, the adjective *senior* can be misleading because of its apparent link with *seniority*.

Higher civil service has a somewhat traditionalistic flavour, even in France where one tends nowadays to use the expression *cadres supérieurs (de l'administration)*.

It is therefore proposed to use the expression *top managers (in government)* or *top public managers*.

This paper highlights the issues which have to be addressed in order to establish a management system for top managers in the central government of central and eastern European countries (hereafter referred to as CEECs) and indicates paths for possible practical solutions to be implemented by interested Governments.

O.   Background Observations

O.1   CEECs have the heritage of a Soviet type central government structure with unco-ordinated sectoral ministries managing centrally their own activities down to the lowest levels. Political and strategic decisions, including funding, were approved by the Party and not prepared or co-ordinated by the Council of Ministers or decided by Parliament. The centre of government, Council of Ministers, the Prime Minister and the Ministry of Finance did not have the policy-making or financial authority they usually have in central governments in Western Europe.   The adoption of western-style multiparty systems and parliamentary governments (even if some countries give an important role to the President, as occurs in France, Finland or Portugal) has not done away with this heritage.

O.2   Since reform of central government and the adoption of a democratic structure is a long-term process, much of this is still prevailing with the exception of the Party as the co-ordinator and ultimate decision-maker.

In this context, it may be worth mentioning the following, which is applicable to some degree to all CEECs, even if there are very important differences from country to country:

i)   The sectoral structure is not yet broken and the traditionally important sectoral ministers and their administrations are still very powerful compared to the centre. In the former regime, sectoral ministries were lobbying the Party without consulting other departments in order to get the decisions which they had prepared, approved. There is a danger that this non-cohesive procedure will also continue in the new structure of government.

Each minister has the power to organise his/her ministry the way he/she finds best. In contrast to western countries, this power does not only include the executive functions and internal structure of the ministry but also the parts involved in central government decision-making.

ii)   In general the links between the various ministries and the structures and procedures for inter-ministerial co-operation and negotiations in governmental decision-making processes are not fully developed.

The legislative process is not yet of a sufficient quality, even though the number of laws drafted is very high. Laws are drafted within the sectoral ministries without appropriate procedures for consultation with other ministries, e. g. the Ministry of Finance, or with competent bodies outside government.

The Ministry of Finance does not yet have an appropriate role in preparing the overall government budget. The budget process, which is a common function in Western Europe, still does not exist.

iii)   The administration is still very much under the influence of party-politics; people at top levels come and go according to the wish of the ministers, and they are changed quite often.

Separation between political and administrative functions is not finalised in order to know which positions follow changes in government and which ones have a permanent status.

Civil servants, including top managers, are employed by sectoral ministries, not by the government, thus reinforcing the already-mentioned sectorisation. There is no common management of staff and there are no mechanisms for mobility between ministries.

Even where a civil service act has been adopted, formal career patterns follow only educational degrees and time of service, and do not foster promotion of the more competent and more dynamic people.

iv) Local government is very limited in its scope and resources. Most local activities are still run within the structure of the sectoral state ministries even though decentralisation and territorial reforms are on the agendas of most countries.

O.3 Development of cross-governmental management functions, common to all ministries (state-budget, policy-making) or managed according to common standards (personnel, legislative work), is on the Public Administration Reform agendas in most countries. One example is the Civil Service Reforms which are being prepared or implemented in the CEECs. The aim of such reforms is to break the interference of party-politics in administration and secure the establishment of a professional and permanent service of an equal quality in all ministries. While progress may be slow, the consequence will be a transfer of powers from sectoral ministries to the centre of government.

O.4 The issue to explore in this context of heritage and current reform development is whether the creation of a Top Management Service (TMS) would facilitate the development of the necessary cross-governmental management functions, raise the quality and the efficiency in central government work and decision-making, and improve the overall process of human resource management in government, even though the civil service legislation is not in place.

1. The Concept of Top Management Service (TMS)

1.1 Definition of the concept

In order to clarify the concept for policy-makers and civil servants of central and eastern European countries, the following definition of a TMS is proposed:

A Top Management Service (TMS) is a structured and recognised system of personnel management for the higher non-political positions (functions of public managers) in government. It is a career civil service providing trained and experienced managers to be appointed to these functions. The service is centrally managed through appropriate institutions and procedures, in order to provide stability and professionalism of the core group of top managers, but also allowing the necessary flexibility to match changes in the composition of Government.

1.2 Experiences in establishing Top Management Services (TMSs)

Several experiences in OECD countries can be related directly or more indirectly to the concept of TMS.

i) **The German "Higher Service" (*Höherer Dienst*)**

The German civil service is still organised along principles established at the beginning of the XVIIIth Century in order to guarantee professionalism of civil servants and their neutrality in dealing with the public. The "*higher service*" groups are all civil servants recruited after graduate university studies

(5½ years of theoretical and practical studies and two difficult state examinations). Civil service regulations (the federal law and *Länder* laws and ordinances for the civil service) lay down the conditions needed in order that the members of the higher service be promoted to top management positions in federal and *Länder* ministries. Special rules enable, however, the government to put aside (on "provisional retirement") the holders of the two upper positions in ministries[2]: *State Secretaries* (in Germany this name is given to permanent civil servants at the top of the ministerial bureaucracy, in other countries the term used is often *General Secretary*) and directors (*Abteilungsleiter*) who do not suit the minister can thus be replaced by other members of the "*higher service*".

In order to allow for more flexibility in career patterns of members of the higher service, the *Land* of Baden-Württenberg established in 1986 an Academy for public-service leadership in order to create an elite of top government managers.

ii)   **The French "Upper Corps" (*Grands corps*)**

The notion of a special career service or body (*corps*), known in almost all countries as the diplomatic service (*corps diplomatique*), is the organising principle of the civil service in France since the beginning of the XIXth Century (and more recently in Spain). To be mentioned specially are the State Council (*Conseil d'État,* which acts both as the Government's legal council and as the Supreme administrative court), the Court of Auditors (*Cour des comptes*) and the General Inspectorate of Finances (*Inspection générale des finances*). These *Corps* hold three or four times more members than the actual positions corresponding to their specific functions, in order to constitute a pool of managers for top administrative functions. Members of these *Corps* work alternatively in their home institution or occupy top management positions such as general directors and directors of ministries and state agencies. The same can be said for the *corps* of engineers recruited through the *École polytechnique* and special post-graduate schools of engineers (*Ponts et chaussées*, *Mines* etc.).

