

# TOWARD **TRANSPARENT** **municipality**



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## INTRODUCTION

The essence of the local self-government – the municipality is to serve the citizens. It must be democratic, efficient and transparent, i.e. it must work according to determined ethical criteria, standards and principles everyday. Ethics is needed in order to meet this condition, to differentiate the good work from the bad work.

Democracy is based on public trust. If public does not trust the integrity of the representatives elected to represent them and the integrity of the service providers, democratic structures will not function. If the governance does not allow fair competition, there would not be developed market economy. Democracy will fail in societies that do not maintain acceptable standards of ethical conduct at all levels of public living. The result will be quite opposite: people will have less and less power and will be poorer.

Democratic countries in Europe today are much more aware that the standards of ethical conduct must be constantly nourished so that trust in public institutions can be preserved.

Towards achieving this goal and function of the municipality, Association of the Units of Local Self-Government implements the Public Ethics Program which is part of the Leadership Standards and Best Practices Project. The aim of the program is to raise the competency level among the representatives of local self-government so they can be able to meet the citizens' needs and requirements according to the standards set by the international community.

The program aims to:

- Promote high level of public ethics in the work on local level;
- Increase trust in local authorities;
- Harmonize with National Program Against Corruption;
- Introduce new ways of ethical conduct in the work of local authorities;

Public Ethics Program will provide local self-government units:

- How they can better implement ethical standards for good governance;
- Where they can bring improvement related to the raised issues and problems;

- How they can apply public ethics that is inevitable for good democratic, efficient and transparent work; and
- How these standards can become everyday routine.

This manual should help you to achieve the goals of the program: way of work that will lead to democratic, efficient and transparent municipality. Therefore, this manual initially illustrates activities and results that need to be achieved through objective evaluation of your work based on the six key ethical standards – *transparency, zero tolerance for corruption, citizens' participation, professionalism, accountability and leadership*. The benefit: the local self-government – the municipality will work by applying the high ethical standards. The final outcome is **TRANSPARENT MUNICIPALITY TO ALL AND TO ITSELF!**

Since the real ethical standards are cornerstone for good democratic, efficient and transparent work, their accent is put to help you in conducting organizational changes. By doing so, you will enhance efficiency of your municipality.

## 1. WHAT ARE ETHICAL STANDARDS AND WHY DO WE NEED THEM?

### What is ethical standard?



*Ethical standard is something that is implemented as criterion that needs to be met in realization of ethical requests, i.e. proved ethical quality of work that is used as benchmark for all.*

### Why do we need ethical standards?



- Successful application of ethical standards helps to build transparency of municipal operations which in turn increase citizens' understanding of the essence of local democracy, improve their participation in local life and strengthen their responsibility for the well-being of the community.
- Applied ethical standards reduce the level of corruption and increase transparency of operations which results in greater effectiveness and efficiency of service provision by local governments

- Ethical standards corresponds to good practices implemented across Europe – their implementation helps to accomplish preconditions for accession set by the European Union.

### Why should we implement ethical standards?



- They help to gain greater public support, trust and understanding in the work of local officials and employees

- They help to attract foreign investors and therefore support local economic development

- They support appropriate allocation of public finances

- European funds are available to all those who manifest morality

*Obeying ethical standards is precondition for real democracy and equality of all and equal opportunities in realization of living together.*

## 2. WHAT ARE THE ETHICAL STANDARDS OF THE “PUBLIC ETHICS PROGRAM” ?

The six key ethical standards explained in the manual

- *transparency;*
- *zero tolerance for corruption;*
- *citizens’ participation;*
- *professionalism;*
- *accountability;*
- *leadership;*

are aimed at setting criteria for ethical improvement in the work of local self-government – municipality that will lead to sustainable, democratic, efficient and transparent work.

According to the STANDARD OF TRANSPARENCY, any activity funded from public money had to be evident, and information about it had to be equally and easily accessible to all citizens. The local population should be effectively informed about all principles of local services. Transparency means readiness to answer every question in which citizens are interested in and to provide clear answers.

Basic documents regulating local government activity (laws, statute, regulations, budget) should be easily available, and individuals should have been informed how to use them.

Moreover STANDARD OF TRANSPARENCY implies that the municipality has prepared and actively applies strong anticorruption procedures that strengthen trust among public and decrease opportunities for misuse. These procedures and work policies are subject to continuous revisions, as well as to further active improvement. These procedures are constantly presented to public and reports on achieved results are submitted. All data, decisions, tutorials, information related to the work of the municipality should be given in a manner that every citizen, regardless the level of education, can understand it. That will provide availability of requested information, opportunity to contact competent employee for a given problem, demanding efficiency, and the citizens' problems to be solved always and on time.

According to the STANDARD OF ZERO TOLERANCE FOR CORRUPTION the municipality shall function ethically and should be resistant to corrupt conduct; public officials shall clearly declare and embody their negative attitude towards corruption.

In consequence local public servants and staff should be open about their decisions and actions. Information, including costs and how to complain, should be available on services (restrictions are only made when clearly demanded by the wider public interest)

The STANDARD OF CITIZENS PARTICIPATION refers to a fundamental belief that the path to true self-governance leads through activities aimed at increasing and enhancing civic engagement in local affairs. Such an engagement requires that people have access to local authorities, that they are able to participate in decision-making and that they have access to all relevant information. A citizen being informed that all decisions are under public control, and holding a belief that he possesses real means of participation in a decision-making process usually has no reason to suspect officials of illegal privately-driven actions, incompatible with common good.

Public officials that share this belief, conduct a social dialog, and local institutions assist people to organise themselves, so that citizens can participate in the handling of local problems. They try to find way to include elected local representatives, citizens, NGO sector, business sector and the other stakeholders in the process of the local decision-making. By meeting this ethical standard, municipality gives its concrete contribution to the process of building real democratic civil society in which human rights and freedoms are respected according to the established ethical standards.

The **STANDARD OF PROFESSIONALISM** requires that self-government tasks must be handled by competent and qualified employees, able to effectively use existing resources to achieve public goals. **Professionalism** means accountable, prompt and expert performing of the tasks. This means employing experts, training and education of the employees towards achieving higher competency level in performing everyday tasks. Meeting professionalism as ethical standard implies meeting accountability and obligation for ethical behavior of every employee towards his work.

Activities of local governments are inherently linked with the spending of public money. That is why it should be measured and recorded (documented), and the responsibility of particular individuals should be clearly defined. **STANDARD OF ACCOUNTABILITY** implies **constant reporting by the municipality on the way of work and on the way of spending finances that are collected from taxes paid by the citizens.** This means that municipality submits information related to the sources of funding and spending to the citizens regularly and constantly. **Furthermore, this standard stipulates that public authorities should be permanently ready to inform the local community about financial costs and organisational aspects of their own activity.**

Securing ethical and transparent operations of local governments requires that systematic and strategic approach is adopted by leaders of the community. **Sustainable** improvement of transparency of local government's operations and ethical conduct of employees can not be achieved as a result of one-off actions. Long-term approach is needed in order to achieve long-lasting effects. This is why **STANDARD OF LEADERSHIP** stresses the need for strategic planning in the field of public ethics and fighting corruption.

