

Assessment Methodology of the Principles of Public Administration

Updated indicators for SIGMA Monitoring Reports



2024

Assessment Methodology of the Principles of Public Administration

The Assessment Methodology provides a comprehensive framework for assessing the state of a public administration against each Principle described in The Principles of Public Administration. It features a complete set of indicators, focusing on the preconditions for a good public administration (good laws, policies, structures and procedures) and how the administration performs in practice, including the implementation of reforms and subsequent results.



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List of abbreviations and acronyms

Please refer also to the Annex of definitions and terms.

API	Application Programming Interface
CAF	Common Assessment Framework
CERT	computer emergency response team
CHU	central harmonisation unit
CIT	corporate income tax
CoE	Council of Europe
COFOG	Classification of Functions of the Government
CoG	centre of government
CoM	Council of Ministers
DPS	dynamic purchasing system
EC	European Commission
EFQM	European Foundation for Quality Management
eID	electronic identity
EI	European integration
EQR	engagement quality review
ESA	European system of accounts
ESPD	European Single Procurement Document
EU	European Union
FMC	financial management and control
GAWP	government annual work plan
GDPR	general data protection regulation
GFS	Government financial statistics
GHG	greenhouse gas
GUID 9030	good practices related to SAI independence
HR	human resources
HRM	human resource management
HRMIS	human resource management information system
IA	internal audit
IIA	Institute of Internal Auditors

ID	identity card
IMC	inter-municipal co-operation
INTOSAI	International Organization of Supreme Audit Institutions
IPPF	International Professional Practices Framework
IRC	international regulatory co-operation
ISO	International Standardisation Organisation
ISSAI	international standards of supreme audit institutions
KPI	key performance indicator
LGAP	law on general administrative procedures
MoF	ministry of finance
MP	member of parliament
MTBF	medium-term budgetary framework
MTEF	medium-term expenditure framework
MTFF	medium-term fiscal framework
NGO	non-governmental organization
NIS	Network and Information Security
NPAA	National Plan for the Acquis Alignment
OHS	occupational health and safety
PAR	public administration reform
PEFA	public expenditure and financial accountability
PFM	public financial management
PIT	personal income tax
PM	prime minister
PPP	public-private partnership
RIA	regulatory impact assessment
SAI	supreme audit institution
SOC	security operations centre
SOE	state-owned enterprise
TED	Tenders Electronic Daily
TNA	training needs analyses
TPM	Top Public Management
TQM	Total Quality Management
VAT	value-added-tax
UNCAC	United Nations Convention Against Corruption
WCAG	Web Content Accessibility Guidelines

WJP

World Justice Project

Introduction

Purpose of the Assessment Methodology

The Assessment Methodology of the Principles of Public Administration (hereafter the Methodology) provides a comprehensive framework to assess a public administration's performance against the standards laid down in the Principles of Public Administration¹ (hereafter the Principles).

The Principles provide a set of standards expressing the values and behaviours citizens and businesses expect from a modern public administration. They build on existing EU *acquis*, OECD recommendations and other international standards, as well as good EU and OECD country practices. They are the primary framework for EU candidate countries and potential candidates to build a better public administration. The Principles are organised in six thematic areas set out in the 2014 EU Enlargement Strategy:

1. Strategy
2. Policy development and co-ordination
3. Public service and human resource management
4. Organisation, accountability and oversight
5. Service delivery and digitalisation
6. Public financial management.

Each of the 32 Principles is a normative statement about one aspect of public administration. Each Principle is divided into several sub-principles that provide more detailed guidance on how to achieve the results and comply with the values described in the Principle. Using Principle 1 as an example, Box 1 illustrates how the subprinciples are defined.

Box 1. Illustration of a Principle of Public Administration

Principle 1: A comprehensive, credible and sustainable public administration reform agenda is established and successfully implemented, fostering innovation and continuous improvement.

Sub-principles:

- a) Public administration reform (PAR) is acknowledged as a political priority and is reflected in the relevant political agendas.
- b) A comprehensive PAR agenda, established through dedicated planning documents, covers all reform areas and fosters continuous improvement, agility and responsiveness of the public administration to evolving national and global priorities and challenges.
- c) PAR is co-ordinated at political and administrative levels; sufficient resources are allocated, and the planned reforms are effectively implemented and monitored.
- d) All relevant stakeholders are regularly consulted and involved in PAR planning and monitoring; PAR is effectively communicated, and values of good public administration are promoted.
- e) Public administration bodies encourage and share innovative solutions and approaches across the whole public administration.

¹ OECD (2023), *The Principles of Public Administration*, OECD, Paris, <https://www.sigmaweb.org/publications/principles-public-administration.htm>

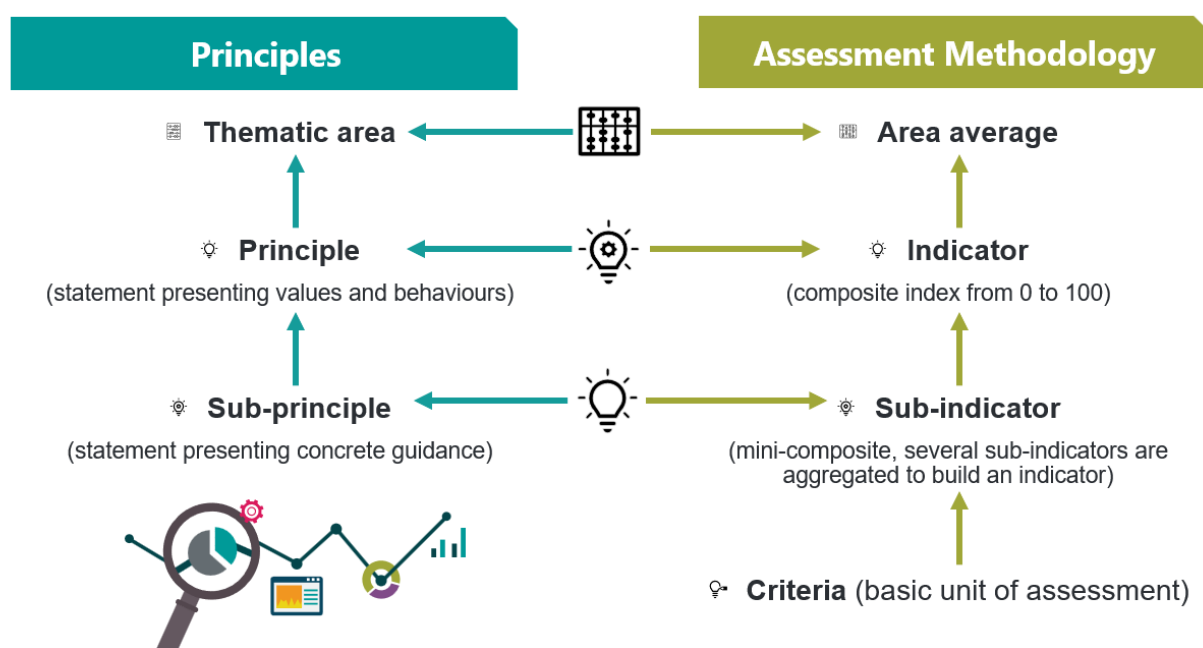
The purpose of the Methodology is to summarise a wide range of information about the actual functioning of a public administration in relation to the normative statements contained in each Principle, and to present it through a composite indicator ranging in value from 0 to 100.

While the Methodology is meant to be used primarily to assess the performance and progress of public administrations in EU enlargement countries, it is applicable to any national or subnational public administration system. As opposed to quality management assessment tools such as those of the European Foundation for Quality Management (EFQM) or the Common Assessment Framework (CAF), the SIGMA Methodology has not been designed to measure the performance of individual organisations but of entire public administration systems.

Structure and components of the Assessment Methodology

The Methodology's structure mirrors the design of the Principles (Figure 1). As a rule, one indicator² is used to assess each Principle, and each sub-indicator is linked to one or more subprinciples. In total, the system is composed of 36 indicators and 289 sub-indicators.

Figure 1. Structure of the Principles and the Assessment Methodology



A criterion is the basic Methodology assessment unit. Each criterion is a benchmark related to a single element of public administration functioning, relevant for achieving the standards laid down in the Principles. The Methodology has 1 710 criteria.

For each criterion met, one or more points are awarded, depending on the criterion's importance and relevance to a particular Principle. Points are totalled to provide a final score for sub-indicator values, and these totals are in turn added together to give overall indicator values.

² Exceptionally, some Principles (17, 22, 28 and 29) have two composite indicators for clearer presentation of results, as these Principles comprise two different aspects. For example, Principle 17 covers both administrative procedures (assessed by indicator 17.1) and administrative justice (assessed by indicator 17.2).

The Methodology aims to assess whether the standards of good public administration are incorporated into a country's legislation, strategic documents and policies; whether the institutional setup and capacities support achievement of the standards; and whether the standards are being complied with in practice and the results (outcomes) confirm this. With this in mind, the Methodology strikes a balance among each criterion's focus: 1) legislation; 2) strategies and guidance; 3) institutional set-up; 4) implementation practices; and 5) results.

Around 43% of the total points (weighted criteria) concentrate on legislation, institutions, and strategies and policies, and 57% focus on implementation practices and results. Although relatively greater weight is given to criteria that assess implementation practices and results, more emphasis can be placed on legislative or institutional aspects when they are used to assess the existence of a Principle's basic and critical conditions. Box 2 illustrates several Indicator 15 criteria. The public administration is transparent and open.

Box 2. Different types of criteria by object of analysis

Legislation

15.1.2.3. The law establishes that requesters of public information are not required to provide justification/legal interest for their requests (yes/no).

Approach: Review of legislation to verify that it establishes that the requester of public information has no obligation to justify their request.

Strategy and guidance

15.1.1.4. A strategy(ies) is in force with objectives to enhance transparency in the public sector (yes/no).

Approach: Review of the government adopted planning document(s) to verify they cover transparency objectives. For this purpose, enhancing transparency means objectives to enhance access to information, open government, and proactive publication of documents and re-use of data. To be considered "covered", the area must be a clearly identifiable part of the planning documents (either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Institutional set-up

15.1.1.1. A body(ies) is responsible for promoting access to information (yes/no).

Approach: Review of the institutional documents (organigrams, rules creating or governing the function of public bodies, etc.) and policy and strategic documents. Interviews with relevant government officials and stakeholders. It is verified there is one or several executive bodies within the government in charge of policy design, co-ordination, steering and monitoring of access to public information.

The existence of an oversight body (e.g. an information commissioner) does not fulfil the criterion. A body in charge of implementation is also required.

The criterion is not fulfilled if there are no central bodies in charge of policy design, co-ordination, steering and monitoring but each line ministry or executive agency develops its own objectives without general co-ordination.

Practice in implementation

15.1.9.2. Percentage of relevant documents and datasets published online (numerical).

Approach: Assessment of the number of documents or datasets from the list below that are disclosed online:

1. Consolidated version of all primary laws
2. The state budget for the current calendar year (if already adopted) and the latest full calendar year
3. The results of the last national elections published, aggregated on one website (i.e. the number of votes cast for all candidates in every constituency and appointed representatives)

4. National statistics on GDP and unemployment for the third quarter of the latest full calendar year
5. The government's annual (or multi-annual) work plan for the current calendar year
6. The government's annual report for the latest full calendar year, or the year prior
7. Legislative proposals of the government as sent to parliament
8. Public tenders announced by the central government, aggregated on one website
9. Results of all public tenders awarded by the central government, aggregated on one website
10. Salaries of individual senior civil servants (director generals and secretary generals) in all ministries, available on the ministries' websites or the government portal.

The standard is met if the information published is:

- a) Free of charge
- b) Up to date
- c) Machine readable
- d) Available in all official languages of the country
- e) Published in open format

Results

15.1.10.3. Business perception of government proactiveness in publishing information (numerical).

Approach: Analysis of survey responses from a sample of the businesses to the following statement: The public administration publishes information about government decisions and regulations relevant for the operation of your business in a helpful and accessible manner (e.g. budget, tenders, policies, etc.).

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

The Methodology criteria include three types of variables:

1. Binary (yes/no) criteria. The criterion result describes whether a statement is true for a certain public administration or not.
2. Ordinal criteria. The criterion result describes whether an aspect of a certain public administration corresponds to a given position in a predefined ordinal scale.
3. Numerical criteria. The criterion calculation is the numerical outcome of measuring an aspect or result of the public administration.

Most criteria that focus on legislation, strategies or institutions and policies are binary (yes/no), while those that address implementation practices or results are ordinal or numerical. offers examples of each type of criteria.

Box 3. Different criteria by type of variable

Binary

11.1.2.2. There are no unjustified differences in base salary resulting only from the employing institution.

Approach: General public service legislation/general legislation on salaries in the public service is analysed, along with special legislation regulating salary aspects of specific groups/categories/institutions. The budget law can also be a source of special arrangements and therefore needs to be analysed.

The criterion is met if no elements of unjust differentiation are discerned in the remuneration system, (e.g. different values for the calculation of base salary for the same type of positions, different salary scales for the same type of positions, top-ups not based on objective criteria differentiating jobs etc. The allocation of fixed parts of the salary (base salary, fixed supplements, etc.) does not prompt unjustified differences between same types of positions based on institutional or other criteria not objectively related to the position.

Ordinal

11.1.2.4. A job evaluation methodology is established

Approach: The methodology adopted for job evaluation is analysed. It should specify the criteria and process for job evaluation. The method to evaluate the jobs can be either analytical (such as point-factor rating) or non-analytical (e.g. comparison with a catalogue of standard jobs). If an analytical job evaluation methodology has been adopted, 2 points are awarded; 1 point is obtained for a non-analytical approach. Analysis is limited to the central government administration

- An analytical job evaluation methodology has been adopted.
- A non-analytical approach has been adopted.
- There is no methodology.

Numerical

11.1.2.11. Perception of fairness of salary levels across public administration by public servants (%) (2 points).

Approach: Analysis of survey responses from a sample of public servants to the following statement: "To what extent do you agree with the following statement: Staff is paid fairly across the public administration."

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Data sources and type of assessment conducted

No single measurement method can fully capture the complex qualitative normative statements distilled in the Principles to reflect the concept of good governance. To provide the most comprehensive picture of performance, the Methodology uses various qualitative and quantitative data sources, including primary and secondary legislation; policy and strategic documents; government reports; sample government documentation;³ administrative data from public registries; national statistics; and surveys of citizens, businesses and public administrations.

As part of the methodology, SIGMA conducts five surveys. For further details, see the technical note.⁴

1. SIGMA Survey of Citizens on public administration⁵
2. SIGMA Survey of Businesses on public administration⁶
3. SIGMA Survey of Public Servants on the functioning of the public administration⁷
4. SIGMA Survey of Contracting Authorities on the public procurement system⁸
5. SIGMA Business Survey on the public procurement system⁹

The surveys provide SIGMA with rich information on different groups' perceptions of concrete aspects of public administration functioning across various PAR areas. For all survey-based criteria, the Methodology provides survey questions and answer options.

Regarding assessment techniques, the main qualitative and quantitative methods applied in the framework are:

- legal analysis of primary and secondary regulations
- analysis of government websites and portals
- qualitative reviews of government policy and strategic documents and reports
- qualitative analysis of concrete administrative files from selected institutions
- quantitative analysis of objective and perception data.

The Methodology aims to limit expert discretion during the analysis by complementing each of the 1 710 criteria with a short methodological explanation. This supplementary material describes how the assessment team should perform the analysis, and which factual elements must be checked in a public administration document or practice for the criterion to be considered fulfilled (for binary or ordinal criteria), or which numerical data should be obtained. Wherever data or other factual elements are not available, the relevant criterion is not considered fulfilled, and zero points are awarded.

Each criterion is based on a concrete information and data analysis technique. When aggregated within an indicator, the different data sources allow a balanced assessment, ensuring that no method or data source is disproportionately represented. Legislation and document analysis is thus balanced with performance metrics based on official statistics and survey data.

³ For example: public consultation reports, agendas and minutes of PAR-related committees, recruitment files, and annual audit plans.

⁴ <https://www.sigmaweb.org/publications/Technical-Note-2024-Surveys.pdf>

⁵ <https://www.sigmaweb.org/publications/Questionnaire-citizens-2024.pdf>

⁶ <https://www.sigmaweb.org/publications/Questionnaire-businesses-public-administration-2024.pdf>

⁷ <https://www.sigmaweb.org/publications/Questionnaire-public-servants-2024.pdf>

⁸ <https://www.sigmaweb.org/publications/Questionnaire-contracting-authorities-2024.pdf>

⁹ <https://www.sigmaweb.org/publications/Questionnaire-businesses-procurement-2024.pdf>

Finally, it is also noteworthy that more than 98% of criteria in the Methodological Framework are assessed directly by SIGMA using primary data, while less than 2% of criteria come from secondary sources (other public administration assessment frameworks).

Aggregation method and indicator values

To allow national administrations to understand and verify assessments based on relevant evidence, the monitoring framework is deliberately simple and intuitive in its construction of the different composites. Every criterion has been given a weighting (number of points). The relative weights were decided by expert consensus, with the aim of striking a balance among the different data sources and analysis focus areas.

The way criteria are transformed into points is predetermined by the methodological framework and there are no opportunities for expert discretion in assigning points. Assessment teams decide if a binary criterion is met or not (e.g. if a country's legislation establishes that requesters of public information are not required to provide justification/legal interest for their requests), and points are assigned according to the methodology (e.g. no = 0; yes = 1). No subjective increases or reductions of points are allowed.

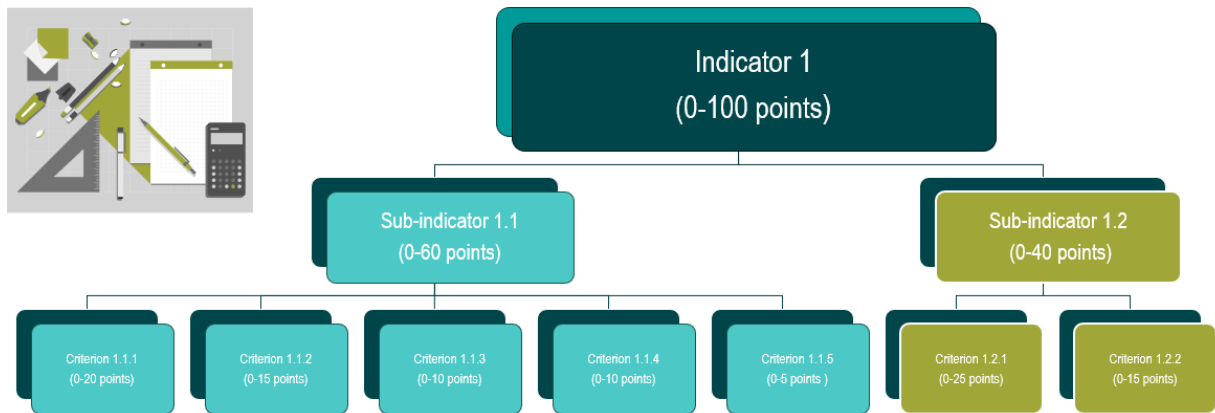
The same is true for ordinal criteria, with an assessment team analysing the factual situation of a concrete public administration and selecting the corresponding position on an ordinal scale. Points across the scale are predetermined by the methodology. For example, an assessment team has to determine whether in a certain public administration: 1. an analytical job evaluation has been established (2 points); 2. a job evaluation has been established, but it is not analytical (1 point); or 3. there is no methodology (0 points).

Finally, for numerical criteria, the Methodology allocates points using a linear function with maximum and minimum thresholds. For example, for Criterion 15.1.10.3 (business perception of government proactiveness in publishing information), points are allocated such that if 90% or more businesses tended to agree or strongly agreed that the public administration published information about government decisions and regulations relevant for the operation of their business (e.g. budgets, tenders, policies, etc.) in a helpful and accessible manner, then the country is granted full points (1 point in this case). If the percentage of businesses in agreement is less than 10%, 0 points are granted. For any percentage of businesses that agree between 10% and 90%, points are allocated linearly (e.g. if 50% of business representatives agree, 0.5 points are awarded to the country). This linear approach allows for points to be allocated according to a smooth gradient for the quantitative variable used to assess concrete criteria, avoiding artificial increments.

Thresholds for nominal variables were also determined through expert consensus and depend on the nature of the criteria. Generally, the minimum threshold for survey questions is 10% and the maximum 90%, with exemptions allowed for questions of a special nature (e.g. questions about direct experience with corruption). For other quantitative variables, thresholds are also being aligned for similar variables, with justifiable exemptions. For instance, the implementation rates of strategy activities are transformed into points using a linear function with a minimum threshold of 25% and a maximum of 90% across the methodological framework (the same thresholds are used for the PAR strategy, the transparency strategy, the digital government strategy, etc.).

The value of a sub-indicator is simply the sum of points a country obtains for all criteria belonging to that concrete sub-indicator. Likewise, the value of an indicator reflects the sum of points obtained by a country for all the criteria linked to that concrete indicator. Assessments are defined in such a way that 0 to 100 points can be assigned for every indicator. This allows analysts to easily interpret the results of every indicator, bearing in mind that each one attempts to capture the extent to which public administration performance is aligned with the normative statements of each Principle.

Figure 2. Illustration of point aggregation method for computing indicator values



Note: This is an illustration only. It is not intended to represent actual points allocated to the various Indicator 1 sub-indicators and criteria.



Strategy

The government ensures a strategic **vision and leadership** for an agile, innovative and continuously improving public administration responsive to new challenges.

Principle 1. A comprehensive, credible and sustainable public administration reform agenda is established and successfully implemented, fostering innovation and continuous improvement.

Indicator 1.1. Quality of public administration reform (PAR) agenda

The government is expected to ensure a strategic vision and leadership for an agile, innovative, and continuously improving public administration that is responsive to new challenges.

This indicator measures that the policy and institutional frameworks for PAR agenda planning, management, monitoring and reporting are established and how they are implemented in practice.

Sub-indicators	Maximum points
1. Prioritisation of PAR in key horizontal planning documents	8
2. Scope and comprehensiveness of PAR agenda	23
3. Reported implementation rate of PAR agenda	30
4. Management and co-ordination of PAR agenda	12
5. Monitoring implementation of PAR agenda	10
6. Stakeholder involvement and communication	9
7. Promotion of innovative practices	8
Total	100

Sub-indicator 1.1.1. Prioritisation of PAR in key horizontal planning documents

Relevant sub-principle(s): 1.a. Public administration reform (PAR) is acknowledged as a political priority and is reflected in the relevant political agendas.

Maximum points: 8

Criterion 1.1.1.1. The government programme identified PAR as a priority (2 points)

Category: Strategy and guidance

Approach: Review of the government programme to verify PAR is identified as a priority. The analysis identifies whether the government programme includes at least one major PAR-related reform among the issues addressed at the level of policy objectives, measures and/or activities. It is not sufficient to highlight PAR as a priority in the introduction or other overview chapters. To be considered “covered”, the document must include substantive section(s) or area(s) dealing with PAR-related reforms and covering at least one PAR area as covered by the Principles of Public Administration.

Criterion 1.1.1.2. The key horizontal planning documents identify PAR as a priority (2 points)

Category: Strategy and guidance

Approach: Review of key medium-to-long-term horizontal planning document(s) of the country, identified as such either at legislative level (e.g., law or regulation setting out hierarchy of planning documents) or acknowledged as such by the institution responsible for the country’s strategic planning system. The review needs to verify that PAR is identified as a priority. The analysis identifies whether the key medium-to-long-term planning document(s) include PAR substantive areas among the issues addressed (policy objectives, measures or activities). It is not sufficient to highlight PAR as a priority in the introduction or other overview chapters. To be considered “covered”, the document must include substantive section(s) or area(s) dealing with at least one major issue related to PAR addressed.

Criterion 1.1.1.3. PAR planning document(s) are coherent legislative (or work) plans of the government (2 points)

Category: Strategy and guidance

Approach: Review of PAR planning documents and government’s legislative (or work) plans (government work plan and/or legislative plan) to assess coherence between them in terms of planned laws (both amendments and new laws). Only planning documents with overlapping periods of implementation will be compared. PAR planning documents are considered not to be coherent with the government legislative (or work) plan if one law specified in the PAR planning documents is not included in the government’s legislative (or work) plan. Plans for the current calendar year are compared. In cases when there are no legislative commitments planned for the current calendar year, the most recent year that has legislative commitments planned within PAR planning documents and has a government legislative (or work) plan adopted for the same year will be assessed. Points are allocated if there is no inconsistency identified between the laws planned for adoption in the PAR planning documents and the government legislative

(or work) plan for the current assessment year. Even one inconsistency is sufficient for the criterion to be considered not fulfilled.

Criterion 1.1.1.4. Funding of PAR agenda planned from domestic sources (%) (2 points)

Category: Strategy and guidance

Approach: Review of PAR planning documents to assess the percentage of planned domestic financing of PAR agenda. The percentage is established by counting all identified financial needs for implementation of PAR agenda and calculating the share of domestic resources from the overall financial needs.

Points are allocated based on the percentage of domestic funding (x):

- $x < 50\%$ = 0 points.
- $50\% \leq x < 90\%$ = linear function.
- $x \geq 90\%$ = 2 points.

Sub-indicator 1.1.2. Scope and comprehensiveness of PAR agenda

Relevant sub-principle(s): 1.b. A comprehensive PAR agenda, established through dedicated planning documents, covers all reform areas, and fosters continuous improvement, agility and responsiveness of the public administration to evolving national and global priorities and challenges.

Maximum points: 23

Criterion 1.1.2.1. PAR planning document(s) cover reforms in policy development and co-ordination area (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted PAR planning document(s) to verify they cover the reforms in policy development and co-ordination area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 1.1.2.2. PAR planning document(s) cover reforms in public service and human resource management area (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted PAR planning document(s) to verify they cover the reforms in public service and human resource management area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 1.1.2.3. PAR planning document(s) cover reforms in organisation, accountability and oversight area (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted PAR planning document(s) to verify they cover the reforms in organisation, accountability and oversight area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 1.1.2.4. PAR planning document(s) cover reforms in service delivery and digitalisation area (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted PAR planning document(s) to verify they cover the reforms in the service delivery and digitalisation area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 1.1.2.5. PAR planning document(s) cover reforms in public financial management area, including public procurement (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted PAR planning document(s) to verify they cover the reforms in public financial management (PFM) area, including public procurement. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 1.1.2.6. PAR planning document(s) have a situation analysis, including identification of existing problems (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether they include a situation analysis, including identification of existing problems.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.7. PAR planning document(s) include policy objectives (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether they include policy objectives.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.8. PAR planning document(s) include outcome-level indicators for policy objectives (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether they include outcome-level indicators for policy objectives.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.9. PAR planning document(s) include baseline and target values for outcome-level indicators (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether they include baseline and target values the majority (at least 90%) of outcome-level indicators.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.10. PAR planning document(s) include activities linked to specific institutions and deadlines to complete them (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether they include activities linked to specific institutions, with clear deadlines for completion. (at least 90%).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.11. Sources of funding are explicitly identified for the activities in PAR planning document(s) (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether sources of funding are explicitly identified for the majority (at least 90%) of actions identified in PAR planning document(s).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.12. PAR planning document(s) include cost estimated for resource needs for the planned activities (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether total funding needs (cost estimates) are explicitly identified for the majority (at least 90%) of actions identified in PAR planning document(s).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.13. Detailed calculations are provided for the identified costs requiring additional financing for implementation (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether detailed calculations are provided for all additional costs of the majority (at least 90%) of actions planned to implement the PAR planning document(s) either as separate annex to PAR planning document(s) or as separate document(s).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.2.14. PAR planning document(s) specify monitoring, reporting and evaluation requirements, including institutional responsibilities and frequency of reports (2 points)

Category: Strategy and guidance

Approach: Review of government adopted PAR planning document(s) that are valid on the date of assessment to check whether PAR planning document(s) specify monitoring, reporting and evaluation requirements, including institutional responsibilities and frequency of reports.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Sub-indicator 1.1.3. Reported implementation rate of PAR agenda

Relevant sub-principle(s): 1.c. PAR is co-ordinated at political and administrative levels; sufficient resources are allocated and the planned reforms are effectively implemented and monitored.

Maximum points: 30

Criterion 1.1.3.1. Reported implementation rate of PAR activities (%) (15 points)

Category: Practice in implementation

Approach: Review of PAR planning documents and reports. Implementation rate is calculated based on the planned actions of all action plans of all valid PAR planning documents that comprise a PAR agenda during the last full calendar year. If there is no information on implementation of the action plan(s) of one or more strategies comprising the PAR agenda, it is assumed that the activities planned for the reporting year have not been implemented from the list of all planned activities of all strategies. Activities that are

only partially implemented will be counted as non-implemented. Continuous activities that span over more than one year and which do not have a clear timeframe, annual targets and deadlines established in the action plan are excluded from the calculation of the implementation rate.

Points are allocated based on the reported implementation rate of activities (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 15$ points.

Criterion 1.1.3.2. Reported implementation rate of PAR objectives (%) (15 points)

Category: Results

Approach: Analysis is based on measurable reform objectives set by the government in one or more PAR planning documents. The number of fulfilled reform objectives is compared with all reform objectives. If the government has established annual targets or results, these are taken into account in the analysis. If the government has established less frequent targets or results, the analysis will take into account the data from the latest available year (providing it dates from no farther back than three years). If the government has not set targets or any other form of measurable reform objectives, 0 points are awarded. The criterion is calculated based on all targets set for performance indicators linked to objectives that are achieved (at least 51% of the performance indicators linked to particular objectives have to be achieved in order for the objective to be considered fulfilled). If all targets are fully achieved, the rate is 100%.

Points are allocated based on the reported implementation fulfilment rate of objectives (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 15$ points.

Sub-indicator 1.1.4. Management and co-ordination of PAR agenda

Relevant sub-principle(s): 1.c. PAR is co-ordinated at political and administrative levels; sufficient resources are allocated and the planned reforms are effectively implemented and monitored.

Maximum points: 12

Criterion 1.1.4.1. Institutional responsibility is assigned for the overall co-ordination, monitoring and reporting of PAR (2 points)

Category: Institutional set-up

Approach: Review of regulations, planning documents and organisational structures to identify whether institutional responsibility is assigned for the overall co-ordination, monitoring and reporting of each PAR planning document.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.4.2. Individual/managerial responsibility is assigned for the overall co-ordination, monitoring and reporting of PAR (2 points)

Category: Institutional set-up

Approach: Review of regulations, planning documents and organisational structures to identify whether a clear individual or managerial responsibility is assigned for the overall co-ordination, monitoring and reporting of each PAR planning document. For individual or managerial responsibility, the analysis assesses whether a particular civil servant or structural unit in general has been appointed to organise co-ordination, monitoring and reporting on implementation of the PAR planning document.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.4.3. Political-level co-ordination body(-ies) covering all PAR areas exist and have met once during the calendar year (2 points)

Category: Institutional set-up

Approach: Document review, interviews with civil servants responsible for PAR coordination and implementation of key reform areas. Political-level co-ordination on PAR can be done either by a separate PAR council, providing that the designated ministers participate, or in regular government policy discussion forums. The criteria for a political-level discussion of PAR are considered to have been met if the PAR

topic covers either reporting on PAR or key policy issues related to any of the five substance areas of PAR and is open for presentation, debate or any other form of discussion. The criteria are not met if an agenda item has been formally approved without deliberation on substantive issues. If more than one political-level body is involved in co-ordinating different areas of PAR, there must be full co-ordination and harmonisation of the bodies' activities. The assessment reviews the agendas and minutes of the different coordination meetings to verify if the criteria have been satisfied.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.4.4. Administrative level co-ordination body of representatives from relevant institutions is formally established (2 points)

Category: Institutional set-up

Approach: Document review, interviews with civil servants responsible for PAR co-ordination and implementation of key reform areas. The analysis determines to what extent the co-ordination arrangements for PAR are established and have been operational during the previous calendar year, whether PAR brings together all key administration reform stakeholders responsible for the implementation of the PAR areas, and if communication with government ministries and departments is regularly ensured. The assessment reviews the agendas and minutes of the different co-ordination meetings to verify if the criteria have been satisfied.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.4.5. Administrative level co-ordination body has met at least twice during the calendar year (2 points)

Category: Institutional set-up

Approach: Document review, interviews with civil servants responsible for PAR co-ordination and implementation of key reform areas. The analysis determines whether the administrative level co-ordination body has met at least twice during the during the previous calendar year to discuss implementation of the PAR agenda. The assessment reviews the agendas and minutes of the different co-ordination meetings to verify if the criteria have been satisfied.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.4.6. Administrative level co-ordination body has made decisions related to the content of the PAR agenda (2 points)

Category: Practice in implementation

Approach: Document review, interviews with civil servants responsible for PAR co-ordination and implementation of key reform areas. The analysis determines whether the administrative level co-ordination body has made decisions related to the content of the PAR agenda during the last full calendar year. The assessment reviews the agendas and minutes of the different coordination meetings to verify if the criteria have been satisfied.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Sub-indicator 1.1.5. Monitoring implementation of PAR agenda

Relevant sub-principle(s): 1.c. PAR is co-ordinated at political and administrative levels; sufficient resources are allocated and the planned reforms are effectively implemented and monitored.

Maximum points: 10

Criterion 1.1.5.1. PAR annual monitoring reports are prepared (2 points)

Category: Practice in implementation

Approach: Review of the PAR-related reporting documents for the full calendar year covering the year before the assessment to identify whether the report has been prepared.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.5.2. PAR annual monitoring reports are published by no later than end of the first quarter following the reporting year (2 points)

Category: Practice in implementation

Approach: Review of the PAR-related reporting documents for the full calendar year covering the year before the assessment to identify their time of preparation and publication. To meet the criterion, the annual monitoring report should be prepared and published by no later than end of the first quarter of the year following the full calendar year that the report is prepared on.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.5.3. All outcome-level indicators (and impact-level indicators, if they exist) are described and defined in detail (2 points)

Category: Practice in implementation

Approach: Review of the PAR-related planning and reporting documents, as well as specific technical notes (“indicator passports”) to identify that all outcome and impact level indicators are described and defined in detail, including data sources, time of data availability, calculation formulas, responsible institutions, and baseline and target values.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.5.4. The latest published PAR progress reports include information on outputs or activities achieved (2 points)

Category: Practice in implementation

Approach: Review of the PAR-related planning and reporting documents to identify that PAR progress reports are prepared with information on outputs produced or activities completed.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.5.5. The latest published PAR progress reports include information on outcome indicators (2 points)

Category: Practice in implementation

Approach: Review of the PAR-related planning and reporting documents to identify that PAR progress reports at least every second reporting year include information on the outcome and/or impact indicators.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Sub-indicator 1.1.6. Stakeholder involvement and communication

Relevant sub-principle(s): 1.d. All relevant stakeholders are regularly consulted and involved in PAR planning and monitoring; PAR is effectively communicated and values of good public administration are promoted.

Maximum points: 9

Criterion 1.1.6.1. Draft PAR planning document(s) are disclosed for public consultation for a minimum of two weeks (2 points)

Category: Practice in implementation

Approach: Review of PAR-related documents, in particular public consultation reports and minutes of meetings for the process of drawing up or amending PAR planning documents (strategies, action plans and amendments).

SIGMA analyses any new plan (strategy, action plan) or any amendment to a PAR area planning document that was approved during the last full calendar year. If no new plans or amendments to planning documents were approved in the assessment period, SIGMA analyses the most recent planning document(s) approved prior to the assessment period. If there were several planning documents prepared and approved, the processes for all of them will be checked to ensure the criteria are met.

If any of the requirements set out for criteria 1-4 are not met, then 0 points are automatically awarded.

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.6.2. At least two representatives of non-state actors are included in working groups for drafting PAR document(s) (2 points)

Category: Practice in implementation

Approach: Review of PAR-related documents, in particular decisions on composition of working groups and minutes of their meetings to establish whether at least two representatives of non-state actors are/were included in working groups for drafting PAR planning document(s).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.6.3. At least two representatives of non-state actors regularly participate in PAR management meetings (2 points)

Category: Practice in implementation

Approach: Document review, interviews with civil servants responsible for PAR co-ordination and implementation of key reform areas, as well as with non-governmental organisations (NGOs). The analysis determines whether the non-state actors have been involved in meetings of PAR management and co-ordination meetings as participants (with or without voting rights).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.6.4. There is a dedicated page on lead PAR institution's website, or a separate webpage maintained by it on the PAR agenda (2 points)

Category: Practice in implementation

Approach: Review to ensure that there is a dedicated page on the lead PAR institution's website or a separate webpage maintained by the lead PAR institution on PAR agenda where citizens can find basic information on set objectives and implementation progress of PAR in their country.

Review on whether it provides the required information: a) all PAR planning documents as adopted by the government, b) annual monitoring reports for at least last full calendar year of the current set of planning documents, c) agendas and minutes of meetings of PAR co-ordination structures at both political and administrative levels, d) contact details of lead PAR structure and e) whether the site is regularly updated (at least informing on adoption of new planning documents, publishing of monitoring reports, holding of meetings).

Points are allocated based on analysis of the relevant PAR planning documents using the following approach:

- all PAR planning documents meet the criterion = 2 points
- partially fulfilled - all except one document meet the criterion = 1 point
- for all other cases, including if none of the PAR planning documents meet the criterion = 0 points

Criterion 1.1.5. Public awareness regarding government's implemented reforms in public administration and achieved results (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question or statement that shows actual results achieved by governments' public communication efforts for promoting PAR and/or actual results achieved by this reform: "During the last six months, you have seen government information related to the improvement of work of the public administration".

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.

Sub-indicator 1.1.7. Promotion of innovative practices

Relevant sub-principle(s): 1.e. Public administration bodies encourage and share innovative solutions and approaches across the whole public administration.

Maximum points: 8

Criterion 1.1.7.1 - Promotion of innovation and use of new approaches in public administration are encouraged by government (2 points)

Category: Strategy and guidance

Approach: Review of the key government work planning and PAR planning documents to identify whether public sector innovation is acknowledged / encouraged as a concept and promoted as one of the essential objectives of PAR. It is not sufficient to highlight public sector innovation as a general concept in the introduction or other overview chapters of analysed documents. For the criterion to be fulfilled, the document must include substantive sections or chapters dealing with public sector innovation and include specific objective(s) and relevant measures and/or activities that promote innovation across public administration.

Criterion 1.1.7.2 Innovation in public administration is promoted through special events, competitions, awards. (2 points)

Category: Practice in implementation

Approach: Review of cases submitted by national administration to identify whether a central government function organises special events, competitions or awards that promote and reward innovation in public sector, either at the organisational or individual levels.

Points are allocated based on the number of examples that the national administration provides to SIGMA as examples that innovation is promoted in public administration:

- Two or more examples are provided = 2 points
- One example is provided = 1 point

Criterion 1.1.7.3 Good practices on innovative approaches are shared throughout the public administration (2 points)

Category: Practice in implementation

Approach: Review of materials produced by the central government function responsible for promoting innovation to collate and disseminate good practices of innovative approaches.

Criterion 1.1.7.4 Awareness of civil servants that good practices and/or innovative approaches are encouraged throughout the public administration. (1 point)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants to the following question or statement that shows perception of promotion of innovation in public administration: “My organisation continually encourages me to look for new ways of improving the way things work.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents that replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.

Criterion 1.1.7.5 Awareness of civil servants that good practices and/or innovative approaches are shared throughout the public administration. (1 point)

Category: Results

Approach: Analysis of survey responses by a sample of public servants to the following question or statement that shows perception of sharing information about innovative practices in public administration: “Innovative, new practices introduced by colleagues in other departments and institutions are shared across public administration.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.



Policy development and co-ordination

The government ensures that **policies and budgets are harmonised**, effectively planned, co-ordinated across the whole of government, implemented, monitored and evaluated against clearly defined policy objectives. Ministries develop coherent public policies through an open and participatory process, informed by sound evidence and analysis.

Principle 2: Public policies are coherent and effectively co-ordinated by the centre of government; decisions are prepared and communicated in a clear and transparent manner.

Indicator 2.1. Effectiveness of the centre of government (CoG), policy co-ordination and government decision-making

This indicator measures whether the minimum requirements for functions critical to a well-organised, consistent and competent policymaking system are established and fulfilled by the centre-of-government (CoG) institutions, without inconsistencies or duplications. It aims to measure the openness and transparency of government decision-making, as well as government communication and co-ordination of risk and crisis management. Finally, the indicator also aims to measure the effectiveness of the European Union (EU) integration-related functions and their implementation in practice by the relevant CoG bodies (for EU candidate countries and potential candidates only).

Sub-indicators	Maximum points
1. Assignment of critical functions to CoG institutions by legislation	9
2. Internal co-ordination between CoG institutions	6
3. Preparation of government sessions and openness of decision-making	28
4. Central quality check on procedural compliance	30
5. Co-ordination of government communications	6
6. Co-ordination of risk and crisis management	5
European integration (EI)-related module (relevant to EU candidate countries and potential candidates only)	
7. Assignment of EI-functions to CoG institutions by legislation	4
8. Availability of guidelines on EI-processes	4
9. Effectiveness of EI co-ordination in practice	8
Total	100
Total points for EI-related module	16¹⁰

¹⁰ In case the EU-related module is not assessed, the point allocation of the other sub-indicators will be adjusted to add up to a maximum of 100 points.

Sub-indicator 2.1.1. Assignment of critical functions to CoG institutions by legislation

Relevant sub-principle(s): 2.a. The centre of government (CoG) enables and facilitates policy co-ordination across ministries and relevant institutions to ensure overall policy coherence and better and more sustainable policy outcomes.

Maximum points: 9

Criterion 2.1.1.1. Co-ordination of the preparation of government sessions is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Preparation of government sessions includes planning agendas and background materials. Review of legislation to identify clear assignment of key functions to CoG bodies related to policy development and co-ordination. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.2. Co-ordination of activities to ensure legal conformity of items considered for government approval is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to legal conformity of items considered for government approval. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.3. Co-ordination of preparation of the government's strategic priorities and work programme is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to preparation of the government's strategic priorities and work programme. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.4. Co-ordination of the policy content of proposals for government decision is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Co-ordination of the policy content of proposals for government decision includes defining the policy preparation process and ensuring coherence with government priorities. Review of legislation to identify clear assignment of key functions to CoG bodies related to policy development and co-ordination. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.5. Verification that policies are affordable and oversight of co-ordination of public sector resource planning are assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to affordability of policy proposals and oversight of co-ordination of public sector resource planning. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.6. Monitoring of government performance to ensure implementation of policies progresses as planned and that the government collectively performs effectively is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to monitoring of government performance and policy implementation. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.7. Management of the relationship between the government and other parts of the state (e.g. the president, the parliament) is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to management of the relationship between the government and other parts of the state (e.g. the president, the parliament). If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.8. Co-ordination and facilitation of smooth government transition after elections is assigned to CoG institutions by law (1 point)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to transition planning co-ordination and facilitation of a smooth government transition after elections includes for example, preparing policy briefs for the incoming prime minister, and issuing guidance to ministers and their staff. the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded. Points can also be awarded if there is evidence that the government has issued transition-related guidance to ministries during recent changes in government, even in the absence of a specific regulation.

Criterion 2.1.1.9. Co-ordination of government communication activities to ensure a coherent and consistent government message is assigned to CoG institutions by law (0.5 points)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to co-ordination of government communications. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Criterion 2.1.1.10. Co-ordination of risk management and crisis management mechanisms is assigned to CoG institutions by law (0.5 points)

Category: Institutional set-up

Approach: Review of legislation to identify clear assignment of key functions to CoG bodies related to risk and crisis management. If the allocation of functions is not clear, generates duplication, or overlaps among bodies, zero points are awarded.

Sub-indicator 2.1.2. Internal co-ordination between CoG institutions

Relevant sub-principle(s): 2.b. CoG institutions and their internal units co-ordinate and collaborate actively to ensure good policy outcomes.

Maximum points: 6

Criterion 2.1.2.1. CoG bodies co-ordinate preparation of the government annual work plan (GAWP) (3 points)

Category: Practice in implementation

Approach: The assessment looks at whether the relevant CoG bodies co-ordinate with each other during the planning and preparation of the government annual work plan (GAWP). CoG bodies are asked to provide evidence to show that co-ordination arrangements work in practice. The evidence may be provided in the form of written proceedings, e-mail communication, minutes from co-ordination meetings or written comments/opinions.

Criterion 2.1.2.2. CoG units within the government office co-ordinate internally on policy proposals submitted to the government for decision (3 points)

Category: Practice in implementation

Approach: The assessment looks at whether the relevant units within the government office (general secretariat or office of the prime minister) co-ordinate with each other in the review of policy proposals (strategies or draft laws) submitted by line ministries. CoG units are asked to provide evidence to show that internal co-ordination arrangements work in practice. The evidence may be provided in the form of written proceedings, e-mail communication, minutes from co-ordination meetings or written comments/opinions. This criterion focuses specifically on co-ordination within the main CoG institution; in cases in which the main CoG body is composed of more than one entity then co-ordination across all

entities should be considered in the assessment. At a minimum, the function for checking the policy content of proposals and the function for checking the completeness of the submitted proposals must be co-ordinated.

Sub-indicator 2.1.3. Preparation of government sessions and openness of decision making

Relevant sub-principle(s): 2.c. Government decisions are prepared, approved and followed up in a transparent, effective and timely manner, based on clear rules and procedures, through the relevant decision-making structures, including government sessions.

Maximum points: 28

Criterion 2.1.3.1. Clear rules and procedures are in place to guide the preparation of government sessions (4 points)

Category: Legislation

Approach: Clear rules and procedures include stipulating deadlines and the roles and responsibilities of the bodies involved. Review of legislation that covers the mandates of the CoG with respect to quality control and the gatekeeper function for the preparation of government sessions, including their mandate/authority to comment and return items to ministries that do not comply with requirements, as well as co-ordination of dispute resolution procedures.

Criterion 2.1.3.2. A CoG body has the authority for quality control regarding the submission of materials for adoption at government sessions (4 points)

Category: Legislation

Approach: Review of legislation to verify that the CoG body has the authority to review, comment and return items to ministries if the submitted package is incomplete and/or do not comply with the procedural and quality requirements and standards. Review of legislation that covers the mandates of the CoG with respect to quality control and the gatekeeper function for the preparation of government sessions, including their mandate/authority to comment and return items to ministries that do not comply with requirements and co-ordination of dispute resolution procedures, as well as if the substance requires further improvement and/or is inconsistent with the government priorities.

Criterion 2.1.3.3. The agendas of government sessions are made publicly available online prior to the session (5 points)

Category: Practice in implementation

Approach: The administration provides evidence that government session agendas are available before the session on the government's website for the most recent government sessions. Checks will be carried out to verify the practice by accessing the website and checking the information and documents available for the most recent government sessions.

Criterion 2.1.3.4. Submission of draft laws for approval at government sessions is timely enough to allow all participants to review material (5 points)

Category: Practice in implementation

Approach: The administration provides evidence that the full package of materials for draft laws for approval at the government session was available for participants at least three days before the meeting for all draft laws submitted to government sessions during the last quarter of 2023. Interviews with government officials and experts will be used to verify and confirm the practice. In case of finding any inconsistency or irregularity in sharing full information in advance of the meetings no points will be allocated.

Criterion 2.1.3.5. Records of all decisions agreed upon at the government sessions (minutes) are kept and distributed after sessions to all participants and those required to act on decisions (3 points)

Category: Practice in implementation

Approach: Review of government decision-making documents is used to verify that the minutes of formal government sessions are kept and distributed to all participants and to those required to act on decisions (with the exception of sensitive/classified information). Interviews are used to confirm that the government routinely circulates minutes or made them available to participants and those concerned by decisions after all government sessions.

Criterion 2.1.3.6. Government decisions are made publicly available online (3 points)

Category: Practice in implementation

Approach: Review of the government website to verify that the decisions and conclusions of the government sessions are publicly available. Checks are carried out on the latest three government sessions to verify that all decisions made during those sessions were eventually published and available online. Interviews are used to confirm that the government publishes all decisions after the government sessions. In case of any inconsistency found, no points are allocated.

Criterion 2.1.3.7. Key decisions adopted by the government are publicly communicated after each session (4 points)

Category: Practice in implementation

Approach: Review of government decision-making documents and government website is used to verify that the government communicates with the public on key government decisions taken at each session (with the exception of sensitive/classified information). The review confirms that the government regularly communicated the outcomes of government sessions after the meetings. Different channels of communication can be used like a press conference or publishing information on the website.

Sub-indicator 2.1.4. Central quality check on procedural compliance

This sub-indicator verifies the draft laws are scrutinised by the CoG to ensure they are complete, of sufficient quality (in terms of legal quality, alignment with government priorities, financial affordability, etc.) contain the necessary evidence, and that all procedures have been respected, in line with the procedures and requirements established by the regulations.

Relevant sub-principle(s): 2.d. The relevant CoG institution reviews all items submitted for final government approval to check their compliance with the established rules and standards.

Maximum points: 30

Criterion 2.1.4.1. Legal drafts are reviewed by the CoG to ensure that dossiers are complete and consistent and that submission procedures have been followed (6 points)

Category: Practice in implementation

Approach: Complete and consistent dossiers include all required supporting documents, such as a regulatory impact assessment report, public consultation report or other opinions. Review of the full list of draft laws approved by the government during the last full calendar year. National administrations are asked to provide full information about the approved laws and all the relevant procedural and substantive checks carried out on individual laws before they were submitted to the government for final approval. Additional checks are carried out from this list, a sample of five draft laws is selected for in-depth review. Additional checks are carried out on the full package of the five selected draft laws, including comparison with the government programme and priorities from the government work plan, to verify that all of the quality control checks specified in the criteria have been undertaken. The same sample of draft laws selected for the assessment of Indicator 4 is used to assess this criterion.

Criterion 2.1.4.2. Legal drafts are reviewed by the relevant CoG body to check the quality, coherence and consistency of legal drafting (6 points)

Category: Practice in implementation

Approach: Review of the full list of draft laws approved by the government during the last full calendar year. National administrations are asked to provide full information about the approved laws and all the relevant procedural and substantive checks carried out on individual laws before they were submitted to the government for final approval. Additional checks are carried out from this list, a sample of five draft laws is selected for in-depth review. Additional checks are carried out on the full package of the five selected draft laws, including comparison with the government programme and priorities from the government work plan, to verify that all of the quality control checks specified in the criteria have been undertaken. The same sample of draft laws selected for the assessment of Indicator 4 is used to assess this criterion.

Criterion 2.1.4.3. Legal drafts are reviewed by the relevant CoG bodies to ensure coherence and consistency with government priorities, plans and policies (6 points)

Category: Practice in implementation

Approach: Review of the full list of draft laws approved by the government during the last full calendar year. National administrations are asked to provide full information about the approved laws and all the relevant procedural and substantive checks carried out on individual laws before they were submitted to the government for final approval. Additional checks are carried out from this list, a sample of five draft laws is selected for in-depth review. Additional checks are carried out on the full package of the five selected draft laws, including comparison with the government programme and priorities from the government work plan, to verify that all of the quality control checks specified in the criteria have been undertaken. The same sample of draft laws selected for the assessment of Indicator 4 is used to assess this criterion.

Criterion 2.1.4.4. Legal drafts are reviewed by the relevant CoG body to check their financial viability (6 points)

Category: Practice in implementation

Approach: Review of the full list of draft laws approved by the government during the last full calendar year. National administrations are asked to provide full information about the approved laws and all the relevant procedural and substantive checks carried out on individual laws before they were submitted to the government for final approval. Additional checks are carried out from this list, a sample of five draft laws is selected for in-depth review. Additional checks are carried out on the full package of the five selected draft laws, including comparison with the government programme and priorities from the government work plan, to verify that all of the quality control checks specified in the criteria have been undertaken. The same sample of draft laws selected for the assessment of Indicator 4 is used to assess this criterion.

Criterion 2.1.4.5. Perceived effectiveness of the CoG in policy co-ordination by civil servants (%) (6 points)

Category: Results

Approach: Analysis of survey responses by a sample of public servants to the following question or statement: “The CoG institution (to be replaced by the actual name of the institution depending on the country – PMO, GSG) is adequately co-ordinating decision making at government level to ensure its quality and coherence”. The question is filtered to relevant officials in line ministries.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 6$ points

Sub-indicator 2.1.5. Co-ordination of government communications

Relevant sub-principle(s): 2.e. Central co-ordination of government communication, both internal and external, helps advance the national policy agenda and counters both mis-information and dis-information.

Maximum points: 6

Criterion 2.1.5.1. A central body actively co-ordinates government communications through cross-ministerial mechanisms such as an overall communications calendar or similar planning tool (2 points)

Category: Practice in implementation

Approach: Review of the co-ordination and planning of government communication by a central body, using transparent, practical tools such as a cross-ministerial network and a central calendar or similar planning tool. The co-ordination tool must be clearly used and regularly updated. The use of co-ordination tools can be validated through interviews.

Criterion 2.1.5.2. A centrally co-ordinated communications strategy is in force (1 point)

Category: Strategy and guidance

Approach: A communications strategy (or similar strategic/planning document or new guidelines, whether internal or published) has been developed over the past two years. The authorities provide an example of a strategy from the preceding three years. A central communications body develops regular (at least every two years) communications strategies (including internal strategic planning documents) that define the government's communications objectives and its key communications tools or new communications guidelines.

Criterion 2.1.5.3. A central body gathers and analyses information on public sentiment/preferences (1 point)

Category: Practice in implementation

Approach: Opinion survey/feedback reports are prepared at least once a year. The authorities provide an example of a feedback report from the preceding year that was led/commissioned by the communications body.

Criterion 2.1.5.4. A central body co-ordinates digital communications activities to ensure that digital communications activities are well co-ordinated (1 point)

Category: Practice in implementation

Approach: Review of digital media channels to assess the presence of central co-ordination and review of guidelines issued to line ministries regarding digital media activity to ensure consistent and clear communication by various government institutions, in line with the communication strategy. Evidence provided by the authorities can include written guidance or training on digital media policy provided by the central body for line ministries, including provisions for central co-ordination of digital media output.

Criterion 2.1.5.5. A central body evaluates the impact of the government's communication activities through regular impact reports (1 point)

Category: Practice in implementation

Approach: An evaluation report on communications activities has been prepared at least once in the past two years. The authorities provide evidence that communications policy impact is regularly (at least once every two years) evaluated, such as by providing an evaluation report, data analysis, etc.

Sub-indicator 2.1.6. Co-ordination of risk and crisis management

Relevant sub-principle(s): 2.f. Effective and agile procedures and mechanisms ensure continuous government decision-making in crisis situations and management of external risks; the government uses strategic foresight to anticipate and prepare for future scenarios.

Maximum points: 5

Criterion 2.1.6.1. Risk management is centrally co-ordinated through a clear system that assigns roles and responsibilities across government at all levels (1 point)

Category: Institutional set-up

Approach: Review of the assignment of functions relating to risk and crisis management and the guidelines and rules of procedure relating to risk and crisis management. Interviews with officials to verify that procedures are in place and that they are fit for purpose. Evidence from actual crisis events can be used in each case if there has been a recent risk/crisis situation.

Review of the legislation/regulations in force indicates that there is a clear risk and crisis management architecture in place that includes central co-ordination functions. The assignment of roles is clearly set out in a regulation or other legal document.

Criterion 2.1.6.2. A central co-ordination body co-ordinates the preparation and dissemination of a periodic assessment of natural and man-made risks to populations and to economic activity (1 point)

Category: Strategy and guidance

Approach: Review of the assignment of functions relating to risk and crisis management and the guidelines and rules of procedure relating to risk and crisis management. Interviews with officials to verify that procedures are in place and that they are fit for purpose. Evidence from actual crisis events can be used in each case if there has been a recent risk/crisis situation. A national risk assessment report or similar (either for internal government circulation or a published report) has been prepared and approved in the past five years.

Criterion 2.1.6.3. A central body is assigned to co-ordinate actions to prepare for and ensure the smooth functioning of government decision-making in the event of a crisis (1 point)

Category: Institutional set-up

Approach: Review of the assignment of functions relating to risk and crisis management and the guidelines and rules of procedure relating to risk and crisis management. Interviews with officials to verify that procedures are in place and that they are fit for purpose. Evidence from actual crisis events can be used in each case if there has been a recent risk/crisis situation. A clear mechanism (regulation or instructions) clarifies roles and measures to ensure the smooth functioning of the government itself in the event of a crisis.