The initial project linked to the establishment of the *École Nationale d'Administration* (ENA) in 1945 bears some common features with more recent systems of TMSs. The reform aimed at a democratisation and renewal of elites in public administration and at a decompartmentalisation of government. The central idea of this reform was for common recruitment and training for the already existing *grand corps* (other than engineers) and the creation of a special new *corps* of *administrateurs civils* who would fulfil the main administrative/managerial functions in ministries and state agencies. Contrary to existing *corps*, which were all established on a sectorial basis, the new *corps* was established on an inter-ministerial basis in order to allow for more mobility of generalists. The induction training provided in the ENA should have been part of a more consistent effort of training, which should be organised on a service basis by the Centre for Higher Administrative Studies. In combination with internal recruitment of the ENA (which occurs through a separate competitive examination reserved to experienced civil servants), this would establish a real scheme of executive development.

The mechanism to ensure both stability of the core group of public managers and mobility at top civil service functions relies on the separation between grade (permanent career position in the *corps*) and function (temporary job in a ministry or state agency).

---

[2] The name of "political civil servants" (*politische Beamte*) given to these positions since more than a century (the system is described by Max Weber in his works relating to public administration) should not be misinterpreted: they are *administrative positions* and not *political positions*.

iii)   Recent experiences in *Senior Executive Services*

The best known experience of a system of TMS is probably the *Senior Executive Service* (SES), which was established in the federal government of the United States by the Civil Service Reform Act of 1978.

The U.S. federal SES consists of a group of about 8 000 people, occupying the three highest grades of government positions. Eighty-five per cent of the members of the SES must be career civil servants, only 10 per cent may have a temporary appointment in the service, the remaining 5 per cent being reserved for "emergency" and very short-term appointments. Several top management functions may only be filled by career civil servants (40 per cent of the total of these functions). There is no automatic link between the grade of a member of the civil service and his function. Appointments to functions are made by the President of the United States or agency heads, and displacements may occur with only two weeks notice, except for a period of 120 days after the installation of a new presidential administration or the appointment of a new agency head. The 1978 Reform Act established a new system of performance appraisal and merit pay. The career of SES members is determined by the successive functions they hold and by the executive development programme they follow. The Office of Personnel Management has been entrusted to promulgate regulations on qualifications for the SES, to set up qualification review boards to certify these qualifications for all persons nominated by agencies for initial SES career appointments, and to establish and/or require agencies to provide programmes to develop systematically candidates for membership to the SES. There is a direct link between candidate development programmes and executive staffing selection.

According to most comments, the U.S. Federal SES has not fulfilled all its promises because of contradictions within the system established by the Reform Act and because of the politicisation of appointments and rewards by the Presidential Administrations.

Other governments, especially federal and state governments in the United States, Australia and New Zealand, introduced SESs in the early eighties, drawing more or less on the U.S. federal experience. At the same time, Canada introduced the *Executive Category*. On roughly the same lines, Italy introduced the concept of "directorship" (*dirigenza*) as early as 1972. In the seventies and eighties, the United Kingdom, while keeping the traditional system of appointments to high administrative positions through a certification by the Civil Service Commission, introduced special career patterns linked to specific training for promising young civil servants with the "fast stream" and the "European fast stream". Belgium, and more recently the Netherlands, are launching experiences in management development; in Spain, governments of autonomous communities, such as that of the Basque Country, have attempted similar exercises.[3]

**1.3   *The possible contribution of a TMS to core management functions
of central government in CEECs***

The present sectoralisation of government in the CEECs calls for structures and procedures to strengthen coherence and co-ordination in policy-making and implementation. Transition to a market economy and to a new set of democratic institutions, including a strong public administration, calls furthermore for leadership in the civil service in order to allow the implementation of changes. This section explores these functions and how a TMS can contribute to them.

---

[3] See attached Annex I for some references on TMS programmes.

i)   Inter-ministerial communication and co-ordination

Most CEECs have adopted political institutions of a parliamentary system, or a mix of parliamentary systems with a strong position of the President of the Republic. In the same way as in western Europe, the parliamentary system calls for enhanced co-ordination at the level of the civil service, because there is no direct hierarchical line between the head of government and the managers of ministerial departments, and because multi-party coalitions usually do not foster collective government action. Whatever the degree of solidarity between the members of government, inter-ministerial communication and co-ordination, which itself is fundamental to policy-making and implementation, cannot occur through the Council of Ministers meetings or even through inter-ministerial committee meetings at ministerial level. Communication and co-ordination have to be complemented at civil servant level.

Co-ordination means different actions, procedures and structures. In modern government, there is hardly a policy field where isolated action by a ministerial department or state agency is sustainable.

This is particularly true as far as budget and legislation are concerned. Establishing a budget is a long procedure (around eight to nine months in western European countries) of communication between the Ministry of Finance and spending ministries, leading to a series of arbitrations between spending ministries which can be dealt with by the Minister of Finance only if the Minister has a strong technical and political position. Even if this is the case, ultimately, there has to be arbitration between spending ministries and the Ministry of Finance, which can only be made by the Prime Minister or by the Council of Ministers. For the system to be effective, only a limited amount of budgetary arbitrations have to be made by ministers themselves: in most western European countries, up to 95 per cent of arbitrations are the result of iterative processes within and between ministries. Most of these decisions are settled by civil servants in charge of the preparation of the budget and by the top managers of ministries, and only a few cases are ultimately dealt with by the ministers themselves.

As far as legislation is concerned, co-ordination is also needed for all departments, for several reasons: Parliament has only a limited capacity for dealing seriously and in depth with government proposals, which means that arbitrations have to be made in establishing the government's agenda of legislative action. Furthermore, boundaries between ministerial departments are not and cannot be tight, which means that good communication between ministries when drafting government bills is necessary in order to avoid overlaps and contradictions in goals and means of different pieces of legislation. This is even more important in CEECs, where the competence areas of ministerial departments have to be redefined in order to adjust to the different phases of transition to a market economy. If not, there is a serious danger of passing new legislation without having a clear view of contradictions with already existing rules and regulations, thus leaving essential aspects of policy-making to constitutional review.