### 3. THE LOGIC OF THE PROGRAM:

With distribution of this manual the actual implementation of the “Public Ethics” Program has been commenced. It was preceded by the public media campaign promoting transparency in the operations of local governments.

The following stems are:

1. Self –assessment and access to the Program (January-February 2008)
  - With this manual all municipalities are invited to review their performance against six ethical standards. The procedure of self assessment and all necessary tools are described in the section “Self assessment form and questionnaire”.

- After completing the self-assessment all municipalities interested in further participation in the program are requested to send their self-assessments to the Program Manager in ZELS (by February 20<sup>th</sup> 2008). Submitting completed self-assessment forms indicates the actual access to the program.
2. Improvement and implementation of tasks (February – June 2008)
    - Participating municipalities will have two basic obligations during the course of the program:
      - a. To achieve and show any improvement against each of the standards.
      - b. To fulfill 6 basic tasks (minimal requirements) – one per each standard. Those tasks are described in the next section.
    - All interested municipalities will have an opportunity to participate in regional workshops during which all details of the program will be explained as well as support and advice in the implementation of tasks will be given.
    - By June 1<sup>st</sup> 2008 participating municipalities will be required to submit to the organizers:
      - a. second self-assessment indicating achieved progress in the improvement against each of the standards. This self assessment should be done according to the same questionnaire as the first one. All supporting documentation should be provided to the evaluation committee.
      - b. effects of the implementation of obligatory tasks (minimal requirements) – see next section.
  3. Evaluation of applications (June 2008)
    - Evaluation committee will conduct evaluation of all submitted applications. Only municipalities that have implemented 6 obligatory tasks and showed any improvement in each of the principle will be considered.
      - 6 finalists (municipalities) will be selected.
  4. Study visit and peer reviews (July – September 2008)
    - ***Finalist will have the opportunity:***
      - a. *to participate in the study visit to Poland where they can familiarize themselves with the experiences of the “Transparent Poland” program*
      - b. *be a subject of peer review with the aim to identify best practices for country-wide dissemination. For the details related to the proceedings of the peer visits see the section “Peer visits” below.*

## 5. Promotion of best practices (October 2008)

- The final conference will be organized by mid-October in order to present the achievements of all participating municipalities and present best practices from the finalists.
- ZELS will publish a booklet on the best practice in Public Ethics.

## 4. OBLIGATORY TASKS

### ✓ Standard of transparency:

Here, the belief is that a citizen should be informed in advance how to deal with a given issue, who is responsible for the solution of a particular problem and what kind of documents are required to handle the administrative procedure. It is assumed that acquaintance with administrative procedures would eliminate (or at least limit) the arbitrariness of decisions, protraction of issuing the resolutions, demanding improper fees, or multiplying problems in case of an officer's bad will.

The obligatory task within this principle is to elaborate a precise description of at least 20 most common services for citizens rendered by local institutions (in the form of service tags) and to disseminate among the local community information on free availability of these tags.

### ✓ Standard of Zero Tolerance for Corruption

The competence related to this standard is that of communication of attitudes. Belief related to this standard is that **the municipality shall function ethically and be resistant to corrupt activities** – public officials shall clearly declare and embody the attitude of zero tolerance for corruption.

In order to fulfil the obligatory task under this principle, employees of local government institutions had to elaborate and implement an ethical code. This code should gain acceptance by all of the staff and officials.



### ✓ **Standard of citizens' participation.**

Public dialogue shall be carried on within the municipality; the municipality shall support residents' self-organization to participate in solving local community problems. Therefore the minimal task related to this principle is to create a "map of activity" of various NGOs and public initiatives in a locality and, as a following, to organize a meeting with NGOs in order to discuss creation of a long-term programme of cooperation with non-governmental organisations. In future such a plan should become a basis for the agenda of any public non-governmental organisation, and should facilitate cooperation between local authorities and these organisations in achieving agreed and publicly known goals.

### ✓ **Standard of professionalism**

Professional staff have more knowledge and experience to manage municipal affairs in more effective ways. Recruitment procedures should on one hand assure that the best of the applicants are selected for public posts and on the other that all interested professionals are informed about new job openings in the municipality. Related to this standard is the belief that in the municipality tasks shall be performed by competent persons who are able to effectively make use of resources. Therefore the obligatory task for this standard is to create and formally adopt recruitment procedures for every vacancy in the municipality office, the procedures must include the requirement of competition for managerial positions.

### ✓ **Standard of accountability**

This standard relates to the belief that all activities of the municipality shall be measurable and registered, particularly in the area of finances, and the responsibilities of each person shall be specified. Moreover the public should be informed about the ways local finances are managed. Therefore the obligatory task for this standard is the preparation and dissemination of a newsletter entitled "Where we get money from and how we spend it?", actual plan for the ongoing year, so that every fellow-citizen can find out about the status of local finances, and understand decisions made by the local self-government institutions in that matter.

## ✓ Standard of leadership

Fighting corruption and maintaining high ethical standards in any municipality requires long term commitment independent of political influences or changes. The best way to achieve sustainability in this matter is to prepare and implement local anti-corruption strategy. As such a task would require a considerable amount of time, efforts and resources therefore the obligatory task for this standard has been set up at more realistic level. Participants are required to prepare improvement plan in the area of public ethics.

### 5. PEER REVIEWS

For each finalist local authority, the organizers will put together a team of about 4-5 Peers (Peer Review Team) under the leadership of a Mayor or Chief Executive from other finalist municipality, and supported by a Project Manager, to work with a local authority to carry out the peer assessment and make a report.

The plan of the peer review consists of:

- *Four weeks before the visit.* The Project Manager requests sets of background documents relevant to the Peer Review (e.g. the local self-assessment benchmark, the codes of conduct, results of any survey or public polls, statistics concerning the number and types of complaints, administrative sanctions and court rulings, training strategy, organization chart, etc) from the local authority and distributes them to the Peer Reviewers. Each member of the Peer Review Team should receive a set. This will enable the Team to gather a certain amount of evidence in advance of the visit and develop some understanding of the local authority.
- *Two weeks before the visit.* The Project Manager draws up a schedule for the Peer Review visit in consultation with the local authority. The schedule should include individual discussions with key senior staff and elected members, workshops with representative groups of senior, middle and junior staff in different departments, and discussions with the local authority's principal external partners (private and voluntary sector and other public sector bodies). The aim of the discussions would be to build up a picture of the transparency of the local authority from the views of the people involved to complement the evidence gained from relevant documents.