Criterion 2.1.6.4. A central body is assigned to co-ordinate crisis response actions across the government in a crisis situation (1 point)

Category: Institutional set-up

Approach: Review of the assignment of functions relating to risk and crisis management and the guidelines and rules of procedure relating to risk and crisis management. Interviews with officials to verify that procedures are in place and that they are fit for purpose. Evidence from actual crisis events can be used in each case if there has been a recent risk/crisis situation. A crisis response mechanism is in place to allocate roles across the public administration in the event of a crisis.

Criterion 2.1.6.5. A central body is assigned to co-ordinate recovery/reconstruction efforts across the government after the occurrence of a critical risk (1 point)

Category: Institutional set-up

Approach: Review of the assignment of functions relating to risk and crisis management and the guidelines and rules of procedure relating to risk and crisis management. Interviews with officials to verify that procedures are in place and that they are fit for purpose. Evidence from actual crisis events can be used in each case if there has been a recent risk/crisis situation. A crisis recovery mechanism is in place to allocate roles across the public administration in the aftermath of a crisis.

European integration (EI)-related module relevant to EU candidate countries and potential candidates only

Sub-indicator 2.1.7. Assignment of EI-functions to CoG institutions by legislation

Relevant sub-principle(s): 2.g. The government establishes and enforces clear horizontal procedures for governing the national European integration (EI) processes under the co-ordination of the responsible CoG institution. The roles and responsibilities for all relevant institutions involved in the EI process, including for EU law transposition, are clearly established.

Maximum points: 4

Criterion 2.1.7.1. A CoG body is responsible for overall daily co-ordination of EI (1 point)

Category: Institutional set-up

Approach: Review of the legislation governing management of EI-related activities.

Criterion 2.1.7.2. A CoG body is responsible for planning of EI policy (1 point)

Category: Institutional set-up

Approach: Review of the legislation governing management of EI-related activities.

Criterion 2.1.7.3. A CoG body monitors implementation of EI policy, including preparation of progress reports on EI implementation (0.5 points)

Category: Institutional set-up

Approach: Review of the legislation governing management of EI-related activities.

Criterion 2.1.7.4. A CoG body co-ordinates alignment of national legislation with the EU acquis (1 point)

Category: Institutional set-up

Approach: Review of the legislation governing management of EI-related activities.

Criterion 2.1.7.5. A CoG body co-ordinates accession negotiations (0.5 points)

Category: Institutional set-up

Approach: Review of the legislation governing management of EI-related activities.

Sub-indicator 2.1.8. Availability of guidelines on EI processes

Relevant sub-principle(s): 2.g. The government establishes and enforces clear horizontal procedures for governing the national European integration (EI) processes under the co-ordination of the responsible CoG institution. The roles and responsibilities for all relevant institutions involved in the EI process, including for EU law transposition, are clearly established.

Maximum points: 4

Criterion 2.1.8.1. Guidelines on how to plan and carry out EU law transposition in line with the national regulatory policymaking procedures and rules are issued and available for use by the relevant institutions (1 point)

Category: Strategy and guidance

Approach: Review of regulations and administrative instructions and guidelines to determine whether the CoG provides relevant guidance for each tasks.

Criterion 2.1.8.2. Guidelines on how to translate the EU acquis are issued and available for use by the relevant institutions (1 point)

Category: Strategy and guidance

Approach: Review of regulations and administrative instructions and guidelines to determine whether the CoG provides relevant guidance for each tasks.

Criterion 2.1.8.3. Guidelines on how to participate in, manage and co-ordinate EI-related negotiations are issued and available for use by the relevant institutions (1 point)

Category: Strategy and guidance

Approach: Review of regulations and administrative instructions and guidelines to determine whether the CoG provides relevant guidance for each tasks.

Criterion 2.1.8.4. Guidelines on the preparation of the plan for EI and reports on the implementation of the EI plan are issued and available for use by the relevant institutions (1 point)

Category: Strategy and guidance

Approach: Review of regulations and administrative instructions and guidelines to determine whether the CoG provides relevant guidance for each tasks.

Sub-indicator 2.1.9. Effectiveness of EI co-ordination in practice

Relevant sub-principle(s): 2.g. The government establishes and enforces clear horizontal procedures for governing the national European integration (EI) processes under the co-ordination of the responsible CoG institution. The roles and responsibilities for all relevant institutions involved in the EI process, including for EU law transposition, are clearly established.

Maximum points: 8

Criterion 2.1.9.1. A functioning EI co-ordination mechanism is in place (1 point)

Category: Practice in implementation

Approach: For a functioning co-ordination mechanism to be in place, it is not sufficient to have a regular, administrative-level meeting organised according to negotiation chapters. A functional, horizontal-level meeting forum is required. Political-level meetings must take place at least once a year. Administrative-level meetings must take place at least twice a year and be chaired by the EI co-ordination body.

Criterion 2.1.9.2. Development of EI-plans is centrally co-ordinated, and they are regularly updated (1 point)

Category: Practice in implementation

Approach: The unit responsible for EI must lead the preparation of EI plans to ensure central co-ordination. In addition, the EI plan must be updated and adopted by the government at least every two years. SIGMA checks that the EI monitoring report (or reports) was prepared by the EI co-ordination body, compiled at least once per year, and covered all EI areas.

Criterion 2.1.9.3. A monitoring report on the implementation of the EI-plan is compiled annually by the EI co-ordination body (1 point)

Category: Practice in implementation

Approach: SIGMA checks if monitoring reports have been prepared and formally approved by the government for at least two consecutive years (the assessment year and the year prior to it).

Criterion 2.1.9.4. Formal opinions are consistently provided prior to submission of draft legal acts transposing the EU acquis (2 points)

Category: Practice in implementation

Approach: The EI co-ordination body must consistently provide its formal opinion prior to submission of draft legal acts transposing the EU acquis to the government. Checks are carried out on all draft laws approved by the government during the last full calendar year, and which aimed to transpose EU legislation to verify that formal opinions by the relevant EI co-ordination body were prepared or not for all cases. Government is asked to provide the full list of such laws and indicate whether opinions from the EI body were prepared or not for all cases. Additional verification is done on at least two transposition cases for which the opinions of the EI co-ordination body is requested and checked. The sample of laws for verification is from the five sample laws selected for review under indicators 4 and 5 of the policy development and coordination area. The criterion is considered not fulfilled if there is at least one example when the opinion of the EI body was not prepared.

Criterion 2.1.9.5.5. Chapters provisionally closed (%) (3 points)

Category: Results

Approach: xx the EI co-ordinating body provides the relevant formal documents indicating the status of the accession negotiations. Points are allocated based on the percentage of the proportion of provisionally closed chapters (x):

- $x < 33\% = 0$ points.
- $33\% \leq x < 66\% =$ linear function.
- $x \geq 66\% = 3$ points.

Principle 3: The government plans and monitors public policies in an effective and inclusive manner, in line with the government fiscal space.

Indicator 3.1. Quality of policy planning and reporting

This indicator measures the legislative, procedural and organisational set-up established for harmonised policy planning and reporting. It measures the alignment of planning documents and the quality and transparency of planning documents and reports. It also assesses the outcomes of the planning process (specifically the number of planned legislative commitments and sector strategies carried forward from one year to the next), and the extent to which the financial implications of sectoral strategies are adequately estimated.

Sub-indicators	Maximum points
1. Adequacy of the legislative and institutional framework for policy planning and reporting	7
2. Availability of guidance to line ministries during the policy planning and reporting process	7
3. Alignment between central policy planning documents	10
4. Quality and transparency of policy planning documents	21
5. Financial sustainability of policy planning documents	7
6. Implementation of government commitments	15
7. Quality and transparency of policy reporting and monitoring	17
European integration (EI)-related module (relevant to EU candidate countries and potential candidates only)	
8. Quality and transparency of European integration (EI) policy planning	6
9. Implementation of European integration (EI) commitments	6
10. Quality and transparency of EI monitoring and reporting	4
Total	100
Total points for EI-related module	16¹¹

¹¹ In case the EU-related module is not assessed, the point allocation of the other sub-indicators will be adjusted to add up to a maximum of 100 points.

Sub-indicator 3.1.1. Adequacy of the legislative and institutional framework for policy planning and reporting

Relevant sub-principle(s): 3.a. A harmonised and coherent policy planning, monitoring and reporting system, with clear procedures and key institutional responsibilities, is established.

3.b. Political priorities and agenda, as articulated in the government programme or other similar political statements, are effectively planned and implemented through relevant policy planning documents.

Maximum points: 7

Criterion 3.1.1.1. The status of the key central government planning documents is established in the regulatory framework (0.5 points)

Category: Legislation

Approach: Provisions defining the status, hierarchy, planning processes and delegation of relevant functions pertaining to the policy and financial planning documents are identified.

Criterion 3.1.1.2. The hierarchy of the key central government planning documents is established in the regulatory framework (0.5 points)

Category: Legislation

Approach: Provisions defining the status, hierarchy, planning processes and delegation of relevant functions pertaining to the policy and financial planning documents are identified.

Criterion 3.1.1.3. The regulatory framework stipulates that planning documents are prepared considering political agenda priorities (1 point)

Category: Legislation

Approach: Review of regulations to assess if requirements and/or mechanisms to align public policy planning documents (such as government work plan, sector strategies, medium-term budgetary framework [MTBF]) with or to operationalise the implementation of the political priorities and agenda as articulated in the government programme or other similar political statements are defined.

Criterion 3.1.1.4. The government-level policy planning function is delegated to a centre-of-government (CoG) body (1 point)

Category: Institutional set-up

Approach: Review of regulations to assess if the centre of government institution(s) has been assigned the function to set/propose the standards for policy planning, to provide support to institutions on policy planning, to develop or co-ordinate the development of central government planning documents, such as the government work plan, legislative plan (if separate from the government work plan), government priority document or other horizontal policy documents.

Criterion 3.1.1.5. The procedures for development of sector strategies are established in the regulatory framework (1 point)

Category: Legislation

Approach: Review of regulations and methodological documents to assess if the steps for planning, development, consultation, approval, publication and monitoring and reporting of sector strategy or sector planning documents are defined. If several documents define such steps, all documents are assessed.

Criterion 3.1.1.6. The regulatory framework stipulates regular reporting on sector strategies and publication of report (1 point)

Category: Legislation

Approach: Review of regulations and methodological documents to assess if at least annual reporting is required for sector strategies and the government work plan and/or legislative plan and if reports are required to be published on government websites. Points are allocated if the requirements for reporting and publishing are stipulated. If there are two separate government work plans (for non-legislative and legislative commitments), points are allocated if both plans meet the requirements of the criterion.

Criterion 3.1.1.7. The regulatory framework stipulates regular reporting on government work plan and publication of report (1 point)

Category: Legislation

Approach: Review of regulations and methodological documents to assess if at least annual reporting is required for sector strategies and the government work plan and/or legislative plan and if reports are required to be published on government websites. Points are allocated if the requirements for reporting and publishing are stipulated. If there are two separate government work plans (for non-legislative and legislative commitments), points are allocated if both plans meet the requirements of the criterion.

Criterion 3.1.1.8. CoG institution(s) are authorised to provide quality control for development of sector strategies (1 point)

Category: Institutional set-up

Approach: Review of regulations to assess if a centre-of-government institution(s) is assigned to review the quality of sector strategies and provide feedback to the sponsoring institution before their adoption by the government.

Sub-indicator 3.1.2. Availability of guidance to line ministries during the policy planning and reporting process

Relevant sub-principle(s): 3.g. Guidance, quality assurance and methodological support are provided to institutions during the planning, monitoring and reporting of policy planning documents.

Maximum points: 7

Criterion 3.1.2.1. Written instructions are available for line ministries on how to prepare the government work plan (1 point)

Category: Strategy and guidance

Approach: Review of guidelines, methodologies, or other written instructions. Review of instructions approved by the government or issued by a centre-of-government body in line with regulations (including detailed regulations that provide all the necessary steps and instructions). One instruction document can cover multiple functions.

Criterion 3.1.2.2. Written instructions are available for line ministries on how to develop sector strategies (1 point)

Category: Strategy and guidance

Approach: Review of guidelines, methodologies, or other written instructions. Review of instructions approved by the government or issued by a centre-of-government body in line with regulations (including detailed regulations that provide all the necessary steps and instructions). One instruction document can cover multiple functions.

Criterion 3.1.2.3. Written instructions are available for line ministries on how to monitor government performance and prepare reports (1 point)

Category: Strategy and guidance

Approach: Review of guidelines, methodologies, or other written instructions. Review of instructions approved by the government or issued by a centre-of-government body in line with regulations (including detailed regulations that provide all the necessary steps and instructions). One instruction document can cover multiple functions.

Criterion 3.1.2.4. Perceived availability of support for preparing policy planning documents by public servants (%) (2 points)

Category: Results

Approach: Analysis of survey responses by a sample of public servants to the following question or statement: “To what extent do you agree with the following statement: Guidance, advice and support are available for preparing strategies, programmes and plans.” Officials from ministries dealing with policy planning and monitoring are asked to confirm if they would agree that sufficient support and guidance is available for the preparation of policy planning documents and monitoring reports.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 2$ points.

Criterion 3.1.2.5. Perceived availability of support for reporting on policy planning documents by public servants (%) (2 points)

Category: Results

Approach: analysis of survey responses by a sample of public servants to the following question: “To what extent do you agree with the following statement: Guidance, advice and support are available for preparing reports on implementation of strategies, programmes and plans.” Officials from ministries dealing with policy planning and monitoring are asked to confirm if they would agree that support and guidance is available for the preparation of policy planning documents and monitoring reports.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 2$ points.

Sub-indicator 3.1.3. Alignment between central policy planning documents

Relevant sub-principle(s): 3.c. Policy and financial planning documents are coherent and aligned with each other in terms of policy priorities, objectives and activities.

Maximum points: 10

Criterion 3.1.3.1. The priorities of the government work plan are coherent with the priorities of the MTBF (2 points)

Category: Practice in implementation

Approach: Review of the key central government planning documents and sector strategies/planning documents. The alignment of the priorities or objectives of the government work plan with the priorities or objectives of the medium-term budgetary framework for the current year is assessed by identifying non-matching priorities between the two documents. No points are awarded if there are no priorities established in either of the documents or more than one inconsistency is identified. An inconsistency is defined as non-matching priorities.

Criterion 3.1.3.2. Consistency of action plans for sector strategies with the annual government work plan (%) (4 points, based on review of selected cases)

Category: Practice in implementation

Approach: The alignment of the annual government work plan or equivalent with the activities foreseen in sector strategies is assessed by analysing a sample of five sector strategies adopted during the last full calendar year. Selected five sector strategies are from four different ministries (where possible). They are selected by SIGMA. The sample excludes PAR and public financial management (PFM) strategies. To calculate the percentage, SIGMA identifies the number of laws foreseen in the action plans of the selected five sector strategies for the following (assessment) year that are also included in the government's work plan for that same (assessment) year and divide the number by the total number of laws foreseen in the action plans of the five sector strategies for that year. If the strategies or their action plans do not indicate the specific legislative activity, then the action plans of sector strategies are not considered to be consistent with the government's work plan.

The sample of five strategies is selected according to the following approach. First, the full list of new strategies approved by the government during the last full calendar year is established, together with key information about the lead institution, dates of and links to public consultation, date of approval, quality assurance checks carried out by the centre-of-government. If the government adopted fewer than five strategies during the previous year, the sample of five is completed by adding strategies adopted last during the year prior to the latest full calendar year. If the number of strategies approved during the last year is more than five, SIGMA reviews and selects five for the analysis representing four different ministries (where possible).

Points are allocated based on the percentage of laws foreseen to be adopted in the action plans for the sample strategies included in the government annual work plan (GAWP) (x):

- $x < 50\%$ = 0 points.
- $50\% \leq x < 80\%$ = linear function.
- $x \geq 80\%$ = 4 points

Criterion 3.1.3.3. Alignment between planned and approved draft laws by the government (4 points)

Category: Results

Approach: The alignment rate (expressed as a percentage) is calculated by dividing the number of government-initiated draft laws originating from annual government planning documents (such as the GAWP or legislative plan) approved by the government during the last full calendar year by the total number of actual draft laws approved by the government in that period. If there were multiple governments formed within a calendar year, the draft laws submitted to the parliament by these governments are compared against the annual planning documents of these governments for the same period, but the overall comparison is given as an aggregate of the entire year.

Sub-indicator 3.1.4. Quality and transparency of policy planning documents

Relevant sub-principle(s): 3.d. Policy planning documents meet quality requirements and contain adequate analysis and information, including on policy objectives, indicators with targets and monitoring framework. They are developed in a participatory manner and are publicly available.

Maximum points: 21

Criterion 3.1.4.1. Government's work plan includes outcome-level indicators to measure achievement of government's priorities (1 point)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. The government is considered to make use of outcome level indicators in government's work plan if a minimum of 60% of the government's priorities or objectives have outcome level indicators.

- At least 60% of the government's priorities or objectives have outcome level indicators = 1 point
- Less than 60% of the government's priorities or objectives have outcome level indicators = 0 points

Criterion 3.1.4.2. MTBF or its equivalent includes policy objectives (1 point)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. The medium-term budgetary framework (MTBF) or its equivalent is considered to have policy objectives if the MTBF defines policy objectives or priorities in a separate section or within sections of sectoral descriptions.

Criterion 3.1.4.3. MTBF or its equivalent includes outcome level indicators (1 point)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. The outcome level indicators are considered to be present if a minimum of 60% of objectives or priorities of the MTBF have outcome level indicators.

- At least 60% of objectives or priorities of the MTBF have outcome level indicators = 1 point
- Less than 60% of objectives or priorities of the MTBF have outcome level indicators = 0 points

Criterion 3.1.4.4. Sector strategies include situation analysis, including identification of existing problems (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include comprehensive information and analysis.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.5. Sector strategies include policy objectives (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include policy objectives.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.6. Sector strategies include outcome level indicators for all policy objectives of the strategy (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include outcome level indicators.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.7. Sector strategies include target values for at least 90% of the outcome level indicators (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include target values.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.8. Sector strategies include activities linked to specific institutions, and with clear deadlines for completion (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include activities.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.9. Sector strategies include monitoring, reporting and evaluation requirements (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Review of a sample of five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include monitoring, reporting and evaluation requirements. These requirements specify at least institutional responsibilities, frequency of reports, consideration/adoption and publication.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = half of the points
- For all other cases, including if none of the strategy meet the criterion = 0 points

Criterion 3.1.4.10. The quality check on sector strategies is consistently carried out (2 points)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents. Consistency of quality control is checked based on the review of all sector strategies adopted during the latest full calendar year. Full population is checked based on the self-assessment report prepared by the government administration. Additional checks are carried out based on the review of a sample of five sector strategies selected for assessment. Any evidence of inconsistent implementation of the quality control function(s) is sufficient for not allocating any points.

Criterion 3.1.4.11. Government work plan or its equivalent is publicly available (2 points)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents: Review of relevant government websites and other government online platforms and systems to verify whether the most recent government work plan or its equivalent and all sector strategies adopted during the last full calendar year are publicly available.

Criterion 3.1.4.12. Sector strategies are publicly available (3 points)

Category: Practice in implementation

Approach: Review of key central government planning documents and sector strategies/planning documents: Review of relevant government websites and other government online platforms and systems to verify whether the most recent government work plan or its equivalent and all sector strategies adopted during the last full calendar year are publicly available.

Sub-indicator 3.1.5. Financial sustainability of policy planning documents

Relevant sub-principle(s): 3.e. Policy planning documents include financial cost estimates that are aligned with the medium-term and annual budgets, and financial resources are available to ensure smooth and full implementation.

Maximum points: 7

Criterion 3.1.5.1. Sector strategies include information about additional expenditure needs for all planned activities (3 points, bases on review of selected cases)

Category: Practice in implementation

Approach: Review of a sample of the five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include additional expenditure needs.

If a strategy or its action plan does not provide any cost estimates for planned activities that are likely to have additional cost implications, then the costing of that particular strategy is considered not to be done. Additional costs are defined as those that are required for successful implementation of the planned activities and which are not included in the regular budgetary costs for capital or recurrent expenditure or salaries and premises of the units responsible for implementing the actions.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = Maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = Half of the points.
- For all other cases, including if none of the strategies meet the criterion = 0 points.

Criterion 3.1.5.2. Sector strategies identify sources of funding for costed activities, including donor funding separately (2 points, bases on review of selected cases)

Category: Practice in implementation

Approach: Review of a sample of the five sector strategies adopted during the latest full calendar year and the relevant action plans to verify whether they include sources of funding of costed activities.

If a strategy or its action plan does not provide any cost estimates for planned activities that are likely to have additional cost implications, then the costing of that particular strategy is considered not to be done. Additional costs are defined as those that are required for successful implementation of the planned activities and which are not included in the regular budgetary costs for capital or recurrent expenditure or salaries and premises of the units responsible for implementing the actions.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = Maximum points
- Partially fulfilled - all sample strategies except one meet the criterion = Half of the points.
- For all other cases, including if none of the strategies meet the criterion = 0 points.

Criterion 3.1.5.3. Budget preparation guidelines require ministries to consider estimates for sector strategy implementation (2 points)

Category: Legislation

Approach: The review of the written guidelines, circulars or other instructions and methodological documents issued by the ministry or agency responsible for finance or the government for the preparation of the medium-term budgetary framework (MTBF) or the state budget to assess if the guidelines require the ministries to take into account the estimates for additional funds needed for implementation of measures or activities included in the relevant sector planning documents when preparing MTBF or state budget.

Sub-indicator 3.1.6. Implementation of government commitments

Relevant sub-principle(s): 3.b. Political priorities and agenda, as articulated in the government programme or other similar political statements, are effectively planned and implemented through relevant policy planning documents.

Maximum points: 15

Criterion 3.1.6.1. Reported implementation rate of activities of the annual government work plan (%) (5 points)

Category: Practice in implementation

Approach: The assessment is done based on the report of the annual government work plan (GAWP) for the last full calendar year, or other reporting information provided by the administration or publicly available. The implementation rate (expressed as a percentage) is calculated by dividing the number of activities which have been implemented during the last full calendar year by the total number of activities included in the GAWP in that period.

Points are allocated based on the reported implementation rate of activities (x):

- $x < 40\% = 0$ points.
- $40\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

Criterion 3.1.6.2. Planned sectoral strategies carried forward (%) (5 points)

Category: Practice in implementation

Approach: Comparison of publicly available strategy development plans for the two most recent consecutive years (usually the annual government work plan) is conducted. The number of sector planning documents that are carried forward from the first year to the next (documents planned for adoption in the first plan, but also included in the next plan due to non-implementation) is divided by the total number of sector planning documents in the first year's plan and expressed as a percentage.

Points are allocated based on the percentage of sectoral strategies carried forward (x):

- $x > 50\% = 0$ points.
- $50\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 5$ points.

Criterion 3.1.6.3. Planned legislative commitments carried forward (%) (5 points)

Category: Practice in implementation

Approach: Comparison of the two most recent government's legislative plans or equivalent documents is conducted. The number of laws that are carried forward from the first plan to the next (items planned for adoption in the first plan, but also included in the next plan due to non-implementation) is divided by the total number of laws in the first plan. If a separate legislative plan of the government is not available, the laws included in the work plan of the government are used instead.

Points are allocated based on the planned legislative commitments carried forward (x):

- $x > 50\% = 0$ points.
- $50\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 5$ points.

Sub-indicator 3.1.7. Quality and transparency of policy reporting and monitoring

Relevant sub-principle(s): 3.f. Performance and results, including achievement of policy objectives and outcome indicators, are regularly monitored and reported on; monitoring reports are published on time to enable public scrutiny.

Maximum points: 17

Criterion 3.1.7.1. The annual GAWP implementation report includes information on achievement of outputs and/ or activities (2 points)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals.

The reporting of progress on achievements of outputs and outcomes for the government work plan and sector strategies is only considered fulfilled if predefined indicators are established and the reports provide information about the progress towards achievement of all outputs and outcomes (not selected ones).

Criterion 3.1.7.2. The annual GAWP implementation report includes information on achievement of outcomes (2 points)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals.

The reporting of progress on achievements of outputs and outcomes for the government work plan and sector strategies is only considered fulfilled if predefined indicators are established and the reports provide information about the progress towards achievement of all outputs and outcomes (not selected ones).

Criterion 3.1.7.3. Sector strategy reports include information on achievement of outputs or activities (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals.

The reporting of progress on achievements of outputs and outcomes for the government work plan and sector strategies is only considered fulfilled if predefined indicators are established and the reports provide information about the progress towards achievement of all outputs and outcomes (not selected ones). Assessed based on a sample of five sector strategy reports prepared and adopted during the latest full calendar year. Reports will be selected by SIGMA from a full list of valid sector strategies. Reports should be from four different ministries. Public administration reform and public financial management strategy reports are excluded.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = 2 points
- Partially fulfilled - all sample strategies except one meet the criterion = 1 point
- for all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 3.1.7.4. Sector strategy reports include information on achievement of outcomes (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals.

The reporting of progress on achievements of outputs and outcomes for the government work plan and sector strategies is only considered fulfilled if predefined indicators are established and the reports provide information about the progress towards achievement of all outputs and outcomes (not selected ones). Assessed based on a sample of five sector strategy reports prepared and adopted during the latest full calendar year. Reports will be selected by SIGMA from a full list of valid sector strategies. Reports should be from four different ministries. Public administration reform and public financial management strategy reports are excluded.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = 2 points
- Partially fulfilled - all sample strategies except one meet the criterion = 1 point
- for all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 3.1.7.5. Sector strategy reports include recommendations and/or remedial actions for more effective implementation (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals. The recommendations and/or remedial actions are considered to be present if there is a listing of recommendations provided either in a separate section or integrated into other sections of the report. The responsible institutions and the timeline for the implementation of recommendations are indicated for the majority of recommendations and/or remedial actions. Assessed based on a sample of five sector strategy reports prepared and adopted during the latest full calendar year. Reports will be selected by SIGMA from a full list of valid sector strategies. Reports should be from four different ministries. Public administration reform and public financial management strategy reports are excluded.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = 1 point
- Partially fulfilled - all sample strategies except one meet the criterion = 0.5 points
- for all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 3.1.7.6. Sector strategy reports include information on actual budget spending and financing gaps (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals. Assessed based on a sample of five sector strategy reports prepared and adopted during the latest full calendar year. Reports will be selected by SIGMA from a full list of valid sector strategies. Reports should be from four different ministries. Public administration reform and public financial management strategy reports are excluded. Considered to be fulfilled if information on the actual budget spending in line with cost estimates is provided. Financial information can be provided per objective, activity or overall for implementation of the strategy. Financing gaps, if any, should be explained too.

Points are allocated based on a qualitative review of sample strategies:

- All sample strategies meet the criterion = 1 point
- Partially fulfilled - all sample strategies except one meet the criterion = 0.5 points
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 3.1.7.7. The annual report on the implementation of the state budget is prepared and publicly available (1 point)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals. Review of government websites and other government online platforms and systems to verify whether reports prepared during the assessment period are publicly available.

Criterion 3.1.7.8. The annual GAWP implementation report is prepared and publicly available (2 points)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals. Review of government websites and other government online platforms and systems to verify whether reports prepared during the assessment period are publicly available. If there are two separate government work plans (for non-legislative and legislative commitments), points are allocated if both plans meet the requirements of the criterion.

Criterion 3.1.7.9. Reports on implementation of valid sector strategies are prepared and publicly available (4 points)

Category: Practice in implementation

Approach: Review of government reporting documents and governmental websites and portals. Public availability of implementation reports of valid sector strategies prepared and published during the last full calendar year is reviewed. Full population of all sector strategies in force at the end of the year prior to the last full calendar year is taken into account. First, the full list of valid sector strategies is established, the list of strategy implementation reports prepared and published during the last full calendar year is put together with a link to the published report. The points are allocated if reports are prepared and published for at least 80% of all sector strategies in force at the end of the year prior to the last full calendar year.

Points are allocated based on the share of published strategy reports(x):

- $x < 40\% = 0$ points
- $40\% \leq x < 80\% =$ linear function
- $x \geq 80\% = 4$ points

European integration (EI)-related module relevant to EU candidate countries and potential candidates only

Sub-indicator 3.1.8. Quality and transparency of European integration (EI) policy planning

Relevant sub-principle(s): 3.h. The European integration (EI) planning process is fully integrated within the overall government policy planning systems. EI plans are coherent and aligned with other government planning documents.

Maximum points: 6

Criterion 3.1.8.1. Requirements for the development of the EI plan(s) are established in the regulatory framework (1 point)

Category: Legislation

Approach: Review of the legislative and regulatory framework for European integration policy planning.

Criterion 3.1.8.2. EI plan is aligned with the government work plan (1 point)

Category: Practice in implementation

Approach: Review of European integration (EI) and government work planning documents. The alignment between EI planning document(s) and the government work plan is assessed by comparing the lists of planned laws from the current year EI plan with the current year government work plan. At least 90% of the laws in the EI plan must be included in the government work plan for them to be considered aligned.

- At least 90% of laws in the EI plan are included in the government work plan = 1 point
- Less than 90% of laws in the EI plan are included in the government work plan = 0 points

Criterion 3.1.8.3. EI plan includes activities according to negotiation chapters with deadlines (1 point)

Category: Practice in implementation

Approach: Review of European integration planning documents to assess if the deadlines are provided for all activities (legislative and implementation type) and if these activities are aligned to/ structured according to negotiation chapters and/or clusters.

Criterion 3.1.8.4. EI plan includes cost estimates for activities (1 point)

Category: Practice in implementation

Approach: Costing of European integration (EI) planning documents is assessed by analysing information provided about the costs and funding sources of commitments related to implementation. This excludes the development of draft laws, by-laws and strategies, but includes any activities dealing with enforcement of such documents. EI planning documents are considered to include sufficient cost estimates and information about sources of funding, if at least 80% of the commitments related to implementation are costed. If the plan does not include implementation-related activities, then the plan is not considered to be costed.

Points are allocated based on the share of activities with cost estimates (x):

- $x < 40\% = 0$ points
- $40\% \leq x < 80\% =$ linear function
- $x \geq 80\% = 1$ point

Criterion 3.1.8.5. EI plan includes information about the sources of funding for activities (1 point)

Category: Practice in implementation

Approach: Costing of European integration (EI) planning documents is assessed by analysing information provided about the costs and funding sources of commitments related to implementation. This excludes the development of draft laws, by-laws and strategies, but includes any activities dealing with enforcement of such documents. EI planning documents are considered to include information about sources of funding, if at least 80% of the commitments related to implementation are costed and if the source of their funding is also provided. If the plan does not include implementation-related activities, then the plan is not considered to be costed.

Points are allocated based on the share of activities with source of funding provided(x):

- $x < 40\% = 0$ points
- $40\% \leq x < 80\% =$ linear function
- $x \geq 80\% = 1$ point

Criterion 3.1.8.6. EI plan is publicly available (1 point)

Category: Practice in implementation

Approach: Review of government websites and other government online platforms and systems to verify whether the most recent European integration plan or its equivalent is publicly available.

Sub-indicator 3.1.9. Implementation of European integration (EI) commitments

Relevant sub-principle(s): 3.i. The government effectively implements EI plans through prioritising and costing of EI-related commitments, taking into consideration the available resources and capacities of the administration.

Maximum points: 6

Criterion 3.1.9.1. EI-related legislative commitments carried forward (%) (3 points)

Category: Practice in implementation

Approach: The proportion of items carried forward (expressed as a percentage) is calculated by comparing the most recent European integration (EI) plans of two consecutive periods. If there is no separate EI plan and the government work plan includes a comprehensive list of EI commitments, the comparison is based on the government work plan. The number of items carried forward from the first plan to the next is divided by the total number of commitments in the first plan. All EI-related commitments (legislative) are taken into consideration for the calculation. If the structure of the consecutive plans has substantially changed so that no comparison is possible, no points are awarded.

Points are allocated based on the percentage of the items that are carried forward from the first plan to the next (x):

- $x > 50\% = 0$ points.
- $50\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 3$ points.

Criterion 3.1.9.2. Reported implementation rate of the government's plans for EI-related legislative commitments (%) (3 points)

Category: Practice in implementation

Approach: Review of the European integration (EI) plan or government's work plan for the last full calendar year and the report on their implementation. The implementation rate (expressed as a percentage) is calculated by dividing the number of EI-related laws included in the plan and approved by the government during the last full calendar year by the total number of such commitments in the plan. If there is no report, the calculation is based on the list of approved EI-related legislative items provided by the government.

Points are allocated based on the reported implementation rate (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Sub-indicator 3.1.10. Quality and transparency of EI monitoring and reporting

Relevant sub-principle(s): 3.i. The government effectively implements EI plans through prioritising and costing of EI-related commitments, taking into consideration the available resources and capacities of the administration.

Maximum points: 4

Criterion 3.1.10.1. The regulatory framework stipulates regular reporting on the implementation of the EI plan (0.5 points)

Category: Legislation

Approach: Review of regulatory framework

Criterion 3.1.10.2. The regulatory framework stipulates that the report on the implementation of the EI plan must be published (0.5 points)

Category: Legislation

Approach: Review of regulatory framework

Criterion 3.1.10.3. The report on the implementation of the EI plan includes information on achievement of outputs (1 point)

Category: Practice in implementation

Approach: Review of the government monitoring report on the implementation of the national plan for European integration (EI) (or any report on EI that covers planned activities and their implementation, e.g. negotiation reports) to verify if it includes information on achievement of outputs and/or activities and recommendations for improvement.

Criterion 3.1.10.4. The report on the implementation of the EI plan includes recommendations and/or remedial actions (1 point)

Category: Practice in implementation

Approach: Review of the government monitoring report on the implementation of the national plan for European integration (EI) (or any report on EI that covers planned activities and their implementation, e.g. negotiation reports) to verify if it includes information on achievement of outputs and/or activities and recommendations for improvement.

Criterion 3.1.10.5. The report on the implementation of the EI plan is prepared and publicly available (1 point)

Category: Practice in implementation

Approach: Review of government websites and other government online platforms and systems to verify whether EI reports covering the last full calendar year are publicly available.

Principle 4: Public policies are developed based on evidence and analysis, following clear and consistent rules for law making; laws and regulations are easily accessible.

Indicator 4.1. Use of evidence and impact assessment during policy making, and quality and accessibility of laws

This indicator aims to measure the effectiveness of the regulatory and methodological framework and practice of applying better regulation and evidence-based approaches during policymaking. It assesses the presence of a national framework and internal procedures in ministries for effective policy development. The indicator also assesses the quality and comprehensiveness of the *ex ante* regulatory impact assessment (RIA) system, through analysis of the relevant regulations, methodology and consistency and quality of implementation. The indicator also includes criteria on the quality, predictability and consistency of legislation and legal drafting standards, and the accessibility of legislation. Surveys of businesses and public servants are used to inform the perceptions of key internal and external stakeholders and users about the quality of policies and available relevant guidance and support. Finally, a special sub-indicator measures the adequacy and effectiveness of the legal framework and special tools for achieving evidence-informed European Union (EU) *acquis* alignment, including the use of tables of concordance, organisation of translation of EU law. This sub-indicator is only relevant for EU candidate countries and potential candidates.

Sub-indicators	Maximum points
1. Strength of the national policy framework for better regulation	3
2. Effectiveness of internal co-ordination and procedures for evidence-based policymaking in ministries	5
3. Comprehensiveness of the regulatory impact assessment (RIA) system, and consistency and quality of implementation	33
4. Effectiveness of regulatory oversight, central guidance and support for RIA	9
5. Predictability, coherence and consistency of legislation	17
6. Accessibility and availability of laws	17
European integration (EI)-related module (relevant to EU candidate countries and potential candidates only)	
7. Effectiveness of the regulatory framework and special procedures and tools for evidence-based EU law transposition	16
Total	100
Total points for EI-related module	16¹²

¹² In case the EU-related module is not assessed, the point allocation of the other sub-indicators will be adjusted to add up to a maximum of 100 points.

Sub-indicator 4.1.1. Strength of the national policy framework for better regulation

Relevant sub-principle(s): 4.a. A whole-of-government policy to promote better regulation, evidence-based and inclusive policymaking is established and applied in practice during policy development and legislative drafting.

Maximum points: 3

Criterion 4.1.1.1. Existence of a whole-of-government policy to promote better regulation and evidence-based policymaking (2 points)

Category: Strategy and guidance

Approach: Review of all valid, official government policy or reform programmes and/or strategies in the area of better regulation and evidence-based policymaking. Checks are carried out on the objectives and scope of those document(s) to ensure that those aim to establish priorities, principles and standards of regulatory policymaking that cover the whole government and all policymaking institutions. The policy framework and/or the document may only cover selected topics and elements of better regulation and evidence-based policymaking based on the priorities and needs of the country (such as the principles of *ex ante* or *ex post* analysis of policies, the principles of stakeholder engagement, public consultation, improvement of quality of data and evidence and/or use of new advanced tools for regulatory policy management). The criterion can be considered fulfilled if there is an official government website and/or an official statement which establishes the government's commitment to apply better regulation principles and tools during policymaking.

Criterion 4.1.1.2. An institution is assigned to lead on government regulatory policy and better regulation agenda (1 point)

Category: Institutional set-up

Approach: Review of the structure and regulations of the central government ministries and institutions to check if there is a dedicated ministry and/or minister of state which has a formal mandate to lead on the government regulatory policy management, better regulation and/or promotion and use of evidence-based policymaking tools across the whole of government. As a minimum, responsibility for impact assessment, public consultation and legal drafting must be formally assigned to a government ministry/minister and/or institution(s).

Sub-indicator 4.1.2. Effectiveness of internal co-ordination and procedures for evidence-based policymaking in ministries

Relevant sub-principle(s): 4.b. Ministries have clear internal rules and procedures for planning and managing effectively the development of policies and legislative drafting.

Maximum points: 5

Criterion 4.1.2.1. Internal rules and procedures for policymaking and legal-drafting processes in ministries are established (2 points)

Category: Legislation

Approach: Checks are carried out in the legislative and regulatory frameworks to assess whether there is a rulebook, manual and/or a guidance document, prepared centrally or by ministries, which contain guidance for ministry officials on internal ministerial procedures, processes and steps for preparation of a policy document, strategy and/or a draft law. The relevant rulebook, manual and/or guidelines contain information and guidance on internal consultation and co-ordination arrangements with various policy-development units of the ministry that would ensure all ministerial priorities and objectives are considered during the preparation of draft laws and/or policy documents (e.g. ministerial units dealing with strategic planning, finance and budget department, and policy/sectoral departments). Interviews with selected ministries. The points are not allocated if there is evidence that not all ministries have such rules and procedures in place.

Criterion 4.1.2.2. Ministries are the ultimate responsible institutions for policy development in their respective policy areas (1 point)

Category: Institutional set-up

Approach: The practice of preparation and submission of draft laws to government for final approval is assessed using the information about all draft laws approved by the government in the previous full calendar year. Checks ensure that central government ministries are responsible for officially submitting draft laws to government for approval, not their subordinate institutions and/or agencies and/or enforcement bodies. Additional checks on the rules of procedures of government to confirm ministries are indeed mandated to lead and co-ordinate policies in their respective areas, including preparation and submission of policy documents for final government approval.

Criterion 4.1.2.3. Perceived quality of internal ministerial co-ordination during policymaking by ministry officials (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question or statement involved in policymaking: “To what extent do you agree with the following statement: Colleagues from other units of my ministry involve and consult me during the development of legal acts and strategies, which affect my area of responsibility.” The perception of ministry officials is checked regarding the quality of internal ministerial co-ordination, involvement, and collaboration during policymaking.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 4.1.3. Comprehensiveness of the regulatory impact assessment (RIA) system, and consistency and quality of implementation

Relevant sub-principle(s): 4.c. Regulatory impact assessment (RIA), or other similar tool(s), is adopted and systematically used to support policy development, facilitate consultation and inform decision-making at all key stages of policymaking, covering both primary and secondary legislation, including the impact on the environment and climate where necessary.

4.d. Alternative non-regulatory options, possibilities for regulatory simplifications and effective monitoring and enforcement mechanisms are systematically considered and analysed during policy development.

4.e. All possible impacts of policy proposals are systematically analysed; reasonable efforts are made to quantify and monetise key impacts, including additional costs on the state budget, businesses and citizens.

4.f. The selection of specific analytical approaches and the level of analysis of policy options are proportionate to the complexity of the issue under consideration and the scale of anticipated impacts

Maximum points: 33

> Part A- Basic tools and techniques in policymaking (3 points)

Criterion 4.1.3.1. Requirement to use at least basic analytical tools and techniques to analyse impacts and risks of draft laws and regulations (1 point)

Category: Legislation

Approach: Review if the existing rules of procedure of government and other relevant regulations require carrying out at least some basic analysis of the potential impacts and risks to inform government decision making. In particular, checks whether certain basic instruments, analytical tools and techniques are required and used during preparation of new regulatory policy proposals. At a minimum, supporting documents are required to be prepared (e.g. an explanatory memorandum, a policy statement and/or a cover letter) summarising evidence and analysis of the policy problem, the rationale for government intervention and the anticipated objectives, as well as containing information about consultations carried out with internal and external stakeholders.

Check the existence of a regulatory requirement for applying at least basic tools of analysis of impacts and risks, and the fiscal impact assessment (1 point each). Other criteria assessing relatively more advanced aspects of the regulatory policy framework receive more points, at least 2 points each.

Criterion 4.1.3.2. Basic analytical tools and techniques are consistently applied in practice (2 points)

Category: Practice in implementation

Approach: The consistency of implementation of at least basic analytical tools during policy preparation are checked based on the review of the full list of all draft laws approved by the government during the last full calendar year, as well as the relevant supporting documents that contain at least basic analysis of the potential impacts and risks of those proposals (e.g. explanatory memorandum, policy statements). The relevant list of required supporting documents is established based on the review of the existing national regulations. The criteria is considered to be met if the required analysis is provided in a RIA report that is being prepared for all legislative and regulatory proposals. Administrations are asked to inform whether the required documents were prepared for all approved draft laws and regulation. Random checks are carried out ensuring all relevant supporting documents were indeed prepared and included in the final packages that went to the government for approval. Further checks are carried out based on the review of the actual supporting documents of a selected sample of five cases. A sample of five draft laws and the relevant supporting documents are reviewed and checked. No points are allocated if there is at least one case/draft law for which the required analysis and documentation was not prepared. Also, no points are allocated if there are major problems or discrepancies found in the completed documents of five samples (e.g. one of the sample documents has an empty section).

> Part B - Budgetary/fiscal impact assessment of regulatory policies (3 points)

Criterion 4.1.3.3. Requirement to carry out analysis of budgetary/fiscal impacts of all legislative and regulatory proposals (1 point)

Category: Legislation

Approach: Review of the rules of procedure of government and other relevant regulations to check if the existing rules and procedures require preparation of a fiscal/budgetary impact assessment of draft laws and regulations in order to analyse the potential increases/decreases in the state budget expenditures/revenues. The analysis of fiscal impacts can be carried out as part of RIA (if it exists and functions). In which case, additional checks are carried out to ensure that RIA is prepared for all regulatory proposals considered and approved by the government.

Check the existence of a regulatory requirement for applying at least basic tools of analysis of impacts and risks, and the fiscal impact assessment (1 point each). Other criteria assessing relatively more advanced aspects of the regulatory policy framework receive more points, at least 2 points each.

Criterion 4.1.3.4. Budgetary/fiscal impact assessment is consistently conducted in practice (2 points)

Category: Practice in implementation

Approach: Consistency of preparation of the fiscal impact assessments are checked based on the review of the full list of all draft laws and regulations approved by the government during the last full calendar year, as well as the relevant supporting documents that were prepared for those proposals (e.g. explanatory memorandum, fiscal impact assessments, RIA reports, public consultation reports). The complete list of all required supporting documents established based on the review of the existing national regulations. Administrations are asked to inform whether the required documents were prepared for all draft laws and regulations approved during the last full calendar year. Random checks are carried out to ensure that all relevant supporting documents were indeed prepared and included in the final packages that went to the government for approval. Further checks are carried out based on the review of the actual supporting documents of a selected sample of five cases. No points are allocated if there is at least one case/draft law for which the required analysis and documentation was not prepared. Also, no points are also allocated if there are major problems or discrepancies found in the completed documents of five samples (e.g. one of the sample documents has an empty section).

> Part C - RIA for primary legislation (12 points)

Criterion 4.1.3.5. A full RIA, covering all relevant impacts, is required for primary legislation initiated by government (1 point)

Category: Legislation

Approach: Review of the rules of procedure of government and other relevant regulations to check if there is a formal requirement for draft primary legislation (draft laws) initiated by government to undergo RIA analysis. Regulations, methodology and guidelines on RIA are checked to ensure a systematic analysis of all relevant impacts as part of RIAs, including impacts on climate, environment, gender, economy, business, competition and small and medium-sized enterprises, are carried out.

Criterion 4.1.3.6. RIA is consistently carried out for all draft laws approved by the government (%) (7 points)

Category: Practice in implementation

Approach: The consistency and scope of RIA implementation on draft laws is assessed by calculating the share of draft laws approved by the government during the last full calendar year for which RIA was prepared and included in the package that was submitted to the government for approval. Administrations are asked to provide the full list of all draft laws approved by the government during the last full calendar year, indicating the draft laws which had RIA prepared. The indicator is calculated by dividing the number of approved draft laws for which the final RIA report was prepared with the total number of all draft laws approved by the government during the last full calendar year. Laws related to the state budget, as well as laws on ratification of international agreements are excluded from the analysis. Further checks are carried out on a sample of five draft laws to be selected by SIGMA. The related RIA reports for those sample laws are requested and checked, together with the actual draft law and other supporting documents. National rules on exclusion and exception of certain types of draft laws from RIA analysis are not considered when calculating this sub-indicator to ensure comparability across administrations.

Points are allocated based on the percentage of government-approved draft laws during the last full calendar year which had RIA prepared to inform decision making (x):

- $x < 30\%$ = 0 points.
- $30\% \leq x < 70\%$ = linear function.
- $x \geq 70\%$ = 7 points.

Criterion 4.1.3.7. RIA process starts early and the analysis of policy problems and rationale for intervention are used to inform the preparation of the government's legislative planning (1 point)

Category: Strategy and guidance

Approach: Review of rules of procedure of government, instructions, and manuals on preparation of a government annual work programme/legislative plan as well as the RIA manuals and guidelines. It is checked whether RIA or other similar tools are used during early stages of policy preparation. In particular, checks are carried out to assess whether an initial RIA or another instrument which analyses the policy problem, policy objectives and the rationale for government initiation is prepared and used to inform prioritisation and preparation of the annual government legislative plan/work programme. The criterion is fulfilled when sufficient evidence confirms that analysis of the policy proposal and its impacts through the RIA framework is initiated early, before the formal decision to plan and introduce new legislation is made through the adoption of a government annual legislative plan.

> Part D - RIA quality- based on sample review (18 points)

Criterion 4.1.3.8. RIA report includes full analysis of policy problem, objectives, and justification for government intervention (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed to assess this criterion. The five samples are selected from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected by SIGMA for in-depth analysis. The criterion is considered fulfilled if RIA samples provide sufficient analysis of the policy problem, policy objectives and justification for government intervention through a new regulatory measure.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.9. RIA report considers at least one alternative option, in addition to the status quo and the preferred option (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed to assess this criterion. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if RIA reports discuss at least one alternative option, including a regulatory or non-regulatory option, in addition to the status quo (do nothing) situation and the preferred regulatory option.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.10. RIA report identifies the main affected groups and explains how they will be impacted by the proposal (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if SIGMA assesses that final RIA reports clearly identify the main affected groups, and, as a minimum, provide basic analysis on how these groups are affected by the regulatory proposal.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.11. RIA report provides at least a qualitative assessment of all relevant impacts arising from all provisions of the law (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if experts assess that sample RIA reports provide adequate assessment of all relevant impacts arising from the new rules and requirements introduced by the draft law. Checks are carried out to ensure that the following and other relevant impacts were identified and analysed for the main preferred regulatory option: 1) impacts on green, climate and environment; 2) impacts on gender, youth, age groups; 3) impacts on economy, competition and innovation; 4) impact on social aspects and regional development; 5) impact on businesses and administrative burden creation; 6) any other major impacts.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.12. RIA report provides monetised estimates of main impacts (costs and benefits) of at least the preferred option (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if SIGMA assesses that sample RIA reports monetise the main impacts (provide monetary value of at least the estimated costs) of the preferred option.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.13. RIA report provides a comparative summary of analysis of different options justifying the selection of the preferred option (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if SIGMA assesses that sample RIA reports provide a clear comparison and a summary of analysis of different options to justify the selection of the preferred regulatory option.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- Partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- For all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.14. RIA report includes information and analysis of the policy implementation and enforcement mechanisms and any risks that should be considered for full compliance (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if SIGMA assesses that sample RIA reports provide analysis of risks and issues related to policy implementation, preparatory work needed for adoption of secondary legislation and/or any enforcement mechanisms and arrangements that would need to be used to ensure full compliance and achievement of objectives.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- for all other cases, including if none of the RIA reports meet the criterion = 0 points

Criterion 4.1.3.15. RIA report includes information and analysis on how policy will be monitored and evaluated ex post (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: A sample of five draft laws and the relevant RIA reports are analysed. The five samples are selected by SIGMA from the full list of all draft laws approved by the government during the last year for which RIAs were prepared. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. The criterion is considered fulfilled if SIGMA assesses that sample RIA reports provide analysis of monitoring and evaluation arrangements, explaining how the policy will be monitored and evaluated, and indicating the plan for any *ex post* evaluation and/or implementation reviews.

Points are allocated based on a qualitative review of sample RIAs and related laws:

- All sample RIA reports meet the criterion = 2 points
- partially fulfilled - all sample RIA reports except one meet the criterion = 1 point
- for all other cases, including if none of the RIA reports meet the criterion = 0 points

Part D - RIA for secondary legislation (6 points)

Criterion 4.1.3.16. There is a formal requirement to conduct RIA on all secondary legislation/regulations approved by the government (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the rules of procedure of government and other relevant regulations to check if there is a requirement for draft regulations/secondary legislation approved by government to go through comprehensive analysis through RIA (similar to draft laws). The RIA requirement should apply to all normative acts and decisions of government which are regulatory by nature, and introduce new rules or regulations or change the existing regulations that create additional impacts on businesses, citizens and/or public sector organisations. Regulations and methodology of RIA are checked to assess whether they enable systematic analysis of all relevant impacts of those regulations, including impacts on climate, environment, gender, economy, business, competition and small and medium-sized enterprises.

Criterion 4.1.3.17. RIA on secondary legislation (regulations) is carried out in practice for all cases prescribed by legislation (%) (4 points, based on review of selected cases)

Category: Practice in implementation

Approach: Consistency of RIA implementation on secondary legislation approved by the government is assessed based on the review of all normative acts and decisions of government which are regulatory by nature, and were approved by the government in the last full calendar year. The national administrations are asked to provide the full list of all normative acts and decisions approved by the government during the last full calendar year, indicating the regulations for which RIA had been prepared at the time of government approval. Exceptions and exclusions to the RIA rule provided in the national regulations and procedures establishing the RIA system for the secondary legislation will not be considered in the calculation of this sub-indicator (i.e. all eligible acts of government which are in regulatory nature will be included in the baseline). SIGMA will determine the scope of the regulatory measures to be considered in the analysis to ensure only regulatory measures are included.

Points are allocated based on the percentage of RIAs produced on the regulations introduced through secondary legislation approved by the government during the last full calendar year (x):

- $x < 20\% = 0$ points.
- $20\% \leq x < 70\% =$ linear function.
- $x \geq 70\% = 4$ points.

Sub-indicator 4.1.4. Effectiveness of regulatory oversight, central guidance and support for RIA

Relevant sub-principle(s): 4.g. The RIA oversight, quality control, support and guidance functions ensure full and consistent implementation of existing rules and methodologies, enhance the quality of policy analysis, strengthen capacities and enable continuous improvement of the system.

Maximum points: 9

Criterion 4.1.4.1. An institution/unit is formally assigned to check quality of impact assessments before the package is finalised (1 point)

Category: Institutional set-up

Approach: Review of rules of procedure of government, rulebooks and other relevant regulations to check whether there is a central institution or a unit which is formally assigned to review the quality of all impact assessments before they are finalised and submitted to the government for approval. Depending on the RIA model that exists in an administration, one or more type of impact assessment reports may be required during the policy-development process (e.g. a separate RIA and budget/fiscal impact assessment report). In those situations, checks are carried out on the availability of an oversight /quality-control body for all types of impact assessments. The quality-assurance functions of the relevant bod(ies)/unit(s) include setting the minimum standards and requirements for the quality of analysis and ensuring compliance with the minimum standards and requirements for impact assessments and their development process (including the right to return impact assessment reports for revision to the originating body when the quality of the report is inadequate, if relevant).

Criterion 4.1.4.2. The relevant quality-control body(ies) consistently review the quality of all RIA reports (2 points)

Category: Practice in implementation

Approach: The full list of draft laws for which RIAs were prepared during the last full calendar year are reviewed to check if the RIA reports were reviewed by the relevant quality-control body before the package was finalised and submitted to the government for approval. The administration is asked to provide the full list of draft laws and RIAs, confirming whether checks were carried out on the impact assessment reports by the relevant quality-control body(ies). Further checks are carried out based on the review of the actual documents prepared for a sample of five RIAs which were prepared on the most significant regulatory proposals (draft laws) of the previous year. Formal or informal opinions on those five sample cases are requested and checked to confirm the practice (including during interviews with the relevant ministries and the RIA bodies). Points are allocated if there is no inconsistency found.

Criterion 4.1.4.3. RIA guideline(s) provide clear and comprehensive guidance and methodology on planning and conducting RIA for all types of regulatory policy measures and impacts (2 points)

Category: Strategy and guidance

Approach: Relevant regulations and RIA guidance documents as well as official government websites are reviewed to assess whether there is guidance and methodology available to carry out a comprehensive/broad RIA for different types of policies and/or different impacts. The guidance documents should contain sections which provide guidance on: 1) the RIA process and steps; 2) the RIA template/form and how to use it; 3) how to analyse the policy problem and define objectives; 4) how to identify, analyse and compare different options; 5) how to use evidence gathered through public consultation; (6) the methodology, criteria and analytical tools for quantifying and/or monetising the complex policies and impacts proportionately; 7) a checklist with basic guidance how to identify and analyse major types of impacts that should be considered when analysing policies (at least impacts on budget, economy, social, environment, green, gender); 8) monitoring and enforcement issues. The guidance are considered comprehensive if there is at least a section in the relevant document and/or official website that provides information on how to use and apply those in practice.

Criterion 4.1.4.4. All final RIA reports are publicly available through a central government website (2 points)

Category: Practice in implementation

Approach: Review of the government websites to check the availability and accessibility of the final RIA reports prepared on all draft laws approved by the government during the last full calendar year. All final RIA reports and related draft laws are published and available from a single government website in order for the criterion to be considered met. The criterion is considered to be met if the RIA reports and draft laws are published on parliament's website. Random checks are carried out on selected RIA reports prepared during the last full calendar year to verify the accuracy and completeness of information and the actual availability of the RIA reports.

Criterion 4.1.4.5. Perceived quality and availability of central guidance and support for RIA by policy officials of ministries (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question or statement: "To what extent do you agree with the following statement: Guidance, advice and support are available for analysing the policy and its impacts when preparing draft legislation." Officials from ministries are asked to confirm if they consider the guidance and support provided by the relevant centre-of-government body during preparation of RIA is adequate.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 4.1.5. Predictability, coherence and consistency of legislation

Relevant sub-principle(s): 4.h. Laws and regulations are clear, coherent and consistent in content, structure, style and language.

Maximum points: 17

Criterion 4.1.5.1. An official guidance document establishes nomo-technical standards, norms and rules for legal drafting and law making (2 points)

Category: Strategy and guidance

Approach: Review of existing regulations, official manuals and/or guidance documents and methodologies on legal drafting and law making. The guidance document covers nomo-technical norms and other standards and rules for ensuring consistent, clear, and coherent legislation. The guidance document is officially endorsed by the relevant government body and be available for use by officials during legal drafting.

Criterion 4.1.5.2. A central government institution is assigned to check the quality, coherence, and consistency of legal drafting (1 point)

Category: Institutional set-up

Approach: Review of the national legislation and regulations to confirm that the quality-control function on legal drafting and legal consistency and coherence is established and assigned to a central government institution (the quality-control body for legal drafting).

Criterion 4.1.5.3. The quality-control body for legal drafting consistently reviews and provides opinions on all draft laws before approval (2 points)

Category: Practice in implementation

Approach: Consistency checks on the quality of legal drafting are carried out based on the review of all draft laws considered and approved by the government during the last full calendar year. All approved laws have received an opinion of the responsible quality-control body (e.g. the legislative secretariat, the ministry of justice). Information about all draft laws is provided by the administration, together with information about supporting documents and opinions issued by the quality-control body. Additionally, the actual opinions of the quality control body are requested and reviewed for a sample of five draft laws. No inconsistencies should be identified.

