Chapter 2

Strengthening integrity in the Italian public sector

Over the last few years, Italy has introduced major reforms designed to modernise public administration, improve services, and increase citizens' participation in public decision-making. This chapter presents an overview of these reforms. Legislative Decree 150/2009, known as the "Brunetta Reform", provided a comprehensive framework for improving labour productivity as well as civil service efficiency and transparency. The chapter summarises some of the open-government-related tools that leverage web 2.0 technologies for innovation in the civil service and citizens' engagement.

Earlier efforts to enhance transparency, accountability and openness

Over the last few years, Italy has introduced major reforms designed to modernise public administration, improve services, and increase citizens' participation in public decision-making. Reforms have included measures to foster transparency, accountability, and organisational performance.

Among the most recent reforms was Legislative Decree 150/2009. It implemented Law 15 of 4 March 2009,[1] often referred to as the "Brunetta Reform". It set out a comprehensive framework for improving labour productivity as well as civil service efficiency and transparency. Two operational pillars underpinned those goals:

- a system of incentives and performance evaluation in the public sector, based on the recognition of the merits and shortcomings of civil service executives and all government employees;

- a user-centred approach that focused on transparency and information disclosure.

With regard to transparency, the Brunetta Reform extended the range and scope of transparency expectations within the civil service (OECD, 2010) beyond the public access to information granted by Law 241/90. The reform required:

- All public institutions to adopt the Triennial Programme on Transparency and in order to ensure full access data and foster a culture of integrity and legality.

- Information to be made available includes performance planning and results, individual reward schemes, and all other aspects of a government department's operations. The Programme should also include action taken to support citizens' participation in public decision-making. Managers failing to comply with or implement transparency and integrity programmes would face sanctions.

- Independent Performance Evaluation Units (OIVs) to be put in place in order to support management in correctly implementing the performance management cycle.

- They are also tasked with backing policy-making bodies in activities relating to financial planning, designing and setting objectives, and linking these objectives to financial resources. Furthermore, OIVs exercise the strategic oversight referred to in Article 6(1) of Legislative Decree 286/1999, a function previously carried out by the former Internal Audit Units (SECIN). Finally, they must validate the Triennial Programme and certify that all transparency and integrity obligations have been met.

- The creation of the Independent Commission for Evaluation, Integrity and Transparency (CIVIT) to provide technical support in preparing the Triennial Programme on Transparency and Integrity; centralise data on performance; define professional qualifications for OIV members; and support a culture of integrity within the civil service.

- The duties of CIVIT chiefly concern the prevention of corruption in central government departments through the improvement and enhancement of performance management, quality of services, and transparency and integrity.

- Civil service bodies to foster citizen-centred scrutiny.

- Aspects of organisational performance defined by the Brunetta Reform include the quality and quantity of citizen and stakeholder participation through two main channels: stakeholder engagement and customer satisfaction measurements (OECD, 2010).

Implementation of the Brunetta Reform has seen the transparency agenda in Italy advance significantly. Since it came to office on 22 December 2009, the CIVIT has operated in three areas within its remit – transparency, performance, and service quality. It has drawn up a set of guidelines for preparing and updating multi-year transparency plans, while guiding and co-ordinating civil service departments in implementing the measures set forth in the Brunetta Reform.

At national level, most public administration organisations have adopted the Triennial Programme on Transparency and Integrity, appointed a qualified internal expert with responsibility for transparency, and launched online transparency, assessment and merits sections in their websites. These new web pages offer easily accessible, comparable data on how departments are organised, their activities, and their use of public resources. Today, Italy is a leader among OECD countries regarding the disclosure of public information.

Table 2.1. Disclosure of public sector information in Italy

√   Required to be proactively published by Freedom of Information (FOI) laws
√   Not required by FOI laws, but proactively published as a matter of routine
√   Neither required nor routinely published

CP = central portal; MA = ministry or agency website; OW = other website

OECD 32 refers to the percentage of the 32 countries that either requires that information be published by law or do not require it but routinely publish it nevertheless.