- The Peer Review visit takes place (3-4 days). The Peer Review Team normally works in pairs, and is guided in each discussion or workshop by a prepared set of questions and in particular by the elements included in the National Benchmark. The Peer Review Team will also need time to come together to discuss their findings with each other.
- At the end of the visit, the Peer Review Team will want to discuss its preliminary findings with the leadership of the local authority to seek consensus.
- Shortly after the visit, the Peer Reviewers submit their written comments and recommendations to the Project Manager.
- *Two weeks after the visit.* The Project Manager prepares a confidential draft report with conclusions and recommendations, and shares it with the Peer Review Team and local authority concerned.
- On the basis of the comments received from the local authority and the Reviewers, the Project Manager prepares a final report and sends it to the Peer Review Team and the local authority. If the local authority so desires, this report may be confidential. The report should point to interesting experiences which could be shared (in the form of a Best Practice booklet) and weaknesses which need to be addressed.
- On the basis of recommendations made in the report, the local authority, as part of its commitment to the Public Ethics Benchmarking and Improvement Tool, draws up an Improvement Program to build on its strengths, exploit opportunities and tackle weaknesses. This might include introducing specific communication policies, structures and procedures, training programs, making better use of particular staff, initiating projects, setting targets, etc. Clear responsibilities will be allocated for implementing and monitoring the Improvement Program, with final responsibility being given to the Chief Executive/Mayor.

## 6. APPLYING

All municipalities are invited to participate in the Public Ethics Program. If you are interested in the participation in “Towards Transparent Municipality”

program please conduct self-assessment of your municipality and send results to the Project Manager:

**Irena Nikolov**

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**1000 Skopje**

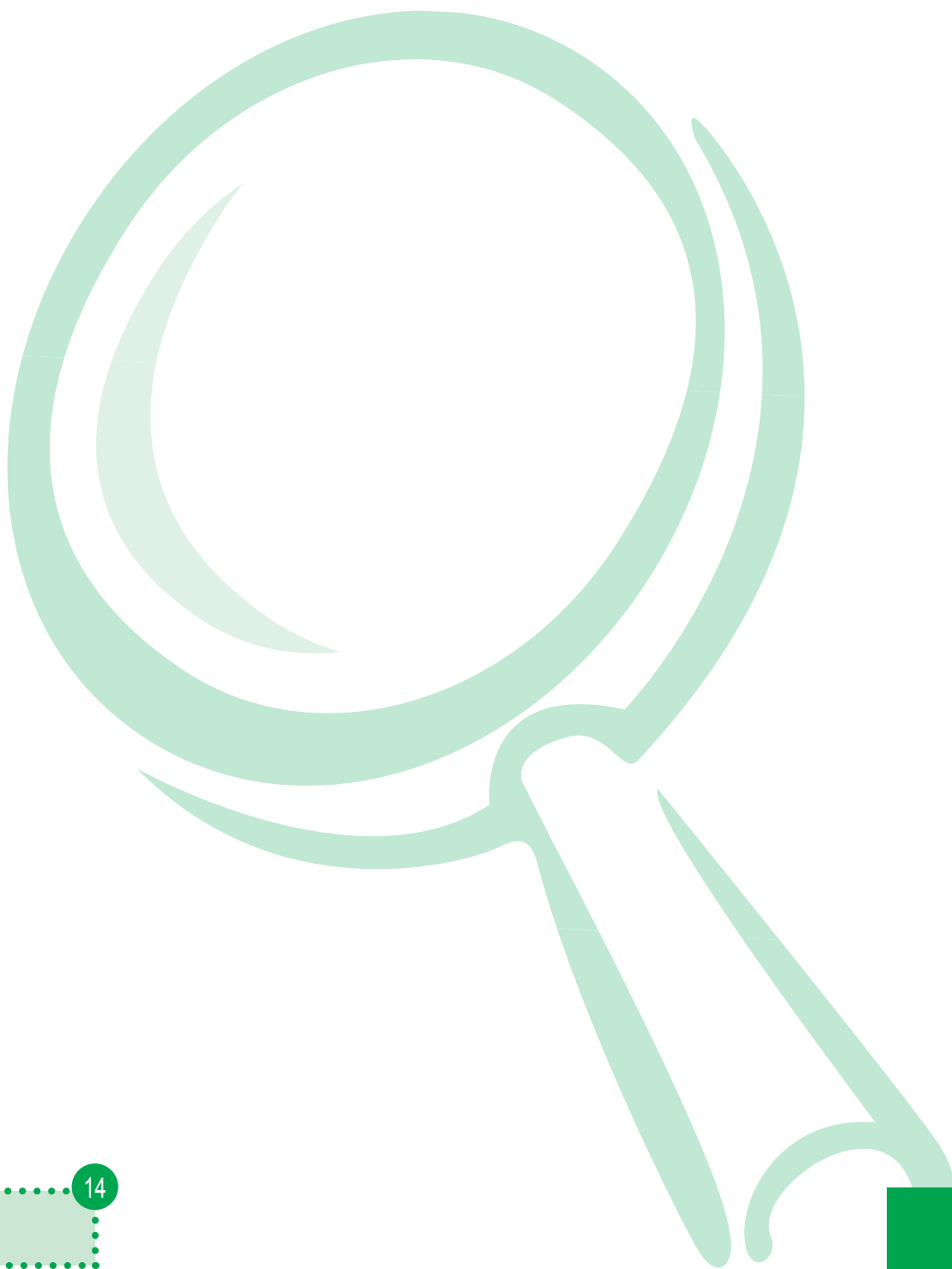
**02/3099033 e-mail:irena.nikolov@zels.org.mk**

**by February 20th 2008.**

In the following parts of this manual you will find questionnaires for self-evaluation to help you estimate what is the level of application of the set ethical standards in your municipality.

In order to get objective assessment to what level does your municipality meet the abovementioned ethical standards, Manual contains rating list ranging from first to fifth level.