Criterion 4.1.5.4. Perceived availability and accessibility of central guidance and support on legal drafting by civil servants (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question: “To what extent do you agree with the following statement: Guidance, advice and support are available when drafting legal acts, including laws and regulations.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 4.1.5.5. Perceived clarity and stability of government policy making by businesses (%) (3 points)

Category: Results

Approach: Analysis of responses by a sample of businesses to a survey in which the respondents are asked if they agree with the following statement: “*Laws and regulations affecting your company are clearly written, not contradictory and do not change too frequently.*”

Answer options are: Strongly disagree, Somewhat disagree, Neither disagree nor agree, Somewhat agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Somewhat agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 4.1.5.6. Laws amended one year after adoption (%) (6 points)

Category: Results

Approach: The assessment is based on the analysis of all new laws approved by parliament two years before the assessment year. Assessors divide the number of all new laws approved by parliament for which amendments were introduced and approved within 12 months of their approval by the total number of all new laws approved two years preceding the assessment year and express the value as a percentage. Laws and amendments to those laws initiated both by the government and parliament are considered.

Points are allocated based on the percentage of laws that were amended within one year after adoption (x):

- $x > 10\% = 0$ points.
- $10\% \geq x > 1\% =$ linear function.
- $x \leq 1\% = 6$ points.

Sub-indicator 4.1.6. Accessibility and availability of laws

Relevant sub-principle(s): 4.i. All primary and secondary legislation, including consolidated versions, is easily accessible and available free of charge through a central online database(s). Administrative guidance documents, forms and materials essential for complying with regulations are easily available for businesses and citizens.

Maximum points: 17

Criterion 4.1.6.1. Regulations prescribe the procedures, including deadlines, for official publication of legislation (1 point)

Category: Legislation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.2. Regulations establish requirements for official publication of all types of primary and secondary legislation (1 point)

Category: Legislation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.3. Regulations require preparation and publication of consolidated versions of legal texts (1 point)

Category: Legislation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.4. All primary legislation is available to the public online and free of charge (1 point)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.5. All secondary legislation is available to the public online and free of charge (1 point)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.6. All primary legislation is available in consolidated format (2 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.7. All primary legislation is available in consolidated format and free of charge (1 point)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.8. All secondary legislation is available in consolidated format (2 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.9. All secondary legislation is available in consolidated format and free of charge (1 point)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published.

Criterion 4.1.6.10. The database(s) of laws allows searching, categorising and accessing laws and regulations by date, type and sector (2 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published. The functionality of the official website providing information on laws and regulations are checked to see if search and accessibility is possible based on the category, type, sector and date of enactment and actual planned implementation and enforcement of approved laws and regulations.

Criterion 4.1.6.11. Perceived availability of laws and regulations affecting businesses (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following question or statement: "Laws and regulations affecting your firm are easy to identify and obtain."

Answer options are: Strongly disagree, Somewhat disagree, Neither disagree nor agree, Somewhat agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondent who replied "Somewhat agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

European integration EI-related module relevant to EU candidate countries and potential candidates only

Sub-indicator 4.1.7. Effectiveness of the regulatory framework and special procedures and tools for evidence-based EU law transposition

Relevant sub-principle(s): 4.k. EU *acquis* transposition and legal harmonisation form an integral part of the overall government policy-development process. Decisions on individual EU transposition cases are informed by evidence and analysis gathered through RIA and public consultation.

4.l. Special rules, procedures and tools, such as tables of concordance and translation of EU law into national language(s), ensure effective legal harmonisation of the national legislation with the EU *acquis* and minimise the risk of gold-plating.

Maximum points: 16

Criterion 4.1.7.1. Legislative proposals aiming to align with EU law and domestic policy proposals are subject to the same requirements for impact analysis (2 points)

Category: Legislation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. Checks are carried out in regulations and procedures to assess whether the draft laws that transpose EU laws are required to follow the same standards and requirements for policy preparation in terms of impact assessment. Existing procedures and rules ensure all EU cases are prepared based on analysis and consultation.

Criterion 4.1.7.2. Legislative proposals aiming to align with EU law and domestic policy proposals are subject to the same requirements in terms of inter-ministerial and public consultation (2 points)

Category: Legislation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. Checks are carried out in regulations and procedures to assess whether the draft laws that transpose EU laws are required to follow the same standards and requirements for policy preparation in terms of public consultation. Existing procedures and rules ensure all EU cases are prepared based on analysis and consultation.

Criterion 4.1.7.3. Guidelines on how to plan and carry out EU law transposition are issued and available to use by ministries (1 point)

Category: Strategy and guidance

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. Assessors check the availability of a guidance document which established clear rules and procedures for organising, planning and conducting EU law transposition.

Criterion 4.1.7.4. Responsibilities of ministries and other government bodies in the EU law alignment process are established (1 point)

Category: Institutional set-up

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. It is checked whether a central government body is established to carry out planning and quality-check on EU law transposition cases. At a minimum, there must be a body or bodies responsible for planning, co-ordinating and monitoring the EU *acquis* alignment process, as well as for ensuring conformity of draft laws and regulations with national legislation.

Criterion 4.1.7.5. The use of tables of concordance is obligatory during the EU acquis alignment cases (1 point)

Category: Legislation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. The rules of procedures and other relevant regulations are analysed to check whether tables of concordance are required as part of standard documentation when preparing and approving EU transposition cases.

Criterion 4.1.7.6. Tables of concordance are consistently prepared and used in practice during decision-making (4 points)

Category: Legislation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. The practice of preparation of tables of concordance, are checked based on information provided by the administration on all draft laws related to EU law transposition which were approved by the government during the last full calendar year. The administration are asked to confirm whether tables of concordance were prepared on draft laws transposing EU legislation. Additional checks are carried out on at least two EU transposition cases for which the actual documents (tables of concordance) are requested, reviewed and analysed. Points are allocated only if there is evidence of full compliance, i.e. tables of concordance were prepared for all EU transposition cases.

Criterion 4.1.7.7. Translation of EU directives/regulations is organised in a timely manner ensuring evidence-based EU law transposition (2 points)

Category: Practice in implementation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. Translations of the most recently adopted EU directives that are included in the National Plan for the Acquis Alignment (NPAA) for implementation during the assessment year are checked. Checks are carried out to assess that official translations of all EU *acquis* which are planned to be transposed during the assessment year have been carried out to ensure informed EU law transposition. First, the list of all EU directives that are included in the national plan for EU integration (or government annual work programme) to be transposed during the assessment year are established. SIGMA asks the administration to confirm if translations of all those directives are available. Additional checks are carried out on three cases to check the availability of the actual translations. No points are allocated if there is evidence that a translation is not available even for one directive which is officially planned for adoption by the government during the assessment year.

Criterion 4.1.7.8. RIA reports of draft laws transposing EU directives make references to EU IA (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the national regulations, methodologies and practice of policymaking and EU law transposition. A sample of two transposition cases/laws approved by the government during the last full calendar year and the RIA report and other related supporting documents are analysed to check whether these documents make any references to analysis or evidence produced by the European Commission (EC) and/or other EU Member States when developing and/or transposing the same directive in their respective administration. Any reference to the EC analysis and/or experience of an EU Member State in transposing the same directive is sufficient for allocating the point.

Principle 5: All key external and internal stakeholders and the general public are actively consulted during policy development.

Indicator 5.1. Functioning of consultations during policy development

This indicator measures the effectiveness of public consultation and interministerial consultation processes in developing policies and legislation. It assesses the regulatory framework, the establishment of the quality control function on public consultation and the consistency in publishing draft laws and sector planning documents for written public consultation, the use of central online consultation portals and tests whether minimum standards for consultations were upheld.

Sub-indicators	Maximum points
1. Effectiveness of procedures for public consultation and stakeholder engagement during policy development	35
2. Quality and effectiveness of public consultation practices in selected cases	25
3. Procedures for an effective interministerial consultation process	15
4. Quality and effectiveness of interministerial consultation practices in selected cases	25
Total	100

Sub-indicator 5.1.1. Effectiveness of procedures for public consultation and stakeholder engagement during policy development

Relevant sub-principle(s): 5.a. Procedures are in place and consistently applied and monitored to enable pro-active and effective public consultations with stakeholders and the general public, allowing businesses, non-governmental organisations and citizens, including from vulnerable groups to participate in and inform government policymaking.

5.b. Consultation with the general public is conducted in an accessible and transparent manner.

Maximum points: 35

Criterion 5.1.1.1. Public consultation is mandatory for draft laws (1 point)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement.

A regulation must stipulate the requirements and procedures for public consultation of draft laws, governmental secondary legislation, ministerial secondary legislation and sector planning documents.

Criterion 5.1.1.2. Public consultation is mandatory for draft secondary legislation adopted by the government (1 point)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement.

A regulation must stipulate the requirements and procedures for public consultation of draft laws, governmental secondary legislation, ministerial secondary legislation and sector planning documents.

Criterion 5.1.1.3. Public consultation is mandatory for draft sector planning documents (1 point)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement.

A regulation must stipulate the requirements and procedures for public consultation of draft laws, governmental secondary legislation, ministerial secondary legislation and sector planning documents.

Criterion 5.1.1.4. Public consultation is mandatory for draft normative secondary legislation adopted by ministers (1 point)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement.

A regulation must stipulate the requirements and procedures for public consultation of draft laws, governmental secondary legislation, ministerial secondary legislation and sector planning documents.

Criterion 5.1.1.5. A minimum duration for public consultation is established (1 point)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. The minimum duration for public consultation (for all types of policy documents that are required to be consulted) must be established by regulations.

Criterion 5.1.1.6. The lead ministry is required to report on the outcome of public consultation (2 points)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. According to requirements, the lead ministry must report on the outcome of public consultation as part of the documentation submitted with the agenda items for government sessions, including the list of comments submitted and feedback to them (whether accepted or not, if not accepted, an explanation is provided).

Criterion 5.1.1.7. All relevant supporting documents need to be published alongside draft legislation under consultation (2 points)

Category: Legislation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. According to requirements, all relevant supporting documents (e.g. explanatory notes, regulatory impact assessments (RIA), depending on what was prepared and submitted to the government alongside the draft legal act) must be published together with the draft law or regulation for public consultation.

Criterion 5.1.1.8. A government institution is consistently reviewing compliance with consultation requirements (3 points)

Category: Practice in implementation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. An institution must have reviewed and provided an opinion on compliance of consultation of all draft laws and draft sector planning documents with established consultation requirements.

Criterion 5.1.1.9. Guidelines on how to conduct public consultations are available online (1 point)

Category: Strategy and guidance

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. Guidelines on how to conduct public consultations according to the established requirements are available online.

Criterion 5.1.1.10. Perceived availability of guidance for conducting public consultation by public servants (%) (3 points)

Category: Results

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. Analysis of survey responses from a sample of public servants working on policy development to the following question or statement: “To what extent do you agree with the following statement: Guidance, advice and support are available for conducting public consultations”. Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 5.1.1.11. Consistency in publishing draft laws and draft sector planning documents for public consultation (%) (15 points)

Category: Practice in implementation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. Compare the total number of draft laws (except for the state budget law and laws ratifying international agreements) and draft sector planning documents submitted to the government during the latest full calendar year (based on the administrative data provided by the government or governmental reports) with the number of draft laws and draft sector planning documents for which written public consultation was carried out (based on administrative data provided by the government or governmental reports, verified by review of central or ministerial websites). The number of laws / documents for which written public consultation was carried out is divided by the total number of laws / documents and is expressed as a percentage. The share is calculated separately for draft laws and for draft sector planning documents to be aware of the consistency of consulting both types of documents, but only the combined share of both document types is used for point allocation.

Checks are carried out on the full information provided by the government to ensure that public consultation was carried out for all draft laws and sector policy plans that went to the government for approval. In case any inconsistencies are found, the criterion is considered not fulfilled. Further checks are carried out based on a review of the actual documents of selected cases. A sample of five draft laws, five sector policy plans and supporting documents, including public consultation reports, are selected and reviewed. Points are allocated only if there is no evidence of inconsistencies with the data provided by the administration.

Points are allocated based on the percentage of written public consultation used for draft laws and draft sector planning documents (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 15$ points.

Criterion 5.1.1.12. The central portal is consistently used for written public consultation (%) (4 points)

Category: Practice in implementation

Approach: Review of regulations. Points are awarded if the regulation complies with the requirement. The existence of a central portal for consultation of draft proposals (legislation as well as sector planning documents) approved or adopted by the government is verified first. The central portal (as opposed to the individual consultation websites of individual line ministries) should enable the consultation of all draft laws and draft sector planning documents, which have been prepared by the line ministries and which are submitted to the government for approval/adoption. If the portal exists, the percentage of draft laws and sector planning documents is calculated, which were published for written public consultation on the portal (using the total number of laws and sector planning documents published for written online public consultation). The number of consulted draft laws and draft sector planning documents is established based on administrative data provided by the administration.

Sub-indicator 5.1.2. Quality and effectiveness of public consultation practices in selected cases

A sample of five draft laws as well as five draft sector policy plans and the relevant public consultation reports are analysed to assess these criteria. The five samples are selected from the full list of all draft laws and draft sector policy plans approved by the government during the last year. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. Quality of samples is assessed against the eight criteria.

The assessment is conducted based on the review of the public consultation report attached to the proposals when they were submitted to the government for decision (all criteria) or review of the information published online as part of the consultation documents (criteria 1, 2, 5, 6, 9, 10 and 15).

The five draft laws and the five draft policy planning documents are selected by SIGMA, based on the review of the full list of laws/sector policy planning documents prepared during the last full calendar year (draft laws approving the budget or ratifying international agreements will be excluded). They should be from at least four different ministries. The examples must be approved by the government during the latest full calendar year. In EU accession countries, at least two laws should be European Union (EU) transposition related (if relevant), if fewer than five samples are available because of less laws/sector policy planning documents being prepared during the last full calendar year, samples are completed from the current or previous years.

Relevant sub-principle(s): 5.c. Ministries hold constructive dialogue with key external stakeholders and collect, analyse and use all responses when finalising the policy proposal. They transparently report on the outcome of the public consultation process and how consultees' views have shaped and influenced policy.

Maximum points: 25

Criterion 5.1.2.1. Stakeholders were notified in advance about upcoming public consultation for draft laws (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if those likely to be affected by the policy and other stakeholders were informed in advance that a public consultation was to take place (with information indicating the time of the consultation and the way it would be conducted).

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.2. Stakeholders were notified in advance about upcoming public consultation for draft sector planning documents (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if those likely to be affected by the policy and other stakeholders were informed in advance that a public consultation was to take place (with information indicating the time of the consultation and the way it would be conducted).

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.3. Other forms of public consultation were used for draft laws in addition to written public consultation (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if other forms of public consultation were used in addition to written public consultation (e.g. informal discussions, participation in working groups, town hall meetings).

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.4. Other forms of public consultation were used for consulting draft sector planning documents in addition to written public consultation (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if other forms of public consultation were used in addition to written public consultation (e.g. informal discussions, participation in working groups, town hall meetings).

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.5. Public consultation for draft laws respected the minimum duration requirements (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the public consultation respected the minimum duration requirements established by the legal framework.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.6. Public consultation for draft sector planning documents respected the minimum duration requirements (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the public consultation respected the minimum duration requirements established by the legal framework.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.7. The lead ministry reported on the outcome of public consultation for draft laws (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the outcome of the public consultation was reported on as a part of the documentation submitted with the agenda items for government sessions.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.8. The lead ministry reported on the outcome of public consultation for draft sector planning documents (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the outcome of the public consultation was reported on as a part of the documentation submitted with the agenda items for government sessions.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.9. The report on the outcome of public consultation for draft laws was made available to the public online (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the report on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) was made available to the public online.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.10. The report on the outcome of public consultation for draft sector planning documents was made available to the public online (1.5 points, based on review of selected cases)

Category: Practice in implementation

Approach: It is verified if the report on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) was made available to the public online.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1.5 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.75 points
- Not fulfilled - three or fewer draft laws/sector
- Planning documents meet the criterion = 0 points.

Criterion 5.1.2.11. The report on the outcome of consultation for draft laws addressed unaccepted or partially accepted comments received (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Checks are carried out on reports on public consultation that were prepared on the samples of draft laws analysed during the assessment. It is verified if the reports on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) included explanations for not accepting specific proposals made by the stakeholders or, in the case of partial acceptance, explanations on which part was accepted and the reasons for not accepting the entire proposal. If no reports are prepared or if it is not clear what comments were provided and whether they were accepted or not in each particular case, the criterion is considered not to be met.

Points are allocated based on qualitative review of five draft laws:

- Fulfilled - all five draft laws meet the criterion = 1 point
- Partially fulfilled - four out of five draft laws meet the criterion = 0.5 points
- Not fulfilled - three or fewer draft laws meet the criterion = 0 points.

Criterion 5.1.2.12. The report on the outcome of consultation for draft sector planning documents addressed non-accepted or partially accepted comments received (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Checks are carried out on reports on public consultation that were prepared on the samples of draft sector planning documents analysed during the assessment. It is verified if the reports on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) included explanations for not accepting specific proposals made by the stakeholders or, in the case of partial acceptance, explanations on which part was accepted and the reasons for not accepting the entire proposal. If no reports are prepared or if it is not clear what comments were provided and whether they were accepted or not in each particular case, the criterion is considered not to be met.

Points are allocated based on qualitative review of five draft laws.

- Fulfilled - all five draft sector planning documents meet the criterion = 1 point
- Partially fulfilled - four out of five draft sector planning documents meet the criterion = 0.5 points
- Not fulfilled - three or fewer draft sector planning documents meet the criterion = 0 points.

Criterion 5.1.2.13. The report on the outcome of consultation for draft laws addressed all comments received, including accepted comments as well as non-accepted or partially accepted ones (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Checks are carried out on reports on public consultation that were prepared on the samples of draft laws analysed during the assessment. It is verified if the reports on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) included explanations on whether all comments provided during the consultation (accepted, partially accepted and not accepted are all covered in all reports prepared). If no reports are prepared or if it is not clear what comments were provided and whether they were accepted or not in each particular case, the criterion is considered not to be met.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 1 point
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 0.5 points
- Not fulfilled - three or fewer draft laws/sector planning documents meet the criterion = 0 points.

Criterion 5.1.2.14. The report on the outcome of consultation for draft sector planning documents addressed all comments received, including accepted comments as well as non-accepted or partially accepted ones (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Checks are carried out on reports on public consultation that were prepared on the samples of draft laws analysed during the assessment. It is verified if the reports on the outcome of public consultation (as a stand-alone document or part of the explanatory memorandum) included explanations on whether all comments provided during the consultation (accepted, partially accepted and not accepted are all covered in all reports). If no reports are prepared or if it is not clear what comments were provided and whether they were accepted or not in each particular case, the criterion is considered not to be met.

Points are allocated based on qualitative review of five draft sector planning documents:

- Fulfilled - all five draft sector planning documents meet the criterion = 1 point
- Partially fulfilled - four out of five draft sector planning documents meet the criterion = 0.5 points
- Not fulfilled - three or fewer draft sector planning documents meet the criterion = 0 points.

Criterion 5.1.2.15. All relevant supporting documents needed were published alongside draft laws under consultation (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Covers draft laws only. It is verified if a document containing the substantiation and analysis behind the elaboration of the draft (e.g. explanatory note, regulatory impact assessment report or other documents containing clear information on the issues and questions at stake) was made available for public consultation in addition to the draft regulation.

Points are allocated based on qualitative review of five draft laws/sector planning documents:

- Fulfilled - all five draft laws/all five draft sector planning documents meet the criterion = 2 points
- Partially fulfilled - four out of five draft laws/draft sector planning documents meet the criterion = 1 point
- Not fulfilled - three or fewer draft laws/sector planning documents meet the criterion = 0 points.

Criterion 5.1.2.16. Perception of the consultation practices of the government by citizens (%) (4 points)

Category: Results

Approach: Analysis of survey responses by representative sample of the population to the following question or statement: “The government consults and involves stakeholders from the private sector and civil society when developing new legislation or other policy documents.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 4$ points.

Sub-indicator 5.1.3. Procedures for an effective interministerial consultation process

Relevant sub-principle(s): 5.d. Interministerial consultations are carried out based on clear rules and procedures, facilitating effective discussions on policy and its outcomes.

5.e. The lead ministry reports on the outcome of the interministerial consultation as part of the documentation submitted for government sessions.

Maximum points: 15

Criterion 5.1.3.1. Procedure for interministerial consultation of acts adopted by government is established (3 points)

Category: Legislation

Approach: Review of regulations. Assesses whether regulations set out the procedure for interministerial consultation of all draft legislation (primary and secondary) approved or adopted by the government and for draft sector policy planning documents adopted by the government.

Criterion 5.1.3.2. Procedure for interministerial consultation of ministerial secondary legislation is established (2 points)

Category: Legislation

Approach: Review of regulations. Assesses whether regulations set out the procedure for interministerial consultation of ministerial secondary legislation that impacts the responsibility areas of other ministries (e.g. at minimum to consult with the ministry or agency responsible for finance in case of impact on the state budget).

Criterion 5.1.3.3. A minimum duration is set for written interministerial consultation (3 points)

Category: Legislation

Approach: Review of regulations. The regulation must stipulate a clear minimum duration for interministerial consultation, which the author ministry of the draft cannot shorten on its own initiative. A maximum duration of the consultation process (within which the author ministry can, on its own initiative, set a shorter deadline for responding to other ministries) is not considered sufficient for awarding points.

Criterion 5.1.3.4. The obligation to consult all affected government bodies is stipulated (2 points)

Category: Legislation

Approach: Review of regulations. Assesses whether regulation establishes the explicit requirement to consult with all affected government bodies, e.g. line ministries.

Criterion 5.1.3.5. The obligation to inform about the outcomes of the interministerial consultation is stipulated (2 points)

Category: Legislation

Approach: Review of regulations. Regulations can stipulate the obligation to inform the government about the outcomes of the consultation process either by a table of opinions and responses or in any similar way.

Criterion 5.1.3.6. Conflict resolution mechanisms are built into the decision-making process at top administrative level (3 points)

Category: Legislation

Approach: Review of regulations. Interministerial co-ordination and conflict resolution mechanisms are considered integrated into the decision-making process at the top administrative level when, at a minimum, there is a possibility to discuss outstanding conflicting views of line ministries at the top administrative level meeting prior to discussion in the government.

Sub-indicator 5.1.4. Quality and effectiveness of interministerial consultation practices in selected cases

Relevant sub-principle(s): 5.d. Interministerial consultations are carried out based on clear rules and procedures, facilitating effective discussions on policy and its outcomes.

5.e. The lead ministry reports on the outcome of the interministerial consultation as part of the documentation submitted for government sessions.

Maximum points: 25

A sample of five draft laws and the relevant supporting documents are analysed to assess this criterion. The five samples are selected from the full list of all draft laws prepared during the last full calendar year (draft laws approving the budget or ratifying international agreements will be excluded). They should be from at least four different ministries. The examples must be approved by the government during the latest full calendar year. If fewer than five samples are available because of less laws being prepared during the last full calendar year, samples are completed from the current or previous years. The draft laws which are likely to have the most significant (substantive) regulatory impact are identified and selected for in-depth analysis. Quality of samples is assessed against the criterion.

A sample of five draft sector policy planning documents and the relevant supporting documents are analysed to assess this criterion. The five samples are selected from the full list of all draft sector policy planning documents prepared during the last full calendar year. They should be from at least four different ministries. The examples must be approved by the government during the latest full calendar year. If fewer than five samples are available because of less sector policy planning documents being prepared during the last full calendar year, samples are completed from the current or previous years. Quality of samples is assessed against the criterion.

The assessment reviews the consultation report or explanatory memorandum attached to the proposals when they were submitted to the government for decision and the responses provided by the consulted bodies.

Criterion 5.1.4.1. Written interministerial consultation for draft laws respects the minimum duration requirements (4 points, based on of selected cases)

Category: Practice in implementation

Approach: See the explanation of the assessment methodology above for the entire sub-indicator.

Points are allocated based on qualitative review of five draft laws:

- Fulfilled - all five draft laws meet the criterion = 4 points
- Partially fulfilled - four out of five draft laws meet the criterion = 2 points
- Not fulfilled – three or fewer draft laws meet the criterion = 0 points.

Criterion 5.1.4.2. Written interministerial consultation for draft sector planning documents respects the minimum duration requirements (4 points, based on of selected cases)

Category: Practice in implementation

Approach: See the explanation of the assessment methodology above for the entire sub-indicator.

Points are allocated based on qualitative review of five draft laws/sector policy planning documents:

- Fulfilled - all five draft sector planning documents meet the criterion = 4 points
- Partially fulfilled - four out of five draft sector planning documents meet the criterion = 2 points
- Not fulfilled – three or fewer draft sector planning documents meet the criterion = 0 points.

Criterion 5.1.4.3. All affected ministries are consulted across the government on draft laws (4 points, based on of selected cases)

Category: Practice in implementation

Approach: Criterion 3 checks draft laws only. See also the explanation of the assessment methodology above for the entire sub-indicator.

Points are allocated based on qualitative review of five draft laws:

- Fulfilled - all five draft laws meet the criterion = 4 points
- Partially fulfilled - four out of five draft laws meet the criterion = 2 points
- Not fulfilled – three or fewer draft laws meet the criterion = 0 points.

Criterion 5.1.4.4. All affected ministries are consulted across the government on draft sector planning documents (4 points, based on of selected cases)

Category: Practice in implementation

Approach: See the explanation of the assessment methodology above for the entire sub-indicator.

Points are allocated based on qualitative review of five sector policy planning documents:

- Fulfilled - all five draft sector planning documents meet the criterion = 4 points
- Partially fulfilled - four out of five draft sector planning documents meet the criterion = 2 points
- Not fulfilled – three or fewer draft sector planning documents meet the criterion = 0 points.

Criterion 5.1.4.5. The draft laws are accompanied by relevant analysis during interministerial consultation (3 points, based on of selected cases)

Category: Practice in implementation

Approach: See the explanation of the assessment methodology above for the entire sub-indicator.

A document containing the substantiation and analysis behind the elaboration of the draft (e.g. explanatory note, regulatory impact assessment report or other documents containing clear information on the issues and questions at stake) should be part of the package submitted for interministerial consultation in addition to the draft regulation.

Points are allocated based on qualitative review of five draft laws:

- Fulfilled - all five draft laws meet the criterion = 3 points
- Partially fulfilled - four out of five draft laws meet the criterion = 1.5 points
- Not fulfilled - none of the five samples meet the criterion = 0 points.

Criterion 5.1.4.6. All comments provided during the interministerial consultation on draft laws are responded to and the overview of comments and responses is submitted to the government for information (3 points, based on of selected cases)

Category: Practice in implementation

Approach: All comments provided during the interministerial consultation should be considered by the leading ministry and responded to when preparing the final policy proposal and submitted to the government (e.g. as part of the explanatory memorandum accompanying the draft proposal, the table of opinions and responses or similar).

Points are allocated based on qualitative review of five draft laws:

- Fulfilled - all five draft laws meet the criterion = 3 points
- Partially fulfilled - four out of five draft laws meet the criterion = 1.5 points
- Not fulfilled – three or fewer draft laws meet the criterion = 0 points.

Criterion 5.1.4.7. All comments provided during the interministerial consultation on draft sector planning documents are responded to and the overview of comments and responses is submitted to the government for information (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: All comments provided during the interministerial consultation should be considered by the leading ministry and responded to when preparing the final policy proposal and submitted to the government (e.g. as part of the explanatory memorandum accompanying the draft proposal, the table of opinions and responses or similar).

Points are allocated based on qualitative review of five draft laws/sector policy planning documents:

- Fulfilled - all five draft sector planning documents meet the criterion = 3 points
- Partially fulfilled - four out of five draft sector planning documents meet the criterion = 1.5 points
- Not fulfilled – three or fewer draft sector planning documents meet the criterion = 0 points.

Principle 6: Public policies are effectively implemented and evaluated, enhancing policy outcomes and reducing regulatory costs and burdens.

Indicator 6.1. Effectiveness of policy implementation, evaluation and simplification

The indicator measures the effectiveness of policy implementation and the functioning of policy evaluation. In addition, it measures the application of administrative simplification as well as international regulatory co-operation.

Sub-indicators	Maximum points
1. Effectiveness of policy implementation	30
2. Timeliness of adoption of mandatory bylaws	10
3. Monitoring and evaluation of policy implementation	10
4. Application of administrative simplification measures	35
5. Preconditions for conducting inspections in a proportional manner	5
6. Perceived availability of tools promoting regulatory compliance by businesses	5
7. Application of international regulatory co-operation	10
Total	100

Sub-indicator 6.1.1. Effectiveness of policy implementation

Relevant sub-principle(s): 6.a. Preparatory activities necessary for effective implementation of laws and policies, such as adoption of secondary legislation and harmonisation with other legislation, preparation of guidance, communication and capacity building, are done prior to the policies taking full effect.

Maximum points: 30

Criterion 6.1.1.1. Average reported implementation rate of activities of sector planning documents (%) – (15 points, based on review of selected cases)

Category: Practice in implementation

Approach: Same sample reports are collected on sector planning documents as for indicator 3: Up to five implementation reports adopted in the last full calendar year of the assessment period (the reports will be selected by SIGMA). The reported implementation rate of activities and reported fulfilment rate of outcome level indicator targets is calculated for each strategy individually and then averaged across all five samples to determine the (i.e. all samples have equal weight, the number of activities or outcome level indicators does not determine the weight of the sample). Reported implementation rate considers all those activities which were planned to be approved fully by the end of the last full calendar year prior to the assessment year. If the outcome level indicators or the implementation rate of activities cannot be calculated (e.g. because there is no implementation report prepared and/or no official results on implementation being calculated), zero points are awarded. If the action plan of the sample strategy was amended during the reporting year, then the version of the action plan that was in force in the beginning of the year is taken as the basis for calculating the number of activities planned to be implemented as well as the basis for determining the targets for outcome level indicators. For criterion 2, the calculation is based on all targets set for performance indicators linked to objectives that are achieved (at least 51% of the performance indicators linked to particular objectives have to be achieved in order for the objective to be considered fulfilled).

Points are allocated based on the reported implementation rate of activities (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 15$ points.

Criterion 6.1.1.2. Average reported fulfilment rate of objectives of sector planning documents (%) – (15 points, based on review of selected cases)

Category: Results

Approach: Same sample reports are collected on sector planning documents as for indicator 3: Up to five implementation reports adopted in the last full calendar year of the assessment period (the reports will be selected by SIGMA). The reported implementation rate of activities and reported fulfilment rate of outcome level indicator targets is calculated for each strategy individually and then averaged across all five samples to determine the (i.e. all samples have equal weight, the number of activities or outcome level indicators does not determine the weight of the sample). Reported implementation rate considers all those activities which were planned to be approved fully by the end of the last full calendar year prior to the assessment year. If the outcome level indicators or the implementation rate of activities cannot be calculated

(e.g. because there is no implementation report prepared and/or no official results on implementation being calculated), zero points are awarded. If the action plan of the sample strategy was amended during the reporting year, then the version of the action plan that was in force in the beginning of the year is taken as the basis for calculating the number of activities planned to be implemented as well as the basis for determining the targets for outcome level indicators. For criterion 2, the calculation is based on all targets set for performance indicators linked to objectives that are achieved (at least 51% of the performance indicators linked to particular objectives have to be achieved in order for the objective to be considered fulfilled).

Points are allocated based on the reported fulfilment rate of objectives (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 15$ points.

Sub-indicator 6.1.2. Timeliness of adoption of mandatory by-laws

Relevant sub-principle(s): 6.a. Preparatory activities necessary for effective implementation of laws and policies, such as adoption of secondary legislation and harmonisation with other legislation, preparation of guidance, communication and capacity building, are done prior to the policies taking full effect.

Maximum points: 10

Criterion 6.1.2.1. Timeliness of adoption of mandatory by-laws (%) (10 points)

Category: Results

Approach: Analysis of the rate of adoption of mandatory bylaws at the time when the law that contains the mandate for the adoption of the bylaws has taken full effect. A sample of at least five new laws adopted during the year prior to the latest full calendar year (which provide for the adoption of bylaws) that have taken full effect by the beginning of the current calendar year are assessed.

All bylaws that are required to be adopted under these laws (i.e. where the law does not allow for any discretion or for postponing the deadline of the adoption of the bylaw) must be identified and subsequently checked to make sure that the respective bylaws have indeed been adopted by the time the law from which they derive takes effect.

The value of this sub-indicator is calculated by dividing the number of bylaws adopted on time by the total number of bylaws deriving from the new laws, expressed as a percentage.

Points are allocated based on the percentage of mandatory bylaws that were adopted on time (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 100\% =$ linear function.
- $x = 100\% = 10$ points.

Sub-indicator 6.1.3. Monitoring and evaluation of policy implementation

Relevant sub-principle(s): 6.c. The responsible institutions effectively monitor policy implementation and ensure regulatory compliance, based on robust and relevant data, including evidence gathering through direct feedback and consultations with affected stakeholders.

6.d. *Ex post* evaluation of major laws and policies is an integral part of the better regulation agenda and is linked to the analysis conducted during the development of the policy. The public administration makes evaluation results publicly available and uses them to inform future policy.

Maximum points: 20

Criterion 6.1.3.1. A guideline on policy evaluation is available (1 point)

Category: Strategy and guidance

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. The guideline should contain instructions and good practices on how to initiate, plan and conduct policy evaluations or *ex-post* impact assessments.

Criterion 6.1.3.2. The authority for providing guidance and support during policy evaluation exists (1 point)

Category: Institutional set-up

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. The organisational set-up and responsibilities of public administration are assessed to identify if there is a dedicated institution responsible for co-ordinating the government's approach to evaluation and for providing guidance and support to ministries to plan and conduct the evaluation of policies. This can involve implementation of an *ex-post* impact assessment system which is linked with the *ex-ante* impact assessment.

Criterion 6.1.3.3. There are criteria in place to identify policies for which evaluations would be carried out (1 point)

Category: Strategy and guidance

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. The criteria for identifying the policies for evaluations are established in legislation or guidance documents. Criteria can include for example: importance of the objectives; significance of the effects; problems and issues with application.

Criterion 6.1.3.4. Preparation of evaluation reports in practice (5 points)

Category: Practice in implementation

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. Administrations are asked to confirm the practice of conducting evaluations of policies by providing evidence of at least three policy evaluations having been completed during the last full calendar year. Examples of evaluation reports on implementation of strategic and policy documents and laws can be considered, both interim and *ex-post*. The evaluation must be led by the responsible ministry/government institution but may involve external stakeholders and experts. Evaluation reports must be publicly available. SIGMA does not consider evaluation reports conducted on PAR or PFM reform programmes. Independent evaluations conducted by external stakeholders (e.g. non-governmental organisations [NGO], international organisations, donors, etc.) are not considered in the assessment unless those were commissioned by the lead institution.

Points are allocated based on full compliance with the criterion:

- Examples of 3 reports are prepared (5 points)
- Examples of two reports are prepared (3 points)
- One or no reports are prepared (0 points)

Criterion 6.1.3.5. The work plan of the ministry contains specific objectives and measurable targets (3 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. Results are taken from the assessment in the Organisation, accountability and oversight area, Sub-indicator 13.1.4. Clarity and coherence of official typology of central government bodies Criterion 1 and 2. Review of practices of three ministries (responsible for finance, economy, and social affairs). The work plan needs to be approved by the minister and to be publicly available. The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and targets and to be publicly available.

One point is awarded for each ministry that meets the requirement.

Criterion 6.1.3.6. The last annual report of the ministry contained information against predefined objectives and targets (6 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of available guidance materials and administrative data provided on practices of monitoring and evaluating the implementation of policies. Evaluations include interim and final evaluations of policies as well as *ex-post* impact assessment of the implementation of legislation. Results are taken from the assessment in the Organisation, accountability and oversight area, Sub-indicator 13.1.4. Clarity and coherence of official typology of central government bodies Criterion 1 and 2. Review of practices of three ministries (responsible for finance, economy, and social affairs). The work plan needs to be approved by the minister and to be publicly available. The annual report (or any other document for informing the

public about achievements) needs to contain information on the predefined objectives and targets and to be publicly available.

Three points are awarded for each ministry that meets the requirement.

Sub-indicator 6.1.4. Application of administrative simplification measures

Relevant sub-principle(s): 6.e. Review of the stock of regulations is conducted regularly to ensure that regulations remain relevant, up to date and contribute to public policies on simplification and reduction of unnecessary regulatory burden.

Maximum points: 20

Criterion 6.1.4.1. Responsibility for steering administrative simplification is assigned (3 points)

Category: Institutional set-up

Approach: Review of regulatory and methodological framework and institutional set-up for administrative simplification. The official mandate and tasks of the relevant government body or unit are checked to confirm that it has an overall responsibility for administrative simplification policy and support.

Criterion 6.1.4.2. Regulatory impact assessment (RIA) procedures require the analysis of administrative burden (2 points)

Category: Legislation

Approach: Review of regulatory and methodological framework and institutional set-up for administrative simplification. The regulatory impact assessment methodology and guidelines are checked to confirm there is a requirement to explore options for administrative simplification and full assessment of administrative burdens on businesses and citizens.

Criterion 6.1.4.3. Simplification of administrative procedures/services in practice (15 points)

Category: Results

Approach: Review of regulatory and methodological framework and institutional set-up for administrative simplification. The government is asked to provide examples of simplifying administrative procedures/services during the last two full calendar years, with documentary evidence that demonstrates:

- a reduction in cost for the user of the service;
- a reduction in the number of steps (actions) required from the user to obtain a public service or to comply with inspection requirements;
- a reduction in the amount of information/documents required from the user to obtain a public service or comply with inspection requirements (e.g. thanks to improved data sharing with other institutions);
- a reduction in the frequency of required reporting and/or number of reporting obligations for citizens and businesses;
- a reduction in the duration of the time needed to deliver a public service or duration of inspections; digitalisation of a service or inspection (or one of its steps).

Each case should be supported by a clear reference to the relevant regulatory change introduced for applying the simplification.

Points are allocated based on the number of simplification measure examples provided (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x \geq 15 = 15$ points

Points will be allocated based on the total number of successfully submitted simplification cases, in line with the assessment approach and methodology provided below. The maximum points will be awarded for 15 or more successful simplification cases.

Sub-indicator 6.1.5. Preconditions for conducting inspections in a proportional manner

Relevant sub-principle(s): 6.f. Inspections are conducted based on risk analysis and considering the proportionality principle. They are planned and conducted in a co-ordinated and transparent manner to minimise burdens, increase compliance and ensure effective use of public resources.

Maximum points: 5

Criterion 6.1.5.1. Inspection authorities are required to co-ordinate inspection activities to avoid duplication (1 point)

Category: Legislation

Approach: Review of legislation and of the inspection practices in the areas of food safety, labour, and environment. Inspection authorities are required by law to co-ordinate inspection activities to avoid duplication.

Criterion 6.1.5.2. There is a statutory limit of the number of inspections (or inspection days) per year for businesses (1 point)

Category: Legislation

Approach: Review of legislation and of the inspection practices in the areas of food safety, labour, and environment. The law stipulates the maximum number of inspections (or inspection days) per year for businesses.

Criterion 6.1.5.3. Inspectorates cannot keep the fines they collect. (1 point, based on review of selected cases)

Category: Legislation

Approach: Review of legislation and of the inspection practices in the areas of food safety, labour, and environment. Fines collected by the inspections must be transferred/paid to the state budget, not to the budgets of the inspections (to avoid perverse incentives).

Criterion 6.1.5.4. Inspections are targeting areas and entities creating highest risk (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of legislation and of the inspection practices in the areas of food safety, labour, and environment. Evidence applying risk-based approach to inspections reviewed, e.g. targeting areas and entities creating highest risk.

Criterion 6.1.5.5. A single information point is available to learn about principles and procedures of inspections (1 point)

Category: Practice in implementation

Approach: Review of legislation and of the inspection practices in the areas of food safety, labour, and environment. A single information point (website, helpdesk, call centre) must be established for businesses to learn about principles and procedures of inspections, as well as to receive advice on compliance.

Sub-indicator 6.1.6. Perceived availability of tools promoting regulatory compliance by businesses

Relevant sub-principle(s): 6.g. Compliance with existing regulations is promoted through provision of information, guidance, checklists and other tools. Enforcement actions take into account the profile and behaviour of specific regulated entities.

Maximum points: 5

Criterion 6.1.6.1. Perceived availability of tools promoting regulatory compliance by businesses (%) (5 points)

Category: Results

Approach: Analysis of survey responses by a sample of businesses to the following question or statement: "Guidance on the application of regulatory requirements affecting my company are easy to obtain from the authorities".

Answer options are: Strongly disagree, Somewhat disagree, Neither disagree nor agree, Somewhat agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Somewhat agree" or "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

Sub-indicator 6.1.7. Application of international regulatory co-operation

Relevant sub-principle(s): 6.h. The government engages in international and regional regulatory co-operation to improve regulatory quality and coherence, increase compliance and achieve better and more sustainable policy outcomes.

Maximum points: 10

Criterion 6.1.7.1. Use of international experiences during preparation of policies and laws (4 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the sample of the five most significant regulatory policies /draft laws and the relevant regulatory impact assessment reports approved by the government during the last full calendar year (the samples collected for indicators 4 and 5). Points are allocated if at least 3 out of 5 samples RIA/law packages provide at least one reference to international/EU or other country experiences and/or impacts of this policy on regional and/or international regulatory co-operation.

All regulatory impact assessments analysed need to contain information and/or data and/or references to external analysis and reports confirming existing (or planned) international instruments, agreements, practices, and/or regional and other country experiences in addressing similar policy problems were fully considered when developing the new draft law.

Criterion 6.1.7.1. The government has engaged in international regulatory co-operation during the latest calendar year (6 points, based on review of selected cases)

Category: Practice in implementation

Approach: Administrations are asked to provide concrete examples confirming the government engaged in international regulatory co-operation (IRC) initiatives through bilateral and/or regional agreements and/or adopted decisions and policies during the latest calendar year which aimed to:

- harmonise regulations or standards with that of another country (outside of the EU accession process);
- reduce unnecessary regulatory differences;
- eliminate duplicative requirements and processes or apply mutual recognition mechanisms;
- establish a joint institution;
- establish co-operation in enforcement.

Examples related to avoiding double-taxation between countries and/or within international treaties is not covered.

In addition to the specific examples of IRC provided by the administrations, SIGMA will analyse the list of all draft laws ratifying international agreements which were approved by the Parliament during the last full calendar year. Any bilateral or regional agreements which suggest some form of IRC in a specific regulatory area will also be counted as successful examples.

Points are allocated based on the number of examples of international regulatory co-operation (x):

- $x < 4 = 0$ points.
- $4 \leq x < 10 =$ linear function.
- $x \geq 10 = 6$ points.

Principle 7: The parliament effectively scrutinises the government policymaking and ensures overall policy and legislative coherence.

Indicator 7.1. Effectiveness of parliamentary scrutiny of policymaking

This indicator measures the ability of the parliament to scrutinise government policymaking and co-ordinate legislative activities with government. It also aims to assess the adequacy and effectiveness of internal parliamentary procedures and practice to ensure evidence-based and participatory law-making within parliament.

Sub-indicators	Maximum points
1. Regulatory framework for parliamentary scrutiny of policymaking	10
2. Government participation in parliamentary discussions	8
3. Openness and transparency of the legislative work of the parliament	14
4. Planning and co-ordination of legislative activities between government and parliament	12
5. Timeliness of parliamentary processing of draft laws submitted by the government	10
6. Completeness of supporting documentation for draft laws submitted to the parliament	10
7. Use of extraordinary or shortened proceedings for the adoption of government-sponsored draft laws	12
8. Quality of lawmaking by members of parliament (MPs)	16
9. Parliamentary review and evaluation of the implementation of policies	8
Total	100

Sub-indicator 7.1.1. Regulatory framework for parliamentary scrutiny of policymaking

Relevant sub-principle(s): 7.a. The parliament effectively scrutinises and oversees government policymaking. The parliament ensures that the legislation enacted is clear, concise and intelligible.

Maximum points: 10

Criterion 7.1.1.1. Regulations enable the parliament and its committees to debate, scrutinise and amend government-initiated laws (2 points)

Category: Legislation

Approach: Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures. Checks carried out to confirm that the mandate and procedures are established for enabling the parliament and its committees to review, scrutinise and amend government-initiated legislation and programmes that require parliamentary approval.

Criterion 7.1.1.2. Regulations enable the parliament to carry out its oversight function over the government policymaking (2 points)

Category: Legislation

Approach: Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures and rules for lawmaking. At a minimum, the regulations should establish clear procedures for written and oral questions from members of parliament (MP) to ministers and the participation of ministers or their deputies in the work of the parliament when an issue that is within their policy responsibility or a draft law initiated by them is being discussed.

Criterion 7.1.1.3. Parliament and government use the same standards and rules for legal drafting when preparing draft laws (2 points)

Category: Legislation

Approach: Review of the existing procedures of lawmaking and manuals for legal drafting used in the parliament and government during preparation and scrutiny of draft legislative proposals to check if those are the same in terms of technical rules and standards for preparation of legislative proposals and legal texts. Interviews with the parliament administration to check and confirm the availability and use of the same legal drafting manuals during initiation and preparation of draft laws by different MP. The criterion is not fulfilled if the legal drafting manual and rules used in the parliament are different from those used by government when drafting legislation, or when there are several different manuals used by MPs which do not contain the same standards, rules and advice.

Criterion 7.1.1.4. Regulations ensure that the parliament systematically consults with the government on all MP-initiated draft laws (2 points)

Category: Legislation

Approach: Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures and rules for lawmaking. Checks are carried out whether there is a formal requirement in the regulatory framework for the parliament to send all new draft legislative proposals initiated by members of parliament to the government for their formal review and opinion to inform the parliamentary scrutiny and decision-making. The criterion is not fulfilled if the requirement to consult with the government relate only to certain type of draft laws.

Criterion 7.1.1.5. Regulations establish clear criteria and rules when and how non-standard procedures for parliamentary scrutiny and approval can be used (2 points)

Category: Legislation

Approach: Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures and rules for lawmaking. Checks are carried out to assess and confirm that the regulations establish clear criteria and rules for requesting and approving parliamentary scrutiny of certain types of draft laws through non-standard (such as shortened/simplified/extraordinary or urgent) procedures. The regulations also ensure that there are clear procedures in place for the parliament to review and approve each individual request for scrutiny and approval of draft legislation through non-standard procedures.

Sub-indicator 7.1.2. Government participation in parliamentary discussions

Relevant sub-principle(s): 7.b. Parliamentary committees debate and scrutinise legislative initiatives, with active participation of government ministers and senior public servants, and ensure consultation with key stakeholders, while also minimising any risks of undue external influence.

Maximum points: 8

Criterion 7.1.2.1. In plenary sessions, the government is represented at the political level (4 points)

Category: Practice in implementation

Approach: Review of the parliamentary reports and internal statistics from the parliamentary administration concerning the participation of political-level government official representatives (ministers or deputies) in the plenary sessions. Interviews with the staff of the parliament and selected members of parliament (if possible) to confirm the government is always participating in the plenary sessions at the political level when issues under their policy area are being discussed. Evidence of no participation of the political-level government representatives in at least one of the official discussions at the plenary sessions (during the last full calendar year or the most recent) when issues related to government policies or draft laws relevant to their area of responsibility are discussed and without official explanation (e.g. emergency, sickness), is sufficient for considering the criterion as not being fulfilled.

Criterion 7.1.2.2. In committee sessions, the government is always represented in discussions on relevant policy issues (4 points)

Category: Practice in implementation

Approach: Review of parliamentary reports and internal statistics, interviews with parliamentary staff and selected members of parliament, to confirm that an official representative of government is always present at parliamentary committee discussions when required and/or invited (at the political or senior administrative levels). Evidence of no participation of the government representatives in at least one of the official parliamentary committee discussions (during the last full calendar year or the most recent) of policy issues relevant to their area of responsibility is sufficient for the criterion to be considered not fulfilled (e.g. when a parliamentary committee invites the government to send an official representative to their meetings but they do not attend the meetings).

Sub-indicator 7.1.3. Openness and transparency of the legislative work of the parliament

Relevant sub-principle(s): 7.b. Parliamentary committees debate and scrutinise legislative initiatives, with active participation of government ministers and senior public servants, and ensure consultation with key stakeholders, while also minimising any risks of undue external influence.

Maximum points: 14

Criterion 7.1.3.1. Parliament regularly prepares, updates, and publishes its calendar of legislative work (2 points)

Category: Practice in implementation

Approach: Analysis of the parliamentary website and/or other official publications of parliament. Checks carried out to confirm whether the parliament provides accurate, up-to-date and clear information about the dates of the upcoming plenary sessions and committee meetings. As a minimum, the calendar should provide full information about the dates and agendas of the next (upcoming) plenary session and all the relevant, planned committee meetings. Random checks carried out by SIGMA experts over several months during the assessment period to confirm and verify the information. If necessary, interviews will be done with parliamentary staff, members of parliament and external partners.

Criterion 7.1.3.2. Conclusions of committee meetings are published on the parliament's website (1 point)

Category: Practice in implementation

Approach: Analysis of information published on the official website of the parliament to check whether the official conclusions of the meetings of standing committees.

Criterion 7.1.3.3. Information about the voting results of individual MPs during the plenary sessions are published on the parliament's website (1 point)

Category: Practice in implementation

Approach: Review of the parliament's website to check whether the results of voting of individual members of parliament during the plenary sessions are published and accessible. Information about the voting taken place during the plenary sessions from the last full calendar year (or the latest available) is checked.

Criterion 7.1.3.4. Information about the status of all individual draft laws is available from the parliament's website and it is regularly updated (2 points)

Category: Practice in implementation

Approach: Analysis of information published on the official website of the parliament to check whether it provides clear and complete information about the parliamentary scrutiny status of each individual draft law included in the parliamentary calendar of the current (or the upcoming) session. Checks are carried out to confirm that for each individual law the website provides clear information about 1) the stage of parliamentary scrutiny (e.g. whether it is at first/second reading, committee stage); 2) whether it has been

approved/rejected. If the calendar is found to be not up-to-date and/or information is not available on all registered draft laws, the criterion is considered not to be fulfilled. If the parliament has been in recess during the assessment period, the latest information from the most recent parliamentary session and calendar is checked. Information is further verified based on the interviews and feedback collected from parliament and government administrations, as well as civil society organisations.

Criterion 7.1.3.5. The latest version of the draft laws, amendments, opinions and supporting documents are published on the parliament's website (2 points)

Category: Practice in implementation

Approach: Review of the parliamentary website to verify that official, latest versions of all registered draft laws, any amendments to those laws proposed during the parliamentary scrutiny, as well as all relevant committee reports, opinions and other supporting materials related to the draft law (including those submitted by the government) are published and accessible to the public. Information about all registered laws for the current (or the latest available) parliamentary session is checked. As a minimum, the following documents should be available for the criterion to be considered fulfilled: 1) the latest official legal text of the draft laws; 2) any proposed amendments; 3) any official opinions and/or reports prepared by the relevant parliamentary committee(s); and 4) opinion of the government on MP-initiated laws (if relevant); as well as 5) all supporting documents submitted by the government (e.g. explanatory notes, regulatory impact assessments and consultation reports, if available). The criterion is considered not to be met if there is evidence of all or some of the information being unavailable for all draft laws registered for parliamentary scrutiny.

Criterion 7.1.3.6. Parliament publishes regular reports on its legislative activities (at least annually) (2 points)

Category: Practice in implementation

Approach: Checks on the website and interviews with parliamentary officials to confirm whether the parliament has a practice of preparing regular reports on its legislative activities. Points are not allocated if the parliament does not publish a report on its legislative activities for the last full calendar year (either a full or partial report). If the parliament did not have any legislative activity during the last full calendar year (e.g. because of political deadlocks or unforeseen factors), checks are carried out on the previous years preceding the last full calendar year. The report must include full information about the legislative and other activities of the parliament during the past period, including information about all draft laws considered (approved, rejected, withdrawn and who initiated them) during the past calendar year/ reporting period.

Criterion 7.1.3.7. Perceived openness and transparency of parliamentary law-making (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question or statement: *“The legislative process, how laws are made in [Parliament/Congress] is open and transparent for the public.”*

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 4$ points.

Sub-indicator 7.1.4. Planning and co-ordination of legislative activities between government and parliament

Relevant sub-principle(s): 7.c. The government co-ordinates its legislative work plan closely with the parliament and regularly shares information about new legislative initiatives.

Maximum points: 12

Criterion 7.1.4.1. Officials from parliament and government meet regularly to discuss legislative priorities and agendas (4 points)

Category: Practice in implementation

Approach: It is checked whether the government and parliament hold regular meetings to discuss the legislative priorities, plans and agendas. Checks are carried out to assess whether the representatives of government (a minister or a delegated senior government official) attend the meetings of the governing body/structure of parliament which discusses the parliamentary agenda and scheduling (at least monthly, when the parliament is in sittings). Regular meetings are defined as occurring at uniform intervals, based on the assessment of agendas from the last three such meetings. Checks on the minutes of the last three meetings of the relevant body of parliament are carried out to confirm the practice. Information is further checked and verified during interviews.

Criterion 7.1.4.2. Legislative plan of government is submitted to the parliament at least once a year (4 points)

Category: Practice in implementation

Approach: The official list of all planned legislative proposals of government must be submitted to the parliament at least once a year (submitted or published). In case of revisions to the government legislative plan during the year, the revised plan must also be shared with the parliament. Interviews are carried out to check and verify the practice.

Criterion 7.1.4.3. Alignment between planned and approved draft laws by the government (4 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the Quality of policy planning and reporting indicator, Sub-indicator 3.1.3. criterion 3. The alignment rate (expressed as a percentage) is calculated by dividing the number of government-initiated draft laws originating from annual government planning documents (such as the GAWP or legislative plan) approved by the government during the last full calendar year by the total number of actual draft laws approved by the government in that period. If there were multiple governments formed within a calendar year, the draft laws submitted to the parliament by these governments are compared against the annual planning documents of these governments for the same period, but the overall comparison is given as an aggregate of the entire year.

Points are allocated based on the percentage of laws originating from the annual government planning documents approved by the government (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 4$ points.

Sub-indicator 7.1.5. Timeliness of parliamentary processing of draft laws submitted by the government

Relevant sub-principle(s): 7.d. The parliament ensures effective planning and timely consideration of all legislative proposals.

Maximum points: 10

Criterion 7.1.5.1. Timeliness of parliamentary processing of draft laws submitted by the government (%) (10 points)

Category: Practice in implementation

Approach: Timeline of submission and approval/rejection by parliament of all draft laws (new and amendments) initiated by the government during the year preceding the latest full calendar year are analysed. Assessors will divide the number of draft laws that were approved/rejected/withdrawn by the parliament within 12 months after their submission by the total number of laws submitted by the government during the full calendar year preceding the latest full calendar year and express the value as a percentage. If there were no legislative activities in the parliament during the last full calendar year, the assessment is carried out using the available information from the previous years.

Points are allocated based on the percentage of draft laws submitted by the government that were considered (approved/rejected/withdrawn) by the parliament within 12 months after their submission (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 100\% =$ linear function.
- $x = 100\% = 10$ points.

Sub-indicator 7.1.6. Completeness of supporting documentation for draft laws submitted to the parliament

Relevant sub-principle(s): 7.e. The government shares with the parliament all policy documents and supporting materials, such as regulatory impact assessments (RIA) and reports on the outcome of public consultation. Supporting materials are revised, if necessary, to reflect any major amendments agreed during parliamentary debates.

Maximum points: 10

Criterion 7.1.6.1. Parliament receives all supporting documents of the government-initiated laws that were prepared and considered at the time of government approval (4 points)

Category: Legislation

Approach: Review of the rules and procedures of government and parliament and any other regulations to assess whether the final package of a draft law which the government submits to the parliament includes the same supporting documents as the final package which was submitted to government for final approval. It is checked whether the regulations require that the same list of documentation is officially submitted to the parliament, as supporting materials of the government-initiated draft laws. As a minimum, checks are carried out on the regulatory requirement to submit: 1) the explanatory memorandum/introduction; 2) the regulatory impact assessment report; 3) summary of the public consultation (this can be part of other documents); 4) EU law compliance statement/ table of concordance, if those are relevant and required by the national regulations.