Disclosure of public sector information, 2010			
Types of information disclosed	Italy	OECD 32	Publication
Budget documents	√	94%	CP, MA
Audit reports	√	72%	MA
List of public servants and their salaries	√	28%	CP, MA
Sharing of administrative data			
Administrative data sets	√	66%	MA
Requirements on publishing in open data formats	Yes	53%	_

Source: OECD (2011), *Government at a Glance*, OECD Publishing, Paris, doi: *http://dx.doi.org/10.1787/gov_glance-2011-en*

In parallel, a number of critical processes have benefited from efforts to leverage information as a tool for greater transparency.[2] One such set of processes relates to public procurement, where structures and mechanisms designed to promote openness have been instituted:

- The Observatory of Public Contracts (whose central branch is the Directorate General of the Authority for the Supervision of Public Contracts [ASPC]) collects and assesses data on the structural characteristics of the public procurement market and how it is evolving. It also compiles statistics on the number and value of awarded procurement contracts classified by location, procurement entities, and award procedures. It uses the criteria of efficiency and value for money in the procurement process. The Observatory watches the market for any malfunction or anomaly which it identifies against a checklist in order to:

  − assess whether rebates granted in a tender are excessive compared to average rebates;

  − track the number of bids tendered in each bidding procedure;

  − compare the locations of winning companies against the location of the contracting authority.

- The National Database of Public Contracts (NDPC) – an offshoot of the ASPC that is managed by the Observatory of Public Contracts – collects and assesses information on:

  − Italian public contracts;

  − lists of public works over a three-year period provided by contracting authorities and lists of awarded contracts;

  − the content of contract notices, the value of contracts, the economic operators that have won public contracts;

  − the progress of public works, services and supplies;

  − the final cost of contracts in the event of discrepancies between actual and planned costs.

- The Public Contracts Official Register – housed in the Interministerial Committee for Prices, [CIPE]) – assigns the Unique Project Code (PUC) to an investment project to facilitate tracking and reporting.

Government reform has also sought to simplify the complex layers of regulation and red tape that impede transparency and facilitate discretion at all levels of government. In this regard, the Department of Public Administration (DPA) is heading the considerable efforts to simplify bureaucracy through legislative action – with the promulgation of Legislative Decree 5/2012, the so-called "Simplify Italy" decree – and specific reforms in areas like:

- the civil service, with measures to ensure top-quality performance while making the most of professional skills and abilities.

- the recruitment, training and professional status of civil servants, with key principles such as professional competence, merit, impartiality, and public ethics at their core;

- the reorganisation of administrative structures and machinery so as to ensure a better functioning service provision while reducing inefficiency-related costs;

- the reduction of the administrative burden for individuals and businesses, with policies that incorporate the results of a campaign to measure the cost of the administrative requirements set forth in the existing legislation.

Consultation and participation have been used as tools in the efforts to simplify bureaucracy. A notable example is "Burocrazia: diamoci un taglio" ("Cut red tape"), a permanent tool for consultation that allows citizens and business alike to report cases of red tape and propose solutions to lessen it. The scheme, launched in 2010, has resulted in many proposals becoming legislative or administrative provisions for streamlining the relationship between government bodies and citizens.

Italy became a member of the Open Government Partnership on 20 September 2011. The DPA has co-ordinated the development of a number of open-government-related tools that leverage Web 2.0 technologies for innovation in the civil service and citizens' engagement (Box 2.1).

Box 2.1. Government 2.0 tools

Handbook for Public Administration 2.0: Provides recommendations for mapping out participation in social media, as well as regulatory effects, customer care, and participatory tools.

ParteciPA: Participatory tools for sharing and assessing ideas (Ideario, a diary of ideas) and for recording regular comments on documents (Commentario, a diary of comments);

WikiPA: A collaborative encyclopaedia on public administration terminology based on Wikipedia's editorial model and software.