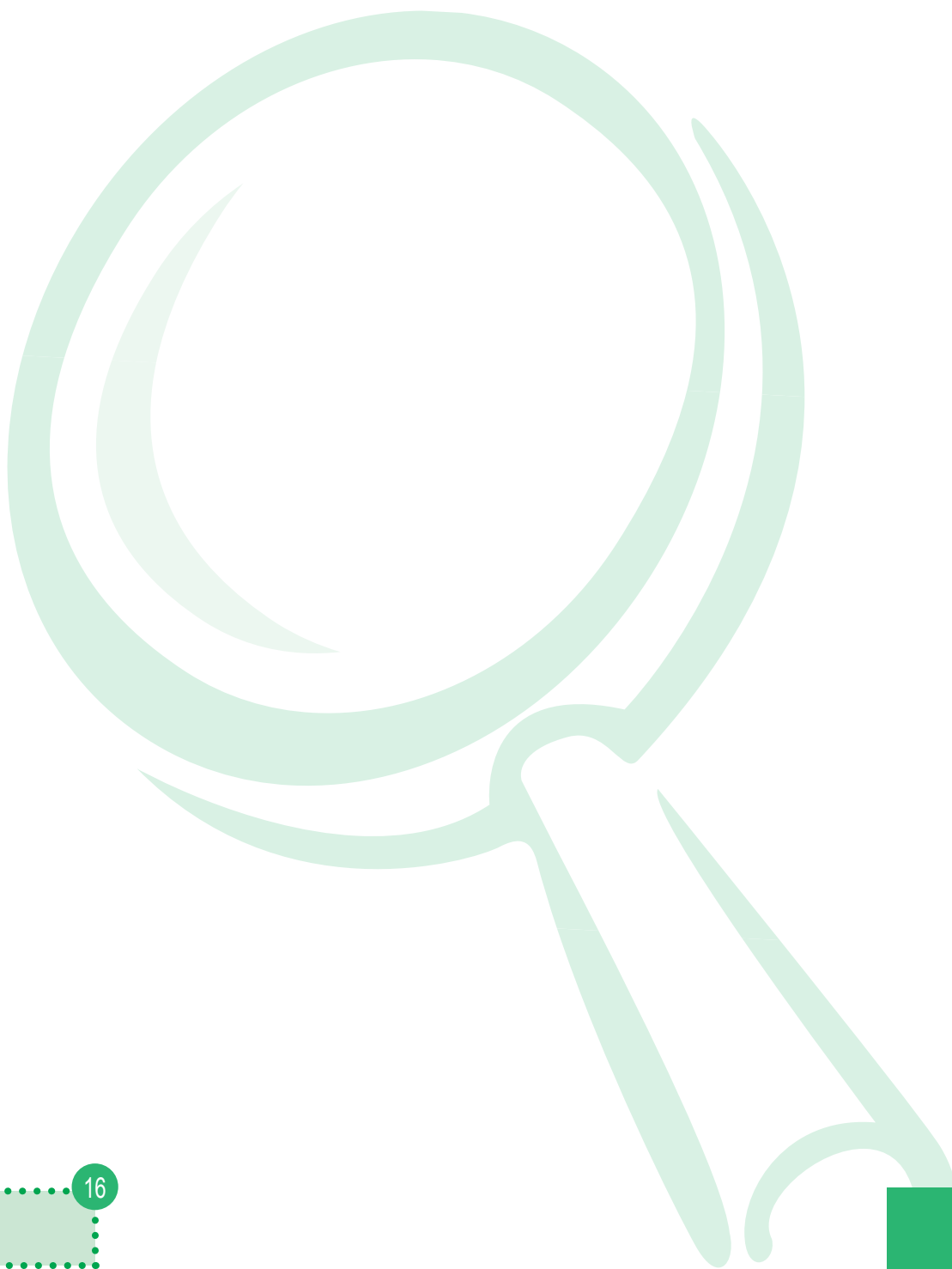
For each of the ethical standards you should provide indicators that can be positive or negative according to the examples given in the tables. Indicators illustrate the proof for performed activity or the level of realization of the obligation/principle.





# **PUBLIC ETHICS STANDARDS**

## **FOR AN EFFECTIVE DEMOCRATIC LOCAL AUTHORITY**



## HOW TO USE THE STANDARDS

*These standards are intended as a support to the Council of Europe ‘Public Ethics Benchmarking and Improvement Tool.’ The Benchmarking and Improvement Tool sets out the actions and outcomes needed to ensure a high level of ethics in a local authority. The focus of these standards is to support local authorities in making the organisational changes that will help them become more effective and strengthen local democracy. It will enable a local authority to assess its effectiveness in six key ethics areas – transparency, zero tolerance for corruption, citizen participation, professionalism, accountability and leadership.*

*The authority will be able to compare its performance against the criteria of an ‘ideal’ local authority, set out in the Standards. The results will provide a baseline for an Improvement Plan that can be used by the participating local authority to drive up standards.*

*The Standards were developed specifically for local circumstances. The development process included discussions with local and central government experts within the country as well as input from Council of Europe experts. A Public Ethics Working Group co-ordinated by ZELS has responsibility for agreeing the Standards as well as developing them further and ensuring they continue to comply with best practice.*

*For the six themes, the Standards sets out 9 core competences. These describe what a local authority should be doing to carry out that role effectively.*

*In practice, local authorities are at different levels of performance, but each of them should be seeking to improve their performance to the levels of the best. The Standards therefore set out a range of performance in each competence from Level 1 to Level 5. This allows the local authority to assess its level of performance in each competence.*

*For each theme, a local authority will exhibit indicators that may be positive or negative; a few examples of such indicators are provided. Indicators provide the evidence of performance, or level*

*Of competence. There are also some questions that can be used in interviews and workshops to elicit further evidence of performance in each theme.*



*It is possible for a local authority to apply the Standards to its performance through self-assessment; there are guidance and questionnaires available for that.*

*But a more powerful process is through external assessment. A local authority might like to invite a group of external national assessors (consisting of 3-4 trained individuals familiar with local authorities) to help it assess its performance. This team can use the Standards to undertake a 'public ethics and anti-corruption assessment' of the authority. This would make the assessment much more significant, and add a degree of objectivity; it would encourage local authorities to work together and learn from each other.*

Visiting 'assessors' can use documents and interviews to gain a picture of the performance of a local authority, of its strengths and weaknesses, over a period of approximately 3 days. The group should discuss its draft findings with the leadership of the local authority and agree with them its recommendations for action.

The local authority should then draw up an Improvement Plan to build upon its strengths, exploit any opportunities and improve performance in areas of weakness. It would be the responsibility of the National Association of local authorities to manage a 'public ethics and anti-corruption assessment' programme on behalf of those local authorities who wish to participate.

*The Council of Europe can offer expertise and a training manual in support of such a programme.*

# CORE ETHICAL ROLES AND COMPETENCIES OF AN EFFECTIVE LOCAL AUTHORITY

## Standard 1: Transparency

### 1 Service user information

- Develops information for service users on the content of services, costs, application process, timescales, decision-making criteria and complaints procedure.
- Publicises service user information and ensures all potential service users have information points and easy access.
- Ensures service user satisfaction through reviews of experiences and listening to feedback.

### 2. Procedures for strengthening transparency

- Establishing clear guidelines and training for all **local public servant and employees involved in decision-making**.
- Establishing clear mechanisms for auditing and scrutinising the application of procedures.
- Ensures conflicts of interest are declared and steps taken to ensure these do not influence decision-making.
- Ensures complaint handling is independent and does not disadvantage those making the complaint.

## Standard 2: Zero Tolerance for Corruption

### 3. Communication

- Ensures effective internal communications so that all local public servant and employees are up to date on service developments and procedures.
- Keeps local public servants, staff and local people well-informed about its policies and performance, and consults them on its plans.
- Ensures all local public servants are contactable and have the interests of local people at heart.

### 4. Public procurement

- Manages public procurement efficiently and effectively, in a way that delivers value for money for the municipality and its citizens.
- Uses pre-set selection criteria and ensures decisions to award contracts are based on merit
- Has procedures to declare conflicts of interest, gifts and hospitality and ensures these do not influence decision-making
- Reviews procedures and outcomes to minimise fraud and comply with best practice

## Standard 3: Citizen Participation

### 5. Consultation and decision-making

- Strong local democratic representation
- Keeps citizens informed; requests, listens and responds to local views, and welcomes feedback on users' experience of services.
- Creates opportunities for local participation in planning and the design of services.
- Develops neighbourhood bodies to ensure citizen participation in local decision-making.
- Builds strong partnerships (egg for service delivery) with local organisations, with other tiers of Government.
- Creates opportunities for local organisations to contribute to effective local governance.