Most inter-ministerial conflicts could be solved at an early stage by proper consultation between departments involved, allowing for a clarification of positions and interests, and if needed, for negotiations leading to agreements between civil servants. The existence of formal and informal arbitration procedures at the level of top managers avoids most technical conflicts being transferred to the Council of Ministers. It also allows for a greater effectiveness of government directives and instructions because their implementation rests with the professionals directly involved. This type of inter-ministerial co-ordination is only possible if the civil servants involved have a common understanding and practice of budgetary, legislative and administrative procedures and if they are able to look at government as a whole and not only at their own department. The same is true for policy-implementation, as far as this process needs clear allocation and acceptance of executive responsibilities, as well as adjustments in secondary legislation and in the process of resource allocation.

The present state of government machinery and civil service culture in the CEECs goes rather in the opposite direction: structures and culture of the civil service tend to reinforce fragmentation because they are geared to vertical communication and hierarchical decision-making without sufficient delegation, resulting in a sharpening of inter-ministerial conflicts which are then put to the Council of Ministers or the Prime Minister. A TMS can help greatly in reshaping attitudes through common training, inter-ministerial mobility and eventually *esprit de corps* of the civil servants directly involved in the process of ministerial and inter-ministerial policy-making.

ii)   A common set of standards, procedures and routines for different government departments

In several OECD countries (especially in the United Kingdom, Australia and New Zealand) there is a trend towards fragmentation of central government into more manageable smaller size units. These units are, or will be, given great autonomy not only in the management of the policies that they are in charge of, but also as far as their standards, procedures and routines are concerned, because their customer orientation should lead them to adapt regulations to meet their own needs. This trend is not to be discussed here. But it is argued that CEECs first need to elaborate and implement with continuity a common set of standards, procedures and routines for different government departments before even considering the possible success of fragmentation, as practised in some other countries. These common standards, procedures and routines have to be established and/or consolidated at least in three major fields: budgetary procedure, human resources management and legality checks.

In modern government, the elaboration of a government budget is a long negotiating process, as stated above. But it has to be stressed that this process follows highly standardized technical procedures, which have to be shared by all parts of government in order to allow for realistic provisions and for mutual confidence in the negotiation and arbitration stages of this process. This is not only a matter for specialists. All decision makers in government have to share a clear and common understanding of these standards and procedures, in order to be skilful negotiators when it comes to that stage, but also more generally to bear the budgetary constraints in mind constantly when preparing drafts or making decisions about policies.

Here again, the creation of a TMS could be a rapid way of establishing and spreading common understanding and culture in central government.

iii)   Leadership in the central government civil service

CEECs are undergoing dramatic societal and economic changes, much more important than those which OECD countries are experiencing. After a short period of belief in radical market solutions, where public administration was only perceived as a nuisance, it is now clearly recognised that government has a highly important role to play both in leading the transition movement and in adapting itself to its new position as a gatekeeper of the market economy and the rule of law. This means a need for leadership within government, in order to keep a coherent line in policy-making. This leadership cannot be provided by the political top only, even in periods of relatively stable political conjuncture. As some historic examples show, like Prussia after the Napoleonic wars, or more recently France after the Second World War, a strong civil service can play an important role in restructuring a country's institutions and economy.

The low grade of efficiency within the civil service is an obstacle to effective policy-making and, even more, an obstacle for reasserting the government's role in the transition process. This needs a comprehensive reform effort, which can only succeed if there is a clear and constant will for reform at the top of the civil service. This clarity and persistence cannot either be provided by the political top only. Coalition governments, often accompanied by governmental instability can hardly provide for the persistent impetus needed for the process of change. But a solid administrative elite, backing political efforts or even replacing them, can help in achieving important results, as the experience of post-war France shows for

instance, where re-industrialisation and adaptation to a more open economy was achieved under the impetus of a public administration machinery persistently led by top civil servants even in periods of very weak and short-lived governments.

Establishing a TMS could be one way of obtaining such leadership, by creating an *esprit de corps* consolidated by common public service values and experiences. If the system is well designed and endowed with sufficient means, it can become a powerful instrument to restore and/or foster morale in the civil service, by giving clear career prospects to the best elements of the existing civil service and by attracting outsiders or re-attracting former members of the service. It can be a major tool to create, perpetuate and solidify a government culture.

1.4   *Some advantages of a TMS*

There are different solutions available to deal with the current and future problems of government in CEECs and the establishment of a TMS can only be one part of the overall reform process. However, one of the advantages of introducing a TMS at an early stage is that the objectives and means of such a reform are rather easily identifiable; that it is more focused and yet more comprehensive than many other elements of reform, and especially that it has the potential to develop impetus for further reform in government. Some other advantages have to be stressed, because they have a medium or long-term character and thus plead for the introduction of TMS as a permanent pattern of government.

i)   Providing neutral but politically sensitive advice to ministers

A properly designed Top Management Service (TMS) should help develop an administrative elite of generalists aware of the different aspects of government work, able to manage ministerial departments and government agencies, but also able to provide politically sensitive advice to ministers. The TMS could fulfil a role which can be played neither by rather inexperienced advisers of politicians, nor by private consultants, be they nationals or foreigners, who lack proper understanding of the government machinery as it exists and as it ought to be developed.

Furthermore, a TMS could help bridge the gap between policy-making and implementation which can lead to the elaboration of highly unrealistic policy programmes. The TMS would be designed to develop mobility between central ministerial departments on one side, and government agencies or field services on the other. An appropriate scheme of mobility between these different parts of the administration could help to bring in new ideas based on a good understanding of the policy environment.

ii)   Providing stability at the highest administrative levels of government

In order to allow changes at the political level, as they are due to occur in the context of parliamentary democracies, without disrupting the functioning of government, stability has to exist somewhere at the top levels of governments. A TMS, based on the separation between grade and function, would provide for a stable core group of higher civil servants, remaining in the sphere of government notwithstanding changes in the government of the day.