Criterion 7.1.6.2. All draft laws submitted to the parliament are accompanied with all the required supporting documents (6 points)

Category: Practice in implementation

Approach: The practice of the government submitting all the relevant supporting documents of government-initiated draft laws to the parliament is checked based on the review of the full list of all draft laws submitted by government to the parliament during the last full calendar year. National administrations are asked to confirm the list of all documents submitted to government and parliament during the last full calendar year. These lists of supporting documents submitted to government and parliament are compared and analysed. The documents sent to parliament include all supporting materials submitted to the government for approval, such as: 1) explanatory memorandums; 2) regulatory impact assessment reports; 3) summaries of the outcome of public consultations (this does not need to be a separate document and can be included in the impact assessment or explanatory memorandum); 4) statements of conformity with the EU *acquis* and the tables of concordance (if the draft aligns with EU law). Additionally, to confirm the practice, the actual packages of five draft laws prepared and approved by the government during the last full calendar year are identified and reviewed further to confirm that the relevant supporting documents were in fact submitted to the parliament after their approval. Checks are also carried out with the parliament administration to confirm the information. Points are allocated if there is no inconsistency found, either during the check of the full population based on the information obtained from the parliament, or after the review of the samples.

Sub-indicator 7.1.7. Use of extraordinary or shortened proceedings for the adoption of government-sponsored draft laws

Relevant sub-principle(s): 7.f. Extraordinary and/or shortened procedures for adopting laws are not used excessively, to allow adequate time for preparation and scrutiny. If such procedures are used, an *ex post* review of these laws is carried out at the earliest possible time to assess the relevance and effectiveness of the regulatory rules and procedures.

Maximum points: 12

Criterion 7.1.7.1. Use of non-standard scrutiny proceedings for adoption of government-initiated draft laws (%) (12 points)

Category: Practice in implementation

Approach: The ratio (expressed as a percentage) is calculated by dividing the number of government-initiated draft laws (new laws and amendments) adopted by the parliament during the full calendar year preceding the assessment in non-standard procedures (e.g. extraordinary, emergency, urgent, and/or shortened/fast-tracked) by the total number of government-initiated laws adopted by the parliament within the same full calendar year. All types of non-standard procedures established by the national legislation are used for calculating this indicator. Information is also collected for the share of all laws (MP- and government-initiated) approved through non-standard procedures.

Points are allocated based on the percentage of laws adopted in non-standard procedures (x):

- $x > 230\% = 0$ points.
- $30\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 12$ points.

Sub-indicator 7.1.8. Quality of lawmaking by members of parliament (MPs)

Relevant sub-principle(s): 7.g. The government reviews and provides comments on all new legislative proposals initiated by the members of parliament to highlight possible policy incoherence and implementation risks, such as creation of unfunded mandates.

7.h. The parliamentary services provide expert advice and support to members of parliament for initiating and drafting new laws based on evidence and with input from key stakeholders.

Maximum points: 16

Criterion 7.1.8.1. MP-initiated draft laws are required to be accompanied by evidence which explains the impacts and benefits of the proposal (2 points)

Category: Legislation

Approach: Review of the relevant legislation and regulations to check whether there is a specific regulatory requirement for members of parliament (MP) to carry out at least some basic analysis of potential impacts and benefits of the proposed new legislation to reflect those in the relevant supporting documents before the draft law is submitted to the parliamentary leadership body for official registration and scrutiny. As a minimum, there should be a requirement for a letter or other supporting documents accompanying draft laws prepared by MPs to describe the policy problem, the rationale for new legislative intervention, and an initial assessment of potential budgetary/fiscal impacts.

Criterion 7.1.8.2. MPs consult with key affected stakeholders when preparing draft laws before those are officially registered for parliamentary scrutiny (2 points)

Category: Legislation

Approach: Review of the relevant legislation and regulations to check if there is a requirement for members of parliament to consult (formally or informally) with key affected groups and stakeholders, including government, during preparation and drafting of new legislative proposals.

Criterion 7.1.8.3. MPs have access to research and legal drafting services and support to help them during preparation of draft laws (2 points)

Category: Institutional set-up

Approach: Review of the rules of procedure of parliament, the organisational structure and functions of parliamentary administration and related services and units, and interviews with officials and selected members of parliament (MP) to check and confirm that MPs have access to expert support during the lawmaking process to carry out specific policy research and legal drafting. Support can be available either through expert services provided through the internal units of parliamentary administration, and/or through funds allocated for MPs to contract and engage external experts.

Criterion 7.1.8.4. Quality of initial analysis and consultation carried out during the preparation of MP-initiated laws in practice (4 points)

Category: Practice in implementation

Approach: The list of all MP-initiated and approved laws in the last full calendar year is established. A sample of three laws initiated and approved by parliament during the last full calendar year is selected for in-depth review, together with all supporting documents (e.g. introductions, explanatory memorandums and/or cover letters accompanying the laws). Draft laws and supporting documentation are checked to assess whether 1) they explain clearly, as a minimum, the policy problem and objectives, as well as the anticipated fiscal impacts; 2) and whether there is evidence of formal or informal consultation with key affected groups and stakeholders (e.g. meetings, hearings, follow-up on a study or research or a public hearing at the committee stage) during preparation of the draft law. If there was no MP-initiated law approved in the last full calendar year, the three most recently approved MP-sponsored laws and supporting documents from the previous years are collected and analysed.

Criterion 7.1.8.5. Consistency of consultation with government on draft laws initiated by MPs (%) (6 points)

Category: Practice in implementation

Approach: Based on a review of the parliamentary reports and statistics on all MP-initiated and approved laws during the last full calendar year, as well as interviews with parliamentary staff and general secretariat staff (or equivalent). First, the full list of all MP-initiated and approved laws during the last full calendar year is established. Parliament and government administrations are asked to inform and confirm that official government opinions were provided on all MP-initiated and approved laws. Information collected from parliament and government will be cross-checked to confirm the accuracy and completeness of evidence. Additionally, the actual government opinions on three MP-initiated and approved laws are requested. For these sample laws, the actual opinions are reviewed and checked. The ratio is calculated by dividing the number of MP-initiated and approved laws on which official government opinions were provided by the total number of all MP-sponsored laws during the last full calendar year, expressed as a percentage.

Sub-indicator 7.1.9. Parliamentary review and evaluation of the implementation of policies

Relevant sub-principle(s): 7.i. The parliament regularly reviews implementation of major laws and public policies to assess their effectiveness and hold the government accountable.

Maximum points: 8

Criterion 7.1.9.1. Parliamentary committees are required to carry out regular ex-post reviews of implementation of laws (2 points)

Category: Legislation

Approach: Review of legislation, regulations, rules, and procedures of parliament to check whether the parliamentary committees are required to carry out post-legislative scrutiny and *ex post* monitoring and evaluation of implementation of laws in their respective policy areas.

Criterion 7.1.9.2. The parliament prepares and publishes reports on the implementation of major laws and policies (6 points)

Category: Practice in implementation

Approach: Interviews with parliament administration. Review of parliamentary work plans and calendars and checks on the reports and publications available from the website of the parliament to confirm that the parliament carries out post-legislative scrutiny and ex-post review of implementation of laws. Checks are carried out on the availability of the relevant evaluation reports. Points are allocated if at least two post-legislative scrutiny or evaluation reports were prepared and published by the parliament during the last full calendar year (or the preceding year if there was no parliamentary activity in the last full calendar year).



Public service and human resource management

Public servants act with **professionalism, integrity** and **neutrality**. They are recruited and promoted based on merit and equal opportunities and have the right competencies to deliver their tasks effectively.

Principle 8: The employment framework balances stability and flexibility, ensures accountability of public servants and protects them against undue influence and wrongful dismissal.¹³

Indicator 8.1. Adequacy of the policy, legal framework and institutional set-up for a professional and accountable public service

This indicator measures that a public service policy, legal framework, and institutional capacities are in place to enable fair and consistent human resource management (HRM) practices across the public service. It measures whether the legal framework and HRM procedures support individual accountability of public servants and safeguard them against undue political or other interferences, whether the legislation and practice provide for fair dismissal and demotion of public servants whenever envisioned in the legislation. The indicator does not deal with the dismissal and demotion of public servants in top management positions.

Sub-indicators	Maximum points
1. Existence of political responsibility for the public service	5
2. Clarity and implementation of the public service policy	10
3. Clarity and adequacy of the material, horizontal and vertical scope of public service legislation	10
4. Protection of neutrality and professionalism of public servants against undue influence	10
5. Quality of the disciplinary system	10
6. Objectivity and fairness of dismissal and demotion of public servants	14
7. Grounds and limits for temporary employment in the public service	5
8. Existence of central and capable co-ordination bodies	12
9. Capacities for professional human resource management (HRM) in public administration bodies	12
10. Existence of an effective human resource management (HRM) information system	12
Total	100

¹³ Sub-principles 8 c, d and e must at least apply to public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. These functions typically include managers, public servants responsible for law drafting, administrative and public procurement decisions, inspectors, security personnel and diplomats.

Sub-indicator 8.1.1. Existence of political responsibility for the public service

Relevant sub-principle(s): 8.a. The government has a clear policy on public service, and the political-level responsibility for the area is established.

Maximum points: 5

Criterion 8.1.1.1. The political responsibility for the public service is clearly assigned (1.5 points)

Category: Institutional set-up

Approach: Review of legislation on the organisation and functioning of the government, the organisation of public administration in the central government, and legislation on the public service. Legislation on the public service may include a law on the civil service, and/or the general law on the public service, if it exists.

The analysis must determine whether the political responsibility for the public service in the central government administration is established. Namely, whether there is a political authority with the responsibility to formulate policies and regulations for the public service and oversee implementation. The political responsibility for the public service may be assigned to a single authority (e.g., a ministry of public administration) or to several (e.g., the ministry responsible for public administration and the ministry responsible for finance, the latter regarding the public service salary policy).

Criterion 8.1.1.2. The political responsibility encompasses the whole public service in the central government administration (1.5 points)

Category: Institutional set-up

Approach: Review of legislation on the organisation and functioning of the government, the organisation of public administration in the central government, and legislation on the public service. Legislation on the public service may include a law on the civil service, and/or the general law on the public service, if it exists.

The analysis must determine whether the scope of political responsibility for the civil service in the central government administration encompasses at least the ministries, including their deconcentrated services, the administration of the government, the administration of the prime minister, bodies reporting directly to the government, the prime minister or ministers and their deconcentrated services. The administration of sub-national governments is excluded from the analysis.

Criterion 8.1.1.3. The authority responsible for the public service in the central government administration is a member of the Council of Ministers (CoM) (or equivalent) (2 points)

Category: Institutional set-up

Approach: Review of legislation on the organisation and functioning of the government, the organisation of public administration in the central government, and legislation on the public service. Legislation on the public service may include a law on the civil service, and/or the general law on the public service, if it exists.

The analysis must check whether the authority(ies) responsible for the public service policy is a member of the council of ministers (CoM). Membership of the authority(ies) politically responsible for the public service in the CoM is considered a proxy for exercising political responsibility for the public service in practice.

Sub-indicator 8.1.2. Clarity and implementation of public service policy

Relevant sub-principle(s): 8.a. The government has a clear policy on public service, and the political-level responsibility for the area is established.

Maximum points: 10

Criterion 8.1.2.1. A public service policy is in force (0.5 points)

Category: Strategy and guidance

Approach: Review of policy documents. It is required that a whole-of-government policy for the public service exists, it is adopted by the government, and it is in force. This document could be a public service policy, or it may also be part of a public administration reform (PAR) strategy if it deals with the issue of public service as a clearly identifiable section.

Criterion 8.1.2.2. The public service policy encompasses at least the public service in the central government administration (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy document(s) that are valid on the date of the assessment to check whether they encompass at least the public service in the central government administration.

Criterion 8.1.2.3. The public service policy has a situation analysis with the identification of existing problems (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy document(s) that are valid on the date of assessment to check whether they include a situation analysis, including identification of existing problems.

Criterion 8.1.2.4. The public service policy includes policy objectives (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service planning document(s) that are valid on the date of assessment to check whether they include policy objectives.

Criterion 8.1.2.5. The public service policy includes indicators for policy objectives (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy planning document(s) that are valid on the date of assessment to check whether they include indicators for policy objectives.

Criterion 8.1.2.6. The public service policy includes baseline and target values for indicators (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy planning document(s) that are valid on the date of assessment to check whether they include baseline and target values for indicators.

Criterion 8.1.2.7. The public service policy has activities linked to specific institutions with clear deadlines for completing them (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy planning document(s) that are valid on the date of assessment to check whether they include activities linked to specific institutions, with clear deadlines for completion.

Criterion 8.1.2.8. The public service policy includes cost estimates for resource needs for all planned activities (0.5 points)

Category: Strategy and guidance

Approach: Review of government adopted public service policy planning document(s) that are valid on the date of the assessment to check whether total funding needs (cost estimates) are explicitly identified for the actions included.

Criterion 8.1.2.9. Reported implementation rate of planned public service policy activities (%) (3 points)

Category: Practice in implementation

Approach: Review of public service policy monitoring reports encompassing the last full calendar year. The implementation rate is calculated based on the planned activities included in the public service policy planning document encompassing the last full calendar year. If there is no information on the implementation, it is assumed that the activities planned for the reporting year have not been implemented. Activities that are ongoing, continuous or only partially implemented will be counted as not implemented.

Points are allocated based on the reported implementation rate of activities (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 3$ points.

Criterion 8.1.2.10. Reported fulfilment of target values for indicators (%) (3 points)

Category: Results

Approach: Review of public service policy monitoring reports encompassing the last full calendar year. If the government has not set targets, 0 points are awarded. The sub-indicator is calculated based on all targets that are fully achieved. If all targets are fully achieved, the rate is 100%.

Points are allocated based on the reported implementation fulfilment rate of target values for indicators (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Sub-indicator 8.1.3. Clarity and adequacy of the material, horizontal and vertical scopes of public service legislation

Relevant sub-principle(s): 8.b. Legislation on the public service provides for clear and adequate material, horizontal and vertical scopes¹⁴

Maximum points: 10

Criterion 8.1.3.1. Comprehensiveness of material scope of public service legislation (2 points)

Category: Legislation

Approach: Review of general legislation on the public service. The analysis must determine whether public service legislation regulates at least the topics listed below. General legislation on the public service may include a law on the civil service, and/or a general law on the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment. Some areas, such as salaries or integrity systems, may be regulated in detail in separate pieces of legislation, but the general public service legislation should at least refer to the specific legislation and/or contain basic provisions related to them. Provisions of the labour law are only considered if there is an explicit reference to them in general legislation on the public/civil service, or if the labour law is the general law regulating employment in the public service. The legislation(s) must cover at least the following 12 elements:

1. Vertical and horizontal scope
2. Rights and duties of public servants
3. Institutions responsible for the management of public servants
4. Main criteria for job classification
5. Eligibility criteria to enter the public service
6. Merit-based and transparent recruitment
7. Professional development
8. Merit-based career advancement and promotion
9. Integrity measures
10. Salaries
11. Disciplinary system
12. Termination of employment

All 12 elements need to be regulated (or salaries or integrity are regulated in special legislation, and there is a clear reference to special provisions) to fulfil the criterion.

¹⁴ The vertical scope refers to the upper and lower division line between political appointees, public servants and technical support staff. The material scope refers to the topics regulated in the law. The horizontal scope refers to the bodies to which the law applies.

Criterion 8.1.3.2. Comprehensiveness of horizontal scope of the public service in legislation (5 points, based on a review of eight groups of public institutions)

Category: Legislation

Approach: x the analysis must verify:

1. Whether general legislation on the public service regulates employment relations and salaries in the eight groups of public bodies listed below, and/or if they are subject to special legislation. For the analysis of this criterion, general legislation on the public service means a law on the civil service and/or a law on the public service, and a salary law.
2. In institutions where employment relations are regulated in special legislation, whether the legislation ensures minimum standards for fair and professional management in: recruitment, dismissal and salaries.

The following eight groups of public institutions are assessed:

- 1) Ministries
- 2) Customs administration
- 3) Tax administration
- 4) Foreign service
- 5) Other bodies reporting directly to the government, prime minister (PM) or ministers. The assessment of this group will be based on the situation in the three institutions with the highest number of public employees. If one or several of these institutions are the same as in points b, c or d above, they are replaced by the next institutions with the highest number of public employees.
- 6) The administration of the parliament, the president, and the prime minister.
- 7) Regulatory authorities. The assessment of this group will be based on the situation in national regulatory bodies operating in the following domains: a) competition protection; b) energy; c) electronic communications; d) audio-visual media services.
- 8) The supreme audit institution (SAI) and the ombudsperson institution.

For each of the above groups of institutions to which special legislation applies, it is verified whether the following elements are fulfilled:

1. Recruitment:
 - a. Competitions are established as the only way to access public service positions for external candidates (as stipulated in sub-indicator 9.1.2, criterion 2);
 - b. Members of selection committees cannot be political appointees and political appointees cannot choose members of selection committees professionals (as stipulated in sub-indicator 9.7, criterion 2);
 - c. The highest-ranked candidate after the selection must be appointed (as stipulated in sub-indicator 9.8, criterion 6);
 - d. Candidates can appeal recruitment decisions (as stipulated in sub-indicator 9.10, criteria 2-3);
2. Dismissal:
 - a. The legislation establishes objective criteria for termination of employment (as stipulated in sub-indicator 8.6, criteria 1-3);
3. Salaries:

- a. Legislation defines all elements of remuneration, criteria and procedures to allocate them (as stipulated in sub-indicator 11.2, criterion 1).

Points are allocated based on the number of groups of institutions for which legislation ensures merit and professionalism (x):

- $x < 4$ groups of public institutions = 0 points.
- $4 \leq x < 8$ groups of public institutions = linear function
- $x = 8$ groups of public institutions = 5 points.

The following eight groups of institutions are assessed: Ministries; Customs administration; Tax administration; Foreign service; Other bodies reporting directly to the government, prime minister (PM) or ministers; the administration of the parliament, the president and the prime minister; Regulatory authorities; the Supreme audit institution (SAI) and the ombudsperson institution.

Criterion 8.1.3.3. At least 7 out of 8 institution groups are regulated in one public service law (1 point)

Category: Legislation

Approach: Analysis conducted in Criterion 2, to verify whether at least 7 out of 8 institution groups are regulated in one public service law.

Criterion 8.1.3.4. Persons appointed based solely on political criteria do not have the right to stay in their functions after the mandate of their appointing authority terminates and do not enjoy public service tenure and career possibilities (2 points)

Category: Legislation

Approach: Review of general legislation on the public service. General legislation on the public service may include a law on the civil service, and/or a general law on the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in general legislation on the public /civil service regarding relevant aspects to assess this criterion, or if the labour law is the general law regulating employment in the public service. The legislation is reviewed to verify whether provisions regarding positions to which appointment is based solely on political criteria (for example, deputy ministers, chief or advisors of the minister's cabinet) fulfil the following three elements:

1. These positions are clearly distinguished from public service positions.
2. Persons appointed to these positions do not have the right to continue in the job when the political authorities who appointed them terminate their mandate.
3. Persons appointed to these positions and who were not public servants before their appointment do not have access to public service jobs or career opportunities in the public service after terminating their functions, outside the regular way of public competition.

Sub-indicator 8.1.4. Protection of neutrality and professionalism of public servants against undue influence

Relevant sub-principle(s): 8.c. Public servants have the obligation to act professionally and neutrally and the right to reject unlawful instructions, and they have protection against undue political influence and other interference in their professional judgement

Maximum points: 10

Criterion 8.1.4.1. The legislation establishes the obligation of public servants to act professionally and neutrally (1.5 points)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the civil service law or the public service law, whenever it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered in the analysis. Analysis determines whether the legislation establishes the obligation of public servants to act professionally and neutrally

Criterion 8.1.4.2. The right to reject illegal orders is established in the legislation (3 points)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the civil service law or the public service law, whenever it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered in the analysis.

Verification of primary and secondary legislation (general civil service legislation or special laws on preventing corruption, on conflict of interest, etc.). Analysis determines whether the legislation offers minimum protection to civil servants in a situation when their superior issue an order that is illegal, namely contradicts the legislation in force. The three following elements need to be present:

1. The right to reject an illegal order must be enshrined in the legislation.
2. The legislation may require from the public servant to execute the order upon written reiteration by the superior, except if the execution would constitute a criminal offense.
3. The obligation to reject the execution of an order that would constitute a criminal offence must be enshrined in the legislation.

Criterion 8.1.4.3. Perceived interference of politicians and people with political links in day-to-day decision making of public servants (%) (5.5 points)

Category: Results

Approach: Analysis of survey responses from a sample of the public servants in middle-level managerial positions to the following question: To what extent do you agree with the statement? “To what extent do you agree with the following statement: My professional work is subject to interference by politicians, or people with direct links to political parties”. Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the combined percentage of “Tend to disagree” and “Strongly disagree” responses to the survey question (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 100\% =$ linear function.
- $x = 100\% = 5.5$ points.

Sub-indicator 8.1.5. Quality of the disciplinary system

Relevant sub-principle(s): 8.d. Public servants are subject to accountability, ethical and disciplinary frameworks and can be held liable in cases where misconduct is proven in due process

Maximum points: 10

Criterion 8.1.5.1. The legislation establishes disciplinary proceedings in cases of breach of duty of public servants (1 point)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public /civil service regarding relevant aspects to assess this criterion, or if the labour law is the general law regulating employment in the public service.

Legislation must include a list of duties for public servants and an explicit statement that a breach of duties is subject to disciplinary procedures. Legislation must apply at least to public servants with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state.

Criterion 8.1.5.2. Disciplinary procedures comply with basic procedural principles (1 point)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public /civil service regarding relevant aspects to assess this criterion, or if the labour law is the general law regulating employment in the public service.

Determine whether provisions on disciplinary procedures fulfil all the following elements:

- a. Respect the presumption of innocence.
- b. Ensure the right of public servants to defend themselves against the charges and to submit their own version of the facts and evidence.
- c. Ensure public servants the right to use legal advice according to their choice, including union representatives.
- d. Ensure the right to access the relevant documents that constitute the basis for the charges.
- e. Ensure the right to grant a hearing, either orally or in writing, prior to any resolution issued by the disciplinary authority.
- f. Include a written decision of the disciplinary authority with a justification.

Legislation must fulfil all the elements to score points.

Criterion 8.1.5.3. Public servants have the right to appeal disciplinary decisions to the courts (1 point)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public /civil service regarding relevant aspects to assess this criterion, or if the labour law is the general law regulating employment in the public service.

Check legislation if public servants subject to disciplinary procedures have the right to appeal disciplinary decisions to the court.

Criterion 8.1.5.4. The legislation establishes safeguards for the suspension of public servants from duty (1 point)

Category: Legislation

Approach: Review of legislation that applies to the sub-group of public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public /civil service regarding relevant aspects to assess this criterion, or if the labour law is the general law regulating employment in the public service.

Check if regulations of the suspension of public servants exercising public authority functions from duty fulfil the following elements:

- a. The grounds for suspension are limited to justified risks (e.g. if it can be demonstrated that there is a well-justified risk that pieces of evidence may be lost, that the presence of the incumbent public servant will significantly hamper the disciplinary procedure, or that his/her presence would be harmful to the reputation of the public service).
- b. They establish the consequences of the suspension in salaries and other benefits during the periods of suspension.
- c. They regulate the consequences in case of acquittal or of punishment of the public servant.

Legislation must fulfil all the elements to score points.

Criterion 8.1.5.5. Disciplinary sanctions totally or partially revoked by the courts and independent appeal bodies (%) (6 points)

Category: Results

Approach: The number of final court decisions and independent appeal bodies decisions revoking totally or partially disciplinary sanctions to public servants in the central government administration divided by the total number of disciplinary sanctions in the same group of public servants, expressed as a percentage. Cases for which a final court ruling or a final decision of an independent appeal body is pending are excluded. Pending means also that the case was decided by a lower instance court or appeal body and was appealed to a higher instance court or the independent appeal body. Data on disciplinary sanctions issued by the central government administration is collected for the two full calendar years before the last full calendar year. Data on independent appeal bodies decisions and final court rulings relates to decisions revoking totally or partially disciplinary sanctions issued by central government administration bodies in the two full calendar years before the last full calendar year. If central data are not available, 0 points are awarded. For the purpose of assessing this criterion, independent appeal body means an appeal body independent from the government.

Points are allocated based on the percentage of disciplinary decisions totally or partially revoked by the courts (x):

- $x > 30\% = 0$ points.
- $30\% \geq x > 0\% =$ linear function.
- $x = 0\% = 6$ points.

Sub-indicator 8.1.6. Objectivity and fairness of dismissal and demotion of public servants

Relevant sub-principle(s): 8.e. Public servants can only be dismissed or demoted based on objective criteria regulated by law, following due process and subject to judicial review.

Maximum points: 14

Criterion 8.1.6.1. Dismissal and demotion due to restructuring or downsizing is based on objective criteria (1 point)

Category: Legislation

Approach: Review of legislation on the organisation of public administration and on public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public/civil service regarding relevant aspects to assess these criteria, or if the labour law is the general law regulating employment in the public service. If there are separate regulations for public servants in top management positions, they are excluded from the analysis.

Analysis determines whether the general civil service and/or public service legislation fulfils the elements below:

- a. Legislation establishes that dismissal and demotion based on reorganisation are only possible based on objective technical, financial, economic, or organisational reasons (for example, downsizing due to austerity measures, obsolescence of jobs due to technological evolution or deregulation, government portfolios restructuring, etc.). Regulations establish that, regardless of the grounds of reorganisation, its impact on the suppression or modification of public service jobs and the employment situation of public servants must be established based on an objective analysis.
- b. In case of mergers of bodies without the abolition of functions, transfer of functions from one public body to another, or similar reorganisation processes that do not involve any significant change in functions to be performed, public servants keep their positions or are transferred to equivalent positions.
- c. Redundant public servants due to restructuring or downsizing procedures have the right to be transferred to adequate vacant positions in other bodies if such vacancies exist or otherwise to adequate severance pay.
- d. Individual redundancy, demotion or dismissal decisions are made based on objective criteria and in a non-discriminatory way.

The general civil service and/or public service legislation must include all the elements above to score points. Otherwise, 0 points are awarded. If the general civil service and/or public service legislation fulfils the criterion, a reduction of points may be applied based on the checklist to assess SI 8.3, Criterion 2.

- 1 point = the criterion is met in the general civil service and/all public service legislation and in all six of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.

- 0.5 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.
- 0 points = the criterion is not met in the general civil service and/or public service legislation, or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions listed below, based on the results of the checklist to assess sub-indicator 8.3. criterion 2.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in sub-indicator 8.3., criterion 2.

Criterion 8.1.6.2. Dismissal and demotion due to inadequate performance is based on objective criteria (1 point)

Category: Legislation

Approach: Review of legislation on the organisation of public administration and on public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public/civil service regarding relevant aspects to assess these criteria, or if the labour law is the general law regulating employment in the public service. If there are separate regulations for public servants in top management positions, they are excluded from the analysis.

Legislation must fulfil all the elements below:

- a. Dismissal and demotion of public servants exercising public authority (demotion if contemplated in legislation), is possible as the result of recurrent negative appraisals over a sufficiently long period of time. As a rule, a dismissal should not occur before two negative appraisals over a total period of at least 12 months so that after a first negative assessment, the public servant can improve performance.
- b. Objectives and expectations must be clearly communicated to the public servant ahead of the appraisal period and be reasonable for their position, i.e., they must be based on the job duties.

Legislation must include all the elements above to score points. The analysis of the scope for the is based on the checklist to assess SI 8.3, Criterion 2.

- 1 point = the criterion is met in the general civil service and/all public service legislation and in all six of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.
- 0.5 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.
- 0 points = the criterion is not met in the general civil service and/or public service legislation, or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions listed below, based on the results of the checklist to assess sub-indicator 8.3. criterion 2.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in sub-indicator 8.3., criterion 2.

Criterion 8.1.6.3. Other grounds for dismissal are objective (1 point)

Category: Legislation

Approach: Review of legislation on the organisation of public administration and on public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public/civil service regarding relevant aspects to assess these criteria, or if the labour law is the general law regulating employment in the public service. If there are separate regulations for public servants in top management positions, they are excluded from the analysis.

Analysis determines whether legislation includes other grounds for dismissal of public servants and, if so, whether they are objective, e.g. a disciplinary sanction, a final court ruling for a criminal offense, having lost the country's citizenship -whenever it is a requirement to access the public service, permanent physical or mental disability incompatible with the job certified by the competent authority, etc.

The analysis of the scope for the is based on the checklist to assess SI 8.3, Criterion 2.

- 1 point = the criterion is met in the general civil service and/all public service legislation and in all six of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.
- 0.5 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions indicated below, based on the results of the checklist to assess sub-indicator 8.3., criterion 2.
- 0 points = the criterion is not met in the general civil service and/or public service legislation, or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions listed below, based on the results of the checklist to assess sub-indicator 8.3. criterion 2.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in sub-indicator 8.3., criterion 2.

Criterion 8.1.6.4. Legislation guarantees due process to public servants in dismissal and demotion procedures (1 point)

Category: Legislation

Approach: Review of legislation on the organisation of public administration and on public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public/civil service regarding relevant aspects to assess these criteria, or if the labour law is the general law regulating employment in the public service. If there are separate regulations for public servants in top management positions, they are excluded from the analysis.

Analysis to verify whether dismissal and demotion procedures (demotion if contemplated in legislation) concerning public servants exercising public authority functions fulfil the elements below:

- a. Public servants have the right to be heard before a final decision is made, except in justified cases (e.g. dismissal due to a final court ruling for a criminal offense, or for having lost general eligibility requirements to work in the public service).
- b. They have the right to a written decision with a justification.
- c. They have the right to appeal dismissal and demotion decisions to the court.

Criterion 8.1.6.5. In case of a favourable court decision, dismissed and demoted public servants have the right to reinstatement or to compensatory measures upon agreement of the parties or ruled by the court (1 point)

Category: Legislation

Approach: Review of legislation on the organisation of public administration and on public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state. Only the general civil service law and/or public service law, if it applies to this group of public servants, is analysed. Special legislation applying to public administration bodies in the central government administration, if it exists, is not considered. Provisions of the labour law are only considered if there is an explicit reference to them in the general legislation on the public/civil service regarding relevant aspects to assess these criteria, or if the labour law is the general law regulating employment in the public service. If there are separate regulations for public servants in top management positions, they are excluded from the analysis.

Analysis to verify whether public servants dismissed or demoted have the right of reinstatement in case of a favourable court decision, or if legislation provides for other compensatory measures based on the agreement of the parties or ruled by the courts. Labour legislation may be considered if applicable.

Criterion 8.1.6.6. Dismissal decisions due to reorganisation, disciplinary decisions and low performance totally or partially revoked by the courts and independent appeal bodies (%) (3 points)

Category: Results

Approach: The number of final court decisions and final independent appeal bodies decisions revoking totally or partially dismissal decisions of public servants in the central government administration as a result of reorganisation, disciplinary decisions and low performance, is divided by the total number of dismissal decisions of public servants working in the central government administration as a result of reorganisation, disciplinary processes and low performance. Cases for which a final court ruling or a final decision of an independent appeal body is pending are excluded. Pending means also that the case was decided by a lower instance court or an appeal body and was appealed to a higher instance court or the independent appeal body. The criterion refers to public servants working in the central government administration. Data on dismissal decisions issued by the central government administration is collected for the two full calendar years before the last full calendar year. Data on final independent appeal bodies decisions and final court rulings is collected for the last three full calendar years and relates to independent appeal bodies decisions and final court rulings revoking totally or partially dismissal decisions issued by central government administration bodies in the two full calendar years before the last full calendar year. If centralised data is not available, 0 points are awarded. For the purpose of assessing this criterion, independent appeal body means an appeal body independent from the government.

The number of final court decisions and final independent appeal bodies decisions revoking totally or partially dismissal decisions of public servants in the central government administration as a result of reorganisation, disciplinary decisions and low performance, is divided by the total number of dismissal decisions of public servants working in the central government administration as a result of reorganisation, disciplinary processes and low performance. Cases for which a final court ruling or a final decision of an independent appeal body is pending are excluded. Pending means also that the case was decided by a lower instance court or an appeal body and was appealed to a higher instance court or the independent appeal body. The criterion refers to public servants working in the central government administration. Data on dismissal decisions issued by the central government administration is collected for the two full calendar years before the last full calendar year. Data on final independent appeal bodies decisions and final court rulings is collected for the last three full calendar years and relates to independent appeal bodies decisions and final court rulings revoking totally or partially dismissal decisions issued by central government administration bodies in the two full calendar years before the last full calendar year. If centralised data is not available, 0 points are awarded. For the purpose of assessing this criterion, independent appeal body means an appeal body independent from the government.

Points are allocated based on the percentage of dismissal decisions revoked by the courts (x):

- $x > 30\% = 0$ points.
- $30\% \geq x > 0\% =$ linear function.
- $x = 0\% = 3$ points.

Criterion 8.1.6.7. Reported implementation rate of court decisions and independent appeal bodies decisions revoking totally or partially the dismissal of public servants (%) (3 points)

Category: Results

Approach: The number of final court rulings or final decisions of an independent appeal body revoking totally or partially dismissal decisions of public servants issued by the central government administration as a result of reorganisation, disciplinary sanctions or low performance which were implemented within the last two full calendar years divided by the total number of final court rulings and final decisions of an independent appeal body revoking totally or partially dismissal decisions of public servants issued by the central government administration as a result of reorganisation, disciplinary sanctions or low performance during the same period, expressed as a percentage. The criterion refers to public servants working in the central government administration and subject to the civil service law or equivalent piece of legislation regulating employment relations of public servants exercising public authority. If centralised data is not available, 0 points are awarded. For the purpose of assessing this criterion, independent appeal body means an appeal body independent from the government.

The number of final court rulings or final decisions of an independent appeal body revoking totally or partially dismissal decisions of public servants issued by the central government administration as a result of reorganisation, disciplinary sanctions or low performance which were implemented within the last two full calendar years divided by the total number of final court rulings and final decisions of an independent appeal body revoking totally or partially dismissal decisions of public servants issued by the central government administration as a result of reorganisation, disciplinary sanctions or low performance during the same period, expressed as a percentage. The criterion refers to public servants working in the central government administration and subject to the civil service law or equivalent piece of legislation regulating employment relations of public servants exercising public authority. If centralised data is not available, 0 points are awarded. For the purpose of assessing this criterion, independent appeal body means an appeal body independent from the government.

Points are allocated based on the reported implementation rate (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 8.1.6.8. Perceived political influence on dismissal decisions (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question or statement: "To what extent would you agree with the following statement: "I might be dismissed from the public service for political reasons."

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to disagree" or "Strongly disagree" to the survey statement(x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points.

Sub-indicator 8.1.7. Grounds and limits for temporary employment in the public service

Relevant sub-principle(s): 8.f. The public administration uses temporary employment in justified situations and within reasonable time limits.

Maximum points: 5

Criterion 8.1.7.1. The use of temporary employment in the public service is possible and limited to justified situations (1 point)

Category: Legislation

Approach: Review of legislation on the public service in the central government administration. Relevant legislation may include a general law on the civil service, and/or a general law on the public service, and the labour law if it applies to temporary employment in the public service. Special legislation regulating specific groups of public servants, if it exists, is not considered. Specific regulations regarding top management positions in the public service, if they exist, are not considered.

Analysis determines if legislation allows temporary employment establishes the functions and circumstances to which temporary employment applies. Grounds for temporary employment must be objective and justified. Core public service functions should be, as a rule, reserved for permanent public servants, with exceptions under certain circumstances, such as activities of short-term nature. Justified circumstances for temporary employment in other public service functions include, for example, the replacement of temporary absent staff due to parental leave, sick leave, temporary transfers and similar situations, or a temporary increase in the workload. As a rule, temporary contracts should not last more than three years.

Criterion 8.1.7.2. Temporary employment in the public service is subject to reasonable time limits (1 point)

Category: Legislation

Approach: Review of legislation on the public service in the central government administration. Relevant legislation may include a general law on the civil service, and/or a general law on the public service, and the labour law if it applies to temporary employment in the public service. Special legislation regulating specific groups of public servants, if it exists, is not considered. Specific regulations regarding top management positions in the public service, if they exist, are not considered.

Verification if legislation establishes clear time limits for temporary employment, including criteria and limitations for contract renewal to ensure that temporary hiring is not used for long-term staff needs.

Criterion 8.1.7.3. Recruitment and selection for temporary employment is transparent and merit-based (1 point)

Category: Legislation

Approach: Review of legislation on the public service in the central government administration. Relevant legislation may include a general law on the civil service, and/or a general law on the public service, and the labour law if it applies to temporary employment in the public service. Special legislation regulating specific groups of public servants, if it exists, is not considered. Specific regulations regarding top management positions in the public service, if they exist, are not considered.

Review of legislation on recruitment and selection procedures for temporary jobs in the public service. Recruitment and selection for temporary jobs may follow different, more simplified procedures than for permanent public servants, but they must fulfil the following elements:

- a. They are transparent, namely, vacancies are publicly announced and include the number of positions, the description of tasks and responsibilities, the required profile to perform the job, work conditions, and the recruitment procedure.
- b. They are professionally managed by human resource staff or selection panels without political or other undue interference (i.e., political appointees cannot sit in selection panels or appoint members of a selection panel).
- c. The selection is based on the description of the tasks and responsibilities, and the required profile of the candidates to perform the job.
- d. The assessment of candidates is conducted by staff with qualifications and experience in selection (i.e., human resource staff with experience in selection, external selection experts or firms, experts from the same profession of the vacancy with expertise in selection).

Criterion 8.1.7.4. There is no legal possibility to transform a temporary contract into a regular public service contract (1 point)

Category: Legislation

Approach: Review of legislation on the public service in the central government administration. Relevant legislation may include a general law on the civil service, and/or a general law on the public service, and the labour law if it applies to temporary employment in the public service. Special legislation regulating specific groups of public servants, if it exists, is not considered. Specific regulations regarding top management positions in the public service, if they exist, are not considered.

Verification that legislation does not establish shortcuts or by-passes which enable a temporary employee to access a permanent position in the public service without a competition subject to the same rules as those for external candidates.

Criterion 8.1.7.5. Public administration monitors the use of temporary employment in the public service (1 point)

Category: Practice in implementation

Approach: Review of reports available on temporary employment in the public service in the central government administration (reports and data on the topic may be a stand-alone document, or they may be part of a broader report on the public service). The analysis must determine whether temporary employment in the public service in the central government administration is monitored including at least the following elements:

- a. Number and share of temporary employment from total employment in the central government administration (total and by public body).
- b. Data on the number of temporary contracts by ground (e.g. replacement of temporary absent staff due to parental leave, sick leave, temporary transfers and similar situations, or a temporary increase in the workload).
- c. Information on the length of temporary contracts.
- d. Reports on temporary employment may also include other data, e.g., on the number of temporary contracts by recruitment procedure, or by function performed or type of tasks.

Elements a, b, and c must be fulfilled to score points.

Sub-indicator 8.1.8. Existence of central and capable co-ordination bodies

Relevant sub-principle(s): 8.g. A central body, sufficiently empowered, effectively leads and co-ordinates the human resource management (HRM) system for the public service, provides support to public administration bodies, and monitors implementation.

Maximum points: 12

Criterion 8.1.8.1. The central co-ordination body is assigned to report to the political authority responsible for the public service (1.5 points)

Category: Institutional set-up

Approach: Review of legislation establishing the political authority responsible for the public service policy and the authority responsible for central co-ordination of public service and HRM procedures in the central government administration. If there are several bodies sharing political authority for the public service, and/or several bodies sharing responsibilities for co-ordination of public service policy implementation and the HRM system in the public service, their accountability, co-operation and distribution of powers are also assessed. The aim is to ensure that public bodies responsible for the co-ordination of the public service policy implementation and HRM system are accountable to the relevant political authorities.

If the political responsibility for the public service is not clearly assigned in legislation (according to SI 8.1.1, Criterion 1), no points are awarded.

Criterion 8.1.8.2. The central co-ordination body issues and regularly updates general guidance regarding HRM in the central government administration (1 point)

Category: Practice in implementation

Approach: Review of legislation, reports and other documents produced by the public service central co-ordination administrative body. Analysis of the web page of the central co-ordination body, supplemented with interviews with the management of the public service central co-ordination body and HRM units.

Verification whether general guidance prepared by the public service central co-ordination body regarding HRM in the public service of the central government administration is available for HR managers at least on the following topics: performance appraisal, recruitment and selection and job descriptions. It must be updated, namely, at least, the date of the information must come after the last amendments to the relevant legislation that modified substantial aspects of these procedures.

Criterion 8.1.8.3. The central co-ordination body organises or has an influence on the content of centralised training (1.5 points)

Category: Practice in implementation

Approach: Review of legislation, reports and other documents produced by the public service central co-ordination administrative body. Analysis of the web page of the central co-ordination body, supplemented with interviews with the management of the public service central co-ordination body and HRM units.

The analysis must verify whether the central co-ordination body is responsible for the organisation of centralised training for civil servants, or has influence on the content of centralised training (e.g., if there is one or several institutes or schools of public administration delivering centralised training, but the central co-ordination unit identifies and sets priority training needs and supervises content and implementation of training; or if some ministries deliver horizontal training -e.g., a ministries or agencies responsible for finance regarding training on public financial management, in co-ordination with the public service central co-ordination unit).

Criterion 8.1.8.4. The central co-ordination body organises regular meetings with HR managers from central government institutions (1 point)

Category: Practice in implementation

Approach: Review of legislation, reports and other documents produced by the public service central co-ordination administrative body. Analysis of the web page of the central co-ordination body, supplemented with interviews with the management of the public service central co-ordination body and HRM units.

Verification whether the central co-ordination body organises meetings with HR managers in the central government administration at least twice a year and if the agenda of the meetings included relevant HR issues, such as significant amendments to public service legislation, or the analysis of HRM-related problems.

Criterion 8.1.8.5. The central co-ordination body ensures the availability of relevant legislation and guidelines (1 point)

Category: Practice in implementation

Approach: Review of legislation, reports and other documents produced by the public service central co-ordination administrative body. Analysis of the web page of the central co-ordination body, supplemented with interviews with the management of the public service central co-ordination body and HRM units.

The website of the central co-ordination body or central government portal is verified whether it includes up-to-date primary and secondary legislation on the public service as well as guidelines on HRM procedures.

Criterion 8.1.8.6. The central co-ordination body has the right to request and obtain any information related to the execution of its duties (1.5 points)

Category: Institutional set-up

Approach: Review of legislation, reports and other documents produced by the public service central co-ordination administrative body. Analysis of the web page of the central co-ordination body, supplemented with interviews with the management of the public service central co-ordination body and HRM units.

Legislation is checked whether the public service central co-ordination body has the right to request and obtain any information and documents related to the execution of its duties from all public institutions subject to public service legislation in the executive branch. If this right is not expressly established in the CSL or other regulations on the scope of competence of the central co-ordination body, but there is legislation establishing the obligation of public administration bodies to co-operate in order to facilitate the actions of other bodies, the criterion is fulfilled.

Criterion 8.1.8.7. The central co-ordination body conducts inspections or similar controls, or has access to inspection reports from the relevant bodies (1.5 points)

Category: Practice in implementation

Approach: Review of legislation and inspection reports or reports on similar controls about the implementation of public service legislation conducted by the public service central co-ordination body in the last full calendar year, or produced by the administrative inspection, or other central government bodies in the last full calendar year and made available to the public service central co-ordination body (e.g., they are sent to the central co-ordination unit, or they are published on the internet or on an intranet where the central co-ordination unit has access). Only the public service in the central government administration is considered. External control (e.g., by the state audit institution) is excluded.

Criterion 8.1.8.8. The central co-ordination body presents a report on the public service to the government (3 points)

Category: Practice in implementation

Approach: Review of the report on the public service prepared by the central co-ordination body covering the latest full calendar year, and of the government's website or other relevant website to determine whether the report meets the following elements:

- a. It includes at least the following information: the total number of public servants in the central government administration, public servants by professional category, gender balance, data on recruitment, training, appeals, performance appraisal, dismissal and salaries.
- b. It is easily accessible online.
- c. It is made accessible before the end of June of the year following the reporting year.
- d. It is presented to the minister, prime minister, cabinet of ministers or the parliament.

All the elements must be met to score points.

- The report includes at least the following information: the total number of public servants in the central government administration, public servants by professional category, gender balance, data on recruitment, training, performance appraisal, dismissals and appeals (1 point). If there are separate reports on training and appeals prepared by the relevant authorities, the criterion is also fulfilled.
- The report includes information on salaries of public servants (0.5 points).
- It is easily accessible online (0.5 points)
- It is made accessible before the end of June of the year following the reporting year (0.5 points)
- It is presented to the minister, prime minister, cabinet of ministers or the parliament (0.5 points)

Sub-indicator 8.1.9. Capacities for professional human resource management (HRM) in public administration bodies

Relevant sub-principle(s): 8.h. Public administration bodies have sufficient capacities for professional HRM.

Maximum points: 12

Criterion 8.1.9.1. HR staff benefited from training in modern HRM tools (2 points, based on review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a list of training courses organised in the last full calendar year and attended by HR staff from the following group of central government administration bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). For each public body in the sample, the list must include the name of the training course, the dates on which it was delivered, and how many HR staff of the public body attended the course. Only training on modern HRM tools such as HR planning, recruitment and selection, performance appraisal, job analysis or professional development are considered. Technical training on how to register personnel files does not count. At least one person (HR staff) from each public body in the group analysed must have participated in the training.

Points are allocated based on the number of central government administration bodies that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 5 =$ linear function.
- $x = 5 =$ maximum points.

Criterion 8.1.9.2. HR staff participated in HR networks professional activities (2 points, based on review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of lists of HR professional events that took place in the last full calendar year and in which HR staff from a group of public bodies of the central government administration participated. At least one person (HR staff) from each public body in the group analysed must have attended the event(s) to score points. HR professional events include for example meetings of HRM professional networks, HR experts' communities of practice, national or international conferences on HRM, etc. The group of central government bodies includes the ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

Points are allocated based on the number of central government administration bodies that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 5 =$ linear function.
- $x = 5 =$ maximum points.

Criterion 8.1.9.3. The HR unit staff provided managers with HR data or reports (2 points, based on review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Review of reports prepared by HR staff for managers the last full calendar year in the group of central government administration bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Reports must refer to HR issues relevant for managers, for example, staff characteristics, implementation of the HR plan, staff attendance to training and training results, results of performance appraisal, implementation and results of recruitment. Reports must include at least statistical data on the topics dealt with.

Points are allocated based on the number of central government administration bodies that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 5 =$ linear function.
- $x = 5 =$ maximum points.

Criterion 8.1.9.4. Management jobs include responsibilities for people management (3 points, based on review of a group of central government administration bodies)

Category: Institutional set-up

Approach: Analysis of standard job descriptions for middle-level managers in the public service of the central government administration, if they exist. The analysis is supplemented by the analysis of a non-representative sample of job descriptions of middle-level managerial jobs in a group of central government administration bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Two job descriptions of middle-level managers from each public body mentioned in the sampling section are analysed. One job description will correspond to a job in the highest level of this category, and the other to the lowest level in this category. If there is only one level of jobs in this professional category, one job description must correspond to the position occupied by the middle-level manager with a longer period in the same position, and the other to the position of the middle-level manager with a shorter period in the position. The job descriptions must state clearly that the position involves responsibility for staff management. Duties related to the organization of work in the unit without reference to people management are not considered. If there are standard job descriptions for middle managers and they include people management duties, but they are not reflected in the non-representative sample of job descriptions analysed, the criterion is not fulfilled. All job descriptions analysed for each public body must fulfil the criterion to score points.

More weight is placed on criteria 4 and 5 to balance between capacities of HR staff and capacities of managers for people management.

Points are allocated based on the number of central government administration bodies that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 5 =$ linear function.
- $x = 5 =$ maximum points.

Criterion 8.1.9.5. Public servants in management jobs received training in people management (%) (3 points)

Category: Results

Approach: The percentage of public servants working in managerial jobs in the last full calendar year and who received training on people management in the last three full calendar years is divided by the total number of public servants working in managerial jobs in the last full calendar year. Acting appointments are not included in the calculation. The criterion refers to centralised data only. If centralised data on the training of middle-level managers is not available, 0 points are awarded.

More weight is placed on criteria 4 and 5 to balance between capacities of HR staff and capacities of managers for people management.

Points are allocated based on the percentage of public servants in management jobs who received training in people management in the last three full calendar years (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points.

Sub-indicator 8.1.10. Existence of an effective human resource management (HRM) information system

Relevant sub-principle(s): 8.i. An effective information system supports HRM processes and provides data allowing for evidence-based public service policy

Maximum points: 12

Criterion 8.1.10.1. There is a public service HRM information system used in everyday HRM processes (3 points)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration. It is determined whether the human resource management information system (HRMIS) includes functionalities that are used to manage everyday HRM processes in the areas listed under and whether the processes are run digitally, without the need for paper forms.

A maximum of 3 points are available, with 0.15 points awarded for each of the ten areas listed below if there a human resource management information system used in everyday HRM processes in the given areas: 1) Organisation structures and job descriptions, 2) Recruitment 3) Selection, 4) Training (training needs analysis, training plans, monitoring of implementation), 5) Performance appraisal, 6) Promotion, 7) Other mobility processes (e.g., transfers, secondments), 8) Compensation/salary, 9) Disciplinary procedures, 10) Termination of employment.

If the process is run digitally, without the need for paper forms, an additional 0.15 points are awarded in each of the above cases.

Criterion 8.1.10.2. The HRM information system interoperates with the payroll system (1 point)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration. It is determined whether interoperability between the HRMIS and the payroll information system allows the automatic retrieval of HRM-related between both systems for the relevant HRM procedures and interoperability is used in practice.

Criterion 8.1.10.3. The HRM information system interoperates with other relevant information systems (1 point)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration. It is determined whether interoperability between the HRMIS and up to five other information systems exists other than the payroll system and HRMIS-related modules (e.g. recruitment, training, performance evaluation) exists. Such information systems could be the civil register, social security databases, higher education databases or other information systems containing relevant information for the HRMIS. Interoperability of other information systems relevant to HRM with the public service payroll system, provided that the HRMIS and the payroll system are connected and can exchange data, is also considered for assessing this criterion.

A maximum of 1 point is available, with 0.2 points awarded for each database which interoperates with the human resource management information, up to five information systems.

Criterion 8.1.10.4. The central registry (HR database) of public servants includes all employed public servants and institutions in the central government administration (2 points)

Category: Practice in implementation

Approach: On-site inspection of the public service central registry including the extraction of data, if necessary, to verify:

- a. The total number and list of public bodies of the central government administration included in the information system, by type of public body according to legislation (e.g. ministries, other public administration bodies subordinated to ministries or to the government, etc.).
- b. The total number of public servants employed in the central government administration included in the information system (total and by public body).

The analysis is supplemented by interviews with the relevant staff responsible for the public service central registry in the central government administration.

Criterion 8.1.10.5. The structure of the public service central registry includes relevant variables on individual characteristics and employment (1.5 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry must verify whether the structure of the database includes at least the following information of individual public servants: name, date of birth, gender, current position, public service positions held, education, salary, bonuses and benefits, performance appraisal results, disciplinary sanctions, and termination of employment.

Criterion 8.1.10.6. Data in the public service central registry is complete and updated (2 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry verifies, for each of the variables mentioned in Criterion 5, the total number of individual public servants for which information is available in the system.

Criterion 8.1.10.7. The public service central registry allows for accurate and quick reporting (1.5 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry must verify whether it allows for at least the following reports:

- a. Number of public servants by professional categories (as defined by law) for ministries;
- b. Annual turnover of public servants by professional category (as defined by the law for ministries);
- c. Average total yearly salary for different staff categories (as defined by the law) for ministries.

The system must allow for quick reporting on the three topics. If reports on the three topics cannot be obtained during the onsite inspection, 0 points are awarded.

Principle 9: Public administration attracts and recruits competent people based on merit and equal opportunities.

Indicator 9.1. Transparency, professionalism, and effectiveness of recruitment of public servants

This indicator examines if the legal framework and the organisation of public service recruitment supports the transparent, competitive, non-discriminatory, and professional selection of qualified persons wishing to join the public service, enabling the appointment of the most suitable candidates. This indicator examines only external recruitment to public service positions. Recruitment to top management positions in the public service is assessed under indicator 10, sub-indicator 1.1.

Sub-indicators	Maximum points
1. Quality of human resource (HR) planning	10
2. Competitive and non-discriminatory recruitment	10
3. Transparency of recruitment	8
4. Inclusiveness of recruitment	6
5. Attraction of qualified candidates	8
6. Recruitment based on job profiles	8
7. Professionalism of the selection committees	14
8. Adequacy of selection methods	14
9. Efficiency and timeliness of recruitment procedures	10
10. Right to information on results and appeal	6
11. Quality of onboarding	6
Total	100

Sub-indicator 9.1.1. Quality of human resource (HR) planning

Relevant sub-principle(s): 9.a. The public administration analyses human resources (HR) and prepares and implements HR plans aligned with the budget to ensure the appropriate workforce size, mix of competencies, skills, and expertise to fulfil its mission, considering both current and future needs.

Maximum points: 10

Criterion 9.1.1.1. An HR analysis for the public service exists and has comprehensive data on staff characteristics (1 point)

Category: Strategy and guidance

Approach: Review of the most recent analysis of HR in the public service of the central government administration produced by the relevant public service authority or central co-ordination unit. The analysis must refer at least to the situation in the last full calendar year (year T). If there is no such analysis, or it refers to an earlier period without encompassing the last full calendar year, 0 points are awarded.

At a minimum, the analysis must encompass data on the characteristics of the public servants working in the central government administration, including gender, age, professional category and level, full-time or part-time work, and professional qualification. The data must be available for each individual public administration body. If there is evidence that data is not complete, i.e., it does not encompass all central government public administration bodies or some public servants working in them, 0 points are awarded.

Criterion 9.1.1.2. The HR analysis includes medium-term needs and gaps regarding the numbers and structure of staff (1 point)

Category: Strategy and guidance

Approach: Review of the most recent analysis of HR in the public service of the central government administration produced by the relevant public service authority or central co-ordination unit. The analysis must refer at least to the situation in the last full calendar year (year T). If there is no such analysis, or it refers to an earlier period without encompassing the last full calendar year, 0 points are awarded.

“Medium-term” must involve at least a period of two years (T+2) ahead of the last full calendar year (T). If the analysis refers only to immediate needs and gaps for the year ahead of the year in which the analysis is produced (T+1), or there is no analysis of staff needs and gaps, 0 points are awarded. The analysis must include at least:

- a. data on the number and structure (at least the professional category) of the staff in year T;
- b. the foreseen attrition of the staff in years T+1 and T+2 by professional category considering at least planned retirements;
- c. the needs in terms of the number and structure of staff for T+1 and T+2 (needs for reduction and increases foreseen), e.g., considering government or organisation strategic priorities, impact of digitalisation, operational day-to-day functioning, etc.;
- d. the difference (gap) between (b) and (c).

Criterion 9.1.1.3. The HR analysis includes medium-term needs and gaps regarding skills and competences (1 point)

Category: Strategy and guidance

Approach: Review of the most recent analysis of HR in the public service of the central government administration produced by the relevant public service authority or central co-ordination unit. The analysis must refer at least to the situation in the last full calendar year (year T). If there is no such analysis, or it refers to an earlier period without encompassing the last full calendar year, 0 points are awarded.

The medium-term analysis must include at least:

- a. data on the staff technical qualifications and skills in year T;
- b. the foreseen attrition of staff technical qualifications and skills in years T+1 and T+2 considering at least planned retirements;
- c. the needs in terms of staff technical qualifications and skills for T+1 and T+2 (needs for reduction and increases foreseen), e.g., considering government or organisation strategic priorities, impact of digitalisation, operational day-to-day functioning;
- d. the difference (gap) between (b) and (c).

Criterion 9.1.1.4. An annual HR plan exists for the public service (1.5 points)

Category: Strategy and guidance

Approach: Review of the HR plan for the public service of the central government administration produced by the relevant public service authority or central co-ordination unit, which is valid on the date of the assessment. If an HR plan does not exist, or it refers to an earlier period without encompassing the current year, or it does not encompass the public service in the central government administration, 0 points are awarded.

Points are allocated based on the following elements:

- It encompasses the number of vacancies to be filled through recruitment, by institution and total (0.5 points)
- It includes objectives to meet staff needs (headcount and/or skills), and HR-related activities to achieve them, such as recruitment, horizontal or vertical mobility, or professional development (1 point).