## Standard 4: Professionalism

### 6. Recruitment, training and promotion

- Develops recruitment and selection procedures to ensure appointments and promotions are based on merit.
- Drafts job description and employee specifications for all posts.
- Provides effective induction training for all **local public servants and staff** which includes ethics and anti-corruption
- Provides on going training for local public servants and staff to ensure they are competent and knowledgeable about their roles and responsibilities
- Reviews the implementation and outcomes of recruitment, training and promotion procedures and makes improvements based on that.

## Standard 5: Accountability

### 7. Financial decision-making

- Provides, citizens, NGO and businesses with information on municipal finances and expenditure
- Ensures all decisions can be justified in terms of merit, value for money and / or the interests of the municipality and its citizens and stakeholders
- Ensures complaints and appeals procedures are well publicised and easy to access
- Ensure decisions are subject to robust audit procedures.

## Standard 6: Leadership

### 8. Promoting ethical behaviour

- Develops a plan to promote ethics and anti-corruption in the municipality
- Sets improvement targets for ethics and anti-corruption and reviews how well they are being achieved
- Defines responsibility for ethics advice, training and monitoring
- Benchmarks ethics and anti-corruption procedures and actions with other organisations
- Embeds ethics and anti-corruption in the activities, plans and decision-making of the municipality



## Standard 1: Transparency

### Competence 1 – Service User Information

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>Local public servants and staff are open about decisions and actions.</p> <p>Information including costs and how to complain is available on services and restrictions are only made when clearly demanded by law, or personal privacy</p>	<p>The municipality has written 'service descriptions' for all its services that define, the service offered, contact details, how to apply, decision making criteria, costs, how to complain and the timescales involved</p>	<p>Service descriptions and application forms are available in electronic and hard copy formats to all the public</p> <p>There is a process of review and updating of information to ensure the service's relevance and uptake by target groups / individuals</p> <p>The municipality has a 'service desk' or other means of providing a single source of information on its services</p>	<p>The municipality collects performance information on the uptake of services and user satisfaction with the openness of the application process such as, quality control surveys and / or questionnaires</p> <p>The municipality can demonstrate that all requests for information on services and decision making are responded to positively except where there is a clear public interest need to restrict information</p>

**Positive indicators:**

- Defined format to describe all municipal services
- Service descriptions in public places and / or website
- 'Menu pricing' for services
- Procedures for reviewing relevance of information given and user satisfaction
- Staff know the procedures for responding to 'freedom of information' requests
- Use of 'service desk' or other information point(s)

**Negative indicators:**

- the main source of information is unofficial
- service users critical of application process and / or decision making
- decisions not taken within defined times

**Key questions:**

*How do potential service users get information?*  
*What is the cost of the service?*  
*How does the municipality know that service users are satisfied with the process?*  
*How long does it normally take for a decision to be made? How often is the defined time exceeded?*  
*How does the municipality ensure its application and decision making processes match the needs of the service users?*  
*How many complaints have been received in the last year? How well has the experience of those making a complaint matched what is described in the complaints procedure?*  
*Describe how requests for information on services or decisions or other matters are dealt with.*

## Standard 1: Transparency

### Competence 2 - Procedures

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>The municipality has developed, implemented and embedded strong anti-corruption procedures that ensure public confidence and minimise the opportunities for fraud. These policies and procedures are subject to robust audit procedures and an on going improvement process</p>	<p>Clear guidelines and procedures exists in all areas where local public servants and staff have to make judgements and decisions</p> <p>Municipal finances and facilities are not used for election or party political purposes</p> <p>There are rules for the role of the municipality in the conduct of elections</p>	<p>An independent complaints procedure has been developed and implemented and there is evidence that it is being used</p> <p>There are procedures for barring from local public servants and staff those who hold incompatible posts</p> <p>There is a register of interests, conflict of interests and gifts and hospitality procedures for local public servants and staff</p> <p>There is a defined plan for internal communication of ethical standards, codes of practice and procedures that has defined targets and been implemented and reviewed</p> <p>Local public servants and staff receive training on decision making procedures</p>	<p>Ethical / anti-corruption audits and risk assessments are carried out regularly</p> <p>Management reviews the impact of anti-corruption actions</p> <p>The organisation can demonstrate that anti-corruption measures have detected and / or reduced the incidence of fraud</p>



**Positive indicators:**

- ethics risk assessments carried out regularly
- well publicised, written complaints procedure

**Negative indicators:**

- lack of review of procedure development and implementation
- no guidelines for staff on decision making

**Key questions:**

*What anti-corruption procedures has the municipality developed and implemented?*

*How does the municipality review the effectiveness of procedures in preventing and detecting corruption and fraud?*

*How are staffs in sensitive positions vetted?*

*What changes in anti-corruption procedures have arisen because of reviews?*

*What fraud statistics and information has the municipality gathered?*

*Whether or how the municipality demonstrate that money is being spent for the intended purposes?*

*How do you ensure municipal finance and facilities are used properly?*

## Standard 2: Zero Tolerance for Corruption

### Competence 3 - Communication

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>Local public servants and staff are open about decisions and actions. Information including costs and how to complain is available on services and restrictions are only made when clearly demanded by the wider public interest</p>	<p>The organisation has a defined ethical code of practice and associated policies and these are available to all staff, citizens and service users</p> <p>The code of ethics has been signed by all local public servants and staff</p> <p>Times, dates and locations of Council meetings are published along with agendas and minutes of meetings</p>	<p>Employees confirm that they have received relevant information on ethics</p> <p>Municipal information bulletin are published and there is regularly updated information bulletins available in public places throughout the municipality</p> <p>Local public servants and staff have received training on ethics and anti-corruption issues</p>	<p>Employees report that communications on ethics are two way and their views and suggestions are taken seriously and responded to</p> <p>The views of service users on ethics are sought and taken into account.</p> <p>Management review and report on statistical information on ethical and anti-corruption issues at least annually</p> <p>A municipal monitoring committee for ethics and anti-corruption has been established and is operating</p>

**Positive indicators:**

- ethical code and procedures available in public places and / or website
- managers and local public servants to discuss plans for communication of ethics
- there is a method for collecting service user views
- training on ethics

**Negative indicators:**

- lack of statistical information on ethics / anti-corruption
- officials unaware of ethical / anti-corruption matters

**Key questions:**

*How do local public servants and staff find out about ethical and anti-corruption matters?*