A properly designed system could try and reconcile two apparently opposed objectives:

-- to reduce party-political interference in civil service employment and career management; and

-- to provide enough flexibility for ministers to be able to establish good and confident working relationships with the administrative top of their departments, in order to allow for political streamlining of the administrative processes.

Traditional western experiences show what should be avoided and what can be done in this field.

The British system of total neutrality of the civil service has been criticized in recent years for enabling permanent secretaries and their deputies to determine their minister's policies with a stronger influence than their party's electoral platform. The remainder of the spoils system in the U.S. presidential administration has, on the other hand, been criticized for leading to too much disruption of government activity with every newly incoming administration, and for bringing in too many inexperienced top managers in higher executive functions.

The German system of "political civil servants" is a partial solution to this dilemma, because it enables government to nominate outsiders to vacant top jobs, but only if they already have the qualifications to become higher civil servants. Yet, it is a rigid system because the only way to provoke a vacancy is to pension off the holder of the function into "provisional retirement". The French system has common features with a TMS even if the higher civil service is fragmented in more than a dozen *corps*. Appointments to higher positions ("at the government's discretion") may occur from outside the civil service. But this is very rare, because the *corps* of higher civil servants provides for an important enough reserve of experienced and well trained executives for the government of the day to find suitable candidates within the civil service to fulfil higher positions. If ministers are not able to establish confident relationships with the civil servants of their department, they may displace them. But they remain in the higher civil service, either with a new position in a department or government agency whose responsible minister they are more able to work with, or with more independent positions in auditing bodies, boards, or administrative tribunals where a close relationship with the minister is not a prerequisite for the job.

A complementary solution to reconcile administrative stability and political responsiveness is the system of ministerial *cabinets* in use in Belgium, France and Italy (and in the European Commission) as well as in some CEECs. It consists of a group of special counsellors to the minister, who are in charge of translating the minister's policy decisions into directives and instructions for administrative action, and of monitoring the work of administrative units. The appointments of members of the *cabinet* are usually at the minister's discretion. In Belgium, however, two thirds of *cabinet* members have to be chosen within the civil service, in order to ensure technical competence of the *cabinet*. In France, there is no such regulation but in practice more than 90 per cent of *cabinet* members come from the civil service, especially from the "*grands corps*" and return to their administration when the minister leaves government or dismisses them.

A TMS could also become a *reservoir* of technically competent civil servants to serve in ministerial *cabinets*, as long as it is linked to a clear set of rules ensuring transparency in the composition and role of *cabinets*: how many members do they hold? Are they paid out of the budget of the ministry to which the *cabinet* belongs? What are the rules for delegation of decision-making power from the minister to members of the *cabinet*? etc.

Therefore, the concept of TMS is compatible in the short term with discretionary political appointments to key positions in ministries, while it is putting in place a structure which in the long term will guarantee the competence and expertise of the people who can be appointed to these positions by discretionary choice of the ministers.

iii)   **Centralise in order to decentralise**

In order to function effectively, a TMS must include some kind of central institution in charge of the management of the service. However, such a central institution has to be seen as a tool for effective decentralisation, because decentralisation can only function if there is a sufficient degree of common

administrative culture and good communication between decentralised units. Instead of leading to more centralisation, central management of the top civil service would become one of the main tools for an efficient decentralisation process.

iv)   Enabling an increase of higher civil servants' pay without expansion of budgetary costs

One of the problems encountered in several CEECs is that of the brain-drain due to the huge difference between salaries of private sector managers and top civil servants. This can also be a deterrent to some of the best students to try and join the civil service. Having a group of expert top managers able to hold different positions in different ministries should help reduce the overall size of the top civil service. The gains in productivity provided by the system can lead to a suppression of several positions, thus allowing for a redistribution of the total salaries affected to these top functions between the members of the TMS. This in turn can generate perspectives of improvement in the salary structure, making the higher civil service more attractive to younger people.

2.   The Components Needed in Order to Establish a TMS

As the very brief description of existing experiences of TMSs show, these systems are made from a series of components, which may differ from country to country. This section tries to define those components which are essential to establish a TMS and points to different options which are available for each of these components.

It should be pointed out that the system has to be robust and rather simple, especially in the first years of its establishment. A very sophisticated system would be both fragile and too little transparent to take root and enable further development.

2.1   A minimum legal framework

The implementation of a TMS needs a clear definition of the rules, as well as a sufficiently clear time horizon to make the new system attractive and to allow for evaluation after sufficient practice.

In the case of the U.S. federal SES, the Civil Service Reform Act, which did not start from scratch but was preceded by numerous and long studies and discussions throughout years, foresaw an evaluation after five years of functioning before the SES could become definitive. In the CEECs, one needs consensus and acceptance among ministries and institutions involved, while legislation to make the TMS sustainable may come later.

i)   Act of parliament or secondary legislation?

Whether the legal framework should be embedded in an act of Parliament or could be passed by secondary legislation remains open for discussion. It depends on constitutional rules regarding the competence to regulate the civil service and on the respective stability and capacity of confidence-building of both types of legal instruments. It also depends heavily on political (composition of parliament and government coalitions) and social factors like the influence and homogeneity of civil service unions. For these reasons this point shall not be developed in more detail.

ii)   Main principles and rules:

This minimum legal framework should establish at least the following principles and rules:

a) Defining the TMS and its relationship to the rest of the civil service, particularly as regards the relations between generalists and specialists in the civil service [(see under iii)];

b) Defining minimum requirements for admission and clearly establishing institutions and/or authority to check candidates' qualifications. This also means defining whether only career civil servants can be members of the TMS, and if not, what is the maximum percentage of temporary or political appointments in the Service. In this case, the law should also lay down whether some positions may only be filled by career civil servants, and what are the criteria to be followed and institutions empowered to establish a list of these positions;

c) Defining responsibilities for admission and career management in outlining precisely what are the powers of different central government institutions. Different choices could be made for different types of positions, as the two following examples show:

Example 1

Decision-making power

	Selection	Appointment	Appraisal	Promotion	Displacement	Disciplinary measures
Institutions						
Head of State		X				
Parliament						
Head of Government					X	
Council of Ministers						
Ministers				X		
Heads of Administration			X			X
Special Boards	X					

In this first example, appointment to the TMS is made formally by the Head of State to underline the fact that TMS members are serving the government as an institution and not only one ministry or the government of the day. Displacements are decided by the Head of the Government, in order to ensure that ministers are not obliged to keep staff members who would not be in line with the policies of the government of the day, although members of the service remain active for the administration. Selection is made by special boards in order to ensure equal access to the TMS and professional qualification of its members, whereas appraisal and disciplinary measures, which are of a technical nature, are pronounced by the civil servants who head the administrations concerned. Promotion depends upon ministers because it can lead to the highest administrative positions in government: if promotion were to depend on the civil service itself, it could easily happen that a civil servant who does not fit the expectations of a minister becomes Secretary-General.