InnovatoriPA: An environment for social networking and sharing best practices dedicated to professionals in the field of public administration innovation.

www.dati.gov.it: Publishes a dataset catalogue and a smartphone application catalogue. Showed an exponential increase in open data in its first six months.

Open Data Guidelines: Provide guidance on legislative issues, opening datasets, and on technical aspects of and useful description rules for the national catalogue;

Apps4Italy: A contest to promote open data reuse through applications and creative data processing.

Linea Amica (Friendly Line): A nationwide citizen care service that uses a multi-channel approach to offer solutions to citizens' grievances through an encyclopaedia of questions and answers, an online service directory, an address book of government departments and offices, and a review of enforceable rights. It also integrates open data with smartphone applications.

Mettiamoci la Faccia (Show Your Face): Designed to regularly review – with emoticons – user satisfaction with the delivery of public services, both in government offices and through channels like the telephone and the Internet.

> **Box 2.1. Government 2.0 tools** *(cont.)*
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> **The Migliora PA Project** (The Better Public Administration Project): Seeks to promote a customer satisfaction approach and customer satisfaction management tools in Italy's convergence regions.[3] The aim is to improve local government administrative ability to manage user satisfaction while enhancing performance and increasing service quality.
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> **The MiaPA Initiative**: Social check-in where users use smartphones to find the closest public office, to state their level of satisfaction, and to leave a comment on the service received.
>
> **Cittadinanzattiva** (Active Citizenship): Pilot initiative to facilitate citizens' assessment of public service and test such assessments as a tool to support strategic programming and management (which includes evaluations of public service delivery).
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> *Source*: Italian Action Plan for the Open Government Partnership, 2012.

In 2009 Italy launched (then updated in July 2010) a comprehensive e-government action plan, known as "e-Gov 2012". It is intended to improve online services, increase efficiency, boost interoperability between government departments, and develop digitalisation in the most critical ones (e.g. health, education, justice). Europe's ninth e-government benchmarking survey (Capgemini et al., 2010) recognised Italy as one the countries that has performed best in e-enabling a variety of services.

Table 2.2. E-government building blocks

E-Government building blocks	Italy	OECD 25
Recognition and use of digital signatures		100%
Electronic filing in the public sector		88%
Administering PPPs for e-government projects		64%
Single-entry procurement website	**Italy**	**OECD 34**
Tender searches		62%
Tracking of outcomes of contracts		32%

Note: OECD percentages refer to percentage of respondent countries that answered the OECD Survey on Access to Information.

PPPs: Public-private partnerships.

Source: OECD (2010), "Modernising the Public Administration: A Study on Italy", study by Barbara Ubaldi, presented 15-16 November 2010, OECD, Paris.

More recently, the Government approved on March 2013 a legislative decree on publication requirements, transparency and disclosure of information by the public administration. The legislative decree upholds a general principle of transparency as a key tool to "encourage widespread forms of control over public duties and the use of public resources" and a condition to guarantee individual and collective freedoms and rights. The decree regulates the exercise of the right to access information and clarifies its scope on members of political bodies, holders of executive positions, invitations to tender and performance information, among others. In addition, it provides for certain limits to the general provision of transparency, including the protection of sensitive personal and

judicial information. A detailed analysis of the decree would be necessary to fully assess its relevance vis a vis the implementation of Law No. 190 of 6 November 2012.

Notes

1. Previous reforms in 1993 and 1998 established a framework of managing civil servants based on collective bargaining and a control system aimed at enhancing both productivity of public servants and the performance evaluation process of managers. Reform efforts and results varied considerably across the government bodies involved in the reform, and the overall picture in 2008 pointed to the need for undertaking further reforms. This led to the presentation and adoption of the "industrial plan for the reform of the public administration" by the Ministry for Public Administration and Innovation in 2008.

2. Authority for the Supervision of Public Contracts (ASPC).

3. Regions in Europe whose *per capita* gross domestic product is less than 75% of the EU average. The EU's cohesion policy seeks to reduce such regional disparities (*http://ec.europa.eu/regional_policy/how/index_en.cfm#1*).

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