*When was the ethical code adopted?*

*How was information on it disseminated?*

*How does the municipality communicate with service users?*

*How are citizens informed of Council meetings?*

*How would a citizen get access to the agenda or minutes of a Council meeting?*

## Standard 2: Zero Tolerance for Corruption

### Competence 4 - Public Procurement

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>The municipality has developed, implemented and embedded strong anti-corruption procedures that ensure public confidence and minimise the opportunities for fraud. These policies and procedures are subject to robust audit procedures as well as an on going improvement process, They are also communicated to the public</p>	<p>The municipality has an agreed procurement procedures, based on good practice that comply with the statutory requirements</p> <p>Guidelines and training are provided for all staff who have a role within the process</p>	<p>The municipality can show that procurement procedures are applied in according with Law for public procurements</p> <p>The operation and effectiveness of procurement procedures is reviewed and evaluated regularly</p> <p>There has been a public anti-corruption campaign by the municipality</p>	<p>Internal best practice on procurement management is shared with other municipalities</p> <p>Information on procurement is gathered and reported to management and the municipality Council, at least annually</p> <p>The municipality can demonstrate an effective procurement process that gives value for money and minimises fraud</p>

**Positive indicators:**

- procurement procedures implemented and reviewed
- means for local public servants and staff to report conflicts of interests
- register of interests and gifts and hospitality procedure for elected representatives and officials

**Negative indicators:**

- procurement dominated by the same suppliers
- lack of analysis of procurement trend information
- decision makers aware of identity of potential suppliers prior to decision making

**Key questions:**

*What are main principles underlying the public procurement procedures?*

*What training members of the Comity for public procurement?*

*What register of the interests of elected representatives and officials are kept? How often is the register of interests updated?*

*What procedures does the municipality have in declaring conflicts of interests, gifts and hospitality?*

*How does the municipality ensure its procedures are kept up to date?*

*What problems have been identified / changes made as a result of the review of procurement procedures?*

*How does the municipality know that its procurement procedures are fair and give value for money?*

## Standard 3: Citizen Participation

### Competence 5 – Consultation and Decision Making

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>In the context of local public servants and staff, citizens, NGO, businesses and other stakeholders in the municipality have the right and the means to express their views on municipal plans and, through the media or other means, have access to information on municipal decisions and actions</p>	<p>The municipality publicises its plans and invites individual citizens, NGOs, businesses and other groups to comment on these plans</p> <p>The municipality has identified key stakeholder groups (that includes NGOs, businesses and other interest groups). This list is subject to review and updating</p>	<p>The municipality has defined consultation process with its stakeholders as part of the process in creation of its plans</p> <p>All municipal plans are publicised and consulted on prior to adoption and there is a process by which individual and group views can be fed back to decision makers</p>	<p>The municipality has entered into strategic alliances with a number of stakeholders and involves those groups and individuals in policy development, planning and decision making</p> <p>NGOs, businesses and individual citizens feel that their views are listened to by the municipality and that they are involved in relevant decision making</p> <p>There is an active programme of local public servants engaging with citizens in decision making and encouraging individuals to take on elected representational roles</p>

**Positive indicators:**

- recruitment and promotion procedures, job descriptions and pre-set selection criteria
- induction programme for new starts that includes ethical / anti-corruption issues
- consultation on ethical and anti-corruption matters
- ethics and anti-corruption training programmes

**Negative indicators:**

- no review process for policy implementation
- no merit system

**Key questions:**

- How are staff recruited / promoted in the municipality?*
- What training on ethics and anti-corruption does staff receive when they start?*
- What guidelines and training exist on ethics and anti-corruption for staff and local public servants?*
- How does the municipality review its recruitment, promotion and training to ensure they are effective?*
- What improvements / changes have been made as a result of reviews?*
- What is the consultation process for developing new ethical / anti-corruption procedures or improving existing procedures?*
- How do elected representatives and managers demonstrate their commitment to ethics and anti-corruption?*

## Standard 4: Professionalism

### Competence 6 – Recruitment, Training and Promotion

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>There are clear standards and guidelines for local public servants and staff in how they carry out their roles and responsibilities. Recruitment, training and promotion is carried out on the basis of merit and to ensure high levels of competence in job performance</p>	<p>The organisation has a recruitment and selection policy and procedures</p> <p>Selection criteria are defined for each post and communicated to all applicants</p> <p>Ethical procedures are communicated to all employees and new starts</p> <p>Systems are in place to ensure that procedures apply fairly and consistently</p>	<p>Clear procedures for performance assessment have been implemented</p> <p>Relevant guidelines and training for elected representatives and managers is provided in all roles and responsibilities</p> <p>Regular review and evaluation of procedures is undertaken</p> <p>Managers understand and are committed to implementing all relevant ethical procedures</p>	<p>There is a regular (at least every 2 years) review of recruitment, promotion and training procedures</p> <p>A clear and transparent process of career development plans based on performance assessment has been implemented</p> <p>Managers and other employees confirm that ethical procedures are developed through a process of consultation and implemented effectively</p>



**Positive indicators:**

- recruitment and promotion procedures, job descriptions and pre-set selection criteria
- induction programme for new starts that includes ethical / anti-corruption issues
- consultation on ethical and anti-corruption matters
- ethics and anti-corruption training programmes

**Negative indicators:**

- no review process for policy implementation
- no merit system

**Key questions:**

- How are staff recruited / promoted in the municipality?*
- What training on ethics and anti-corruption does staff receive when they start?*
- What guidelines and training exist on ethics and anti-corruption for staff and local public servants?*
- How does the municipality review its recruitment, promotion and training to ensure they are effective?*
- What improvements / changes have been made as a result of reviews?*
- What is the consultation process for developing new ethical / anti-corruption procedures or improving existing procedures?*
- How do elected representatives and managers demonstrate their commitment to ethics and anti-corruption?*

## Standard 5: Accountability

### Competence 7 – Financial Decision Making

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
<p>The municipality provides information to the citizens on the sources of finance and municipal expenditure.</p> <p>Decisions on the allocation of resources and expenditure are fair and subject to independent scrutiny</p>	<p>The municipality provides all citizens, NGOs, businesses and other stakeholders with information on finances and expenditure in a way that is easily understood and easily accessed (for example, by publishing a brochure)</p> <p>All Local public servants and staff must register interests and declare conflicts of interest and withdraw from decision making</p>	<p>Decision making in all services are open and the reasons for decisions can be ascertained by citizens and others</p> <p>Pre-set criteria are used in decision making and resource allocation</p> <p>There are open and well publicised complaints and appeals procedures for all municipal decisions</p> <p>Decisions and actions are subject to external and independent audit</p>	<p>Citizens, NGOs, businesses and other stakeholders perceive decision making to be open and fair</p> <p>Appeals and complaints procedures are well used</p> <p>Those making complaints or appealing decisions are protected from victimisation</p> <p>The municipality measures the effectiveness of projects and other major expenditure</p>

**Positive indicators:**

- Complaints and appeals procedures that are publicised and freely available
- Procedures to separate assessment and decision making
- Audit procedures that are external and independent

**Negative indicators:**

- Lack of training of decision makers in ethical approaches
- Relationships between decision makers and applicants
- Unused complaints or appeals procedures

**Key questions:**

*What information does the municipality provide on its sources of finance and expenditure?  
How can applicants appeal or complain about decisions?  
How are these procedures publicised?  
What criteria are used in decision making? What access do applicants, citizens / stakeholders have to those criteria?  
How does the municipality review the fairness of its decisions?  
How does the municipality ensure expenditure is for the purposes intended?  
How does the municipality protect those who appeal or complain about its decisions?  
Who audits the municipality's decision making?*