Criterion 9.1.1.5. A multi-annual HR plan exists for the public service (1.5 points)

Category: Strategy and guidance

Approach: Review of the HR plan for the public service of the central government administration produced by the relevant public service authority or central co-ordination unit, which is valid on the date of the assessment. If an HR plan does not exist, or it refers to an earlier period without encompassing the current year, or it does not encompass the public service in the central government administration, 0 points are awarded.

The analysis must determine whether there is a multi-annual HR plan including at least the following elements: objectives to meet staff needs (headcount and/or skills), and HR-related activities to achieve them, such as recruitment, horizontal or vertical mobility, or professional development.

Criterion 9.1.1.6. The HR plan includes maximum thresholds for the total number of staff and staff costs aligned with the budget (1.5 points)

Category: Strategy and guidance

Approach: Review of the HR plan for the public service of the central government administration produced by the relevant public service authority or central co-ordination unit, which is valid on the date of the assessment. If an HR plan does not exist, or it refers to an earlier period without encompassing the current year, or it does not encompass the public service in the central government administration, 0 points are awarded.

The analysis must determine whether the HR plan includes information on maximum thresholds for the total number of staff and staff costs, aggregated for the central government administration, and by individual institutions, aligned with the annual budget, for annual HR plans, and with the Medium-Term Budget Framework, for multi-annual plans. If the HR plan does not contain this information, 0 points are awarded.

Criterion 9.1.1.7. Public administration bodies can launch recruitment procedures based on the approved HR plan without additional administrative burden (1 point)

Category: Legislation

Approach: Review of legislation (primary or secondary) regulating the implementation of the HR plan. If an HR plan for the central government administration does not exist in legislation, 0 points are awarded.

Criterion 9.1.1.8. Compliance of the implemented public service HR plan with maximum thresholds for the total number of staff and staff costs in the budget (1.5 points)

Category: Practice in implementation

Approach: The analysis must determine whether the report includes information on the total staff costs implemented and the total number of staff employed in the public service in the central government administration at the end of the last full calendar year, and whether these numbers and costs respected the maximum thresholds established in the budget for the same period. If the report does not contain this information, or the information shows that the thresholds were not respected, 0 points are awarded. If the budget envelope for staff costs of the public service in the central government administration was amended during the year, the amended thresholds are considered for the analysis.

Sub-indicator 9.1.2. Competitive and non-discriminatory recruitment

Relevant sub-principle(s): 9.b. Public servants are recruited through transparent and open competitions, based on merit.

Maximum points: 10

Criterion 9.1.2.1. Access to public service jobs is based on clear and non-discriminatory criteria (2.5 points)

Category: Legislation

Approach: Review of primary legislation regulating recruitment procedures in the public service of the central government administration. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis.

The analysis must check whether legislation establishes eligibility criteria to access the public service, and, if so, whether the criteria are clear and non-discriminatory. Non-discriminatory eligibility criteria typically include 1) citizenship; 2) full legal capacity to act; 3) proficiency in the country's languages; 4) no criminal record; 5) no prior dismissal from the public service because of a disciplinary sanction; 6) specification of minimum age; and 7) fulfilment of requirements for the vacant position. In some cases, positive discrimination may be allowed, for example, regarding disabled people and ethnic/community representation if it is in line with the EU Directive 2000/78/EC on Equal Treatment at Work.

Criterion 9.1.2.2. The legislation establishes competitions as the sole avenue of admission into the public service (2.5 points, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Review of primary legislation regulating recruitment procedures in the public service of the central government administration. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis.

The analysis must verify whether the general civil service and/or public service legislation establishes competitions as the only way to access public service positions. Otherwise, 0 points are awarded. If the general civil service and/or public service legislation fulfils the criterion, a reduction of points may be based on the checklist to assess SI 8.3, criterion 2.

- 2 points = the criterion is met in the general civil service and/or public service legislation and in all six of the selected group of institutions
- 1 point = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions
- 0 points = the criterion is not met in the general civil service and/or public service legislation or it is met in the general civil service and/or public service legislation and less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in SI 8.3, criterion 2.

Criterion 9.1.2.3. Specific schemes to access the public service, if they exist, respect the principles of transparency, competition, and merit (2.5 points)

Category: Legislation

Approach: Review of legislation regarding specific schemes to access the public service, if they exist (e.g., young graduates programmes, schemes targeting beneficiaries of international scholarships, internship programmes). The analysis must determine whether the procedure to select the participants in the scheme is transparent, competitive, without any involvement of political appointees, and selection methods enable professional screening of candidates and selecting the most suitable ones. If this is the case, the criterion is fulfilled. If this is not the case, but participants in the specific schemes who wish to access permanent jobs in the public service must go through competitive recruitment following exactly the same rules as external candidates, without any advantage or special treatment, the criterion is fulfilled. If specific schemes to access the public service do not exist, it is considered that the criterion is fulfilled.

Full points are awarded if the criterion is fulfilled or if specific schemes do not exist.

Criterion 9.1.2.4. Public servants who accessed open-ended jobs in the public service in the central government administration for the first time through competition (%) (2.5 points)

Category: Results

Approach: The total number of staff appointed to a public service position through an open competition in the last full calendar year and who were not public servants in open-ended jobs before the appointment is divided by the total number of staff appointed to an open-ended public service position in the central government administration in the last full calendar year and who were not public servants in open-ended jobs before the appointment. The result is expressed as a percentage. If, in the last full calendar year there were no appointments of staff to open-ended public service positions in the central government administration who were not permanent public servants before the appointment, the analysis is based on data from the year before the last full calendar year. The criterion shall be measured at the central level only, and it refers to public service jobs in the central government administration included in the scope of the general public/civil service legislation. If centralised data does not exist, or are incomplete (e.g., data from public bodies whose staff is subject to the general public service/civil service law is not collected), 0 points are awarded.

Points are allocated based on the percentage of public servants who were appointed to open-ended jobs in the public service in the central government administration for the first time through an open competition (x):

- $x < 80\% = 0$ points
- $80\% \leq x < 100\% =$ linear function
- $x = 100\% = 2.5$ points.

Sub-indicator 9.1.3. Transparency of recruitment

Relevant sub-principle(s): 9.b. Public servants are recruited through transparent and open competitions, based on merit.

Maximum points: 8

Criterion 9.1.3.1. Legislation establishes a deadline for submitting applications to public service job openings of at least ten working days after the announcement (1 point)

Category: Legislation

Approach: Review of legislation regulating recruitment procedures in the public service of the central government administration. Only recruitments open to external candidates are considered. Recruitment to top management public service jobs is excluded. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. The analysis must determine whether the deadline to apply for the vacancy is established as at least ten working days from the date of the announcement.

Criterion 9.1.3.2. Public service job announcements have accurate job description (1 point, based on a review of selected recruitment files)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files related to recruitments open to external candidates organised in the last full calendar year to fill vacancies in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Competitions for public service top management positions are excluded. The analysis focuses on the vacancy announcements and the job profiles included in the recruitment files. The vacancy announcement must be included in the recruitment file, and there must be evidence that the vacancy announcement was publicly disclosed on the single web portal of the central government administration to award points. The job profile must be included in the recruitment file.

The analysis must determine whether the job announcements fulfil the following elements:

1. They include at least the following contents regarding the description of the job:
 - a. Identification of the position, including at least the job title and the classification (professional category and level when it applies).
 - b. Main job functions, including at least essential duties and responsibilities, to whom the job reports and positions directly reporting to it when it applies.
2. The description of the job in the job announcement accurately reflects the content of the job description included in the recruitment file.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.3.3. Public service job announcements include the required profile of the candidate to perform the job (1 point, based on a review of selected recruitment files)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files related to recruitments open to external candidates organised in the last full calendar year to fill vacancies in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Competitions for public service top management positions are excluded. The analysis focuses on the vacancy announcements and the job profiles included in the recruitment files. The vacancy announcement must be included in the recruitment file, and there must be evidence that the vacancy announcement was publicly disclosed on the single web portal of the central government administration to award points. The job profile must be included in the recruitment file.

The analysis must check whether the job announcements fulfil the following elements:

1. They include the general eligibility criteria according to legislation.
2. They include the requirements in terms of knowledge, skills, and other relevant abilities necessary for effective performance of the job.
3. The job requirements in the job announcement accurately reflect the content of the person specification included in the recruitment file.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.3.4. Public service job announcements include information on the work conditions (1 point, based on a review of selected recruitment files)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files related to recruitments open to external candidates organised in the last full calendar year to fill vacancies in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Competitions for public service top management positions are excluded. The analysis focuses on the vacancy announcements and the job profiles included in the recruitment files. The vacancy announcement must be included in the recruitment file, and there must be evidence that the vacancy announcement was publicly disclosed on the single web portal of the central government administration to award points. The job profile must be included in the recruitment file.

The analysis must verify whether the job announcements included in the non-representative sample of recruitment files offered information on the work conditions including at least the base salary and specific work conditions whenever they apply, such as specific shift (e.g., night or weekend shift) or working in hazardous environments.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.3.5. Public service job announcements in the central government administration are available on a single web portal (2 points)

Category: Practice in implementation

Approach: Analysis of the website of the public service central co-ordination unit, the government portal or other government official websites where job announcements for public service positions at least in the central government administration are published. The information on the website must be updated, i.e., it does not include expired job announcements.

Criterion 9.1.3.6. The single web portal that announces public service vacancies in the central government administration is user-friendly (1 point)

Category: Practice in implementation

Approach: Analysis of the same website(s) as in criterion 3, based on a checklist including at least the following elements:

- The website allows users to filter vacancies.
- It allows subscribing to new announcements.
- The information is in all the official languages.

Criterion 9.1.3.7. Findability score of the single web portal that announces public service vacancies in the central government administration (1 point)

Category: Practice in implementation

Approach: Analysis of the findability results of the single web portal that announces public service vacancies in the central government administration. The Moz Domain Authority tool is used, as a common way to define how well a website will rank on search engine result pages. The tool accurately predicts how well a website will rank on search engine result pages. It does so by evaluating multiple factors, including linking root domains and the number of total links. In essence, the more high-quality external links are referring to the single web portal, the stronger its domain authority and the easier it will be to find the government website on the basis of key words in search engines. The Domain Authority value (between 0 and 100) is used for the calculation of the criterion value.

Points are allocated based on the simple average of the “Moz Authority Evaluation” scores (x):

- $x < 25\% = 0$ points
- $25\% \leq x < 60\% =$ linear function
- $x \geq 60\% = 1$ point.

Sub-indicator 9.1.4. Inclusiveness of recruitment

Relevant sub-principle(s): 9.c. Inclusive recruitment policies and practices support diversity and equal opportunities in the public administration.

Maximum points: 6

Criterion 9.1.4.1. The single web portal disclosing public service vacancies complies with international accessibility standards (1 point)

Category: Practice in implementation

Approach: The web-based portal that announces public service vacancies in the central government administration is tested for compliance with WCAG 2.0 AA, which is the equivalent of ISO 40500, using the resource <http://wave.webaim.org>. The number of errors (red colour) under WCAG 2.0 AA is recorded.

If the portal exists for more than one Constitutional language, all languages are tested, and the one with the highest number of errors is used for the calculation. Websites versions for languages that are not Constitutional languages are not considered.

Criteria 1 to

3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Points are allocated based on the number of errors (x):

- $x \geq 30 = 0$ points
- $10 \leq x < 30 =$ linear function
- $x < 10 = 1$ points.

Criterion 9.1.4.2. Applicants with disabilities can request the adaptation of the recruitment and selection procedures (1 point)

Category: Legislation

Approach: Review of legislation, instructions or guidelines on recruitment procedures, and the web-based recruitment portal in the central government administration, to verify whether candidates with disabilities can request the adaptation of the recruitment procedure when they submit their application; namely, whether they can specify the facilities they require to participate in the selection process and adaptations of assessment tools, when they submit their application. If recruitment is decentralised, namely, candidates submit their application directly to the central government public administration body to which the vacancy announced belongs, and this public body directly manages the recruitment procedure including the application phase, the situation is analysed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies does not exist, the largest agency subordinate to government or prime minister or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be met by all the public bodies in the group to score points.

Criteria 1 to 3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Criterion 9.1.4.3. The recruitment authority must provide reasonable accommodation for disabled candidates (1 point)

Category: Legislation

Approach: Review of legislation, instructions or guidelines on recruitment procedures in the central government to verify whether the recruiting authority must provide reasonable accommodation of selection methods and procedures for disabled candidates applying to the public service that fulfil the eligibility criteria. There must be a protocol or instruction on how to proceed in these cases so that adaptations are applied consistently overtime, and staff in charge must have the expertise to make a judgement on which adaptations are appropriate to the needs of disabled persons (for example, medical staff from occupational safety and health services). In decentralised systems, the situation is analysed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be met by all the public bodies in the group to score points.

Criteria 1 to 3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Criterion 9.1.4.4. Participation of persons with disabilities in recruitment for the public service is encouraged (0.5 points)

Category: Practice in implementation

Approach: Review of evidence of activities conducted by the central government administration to encourage persons with disabilities to participate in recruitment for the public service. Activities may consist, for example, of targeted recruitment activities or materials, statements in the single web portal that announces public service vacancies in the central government administration, or in job announcements, affirming the recruiting institution's commitment to equality of opportunity for candidates with disabilities, etc.

Criteria 1 to 3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Criterion 9.1.4.5. HR staff and selection panel members receive disability awareness training (0.5 points)

Category: Practice in implementation

Approach: Review of information on the implementation of disability awareness training for HR staff responsible to manage recruitment procedures open to external candidates to fill public service vacancies in the central government administration, and members of selection committees, in the two last full calendar years. Recruitment to top management public service positions is excluded. In decentralised systems, the situation is analysed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Information must include the list of training activities developed, the training programme, and the list of participants indicating their role in the recruitment (i.e., HR staff, members of selection panels). In decentralised systems, the criterion must be met by all the public bodies in the group to score points.

Criteria 1 to 3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Criterion 9.1.4.6. People with disabilities employed in public service (%)

Category: Results

Approach: The total number of people with disabilities employed in the public service of the central government administration at the end of the last full calendar year is divided by the total number of public servants employed in the central government administration at the end of the last full calendar year. The result is expressed as a percentage.

More weight is placed on criterion 6 because it assesses outcomes.

Criteria 1 to 3 establish basic requirements, while criteria 4 and 5 establish additional requirements. Therefore, the two latter have less weight.

Points are allocated based on the percentage of employees with disabilities in the public service (x):

- $x = 0\% = 0$ points
- $0\% < x < 3\% =$ linear function
- $x \geq 3\% = 2$ points.

Sub-indicator 9.1.5. Attraction of qualified candidates

Relevant sub-principle(s): 9.d. The public administration attracts a good pool of eligible candidates using employer branding and other recruitment tools.

Maximum points: 8

Criterion 9.1.5.1. Public administration bodies develop and use their employer brand to attract qualified candidates (1 point, based on a review of practices at the central level and in selected institutions)

Category: Practice in implementation

Approach: Analysis of evidence of recruitment practices and the content of job announcements included at the central level or in a sample of recruitment files regarding recruitments to public service positions open to external candidates in a group of central government administration bodies organised in the last full calendar year. The following group of central government bodies is analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded. To award points, the information collected must include evidence of recruitment events or campaigns in which public administration used employer branding to attract candidates, web portals or job announcements including contents related to employer branding, etc. Contents related to employer branding may include, for example:

- a. references to public service and organisational values;
- b. working conditions that may be appealing to potential candidates (e.g., flexible work hours, days of paid leave, etc.);
- c. references to professional development opportunities (e.g., access to training, opportunities for career and salary progression).

The criterion must be met at the central level or by any of the public bodies in the group to score points.

Criterion 9.1.5.2. Public administration bodies diversify recruitment channels to attract qualified candidates (1 point)

Category: Practice in implementation

Approach: The assessment refers to the central government administration. The situation is analysed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies does not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Analysis of evidence related to dissemination of job announcements at least on the central website and newspapers of national circulation. Additional recruitment channels may include recruitment campaigns or other outreach activities (e.g., job fairs, webinars, events, presentations in universities and professional associations, social networks, campaigns, etc.) organised in the last full calendar year. The

criterion is fulfilled if job announcements were disseminated at least on the official website and on newspapers of national circulation, or on more than one public website or on social media. In a decentralised system, the criterion must be met by all the public bodies in the group to score points.

Criterion 9.1.5.3. Average number of eligible candidates in open competitions to fill public service vacancies in the central government administration (6 points)

Category: Results

Approach: The total number of eligible candidates that participated in external recruitment procedures to fill public service vacancies in the central government administration during the latest full calendar year, divided by the number of vacancies offered for external recruitment during the same period. Recruitments for top management public service positions are excluded. In pool recruitment systems, the value is calculated by dividing the number of eligible candidates by the number of open vacancies over the year. Only the recruitments open to external candidates and completed during the year are analysed. Pending recruitments are excluded. If centralised data at least for public service jobs in the central government administration included in the scope of the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

The weight of criterion 3 is significantly higher given that it assesses the outcome of recruitment practices considered in criteria 1 and 2.

Criterion 3: points are allocated based on the average number of eligible candidates (x):

- $x \leq 1 = 0$ points
- $1 < x < 10 =$ linear function
- $x \geq 10 = 6$ points.

Sub-indicator 9.1.6. Recruitment based on job profiles

Relevant sub-principle(s): 9.e. Recruitment is based on accurate job descriptions providing the required candidate profile (experience, knowledge, skills, competencies) for effective performance, reflected in vacancy announcements, along with work and salary conditions.

Maximum points: 8

Criterion 9.1.6.1. The legislation establishes that selection of public servants must be based on a description of the job and requirements for effective performance (1 point, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions of the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to public service top management positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment. The analysis must determine whether legal provisions establish explicitly that the assessment of candidates is based on the job profile of the position, including the job description and person specification. Sometimes the job profile is also referred to as the job description. Regardless of the terms used, what is important is that legislation establishes that selection is based on the description of the job to be performed and the requirements that candidates must fulfil to perform the job effectively. In this criterion, the content of the job description and the person specification is not analysed, but only if legislation establishes them as the basis for selection.

Criterion 9.1.6.2. The legislation establishes that job descriptions include the job identification and its essential duties, responsibilities and work conditions (1 point, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Analysis of legislation is with the same scope as in criterion 1 but focusing on regulations on the content of job descriptions. The analysis must determine whether legislation establishes a minimum compulsory content of the job description. This minimum compulsory content must encompass the following elements:

1. Identification of the position, including at least the job title, the organisational unit or functional area to which the job is assigned, the classification (professional category and level when it applies).
2. Main job functions including at least essential duties and responsibilities, to whom the job reports and positions directly reporting to it when it applies.
3. Work conditions including at least specific work conditions whenever they apply, such as a specific shift (e.g., night or weekend shift) or working in hazardous environments.

If one or several of these elements are missing in legislation, 0 points are awarded.

Criterion 9.1.6.3. The legislation provides for the obligation to establish general and specific requirements for effective job performance in each position (1 point, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Analysis of legislation is with the same scope as in criterion 1 but focusing on regulations on the content of job descriptions and person specifications. In this criterion, the analysis must determine whether legislation establishes a minimum compulsory content of the person specification. For non-managerial positions, the minimum compulsory content must encompass the following elements:

1. General requirements including at least the minimum educational credentials (e.g., graduate university degree, Masters' degree, vocational qualification certificate), and a minimum of professional experience required to perform the job.
2. Specific requirements to perform the job, including at least:
 - Knowledge (e.g., on statistics, database software programmes, legislation on public procurement, etc.)
 - Technical skills (e.g., financial and accounting skills, data analysis skills, etc.)

If one or several of these elements are missing in legislation, 0 points are awarded.

For managerial jobs, specific requirements must include managerial competencies to score points, at a minimum related to people management, planning and organisation of work in the organisational unit. Top management positions are not included in the analysis.

Criterion 9.1.6.4. Recruitment procedures were based on a job description and pre-determined job requirements (2 points, based on a review of selected recruitment procedures in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies does not exist, the largest agency subordinated to government or prime minister or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). The job profiles, including the job description and person specification, must be included in the recruitment file to award points. The analysis must determine whether the job profiles included at least the contents of the job description specified in criterion 2, and the contents of the person specification specified in criterion 3. All elements must be fulfilled in the recruitment files to award points.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0$ (no files in the sample fulfils the criterion) = 0 points
- $0 < x < 15$ = linear function
- $x = 15$ = 2 points.

Criterion 9.1.6.5. The job requirements were consistent with the job duties and tasks in recruitments (3 points, based on a review of selected recruitment procedures in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of the same non-representative sample of recruitment files as in criterion 4. The job profiles, including the job description and person specification, must be included in the recruitment file to award points. The analysis must determine whether the requirements to perform the job included in the person specification are consistent with the job duties and responsibilities included in the job description. For example, mastering two foreign languages should not be required for jobs not involving international relations, relations with migrants or similar duties for which such language skills are not necessary. The goal is to identify potential situations where the requirements may be limiting the number of potential candidates without justification. The requirements to perform the job must be consistent with the job duties in the job description to award points.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0$ (no files in the sample fulfils the criterion) = 0 points
- $0 < x < 15$ = linear function
- $x = 15$ = 3 points.

Sub-indicator 9.1.7. Professionalism of the selection committees

Relevant sub-principle(s): 9.f. Selection committees are composed of members qualified to perform the assessment of candidates against the job requirements, without any conflict of interest, and free from political influence.

Maximum points: 14

Criterion 9.1.7.1. The legislation guarantees that members of selection panels are qualified professionals (2 points, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must determine whether the composition of selection committees is clearly established in legislation and ensures sufficient expertise and experience of committee members. At a minimum, legislation must establish that members of selection committees must be professionals with at least the same level of professional qualification and experience as the one of the vacancy open for recruitment.

For members of selection committees who are public servants, this means that they must have experience in jobs of at least the same or equivalent category and level according to the job classification. The criterion does not apply to members of selection panels who are human resource management experts.

Criterion 9.1.7.2. The legislation does not allow persons appointed and dismissed based solely on political criteria to appoint members of selection panels or to be members of selection panels (2 points, based on a review of recruitment files in a group of central government administration bodies)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must determine whether legislation fulfils the following two elements:

1. Political appointees (e.g., a minister, a political advisor in the minister's cabinet) cannot be members of selection panels.
2. Members of selection panels cannot be appointed by political appointees.

The general civil service and/or public service legislation must include all the elements above to score points. Otherwise, 0 points are awarded. If the general civil service and/or public service legislation fulfils the criterion, a reduction of points may be applied based on the checklist to assess SI 8.3, criterion 2.

- 2 points = the criterion is met in the general civil service and/or public service legislation and in all six of the selected group of institutions
- 1 point = the criterion is met in the general civil service and/or public service legislation and at least three of the selected group of institutions
- 0 points = the criterion is not met in the general civil service and/or public service legislation or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d) e), and g) analysed in SI 8.3, criterion 2.

Criterion 9.1.7.3. Members of selection panels must declare eventual conflicts of interest (0.5 points)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must verify whether legislation provides for the obligation of selection committee members to declare an eventual conflict of interest. For members of the committee who are civil servants, the criterion is fulfilled if legislation regulating conflict of interest for civil servants is in place. For members who are not civil servants, the criterion is fulfilled if this obligation is expressly regulated in legislation or instructions regarding the recruitment procedure.

Criterion 9.1.7.4. Candidates in recruitment procedures can report conflicts of interest of members of selection panels (0.5 points)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must verify whether legislation provides for the right of persons participating in recruitment processes to report a conflict of interest of a member of the selection committee. This right involves the obligation of the recruitment authority to disclose the composition of the selection panel to persons applying to the recruitment procedure.

Criterion 9.1.7.5. Members of selection committees are professionals of at least the same level of qualification required for the vacancy (1.5 points, based on a review of selected recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in public service positions in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to public service top management positions are excluded. No points are awarded for recruitment files that do not include documentary proof of the composition of the competition panel, encompassing, for each member, the name and family name, the organisation where they come from, their job, and their role in the selection commission (e.g., chairperson, member, secretary).

The analysis must determine whether members of selection committees were professionals with at least the same level of professional qualification and experience as the one of the vacancy open for recruitment. Members of selection committees who were public servants must have experience in jobs of at least the same or equivalent category and level according to the job classification. For members who were not public servants, the concerned public bodies must provide an explanation of their experience and qualification. The criterion does not apply to members of selection panels who are qualified human resource management experts (they are assessed in criterion 7).

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1.5$ points.

Criterion 9.1.7.6. No member of selection committees are appointed by political appointees or were political appointees (3 points, based on a review of selected recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in public service positions in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to public service top management positions are excluded. No points are awarded for recruitment files that do not include documentary proof of the composition of the competition panel, encompassing, for each member, the name and family name, the organisation where they come from, their job, and their role in the selection commission (e.g., chairperson, member, secretary).

The analysis must verify that no member of the selection committees was a political appointee and that the members were not appointed by political appointees. If the recruitment file does not include documentary evidence about who appointed the members of the selection panel, 0 points are awarded, unless the selection panel is permanent and the composition is established in a separate act.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 3$ points.

Criterion 9.1.7.7. Selection panels include a qualified human resource management expert (1.5 points, based on a review of selected recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in public service positions in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to public service top management positions are excluded. No points are awarded for recruitment files that do not include documentary proof of the composition of the competition panel, encompassing, for each member, the name and family name, the organisation where they come from, their job, and their role in the selection commission (e.g., chairperson, member, secretary).

Is fulfilled if at least one member of the selection committee is expert in human resource management (HRM). Namely, the person is an HR staff with responsibilities on recruitment in the public service central co-ordination unit or in the recruitment authority's HR unit (if different from the central co-ordination unit). Or the person is an external expert with professional qualification and experience in HR selection (for example, a person with a university degree on occupational psychology, or a certified diploma on HRM requiring higher education, and relevant experience in staff selection). In the latter case, the concerned public bodies must provide an explanation of the experience and qualification of selection committee members in the area of recruitment (prior experience, diplomas, training courses).

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1.5$ points.

Criterion 9.1.7.8. The immediate line manager of the vacancy was a selection committee member (1.5 points, based on a review of selected recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in public service positions in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to public service top management positions are excluded. No points are awarded for recruitment files that do not include documentary proof of the composition of the competition panel, encompassing, for each member, the name and family name, the organisation where they come from, their job, and their role in the selection commission (e.g., chairperson, member, secretary).

The analysis must determine whether the immediate line manager of the vacancy was a member of the selection panel, except if the vacancy reports to a political appointee. In this latter case, if the political appointee to whom the vacancy reports was a member of the panel, 0 points are awarded. Otherwise, the criterion is considered fulfilled. In pooled recruitments including vacancies from different central government administration bodies, the criterion is fulfilled if one member of the panel is a manager of the level immediately above the vacancies announced.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1.5$ points.

Criterion 9.1.7.9. Members of the selection committees were trained in professional recruitment practices before participating in recruitments (1.5 points, based on a review of selected recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in public service positions in a group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to public service top management positions are excluded. No points are awarded for recruitment files that do not include documentary proof of the composition of the competition panel, encompassing, for each member, the name and family name, the organisation where they come from, their job, and their role in the selection commission (e.g., chairperson, member, secretary).

Analysis of documentary evidence of training and/or guidance (not necessarily a formal training course) provided to members of selection committees participating in the recruitments analysed in criteria 5 to 8.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1.5$ points.

Sub-indicator 9.1.8. Adequacy of selection methods

Relevant sub-principle(s): 9.g. Selection methods provide fair and valid assessment of the experience, knowledge, skills, and competencies necessary to perform the job and enable the selection of the most suitable candidates.

Maximum points: 14

Criterion 9.1.8.1. The assessment of candidates included one standardised and anonymised cognitive test (1 point, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must determine whether a cognitive test was part of the selection process. If so, it is verified whether the test was standardised and anonymised.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.8.2. The assessment of candidates included one standardised work sample exercise (1 point, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must determine whether a work sample test was part of the selection process. In the case of recruitments open to external candidates to fill managerial positions, at least one work sample test must

assess managerial competencies and must be based on a pre-defined competency model encompassing managerial positions. At a minimum, the competency model must include the list of competencies, the definition of each competency, and behavioural indicators describing specifically how a competency can be observed. For the purpose of the assessment, competences for managerial positions must include at least people management, and planning and organisation of work in the organisational unit.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.8.3. The assessment of candidates included a structured interview (1 point, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must determine whether a structured interview (i.e., an interview in which the structure of the questionnaire is the same for all the candidates) was part of the selection process. In the case of recruitments open to external candidates to fill managerial positions, if the structured interview includes the assessment of managerial competences, it must be based on a pre-defined competency model encompassing managerial positions. At a minimum, the competency model must include the list of competences, the definition of each competency, and behavioural indicators describing specifically how a competency can be observed. For the purpose of the assessment, competences for managerial positions must include at least people management, and planning and organisation of work in the organisational unit.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 1$ point.

Criterion 9.1.8.4. Assessment methods were developed by professionals qualified in personnel selection (3 points, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must determine whether professionals qualified in occupational psychology and psychometrics, from the central government administration or external, contributed to the development of the assessment methods, including their content and the scoring method. This analysis may involve the review of existing regulations and guidelines on the preparation and administration of assessment methods, and interviews with HR staff in the recruiting authority(ies) included in the group of central government administration bodies.

The criterion must be fulfilled in all the recruitment files analysed in the group of central government administration bodies considered. Otherwise, 0 points are awarded.

Criterion 9.1.8.5. Information provided by candidates in the job application was verified before the appointment (1 point, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must determine whether the recruitment included the verification of at least academic and other qualification requirements of successful candidates before the appointment.

The criterion must be fulfilled in all the recruitment files analysed in the group of central government administration bodies considered. Otherwise, 0 points are awarded.

Criterion 9.1.8.6. The legislation establishes that the highest-ranked candidate after the selection must be appointed (1 point)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is excluded from the assessment. The analysis must verify whether the general civil service and/or public service legislation fulfils the following elements:

- The best-ranked candidate, after the selection phase, should be appointed to the position. The only exception allowed is when the second-ranked candidate is appointed after the voluntary resignation of the first-ranked one.
- Legislation should establish reasonable timelines between the selection decision and the date to start employment to ensure that administrative issues do not hinder the appointment of first-ranked candidates. Reasonable timeliness means an amount of time which is necessary and convenient for candidates to join the public service considering their circumstances before the appointment (e.g., notice periods to which they are subject).
- Political appointees are not allowed to change the selection committee's decisions.
- In pooled recruitments, procedures ensure that the appointment to vacant positions is made respecting the ranking of candidates after the selection. Namely, the first ranked candidate has the right to choose the vacancy to which he or she will be appointed, and the rest follow in descending order. Or the recruiting authorities have the obligation to appoint successful candidates to vacancies starting by the best-ranked one and following in descending order.

The general civil service and/or public service legislation must include all the elements above to score points. Otherwise, 0 points are awarded. If the general civil service and/or public service legislation fulfils the criterion, a reduction of points may be applied based on the checklist to assess SI 8.3, Criterion 2.

- 1 point = the criterion is met in the general civil service and/or public service legislation and in all six of the selected group of institutions
- 0.5 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions
- 0 points = the criterion is not met in the general civil service and/or public service legislation or it is met in the general civil service and/or public legislation and in less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in SI 8.3, criterion 2.

Criterion 9.1.8.7. The first-ranked candidates were appointed (3 points, based on a review of recruitments in a group of central government administration bodies)

Category: Practice in implementation

Approach: Analysis of a non-representative sample of recruitment files in competitions open to external candidates to fill vacancies in the public service in a non-representative group of central government public administration bodies organised in the last full calendar year. The situation is analysed in the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Recruitments to top management public service positions are excluded.

The analysis must verify whether the following elements were fulfilled in the recruitments analysed:

- The best-ranked candidate after the selection phase was appointed to the position or if the second-ranked candidate was appointed, it was due to voluntary resignation of the first-ranked one.
- In pooled recruitments, the first ranked candidate chose the vacancy to which the candidate was appointed, and the rest followed in descending order. Or the recruiting authorities appointed successful candidates to vacancies starting by the best-ranked one and followed in descending order.

Points are allocated based on the number of files that meet the criterion (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x = 15 = 3$ points.

Criterion 9.1.8.8. Retention rate of public servants appointed to open-ended jobs through open competition in the central government administration (%) (3 points)

Category: Results

Approach: Percentage of public servants appointed to open-ended public service jobs in the year before the latest full calendar year as a result of a recruitment open to external candidates who stayed in the public service for one year after their appointment. Data relates to central government administration only. If centralised data at least for public service jobs in the central government administration included in the scope of the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Sub-indicator 9.1.9. Efficiency and timeliness of recruitment procedures

Relevant sub-principle(s): 9.h. Recruitment and selection processes are efficient, timely, user-friendly, and supported by digital tools.

Maximum points: 10

Criterion 9.1.9.1. Participants in recruitment do not have to submit documents that are already held by the public administration (2 points)

Category: Legislation

Approach: Review of primary and secondary legislation regulating recruitment procedures to access public service positions in the central government administration. Only provisions regarding recruitment open to external candidates are analysed. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment. The analysis must determine whether legislation establishes that candidates do not have to submit documents that are already held by the public administration, provided that the candidate gives explicit consent for the access to and exchange of relevant documents by the relevant public authorities.

Criterion 9.1.9.2. Candidates can apply to public service jobs via a user-friendly online portal (2 points)

Category: Practice in implementation

Approach: On-site verification of the following two functionalities in the web-based application portal:

3. It is possible to apply online, including the fill-in and submission of a standardised application form.
4. All documents and certificates can also be presented online.

Only the central single web portal announcing public service vacancies is analysed. If there is no central single web portal, 0 points are awarded.

- It is possible to apply online, including the fill-in and submission of a standardised application form = 1 point
- All documents and certificates can also be presented online = 1 point

Criterion 9.1.9.3. Clarity of information on the recruitment and selection process perceived by candidates (2 points)

Category: Results

Approach: Analysis of survey results from a representative sample of public servants who joined the public service in the central government administration within the last three full calendar years. Respondents are asked to what extent they agree with the following statement:

“To what extent do you agree with the following statement: During the recruitment and/or selection process to access my current position, it was difficult to understand what was requested from me (e.g., which documents to upload, how the examination is organised)”. Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to disagree” or “Strongly disagree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 9.1.9.4. Time required to hire a public servant (2 points, based of review of cases in a group of central government administration bodies)

Category: Practice in implementation

Approach: Calculation of the average number of calendar days that elapse between the date of the announcement of a vacancy and the date of publication of the results of the selection process (the next step, appointment to the position, is not taken into consideration).

The calculation is based on the list of all the recruitment procedures open to external candidates to fill non-managerial public service positions, initiated and closed during the last full calendar in a group of central government bodies. Recruitments for jobs that require a full security clearance are excluded.

For each recruitment procedure, the number of calendar days that elapse between the date on which the vacancy was announced and the date of publication of the results of the selection (both included) is calculated. Results for all the recruitments in the lists provided by the five institutions are added, and the total number is divided by the total number of recruitment procedures included in the lists provided by the five institutions.

The situation is analysed in a group of central government bodies, including the ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

If there were no recruitments in one or several of these institutions in the last full calendar year, the list of all the open recruitments organised in the year before the last full calendar year by the same institutions are considered. If there were no recruitments in some of the institutions in the last two full calendar years, the lists of all open recruitments organised in the last full calendar year in up to three ministries with the highest number of staff, and in up to two other subordinated agencies with the highest number of staff, are considered until completing a group of three ministries and two subordinated agencies that organised open

recruitments in the last full calendar year. If necessary, the year before the last full calendar year is considered.

Points are allocated based on the average time (calendar days) to hire a public servants (x):

- $x > 180 = 0$ points.
- $60 < x \leq 180 =$ linear function.
- $x \leq 60 = 2$ points.

Points will only be allocated if at least three of the five selected institutions provide the information, except if this is due to a lack of recruitments in the assessment period. Otherwise, 0 points ("Data not provided") will be allocated.

Criterion 9.1.9.5. Share of vacancies announced for public competition in the central government administration that were filled (%) (2 points)

Category: Practice in implementation

Approach: The number of people appointed to public service positions in the central government administration as a result of competitions open to external candidates which started and ended in the last full calendar year, is divided by the total number of public service vacancies of the central government administration that were open to external competition which started and ended in the last full calendar year. Appointment to public service top management positions is excluded. The result is expressed as a percentage. Competitions that started and ended in the last full calendar year are those in which the date of the announcement of the competition and the date of the announcement or notification of results match the last full calendar year. Data relates to central government administration only. If centralised data at least for public service jobs in the central government administration included in the scope of the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Points are allocated based on the percentage of vacancies filled following competition (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 9.1.10. Right to information on results and appeal

Relevant sub-principle(s): 9.i. Applicants are informed of recruitment decisions in a timely manner and have the right to ask for justification and appeal through administrative and judicial channels.

Maximum points: 6

Criterion 9.1.10.1. Legislation establishes the obligation to inform participants in recruitment procedures of the results of each qualifying round (1.5 points)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The legislation must establish at least:

- The right of applicants to receive information of the results of the pre-selection phase before the start of the selection. Information must include at least whether the person passed or not the pre-selection.
- The right of eligible candidates participating in the selection to receive information on the results of each qualifying round before the start of the next one, and of the final selection results. Information must include at least whether the person passed or not the pre-selection.

Criterion 9.1.10.2. Legislation provides for the right of candidates to appeal recruitment decisions to an administrative instance (1.5 points, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must determine whether the general civil service and/or public service legislation establishes the right of candidates participating in public service recruitment procedures open to external candidates to appeal recruitment decisions to an administrative instance. Candidates include applicants and eligible candidates (i.e., applicants who meet the requirements of the job announcement and were pre-selected to

participate in the selection phase). The general civil service and/or public service legislation must include all the elements above to score points. Otherwise, 0 points are awarded. If the general civil service and/or public service legislation fulfils the criterion, a reduction of points may be applied based on the checklist to assess SI 8.3, criterion 2.

- 1.5 points = the criterion is met in the general civil service and/or public service legislation and in all six of the selected group of institutions
- 0.75 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions
- 0 points = the criterion is not met in the general civil service and/or public service legislation, or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in sub-indicator 8.3, criterion 2.

Criterion 9.1.10.3. Legislation provides for the right of candidates to appeal recruitment decisions to the courts (1.5 points, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Review of primary and secondary legislation regulating selection procedures to access public service positions in the central government administration. Only recruitment open to external candidates is considered. If there are separate provisions regulating recruitment to top management public service positions, they are not considered. For the assessment, general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to recruitment of public servants are only considered if there is an explicit reference to them in general legislation on the public /civil service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the assessment.

The analysis must determine whether legislation establishes the right of candidates participating in public service recruitment procedures open to external candidates to appeal recruitment decisions to the court. Candidates include applicants and eligible candidates (i.e., applicants who meet the requirements of the job announcement and were pre-selected to participate in the selection phase). The analysis of the scope for the is based on the checklist to assess SI 8.3, Criterion 2.

- 1.5 points = the criterion is met in the general civil service and/or public service legislation and in all six of the selected group of institutions
- 0.75 points = the criterion is met in the general civil service and/or public service legislation and in at least three of the selected group of institutions
- 0 points = the criterion is not met in the general civil service and/or public service legislation, or it is met in the general civil service and/or public service legislation and in less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition

protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d), e), and g) analysed in sub-indicator 8.3, criterion 2.

Criterion 9.1.10.4. There is statistical data on appeals to recruitment decisions (1.5 points)

Category: Practice in implementation

Approach: Review of reports or data on appeals of recruitment decisions filed in the two last full calendar years, including the appeals and the result of the appeals. Data should include information from all the appeal instances contemplated in legislation for public service recruitment procedures open to external candidates in the central government administration. If centralised information is not available, 0 points are awarded. If it is available but it is incomplete (i.e., it does not include data from all the appeal instances or from all central government administration bodies subject to the general public service legislation) 0 points are awarded.

Sub-indicator 9.1.11. Quality of onboarding

Relevant sub-principle(s): 9.j. The onboarding processes enable a rapid adaptation to the job and the organisation, so that new staff feel confident, competent and perform well.

Maximum points: 6

Criterion 9.1.11.1. Perceived quality of orientation about job tasks during onboarding in the public service in the central government administration (%) (2 points)

Category: Results

Approach: Analysis of survey results from a representative sample of public servants who joined the public service in the central government administration no earlier than three years and no later than one year before the implementation of the survey, so they have stayed in the public service for at least twelve months. Respondents are asked to what extent they agree with the following statements:

“When I joined my current institution, I was given a clear sense of my job tasks and expectations”. Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 9.1.11.2. Perceived quality of induction training during onboarding in the central government administration (2 points)

Category: Results

Approach: Analysis of survey results from a representative sample of public servants who joined the public service in the central government administration no earlier than three years and no later than one year before the implementation of the survey, so they have stayed in the public service for at least twelve months. Respondents are asked to what extent they agree with the following statements:

“When I joined my current institution, I was given training to understand the rules, procedures and systems required to do my job”. Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 9.1.11.3. Perceived practice of transmission of core public service values during onboarding in the central government administration (2 points)

Category: Results

Approach: Analysis of survey results from a representative sample of public servants who joined the public service in the central government administration no earlier than three years and no later than one year before the implementation of the survey, so they have stayed in the public service for at least twelve months. Respondents are asked to what extent they agree with the following statements:

“When I joined my current institution, I was made aware of the core values of my organisation and their importance.” Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Principle 10: Effective leadership is fostered through competence, stability, professional autonomy and responsiveness of accountable top managers.¹⁵

Indicator 10.1. Professional top managers

This indicator examines that the administration has distinguished top managers from other positions (political, expert and lower managerial positions). It is checked that top managers are recruited on merit, their stability is preserved, they have objectives set and they have development opportunities to support their performance, which is evaluated regularly to achieve neutral and effective public bodies.

Sub-indicators	Maximum points
1. A specific category and scope of the Top Public Management (TPM) system	11
2. Attractiveness of top management positions	7
3. Merit-based and competitive recruitment of top managers	47
4. Diversity and gender parity in top management positions	5
5. Management by objectives and performance evaluation	4
6. Managerial autonomy	2
7. Training and professional development	4
8. Stability of top managers	20
Total	100

¹⁵ The term "top managers" shall apply to the highest levels of professional management in public administration bodies, where managers enter into direct interactions with the political leaders. It shall apply to top-of-pyramid public servants in ministries (general secretaries or professional state secretaries), general directors of ministerial departments or equivalent positions in ministries, and heads of agencies. It shall not apply to political leadership in the executive (prime minister, minister, deputy minister, political state secretary and similar).

Sub-indicator 10.1.1. A specific category and scope of the Top Public Management (TPM) system

Relevant sub-principle(s): 10.a. The law establishes top managers¹⁶ as a specific category. The scope of top management is adequately defined, ensuring that senior managerial positions in ministries and agencies are not treated as political offices.

Maximum points: 11

Criterion 10.1.1.1. Horizontal/general legislation identifies and regulates separately positions with political functions from the positions with managerial functions (2 points)

Category: Legislation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies accountable to ministers).

Review of relevant horizontal/general legislation (such as laws and secondary legislation on government, ministries, agencies and civil service/public employment, eventually including the constitution) to verify that the distinction and delimitation between managerial positions and political positions (public authorities and other positions developing political functions) is clear and explicit. The horizontal legislation should identify and name the political and the Top Public Management (TPM) positions.

The distinction and delimitation between managerial positions and positions with political functions is clear and explicit in the horizontal legislation. 2 points are awarded if compliant and 0 points if non-compliant.

Criterion 10.1.1.2. Top positions with responsibilities to manage large policy/administrative areas in all ministries [usually referred to as directors-general in most EU countries] are included in the scope of the merit-based TPM (2 points)

Category: Legislation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies accountable to ministers).

All positions in ministries entailing top managerial responsibility accountable to political authorities* or to superior managerial positions (including positions leading/managing large policy/administrative areas, usually referred to as Directors-General in the EU context) are included in the scope of the TPM (one or two levels of TPM are to be identified in the specific country under assessment. Except ministers, deputy ministers and secretaires with political functions, all other positions should be considered under merit-based TPM or regular civil service.

The ministerial cabinets' advisors are excluded. The criterion refers exclusively to the permanent administrative apparatus of ministries and ministerial agencies. Service delivery bodies and units staffed

¹⁶ The term "top managers" shall apply to the highest levels of professional management in public administration bodies, where managers enter into direct interactions with the political leaders. It shall apply to top-of-pyramid public servants in ministries (professional/non-political general secretaries or state secretaries), D1 in ILO definition, and to second level top managers, such as general directors or equivalent positions in ministries, and directors of executive agencies/ministerial bodies, D2 in ILO definition. It shall not apply to elected and appointed political leadership positions.

with non-administrative staff or special *corps* of public servants are not taken into account (for instance, army, police, diplomatic representations, hospitals or schools are excluded). The office of the Prime Minister or similar central bodies supporting the head of state, the head of government or the council of ministers are not taken into account. All other managerial positions are to be considered TPM or included in the regular civil service.

*usually ministers and deputy ministers (or equivalent, such as secretaries of state with political functions)

Some examples of potential TPM positions:

- General Secretary, Secretary of State, Secretary of a Ministry, Assistant Minister
- General Director, Director/Head of Authority (or deputy), Director/Head of Agency or Body (or deputy), Director of Directorate, Head of sector (usually a third-level managerial position)

All ministries are included in the scope of the merit-based Top Public Management. Points are not awarded if legislation allows exceptions in any ministry. If the system is decentralised and ministries have their own TPM system based on merit, the criterion is met. 2 points are awarded if compliant. 0 points if non-compliant.

Criterion 10.1.1.3. All directors of all agencies under ministries are included in the scope of the merit-based TPM (2 points)

Category: Legislation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies accountable to ministers).

Horizontal/general legislation is considered; special laws may also be analysed, in case they exclude agencies from the merit-based TPM. Bodies exclusively involved in political functions are not taken into account. This may include bodies directly supporting the head of state, the head of government or the council of ministers. Independent bodies or agencies not accountable to the executive are not considered.

- No exceptions are found in agencies accountable to ministries = 2 points
- = A head of one ministerial agency is outside of the scope of the Top Public Management = 1.5 points.
- Heads of two ministerial agencies are outside of the scope of the Top Public Management = 1 point
- Heads of three or more ministerial agencies are outside of the scope of the Top Public Management = 0 points.

Criterion 10.1.1.4. The merit-based recruitment for TPM positions is regulated through separate provisions, distinct from other public servants (2 points)

Category: Legislation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies accountable to ministers).

Primary and secondary horizontal/general legislation is considered. Substance provisions related to recruitment must be distinct (for instance, requirements for candidates, recruitment instruments, selection bodies, final appointment decisions, etc.). In addition to primary and secondary legislation, manuals or protocols about selection of top managers can also be taken into consideration to provide additional clarifications. Sector legislation is not analysed.

2 points are awarded if there are separate provisions (separate article/sub-article or separate piece of legislation) related to the recruitment for Top Public Management positions.

0 points are awarded if there are no separate provisions (separate article/sub-article or separate piece of legislation) related to the recruitment for Top Public Management/senior civil service positions

Criterion 10.1.1.5. The share of persons performing TMP functions to whom the TPM legislation fully applies in practice (3 points)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies accountable to ministers).

Review of official government data and information about acting appointments in top management positions. The number of top management positions in ministries and ministerial bodies that are occupied by acting officials or performed on the basis of substitution on 31 December is divided by the total number of these positions and expressed as a percentage.

Points are allocated based on the percentage of persons performing the function of TPM for whom the legislation doesn't fully apply as they have been appointed as acting, as substitutes and similar (x):

- $x > 25\% = 0$ points
- $0\% \leq x \leq 25\% =$ linear function
- $X = 0\% = 3$ points.

Sub-indicator 10.1.2. Attractiveness of top management positions

Relevant sub-principle(s): 10.b. Top management positions are made attractive through fair recruitment, competitive remuneration, professional challenges, autonomy and mitigation of career risks.

Maximum points: 7

Criterion 10.1.2.1. Ratio of recruitment procedures to top management vacancies with enough eligible candidates to ensure a competitive process (3 points)

Category: Results

Approach: The scope is limited to central government administration (ministries and ministerial agencies).

Ratio of Top Public Management (TPM) selection procedures with five or more eligible candidates; measured centrally; data is collected from the ministry in charge of civil service for all top management positions in the national administration opened to competition in the latest full calendar year. If less than five TPM positions were filled, the previous years may be considered to reach the five minimum cases. Both internal and external eligible candidates are taken into account. Data relates to the central government administration only. Ongoing recruitments at the end of the year are excluded from the calculation.

Points are allocated based on the ratio (x):

- $x < 20\% = 0$ points
- $20\% \leq x < 100\% =$ linear function
- $x = 100\% = 3$ points.

Criterion 10.1.2.2. Ratio of gross salary of top managers to GDP per capita in the country (2 points)

Category: Results

Approach: The scope is limited to central government administration (ministries and ministerial agencies).

The Top Public Management (TPM) salary is calculated through an estimation* of a typical gross salary of a TPM of the highest category in a ministry; this figure is compared against the country's nominal GDP per capita (both from the latest full calendar year). Two points are awarded if the ratio is three times or more, 0 points if the ratio is less than two times, and there is a linear distribution between these values.

Data comes from the central body in charge of public service salaries and from EUROSTAT or the national statistical office.

*Estimation:

Option a): The country provides a calculation of the yearly gross salary in the previous year corresponding to a fictitious TPM of the highest category in a ministry who was appointed from within the public service and has 20 years professional seniority in the public service.

The salary is calculated by adding the following four salary components (if existing in the country):

1. TPM position salary (base/initial total salary assigned to the highest TPM position in the salary tables). If the D1 position does not exist in the system, D2 is analysed. If the TPM position salaries vary across ministries, the highest is used.
2. (if used in the country) Seniority supplement according to 20 years seniority in the public service
3. (if used in the country) Usual performance bonus: adding the full amount of the annual performance bonus paid to all or most of the TPM with good performance; potential higher bonus for outstanding performance is not taken into account.
4. (if used in the country) Usual supplements: adding amount/s of any supplement universally paid to all TPM; family-related or other singular allowances are not taken into account.

Option b): average annual TPM salary (total salaries paid to TPM divided by the number of TPM on 31 December)

Points are allocated based on the ratio (x):

- $x < 2 = 0$ points
- $2 \leq x < 4 =$ linear function
- $x \geq 4 = 2$ points.

Criterion 10.1.2.3. Termination practices do not create major risks for the tenure, professional career and income expectations of top managers (2 points, based on a review of last five termination cases)

Category: Practice in implementation

Approach: The scope is limited to central government administration (ministries and ministerial agencies).

Review of the last five cases of terminated top managers in ministries and agencies in the last five years are assessed. If there are less than five eligible terminations, the assessment will be based on the available cases. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. Data is collected through the ministry in charge of civil service.

Only terminations in the following situations are considered for the five sample cases:

1. Regular end of term
2. Early end of term for reasons not on the side of the top manager (dismissals before end of term for whatever the reason, except disciplinary)

For the five cases, voluntary resignations, retirements and deaths are not considered. Disciplinary dismissals are also not considered.

The outcome of termination is considered “favourable”, limiting risks for top managers, if:

- **Persons who were public servants when appointed to TPM positions:** when finalising in a top management position, in situations 1 or 2 (after expiration of term or early removal), are transferred to an adequate senior position* in the administration. An adequate position is considered to be: 1) a managerial position one level lower than the previous TPM position, or 2) the highest non-managerial position/grade in the public sector.
- **Persons who were not public servants when appointed to TPM positions:** if involuntarily dismissed early from a top management position, receive an adequate severance pay* (only in case of non-disciplinary early dismissals; no severance pay is required for regular end-of-term or for disciplinary dismissals). Severance pay is considered adequate if not under 25% of salary for the remaining period of the regular term and not under one month salary per year of service in the TPM position (a limit of 6 months maximum pay is considered acceptable).

2 points are awarded if all five termination cases had a favourable outcome for the terminated top managers. 0 points if not.

Sub-indicator 10.1.3. Merit-based and competitive recruitment of top managers

Relevant sub-principle(s): 10.c. Recruitment procedures are merit-based, professionally led, impartial and transparent, allowing selection and appointment of top managers with sufficient high-level experience, knowledge, skills and competencies to perform their job well against predefined standards.

Maximum points: 47

Approach: The scope is limited to the central government administration (ministries and ministerial agencies)

Review of laws, reports and government websites. Official government data and information. Interviews with civil service authorities, with the central Top Public Management body (if it exists), with line ministries and agencies and with members of selection committees.

The assessment will verify:

- relevant primary and secondary legislation
- relevant manuals, protocols, and templates
- relevant job descriptions
- information contained in the relevant websites, including the vacancy announcements
- composition of the selection committees
- selection techniques used in real cases
- questions/cases used and the way in which the answers are assessed should be based on the competency profile formulated for the top management job position
- data about eligible candidates
- data about acting appointments in top management positions

Evidence (e.g., minutes and reports from selection committees) is required about the selection practices applied and its results.

Criterion 10.1.3.1. The principles of merit and competition are the key legal principles for access to top managerial positions in public administration (1 point)

Category: Legislation

Approach: The assessment will verify relevant primary and secondary legislation. Merit and competition are explicitly stated in the legislation as the key selection criteria. Final discretionary selection on a merit-based shortlist is acceptable.

Criterion 10.1.3.2. TPM competitions are open to internal and external candidates (1 point)

Category: Legislation

Approach: The assessment will verify relevant primary and secondary legislation.

Criterion 10.1.3.3. The Top Public Management (TPM) vacancy announcements include a job description with competency and experience requirements and salary information (2 points, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.4. The vacancies are widely announced (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force.

To consider a TPM vacancy as “widely announced” it requires to have been published at least: on two different official webpages, or in one official webpage and a newspaper or a newsletter or official social media.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.5. The deadline to submit applications is no less than 20 calendar days (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. The deadline to submit applications should be at least 20 calendar days.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.6. The top manager recruitment processes attract enough eligible candidates to ensure competitiveness (%) (6 points)

Category: Results

Approach: Review of official government data about eligible candidates. The number of TPM selection procedures with five or more eligible candidates (internal+external) is divided by the total number of TPM selection procedures reviewed, and it is expressed as a percentage.

Points are allocated based on the percentage of selection procedures with five or more eligible candidates (x):

- $x < 20\% = 0$ points
- $20\% \leq x < 100\% =$ linear function
- $x = 100\% = 6$ points.

Criterion 10.1.3.7. Legislation does not allow participation of elected authorities or political appointees in selection committees (2 points)

Category: Legislation

Approach: Review of relevant primary and secondary horizontal/general legislation. According to horizontal legislation, 2 points = political appointees* cannot be included in selection committees. *Political appointee: discretionally appointed to the position by a political authority, without a competitive and merit-based procedure. 2 points = political appointees cannot be included in selection committees.

Criterion 10.1.3.8. Legislation ensures the professional composition of selection committees (1 point)

Category: Legislation

Approach: Review of relevant primary and secondary legislation. According to horizontal/general legislation, 1 point = the composition of the selection committees and/or the way in which they are appointed favours professionalism and independent decision-making; this can be promoted by regulations such as: ensuring majority of external members, appointments from a non-political position or appointment of prestigious independent individuals as permanent members

Criterion 10.1.3.9. Legislation protects autonomous functioning and decision-making of the selection committees (1 point)

Category: Legislation

Approach: Review of relevant primary and secondary legislation. According to horizontal/general legislation

1 point = the criteria to appoint the chair of the selection committee and their basic rules of procedure protect their independent decision-making; this can be promoted by regulations such as: ensuring the chair is occupied by an external, or elected by the members, or on a rotational basis; ensuring the confidentiality of the individual scoring, protecting the member from external influences.

Criterion 10.1.3.10. Members of selection committees were professionals (2 points, based on a review of latest recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify the selection committee was composed of at least three individuals. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. It is also checked that none of the selection committee members had a profile outside of these types:

- top public managers or other public servants
- renowned external experts (HR/or from the same field)
- non-politically selected member of the TPM system governing body or agency/unit in charge of civil service staff selection; If some of their members have been discretionally appointed through political criteria* they should not participate in selection committees.

Observer members from any origin/affiliation may be accepted if not occupying political positions (i.e. observers from unions, public bodies or civil society organisations).