Example 2

Decision-making power

Institutions	Selection	Appointment	Appraisal	Promotion	Displacement	Disciplinary measures
Head of State						
Parliament						
Head of Government		X				
Council of Ministers				X	X	
Ministers						
Heads of Administration	X					
Special Boards			X			X

In this second example, appointment to the TMS is made formally by the Head of the Government, to underline the fact that TMS members are serving the government as an institution and not only one ministry. Displacements and promotions are decided by the Head of the Government in order to ensure that ministers are not obliged to keep collaborators who would not be in line with the policies of the government of the day, although members of the service remain active for the administration. This should help avoid sectoralisation. Selection is made by heads of administration amongst civil servants who already have the necessary professional qualifications, whereas appraisal and disciplinary measures are of the competence of special boards to ensure party-political neutrality of the career system;

d) Establishing institutions and/or authority to develop specific training programmes, and defining a minimum link between training and admission to the service, as well as between training and career advantages;

e) Establishing the principle of job classification and job descriptions in government, and establishing authority to develop criteria and check their application, as well as to approve the list of positions forming part of the TMS;

f) Defining principles for the pay system and the pension system of the TMS and establishing institutions and/or authority to manage these systems.

iii) Links with a general legal framework for the civil service

It does not seem necessary for a country to have already passed general legislation for the entire civil service before establishing a TMS. As a matter of fact, the number and complexity of provisions to be passed for the legal framework of a TMS is much less extensive than for a general legal framework for

the civil service. This means that legislating for a TMS would be quicker than legislating for the entire civil service. The establishment of a TMS, limited to a few hundred positions, may help with experimenting civil service systems before making definitive general choices.

Nevertheless, establishing a legal framework for the TMS should only be transitional and the links with a future system should be envisaged as clearly -- if not in the same details -- as with existing legislation. The main issues to be considered are as follows:

a) The legal framework for the TMS and the general civil service rules and regulations have to establish clearly the conditions and consequences of passing from the general system to the TMS or vice-versa. Principles for correspondence in remunerations have to be established in order to ensure that being admitted to the TMS cannot lead to a decrease in net salary. Principles for minimum compensation are to be laid down for those -- if any -- who would go back from the TMS into the general civil service;

b) If a general legal framework for civil servants is established, it has to confirm the existence of the TMS and lay down which are the possibilities and limits of derogations to general civil service rules for the TMS;

c) Both legal frameworks have to define whether the pay system and the pension system of the TMS are part of the general civil service system or if they are specific to the TMS. In the latter case rules have do be developed in order to allow for civil servants to carry their rights for pension with them when passing from one system to the other;

d) Mechanisms have to be designed to ensure co-ordination between the TMS legal framework and the general civil service rules and regulations, especially in the case of partial revisions;

e) Decisions have to be made as to possible different career patterns for generalists on one side and specialists on the other.

2.2 *A system for admission and career management*

The system for admission and career management is probably the core component of a TMS. It has to be carefully designed, taking into consideration all the countries' specific features and allowing for evaluation and correction after a few years of experience. At least six elements have to be considered in designing the TMS:

i) **Size of the TMS**

The size of the TMS will be determined by the overall size of the government civil service and the extension of the top administrative functions included in the TMS. The net size of the TMS (number of members or positions) must be big enough to allow for flexibility in allocating functions to individuals (a few hundreds), but small enough to enable the development of *esprit de corps* (not more than a few thousand). In any case, there should be a transitional phase of some years before the TMS reaches its definitive size[4].

---

[4] In order to allow for comparisons: the U.S. federal SES has about 8 000 members (0.2% of the total federal civil service); the Italian *dirigenza* represents 2% of the total civil service; in Sweden, a special development programme has been experienced for the 200 to 300 General Directors of agencies, which represent less than 1/1 000 of the total civil service.

This means clarifying the system of civil service positions and making several choices:

a) Clarifying what are political or discretionary positions and what are permanent civil service positions; it is clear that ministers have political positions but the status of minister's advisers and of the top management functions in ministries (such as general secretaries, directors) may vary from country to country;

b) Deciding how many grades or ranks of positions have to be included in the TMS[5]. The number of ranks could vary from one ministerial department to another and from one government agency to another. As any department or agency would have a tendency for status reasons to include the maximum number of ranks, this is a clear policy decision to be taken by the Council of Ministers or by the Prime minister. For the sake of transparency it is, however, recommendable to have a rather homogeneous pattern for most ministries;

c) Deciding whether the TMS should include public enterprises or be confined to ministerial departments and government agencies. The possibilities of evolution (privatisation of public enterprises, transformation of a government agency into a public enterprise) have to be taken into account;

d) Deciding which positions may stay outside of the TMS. This would clearly be the case for military positions in the Ministry of Defence and other ministries if relevant. A clear list of specialists' positions could also be excluded from the TMS. At any rate a clear choice has to be made and publicised about whether exclusion relies exclusively on technical criteria or also on political criteria. In order to establish confidence within the civil service such decisions should at least be government decisions, and not left to individual ministers, while they do not need to be embedded in an act of Parliament.

**ii)	Criteria for admission**

As a TMS relies on the separation of grade and position, a distinction has to be made between admission to the service and appointment to a position. The latter is subject to constitutional rules and normally means a decision by the Council of Ministers or by a Minister, whereas admission to the Service should be decided or at least controlled by a specialised and autonomous institution. This means that appointment to a TMS position can only occur for candidates who are already members of the TMS or for persons fulfilling the conditions for admission in the TMS.