## Standard 6: Leadership

### Competence 8 - Promoting Ethical Behaviour

DEFINITION OF STANDARD	LEVEL OF ACHIEVEMENT		
	LEVEL 1	LEVEL 3	LEVEL 5
Local public servants and staff have clear responsibilities according with Ethics Code of Conduct.	<p>The municipality has a plan which addresses the implementation of ethics</p> <p>Responsibility for ethical and anti-corruption is clearly defined for both Local public servants and staff</p> <p>One individual (for example an Ethical Adviser) has overall responsibility for advice, auditing and training in ethics and anti-corruption</p>	<p>Performance information relevant to the ethical plan is gathered, interpreted, reported to senior management / elected representatives and acted on.</p> <p>The municipality undertakes ethics related benchmarking</p> <p>Ethical responsibilities are defined with Ethics Code of Conduct.</p>	<p>Ethical and anti-corruption issues are considered as part of the municipality's performance and the management agenda at a strategic level (for example through an ethics / anti-corruption strategy)</p> <p>The municipality undertakes stakeholder analysis with regards to ethics and anti-corruption and changes are made.</p> <p>Managers and Local public representatives can describe and demonstrate their contribution to meeting the municipal vision, values, aims and targets with regards to ethics</p>

**Positive indicators:**

- the municipality has a defined vision for ethical behaviour and anti-corruption
- ethics code of conduct adopted
- job descriptions for managers and other key staff that include references to their ethical responsibilities

**Negative indicators:**

- lack of understanding among managers and / or local public servants of ethics and anti-corruption
- no clear responsibility for advising on, training and promoting ethical and anti-corruption matters

**Key questions:**

- What are the municipality's ethics and anti-corruption documents?*
- What are responsibilities of Local public representatives and staff with regards to ethics and anti-corruption?*
- How would an individual local public servant or staff ascertain what his / her ethics and anti-corruption responsibilities are?*
- What ethics and anti-corruption performance information is gathered?*
- What ethics and anti-corruption information is gathered from stakeholders?*
- How are ethics and anti-corruption matters presented to the municipality Council and the Managers?*
- What benchmarking activities with regards to ethics and anti-corruption has the municipality undertaken?*

# **ETHICAL STANDARDS**

## **SELF-ASSESSMENT FORM AND QUESTIONNAIRE**

# ETHICAL STANDARDS

## SELF-ASSESSMENT FORM AND QUESTIONNAIRE

This Self-Assessment is to be used in conjunction with the actual Council of Europe Ethical and Anti-corruption Standards. It was developed through consultation between local and Council of Europe experts and is intended to be complementary to the Council of Europe Public Ethics Benchmark. The aim of the Standards and this self assessment process is to provide a basis for improving the ethics and anti-corruption efforts of a municipality. This will facilitate improvements in the ethical environment so that it better supports the aim of making municipality transparent.

The Self-Assessment allows the elected members and staff to assess performance in ethics and anti-corruption by themselves, without depending on an external expert. The assessment will enable the elected members and managers to identify priority actions through which improvements can be brought about.

This Self-Assessment should be carried during a one-day self-assessment workshop of senior staff and elected representatives.

The Questionnaire should be filled as a result of the meeting- all all answers should be achieved by consensus.

The workshop should focus on (i) agreeing the level of, and reasons for, performance in ethics and anti-corruption, taking account of the Questionnaire responses and the positive / negative indicators, and (ii) identifying priority actions that should bring about improvement.

It would be helpful if a project manager is appointed who can (a) oversee the Questionnaire exercise, compile the results and present them to the workshop, (b) identify in advance the necessary documents that form the positive and negative indicators, and (c) make the necessary arrangements for the workshop. It would also be helpful for an independent person to facilitate the workshop as it will be important to provide as objective an assessment as possible.

# THE ETHICS STANDARDS

## SELF-ASSESSMENT QUESTIONNAIRE

The aim of this Questionnaire is to allow the views of all the municipality's stakeholders to contribute to a self-assessment of the ethics and strategic management of their municipality.

The Questionnaire should be filled during the workshop – all answers should be achieved consensually.

Please rate your municipality's ethics and strategic management on a scale of 1 (weak) to 5 (excellent) in terms of each of the competences listed below. You may want to add a specific comment, explaining your assessment or suggesting improvements after each assessment.

Transparency	1	2	3	4	5
<p>1. Service user information</p> <ul style="list-style-type: none"><li>➤ Develops standard information for service users on the content of services, costs, application process, timescales, decision-making criteria and complaints procedure.</li><li>➤ Publicises service user information and ensures all potential service users have easy access.</li><li>➤ Ensures service user satisfaction through reviews of experiences and listening to feedback.</li></ul>					
<p>2. Procedures</p> <ul style="list-style-type: none"><li>➤ Has clear guidelines and training for all staff and elected representatives involved in decision-making.</li><li>➤ Demonstrates clear mechanisms for auditing and scrutinising the application of procedures.</li><li>➤ Ensures conflicts of interest are declared and steps taken to ensure these do not influence decision-making.</li><li>➤ Ensures complaint handling is independent and does not disadvantage those making the complaint.</li></ul>					



<p>Zero Tolerance for Corruption</p> <p>3. Communication</p> <ul style="list-style-type: none"> <li>➤ Ensures effective internal communications so that all staff and elected members are up to date on service developments and procedures.</li> <li>➤ Keeps elected members, staff and local people well-informed about its policies and performance, and consults them on its plans.</li> <li>➤ Ensures all elected members are contactable and have the interests of local people at heart.</li> </ul> <p>4. Public procurement</p> <ul style="list-style-type: none"> <li>➤ Manages public procurement efficiently and effectively, in a way that delivers value for money for the municipality and its citizens.</li> <li>➤ Uses pre-set selection criteria and ensures decisions to award contracts are based on merit</li> <li>➤ Has procedures to declare conflicts of interest, gifts and hospitality and ensures these do not influence decision-making</li> <li>➤ Reviews procedures and outcomes to minimise fraud and comply with best practice</li> </ul>	<p>1 2 3 4 5</p>
<p>Citizen Participation</p> <p>5. Consultation and decision-making</p> <ul style="list-style-type: none"> <li>➤ Enhances local representative democracy by keeping citizens informed; requests, listening and responding to local views, and welcoming feedback on users' experience of services.</li> <li>➤ Creates opportunities for local participation in planning and the design and delivery of services.</li> <li>➤ Develops neighbourhood bodies to ensure citizen participation in local decision-making.</li> <li>➤ Builds strong partnerships (eg for service delivery) with local organisations, with other tiers of Government.</li> <li>➤ Creates opportunities for local organisations to contribute to effective local governance.</li> </ul>	<p>1 2 3 4 5</p>