*Paying attention to the selection criteria and not to the appointment authority; no objection if an individual is formally appointed by a political authority after a competitive merit-based selection procedure.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.11. At least one member of the selection committee was an HR professional (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the last full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. The criterion is fulfilled if at least one member of the selection committee is expert in human resource management (HRM). Namely, the person is an HR staff with responsibilities on recruitment in the public service central co-ordination unit or in the recruitment authority's HR unit (if different from the central co-ordination unit). Or the person is an external expert with professional qualification and experience in HR selection (for example, a person with a university degree on occupational psychology, or a certified diploma on HRM requiring higher education, and relevant experience in staff selection).

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.12. Selection committee members received advice on performance indicators/expected behaviours (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the last full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. The criterion is met if the selection committee members received advice on performance indicators/expected behaviours according to the required job profile. Expert assessment of protocols/instructions/templates used by the selection committees in all cases assessed.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.13. Selection process was designed based on the job contents and the job profile consequently required, not including any requirement discriminatory or not relevant for effective performance (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. The criterion is considered to be met if the selection process was designed based on a proper job description containing the job contents and the consequently required profile of the candidate, not including any requirement discriminatory or evidently not relevant for effective performance (tailor-made requirements potentially favouring certain candidate).

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.14. Selection techniques included a structured interview (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. The criterion is considered to be met if the selection techniques used to assess against the required job profile included a structured interview*.

*An interview in which the structure of the questionnaire is the same for all the candidates. If the structured interview includes the assessment of managerial competencies, it must be based on a pre-defined competency model encompassing top managerial positions. At a minimum, the competency model must

include the list of competencies, the definition of each competency, and behavioural indicators describing specifically how a competency can be observed.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.15. Selection techniques included either practical cases or written essays (1 point, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five recruitments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force. The criterion is met if the selection techniques* used included practical cases or written essays in all cases assessed.

*If those techniques were intended to assess managerial competencies, a pre-defined competency model encompassing top managerial positions is required. At a minimum, the competency model must include the list of competencies, the definition of each competency, and behavioural indicators describing specifically how a competency can be observed.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.16. Legislation stipulates that the highest-ranked candidate or one from a shortlist of up to three best candidates is to be selected for appointment as TPM (2 points)

Category: Legislation

Approach: Review of relevant primary and secondary legislation.

Criterion 10.1.3.17. The highest-ranked candidate or one from a shortlist of up to three best candidates was effectively appointed (2 points, based on a review of recruitment files)

Category: Practice in implementation

Approach: Review of the latest five appointments for top management positions in the latest full calendar year (adding previous years if necessary to reach the five cases) to verify if the criterion is met. If there has been a legal reform on this issue in the last five years, all cases should be from after the legal reform came into force.

Points are allocated based on the percentage of recruitment files that meet the criterion (x):

- $x = 0\% = 0$ points
- $0\% < x < 100\% =$ linear function
- $x = 100\% =$ maximum points.

Criterion 10.1.3.18. Legislation provides for the right of candidates to appeal to the courts against recruitment decisions (1 point)

Category: Legislation

Approach: Review of relevant primary and secondary legislation. The analysis must determine whether legislation establishes the right of all applicants participating in TPM recruitment procedures to appeal recruitment decisions to the court.

Criterion 10.1.3.19. Top management positions occupied by acting officials (%) (15 points)

Category: Practice in implementation

Approach: Review of official government data and information about acting appointments in top management positions. The number of top management positions (D1+D2) in ministries and ministerial bodies that are occupied by acting officials on 31 December is divided by the total number of these positions and expressed as a percentage.

Points are allocated based on the percentage of top management positions occupied by acting officials (x):

- $x > 25\% = 0$ points
- $10\% \leq x \leq 25\% =$ linear function
- $x < 10\% = 15$ points.

Criterion 10.1.3.20. Acting officials in top management positions who are career/permanent public servants (%) (4 points)

Category: Practice in implementation

Approach: Review of official government data and information about acting appointments in top management positions. The number of top management positions (D1+D2) in ministries and ministerial bodies that are occupied by acting officials who are career/permanent public servants on 31 December is divided by the total number of TPM positions occupied by acting officials, expressed as a percentage.

Points are allocated based on the percentage of acting officials in top management positions who are career/permanent public servants (x):

- $x < 25\% = 0$ points
- $25\% \leq x < 100\% =$ linear function
- $x = 100\% = 4$ points.

Sub-indicator 10.1.4. Diversity and gender parity in top management positions

Relevant sub-principle(s): 10.d. Recruitment policies and practices support equal opportunities, gender balance and non-discrimination in top managerial positions.

Maximum points: 5

Criterion 10.1.4.1. Gender parity in top managerial positions (3 points)

Category: Results

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Review of the constitution, laws and documents.

Analysis of data contained in the human resource management information system (HRMIS) or other sources of information regarding the composition of public employment.

Assessment should cover all TPM positions (D1+D2). All positions are taken into account (even if filled by acting officials or other arrangements) (if possible, separated data for regular appointments and acting officials is collected). The number of women and the number of men in public service top managerial positions are divided by the total number of top managers on 31 December of the latest calendar year, and expressed as percentages. Data relates to central government administration only (ministries and agencies).

Points are allocated based on the percentage of less represented gender top managerial positions in the public service (x):

- $x < 20\% = 0$ points
- $20\% \leq x \leq 45\% =$ linear function
- $x > 45\% = 3$ points.

- % women and % men are between 45 and 55 = 3 points
- % women or % men are between 31 and 44 = 2 points
- % women or % men are between 20 and 30 (up to 70-30) = 1 point
- % women or % men are 19 or lower = 0 points.

Criterion 10.1.4.2. The representation in top managerial positions of officially-recognised ethnic/community/linguistic/territorial/persons with disabilities/other minorities or groups is monitored regularly (1 point)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Review of the constitution, laws and documents.

Analysis of data contained in the human resource management information system (HRMIS) or other sources of information regarding the composition of public employment.

Analysis of data contained in the human resource management information system (HRMIS) or other sources of information regarding the composition of public employment. Ethnic, community, linguistic, territorial, persons with disabilities or other minorities or groups are defined by national legislation. If necessary, interviews with the Ombudsperson and/or other bodies or civil society organisations promoting or overseeing the ethnic, community, linguistic-balanced representation. Data on participation of ethnic, community, linguistic, territorial, persons with disabilities and other minorities or groups in TPM positions is available at the responsible public institution and not older than three years. One point is awarded if evidence is provided of regular monitoring of representation of ethnic, community, linguistic, territorial, and other groups, as defined by national legislation, in TPM positions. Monitoring women representation is not enough. No points are awarded if no evidence is provided.

Criterion 10.1.4.3. Applications to top managerial positions from women, minorities and underrepresented groups are explicitly encouraged (1 point)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Review of the constitution, laws and documents.

Analysis of data contained in the human resource management information system (HRMIS) or other sources of information regarding the composition of public employment.

Review of evidence received from the administration of actively and systematically promoting and encouraging applications to TPM positions from underrepresented groups or minorities. Evidence can be received through vacancy announcement texts, specific outreach activities, or other promotion actions. Full points are awarded if written evidence is provided encouraging applications from women, minorities and underrepresented groups. 0 points is no evidence is provided.

Sub-indicator 10.1.5. Management by objectives and performance evaluation

Relevant sub-principle(s): 10.e. Top managers in public administration have clearly defined objectives, aligned with the mission of the organisation and objectives of the government, and their performance is regularly assessed.

Maximum points: 4

Criterion 10.1.5.1. Top managers regularly discuss and agree with their superiors about objectives and expectations (2 points)

Category: Practice in implementation

Approach: The scope is limited to central government administration (ministries and ministerial agencies).

Analysis of survey responses from a sample of public servants in top management positions to the following question or statement: “Do you discuss and agree with your superior(s) about goals and expectations, at least once a year?”

Answer options are: Yes, No, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 10.1.5.2. The performance of top managers is regularly assessed against pre-defined objectives and/or expectations (2 points)

Category: Practice in implementation

Approach: The scope is limited to central government administration (ministries and ministerial agencies).

Analysis of survey responses from a sample of public servants in top management positions to the following question: “Was your performance assessed at least once in the last two calendar years?”

Answer options are: Yes, No, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 10.1.6. Managerial autonomy

Relevant sub-principle(s): 10.f. Top managers in public administration have sufficient professional and managerial autonomy, enabling them to assume responsibility for the management of staff, resources and work.

Maximum points: 2

Criterion 10.1.6.1. Top managers feel empowered to take managerial decisions autonomously (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in top management positions to the following statement: “To what extent do you agree with the following statement: Under normal circumstances, I feel autonomous and empowered to take my own managerial decisions on operational/day-to-day issues (for example budget, HR, procurement, project management or service delivery), without political interferences.”

A survey is sent to all top managers (D1 & D2) in ministries and agencies.

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 10.1.7. Training and professional development

Relevant sub-principle(s): 10.g. Top managers in public administration develop their skills in line with the needs of the job, both present and future.

Maximum points: 4

Criterion 10.1.7.1. Availability of specific managerial training targeted to top managers (2 points)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Measured centrally; data to be provided by the public administration school(s) and/or by the civil service authority. Full points are awarded if it can be shown that in the previous two years at least one managerial training programme targeted to top managers was offered to the TPM officials (by the public administration school or other public body). 0 points if no evidence is provided.

Criterion 10.1.7.2. Top managers participated in professional development activities in the previous year (2 points)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Analysis of survey responses from a sample of public servants in top management positions to the following question: "In the previous year, have you participated in any training course, session, workshop or other professional development?"

Answer options are: Yes, No, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Yes" to the survey question(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 10.1.8. Stability of top managers

Relevant sub-principle(s): 10.h. Stability of top management fosters the continuity of institutional performance and memory.

Maximum points: 20

Criterion 10.1.8.1. The initial appointment period (mandate) of TPM is, at least, one year longer than the legislature's mandate (6 points)

Category: Legislation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Review of relevant legislation to verify if, according to applicable legislation (general/horizontal and/or special/sector legislation), the initial appointment period (mandate) of TPM is, at least, one year longer than the legislature's mandate. Measured centrally.

- According to legislation, the initial appointment period (mandate) for all TPM positions is at least one year longer than the legislature's mandate (including open-ended appointments with guaranteed tenure) = 6 points
- The mandate is long enough only for some groups/categories of the TPM positions = 3 points
- Top managers have no tenure or their mandate is shorter than the legislative period plus one year = 0 points.

Criterion 10.1.8.2. Persons performing TPM functions for whom the appointment period from criterion 1 applies in practice (%) (5 points)

Category: Practice in implementation

Approach: The scope is limited to the central government administration (ministries and ministerial agencies).

Highest annual turnover in top management positions during the last five full calendar years is calculated, year by year, as the number of TPM who left their position (for whatever the reason) during a year, divided by the average number of persons employed in those positions, expressed as a percentage. The average number of persons employed is the simple average of the number of top management official on 1 January and the number of top management officials on 31 December. Data relates to ministries and ministerial agencies only. For the calculation of the criterion the highest value of the annual turnover rate mentioned below is used.

Points are allocated based on the highest annual turnover rate (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 10$ points.

Criterion 10.1.8.3. Highest annual turnover in TPM positions in the last five years (%) (8 points)

Category: Results

Approach: Highest annual turnover in top management positions during the last five full calendar year is calculated, year by year, as the number of TPM who left their position (for whatever the reason) during a year, divided by the average number of persons employed in those positions, expressed as a percentage. The average number of persons employed is the simple average of the number of top management official on 1 January and the number of top management officials on 31 December. Data relates to ministries and ministerial agencies only. For the calculation of the criterion the highest value of the annual turnover rate mentioned below is used.

Points are allocated based on the average of the five latest annual turnover rates in TPM positions (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 8$ points.

Criterion 10.1.8.4. Average annual turnover in TPM position over the last five years (%) (3 points)

Category: Results

Approach: The five-year average annual turnover in top management positions is calculated as the average of the annual turnover rates of top management public servants over the last five full calendar years. Data relates to ministries and ministerial agencies only.

Points are allocated based on the average of the 5 latest annual turnover rates in TPM positions (x):

- $x > 40\% = 0$ points.
- $15\% \leq x \leq 40\% =$ linear function.
- $x < 15\% = 3$ points.

Principle 11: Public servants are motivated, fairly and competitively paid and have good working conditions.

Indicator 11.1. Attractiveness of employment and work conditions

This indicator examines that the public administration attracts and retains employees through a fair, competitive and transparent remuneration system and good working conditions. The legislative and organisational preconditions are taken into account to assess the performance of the system in practice.

Sub-indicators	Maximum points
1. Attractiveness of employment in the public administration	20
2. Fairness in the allocation of base salaries and allowances	23
3. Predictability of the wage budget of the public service	6
4. Availability and transparency of salary information	8
5. Salary progression opportunities	8
6. Performance-related pay and other incentives	8
7. Work conditions and well-being of public servants	13
8. Availability of flexible work arrangements	7
9. Social dialogue with the public sector employees	7
Total	100

Sub-indicator 11.1.1. Attractiveness of employment in the public administration

Relevant sub-principle(s): 11.a. The public administration offers a competitive package of financial and non-financial compensation: remuneration and benefits, development and career opportunities, job security, and a respectful and inclusive work environment, to attract, motivate and retain employees and teams with the required skills and competencies.

Maximum points: 20

Criterion 11.1.1.1. Basic comparative data on salaries in the public and private sectors is available (2 point)

Category: Practice in implementation

Approach: The central government administration is analysed based on data from the central public service and human resource management co-ordination unit. The source of basic data for criterion 1 can be the national statistical office. It is expected the administration has the comparison ready and it no older than 2 years. The average total monthly salary should be used for the comparison (base salary, variable salary, allowances and other components).

The criterion is met if the data are available on comparison of average salaries of tertiary educated workers (ECTS level 6) between public administration and private sector or public administration and general average in the country; statistical data for NACE section O compared to general average are acceptable (2 points).

Criterion 11.1.1.2. Comparative data on salaries of specific professional groups in the public and private sectors is available (3 points)

Category: Practice in implementation

Approach: The central government administration is analysed based on data from the central public service and human resource management co-ordination unit. The source of basic data for criterion 1 can be the national statistical office. It is expected the administration has the comparison ready and it no older than 2 years. The average total monthly salary should be used for the comparison (base salary, variable salary, allowances and other components).

The criterion is met if the analysis of specific professional groups in the public service and the labour market is available (3 points)

Criterion 11.1.1.3. Competitiveness of public service salaries (3 points)

Category: Results

Approach: The central government administration is analysed based on data from the central public service and human resource management co-ordination unit. The source of basic data for criterion 1 can be the national statistical office. It is expected the administration has the comparison ready and it no older than 2 years. The average total monthly salary should be used for the comparison (base salary, variable salary, allowances and other components).

Points are allocated based on the average public sector salary (for all groups identified in criterion 2) as a percentage of private sector salaries:

- $x < 65\% = 0$ points.
- $65\% \leq x < 85\% =$ linear function.
- $x \geq 85\% = 3$ points.

Criterion 11.1.1.4. Availability of data on voluntary turnover in public service institutions (2 points)

Category: Practice in implementation

Approach: Data from the central public service and human resource management co-ordination unit is analysed for the central government administration. This important human resource (HR) metric should be readily available for individual institutions and for the entire public service (calculated by the central HR body). The annual voluntary turnover rate is calculated by dividing the number of employees who left the organisation on their own decision in a given year by the average number of employees in this year, expressed as a percentage.

Data on voluntary turnover for the following institutions should be provided:

- ministry responsible for finance
- ministry responsible for internal affairs (interior)
- ministry responsible for education
- tax agency/administration
- employment agency
- three institutions with the highest voluntary turnover in the administration.

If any of the indicated agencies do not exist, the largest agency subordinated to the government, prime minister, any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

Two points are awarded if data on the voluntary turnover is available for all eight indicated institutions for the last full calendar year.

Criterion 11.1.1.5. Level of voluntary turnover in public service institutions (%) (4 points)

Category: Results

Approach: Data from the central public service and human resource management co-ordination unit is analysed for the central government administration. This important human resource (HR) metric should be readily available for individual institutions and for the entire public service (calculated by the central HR body). The annual voluntary turnover rate is calculated by dividing the number of employees who left the organisation on their own decision in a given year by the average number of employees in this year, expressed as a percentage.

Data on voluntary turnover for the following institutions should be provided:

- ministry responsible for finance
- ministry responsible for internal affairs (interior)
- ministry responsible for education
- tax agency/administration
- employment agency
- three institutions with the highest voluntary turnover in the administration.

If any of the indicated agencies do not exist, the largest agency subordinated to the government, prime minister, any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

Points are allocated based on the average turnover rate in the central government administration in the last full calendar year (x):

- $x > 10\% = 0$ points.
- $10\% \geq x > 2\% =$ linear function.
- $x \leq 2\% = 4$ points.

Criterion 11.1.1.6. Individual satisfaction with salary (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question: “To what extent do you agree with the following statement: I am satisfied with my salary.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question:

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 11.1.1.7. Individual satisfaction with other benefits (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question “To what extent do you agree with the following statement: I am satisfied with my other benefits like housing, transportation or education allowances, pension, health, development opportunities, etc.?”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question:

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 11.1.1.8. Willingness to recommend the organisation as a good place to work (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following statement: “To what extent do you agree with the following statement: I would recommend my organisation as a good place to work.”

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement:

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 11.1.2. Fairness in the allocation of base salaries and allowances

Relevant sub-principle(s): 11.b. The public administration promotes equal pay for equal work,¹⁷ both within individual institutions and across the public administration, by determining the basic salary on job classification. It bases allowances and other benefits on objective criteria established in law and ensures that there is no type of discrimination in remuneration.

Maximum points: 24

Criterion 11.1.2.1. Legislation defines all elements of remuneration, criteria and procedures to allocate them (2 points, based on a review of a group of central government administration bodies)

Category: Legislation

Approach: Analysis is limited to central government administration.

General law on salary of public servants is analysed. The legislation should identify and clearly define the different elements of remuneration and the criteria and procedures to allocate them. Typical elements of remuneration include the base salary, salary supplements (position pay, seniority and other allowances, variable pay (if introduced) including bonuses. Benefits are analysed but not consider for scoring.

The general law on salaries of public servants must fulfil the criterion to score points. Otherwise, 0 points are awarded. If the general law on salaries fulfils the criterion, a reduction of points may be applied based on the checklist to assess SI 8.3, criterion.

2 points = the criterion is met in the general salary law and in all of the selected group of institutions

- 1 point = the criterion is met in the general salary law and in at least three of the selected group of institutions
- 0 points = the criterion is not met in the general salary law or it is met in the general salary law and in less than three of the selected group of institutions.

The following six groups of institutions are assessed: ministries; customs administration, tax administration; foreign service; other three bodies reporting directly to the government, prime minister or ministers with the highest number of employees; regulatory authorities operating in the following domains: competition protection, energy, electronic communications, audio-visual media services. These groups correspond to groups a), b), c), d) e), and g) analysed in SI 8.3, criterion 2.

¹⁷ Directive 2006/54/EC of the European Parliament and of the Council on 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), <http://data.europa.eu/eli/dir/2006/54/oj>.

Criterion 11.1.2.2. The allocation of fixed parts of the salary (base salary, fixed supplements etc.) does not prompt unjustified differences between same types of positions based on institutional or other criteria not objectively related to the position (2 points)

Category: Legislation

Approach: Analysis is limited to central government administration.

General public service legislation/general legislation on salaries in the public service is analysed, along with special legislation regulating salary aspects of specific groups/categories/institutions. The budget law can also be a source of special arrangements and therefore needs to be analysed.

The criterion is met if no elements of unjust differentiation are discerned in the remuneration system, e.g. different values for the calculation of base salary for the same type of positions, different salary scales for the same type of positions, top-ups not based on objective criteria differentiating jobs etc.

Criterion 11.1.2.3. Job classification is established, based on relevant criteria. (2 points)

Category: Legislation

Approach: Analysis is limited to central government administration.

Job classification is analysed (there can be more than one) to determine which criteria were used. Apart from two standard ones (level of education required and level of responsibility) at least two more criteria are required (e.g., level of autonomy, complexity of tasks, specific skills required, etc.).

If the job classification is based on at least two more criteria than the level of education required and the level of responsibility of the job, then 2 points are awarded. No points are awarded if the classification is based on institutions grouped without objective criteria.

Criterion 11.1.2.4. A job evaluation methodology is established (2 points)

Category: Strategy and guidance

Approach: Analysis is limited to central government administration.

The methodology adopted for job evaluation is analysed. It should specify the criteria and the process for job evaluation. The method to evaluate the jobs can be either analytical (such as point-factor rating method) or non-analytical (e.g., job comparison against a catalogue of standard jobs).

Points are allocated based on:

- An analytical job evaluation methodology has been adopted = 2 points
- A non-analytical approach has been adopted = 1 point
- There is no methodology = 0 points

Criterion 11.1.2.5. All jobs have been evaluated and the results are available (2 points)

Category: Practice in implementation

Approach: Analysis is limited to central government administration.

There is evidence that the job evaluation methodology has been consistently applied to all jobs in the public service to determine the hierarchy of jobs (e.g., records, a report, etc.). Exceptions are made to newly created, vacant and not yet advertised positions.

If at least 95% of all public service positions (jobs) have been evaluated in line with the adopted methodology, then 2 points are awarded.

Criterion 11.1.2.6. Job description methodology is established (1 point)

Category: Strategy and guidance

Approach: Analysis is limited to central government administration.

Analysis of guidelines (or regulations) specifying the format and rules for drafting job descriptions. Such guidelines (or regulations) should be issued for all public service institutions to which evaluation of jobs is applied and should indicate that at least all the criteria used for job classification must be present in the job descriptions. The job descriptions should include detailed information on the job duties and tasks, the qualifications needed, as well as other requirements (work experience, knowledge, technical and other skills).

If guidelines were issued to prescribe the format and rules for drafting quality job descriptions, indicating that all the criteria used for job classification must be present in the job descriptions. (1 point)

Criterion 11.1.2.7. Job descriptions follow the established methodology (2 points, based on a review of selected job descriptions)

Category: Practice in implementation

Approach: Analysis is limited to central government administration.

For a sample of job descriptions (selected for Principle 9) analysis is made whether they follow the guidelines and specifically whether they use the prescribed template and include information on all criteria used for job evaluation.

If all job descriptions reviewed follow the guidelines. (2 points)

Criterion 11.1.2.8. Base salary for each position is determined by salary grade/level relevant for the job description for this position (4 points, based on a review of selected recruitment procedures)

Category: Practice in implementation

Approach: Analysis is limited to central government administration.

For a sample of recruitment procedures (selected for Principle 9), information is collected about the base salary awarded to the successful candidate. The level of base salary (salary grade or salary range) should be known before the successful candidate is selected, and depend on the job description for the position, evaluated (using the methodology assessed in criterion 3) and graded – linked to the salary table. Room

for discretion, if it exists (salary ranges for each salary grade), is limited by pre-defined criteria guiding the decision (e.g., upper, or higher level within a salary range depends on the professional experience of the candidate).

If all cases reviewed meet the requirement, then 4 points are awarded. If one or more cases do not meet the requirements, or the system does not function properly, then no points are awarded.

Criterion 11.1.2.9. Salary data is regularly collected (2 points)

Category: Practice in implementation

Approach: Analysis is limited to central government administration.

A central public service human resource management co-ordination unit or another designated body (e.g. MoF) collects information about actual, individual salaries of all public servants. Evidence of free access to the human resource management information system (HRMIS) (rolled out to all public bodies under co-ordination) and its payroll module or to a separate payroll system is requested, so that the body can analyse the salary data. If individual data is only reported to this body periodically (through an IT reporting module, spreadsheets, etc.), such data must be provided at least annually, in a standardised format and aggregated.

Points are allocated based on:

- Salary data at individual level is readily available through a human resource management information system (HRMIS) or a centralised payroll system = 2 points
- Salary data at individual level is collected by other means at least annually = 1 point
- There is no annual or systematic collection of salary data = 0 points.

Criterion 11.1.2.10. Statistics on salaries relating to gender or on the gender pay gap, are publicly available (2 points)

Category: Practice in implementation

Approach: Analysis is limited to central government administration.

Review of publicly available government statistics and reports on public servants to check if they include gender-disaggregated statistics, and information on the gender pay gap and they are not older than two years. At a minimum actual salaries per groups or positions should be disaggregated by gender, presenting average salaries of women and men in these groups or positions.

Criterion 11.1.2.11. Perception of fairness of salary levels across public administration by public servants (%) (2 points)

Category: Results

Approach: Analysis is limited to central government administration.

Analysis of survey responses from a sample of public servants to the following statement: "To what extent do you agree with the following statement: Staff is paid fairly across the public administration."

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 11.1.3. Predictability of the wage budget of the public service

Relevant sub-principle(s): 11.c. The salary system is fiscally affordable; the evolution of the wage bill is predictable.

Maximum points: 6

Criterion 11.1.3.1. The public service wage bill is in the Medium-Term Budget Framework (MTBF) (3 points)

Category: Strategy and guidance

Approach: Data on the wage bill evolution of those public servants whose salaries are regulated by the legislation subject to analysis under Principle 11 sub-indicators is requested. The line “wages and salaries” in the economic budget classification should be used, but for the public servants only. If the same legislation covers salaries of all public employees (including education and health sectors), it is accepted.

There is a relevant position on the wage bill in the published Medium Term Budget Framework (MTBF) (3 points). If data for the future wage bill (public servants’ salaries) is not presented in the MTBF but is available from the ministry responsible for the state budget, then only 2 points are awarded.

Criterion 11.1.3.2. Deviation of the actual spending for the public service wage bill for the last year from the MTBF (%) (3 points)

Category: Practice in implementation

Approach: Review of Medium-Term Budget Framework (MTBF) and reporting documents to calculate the percentage of difference between the planned public service salary expenditure in the MTBF approved two years before the latest full calendar year and the outturn of the latest full calendar year (see the explanation above). Reporting documents to be used are the annual financial report, sometimes referred as the budget execution report or financial statements. The audited version of year X-1 should be used. Zero points are awarded if the MTBF does not contain the wage bill or data for future wage bills is not available from the ministry responsible for the state budget.

Points are allocated based the difference between the actual spending for the last fiscal year and the MTBF adopted in the year before (x):

- $x > 15\% = 0$ points
- $15\% \geq x \geq 2\% =$ linear function
- $x < 2\% = 3$ points.

Sub-indicator 11.1.4. Availability and transparency of salary information

Relevant sub-principle(s): 11.d. The salary system is transparent to employees and the public, while ensuring a sufficient degree of protection of sensitive personal data.

Maximum points: 8

Criterion 11.1.4.1. The information on the salary offered (or salary range) is available in job announcements (2 points, based on a review of selected job announcements)

Category: Practice in implementation

Approach: Review of regulations, instructions, and practice of job announcements to verify if information on salaries is available for the candidates for the public service. Additional verification will be done by reviewing a sample of public service job announcements selected for the verification of the recruitment processes (under Principle 9). If recruitment files do not include relevant announcements published (so it cannot be determined if they included this information), the twenty most recent announcements available on the recruitment portal are analysed instead.

Criterion 11.1.4.2. The general information on salary levels (salary scale) is available on an official website (2 points)

Category: Practice in implementation

Approach: Availability of salary scale(s) / salary levels as defined in the regulations and their findability

Criterion 11.1.4.3. Availability of information on actual salaries in the public service (2 points)

Category: Practice in implementation

Approach: Review of government websites (central public service human resource management coordination unit, government portal, ministries responsible for finance, national statistical office or open data portal, etc.) to verify if information on actual salaries paid to public servants is available (not salary scales, but total remuneration – monthly or annual). It is not expected that salary of identifiable individuals is provided (although it may be the case depending on the national legislation), but information about the average or median or maximum and minimum salary per group of positions (levels) and per institution should be easily available. It is requested the link to the website where the information is located and a findability test is performed. Centralised, aggregated (per types of institution) and disaggregated (per institution) information is required.

Criterion 11.1.4.4. Statistical information on remuneration is presented in the annual report on public service (2 points)

Category: Practice in implementation

Approach: Review of the annual report on public service. The annual report on the public service contains a section on salaries with statistical information on public service remuneration. Actual salaries

(total remuneration) paid in the period covered by the report should be presented per groups, categories, types of institutions and other relevant classification used in the public service legislation. Comparison with the previous year(s) and the national economy is expected.

Statistical information on remuneration is presented in the annual report on public service (1.5 points)

Comparison with the previous year(s) and the national economy is available(0.5 points).

Sub-indicator 11.1.5. Salary progression opportunities

Relevant sub-principle(s): 11.e. Grading and pay structures provide for salary progression opportunities.

Maximum points: 8

Criterion 11.1.5.1. The salary compression ratio in the public administration is calculated and falls between 1:3 and 1:10 (3 points)

Category: Results

Approach: Administrations are requested to present the calculation of the salary compression ratio for the totality of public servants no older than two years. Two alternative calculations are equivalent: the ratio between the median of the first and ninth deciles of pay levels (OECD) or the ratio of the 90th percentile wage to the 10th percentile wage in the salary distribution (World Bank). The analysis should be based on data for least 70% of the total population of public servants of the central government administration. The analysis should include professional or expert categories up to the top management positions, excluding lowest-level job positions (such as administrative support, maintenance, etc.). Total salaries are analysed.

If this calculation is not available, the ratio between the highest salary and the lowest salary in the government's public service salary scale(s) is used. The analysis only relates to public servants. For the highest salary the value established for Criterion 10.1.2.2 is used (recalculated to a monthly salary). The lowest salary is taken from the public service salary scale in use (if the lowest salary level is not applied, for example because its value is below the minimum wage in the economy, the lowest salary levels used in practice is considered). Data relates to the central government administration and concerns public service positions only.

Points are allocated as follows:

- The administration provides the compression ratio calculated according to the OECD or World Bank methodology and the compression ratio calculation is within the limit = 3 points
- The administration does not provide the compression ratio calculated according to the OECD or World Bank methodology, but the compression ratio calculated on the basis of the salary scales is within the limit = 2 points.
- The administration provides the compression ratio calculated according to the OECD or World Bank methodology = 1 point.
- None of the above =0 points.

Criterion 11.1.5.2. The grade structure has at least 8 grades (2 points)

Category: Legislation

Approach: Review of the legislation, grades system, salary tables. If separate pay structures exist for groups of institutions (e.g., ministries and agencies), eight grades are expected in each of them. If separate salary scales exist for different categories of positions (e.g., separate for managers), they are counted in the required number of grades.

Criterion 11.1.5.3. Legislation specifies mechanisms allowing salary progression without changing position (3 points)

Category: Legislation

Approach: Review of the legislation, grades system, salary tables. If separate pay structures exist for groups of institutions (e.g., ministries and agencies), eight grades are expected in each of them. If separate salary scales exist for different categories of positions (e.g., separate for managers), they are counted in the required number of grades.

Review of legislation on the salary system and specifically progression. If only length of service allowance exists, no points are awarded; if there are salary steps/classes in place linked to performance or salary ranges in the salary scale, allowing for a salary increase within the same position, 2 points are awarded.

Sub-indicator 11.1.6. Performance-related pay and other incentives

Relevant sub-principle(s): 11.f. Performance-related pay, if introduced, constitutes a limited proportion of the salary, is based on clear criteria and provides incentives aligned with the public interest.

Maximum points: 8

Criterion 11.1.6.1. Bonuses are legally capped under 20% of total remuneration of a public servant (2 points)

Category: Legislation

Approach: Review of legislation on public servants in the central government administration. All variable elements that meet the criteria of bonus should be limited in such a way that altogether they can constitute not more than 20% of the total annual remuneration of a civil servant.

If there are no bonuses, 2 points is awarded.

Criterion 11.1.6.2. Percentage of public servants who received bonuses during the latest full calendar year is below 50 % (2 points)

Category: Practice in implementation

Approach: Data from the central human resource management information system (HRMIS) is used to conduct the analysis. Data relates to the central government administration only. If a public servant received a bonus more than once during the year, it is counted as one. If the majority of public servants received bonuses, it should be assumed that such bonuses do not have a motivational character.

A maximum of 2 points (more than for criterion 1 and 3) are awarded for criterion 2 as limitation of employees receiving bonuses is fundamental to the motivational character of bonuses.

Criterion 2: points are allocated based on the percentage of civil servants who received bonuses (x):

- $x > 50\% = 0$ points.
- $50\% \geq x \geq 30\% =$ linear function.
- $x < 30\% = 2$ points.

If there are no bonuses, 2 points are awarded.

Criterion 11.1.6.3. Direct superiors participate in awarding bonuses to their staff (1 point, based on a review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Review of legislation and additional guidance if issued by the central public service human resource management co-ordination unit. Information about practices is obtained from a sample of institutions (three ministries, two agencies). Direct superiors are expected to decide or at least formally propose bonuses to their subordinates. Top managerial positions are excluded from the analysis.

If there are no bonuses, 1 point is awarded if legislation indicates a direct superior as competent for applying or suggesting application of other performance related rewards. In the administration where bonuses can be awarded – if legislation or guidance issued indicate direct superiors as competent for applying or suggesting application of bonuses, 1 point is awarded. If this cannot be determined, information about practices from sample institutions is collected: if in all analysed institutions direct superiors were applying or suggesting application of bonuses, 1 point is awarded.

Criterion 11.1.6.4. Perception of the impact of the reward system on the organisation's performance (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in management positions to the following statement: "To what extent do you agree with the following statement: The incentive system in my organisation (monetary and non-monetary rewards) improves the performance of my colleagues?"

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" or "Strongly agree" to the survey statement(x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Sub-indicator 11.1.7. Work conditions and well-being of public servants

Relevant sub-principle(s): 11.g. The public administration cares about the well-being of the employees, including their safety, health, work satisfaction and engagement. It monitors staff well-being regularly to optimise working conditions.

Maximum points: 14

Criterion 11.1.7.1. A minimum of criteria for the organisation of occupational safety and health are established (2 points)

Category: Legislation

Approach: Legislation establishes the minimum criteria for the organisation of occupational health and safety (OHS) in the public administration, including at least:

- The obligation of the employer to designate one or more workers to carry out activities related to the protection and prevention of occupational risks in the organisation.
- Designated workers may not be placed at any disadvantage because of their activities related to the protection and prevention of occupational risks, and they shall be allowed adequate time to fulfil their obligations in this area.
- If protective and preventive measures cannot be organised because of a lack of competent personnel in the organisation, the employer shall enlist competent external services or persons.

All three occupational safety health elements must be met to be awarded 2 points.

Criterion 11.1.7.2. Job satisfaction or engagement surveys of public servants are carried out (3 points).

Category: Practice in implementation

Approach: At least one centrally co-ordinated job satisfaction or engagement survey was carried out within last three years in the central government administration. This information should be available from the central public service human resource management co-ordination unit. If this is not the case, information from sample institutions is collected (the same sample is used) whether they carried out job satisfaction or engagement surveys.

Points are allocated as follows:

- A centrally co-ordinated job satisfaction or engagement survey was conducted within the last two years (3 points)
- No centrally co-ordinated job satisfaction or engagement survey was carried out, but all five selected institutions have conducted job satisfaction or engagement surveys (2 points)
- None of the above (0 points).

Criterion 11.1.7.3. Conclusions of the surveys are implemented (4 points)

Category: Practice in implementation

Approach: There is evidence that at least some conclusions/recommendations of the centrally co-ordinated satisfaction survey were taken up for action (information requested from the central public service human resource management co-ordination unit but can be related to individual institutions). If there was no such survey in the assessment year or the previous year, the situation in central government institutions is analysed (if any of them conducted a survey).

If conclusions of a centrally co-ordinated job satisfaction or engagement survey were taken up for action – 4 points. If such a survey was not conducted, but all sample institutions provided evidence for taking up some conclusions for action – 4 points are awarded. If there is no such evidence from all institutions – 0 points are awarded.

Criterion 11.1.7.4. The methodology for measuring absences due to illness is adopted for the central government administration (2 points)

Category: Institutional set-up

Approach: This key performance indicator (KPI) can be presented as the average number of days per year or as a percentage of employment – both are acceptable. However, a methodology ensuring a consistent approach at the level of individual institutions needs to be adopted and available. This may mean, for example, that there is a protocol, instruction, etc. issued by the authority responsible for occupational health and safety in public administration (or the central co-ordination unit for the public service) on how to collect and calculate this criterion.

If the methodology for measuring absences due to illness is adopted and consistent across the central government administration – 2 points are awarded.

Criterion 11.1.7.5. Data on absences due to illness in the public administration is consistently collected (2 points, based on a review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Actual values of absence days due to illness for the last full calendar year and the previous full calendar year are to be provided for the entire administration (data for the central government administration is analysed if data is not available for entire public service) and for the following institutions:

- ministry responsible for finance
- ministry responsible for internal affairs (interior)
- ministry responsible for education
- tax agency/administration
- employment agency
- three institutions with the highest level of absences due to illnesses in central government administration.

If any of the indicated agencies do not exist, the largest agency subordinated to the government, prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

Points are allocated based on the number of available data points (x):

- $x < 8 = 0$ points.
- $8 \leq x \leq 15 =$ linear function.
- $x > 15 = 2$ points.

Sub-indicator 11.1.8. Availability of flexible work arrangements

Relevant sub-principle(s): 11.h. Flexible work arrangements are available for public administration employees (office, teleworking, part-time, hybrid, etc.) at all levels of the organisational hierarchy to foster productivity and work-life balance and reduce the environmental footprint.

Maximum points: 6

Criterion 11.1.8.1. Flexible work arrangements are available to public servants (2 points)

Category: Legislation

Approach: Review of legislation, including regulations, and of instructions issued by the central public service human resource management co-ordination unit. Depending on the country case, if instructions on how to introduce telework and flexible work arrangements in individual institutions do not require a legislative basis for teleworking or flexible work schedules, such instructions are sufficient to award points.

Criterion 11.1.8.2. Teleworking is available to public servants (2 points)

Category: Legislation

Approach: Review of legislation, including regulations, and of instructions issued by the central public service human resource management co-ordination unit. Depending on the country case, if instructions on how to introduce telework and flexible work arrangements in individual institutions do not require a legislative basis for teleworking or flexible work schedules, such instructions are sufficient to award points.

Criterion 11.1.8.3. Staff satisfaction with their own flexible work schedules (%) (1.5 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question: “To what extent do you agree with the following statement: I am satisfied with the flexibility of my own work schedule.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1.5$ points

Criterion 11.1.8.4. Staff satisfaction with their own opportunities to telework (%) (1.5 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question: “To what extent do you agree with the following statement: I am satisfied with the opportunities to telework.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1.5$ points.

Sub-indicator 11.1.9. Social dialogue with public sector employees

Relevant sub-principle(s): 11.I. The public administration involves trade unions and employee representatives in social dialogue.

Maximum points: 7

Criterion 11.1.9.1. The legislation allows public servants to become members of trade unions or foresees other forms of employee representation (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify if there are mechanisms in place to ensure employee representation is effectively formed.

Criterion 11.1.9.2. Social partners were involved in the dialogue on legislative changes. (3 points)

Category: Practice in implementation

Approach: Checked centrally at the level of central public service human resource management co-ordination unit or responsible body (ministry responsible for public administration) drafting legislation (includes primary and secondary legislation) affecting rights and obligations of public servants, in order to verify if the representatives of public servants were identified and given an opportunity to provide comments to the draft laws, and their comments were discussed with them (providing general feedback in the framework of general public consultation is not considered as a genuine dialogue for the assessment purposes). Two most recent pieces of draft primary or secondary legislation are considered.

More weight is placed on criteria 2 and 3 because they focus on the implementation of legal rights and obligations.

Criterion 11.1.9.3. Social partners were involved in the dialogue within the institution (3 points, based on a review of a group of central government administration bodies)

Category: Practice in implementation

Approach: Checked at selected institutions (the same sample is used) whether social partners (for example trade unions or staff representation) were engaged in a dialogue on working conditions or wellbeing. Three points are awarded if positive and evidence-based answers are received from all institutions to the following question: "Please provide evidence that within the last 12 months at least one discussion was held with representatives of the employees in your institution on questions related to their working conditions or wellbeing". The last full calendar year is considered.

More weight is placed on criteria 2 and 3 because they focus on the implementation of legal rights and obligations.

Positive answers from all institutions are required to score points.

Principle 12: Professional development, talent and performance management enhance the skills, efficiency and effectiveness of public servants and promote civil service values.

Indicator 12.1. Professional development and performance management of public servants

This indicator examines that the legal framework and the implementation of performance appraisal, training, mobility, and promotion support fair, professional, and inclusive staff development in the public service.

Sub-indicators	Maximum points
1. Professionalism of performance assessment	21
2. Existence of training plans adapted to government priorities	8
3. Implementation and results of training	16
4. Regulation and use of horizontal mobility	16
5. Professionalism of vertical promotion	26
6. Support of professional development practices for diversity and inclusion	13
Total	100

Sub-indicator 12.1.1. Professionalism of performance assessment

Relevant sub-principle(s): 12.a. Public servants have clearly established objectives to manage their performance aligned with the mission and objectives of the organisation. Performance assessments provide feedback to public servants, recognise good performers, identify talent and development needs, and address underperformance.

Maximum points: 21

Criterion 12.1.1.1. Legislation provides for a performance assessment against objectives aligned with the job functions and organisational objectives (1 point)

Category: Legislation

Approach: Review of legislation about the performance appraisal of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to performance assessment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating performance appraisal in top management public service positions, they are excluded from the analysis.

The analysis must determine whether legislation includes the obligation to assess individual performance against objectives that must be aligned with the job functions and organisational objectives.

Criterion 12.1.1.2. Public servants must be informed at the beginning of the assessment period about the objectives on which they will be evaluated (1 point)

Category: Legislation

Approach: Review of legislation about the performance appraisal of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to performance assessment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating performance appraisal in top management public service positions, they are excluded from the analysis.

The analysis must determine whether legislation establishes the obligation to inform the public servants of the objectives on which they will be evaluated at the beginning of the assessment period. For example, in annual performance assessment cycles, objectives must be communicated no later than December of the previous year or in January of the year during which the performance will be assessed.

Criterion 12.1.1.3. Interviews between public servants and their managers are compulsory (1 point)

Category: Legislation

Approach: Review of legislation about the performance appraisal of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to performance assessment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating performance appraisal in top management public service positions, they are excluded from the analysis.

The analysis must determine whether legislation establishes that at least one compulsory meeting between each public servant whose performance is appraised, and the respective manager is part of the performance appraisal process aimed at discussing results.

Criterion 12.1.1.4. Performance appraisals are linked to measures designed to enhance professional achievement (1 point)

Category: Legislation

Approach: Review of legislation about the performance appraisal of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to performance assessment of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating performance appraisal in top management public service positions, they are excluded from the analysis.

The analysis determines whether legislation establishes a link between the results of performance appraisals and decisions on training, mobility, and promotion of public servants.

Criterion 12.1.1.5. Performance appraisal is applied to eligible public servants (%) (3 points)

Category: Practice in implementation

Approach: The number of public servants appraised during the last full calendar year divided by the number of public servants that were eligible for appraisal in the same period, expressed as a percentage. Data relates to the central government administration only. If there are several assessment cycles within the year (e.g., each semester, or each quarter), the number of public servants who were appraised in each cycle is added up, and it is divided by the sum of public servants that were eligible for appraisal in each cycle. If centralised data, at least for public servants in the central government administration subject to the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Criteria 5 to 7 and 9 - 10 have a higher weight because they assess practice and implementation and results, respectively.

Points are allocated based on the performance appraisal rate (x):

- $x < 70\% = 0$ points
- $70\% \leq x < 95\% =$ linear function
- $x \geq 95\% = 3$ points.

Criterion 12.1.1.6. Perceived practice of setting performance objectives (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in the central government administration whose performance was assessed at least once in the last two calendar years. They were asked the following question: “Before the beginning of the last evaluation period, did someone set your performance objectives with you?”

Answers options are: Yes, No, Do not know, Prefer not to answer.

Criteria 5 to 7 and 9 - 10 have a higher weight because they assess practice and implementation and results, respectively.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 12.1.1.7. Perceived practice of performance interviews (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in the central government administration whose performance was assessed at least once in the last two calendar years. They were asked the following question: “After the end of your last evaluation period, did your superior or someone else discuss the results of your performance evaluation with you?”.

Answers options are: Yes, No, Do not know, Prefer not to answer.

Criteria 5 to 7 and 9 - 10 have a higher weight because they assess practice and implementation and results, respectively.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 12.1.1.8. Balance in the distribution of performance ratings (6 points)

Category: Practice in implementation

Approach: The number of public service performance appraisal results in the central government administration falling within the higher rating categories in the last full calendar year is divided by the total number of performance appraisal results within the same scope and period. The result is expressed as a percentage. “Higher rating categories” is defined as those above the central rating categories. If centralised data, at least for public servants in the central government administration subject to the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Points are allocated based on the performance appraisal rate (x):

- $x > 60\% = 0$ points
- $40\% < x \leq 60\% =$ linear function
- $x \leq 40\% = 6$ points.

Criterion 12.1.1.9. Perceived impact of performance assessment on improving employee performance (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in middle-level management positions in the central government administration. They were asked: “Now more generally for the whole institution where you work, to what extent do you agree with the following statement: Performance evaluation in my institutions has improved employees’ performance by identifying their strengths and weaknesses.”

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey statement (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 12.1.1.10. Perceived consequences of underperformance (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in the central government administration. Public servants were asked to choose one answer to the following question: “In my organisation, poor performers usually:”. The answer options are: Stay and improve their performance over time, Stay and continue to underperform, Leave because they are removed or transferred, Leave because they quit, There are no poor performers, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Stay and continue to underperform” to the survey statement (x):

- $x > 40\% = 0$ points.
- $0\% < x \leq 40\%$ - linear function
- $x = 0\% = 2$ points

Sub-indicator 12.1.2. Existence of training plans adapted to government priorities

Relevant sub-principle(s): 12.b. The public administration actively promotes continuous learning of public servants, conducts training needs analysis, and prepares training plans.

Maximum points: 8

Criterion 12.1.2.1. There is an institution responsible for central co-ordination of the public service training (1 point)

Category: Institutional set-up

Approach: The existence of institutional responsibility for central co-ordination of public service continuous training is considered achieved when the two elements are fulfilled (both must be met to award points):

1. An institution exists that is responsible for the central co-ordination of public service training or, if several such institutions exist, at least one is informed of all the trainings organised by other institutions.
2. Data on centrally organised or co-ordinated training courses is centrally collected and, at a minimum, the following data should be available: the number of training courses planned and implemented, the topics, and the number of participants.

The criterion refers to the public service in the central government administration. The analysis involves the review of legal provisions regarding the organisation of training in the public service within this scope, and reports or data on centrally co-ordinated training activities.

Criterion 12.1.2.2. Training needs analyses (TNA) for the public service exist and are updated (1 point)

Category: Practice in implementation

Approach: In public service systems with centrally co-ordinated training, review of the most recent training needs analysis (TNA) available for the public service in the central government administration. The TNA may cover one year or several years. In either case, it is considered that the TNA is updated if it encompasses the analysis of training needs for the last full calendar year. In decentralised systems, the assessment is conducted in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded).

Criterion 12.1.2.3. TNA for the public service encompass strategic and operational training needs (1 point)

Category: Practice in implementation

Approach: In public service systems with centrally co-ordinated training, review of the most recent technical needs analysis (TNA) available for the public service in the central government administration as described in criterion 2. The review must verify whether the TNA includes the identification of strategic and operational training needs. For the assessment, strategic training needs are those stemming from government priorities included in strategic national development plans, public administration reform strategies, sector-specific strategies or policies. The TNA must refer to strategic priorities included in these documents as the basis for strategic training needs. Operational training needs are related to the day-to-day functioning of public administration bodies (e.g., legal drafting, managing administrative procedures, using corporate IT systems, etc.). The criterion refers to the central government administration only. In decentralised systems, the assessment is conducted in the group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be fulfilled in all the institutions in the sample to score the points.

Criterion 12.1.2.4. Public service training plans are based on a TNA (1 point)

Category: Practice in implementation

Approach: In public service systems with centrally co-ordinated training, review of the public service centrally co-ordinated training plan in force in the central government administration in the last full calendar year and the training needs analysis (TNA) encompassing the same period. The aim is to determine whether the content of the training plan corresponds to the training needs identified in the TNA. The training plan should at least include training activities related to training needs identified as priorities in the TNA. In decentralised systems, the assessment is conducted in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be fulfilled in all the institutions in the sample to score the points.

Criterion 12.1.2.5. Public service training plans include different training modalities (1 point)

Category: Practice in implementation

Approach: In public service systems with centrally co-ordinated training, review of the public service training plan in force in the central government administration in the last full calendar year to determine whether it includes different training modalities. Training modalities may encompass, for example, on-site instructor-led training, online training, webinars, or train-the-trainer sessions. The training plan must encompass at least two different training modalities to score points. In decentralised systems, the assessment is conducted in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be fulfilled in all the institutions in the sample to score the points.

Criterion 12.1.2.6. E-learning platforms allowing public servants to access training resources are in place (2 points)

Category: Practice in implementation

Approach: On-site review of an e-learning platform available to public servants in the central government administration. The e-learning platform must be operational and accessible to public servants. Specific e-learning platforms available in individual institutions are not considered for the analysis. The analysis must verify that, at a minimum, the e-learning platform includes a list of online training courses in which public servants can enrol, and public servants can take part in the courses through the platform.

Criterion 12.1.2.7. Virtual or physical spaces for the interaction of public servants oriented towards learning are in place (1 point)

Category: Practice in implementation

Approach: The analysis verifies whether virtual or physical spaces such as thematic forums or networks, or communities of practice (virtual or physical) exist for public servants in the central government administration (e.g., on policy development and co-ordination, service delivery, public procurement or other areas), aimed at the exchange of good practices and mutual learning. There must be at least one such thematic forum, network or community of practice, and there must be evidence of activities organised in the last full calendar year to score points. Formal committees for inter or intra-institutional co-ordination are not considered. If there is a network of HR practitioners, it is not considered for the assessment given that it is analysed in Indicator 8.

In decentralised systems, the criterion must be fulfilled in half or more of the public bodies in the sample to score points.

Sub-indicator 12.1.3. Implementation and results of training

Relevant sub-principle(s): 12.c. Training plans are effectively implemented and financed through the budget. To enhance learning and job performance, the design and delivery of training programmes consider the current and future of the organisation, the trainees and their needs for skills improvement.

Maximum points: 16

Criterion 12.1.3.1. Implementation of public service training plans is monitored, and data on implementation is available (2 points)

Category: Practice in implementation

Approach: Review of reports or data about the implementation of training plans in the last full calendar year in the central government administration. In centralised systems, where one training plan for the public service exists encompassing at least centrally co-ordinated training, reports or data on the implementation of the central training plan in force in the last full calendar year are analysed. They must include at least the following information regarding training funded by the state budget: a list of training activities delivered, a comparison between the training planned and the training delivered, the number of public servants who participated in training activities by professional category, and the number of individual public servants who benefitted from the training. In decentralised systems, the situation is assessed for the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). In decentralised systems, the criterion must be fulfilled in all the institutions in the sample to score the points.

- 2 points = There is an annual monitoring report that includes an analysis of the situation based on comprehensive and updated data, with conclusions and recommendations.
- 1 point = There is an annual monitoring report that presents comprehensive and updated data, but there are no analyses, conclusions, or recommendations
- 0 points = None of the above.

In decentralised systems, the element must be fulfilled in all the institutions in the sample of central government administration bodies to score points.

Criterion 12.1.3.2. Reported implementation rate of public service training plans in the central government administration (%) (2 points)

Category: Practice in implementation

Approach: Review of reports or data about the implementation of training plans in the last full calendar year in the central government administration. In centralised systems, where one training plan for the public service exists encompassing at least centrally co-ordinated training, reports or data on the implementation of the central training plan in force in the last full calendar year are analysed. The implementation rate is calculated by dividing the total number of training activities implemented in the last full calendar year by the total number of training activities planned for the same period. If training plans were updated during the year, the training activities planned in the updated versions are considered for the calculation (for example, if the training plan included 100 courses for year 1, but it was updated at the end of the first

semester so there were 50 courses planned for semester 1 and 60 for semester 2, the total number of planned activities for the calculation is 110). In decentralised systems, the situation is assessed in the following group of central government bodies: ministry responsible for finance, ministry responsible for internal affairs (of interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). All the public bodies must have a reported implementation rate of the training plan above 60%. Otherwise, 0 points are awarded. If the reported implementation rate is above 60% in all the public bodies in the sample, the total implementation rate is calculated as follows: the number of training activities fully implemented in each public body is added, and it is divided by the sum of training activities planned in all public bodies in the group. If training plans were updated during the year, the training activities planned in the updated versions are considered for the calculation.

Points are allocated based on the reported implementation rate (x):

- $x \leq 50\% = 0$ points
- $60\% < x < 95\% =$ linear function
- $x \geq 95\% = 2$ points.

Criterion 12.1.3.3. Public service training activities implemented are assessed at least for quality (2 points)

Category: Practice in implementation

Approach: Review of regulations, reports, and data on monitoring and assessment of training courses for the public service in the central government administration to determine whether training activities were evaluated at least for quality in the last full calendar year. Evaluation of training quality must involve at least surveys of participants at the end of each training activity to assess their perception about the training they received. The surveys must inquire at least about the general satisfaction with the training and the perceived usefulness of the training for professional performance. In centralised systems, a report or data available on the evaluation of training courses in the last full calendar year is analysed. If training is decentralised, a report or data on the evaluation of training courses delivered in the last full calendar year from each of the central government bodies in the group is analysed. The following group of central government bodies are analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). If there is no evidence of the assessment of training activities at least for quality, in one or several of the bodies in the sample, 0 points are awarded. The criterion must be met in all the institutions in the sample to award points.

Points are allocated based on the reported implementation rate (x):

- $x < 50\% = 0$ points
- $60\% \leq x < 95\% =$ linear function
- $x \geq 95\% = 2$ points.

Criterion 12.1.3.4. Ratio of public service training expenditures in relation to the public service annual wage bill in the central government administration (%) (3 points)

Category: Practice in implementation

Approach: The total expenditure (implemented budget) on the training of public servants in the central government administration borne by the state budget in the last full calendar year, including centralised and decentralised training, is divided by the state budget wage bill for public servants working in the central government administration. Only the training financed by the state budget is counted. Donor-financed training that is not part of the state budget is excluded. If centralised data, at least for public servants in the central government administration subject to the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Points are allocated based on the ratio (x):

- $x < 0.5\% = 0$ points
- $0.5\% \leq x < 1\% =$ linear function
- $x \geq 1\% = 3$ points.

Criterion 12.1.3.5. Participation of public servants in training in the central government administration (%) (3 points)

Category: Practice in implementation

Approach: The number of public servants of the central government administration who participated in training courses (online or onsite) financed by the state budget (at least once; if a public servant participated in several training courses, it counts for one only), divided by the total number of public servants at the beginning of the year, expressed as a percentage. Data refer to the central government administration only and encompass central and decentralised training financed by the state budget at least for public servants in the central government administration subject to the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded. If data does not include individual public servants participating in training, but only the total aggregated number of participants, 0 points are awarded.

Points are allocated based on the percentage of public servants who participated in training (x):

- $x < 30\% = 0$ points
- $30\% \leq x \leq 70\% =$ linear function
- $x > 70\% = 3$ points

Criterion 12.1.3.6. Perceived relevance and usefulness of the training provided to the staff by managers in the central government administration (%) (4 points)

Category: Results

Approach: Analysis of survey results from a sample of public servants in management positions. They were asked: “Now more generally for the whole institution where you work, to what extent do you agree with the following statement: The training provided to the staff in my institution contributes to improve their performance”.

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 4$ points.

Sub-indicator 12.1.4. Regulation and use of horizontal mobility

Relevant sub-principle(s): 12.d. The public administration uses horizontal mobility of public servants to address organisational needs, manage talent, and enhance professional development and performance.

Maximum points: 16

Criterion 12.1.4.1. Permanent horizontal transfers must only involve positions of the same category and level (2 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage horizontal mobility of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the horizontal mobility of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating recruitment to top management public service positions, they are not considered.

The analysis must determine whether permanent horizontal transfers can only take place between positions of the same professional category and level and public servants concerned must fulfil the job requirements so they can perform the job tasks well. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded.

Criterion 12.1.4.2. Legislation establishes clear and fair grounds for permanent horizontal transfers (1.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage horizontal mobility of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the horizontal mobility of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating recruitment to top management public service positions, they are not considered.

The analysis must determine whether legislation regulates explicitly the grounds for permanent horizontal transfers of public servants and whether the grounds are fair. Fair grounds for permanent horizontal transfers include organisational needs stemming from restructuration or organisational change of public bodies based on objective technical, financial, economic, and organisational reasons (for example, downsizing due to austerity measures, obsolescence of organisational functions and jobs due to technological evolution e.g., digitalisation); individual professional development needs identified in the performance appraisal process, or individual objective circumstances of public servants (e.g., a situation of conflict of interest, family reunification, etc.). Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded.