It should normally be the role of the controlling institution to establish detailed criteria for admission, taking into account education, experience and the successful completion of specific training programmes. A special body or special bodies should be established to verify that candidates meet these criteria.

Nevertheless, some general criteria for admission have to be established in the legal framework of the TMS, which again implies choices:

a) Is admission to the TMS only possible for already established career civil servants, or is the Service open to outsiders, coming from the private sector or being politically appointed?

---

[5] The U.S. federal SES for instance covers the three top grades of the existing administrative pattern (not including appointments submitted to Senate approval, which can only be considered as political positions). In Germany, on the other hand, the *higher service* covers all management functions and even includes some positions without management responsibilities, which are the point of entry into the career.

b) In the former case, what is the minimum amount of time to be spent in the civil service in order to be eligible?

c) In the latter case, how should correspondences between experience in the civil service and outside the civil service be determined? Is such an admission to the TMS of a permanent nature or is it limited to the appointment to a specific position (what are the consequences as far as pension schemes are concerned)?

d) Does training for admission have to occur before an appointment is made effective or after a period of work? Is there only one institution in charge of developing and implementing training programmes for candidates to the TMS?

e) Is it possible to reintegrate the TMS after having left it voluntarily or involuntarily?

f) What happens with emergency appointments in TMS positions?

Different choices can be made, but it should be stressed that, especially in a period of transition, a multiple entry system to the TMS is recommendable, provided that the rules governing each entry mechanism are simple and transparent.

iii)   Principles for displacement

As a TMS has to allow for flexibility of appointments and, if not neutralise, at least structure party-political interferences, principles for displacement have to be laid down. This again implies several choices:

a) Is displacement from a TMS position entirely at the Minister's discretion? Even if this is the case, a system of appeal should avoid the possibility of disguising a political decision into a disciplinary sanction or a sanction for managerial lack of success;

b) Is displacement subject to specific time limits (minimum advance notice, moratorium on displacement after a new minister takes office)[6]? Should there be standard government-wide time limits or should these limits take into account the diversity of government departments? If so, this should not be left to individual ministers, but be at least subject to a decision by the Council of Ministers;

c) Is displacement subject to other procedural or technical conditions? How and by whom are these conditions to be laid down and controlled?

d) What happens with displaced executives if they are not immediately appointed into a vacant position? In order to answer this crucial question there is a need to review the positions included in the TMS so as to see whether they offer a sufficient number of positions apart from those not subject to a special relationship with the minister. If not, a "storage" system

---

[6] In the U.S. federal SES, a moratorium of 120 days has to be observed when a new administration comes in after presidential elections. This is supposed to allow for better mutual knowledge before a decision is made about a possible displacement.

has to be designed in order to keep members of the TMS usefully occupied as long as they do not find a suitable vacant position in active administration[7];

e) Should there be a maximum time limit for staying in a position? In many western countries, spending more than five years in the same position is considered as leading to lack of flexibility and imagination, if not worse;

f) What kind of central institution is best able to manage those displacements?

The above-mentioned questions clearly show that in order to allow decisions about these elements of the TMS there is a need of some kind of demographic analysis of the existing civil service in the country.

iv)   Career principles

One of the most delicate elements to decide upon in establishing a TMS is the proper design of a career system, including factors motivating TMS members to stay in the career. The establishment and functioning of a TMS is a good way of ensuring proper recruitment of younger civil servants, if it clearly shows that there are interesting career prospects for intelligent and motivated public managers. This happens by establishing a clear link between promotion and performance appraisal.

If the TMS is limited to the top ranks of public administration, and if the overall size of the civil service is somewhat small there is a clear risk of discouraging some of the better members of the TMS after only a few years in the service.

This pleads for the establishment of a centralised management institution in charge of co-ordinating career patterns according to some standard criteria for promotion to more important positions. Exclusive reliance on performance appraisal and market mechanisms could be relevant for countries with a very flexible labour market for top managers and a small differential of salaries between the public and the private sectors[8]. It would be extremely dangerous in the CEECs, where managers are a scarce resource on the whole and where there has only been too great a tendency of good elements of the civil service to flee to the private sector.

A complementary solution would be to provide for mobility between government positions and public enterprise positions. One can also mention in this respect civil service regulations which guarantee easy access to a political career[9].

---

[7] An interesting example is given by the Temporary Assignment Programme in the Canadian government which allows for the holders of the highest management positions in ministries to be put on temporary leave, with a training or research assignment in universities, government training or research centres.

[8] This is clearly the philosophy of the New Zealand *Senior Executive Service*.

[9] In France and Germany for instance, civil servants are allowed to compete in elections. If they are elected, they are not obliged to resign from the civil service, but simply put automatically on temporary leave. If they are not re-elected they thus may return to the civil service where they have kept their pension rights and rights for promotion. This explains why an important number of well-known French politicians are members of *grand corps*.

v) Institutions for admission, displacement and career management

The previous points should have clearly shown the need for specific institutions to manage the TMS. A balance has to be found between unnecessary complexity of institutions and taking into account the variable needs for decisions by an independent body or on the contrary by the heads of government departments and agencies.

Appointments to positions in the TMS should be a responsibility of members of government, but decisions on admission in the TMS as well as control of displacement should be made by an autonomous or at least non partisan body; the overall management of the TMS should probably be the task of the Office of the Prime minister, or of a ministry of the civil service, if such an institution exists.

In order to facilitate the implementation of a TMS, it appears recommendable to create some type of central institution which allows for formal or informal career management, specially by providing opportunities for the employment of members of the service who could not serve at a certain moment in top positions of ministries, because of the lack of political confidence of the minister. This could be a training and research centre, where members of the service could work after a change of government leading to their displacement. It can also be an auditing, controlling or inspecting agency, or even an administrative court, such as the *State Council*, the *Court of Auditors* and the *General Inspectorate of Finance* in France. Although the primary and official aim of such an institution is its auditing role, it is a very effective system for training on the job. Its members get an overview of the entire administrative system through their functions in the institution. Its members can thus be easily called to fill top positions in ministries, but they also have a basis with enough prestige and interesting work to get back to, in the case where a new minister wants to change the holders of these top positions.

vi) Transparency in filling vacancies

The most important mechanism to ensure good management of the TMS, as well as to build support for it in the civil service, is to ensure transparency of the process at the level of entry into the TMS. Secondly, a system of publicity for vacancies, which allows regular competition of qualified members of the TMS for most vacancies, needs to be put in place. Whereas ministers could feel constrained by such a system, it should be possible to convince them that its aim is not to limit their possibility to choose the holders of top positions, but on the contrary to offer them a broader choice of suitable and competent candidates amongst which to select the people with whom they would like to work.

vii) A clear system of accountability

Debate in the United States and in some other countries where *"Senior Executive Services"* exist or are envisaged shows that a very important question often lacks clear answers: the question of accountability.