<p>Professionalism</p> <p>6. Recruitment, training and promotion</p> <ul style="list-style-type: none"> <li>➤ Develops recruitment and selection procedures to ensure appointments and promotions are based on merit.</li> <li>➤ Drafts job description and employee specifications for all posts.</li> <li>➤ Provides effective induction training for all elected representatives and staff which includes ethics and anti-corruption</li> <li>➤ Provides on going training for elected representatives and staff to ensure they are competent and knowledgeable about their roles and responsibilities</li> <li>➤ Reviews the implementation and outcomes of recruitment, training and promotion procedures and makes improvements based on that</li> </ul>	<p>1 2 3 4 5</p>
<p>Accountability</p> <p>7. Financial decision-making</p> <ul style="list-style-type: none"> <li>➤ Provides, citizens, NGOs and businesses with information on municipal finances and expenditure</li> <li>➤ Ensures all decisions can be justified in terms of merit, value for money and / or the interests of the municipality and its citizens and stakeholders</li> <li>➤ Ensures complaints and appeals procedures are well publicised and easy to access</li> <li>➤ Ensure decisions are subject to robust audit procedures</li> </ul>	<p>1 2 3 4 5</p>

Leadership	1	2	3	4	5
<p>8 Promoting ethical behaviour</p> <ul style="list-style-type: none"><li>➤ Develops a vision and plan to promote ethics and anti-corruption in the municipality</li><li>➤ Sets improvement targets for ethics and anti-corruption and reviews how well they are being achieved</li><li>➤ Defines responsibility for ethics advice, training and monitoring</li><li>➤ Benchmarks ethics and anti-corruption procedures and actions with other organisations</li><li>➤ Embeds ethics and anti-corruption in the activities, plans and decision-making of the municipality</li></ul>					

## ETHICS STANDARDS – SELF ASSESSMENT

Name of municipality:

<b>Ethics - Principle 1: Transparency</b>	
Assessed level .....	Results of Questionnaire: - elected representatives: - senior staff: - external organisations:
Actual positive indicators:	
Actual negative indicators:	
Reasons for assessment:	
Priority actions:	

<b>Ethics - Principle 2: Zero Tolerance for Corruption</b>	
Assessed level .....	Results of Questionnaire: - elected representatives: - senior staff: - external organisations:
Actual positive indicators:	
Actual negative indicators:	
Reasons for assessment:	
Priority actions:	

<b>Ethics - Principle 3: Citizen Participation</b>	
Assessed level .....	Results of Questionnaire: - elected representatives: - senior staff: - external organisations:
Actual positive indicators:	
Actual negative indicators:	
Reasons for assessment:	
Priority actions:	

### **Ethics - Principle 4: Professionalism**

Assessed level ..... Results of Questionnaire:  
- elected representatives:  
- senior staff:  
- external organisations:

Actual positive indicators:

Actual negative indicators:

Reasons for assessment:

Priority actions:

### **Ethics - Principle 5: Accountability**

Assessed level ..... Results of Questionnaire:  
- elected representatives:  
- senior staff:  
- external organisations:

Actual positive indicators:

Actual negative indicators:

Reasons for assessment:

Priority actions:

### **Ethics - Principle 6: Leadership**

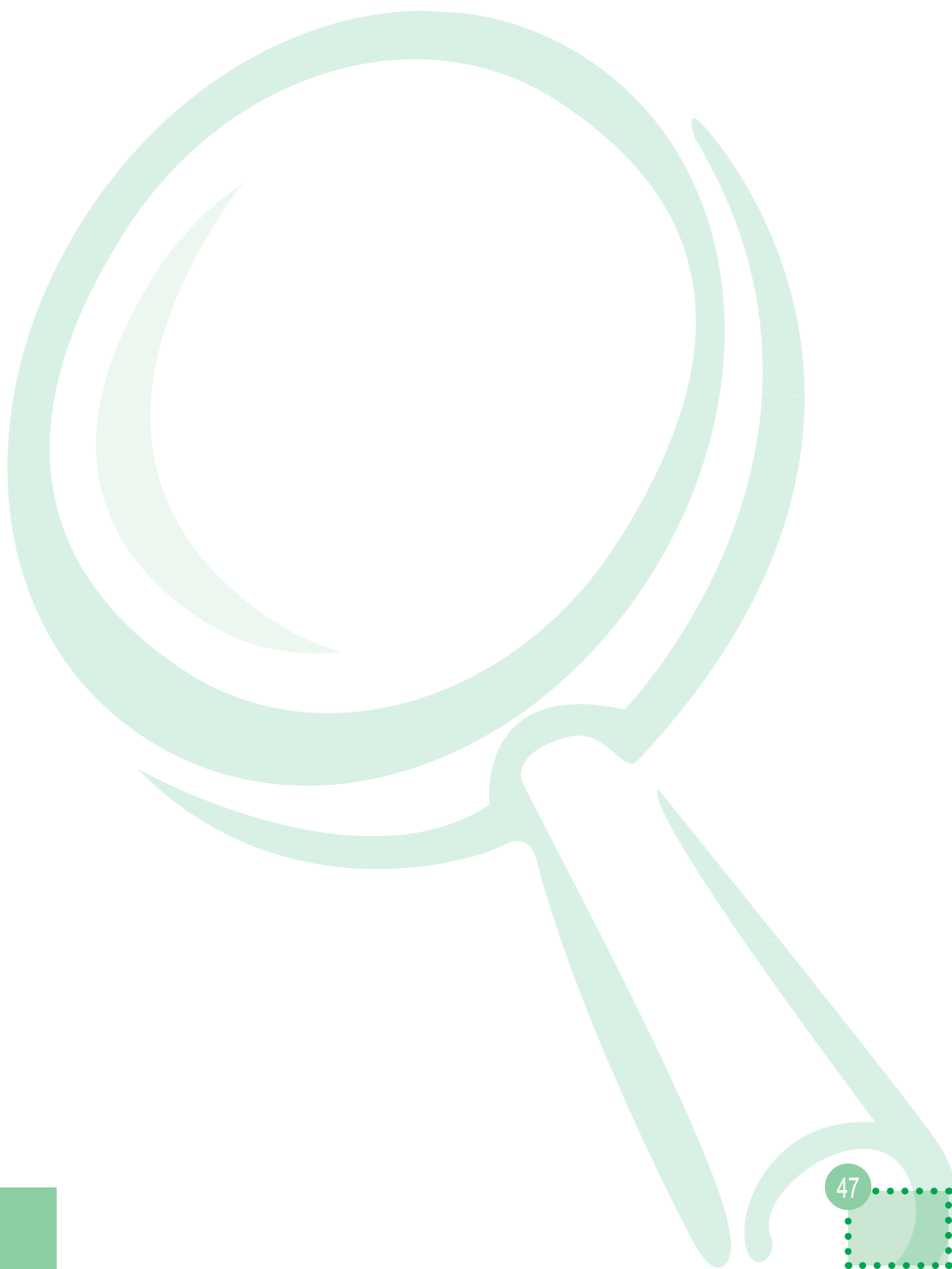
Assessed level ..... Results of Questionnaire:  
- elected representatives:  
- senior staff:  
- external organisations:

Actual positive indicators:

Actual negative indicators:

Reasons for assessment:

Priority actions:





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