Criterion 12.1.4.3. Legislation provides for objective and non-discriminatory criteria to make individual decisions about permanent horizontal transfers (1.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage horizontal mobility of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the horizontal mobility of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating recruitment to top management public service positions, they are not considered.

The analysis must determine whether legislation includes the criteria on which individual decisions about public servants benefitting from or affected by permanent horizontal transfers are made and whether such criteria are objective and non-discriminatory. Namely, the criteria refer to objective facts or circumstances not related to individual subjective preferences of the employer. Objective facts or circumstances may include the performance appraisal results, seniority in public service, protected characteristics such as disability, or protected circumstances such as pregnancy or care of small children. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded.

Criterion 12.1.4.4. Legislation provides for objective grounds and fair procedures for temporary mobility (1.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage horizontal mobility of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the horizontal mobility of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating recruitment to top management public service positions, they are not considered.

The analysis must determine whether legislation includes objective grounds such as temporary organisational needs, temporary increase in the workload, circumstances of *force majeure*, or professional development needs. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded. Legislation must also include fair procedures to manage temporary mobility. Fair procedures include objective criteria on which to base individual decisions, as defined in criterion 3, and the fact that public servants affected by temporary mobility cannot have a negative impact on their salary, except for salary supplements for specific work conditions that do not apply to the position where the public servant is temporarily assigned (e.g., night shift).

Criterion 12.1.4.5. Legislation establishes the right of public servants to appeal horizontal mobility decisions (1.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage horizontal mobility of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the horizontal mobility of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating recruitment to top management public service positions, they are not considered.

The analysis must determine whether horizontal mobility decisions for which the consent of the public servant was not necessary can be appealed, and, if so, whether an appeal can be filed to the court or only to an administrative appeal instance. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded.

- 1.5 points = the right of public servants to appeal mobility is included in the legislation and appeal to the court is possible.
- 0.75 points = the right is regulated, but only internal administrative appeal is possible.
- 0 points = The right is not regulated.

Criterion 12.1.4.6. Availability of information on mobility opportunities and procedures (5 points)

Category: Legislation

Approach: Review of a website with updated information on horizontal mobility opportunities and procedures in the public service if it exists. The website must fulfil the following minimum requirements:

It must include information on horizontal mobility opportunities and procedures for all the horizontal mobility modalities contemplated in public service legislation. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded from the analysis.

It must encompass horizontal mobility opportunities in all public bodies employing public servants in the central government administration.

Public servants working in the central government administration have access to the website.

Information on horizontal mobility opportunities is updated (there are no outdated announcements).

The website includes information on horizontal mobility procedures, which is updated according to the legislation in force. At a minimum, it must include a link to the relevant by-laws or protocols.

- 5 points = a website targeted at public servants, with updated information on horizontal mobility opportunities and procedures in the central government administration exists.
- 2.5 points = the website does not encompass all mobility opportunities and/or some public servants who work in the central government administration do not have access to it.
- 0 points = If the website does not exist, or it exists but is not used, or information is outdated.

Criterion 12.1.4.7. Monitoring of horizontal mobility (3 points)

Category: Practice in implementation

Approach: Analysis of reports on the horizontal mobility of public servants in the central government administration in the last full calendar year. Promotions, demotions, or mobility decisions related to the disciplinary or sanction regimes are excluded from the assessment. It is considered that information or data in the report is complete if it fulfils at least the following requirements:

It comprises data on all the horizontal mobility modalities contemplated in legislation.

It includes data on the horizontal mobility of all public servants employed in the central government administration (at least, the total number of public servants who benefitted or were affected by horizontal mobility procedures in the last full calendar year, by type of procedure).

- 5 points = there are complete and updated monitoring reports with data on horizontal mobility in the central government administration in the last full calendar year.
- 2.5 points = a report exists but it is incomplete.
- 0 points = None of the above.

Sub-indicator 12.1.5. Professionalism of vertical promotion

Relevant sub-principle(s): 12.e. Public servants have opportunities for career advancement and promotion based on merit and performance.

Maximum points: 22

Criterion 12.1.5.1. Public servants cannot be promoted to a higher category without a professional assessment of their competencies (2.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage the promotion of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the promotion of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating promotion to top management positions in the public service, they are not considered.

The analysis must determine whether the assessment of candidates to vertical promotion is compulsory and whether the legislation provides for minimum requirements to ensure the professionalism of the assessment. Legislation may envisage different procedures for vertical promotion, with or without competition. The criterion must be fulfilled in all cases.

Minimum requirements for professional assessment of candidates in promotion procedures in legislation include at least the following:

The assessment must be based on the job profile of the vacancy to be filled through promotion, including the description of the job duties and the specific and general requirements to perform the job. At a minimum:

General requirements including at least the educational credentials and professional experience.

Specific requirements including at least knowledge and technical skills.

For managerial jobs, specific requirements must include managerial competencies encompassing at least people management, planning and organisation of work in the organisational unit.

If promotion is only possible through competition open to external candidates, this element is assessed by criteria 1 to 3 of sub-indicator 6, Indicator 9, and the results are valid here as well.

The assessment must be conducted by HR staff or by a panel. In the latter case, all members must have at least the same level of qualification and experience than the vacancy, and one member must be an HR expert. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 1 in sub-indicator 7, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.2. Political appointees cannot participate in the assessment of candidates for promotion (2.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage the promotion of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the promotion of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating promotion to top management positions in the public service, they are not considered.

The analysis must determine whether legislation ensures that political appointees cannot participate directly in the promotion of public servants. Direct participation means that political appointees are involved in the assessment of candidates for promotion, either as members of assessment panels, conducting the assessment of candidates directly, or making promotion decisions directly without an assessment of the candidate's merit. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 2 in sub-indicator 7, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.3. Political appointees cannot appoint persons involved in the assessment of candidates for promotion (2.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage the promotion of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the promotion of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating promotion to top management positions in the public service, they are not considered.

The analysis must determine whether legislation ensures that political appointees cannot appoint persons responsible for the assessment of candidates in promotion procedures. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 2 in sub-indicator 7, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.4. Promotion decisions must be based on the results of the professional assessment of candidates (2.5 points)

Category: Legislation

Approach: Review of legislation prescribing the criteria and procedures to manage the promotion of public servants in the central government administration. Both primary and secondary legislation are analysed. For the assessment, only general legislation on the public service is analysed. It may include a law on the civil service, and/or the general law on the public service, if it exists. Provisions of the labour law that may apply to the promotion of public servants are only considered if there is an explicit reference to them in general legislation on the public service, or if the labour law is the general law regulating employment in the public service. Special legislation that may apply to some groups of public servants in the central government administration is not considered for the analysis. If there are separate provisions regulating promotion to top management positions in the public service, they are not considered.

The analysis must determine whether legislation ensures that only candidates who passed the assessment satisfactorily can be promoted. In vertical promotions involving competition, legislation must establish that the best-ranked candidate after the assessment is appointed. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 6 in sub-indicator 8, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.5. Political appointees did not participate in the assessment of candidates for promotion (2.5 points, based on a review of selected promotion files in a group of central government administration bodies)

Category: Practice in implementation

Approach: The assessment is based on the analysis of a non-representative sample of promotion files in a non-representative sample of central government administration bodies. The following group of central government bodies are analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Promotion procedures analysed exclude the following:

- promotions to top management public service jobs;
- promotions to jobs of immediate superior levels within the same professional category which do not involve a substantial modification of job duties and, therefore, of the requirements to perform the job (e.g., the difference is exclusively a higher number of years of work experience).

Criterion 5 is fulfilled if the promotion files include documentary proof of the persons responsible for conducting the assessment of candidates (name and position) and none of them were political appointees. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 6 in sub-indicator 7, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.6. Political appointees did not appoint persons involved in the assessment of candidates for promotion (2.5 points, based on a review of selected promotion files in a group of central government administration bodies)

Category: Practice in implementation

Approach: The assessment is based on the analysis of a non-representative sample of promotion files in a non-representative sample of central government administration bodies. The following group of central government bodies are analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Promotion procedures analysed exclude the following:

- promotions to top management public service jobs;
- promotions to jobs of immediate superior levels within the same professional category which do not involve a substantial modification of job duties and, therefore, of the requirements to perform the job (e.g., the difference is exclusively a higher number of years of work experience).

Criterion 6 is fulfilled if the promotion files include documentary proof of the appointment of members of assessment panels or individual persons responsible for the assessment of candidates and the appointing authority was not a political appointee. The criterion is also fulfilled if the assessment of candidates was performed *ex officio* by HR staff. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 6 in sub-indicator 7, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.7. The assessment of candidates in promotion procedures was professional (2.5 points, based on a review of selected promotion files in a group of central government administration bodies)

Category: Practice in implementation

Approach: The assessment is based on the analysis of a non-representative sample of promotion files in a non-representative sample of central government administration bodies. The following group of central government bodies are analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Promotion procedures analysed exclude the following:

- promotions to top management public service jobs;
- promotions to jobs of immediate superior levels within the same professional category which do not involve a substantial modification of job duties and, therefore, of the requirements to perform the job (e.g., the difference is exclusively a higher number of years of work experience).

Criterion 7 is fulfilled if the promotion files include documentary proof that the assessment comprised one or several valid tools for personnel assessment. For non-managerial positions, it included at least one written test, i.e., a standardised cognitive test or a work sample test (definitions in Indicator 9). If there were several candidates participating in the promotion procedure, written tests were anonymised, and assessment methods were the same for all candidates. If an interview was included, it was structured.

In promotions to managerial positions, managerial competences were assessed through a competency-based test, based on a pre-defined competency model. At a minimum, the competency model must include the list of competences, the definition of each competency, and behavioural indicators describing specifically how a competency can be observed. If promotion is only possible through competition open to external candidates, this element is assessed by Criteria 1 to 3 in sub-indicator 8, Indicator 9, and the results are also valid here.

Criterion 12.1.5.8. The promotion decision was based on the result of the assessment (2.5 points, based on a review of selected promotion files in a group of central government administration bodies)

Category: Practice in implementation

Approach: The assessment is based on the analysis of a non-representative sample of promotion files in a non-representative sample of central government administration bodies. The following group of central government bodies are analysed: ministry responsible for finance, ministry responsible for internal affairs (interior), ministry responsible for education, tax agency/administration, employment agency. If any of the indicated agencies do not exist, the largest agency subordinated to the government, or prime minister, or any minister is analysed instead (for the purpose of the assessment, police is not considered a government agency; agencies in charge of providing education and health care are excluded). Promotion procedures analysed exclude the following:

- promotions to top management public service jobs;
- promotions to jobs of immediate superior levels within the same professional category which do not involve a substantial modification of job duties and, therefore, of the requirements to perform the job (e.g., the difference is exclusively a higher number of years of work experience).

Criterion 8 is fulfilled if the promotion decision and information on the results of the promotion procedure included in the promotion file show that the promoted candidate passed an assessment successfully. If several candidates participated in the assessment, the highest-ranked candidate was promoted. The criterion is also fulfilled if no candidate was promoted because they did not pass the assessment. If promotion is only possible through competition open to external candidates, this element is assessed by criterion 7 in sub-indicator 8, Indicator 9, and the results are valid here as well.

Criterion 12.1.5.9. Perceived importance of job performance in career progression (%) (2 points)

Category: Results

Approach: Analysis of survey results from a sample of public servants in the central government administration to the following question: "Thinking about your career advancement in the public service, how important do you expect the following criteria to be for your advancement to better positions within the public service? Please use the scale from 1 to 7, where 1 indicates 'Not important at all' and 7 indicates 'Very important'." in relation to the following statements: "Job performance".

Points are allocated based on the average of responses to the survey statement (x):

- $x = 1 = 0$ points.
- $1 < x < 7 =$ linear function.
- $x = 7 = 2$ points.

Criterion 12.1.5.10. Perceived importance of support from family, friends or other personal connections in career progression (%) (2 points)

Category: Results

Approach: Analysis of survey results from a sample of public servants in the central government administration to the following question: "Thinking about your career advancement in the public service, how important do you expect the following criteria to be for your advancement to better positions within the public service? Please use the scale from 1 to 7, where 1 indicates 'Not important at all' and 7 indicates 'Very important'." in relation to the following statements: "Support from family, friends or other personal connections working in the public service".

Points are allocated based on the average of responses to the survey statement (x):

- $x = 7 = 0$ points.
- $7 > x > 1 =$ linear function.
- $x = 1 = 2$ points.

Criterion 12.1.5.11. Perceived importance of support from a politician or someone with political links (%) (2 points)

Category: Results

Approach: Analysis of survey results from a sample of public servants in the central government administration to the following question: "Thinking about your career advancement in the public service, how important do you expect the following criteria to be for your advancement to better positions within the public service? Please use the scale from 1 to 7, where 1 indicates 'Not important at all' and 7 indicates 'Very important'." in relation to the following statements: "Support from a politician or someone with political links".

Points are allocated based on the average of responses to the survey statement (x):

- $x = 7 = 0$ points.
- $7 > x > 1 =$ linear function.
- $x = 1 = 2$ points.

Sub-indicator 12.1.6. Support of professional development practices for diversity and inclusion

Relevant sub-principle(s): 12.f. Career development and mobility policies and practices in the public service support diversity and inclusion.

Maximum points: 13

Criterion 12.1.6.1. Public administration promotes positive action in favour of disadvantaged groups in mobility and promotion (3 points)

Category: Strategy and guidance

Approach: Review of the following documents:

- Updated policies and guidelines on positive action in mobility and promotion in the public service of the central government administration issued by the relevant authority. Updated means that the policies and guidelines are in force on the date of the assessment, and they were produced, or modified, after the last amendments in relevant legislation about positive action in the public service, if this is the case.
- Review of documentary evidence of campaigns organised and/or training delivered on disability awareness and gender awareness organised by the relevant authority for HR staff and/or managers in the central government administration in the last two full calendar years, addressed to public servants.
- Review of documentary evidence of training, coaching, mentoring or other activities organised by the relevant authority at the central level in the last two full calendar years, aimed at competency development of underrepresented groups in the public service (less represented gender, people with disabilities, people belonging to a minority group) in preparation for the application procedure (whenever it is relevant for voluntary mobility and promotion) to improve their under-representation at all levels in the public service respecting the merit principle. The respect to the merit principle involves that decisions in favour of candidates with protected characteristics are only possible in case of equal merits regarding candidates from other groups.

Criterion 1:

- 1 point: there are policies and/or guidelines on positive action in mobility and promotion in the public service of the central government administration.
- 0.5 points: in the two last full calendar years, there was at least one disability awareness campaign or training targeted at public servants involved in HR processes and decisions (managers, HR staff).
- 0.5 points: in the two last full calendar years, there was at least one gender awareness campaign or training targeted at public servants involved in HR processes and decisions (managers, HR staff).
- 1 point: in the two last full calendar years, there was at least one training, coaching, mentoring or other activity targeted at underrepresented groups in the public service (e.g. less represented gender, people with disabilities, people belonging to a minority group) to encourage participation in mobility, promotion, and to improve underrepresentation.

Criterion 12.1.6.2. Gender parity in middle-level managerial positions (%) (5 points)

Category: Results

Approach: The number of women in public service managerial positions, excluding top management level positions, is divided by the total number of public servants in the same positions in the latest full calendar year. The result is expressed as a percentage. Data relates to central government administration only. If centralised data, at least for public service jobs in the central government administration included in the scope of the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Points are allocated based on the percentage of women in middle-level managerial positions in the public service (x):

- $x < 30\%$ or $x > 70\%$ = 0 points
- $30\% \leq x < 40\%$ or $60\% < x \leq 70\%$ = 2 points
- $40\% \leq x < 45\%$ or $55\% < x \leq 60\%$ = 3.5 points
- $45\% \leq x < 50\%$ or $50\% < x \leq 55\%$ = 4.5 points
- points = $x = 50\%$ = 5 points

Criterion 12.1.6.3. Gender parity in non-managerial positions (%) (5 points)

Category: Results

Approach: The number of women in public service non-managerial positions is divided by the total number of public servants in the same positions in the latest full calendar year. The result is expressed as a percentage. Data relates to central government administration only. If centralised data, at least for public service jobs in the central government administration included in the scope of the general public/civil service legislation does not exist, or it is incomplete (i.e., data for some central government administration bodies, or groups of public servants in the central government administration subject to the general public/civil service legislation is missing), 0 points are awarded.

Points are allocated based on the percentage of women in non-managerial positions in the public service (x):

- $x < 30\%$ or $x > 70\%$ = 0 points
- $30\% \leq x < 40\%$ or $60\% < x \leq 70\%$ = 2 points
- $40\% \leq x < 45\%$ or $55\% < x \leq 60\%$ = 3.5 points
- $45\% \leq x < 50\%$ or $50\% < x \leq 55\%$ = 4.5 points
- points = $x = 50\%$ = 5 points



Organisation, accountability and oversight

The organisation of the public administration is **efficient** and **effective** across all levels of government. Public administration bodies are **open** and **transparent** and apply clearly defined internal and external accountability mechanisms. Strong oversight bodies protect the rights of citizens and the public interest.

Principle 13: The organisation and management of public administration foster accountability, effectiveness, and efficiency.

Indicator 13.1. The organisation and management of public administration foster accountability, effectiveness and efficiency

This indicator measures the governance model of central government, upholds lines of accountability, and contributes to increasing the capacity of the state. It is defined as the ability of the administrative apparatus of the state to implement policies, deliver services to citizens and support decision makers with policy advice. This includes assessing the legal and institutional frameworks for organisation of the central government, as well as its implementation in practice.

The indicator does not measure political accountability of ministers for their responsibility areas nor the level of independence and accountability of constitutional bodies and oversight institutions.

Sub-indicators	Maximum points
1. Clarity and coherence of official typology of central government bodies	10
2. Effective mechanisms for keeping the organisation of public administration rational	10
3. Strength of basic accountability mechanisms between ministries and subordinated bodies	8
4. Strength of accountability framework for promoting performance	15
5. Number of public bodies subordinated to the parliament	8
6. Autonomy of regulatory bodies according to the legislation	10
7. Effective internal organisation	6
8. Effective performance of public administration (in selected areas)	6
9. Delegation of decision-making authority within ministries	15
10. Horizontal co-ordination in PAR areas	4
11. Use of Total Quality Management (TQM) Tools	4
12. Focus on reducing the environmental footprint of public administration bodies	4
Total	100

Sub-indicator 13.1.1. Clarity and coherence of official typology of central government bodies

Relevant sub-principle(s): 13.a. The public administration is organised in line with a clear and coherent typology of bodies, based on their main functions.

Maximum points: 10

Criterion 13.1.1.1. Legal status is clearly regulated for all types of central government bodies (0.5 points)

Category: Legislation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 13.1.1.2. Functional criteria for establishment are explicitly regulated for all types of central government bodies (0.5 points)

Category: Legislation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 13.1.1.3. Managing bodies are explicitly regulated for all types of central government bodies (0.5 points)

Category: Legislation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 13.1.1.4. Subordination/supervision schemes are explicitly regulated for all types of central government bodies (0.5 points)

Category: Legislation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 13.1.1.5. Degree of autonomy in financial management and human resource management is regulated for central government bodies (0.5 points)

Category: Legislation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 13.1.1.6. An inventory of all administrative bodies is publicly available (2.5 points)

Category: Practice in implementation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Criterion 6: it is confirmed the inventory (list) of all administrative bodies exists, it is up to date, publicly available, and contains the following minimum data for each body: type, legal status, main function, managing bodies, subordination.

It is confirmed the inventory (list) of all administrative bodies exists, it is up to date, publicly available, and contains the following minimum data for each body: type, legal status, main function, managing bodies, subordination.

Criterion 13.1.1.7. The domestic requirements for organisation of central government bodies are applied consistently (5 points)

Category: Practice in implementation

Approach: Review of laws and regulations. For each type of central government body, it is verified that the regulatory framework (including primary and secondary legislation) specifies the following:

- legal status of the organisation (legal personality)
- functional criteria for establishment (i.e. nature of functions to be performed)
- managing bodies of the organisation and the process of their appointment
- subordination/supervision scheme (specifying reporting lines)
- degree of autonomy in a) financial management and b) human resource management.

Compliance is confirmed of the organisation of central government bodies with the legal framework based on the inventory of bodies (identified in criterion 6). If there is no publicly available inventory, no points are awarded for criteria 6 and 7.

Points are allocated based on the percentage of bodies for which inconsistencies have been identified (x):

- $x > 20\% = 0$ points
- $3\% \leq x \leq 20\% =$ linear function
- $x < 3\% = 5$ points.

Sub-indicator 13.1.2. Effective mechanisms for keeping the organisation of public administration rational

Relevant sub-principle(s): 13.b. Effective mechanisms keep the organisational structure of public administration compact and rational. Public administration bodies are created, merged, and terminated based on sound *ex ante* impact analysis.

Maximum points: 10

Criterion 13.1.2.1. A government body is responsible for review and development of the organisation of central government administration (1 point)

Category: Institutional set-up

Approach: Review of laws and regulations. A central government body must be assigned the responsibility and mandate for review and development of the organisation of central government administration.

Criterion 13.1.2.2. The procedure for reorganisation of a central government body requires the participation of key authorities (1 point)

Category: Legislation

Approach: Review of laws and regulations. The procedures for establishing, merging, and abolishing each type of central government body must require participation of the following: a) the body responsible for organisation of public administration; b) the ministry responsible for finance; and c) the body responsible for human resource management.

Criterion 13.1.2.3. Public administration, finance and human resource management authorities are involved in the reorganisation of central government bodies (2 points, based on a review of three latest processes)

Category: Practice in implementation

Approach: Analysis of the three latest processes for establishing/merging/abolishing central government bodies to assess compliance with the following criteria:

- Decisions were made according to the procedure specified in the legislation and with active participation of the body responsible for organisation of public administration, ministries, or agencies responsible for finance and body responsible for human resource management.
- Creation of the new body was accompanied by *ex-ante* analysis covering, at a minimum, assessment of the need to create the new body, analysis of alternatives to creation of the new body, and the estimated cost and staffing of the new body.
- The opinions of the body responsible for organisation of public administration were compatible with the policy of the government on institutional development (if one exists). The policy can be deriving from a policy document (strategy or similar), other guidance provided by the Government or authority responsible for organisation of the central government or general principles of the legal acts regulating organisation of central government.

The analysis covers changes at the central level of government (with territorial branches excluded). It does not include the creation/abolition of ministries, advisory committees, task forces and interministerial groups.

The *ex-ante* analysis required in criteria 4 and 5 can be considered in place and applied by the standard regulatory impact assessment (RIA) process, if the requirements for RIA contain the obligation to justify the need for the change, as well as analysis of alternatives and costs.

Criterion 13.1.2.4. The decision to reorganise a body must be accompanied by analysis explaining its necessity, cost, and alternatives (1 point)

Category: Legislation

Approach: Review of laws and regulations. According to defined requirements, the decision to establish a new central government body must be accompanied by an *ex-ante* analysis covering at least: a) an assessment of the need to create the new body; b) an analysis of alternatives to the creation of the new body; and c) the estimated cost and staffing of the new body.

Criterion 13.1.2.5. Decisions to reorganise a body are accompanied by analyses explaining its necessity, cost, and staffing (2 points, based on a review of three latest processes)

Category: Practice in implementation

Approach: Analysis of the three latest processes for establishing/merging/abolishing central government bodies to assess compliance with the following criteria:

- Decisions were made according to the procedure specified in the legislation and with active participation of the body responsible for organisation of public administration, ministries, or agencies responsible for finance and body responsible for human resource management.
- Creation of the new body was accompanied by *ex-ante* analysis covering, at a minimum, assessment of the need to create the new body, analysis of alternatives to creation of the new body, and the estimated cost and staffing of the new body.
- The opinions of the body responsible for organisation of public administration were compatible with the policy of the government on institutional development (if one exists). The policy can be deriving from a policy document (strategy or similar), other guidance provided by the Government or authority responsible for organisation of the central government or general principles of the legal acts regulating organisation of central government.

The analysis covers changes at the central level of government (with territorial branches excluded). It does not include the creation/abolition of ministries, advisory committees, task forces and interministerial groups.

The *ex-ante* analysis required in criteria 4 and 5 can be considered in place and applied by the standard regulatory impact assessment (RIA) process, if the requirements for RIA contain the obligation to justify the need for the change, as well as analysis of alternatives and costs.

Criterion 13.1.2.6. A body responsible for organisation of public administration is following the established policy when considering reorganisation proposals (3 points, based on a review of three latest processes)

Category: Practice in implementation

Approach: Analysis of the three latest processes for establishing/merging/abolishing central government bodies to assess compliance with the following criteria:

- Decisions were made according to the procedure specified in the legislation and with active participation of the body responsible for organisation of public administration, ministries, or agencies responsible for finance and body responsible for human resource management.
- Creation of the new body was accompanied by *ex-ante* analysis covering, at a minimum, assessment of the need to create the new body, analysis of alternatives to creation of the new body, and the estimated cost and staffing of the new body.
- The opinions of the body responsible for organisation of public administration were compatible with the policy of the government on institutional development (if one exists). The policy can be deriving from a policy document (strategy or similar), other guidance provided by the Government or authority responsible for organisation of the central government or general principles of the legal acts regulating organisation of central government.

The analysis covers changes at the central level of government (with territorial branches excluded). It does not include the creation/abolition of ministries, advisory committees, task forces and interministerial groups.

The *ex-ante* analysis required in criteria 4 and 5 can be considered in place and applied by the standard regulatory impact assessment (RIA) process, if the requirements for RIA contain the obligation to justify the need for the change, as well as analysis of alternatives and costs.

Sub-indicator 13.1.3. Strength of basic accountability mechanisms between ministries and subordinated bodies

Relevant sub-principle(s): 13.d. Ministries have assigned responsibilities for steering, overseeing, and managing performance of the subordinated agencies, with appropriate organisational arrangements and sufficient capacities.

Maximum points: 8

Criterion 13.1.3.1. Responsibility for monitoring the subordinated body is clearly assigned to the relevant organisational unit of the ministry (1 point, based on a review of selected ministries and institutions)

Category: Institutional set-up

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

The responsibility for monitoring the subordinated body is clearly assigned to the relevant organisational unit of the ministry according to regulations.

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.2. The ministry has the right to appoint and dismiss the head of the subordinated body (1 point, based on a review of selected ministries and institutions)

Category: Legislation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

The ministry must be awarded the right to appoint and dismiss the head of the subordinated body (or the government makes the decision based on the proposal of the minister).

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.3. The ministry has the right to request any documents produced and collected by the subordinated body (1 point, based on a review of selected ministries and institutions)

Category: Legislation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

According to regulations the ministry has the right to request any documents produced and collected by the subordinated body.

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.4. A budgetary proposal of the subordinated body is required to be submitted to the parent ministry (1 point, based on a review of selected ministries and institutions)

Category: Legislation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

A budgetary proposal of the subordinated body must be required to be submitted to the parent ministry (i.e., not directly to the ministries or agencies responsible for finance, parliament or similar). For bodies subordinated to the ministry responsible for finance, the budgetary proposal needs to be submitted to or at minimum discussed with the unit inside the ministry that has the responsibility for monitoring the subordinated body (see criterion 1).

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.5. Managerial autonomy of heads of subordinated bodies is defined in the regulatory framework (1 point, based on a review of selected ministries and institutions)

Category: Legislation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

Managerial autonomy of heads of subordinated bodies must be defined in the regulatory framework.

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.6. Heads of subordinated bodies have financial autonomy (1 point, based on a review of selected ministries and institutions)

Category: Practice in implementation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

The heads of subordinated bodies must have autonomy to manage financial resources within the approved budget.

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.7. Heads of subordinated bodies have autonomy for recruitment and dismissal of their staff (1 point, based on a review of selected ministries and institutions)

Category: Practice in implementation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

Recruitment and dismissal decisions regarding the staff of the subordinated body can be made independently by the head of this body (or lower-level managers in that body).

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Criterion 13.1.3.8. Managers or subordinated bodies have autonomy for procurement procedures and decisions of up to EUR 100 000 (1 point, based on a review of selected ministries and institutions)

Category: Practice in implementation

Approach: Review of laws and government documents specifying the accountability system for five central government bodies subordinated to the three ministries (responsible for finance, economy and social affairs).

Subordinated bodies are selected with the highest staff numbers, ensuring that there is at least one body subordinated to each ministry.

A point is awarded, if all five sample cases meet the requirement.

Procurement procedures and decisions of up to EUR 100 000 can be made and signed by the head of the subordinated body or lower-level managers in that body.

Points are allocated based on the number of reviewed subordinate institutions that meet the requirement:

- All five reviewed subordinate bodies meet the requirement = 1 point;
- Four out of five reviewed subordinate bodies meet the requirement = 0.5 points;
- None of the above = 0 points.

Sub-indicator 13.1.4. Strength of the accountability framework for promoting performance

Relevant sub-principle(s): 13.h. Public administration bodies operate within an accountability framework based on clear objectives and performance indicators.

Maximum points: 15

Criterion 13.1.4.1. The work plan of the ministry contains specific objectives and measurable targets (3 points, based on a review of selected ministries and subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The work plan of the ministry needs to include outcome level objectives and targets. The plan can also be used for planning in medium-term, but there has to be at least annual revision of objectives and targets. The work plan needs to be approved by the minister and to be publicly available.

Points are awarded based on the number of reviewed ministries that meet the requirement, 1 point per each ministry (3 points in total).

Criterion 13.1.4.2. The last annual report of the ministry contained information against predefined objectives and targets (3 points, based on a review of selected ministries and subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and outcome level targets and to be publicly available.

Points are awarded based on the number of reviewed ministries that meet the requirement, 1 point per each ministry (3 points in total).

Criterion 13.1.4.3. An annual plan and activity report of selected subordinate bodies need to be submitted to the responsible ministry (1 point, based on a review of selected ministries and subordinate authorities)

Category: Legislation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

Regulations need to stipulate the requirement to submit the annual plan as well as the activity report to the responsible ministry for approval.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 13.1.4.4. The annual plan of the subordinated body contains specific objectives and measurable targets at output level (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The annual plan of the subordinated body should contain specific objectives and measurable targets approved by the ministry or agreed upon by the ministry and the subordinated body that can be monitored at outcome level or output level.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 13.1.4.5. The annual plan of the subordinated body contains specific objectives and measurable targets at outcome level (2 points, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The annual plan of the subordinated body should contain specific objectives and measurable targets approved by the ministry or agreed upon by the ministry and the subordinated body that can be monitored at outcome level or output level.

Points are awarded based on the number of subordinate bodies that meet the requirement, 0.4 points per body (2 points in total).

Criterion 13.1.4.6. The last annual report of the subordinate body contained information on outputs against predefined objectives and targets (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and output or outcome level targets and to be publicly available.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 13.1.4.7. The last annual report of the subordinate body contained information on outcomes against predefined objectives and targets (2 points, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and output or outcome level targets and to be publicly available.

Points are awarded based on the number of subordinate bodies that meet the requirement, 0.4 points per body (2 points in total).

Criterion 13.1.4.8. There is evidence of performance dialogue between ministry and the body (2 points, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries.

The performance dialogue can include feedback provided by the ministry based on the achievements reported in the annual report, meetings between the ministry and the agency management to discuss achievements and potential challenges, etc.

Points are awarded based on the number of subordinate bodies that meet the requirement, 0.4 points per body (2 points in total).

Sub-indicator 13.1.5. Number of public bodies subordinated to the parliament

Relevant sub-principle(s): 13.e. Public administration bodies performing executive functions, including regulators, are accountable to the government through line ministries.

Maximum points: 8

Criterion 13.1.5.1. Number of public bodies subordinated to the parliament (8 points)

Category: Institutional set-up

Approach: Analysis of the number of public bodies subordinated to parliament. The following bodies/institutions are excluded from the calculation:

- Judiciary (courts and councils for their administration)
- Ombudsperson (or other similar commissioners against discrimination, etc.)
- State audit institution
- Central bank
- Fiscal council
- Public broadcaster (or councils/boards co-ordinating their functioning).
- Electoral commission
- Prosecution (chief prosecutor or council for their administration, any special prosecution)
- Anti-corruption bodies, including those collecting asset declarations.
- Public procurement review body
- Information commissioner/Agency for access to info.

Public bodies are subordinated to parliament if these two criteria are met:

- The parliament appoints and dismisses the head of the body or members of the management board.
- The parliament approves or adopts the annual plan and approves the annual report of the body or, at minimum, no other – executive – body adopts the plan and approves the report

Points are allocated based on the number of bodies subordinated to the parliament (x):

- $x > 8 = 0$ points
- $8 \geq x > 0 =$ linear function
- $x = 0 = 8$ points.

Sub-indicator 13.1.6. Autonomy of regulatory bodies according to the legislation

Relevant sub-principle(s): 15.f. Regulatory bodies benefit from a level of autonomy required for effective performance of their functions.

Maximum points: 10

Criterion 13.1.6.1. No body may issue instructions to the regulatory authority regarding processing individual cases/decisions (2 points, based on a review of selected regulatory authorities)

Category: Legislation

Approach: The legislation should clearly stipulate that no body may issue instructions to the regulatory authority regarding processing individual cases/decision. However, the portfolio ministry or the government may issue general policy guidelines (e.g., in the national policy for relevant sector) that the authority is obliged to take into consideration).

Criterion 13.1.6.2. Regulatory acts issued by the authority are subject to review only by the court (2 points, based on a review of selected regulatory authorities)

Category: Legislation

Approach: The regulatory acts issued by the authority should be subject to review only by the court, not by any executive body, e.g., portfolio ministry.

Criterion 13.1.6.3. Principles of merit-based recruitment and dismissal apply for the members of the managing body of the regulatory authority (2 points, based on a review of selected regulatory authorities)

Category: Legislation

Approach: The following criteria need to apply for the appointment and dismissal of the members of the managing body of the regulatory authority:

1. Selection and appointment procedures are established and publicly disclosed;
2. They encompass objective and transparent criteria, including requirements to ensure that the candidates have the necessary skills and experience to perform their functions
3. Premature dismissal is possible only in cases exhaustively listed in the law, relating to misconduct/misbehaviour.

Criterion 13.1.6.4. The regulatory authority is autonomous in spending the allocated budget (2 points, based on a review of selected regulatory authorities)

Category: Legislation

Approach: The regulatory authority should be autonomous in spending the allocated budget, i.e., no *ex-ante* approvals are required for individual spending decisions.

Criterion 13.1.6.5. The regulatory authority is autonomous in the recruitment of its employees (2 points, based on a review of selected regulatory authorities)

Category: Legislation

Approach: The regulatory authority should be autonomous in setting the staff limit and recruitment of employees in the framework of the rules of open, transparent, and merit-based recruitment, as well as the annual budget envelope and salary rules established in legislation. This means that the rules, which apply for the rest of the public sector, can also apply to them and they can still be considered autonomous, if they are free making recruitment and remuneration decisions within these rules.

In case of multi-sector regulators, points are awarded for as many sectors as they cover.

Sub-indicator 13.1.7. Effective internal organisation

Relevant sub-principle(s): 13.i. Internal organisation of public administration bodies contributes to the effective performance of functions and horizontal co-ordination, by ensuring clear assignment of duties and lines of accountability.

Maximum points: 10

Criterion 13.1.7.1. Common standards for internal organisation of ministries and agencies have been established (1 point)

Category: Legislation

Approach: Review of legislation and existence of co-ordination mechanisms in practice (e.g., meetings, but not only).

The standards for internal organisation should stipulate at minimum the management structure, the functions of managers, and – for ministries – provide the common principles for establishing organisational units (e.g., how the organisational units should be called, who appoints their heads). Points can be awarded also, if the legislation does not stipulate the common standards, but no inconsistencies have been found in the internal organisations of the same type of public body in practice.

Criterion 13.1.7.2. The acts for internal organisation establish accountability lines (1 point, based on a review of selected ministries)

Category: Legislation

Approach: Review of legislation and existence of co-ordination mechanisms in practice (e.g., meetings, but not only).

At minimum the organigrams should not foresee subordination to more than one superior.

Criterion 13.1.7.3. The work plan of the ministry assigns individual accountability for tasks (1 point)

Category: Practice in implementation

Approach: Review of legislation and existence of co-ordination mechanisms in practice (e.g., meetings, but not only).

At minimum the workplan should assign responsibilities for all activities to an individual civil servant or the head of the lowest level organisational unit. Based on the workplans of the three line ministries (responsible for finance, economy and social affairs).

Criterion 13.1.7.4. Alignment between management and budget structures (2 points)

Category: Practice in implementation

Approach: Review of legislation and existence of co-ordination mechanisms in practice (e.g., meetings, but not only).

The assessment is conducted in line with the identical criteria in the PFM area for indicator 26. It is checked whether senior managers have their budgets allocated to them. Analysis is carried out based on data provided by the ministry responsible for the co-ordination of internal control and a review of the organisational structures and budgets of ministries. The analysis compares the managerial/organisational structures with the budget adopted by the parliament, or a more detailed budget breakdown adopted by the government.

Criterion 13.1.7.5. Perception of clarity of targets among civil servants (%) (1 point)

Category: Results

Approach: Review of legislation and existence of co-ordination mechanisms in practice (e.g., meetings, but not only).

Analysis of survey responses from a sample of public servants to the following question or statement “To what extent do you agree with the following statement: My department has a clear set of targets that we need to achieve”.

Answer options are Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Sub-indicator 13.1.8. Effective performance of public administration (in selected areas)

Relevant sub-principle(s): 13.i. Internal organisation of public administration bodies contributes to the effective performance of functions and horizontal co-ordination, by ensuring clear assignment of duties and lines of accountability.

Maximum points: 6

Criterion 13.1.8.1. Composite of performance metrics in PAR areas (6 points)

Category: Practice in implementation

Approach: The composite is based on the following sub-indicators/criteria:

Strategic framework of public administration reform and policy development and co-ordination

- Sub-indicator 1.1.3. Reported implementation rate of PAR agenda (p1)
- Sub-indicator 3.1.6. Reported implementation of government commitments (criterion 1: Implementation rate of the annual government work plan (%))
- Sub-indicator 6.1.1. Effectiveness of policy implementation
- Sub-indicator: 6.1.4. Application of administrative simplification measures (criterion 3: Simplification of administrative procedures/services in practice)

Public service and human resource management

- Sub-indicator 8.1.5. Quality of the disciplinary system (criterion 5: Disciplinary sanctions totally or partially revoked by the courts and independent appeal bodies)
- Sub-indicator 8.1.6. Objectivity and fairness of dismissal and demotion of public servants performing public authority functions (Criterion 6: Dismissal decisions due to reorganisation, disciplinary decisions and low performance totally or partially revoked by the courts and independent appeal bodies %)
- Sub-indicator 8.1.6. Objectivity and fairness of dismissal and demotion of public servants performing public authority functions (Criterion 7: Reported implementation rate of court decisions and independent appeal bodies decisions revoking totally or partially the dismissal of public servants (%))
- Sub-indicator 9.1.9. Efficiency and timeliness of recruitment procedures (criterion 4: Time required to hire a public servant)

Accountability and Service delivery

- Sub-indicator 15.1.4. Easiness of requesting and accessing public information (Criterion 5: First instance denials to requests of access to public information across all central public administration which were overruled by the second instance administrative body and/or the courts [%])
- Sub-indicator 15.1.9. Proactivity in disclosure of information and data by state administration bodies
- Sub-indicator 17.1.2. Timeliness of selected administrative procedures in practice (criteria 11-14)
- Sub-indicator 20.1.1. Quality of selected administrative services

Public finance management

- Sub-indicator 23.1.2. Preparation of the Medium-term fiscal framework (criterion 6: credibility of the medium-term revenue forecasts [%])
- Sub-indicator 24.1.1. Efficiency of tax collection (Criterion 1: cost of tax collection ratio [%])
- Sub-indicator 24.1.7. Management of expenditure arrears
- Sub-indicator 26.1.5. Reporting on internal control
- Sub-indicator 29.1.1. Planning and preparation of the public procurement procedure (Criterion 2: At least 90% of contracts which were awarded in a given year had been previously announced in a procurement plan for a given year).

Points are allocated based on the total average percentage of all selected sub-indicator scores as a percentage of their maximum available (x):

- $x < 5\% = 0$ points
- $5\% \leq x < 95\% =$ linear function
- $x \geq 95\% = 6$ points.

Sub-indicator 13.1.9. Delegation of decision-making authority within ministries

Relevant sub-principle(s): 13.I. Managers at all levels have clearly assigned responsibilities, delegated authority for making decisions and the autonomy and resources necessary to achieve the results they are accountable for.

Maximum points: 15

Approach: Criteria 1-7 are based on analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries.

The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Criterion 13.1.9.1. Procurement/contracts of low-level purchases (less than EUR 5 000) are signed below the level of minister (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.2. Recruitment decisions and employment contracts of senior advisers and similar positions are signed below the level of minister (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.3. Replies to public information requests are signed below the level of minister (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.4. Regular annual leave requests are formally approved by the line manager (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.5. Business trips of staff members are formally approved (signed) below the level of permanent secretary or equivalent (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries.

The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.6. Approval of training for staff members is authorised below the level of permanent secretary or equivalent (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.7. Order for the payments of salaries to the staff of the ministry are signed below the level of minister (2 points, based on a review of selected ministries)

Category: Practice in implementation

Approach: Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.4 points per ministry.

Criterion 13.1.9.8. Perception of empowerment of middle-managers in line ministries (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in middle-level management positions to the following statement: "To what extent do you agree with the following statement: Under normal circumstances, I feel autonomous and empowered to take my own managerial decisions on operational/day-to-day issues (for example related to budget, HR, procurement, project management or service delivery), without political interferences."

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree and Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" or "Strongly agree" to the survey statement(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Sub-indicator 13.1.10. Horizontal co-ordination in PAR areas

Relevant sub-principle(s): 13.m. Public administration bodies co-ordinate and collaborate across organisational boundaries and sectors.

Maximum points: 4

Criterion 13.1.10.1. Composite of horizontal co-ordination metrics in PAR areas (5 points)

Category: Practice in implementation

Approach: The composite is based on the following sub-indicators:

- Sub-indicator 5.1.4. Quality and effectiveness of inter-ministerial consultation practices based on selected documents
- Sub-indicator 14.1.5. Co-ordination and co-operation are ensured between the local governments and the central government (Criterion 5. There is a co-ordination mechanism among central authorities on policies concerning local governments)
- Sub-indicator 20.1.2. Integrated life-event services
- Sub-indicator 22.1.3. Interoperability: infrastructure, framework and adoption (Criterion 5: Aoption of the interoperability framework %)
- Sub-indicator 24.1.5. Cash flow management

For determining the point allocation, scores of each of the selected sub-indicators are turned into a % (based on the share of points awarded from the maximum points available for the given sub-indicator/criterion) and the average % of all given sub-indicators is calculated. The average % determines the point allocation, e.g., 55% equals 2.75 points.

Points are allocated based on the total average percentage of all selected sub-indicator scores as a share of their maximum available (x):

- $x < 5\% = 0$ points
- $5\% \leq x < 95\% =$ linear function
- $x \geq 95\% = 4$ points.

Sub-indicator 13.1.11. Use of Total Quality Management (TQM) tools

Relevant sub-principle(s): 13.j. Organisations in the public administration use recognised quality management tools to enhance institutional capacities and foster continuous improvement.

Maximum points: 4

Criterion 13.1.11.1. A body is designated as the central contact point for total quality management (1 point)

Category: Institutional set-up

Approach: Review of regulations to verify whether there is a body responsible for steering and promoting TQM tools and analysis of the responsibilities of the body.

Criterion 13.1.11.2. Implementation of TQM tools by the ministries, central agencies, and local self-government bodies (3 points)

Category: Practice in implementation

Approach: Review of data provided by the administration on the application of the TQM tools by central government organisations. The applied TQM tools can include Common Assessment Framework (CAF), European Foundation for Quality Management (EFQM) or International Standardisation Organisation (ISO) (9 000 family). Administration is asked to provide the list of self-assessments conducted by the institutions during the last three calendar years and SIGMA experts will ask the administration for up to 5 reports from the list together with the evidence of implementing at least one improvement action from the report to validate the information provided.

Points are allocated based on the number of cases, where TQM tools were applied for self-assessment during the last three full calendar years or where valid quality standards existed during the time of assessment (x):

- $x < 5 = 0$ points
- $5 \leq x < 50 =$ linear function
- $x \geq 50 = 3$ points.

Sub-indicator 13.1.12. Focus on reducing the environmental footprint of public administration bodies

Relevant sub-principle(s): 13.k. Public administration bodies reduce their environmental footprint through organisation of work and management of resources.

Maximum points: 4

Criterion 13.1.12.1. National requirements and guidelines for the calculation of greenhouse gas emissions and other environmental impacts are available (1 point)

Category: Strategy and guidance

Approach: The referred national requirements and guidelines should include obligations specific to the public sector organisations. These may include calculation methodologies for different environmental implications (water use, waste management etc) but as a minimum should include guidance and references for the calculation of greenhouse gas (GHG) emissions, in line with the Non-Financial Reporting Directive (Directive 2014/95/EU) and other EU regulation with possible references to global standards such as the GHG Protocol.

Criterion 13.1.12.2. Central government organisations that have published data about their environmental footprint (%) (2 points)

Category: Practice in implementation

Approach: Information is collected from the authority responsible for PAR in the country and is additionally verified on a sample basis by SIGMA experts. The data collected should cover GHG emissions (at least Scope 1 and 2 based on the GHG Protocol definitions) and other data environmental performance as defined in the national guidelines.

Points are allocated based on the percentage of central government organisations that publish data on their environmental performance (x):

- $x < 5\% = 0$ points
- $5\% \leq x < 80\% =$ linear function
- $x \geq 80\% = 2$ points.

Criterion 13.1.12.3. Government publishes data on carbon emissions by local governments (1 point)

Category: Practice in implementation

Approach: It is expected that information on carbon emissions (and possibly other environmental metrics) are made publicly available for most local government units. This can be on a single website or in a regular report, or it can be through a requirement or an agreement that is implemented by local governments themselves or by a local government association.

Principle 14: Responsibilities are clearly distributed between levels of government, embracing the principle of subsidiarity and local autonomy, and facilitating inter-institutional co-ordination with effective oversight mechanisms.

Indicator 14.1. Multi-level governance

This indicator assesses the distribution of power and competences across levels of government by examining different aspects of decentralisation across the public administration. The indicator does not evaluate whether a certain degree of decentralisation is right or wrong, better, or worse; it evaluates whether multi-level governance is present and functioning. It looks at the co-ordination and co-operation among levels of government and assesses the legal and institutional frameworks for subnational government autonomy, authority and accountability.

Sub-indicators	Maximum points
1. Legal guarantees for the establishment and functioning of local governments ensuring multi-level governance across the public administration	7
2. Ensuring political autonomy of local governments and the right to organise their administration and establish local entities	16
3. Rules and procedures for the administrative supervision of local government activities and decisions	16
4. Rules and institutional set-up for resolving conflicts of competences among levels of government	6
5. Co-ordination and co-operation are ensured between the local governments and the central government	12
6. Co-operation between local governments	13
7. Functions for which local governments assume responsibility	30
Total	100

Sub-indicator 14.1.1. Legal guarantees for the establishment and functioning of local governments ensuring multi-level governance across the public administration

Relevant sub-principle(s): 14.a. The parliament establishes by law the division of competences, rights and duties across levels of government to avoid overlap and strengthen transparency.

Maximum points: 7

Approach: This sub-indicator looks at the scope of recognition of local self-governance within domestic, constitutional and legal frameworks as well as at the compliance with international legal instruments and standards. It verifies legal guarantees for the protection of local government autonomy in general and the basic pre-requisites, rights, and duties of local self-governments, as defined by national legislation and international instruments. It also verifies the legal framework for the clear distribution of competences between levels of government.

Criterion 14.1.1.1. The autonomy of local governments is stipulated by the constitution (1 point)

Category: Legislation

Approach: Review of constitution and/or the law on local self-government to determine if the legislation establishes local governments as autonomous entities with right and duties. The Constitution and/or law should determine that local governments are independent self-governing entities and administrative units with legal personality. Obligations and restrictions in the exercise of territorial self-government can be imposed on local governments by law only and in accordance with international laws.

Between criteria 1 and 4 makes a distinction between different approaches where the principle of local autonomy is prescribed by the constitution or not, whether it specifies the competences or only recognises the principle without further detail. When there is a detailed constitutional prescription, meaning the constitution recognises the principle of self-government and sets out competences, scope or other relevant aspects more clearly, more points are allocated.

Criterion 14.1.1.2. The autonomy of local governments is stipulated by law (0.5 points)

Category: Legislation

Approach: Review of constitution and/or the law on local self-government to determine if the legislation establishes local governments as autonomous entities with right and duties. The Constitution and/or law should determine that local governments are independent self-governing entities and administrative units with legal personality. Obligations and restrictions in the exercise of territorial self-government can be imposed on local governments by law only and in accordance with international laws.

Between criteria 1 and 4 makes a distinction between different approaches where the principle of local autonomy is prescribed by the constitution or not, whether it specifies the competences or only recognises the principle without further detail. When there is a detailed constitutional prescription, meaning the constitution recognises the principle of self-government and sets out competences, scope or other relevant aspects more clearly, more points are allocated.

Criterion 14.1.1.3. Local governments have rights and duties guaranteed by the constitution (1 point)

Category: Legislation

Approach: Review of constitution and/or the law on local self-government to determine if the legislation establishes local governments as autonomous entities with right and duties. The Constitution and/or law should determine that local governments are independent self-governing entities and administrative units with legal personality. Obligations and restrictions in the exercise of territorial self-government can be imposed on local governments by law only and in accordance with international laws.

Between criteria 1 and 4 makes a distinction between different approaches where the principle of local autonomy is prescribed by the constitution or not, whether it specifies the competences or only recognises the principle without further detail. When there is a detailed constitutional prescription, meaning the constitution recognises the principle of self-government and sets out competences, scope or other relevant aspects more clearly, more points are allocated.

Criterion 14.1.1.4. Local governments have rights and duties guaranteed by law (0.5 points)

Category: Legislation

Approach: Review of constitution and/or the law on local self-government to determine if the legislation establishes local governments as autonomous entities with right and duties. The Constitution and/or law should determine that local governments are independent self-governing entities and administrative units with legal personality. Obligations and restrictions in the exercise of territorial self-government can be imposed on local governments by law only and in accordance with international laws.

Between criteria 1 and 4 makes a distinction between different approaches where the principle of local autonomy is prescribed by the constitution or not, whether it specifies the competences or only recognises the principle without further detail. When there is a detailed constitutional prescription, meaning the constitution recognises the principle of self-government and sets out competences, scope or other relevant aspects more clearly, more points are allocated.

Criterion 14.1.1.5. Local governments can independently manage their affairs within their territory (0.5 points)

Category: Legislation

Approach: Review of legislation to check whether it stipulates some concrete rights and responsibilities for local governments. The criteria assess concrete rights and responsibilities, which at a minimum should be regulated by the law. The number of criteria enlisted is not restrictive, should there be anything in addition regulated by the law, which is significant, it shall be considered in the (if some of the enlisted responsibilities are not available for local governments in the administration, but there are other competences similar and fulfilling the criteria, for these there would be points allocated). The maximum points are fixed, even if there are more competences given, no more points are allocated.

Criterion 14.1.1.6. Local governments exercise power for the benefit of their citizens and development of the municipality (0.5 points)

Category: Legislation

Approach: Review of legislation to check whether it stipulates some concrete rights and responsibilities for local governments. The criteria assess concrete rights and responsibilities, which at a minimum should be regulated by the law. The number of criteria enlisted is not restrictive, should there be anything in addition regulated by the law, which is significant, it shall be considered in the (if some of the enlisted responsibilities are not available for local governments in the administration, but there are other competences similar and fulfilling the criteria, for these there would be points allocated). The maximum points are fixed, even if there are more competences given, no more points are allocated.

Criterion 14.1.1.7. Local governments are transparent and open in decision-making and providing services (0.5 points)

Category: Legislation

Approach: Review of legislation to check whether it stipulates some concrete rights and responsibilities for local governments. The criteria assess concrete rights and responsibilities, which at a minimum should be regulated by the law. The number of criteria enlisted is not restrictive, should there be anything in addition regulated by the law, which is significant, it shall be considered in the (if some of the enlisted responsibilities are not available for local governments in the administration, but there are other competences similar and fulfilling the criteria, for these there would be points allocated). The maximum points are fixed, even if there are more competences given, no more points are allocated.

Criterion 14.1.1.8. Local governments ensure participation for their citizens (0.5 points)

Category: Legislation

Approach: Review of legislation to check whether it stipulates some concrete rights and responsibilities for local governments. The criteria assess concrete rights and responsibilities, which at a minimum should be regulated by the law. The number of criteria enlisted is not restrictive, should there be anything in addition regulated by the law, which is significant, it shall be considered in the (if some of the enlisted responsibilities are not available for local governments in the administration, but there are other competences similar and fulfilling the criteria, for these there would be points allocated). The maximum points are fixed, even if there are more competences given, no more points are allocated.

Criterion 14.1.1.9. The European Charter of Local Self-Governments is ratified (2 points)

Category: Legislation

Approach: Review of ratification documents and/or Council of Europe documents to determine if the European Charter of Local Self-Governments was ratified. This should also include a list of “reservations and declarations for the treaty” made by the central government.

2 points are allocated if there are no reservations; 1 point for reservations, 0 for no ratification.

Sub-indicator 14.1.2. Ensuring political autonomy of local governments and the right to organise their administration and establish local entities

Relevant sub-principle(s): 14.b. Regional and local governments have autonomy to perform their competences within the limits of applicable laws.

Maximum points: 16

Approach: The sub-indicator looks at the extent to which local governments are free to decide about their own organisation, administration, staff management and some aspects of their electoral system. It verifies whether local government representatives are elected in direct, democratic elections (political autonomy) as one of the fundamental prerequisites for local governments. It looks at the decision-making and policymaking power of local governments in local government organisation, administration, human resources management.

Criterion 14.1.2.1. Local governments can regulate their organisational structure (2 points)

Category: Legislation

Approach: Review of the law on local self-government to determine if the legislation establishes the right for local governments to regulate the organisational structure of their administration.

Criterion 14.1.2.2. Local governments can establish (municipal) organisations, enterprises and other legal entities (2 points)

Category: Legislation

Approach: Review of the law on local self-government to determine if the legislation stipulates the right of local governments to establish, control and abolish local enterprises and other legal entities.

Criterion 14.1.2.3. Local governments can hire staff and regulate their professional conditions in line with legislation (2 points)

Category: Legislation

Approach: Review of the law on local self-government and/or law regulating civil service to determine if the legislation establishes the right of local governments to recruit and manage their staff under the conditions established by law.

Points are allocated as follows:

- Local governments can hire staff and regulate their professional conditions in line with legislation = 2 points
- Local governments can only hire staff or regulate their professional conditions = 1 point
- None of the above apply = 0 points

Criterion 14.1.2.4. Local government councillors are elected in direct elections, independent from the central government (4 points)

Category: Legislation

Approach: Review of the law on local self-government and/or law on elections to determine if the legislation establishes that municipal council members are elected in direct elections. This criterion also includes indirectly elected councils, i.e., higher-level (but still local self-government) councils, whose representatives are elected or appointed by representatives from (lower level) municipal councils. Also, in federalist countries, it can be legislation of the next higher level (not only central level).

More weight is given to the criterion 4 as it regulates the most fundamental and important element of the sub-indicator: the direct election of the council.

Criterion 14.1.2.5. Local executive bodies are elected by the council (indirectly) or by the citizens (directly) (2 points)

Category: Legislation

Approach: Review of the law on local self-government and/or law on elections to determine if the legislation stipulates the direct election of the executive body (mayor) by citizens or indirect election of the executive body (mayor) by the municipal council.

Criterion 14.1.2.6. Local governments can regulate elements of the political system in line with the law (2 points)

Category: Legislation

Approach: Review of the law on elections to determine if the legislation establishes the right of local governments to regulate some elements of the political system (electoral districts, number of members of the council, etc.) in line with national legislation.