Because of some contradicting principles in the objectives and design of TMSs, there are some questions about the accountability of members of the service: are they accountable to their direct bosses or to the Executive Branch of Government, or to Parliament or to their "customers", or are they accountable only to Law and Justice?

In most cases, this debate originates from the strength of some simplistic and managerialistic views which have dominated the public debate about the civil service in the eighties. Given the influence these views have also had on some CEECs, clear statements about accountability of members of the TMS should be made by governments and embedded in the legal framework of the system, as well as in training programmes.

2.3   *Specific training*

A specific feature of TMSs is the importance given to *executive development* and *candidate development*. The use of this vocabulary instead of the more classical concepts of training and education points to philosophical options and technical constraints of training for TMS.

i)   **Taking technical constraints into account**

Training for members and future members of the TMS faces the same technical constraints as training for the rest of the civil service in CEECs (scarcity of specific material, insufficient development of programmes and methods in public sector training, etc.).

But there is also a more specific constraint, derived from the nature of the TMS, which is also encountered in the most developed countries: clients for such programmes only have a very limited amount of time available for training, as they are usually the most effective senior public servants or private managers. Therefore, development programmes have to rely heavily on action learning methods, where the most time-consuming part of training occurs on the job, with the help of intermediate preparatory and monitoring sessions and with a close relationship with counsellors or tutors. One of the advantages of this method is that most trainees turn themselves into trainers -- for their own staff during the development programme, and for newcomers in the TMS in the following years.

ii)   **Adapting development curricula to areas where leadership has to be exercised in government**

The ultimate content of development curricula for top public managers obviously has to be designed for each country, taking into account its specificity.

Nevertheless, some common work between training institutions of CEECs could provide a useful framework indicating the type of subjects to be explored and methods to be used[10].

iii)   **Linking training to performance appraisal and career development**

The training programmes for members of a TMS should be highly individualised. They are best developed after a series of appraisal interviews in a process involving the top manager or TMS candidate, the training management unit and the supervisor(s). They are designed to improve the individual manager in areas where he/she feels that his/her performance is insufficiently developed. Ideally, the development programme should lead to a new appraisal and to career development as soon as a suitable new position is vacant.

iv)   **Specific strategies for CEECs**

Establishing a TMS in CEECs will certainly need specific strategies. Taking into account the need to attract a new generation into the civil service will probably lead to a more differentiated pattern of education for outsiders, and training by action learning for insiders.

Scarcity of training resources will also probably lead to making use of international co-operation in designing and monitoring development programmes. At any rate implementation of the training

---

[10] The first Summer school of the Network of Institutes and Schools of Public Administration of Central and Eastern Europe (NISPACEE), held in Portoroj, Slovenia in August 1994, has established an outline of this sort (see Annex II).

programmes should be left as much as possible to local institutions and trainers. In order to facilitate the entry of future civil servants into the TMS, the role of public administration programmes in universities or special institutes would have to be examined and new curricula designed.

2.4 *Job analysis and job descriptions*

In order to allow for mobility between ministries and agencies as well as to establish the scope of the TMS, ministerial departments and government agencies should proceed to job analysis for the senior positions. This could be done by the central organisations managing the TMS, in co-operation with ministries and holders of these positions, in order to ensure that a common methodology is used throughout government.

This effort of job analysis should have two main outputs:

-- producing a list of positions to be included in the TMS; and

-- producing job descriptions which will be used to establish objectives for performance appraisal, to analyse training needs from the point of view of the organisation and to advertise vacancies. Job descriptions should evolve with the service and be periodically revised. This means that job analysis is not a one-shot operation linked to the establishment of a TMS, but should become part of the standard operation of the system.

2.5 *Pay systems and remuneration conditions*

The promoters of "*Senior Executive Systems*" in the United States and elsewhere have tried to introduce merit pay to a greater or lesser degree. This was presented as a major contribution to motivation and dynamism of the members of the service. However, experience specially in the U.S. federal SES, shows that merit pay is a major element of dissatisfaction among members of the service. There are two main reasons for this. First, some of the promises which had been embedded in the reforms establishing SESs have not been kept because of changes in the government of the day and lack of financial resources. Secondly, and this is probably more important, suspicions were raised that bonuses were not given according to performance but according to political or personal preferences, because these rewards have been distributed by political superiors in a period where senior career civil servants witnessed a new development of politicised appointments. The lesson to be learned from these developments is the importance of continuous management of a TMS. It is inadvisable simply to establish it.

Experience in most countries where merit pay has been introduced in the public service shows that there is a constant trade-off to be made between automatic criteria of remuneration, leading to demotivation of some people because they do not sufficiently take into account real performance, and discretionary allocation by heads of services, leading to suspicion as regards a possible lack of objectivity of the head, especially if the person is a political appointee. This will have to be taken into account when designing pay systems and formulating remuneration conditions.

A further point has to be taken into account: if one of the main objectives of establishing a TMS is to develop an administrative elite with *esprit de corps*, competition between members of the service has to remain limited. The stress has to be laid on common values and common behaviour rather than on differences in performance.

This leads to the design of a remuneration system where three elements have to coexist:

i) A significant part of the remuneration has to be linked to the grade which is held in the TMS. In the case of a lack of suitable vacancies, this enables career promotions to show immediate financial consequences even if the employment pattern is quite rigid. This part of the remuneration need not be automatically linked to seniority: a part of remuneration increases could be linked to successful completion of training courses and to performance appraisals and could be centrally managed with the participation of elected members of the service.

ii) Another significant part of the remuneration has to be linked to the actual position held by each member of the service. Reliable job descriptions are indispensable for this to function well, because otherwise the criteria used could be status criteria linked to the political importance of ministers or heads of government agencies.

iii) A third part of the remuneration could consist of special rewards; linked or not to performance. The latter is probably the most delicate system to establish, as it has to be linked to performance on the job, as reviewed by the (political) head. The only solution to limit suspicion seems to be a centrally-monitored standard appraisal system, with compensations between departments, leading to recommendations to ministers. Experience shows that the risk is then for the bonus system to become automatic and to lose its links with real performance. Several sociological studies in western countries show that monetary rewards are important in attracting young university graduates to the civil service. However, they only play a minor role, if any, in the motivation of top civil servants; clear and reliable pension systems are often considered much more important than special rewards at this level.

Special attention should be given to the structure and transparency of monetary and non-monetary rewards: it seems essential in CEECs to avoid giving the impression to the public and to the rest of the civil service that a TMS is yet another version of the *nomenklatura*.

3. Conclusions

A Top Management Service (TMS), i.e. a structured and recognized system of personnel management for the higher non-political functions (functions of public managers) in government, can be a major reform to facilitate the development of the necessary cross-governmental management functions, raise the quality and the efficiency in central government work and decision-making, and improve the overall process of human resource management in government. It can raise the professional competence of the higher civil servants by avoiding party-political interference in their selection procedures and career management and thus increase the possibilities of choice for ministers who want to have efficient but also politically sensitive staff.

Such a system is based on a career civil service providing trained and experienced managers to be appointed in the functions of public managers. The service is centrally managed through appropriate institutions and procedures, in order to provide stability and professionalism of the core group of top managers but also to allow the necessary flexibility to match changes in the composition of Government. Although this paper presents a large series of questions which need to be answered in order to build a TMS, such a system need not be highly sophisticated; it can be based on a simple and robust model adapted to a country's immediate needs and which may be developed further in later stages in order to take account of the developments of public administration and civil service reform.

ANNEX I

SELECTED BIBLIOGRAPHY

BAN, Carolyn and INGRAHAM, Patricia eds. (1984), *Legislating Bureaucratic Change: The Civil Service Reform Act of 1978*, Albany State University Press, Albany, New York.

BUCHANAN, Bruce (1981), "The Senior Executive Service: How we Can Tell if it Works?", *Public Administration Review*, No. 41, pp. 349-358.

CULLEN, R.B. (1986), "The Victorian Senior Executive Service: A Performance Based Approach to the Management of Senior Managers", *Australian Journal of Public Administration*, Vol. XLV, No. 1 (March).

HECLO, Hugh (1983), "A Government of Enemies", *The Bureaucrat*, No. 12, pp. 12-14.

INSTITUT INTERNATIONAL DES SCIENCES ADMINISTRATIVES (1988), *La haute fonction publique en Belgique et dans les pays industrialisés -- Recrutement, carrière et formation*, IISA, Bruxelles.

KESSLER, M-C. (1994), *Les grands corps de l'État*, PUF, Paris.

NEWLAND, Chester A. (1988), "The American Senior Executive Service: Old Ideas and New Realities", *International Review of Administrative Sciences*, No. 4, p. 699.

SULEIMAN, Ezra N. (1984), *Bureaucrats & Policy-Making*, Holmes & Meyer, New-York.

ZILLER, Jacques (1993), "Les systèmes politico-administratifs de l'Europe des Douze", *Administrations comparées*, Montchrestien, Paris.

ZILLER, Jacques (1988), "L'accès à la fonction publique dans les États de la Communauté européenne", *Égalité et mérite*, Bruylant, Bruxelles.

**NISPACEE RECOMMENDATIONS FOR AN OUTLINE OF
IN-SERVICE TRAINING CURRICULA FOR TOP PUBLIC MANAGERS**

During the First Summer School on Curriculum Development held by the *Network of Institutes and Schools of Public Administration of Central and Eastern Europe* (NISPACEE), participants discussed at length in-service training.

The work-group generated a list of approximately 25 subjects for consideration and found consensus on the following basic course areas:

1.   LAW

▸   How to use databases
▸   Familiarity with sources of law
▸   Interpretation/techniques for analysing texts
▸   Legal framework
▸   Protection of Human Rights
▸   Deregulation
▸   Machinery of justice
▸   Organisation and process of administrative law/constitution

2.   BUDGETING AND FINANCE

▸   What a good budgeting process should be
▸   Techniques of budgeting and finance
▸   How budgeting process is percieved/understood
▸   Role of institutions like treasury, Ministry of Finance, external institutions
▸   Costing/cost control
▸   Procurement (process and law)

3.   COMMUNICATION

▸   *Internal government communication*:
       .   running meetings, writing and presentation skills
       .   managing and circulating information
       .   internal communication strategies
▸   *External government communication*:
       .   writing and presentation skills
       .   openness and its parameters with the public (including minorities)
       .   public relations
       .   media relations

4.   ROLE AND RESPONSIBILITIES OF MANAGERS

- ▸ For planning
- ▸ Priority setting
- ▸ For goal setting
- ▸ For balancing policy, programme and resource considerations
- ▸ For providing advice
- ▸ For making things happen

5.   HUMAN RESOURCE MANAGEMENT

- ▸ Descriptive aspects -- law of civil service, job categories
- ▸ Policies on recruitement, promotion, qualification
- ▸ Salary-systems, conditions
- ▸ Performance appraisal
- ▸ Personnel file
- ▸ Motivating, rewarding people

6.   SERVICE AND OPERATIONS MANAGEMENT, OFFICE MANAGEMENT

- ▸ Skills to analyse and improve service delivery
- ▸ Public service improvement:
  - .   operations
  - .   behaviours
- ▸ One stop government service
- ▸ User friendly forms
- ▸ Office management improvement
- ▸ Ethics and corruption

7.   CONFLICT RESOLUTION, NEGOTIATION

- ▸ Interpersonal skills
- ▸ Co-operation/competition
- ▸ Team building
- ▸ Administrative culture
- ▸ Relations between behaviours and stress
- ▸ Comparative behaviours (how others behave in other cultures and public sectors)
- ▸ Behaviours in the public sector versus new emerging private sector's behaviours.