Criterion 14.1.2.7. Local governments are free to choose tasks in addition to mandated responsibilities not assigned to other levels of government (1 point)

Category: Legislation

Approach: Review of legislation to determine if it stipulates the right of local governments to perform tasks not assigned to other levels of government in addition to mandated responsibilities. These tasks may include the following examples (not exclusive list):

- Can design and set standards for services within the limits of law
- Can set up their own inspection or supervision
- Can adopt local strategies and policies in line with national priorities

Sub-indicator 14.1.3. Rules and procedures for the administrative supervision of local government activities and decisions

Relevant sub-principle(s): 14.c. The competent authorities exercise supervision over regional and local governments based on law. This supervision is proportional and respects their autonomy in decision-making, distinguishing between own and delegated competencies and providing for remedy in case of breach.

Maximum points: 16

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. The legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Criterion 14.1.3.1. The law establishes the authority(ies) responsible for supervision of local governments (2 points)

Category: Legislation

Approach: Review of legislation to determine if it establishes a supervisory authority/authority, that is/are responsible for supervising activities of local governments (administrative supervision). Administrative supervision may be undertaken by a supervisory authority appointed by a state authority. The legislation should also stipulate the extent of rights and duties of the authority when exercising supervision as well as clear rules for the process of supervision and the possible consequences of the supervision.

Criterion 14.1.3.2. The scope of administrative supervision is limited to the principle of legality (2 points)

Category: Legislation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. The legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of legislation to determine if it establishes the controlling authority's intervention should be in proportion with the interests in which it is protecting (principle of proportionality) and that supervision is restricted to the principle of legality. Compulsory, automatic administrative supervision, where the supervisory authority is obligated to systematically verify legality, should be limited to activities of a certain significance. The legislation should also list the activities of local governments subject to supervision. Review of legislation whether the legislation stipulates supervision of legality for both, original and transferred competences, or the principle of legality is only restricted to original competences, or the legislation does not stipulate that supervision is restricted to legality.

Points are allocated as follows:

- The principle of legality in supervision applies to both original and transferred competences = 2 points
- The principle of legality in supervision applies to original competences = 1 point
- Legality in supervision does not apply = 0 points

Criterion 14.1.3.3. The law sets clear procedures for the authority(ies) to carry out supervision (1 point)

Category: Legislation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. the legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of legislation to determine if it establishes clear procedures including the legal time frame the supervisory authority must carry out supervision. The time frame should be explicitly defined or set at least as a "reasonable time".

Additional methodology of supervision helps transparency and certainty, e.g.: Recommendation CM/Rec (2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities¹⁸

Criterion 14.1.3.4. The law establishes an internal control framework for local governments (1 point)

Category: Legislation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. the legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of legislation if there is an obligation for local governments to have an internal control framework in place, which helps efficient operations and safeguards against risk of fraud, maladministration, misuse, etc.

¹⁸ CM/Rec(2019)3 of the Committee of Ministers to member States on supervision of local authorities' activities, https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=090000168093d066

Criterion 14.1.3.5. The law stipulates sanctions for local authorities in cases when the functioning of local government or/and fulfilment of tasks are hindered (2 points)

Category: Legislation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. the legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of legislation to determine if it establishes that sanctions and/or dismissal/substitution of local authorities' decisions are clearly defined by the law and are determined only for exceptional cases when the functioning of regional/local government is hindered. In case of own competencies, regional/local authorities, in the first place, should be requested to review their activity/decision. In case of transferred competencies, regional/local authorities may be requested to reverse, suspend, or annul their activity/decision. Annulment should be kept to a minimum. The legislation should also establish who is accountable for decisions and/or local government activities in case of maladministration and what the consequences are in such cases.

Criterion 14.1.3.6. Local governments have the right to appeal against state administration decisions (2 points)

Category: Legislation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. the legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of legislation to determine if it establishes that local governments have the right to appeal against state administration decisions (effective remedy). The law should stipulate the right for judicial remedy in case of inappropriate or inadequate supervision.

Criterion 14.1.3.7. Local governments are supervised on their delegated competences (%) (6 points, based on a review of selected documentation)

Category: Practice in implementation

Approach: The sub-indicator assesses the legal framework, and to a certain extent, the practical side of administrative supervision and oversight of the legality of the work of local governments in exercising exclusive (own/original) and delegated competences. Compliance of the normative framework with international standards is studied along with the legality and proportionality of administrative supervision exercised by state authorities, other competent bodies and other oversight mechanisms concerning the exercise of local governments' power. The legal protection of local governments is assessed as well as the protection of citizens and businesses against decisions and regulations of the local government.

Review of reports from selected ministries to verify the number of municipalities supervised in the past two calendar years. During the last two full calendar years at least 10% of municipalities were supervised by the respective authority in selected areas of delegated competences. The respective authority is the ministry responsible for the delegated competence, inspections and/or the national audit office, which might also have the competence to supervise local governments. The following three areas are reviewed: education, social affairs, environmental protection. The following data in the documentation is checked: municipality supervised, date of supervision, findings of the supervision.

Points are allocated depending on the percentage of municipalities supervised in the last two calendar years (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 50\% =$ linear function
- $x \geq 50\% = 6$ points.

Sub-indicator 14.1.4. Rules and institutional set-up for resolving conflicts of competences among levels of government

Relevant sub-principle(s): 14.d. An independent mechanism resolves conflicts of competences and responsibilities among levels of government.

Maximum points: 6

Approach: This sub-indicator checks an institutional set-up and legal methods are available for conflict resolution between local governments and state authorities. It assesses, in case of a conflict, that procedures are clear and local governments have legal mechanisms available to obtain remedy. It is also examined the use of an independent jurisdiction mechanism for solving overlap and conflict in competences.

Criterion 14.1.4.1. Local authorities have recourse to judicial remedy to freely exercise their power (2 points)

Category: Legislation

Approach:

Review of legislation which should guarantee the right for local governments to apply for judicial remedy in case of conflict of competences with state authorities. The law strictly stipulates the process of conflict of competences. It should also establish under what circumstances local governments can apply for judicial remedy, stipulate the timely resolution of conflicts, as well as the process of the remedy. This mechanism should help in case there is any risk of overlap in exercising competences.

Criterion 14.1.4.2. Independent jurisdiction resolves conflicts between levels of governments (2 points)

Category: Institutional set-up

Approach: This sub-indicator checks an institutional set-up and legal methods are available for conflict resolution between local governments and state authorities. It assesses, in case of a conflict, that procedures are clear and local governments have legal mechanisms available to obtain remedy. It is also examined the use of an independent jurisdiction mechanism for solving overlap and conflict in competences.

The institutional set-up is checked whether a court(s) has the competence to decide conflicts between levels of government. An independent jurisdiction should exist to resolve conflict of competences between the state and local governments with the right to decide which authority has the responsibility to act in a given case. The legislation should stipulate the right of the public administration body to appeal to this court(s) to solve any conflict in competences.

Criterion 14.1.4.3. Consultation of the central administration with local governments and/or associations is stipulated by law (2 points)

Category: Legislation

Approach: This sub-indicator checks an institutional set-up and legal methods are available for conflict resolution between local governments and state authorities. It assesses, in case of a conflict, that procedures are clear and local governments have legal mechanisms available to obtain remedy. It is also examined the use of an independent jurisdiction mechanism for solving overlap and conflict in competences.

Review of legislation to verify if it stipulates mandatory consultation of the central administration with local governments (either directly or via their associations) in cases concerning local governments. This mandatory consultation should include consultation in case of amending or approving new legislation, approving national policy documents in this area, matters concerning human resources, the administrative operation or the financing of local governments, etc. If there is no consultation in practice, less points are allocated.

Sub-indicator 14.1.5. Co-ordination and co-operation are ensured between the local governments and the central government

Relevant sub-principle(s): 14.e. Effective co-ordination structures facilitate alignment of policies and priorities at all levels of government.

Maximum points: 12

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Criterion 14.1.5.1. The law establishes a ministry responsible for general local government affairs (1 point)

Category: Institutional set-up

Approach:

Review of government documentation and legislation to examine whether there is a ministry or its department/unit (or other central state administration body) responsible in general for local governance.

Criterion 14.1.5.2. The law establishes that the financing of local governments is centrally co-ordinated (1 point)

Category: Institutional set-up

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of government documentation and legislation to examine whether the ministries or agencies responsible for finance have a separate unit/division for local government financing.

Criterion 14.1.5.3. There is a local government association established in the administration (1 point)

Category: Institutional set-up

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of documents establishing the association and if needed, verification with the association if there is/are local government association(s) established.

Criterion 14.1.5.4. Local governments that are members of an association (%) (2 points)

Category: Practice in implementation

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of documents of the association of municipalities to verify that at least 50% of local governments are members of the association (in case of more associations, the cumulated result is assessed). This method verifies not only the existence of an association but also its potential to gather and represent local governments vis-à-vis the central administration. For evidence, the Union of Municipalities should provide a list of municipalities that are members.

Points are allocated depending on the percentage of municipalities that are members of the union(s) (x):

- $x < 30\% = 0$ points
- $30\% \leq x < 50\% =$ linear function
- $x \geq 50\% = 2$ points.

Criterion 14.1.5.5. There is a co-ordination mechanism among central authorities on policies concerning local governments (1 point)

Category: Practice in implementation

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of government documents to check the existence of an intergovernmental co-ordination body/mechanism or working group with a mandate to steer all central administration policies in the area of local governments and to share information among respective line ministries.

Criterion 14.1.5.6. Central authorities provide guidance to local governments (2 points)

Category: Practice in implementation

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of government documents to verify the central authority in charge of the general methodology for local governments is providing guidance to local governments. It will be checked with the association if methodological guidance to the local governments was received. Guidance can be related to new legislation, new policies, new funds/grants or/and specific situations (COVID-19, natural disasters, etc.). Any evidence of guidelines to local governments, explanation of the law, workshops of training to local government staff are admitted.

Criterion 14.1.5.7. Local government (associations) participate in governmental co-ordinating bodies (2 points)

Category: Practice in implementation

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of government documentation to verify, whether local governments (associations) are mandatory members in at least in one ministerial committee and/or working group in matters concerning local governments.

Criterion 14.1.5.8. National policy documents inform local development strategies (2 points)

Category: Practice in implementation

Approach: The sub-indicator assesses if local authorities have channels to influence decision-making and policymaking of the central government. It assesses whether local governments and/or their representative bodies are effectively involved in the work of the central government, including participation in ministerial working groups and/or parliamentary committees in issues concerning the local government (reform initiatives, legislation, strategic documents, etc.). It assesses whether there is legislative support for such co-operation and consultation among regional/local and central governments. Both the institutional set-up and practical implementation are in place. The sub-indicator also assesses selected strategic planning documents to examine alliance of local policies and plans with national priorities. National priorities should be communicated efficiently to local governments and incorporated in local policies.

Review of government documentation to verify whether there is at least one national policy document incorporating matters concerning local governments (functions, financing, etc.)

Sub-indicator 14.1.6. Co-operation between local governments

Relevant sub-principle(s): 14.f. Regional and local governments co-operate and form partnerships to enhance the development and the quality of public services.

Maximum points: 13

Approach: The sub-indicator assesses the scope and depth of engagement of local governments in inter-municipal co-operation to carry out their tasks and competences effectively and efficiently. It looks at the practical engagement of local governments in inter-municipal co-operation, more concretely it analyses the legal form of partnerships, the organisation, the extent/content of co-operation, the methods of financing as well as the size and duration of the partnership. The sub-indicator also assesses to what extent inter-municipal co-operation is utilised in smaller municipalities.

The sub-indicator consists of 3 areas:

1. Legislation and strategy (criteria 1, 2 and 3);
2. Assessing the number and size of inter-municipal co-operation (criterion 2); and
3. Assessing the scope of inter-municipal co-operation (criteria 3-7).

Review of agreements, contracts and/or other forms of inter-municipal partnerships (may be acquired via a questionnaire, if needed); review of ministry/agency reports on inter-municipal co-operation; analysis of data and information from local associations (may be acquired via a questionnaire, if needed), NALAS¹⁹ and international monitoring reports, statistical data (size of municipality, population). The following criteria are assessed:

- Effect of inter-municipal co-operation based on population size of municipalities (number of IMC);
- Legal form of inter-municipal co-operation (legal guarantee);
- Competence of inter-municipal co-operation(function);
- Size and duration of inter-municipal co-operation(extent);
- Financing mechanisms of inter-municipal co-operation(financing);
- Organisation of inter-municipal co-operation(management)

Criterion 14.1.6.1. The law regulates possible forms of co-operation by local governments (1 point)

Category: Legislation

Approach: Review if legislation stipulates the right for local governments to work via inter-municipal co-operation (co-operation between two or more municipalities), agreeing to work on assigned tasks together for efficiency and to provide services to citizens more effectively. This form of co-operation does not affect the legal status of the municipalities involved. There are various forms of co-operation: voluntary, obligatory, and semi-obligatory.

¹⁹ Network of Associations of Local Authorities of South East Europe.

Criterion 14.1.6.2. The government established a national policy for supporting different forms of co-operation (1 point)

Category: Strategy and guidance

Approach: Review of national strategy and/or policy to determine whether the government established an instrument and/or guidance for encouraging and supporting inter-municipal co-operation and/or other partnerships. The central government should have a strategy for motivating local governments to carry out their tasks more efficiently by providing guidance and a methodology.

Criterion 14.1.6.3. The government provides financial incentives to support inter-municipal co-operation (2 points)

Category: Practice in implementation

Approach: Review of central government instruments to determine whether the government provides financial incentives to local governments to support inter-municipal co-operation and/or other partnerships. There should be at least one instrument in place to fulfil the criterion. If the incentive is negligible and local governments in practice do not receive financing, less points are allocated.

Points are allocated as follows:

- The government provides financial incentives to support inter-municipal co-operation = 2 points
- There are evident obstacles in the implementation of the criteria in practice, e.g. negligible incentive, or local governments do not receive financing in practice etc. = 1 point
- None of the above = 0 points

Criterion 14.1.6.4. Municipalities engaged in inter-municipal co-operation (%) (5 points)

Category: Results

Approach: Assesses all local government entities in the administration engaged in inter-municipal co-operation (IMC). Data is gathered on the number of IMC and on the size of municipalities involved in such co-operation to evaluate whether smaller municipalities engage in IMC more often and naturally, than bigger municipalities.

Points are allocated depending on the percentage of municipalities involved in inter-municipal co-operation (x):

- $x < 5\%$ = 0 points
- $5\% \leq x < 20\%$ = linear function
- $x \geq 20\%$ = 5 points.

Criterion 14.1.6.5. The central administration has data on financing of IMCs (1 point)

Category: Practice in implementation

Approach: Review of documents and fiscal data (ministries or agencies responsible for finance), local government association) to check whether there is a publicly available and stable financing mechanism established in line with national legislation provided by local governments, the central government, or other donors. Evidence for stable financing can include local government on financing, state incentives, external donor funding, etc., but for a period of at least two years.

Criterion 14.1.6.6. Municipalities engaged in inter-municipal co-operation for at least five years (%) (2 points)

Category: Practice in implementation

Approach: Review of documents (central administration/ local government association) on the length of the existing inter-municipal co-operation to check whether these are established for an indefinite period or definite period, but no less than 10 years.

Points are allocated as follows:

- Municipalities engaged in inter-municipal co-operation for at least five years = 2 points
- Less than 20% of municipalities engaged in inter-municipal cooperation for the last five years = 1 point
- None of the above apply = 0 points

Criterion 14.1.6.7. Border-region municipalities engaged in cross-border arrangement (%) (1 point)

Category: Practice in implementation

Approach: Review of documents (central administration/ local government association) to verify whether the municipality is engaged in a cross-border arrangement. *Only those municipalities are taken into account which are in the border region with a neighbouring country.*

Points are allocated as follows:

- Border-region municipalities engaged in cross-border arrangement = 2 points
- Less than 20% of municipalities engaged in cross-border arrangement = 1 point
- None of the above apply = 0 points

Sub-indicator 14.1.7. Functions for which local governments assume responsibility

Relevant sub-principle(s): 14.g. Competencies are assigned to the level of government closest to citizens, taking into account the extent and nature of the task, efficiency and economy, as well as the size of regional and local governments.

Maximum points: 30

Approach: This sub-indicator assesses the range of functions for which local governments assume responsibility and have decision-making power. More importantly, it explores key areas of public administration in which local governments may carry out tasks and deliver services in line with the principle of subsidiarity. The sub-indicator identifies these areas together with core competences which can be delegated to the regional/local government. It looks at both, own/exclusive competences as well as delegated competences from the state. The sub-indicator does not assess whether the degree of decentralisation is right or wrong, it merely assesses whether there is a certain degree of decentralisation and thus a functioning multi-level governance (tasks distributed across various levels of government). More importantly, the sub-indicator also considers the aspect of coherence between size (of the municipality) and function (capacity to carry out responsibilities). Further to these indicators, to obtain a better overview on the functioning and quality of service-provision by local governments, a citizen perception and trust survey will provide additional information.

Criterion 14.1.7.1. The principle of subsidiarity is incorporated in the law (1 point)

Category: Legislation

Approach: Review of legislation to determine if it either explicitly stipulates the principle of subsidiarity or establishes that public affairs are generally exercised by authorities closest to citizens.

Criterion 14.1.7.2. Coherence of size and function of local governments (6 points)

Category: Legislation

Approach: Analyses of the number of inhabitants of local governments to check what is the percentage of small-sized municipalities (less than 1,000) and of legislation to examine whether there are specific regulations considering the difference between municipalities in terms of size and capacity when it comes to allocating responsibilities.

- There are dissimilarities in local government capacities and both asymmetric decentralisation of functions and wide-spread IMC arrangements are in place, and no small-sized local governments (below 1 000 people) exist (6 points).
- There are dissimilarities in local government capacities and both asymmetric decentralisation of functions and wide-spread IMC arrangements are in place but up to 10% of small-sized local governments (below 1 000 people) exist (5 points).
- There are dissimilarities in local government capacities and both asymmetric decentralisation of functions and wide-spread IMC arrangements are in place but more than 10% of small-sized local governments (below 1 000 people) exist (4 points).
- There are dissimilarities in local government capacities, and there is asymmetric decentralisation of functions based on the different capacities of municipalities and/or cities, but there is no

compulsory inter-municipal co-operation for some competences and no small-sized local governments (below 1 000 people) exist (3 points).

- There are dissimilarities in local government capacities, and there is asymmetric decentralisation of functions based on the different capacities of municipalities and/or cities, but there is no compulsory inter-municipal co-operation for some competences and up to 10% of small-sized local governments (below 1 000 people) exist (2 points).
- There are dissimilarities in local government capacities, and there is asymmetric decentralisation of functions based on the different capacities of municipalities and/or cities, but there is no compulsory inter-municipal co-operation for some competences and more than 10% of small-sized local governments (below 1 000 people) exist (1 point).
- There are inter-municipal co-operation arrangements in service provision (either compulsory or voluntary), which involve all local governments with no sufficient capacity to deliver services on their own, and no small-sized local governments (below 1 000 people) exist (3 points).
- There are inter-municipal co-operation arrangements in service provision (either compulsory or voluntary), which involve all local governments with no sufficient capacity to deliver services on their own, and up to 10% of small-sized local governments (below 1 000 people) exist (2 points).
- There are inter-municipal co-operation arrangements in service provision (either compulsory or voluntary), which involve all local governments with no sufficient capacity to deliver services on their own, and more than 10% of small-sized local governments (below 1 000 people) exist (1 point).

Criterion 14.1.7.3. Responsibility and policy discretion of local governments in selected key public administration areas (%) (15 points)

Category: Practice in implementation

Approach: Analysis of the degree of policy discretion and delivery of selected competences of local governments. The more points are collected based on the table below, the wider the scope of service areas is delivered by local governments and the higher is the level of effective policy discretion and final decision power that local governments have.

- **Policy discretion:** it is assessed whether local governments have effective policy discretion over their competencies and have real power to make final decisions over selected policy-areas independently. Each policy area may obtain 1 point maximum, and the distribution of points for each policy area is described below in the table.
- **Responsibility for delivery:** it is assessed whether local governments assume responsibility for infrastructure, service (either provided by municipal personnel or through other arrangements), and staff. Each policy area may obtain 1 point maximum, and the distribution of points for each policy area is described below in the table.
- Regional and local governments are responsible for the following areas and policies based on the Classification of Functions of the Government (COFOG)²⁰. Out of 70 identified policies, only 15 selected policy areas are considered in the measurement. These represent the most important and common policy areas:

²⁰ Areas are based on COFOG classification, policies are matched to areas based on the SNGWOFI, which offers a common template for 60+ policies grouped by 9 areas <https://ec.europa.eu/eurostat/documents/3859598/10142242/KS-GQ-19-010-EN-N.pdf/ed64a194-81db-112b-074b-b7a9eb946c32?t=1569418084000>, <https://www.oecd.org/gov/48250728.pdf>. Key policies were selected based on SNGWOFI and the LAI classification of services: http://local-autonomy.andreasladner.ch/wp-content/uploads/2022/05/LAI-2.0_codebook.pdf

Selected competences (15)	Policy discretion	Responsibility for delivery
1. Police services, Fire protection services, Civil protection	+0.25 local government has some effective discretion +0.25 local government has the final decision-making authority in reality	+ 0.25 point if local government assumes full responsibility for civil protection and fire protection + 0.25 point if local government assumes full responsibility for municipal police
2. Public transport (bus, railway, etc.)	+0.25 decisions on network +0.25 decisions on fares for services	+ 0.25 point if local government assumes full responsibility for bus transport services + 0.25 point if local government assumes full responsibility for railway transport services
3. Air pollution, soil and groundwater protection, climate protection	+0.25 local government has some effective discretion +0.25 local government has the final decision-making authority in reality	+ 0.25 point if local government assumes full responsibility for air pollution and climate protection + 0.25 point if local government assumes full responsibility for soil and groundwater protection
4. Waste management	+0.25 organisational discretion +0.25 decisions on fares for services	+0.25 if local government assumes full responsibility for infrastructure and service delivery +0.25 if local government assumes full responsibility for waste management regulations
5. Water and wastewater management	+0.25 organisational discretion +0.25 decisions on fares for services	+0.25 if local government assumes full responsibility for infrastructure and service delivery +0.25 if local government assumes full responsibility for pricing and water/ wastewater management regulations
6. Social Housing	+0.25 organisational discretion +0.25 decisions on fares for services (rents in communal housing)	+ 0.25 point if local government assumes full responsibility for policy development and service delivery for social housing + 0.25 point if local government assumes full responsibility for financing and cost management of social housing
7. Building permits and zoning	+0.25 local government has some effective discretion +0.25 local government has the final decision-making authority in reality	+ 0.25 point if local government assumes full responsibility for administering building permits + 0.25 point if local government assumes full responsibility for administering zoning

8. Urban planning and town development	<p>+0.25 local government has some effective discretion</p> <p>+0.25 local government has the final decision-making authority in reality</p>	<p>+ 0.25 point if local government assumes full responsibility for urban and town development plans</p> <p>+ 0.25 point if local government assumes full responsibility for enforcing urban planning and</p>
9. Primary healthcare and hospitals	<p>+0.25 Decisions on network of institutions, decisions on appointment of managers, role in decision of salaries</p> <p>+0.25 if at least two</p>	<p>+0.25 point if local government assumes full responsibility for primary healthcare</p> <p>+0.25 point if local government assumes full responsibility for some hospitals</p> <p>Note: full responsibility assumes hiring personnel and paying salaries</p>
10. Cultural and Recreational activities (theatres, museums, exhibition halls, festivals zoos, botanical gardens, etc.)	<p>+0.25 local government has some effective discretion</p> <p>+0.25 local government has the final decision-making authority in reality</p>	<p>+0.25 point if local government assumes full responsibility for cultural infrastructure and facilities.</p> <p>+0.25 point if local government assumes full responsibility for recreational infrastructure and</p>
11. Pre-school education	<p>Decisions on network of institutions, decisions on appointment of school headmaster, role in decision of salaries</p> <p>+0.25 if at least two of above</p> <p>+0.25 if all of above</p>	<p>+0.25 point if local government assumes full responsibility for infra-structure and/or the delivery of services</p> <p>+ 0.25 point if local government assumes full responsibility for personnel, including staffing and salaries</p>
12. Primary education	<p>Decisions on network of institutions, decisions on appointment of school headmaster, role in decision of salaries</p> <p>+0.25 if at least two of above</p> <p>+0.25 if all of above</p>	<p>+0.25 point if local government assumes full responsibility for infra-structure and/or the delivery of services</p> <p>+ 0.25 point if local government assumes full responsibility for personnel, including staffing and salaries</p>
13. Secondary education	<p>Decisions on network of institutions, decisions on appointment of school headmaster, role in decision of salaries</p> <p>+0.25 if at least two of above</p> <p>+0.25 if all of above</p>	<p>+0.25 point if local government assumes full responsibility for infra-structure and/or the delivery of services</p> <p>+ 0.25 point if local government assumes full responsibility for personnel, including staffing and salaries</p>
14. Social care	<p>+0.25 local government has some effective discretion</p> <p>+0.25 local government has the final decision-making authority in reality</p>	<p>+0.25 points if local government assumes full responsibility for family and childcare, or elderly care, or disability services.</p> <p>+0.25 point if local government assumes full responsibility for at least 2 of these services least 2 of these services</p>

15. Social assistance	+0.25 local government has some effective discretion +0.25 local government has the final decision-making authority in reality	+0.25 point if local government assumes full responsibility for economic assistance (distress relief), or for work training/rehabilitation, or for integration of refugees/migrants +0.25 point if local governments assumed full responsibility for at least two of the above
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More weight is given to criterion 3 because it is the fundamental criterion for the whole Principle 14, looking at the actual degree of power and responsibilities assumed by local governments within the public administration. The criterion verifies that subsidiarity is ensured in practice.

Points are allocated based on: (a) the scope of responsibility for delivery, and (b). the level of effective policy discretion and the power for final decision that local governments have (x):

There are 15 policy areas enlisted and assessed. Each policy area may receive a maximum of 0.51 points for policy discretion (together maximum 7.515 points) and a maximum of 0.51 points for the scope of responsibility for delivery (together maximum 7.515 points). Since asymmetric decentralisation can be in place (e. g. when smaller municipalities have fewer responsibilities and/or less policy discretion), the situation in municipalities inhabited by more than half of the whole population of the country will be considered and assessed.

Criterion 14.1.7.4. Citizen perception of local government influence (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “The central government is interfering too much on issues that should be left to local governments.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer

Points are allocated based on the percentage of respondents who replied "Tend to agree" or "Strongly agree" to the survey question(x):

- $x > 90\% = 0$ points
- $90\% \geq x > 10\% =$ linear function
- $x \leq 10\% = 4$ points.

Criterion 14.1.7.5. Citizens' trust in local governments (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: "How much trust do you have in the following institutions? Local government"

Answer options are: Do not trust at all, Tend to not trust, Neither distrust nor trust, Tend to trust, Trust completely, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who "Tend to trust" or "Trust completely" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 4$ points.

Principle 15: Public administration is transparent and open.

Indicator 15.1. The public administration is transparent and open

This indicator measures that the legal and institutional frameworks ensure that public administration is transparent and open. In particular, it measures whether individuals and legal persons have the right to access public information, and if the government proactively discloses public information and promotes the re-use of public data.

Sub-indicators	Maximum points
1. Strategic and institutional set-up for transparency	10
2. Individuals and legal persons who have the legal right to access public information	6
3. Definition of public information	6
4. Easiness of requesting access to public information	15
5. Effective remedies against denial to access public information	15
6. Effective supervisory authority of the right to access public information	9
7. Legislation about preservation and management of documents and data keeping	10
8. Open Data Portal and re-use of public information	15
9. Proactivity in disclosure of information and data by state administration bodies	10
10. Perceived government transparency of public information by the population and businesses	4
Total	100

Sub-indicator 15.1.1. Strategic and institutional set-up for transparency

Relevant sub-principle(s): 15.a. The government has established strategic objectives to promote openness and transparency of public administration, assigning clear responsibilities to specific actors

Maximum points: 10

Criterion 15.1.1.1. A body(ies) is responsible for promoting access to information (1 point)

Category: Institutional set-up

Approach: Review of the institutional documents (organigrams, rules creating or governing the function of public bodies etc.) and policy and strategic documents. Interviews with relevant government officials and stakeholders. It is verified there is one or several executive bodies within the government in charge of policy design, co-ordination, steering and monitoring of access to public information.

The existence of an oversight body (e.g., an information commissioner) does not fulfil the criterion. A body in charge of implementation is also required.

The criterion is not fulfilled if there are no central bodies in charge of policy design, co-ordination, steering and monitoring but each line ministry or executive agency develops its own objectives without general co-ordination.

Criterion 15.1.1.2. A body(ies) is responsible for promoting open government and proactive publication of documents (1 point)

Category: Institutional set-up

Approach: Review of the institutional documents (organigrams, rules creating or governing the function of public bodies etc.) and policy and strategic documents. Interviews with relevant government officials and stakeholders. It is verified there is one or several executive bodies within the government in charge of policy design, co-ordination, steering and monitoring of open data.

The existence of an oversight body (e.g., an information commissioner) does not fulfil the criterion, a body in charge of implementation is also required.

The criterion is not fulfilled if there are no central bodies in charge of policy design, coordination, steering and monitoring but each line ministry or executive agency develops their own objectives without general co-ordination.

Criterion 15.1.1.3. A body(ies) is responsible for promoting the re-use of data (1 point)

Category: Institutional set-up

Approach: Analysis of the institutional documents (organigrams, rules creating or governing the function of public bodies etc.) and policy and strategic documents. Interviews with relevant government officials and stakeholders. It is verified there is one or several executive bodies within the government in charge of policy design, co-ordination, steering and monitoring of re-use of data.

The existence of an oversight body (e.g., an information commissioner) does not fulfil the criterion, a body in charge of implementation is also required.

The criterion is not fulfilled if there are no central bodies in charge of policy design, co-ordination, steering and monitoring but each line ministry or executive agency develops their own objectives without general co-ordination.

Criterion 15.1.1.4. A strategy(ies) is in force with objectives to enhance transparency in the public sector (3 points)

Category: Strategy and guidance

Approach: Review of the government adopted planning document(s) to verify they cover transparency objectives. For this purpose, enhancing transparency means objectives to enhance access to information, open government and proactive publication of documents and re-use of data. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or sub-chapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 15.1.1.5. Reported implementation rate of transparency activities (%) (4 points)

Category: Practice in implementation

Approach: Review of planning documents and reports. The reported implementation rate is calculated based on the planned actions of all action plans of all valid planning documents that comprise the access to public information, open government and proactive publication of documents and re-use of data during the last full calendar year. If there is no information on implementation of the action plan(s) of one or more strategies comprising this area, it is assumed that the activities planned for the reporting year have not been implemented from the list of all planned activities of all strategies. Activities that are ongoing, continuous, or only partly implemented are not counted.

Points are allocated based on the reported implementation rate of activities regarding access to information (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 4$ points.

Sub-indicator 15.1.2. Individuals and legal persons who have the legal right to access public information

Relevant sub-principle(s): 17.b. Individuals, including non-residents, and legal persons have the legal right to access public information without justifying their request.

Maximum points: 6

Criterion 15.1.2.1. All individuals legally resident and legal persons legally established in the country have the legal right to access information (2 points)

Category: Legislation

Approach: Review of the law on access to information and/or any other relevant legislation. Interviews with relevant government officials and stakeholders.

Review of legislation. To fulfil the criterion, it is required that the right to access public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

SIGMA requires that the law establishes a real subjective right enforceable in front of a legal court of individuals and legal persons (including non-residents). A general guidance principle of access to information established in legislation but not an enforceable right is not admissible. To check enforceability, legal analysis of the text and court decisions (if needed) will be performed, complementary to interviews to relevant stakeholders (e.g., non-governmental organisations, judges, bar associations, etc).

To fulfil the criterion, the law must grant the right to all individuals and legal persons legally established in the country.

Criterion 15.1.2.2. Non-residents have the legal right to access information (2 points)

Category: Legislation

Approach: Review of the law on access to information and/or any other relevant legislation. Interviews with relevant government officials and stakeholders.

review of legislation to verify that the legal right to access to public information is also granted to non-resident aliens (individual and legal persons)²¹.

²¹ Council of Europe Treaty Series - No. 205 Explanatory Report to the Council of Europe Convention on Access to Official Documents Tromsø, 18.VI.2009 <https://rm.coe.int/1680084826> (page 4): “ 18. The right of access applies to both natural and legal persons without any discrimination, including on the basis of nationality, and **even to foreigners living outside the territory of a Party to the Convention**”.

Criterion 15.1.2.3. Requesters of public information are not required to provide justification/legal interest for their requests (2 points)

Category: Legislation

Approach: Review of the law on access to information and/or any other relevant legislation. Interviews with relevant government officials and stakeholders.

Review of legislation to verify that it establishes that the requester of public information has no obligation to justify their request.

Sub-indicator 15.1.3. Definition of public information

Relevant sub-principle(s): 15.c. Public information encompasses all information recorded in documents held by the public administration, individuals or legal persons who exercise public authority. Exceptions exist only when there are compelling reasons for classifying information; they are set down precisely in law.

Maximum points: 6

Criterion 15.1.3.1. Public information is defined as all information recorded in any form, drawn up or received and held by public authorities (2 points)

Category: Legislation

Approach: Review of the law on access to information and/or other relevant legislation to verify that the legal right is defined broadly, according to the criteria set for the adaptation to national legislation of the Tromsø convention.²²

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.3.2. Restrictions are narrow and exhaustively listed by the law (1 point)

Category: Legislation

Approach: Review of the law on access to information and/or other relevant legislation verifying that the list of allowed exceptions are narrow and listed exhaustively, complying with the set for the adaptation to national legislation of the Tromsø convention.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

²² <https://rm.coe.int/16800d3836>

Criterion 15.1.3.3. The law includes a test of proportionality in order to apply a restriction to access to public information (1 point)

Category: Legislation

Approach: Review of the law on access to information and/or other relevant legislation to verify that the law requires holders of public information to conduct a test of proportionality or balance between the two conflicting interests to be protected, the legal right to access public information on one side and the value defended by the exemption (e.g., national security) on the other hand, complying with the set for the adaptation to national legislation of the Tromsø convention.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.3.4. All public institutions and private persons exercising public authority are defined by law as holders of public information (1 point)

Category: Legislation

Approach: Review of the law on access to information and/or other relevant legislation to verify that the law defines holders of public information broadly, including all public administration and private bodies exercising public authority, complying with the set for the adaptation to national legislation of the Tromsø convention.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.3.5. All private persons performing public functions or operating with public funds are defined by law as holders of public information (1 point)

Category: Legislation

Approach: Review of the law on access to information and/or other relevant legislation to verify that the law includes as holders of public information private persons performing public functions or operating with public funds, complying with the recommendation including in the explanatory report to adapt national legislation to the Tromsø convention.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Sub-indicator 15.1.4. Easiness of requesting access to public information

Relevant sub-principle(s): 17.d Public administration helps parties to identify the requested information and provides it promptly in the requested format and free of charge, except for the cost of reproduction and delivery.

Maximum points: 15

Criterion 15.1.4.1. Public authorities are obliged by law to help requesters to identify the requested information (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify that public authorities are obliged by law to help requesters identify the requested information.

The criterion does not require a specific law on access to information, but it does require that the right to access public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.4.2. The legal deadline for providing public information is a maximum of 15 days, with the possibility of a justified extension of 15 days extra (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify that the legal deadline for providing public information is a maximum of 15 working days, with the possibility of a justified extension for an extra 15 working days.

The deadline of 15 working days plus the extension of 15 working days is taken from the Regulation (EC) No. 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (Art. 7)²³. Even though this regulation does not apply to EU Member States, but to EU institutions, it can be used as a threshold for a reasonable short deadline.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

²³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001R1049&from=en>

Criterion 15.1.4.3. The legal framework establishes the obligation to provide the information in the requested format (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify that public authorities are obliged by law to provide the information in the requested format.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.4.4. Fees for accessing public information do not exceed the actual cost of reproduction and delivery (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify that fees for accessing public information do not exceed the actual cost of reproduction and delivery.

The criterion does not require a specific law on access to information, but it does require that right to access to public information is enshrined by a law, not being admissible through bylaws, government decrees, or similarly lower hierarchical norms.

Criterion 15.1.4.5. Rate of first instance appeal decisions that ruled in favour of the requester of public information (11 points)

Category: Practice in implementation

Approach: Review of government documentation to calculate the rate of first instance appeals (administrative appeals, whether they exist or first instance courts) that ruled in favour of the requester of public information:

Points are allocated depending on the first instance denials to requests of access to public information across all central public administration which were overruled by the second instance administrative body and/or the courts (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 11$ points.

Sub-indicator 15.1.5. Effective remedies for denial to access public information

Relevant sub-principle(s): 15.e. Public administration communicates the ground for refusal of access to public information and parties have the right to appeal this decision to an independent body or the courts.

Maximum points: 15

Criterion 15.1.5.1. Public authorities are obliged to justify denials to grant access to public information (1 point)

Category: Legislation

Approach: Review of legislation to verify that information holders have the obligation to justify denials to access public information, including the legal grounds and the proportionality test regarding the legal interest for not disclosing the requested information and signalling the possibility of appeal.

Criterion 15.1.5.2. The law establishes the right to appeal to an independent body and/or the court (1 point)

Category: Legislation

Approach: Review of legislation to verify that there is the right to appeal either to an independent institution or to the courts. If the only appeal available is the hierarchically higher body, but not to an independent appeal commission, points are not granted.

The criterion requires that the institution solving the appeals is independent in the sense that: 1) it cannot legally receive orders or priorities regarding its work. 2) the higher official of the appeal body cannot be dismissed discretionally but based only on breach of their legal obligation.

Criterion 15.1.5.3. The law establishes effective means to enforce appeal decisions (1 point)

Category: Legislation

Approach: Review of legislation to verify that appeal decisions are directly enforceable documents that grant access to summary enforcement procedures including issuing penalties to authorities not complying with the appeal decision content.

Criterion 15.1.5.4. The law establishes the deadline for solving administrative appeals is a maximum of 15 days with a possible extension of 15 days extra (1 point)

Category: Legislation

Approach: Review of legislation to verify that the deadline for solving appeals does not exceed 15 working days with a possible extension of 15 working days. If there is no administrative appeal in the analysed administration, the court procedure for the first instance resolution of access to information disputes should also have these deadlines of 15 working days with a possible extension of 15 working days.

Criterion 15.1.5.5. Reported rate of appeals against first instance decisions solved before the statutory deadline (%) (4 points)

Category: Results

Approach: Review of administrative data to obtain the following figures:

- Number of appeals against first instance decisions (either to an independent appeal body or to the courts) filed the calendar year prior to the assessment.
- Number of appeals against first instance decisions (either to an independent appeal body or to the courts) filed the calendar year prior to the assessment which were answered before the legal deadline for solving appeals.

Points are allocated depending on the reported rate of requests to appeal access of public information denials answered within the statutory deadline (x):

- $x < 60\% = 0$ points
- $60\% \leq x < 95\% =$ linear function
- $x \geq 95\% = 2$ points.

Criterion 15.1.5.6. Decisions to refuse access to public information of the appeal body overruled by final decision of the administrative appeal body or the courts (%) (7 points)

Category: Results

Approach: Review of publicly available reports to obtain the following numbers:

- Total number of first instance decisions by the appeal body,
- Total number of first instance decisions of the appeal body reviewed by the court during the last calendar year;
- Total number of court decisions overruling the decision of the appeal body during the last calendar year.

The relevant percentage is calculated as the number of court decisions overruling the administrative appeal body decisions divided by the number of appeal body 1st instance decisions

In case there is no administrative appeal body, then the total number of 1st instance court decisions in the area of access to information, which were overruled by the 2nd instance court is calculated instead.

Points are allocated depending on the reported rate of decisions to refuse access to public information of the appeal body overruled by final decision of the administrative appeal body or the courts (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 7$ points.

Sub-indicator 15.1.6. Effective supervisory authority of the right to access public information

Relevant sub-principle(s): 6.f. Responsibility for monitoring compliance with the legislation on public information, providing guidance and imposing sanctions is clearly assigned and implemented.

Maximum points: 9

Criterion 15.1.6.1. The basic steering and monitoring functions for implementing access to public information are assigned to one or several bodies (1 point)

Category: Legislation

Approach: Review of relevant legislation to verify that there is a central body(ies) in charge of the following functions:

1. guiding and promoting;
2. monitoring compliance with the legislation;
3. imposing sanctions.

It is not required that the same body performs all three functions, t they can be assigned to different bodies. It is not required that the body performs exclusively functions related to the access to information. For example, a central administrative inspection with power to impose sanctions to public authorities violating their legal obligations regarding access to public information is admissible.

Criterion 15.1.6.2. The following statistical data on appeal decisions regarding petitions to access to information is aggregated and published (5 points)

Category: Practice in implementation

Approach: Review of government reports to verify whether statistical data on requests for access to information and decisions is aggregated and published.

1. Number of requests for access to public information (0.5 points)
2. Number of requests that were denied by explicit resolution by public authorities (0.5 points)
3. Number of requests that were not answered explicitly (0.5 points)
4. Average number of days to answer the requests (0.5 points)
5. Number of appeals contesting decisions about request to access to public information (1 point)
 - ii. Number of appeals that were denied by explicit resolution by the 1st instance appeal body (1 point)
 - iii. Number of appeals that overruled the administrative decisions (1 point)
 - iv. Number of appeals that were answered after the legal deadline (1 point)
 - v. Average number of days to answer the appeals (1 point).

Criterion 15.1.6.3. Inspections of compliance are conducted in practice by the relevant supervisory body/ies (1 point)

Category: Practice in implementation

Approach: Review of documentation to verify that the relevant body/ies performed at least one inspection to verify compliance with the law on access to information (either *ex-officio* or at the request of citizens or businesses) during the last calendar year.

Criterion 15.1.6.4. Reported sanctions for non-compliance are imposed by relevant supervisory body/ies (1 point)

Category: Practice in implementation

Approach: Review of documentation to verify that all inspections that confirmed a violation resulted in the corresponding legal sanction.

No points are awarded in the case that no inspections were performed in the previous year.

No points are awarded in the case that only some inspections confirmed a violation, but the corresponding legal sanction was not imposed.

Criterion 15.1.6.5. Access to public information and compliance of public institutions in this matter is actively promoted by the relevant public body(ies) (1 point)

Category: Practice in implementation

Approach: Review of government documentation to verify that a central body(ies) in charge of steering and providing guidance is performing such a function in practice. Any evidence of the issuance of circulars, interpreting criteria, guidebooks, opinions, or trainings to public officials is admitted.

Sub-indicator 15.1.7. Legislation about preservation and management of documents and data keeping

Relevant sub-principle(s): 7.g. The public administration maintains up-to-date document registers, lays down and follow rules relative to the preservation and destruction of documents in order to keep easy-to-find proof of public activities and decisions.

Maximum points: 10

Criterion 15.1.7.1. The legislation establishes the obligation of documenting the activities of the public authorities by an appropriate record (2 points)

Category: Legislation

Approach: Review that legislation establishes the obligation to appropriately document the activities of public authorities so their work can be subsequently reviewed, assessed for correctness, timeliness, and quality of implementation, to keep evidence of facts, and to ensure legal certainty and accountability of public institutions.

Criterion 15.1.7.2. The legislation establishes rules for the preservation and destruction of public electronic and physical documents (2 points)

Category: Legislation

Approach: Review legislation establishes rules for the preservation and destruction of public electronic and physical documents.

Criterion 15.1.7.3. There are rules establishing registers about physical and electronic documents, including the necessary metadata for ensuring classification, findability, and traceability (2 points)

Category: Legislation

Approach: Review legislation establishes rules for the functioning of registers of physical and electronic documents, including the metadata for ensuring classification, findability, and traceability.

Criterion 15.1.7.4. There are rules regarding the use of e-mail accounts (2 points)

Category: Legislation

Approach: Review legislation establishes rules regarding the use of corporate e-mail accounts, including the obligation to keep relevant e-mails as proof of public activities and decisions.

Criterion 15.1.7.5. There are rules establishing that official e-mail communications should be done through corporate accounts (1 point)

Category: Legislation

Approach: Review of legislation to verify that official e-mail communications are done through corporate accounts.

Criterion 15.1.7.6. There are rules establishing that storage of electronic documents has to be done in corporate clouds and servers (1 point)

Category: Legislation

Approach: Review of legislation to verify that rules establishing the storage of electronic documents include the obligation to keep them in corporate clouds and servers.

Sub-indicator 15.1.8. Open Data Portal and re-use of public information

Relevant sub-principle(s): 15.h. Access for re-use of information and their metadata held by public authorities, public undertakings and publicly financed research data for commercial and non-commercial purposes is widely granted²⁴.

Maximum points: 15

Criterion 15.1.8.1. The right to re-use public information is enshrined in legislation (0.5 points)

Category: Legislation

Approach: Review of legislation to verify that the right to re-use public information is enshrined in law and it is enforceable.

Criterion 15.1.8.2. The definition of re-use is aligned with the Directive (EU) 2019/1024 (0.5 points)

Category: Legislation

Approach: Review of legislation to verify that the definition of re-use is aligned with the Directive (EU) 2019/1024.

²⁴ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast), <http://data.europa.eu/eli/dir/2019/1024/oj>.

Criterion 15.1.8.3. The government should give the right to re-use free of charge, only with the exemptions included in the Directive (EU) 2019/1024 (1 point)

Category: Legislation

Approach: Review of legislation to verify that the government should give the right to re-use free of charge, only with the exemptions included in Article 6 of the Directive (EU) 2019/1024.

Criterion 15.1.8.4. One or several open data portals exist and offers an advanced data search function (1 point)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that an open data portal exists and offers an advanced data search function. If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded.

Criterion 15.1.8.5. Datasets in the data portal are provided in open, machine-readable format (1 point)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that datasets in the open data portal are provided in open, machine-readable format. If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded.

Criterion 15.1.8.6. The open data portal allows users to extract data using Application Programming Interfaces (APIs) (1 point)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the open data portal allows users to extract data using Application Programming Interfaces (APIs). If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded.

Criterion 15.1.8.7. The open data portal provides access to real-time and dynamic data at least in these four domains: air quality data, live weather data, transport, and traffic information. (4 points)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the open data portal provides access to real-time and dynamic data at least in these four domains: air quality data, live weather data, transport and traffic information.

Criterion 15.1.8.8. The government has published for re-use the datasets included in the Commission Implementing Regulation (EU) 2023/138. (6 points)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the government has published for re-use the datasets included in the Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use:

1. Geospatial
2. Earth observation and environment
3. Meteorological
4. Statistics
5. Companies and company ownership
6. Mobility

One point is awarded for each of the six domains of datasets published according the criteria set in Commission Implementing Regulation (EU) 2023/138 of 21 December 2022

Sub-indicator 15.1.9. Proactivity in disclosure of information and data by state administration bodies

Relevant sub-principle(s): 15.i. Public administration bodies proactively disclose public information, which is relevant, complete, accurate and up to date, accessible, understandable, machine-readable, in open format and reusable.

Maximum points: 10

Criterion 15.1.9.1. Relevant corporate information in websites of ministries (%) (5 points)

Category: Practice in implementation

Approach: Assessment of websites of all ministries to determine the level of disclosure of the following information

1. Organisational structure (organigram) of the institution;
2. Names and contact details of heads of organisational units;
3. Contact details with postal address and e-mail;
4. Tasks and competences of the institution;
5. Annual budget for the current calendar year;
6. Annual work plan of the institution for the current calendar year;
7. Annual report for the latest full calendar year, or the year prior to this.

The standard is met if the information is:

- a. Available free of charge
- b. Up to date;

- c. Machine readable;
- d. Available in all official languages of the country;
- e. Published in open format (HTML, CSV, PDF, or Open Document Format [ODF]).

The level of disclosure is the number of actual occurrences of compliance for all websites against the criteria, divided by 70, the total number of information points (7 data points times 10 number of ministries).

Points are allocated based on the percentage of specified information that is available in public sector websites (x):

- $x \leq 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

Criterion 15.1.9.2. Relevant documents and datasets published online (%) (5 points)

Category: Practice in implementation

Approach: Assessment of the number of documents or datasets from the list below that are disclosed online:

1. Consolidated version of all primary laws
2. The state budget for the current calendar year (if already adopted) and the latest full calendar year;
3. The results of the last national elections published, aggregated on one website (i.e. the number of votes cast for all candidates in every constituency and appointed representatives);
4. National statistics on GDP and unemployment for the third quarter of the latest full calendar year;
5. The government's annual (or multi-annual) work plan for the current calendar year;
6. The government's annual report for the latest full calendar year, or the year prior;
7. Legislative proposals of the government as sent to parliament;
8. Public tenders announced by central government, aggregated on one website;
9. Results of all public tenders awarded by central government, aggregated on one website;
10. Salaries of individual senior civil servants (director generals and secretary generals) in all ministries, available on the ministries' websites or the government portal.

The standard is met if the information published is:

- a. Free of charge
- b. Up to date
- c. Machine readable
- d. Available in all official languages of the country
- e. Published in open format (HTML, CSV, PDF or Open Document Format [ODF])

Points are allocated based on the percentage of specified documents and datasets that are available in public sector websites (x):

- $x \leq 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

Sub-indicator 15.1.10. Perceived government transparency of public information by the population and businesses

Relevant sub-principle(s): All sub-principles under Principle 15.

Maximum points: 10

Criterion 15.1.10.1. Citizens' perception of government proactivity in publishing information (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following statement:

- The government publishes information about government decisions (e.g., budget, tenders, policies, etc.).

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the average of respondents who replied "Tend to agree" or "Strongly agree" to the survey questions (x):

- $x > 10\% = 0$ points
- $10\% \geq x < 90\% =$ linear function
- $x \leq 90\% = 1$ point.

Criterion 15.1.10.2. Citizens' perception of intentional withholding of information by the government (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: The central government sometimes intentionally withholds important information from the public that it could safely release.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly Agree, Do not know, Prefer not to answer.

Points are allocated based on the average of respondents who replied "Tend to agree" or "Strongly agree" to the survey questions (x):

- $x \geq 90\% = 0$ points
- $10\% \geq x < 90\% =$ linear function
- $x \leq 10\% = 1$ point.

Criterion 15.1.10.3. Business perception of government proactivity in publishing information (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of the businesses to the following question:

The public administration publishes information about government decisions and regulations relevant for the operation of your business in a helpful and accessible manner (e.g., budget, tenders, policies, etc.);

- The government sometimes intentionally withholds important information from the public that it could safely release.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly Agree, Do not know, Prefer not to answer.

Points are allocated based on the average of respondents who replied "Tend to agree" or "Strongly agree" to the survey questions (x):

- $x > 10\% = 0$ points
- $10\% \geq x < 90\% =$ linear function
- $x \leq 90\% = 1$ point.

Criterion 15.1.10.4. Business perception of intentional withholding of information by the government (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of the businesses to the following question: The government sometimes intentionally withholds important information from the public that it could safely release.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly Agree, Do not know, Prefer not to answer.

Points are allocated based on the average of respondents who replied "Tend to agree" or "Strongly agree" to the survey questions (x):

- $x \geq 90\% = 0$ points
- $10\% \geq x < 90\% =$ linear function
- $x \leq 10\% = 1$ point.

Principle 16: The parliament, ombudsperson and supreme audit institution effectively scrutinise public administration.

Indicator 16.1. Effectiveness of scrutiny of public authorities by independent oversight institutions

This indicator measures if there is a functioning system of oversight institutions providing independent and effective supervision over all state administration bodies. The strength of the legislative framework is assessed, as well as the effectiveness of oversight institutions in changing practices in the state administration and building trust among the population.

Scrutiny of the government by the parliament is not measured.

Sub-indicators	Maximum points
1. Parliamentary oversight of the government	9
2. Parliamentary support to the ombudsperson and the supreme audit institution (SAI)	12
3. Independence of the ombudsperson, capacities, and public trust	13
4. Requirements for the person appointed to the ombudsperson position	6
5. Mandate and powers of the ombudsperson	8
6. Implementation of ombudsperson recommendations	13
7. Independence of the supreme audit institution (SAI)	12
8. Capacities of the supreme audit institution (SAI) and public trust	9
9. Mandate and powers of the supreme audit institution (SAI)	7
10. Implementation of supreme audit institution (SAI) recommendations	11
Total	100

Sub-indicator 16.1.1. Parliamentary oversight of the government

Relevant sub-principle(s): 16.a. The parliament and its committees effectively scrutinise the executive and monitor the quality of its work, through hearings, questions to government, parliamentary inquiries, evaluations of public policies and budget oversight.

Maximum points: 9

Approach: The results for this sub-indicator are taken from the relevant criteria in Principles 7, 23 and 25.

Criterion 16.1.1.1. Regulations enable the parliament and its committees to debate, scrutinise and amend government-initiated laws (0.5 points)

Category: Legislation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.1. Regulatory framework for parliamentary scrutiny of policymaking, criterion 1. Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures. Checks are carried out to confirm that the mandate and procedures are established for enabling the parliament and its committees to review, scrutinise and amend government-proposed legislation and programmes that require parliamentary approval.

Criterion 16.1.1.2. Regulations enable the parliament to carry out its oversight function over the government policymaking (0.5 points)

Category: Legislation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.1. Regulatory framework for parliamentary scrutiny of policymaking, criterion 2. Review of the legislative and regulatory framework, such as the laws on parliament (if any), the rules of procedure of parliament and government, the legal drafting rules and other relevant regulations, methodologies which establish the parliamentary work procedures and rules for law-making. At a minimum, the regulations should establish clear procedures for written and oral questions from members of parliament (MP) to ministers and the participation of ministers or their deputies in the parliament's work when an issue that is within their policy responsibility or a draft law initiated by them is being discussed.

Criterion 16.1.1.3. In plenary sessions, the government is represented at the political level (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.2. Government participation in parliamentary discussions, criterion 1. Review of the parliamentary reports and internal statistics from the parliamentary administration concerning the participation of political-level government official representatives (ministers or deputies) in the plenary sessions. Interviews with the staff of the parliament and selected members of parliament (if possible) to confirm the government is always participating in the plenary sessions at political level when issues under its policy area are being discussed. Evidence of no participation of the political-level government representatives in at least one of the official discussions at the plenary sessions (during the last full calendar year or the most recent) when issues related to government policies relevant to their area of responsibility are discussed and without official explanation (e.g., emergency, sickness), is sufficient for considering the criterion as not being fulfilled.

Criterion 16.1.1.4. In committee sessions, the government is always represented in discussions on relevant policy issues (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.2. Government participation in parliamentary discussions, criterion 2. Review of parliamentary reports and internal statistics, interviews with parliamentary staff and selected members of parliament, to confirm that an official representative of government is always present at parliamentary committee discussions when required and/or invited (at the political or senior administrative levels). Evidence of no participation of the government representatives in at least one of the official parliamentary committee discussions (during the last full calendar year or the most recent) of policy issues relevant to their area of responsibility is sufficient for the criterion to not be fulfilled (e.g. when a parliamentary committee invites the government to send an official representative to their meetings but they do not attend the meetings).

Criterion 16.1.1.5. Parliamentary committees are required to carry out regular ex-post reviews of implementation of laws (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.9. Parliamentary review and evaluation of the implementation of policies, criterion 1. Review of legislation, regulations, rules and procedures of parliament to check whether the parliamentary committees are required to carry out ex post monitoring and review of implementation of laws in their respective policy areas.

Criterion 16.1.1.6. Parliament prepares and publishes reports on the implementation of major laws and policies (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the policy development and co-ordination area, sub-indicator 7.1.9. Parliamentary review and evaluation of the implementation of policies, criterion 2. Interviews with parliament administration. Review of parliamentary work plans and calendars and checks on the reports and publications available from the website of the parliament to confirm that the parliament carries out post-legislative scrutiny and review of implementation of laws. Checks are carried out on the availability of the relevant evaluation reports. Points are allocated if at least two evaluation reports were prepared and published by the parliament during the last full calendar year (or the preceding year if there was no parliamentary activity in the last full calendar year).

Criterion 16.1.1.7. The parliament discusses the medium-term budgetary framework (MTBF) or a pre-budget report or similar, before it receives the annual budget proposal (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 23.1.9. Parliamentary scrutiny of the annual budget, criterion 1. Review of minutes of the parliamentary discussion. Parliamentary discussion at the level of budget and finance committee meet this criterion.

Criterion 16.1.1.8. Sector committees of the parliament are engaged in the deliberation on the draft budget (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 23.1.9. Parliamentary scrutiny of the annual budget, criterion 2. Review of written inputs to the budget submitted by sector committees to the finance committee.

Criterion 16.1.1.9. The time available for parliament to debate and vote the annual budget bill is, in practice at least, three months (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 23.1.9. Parliamentary scrutiny of the annual budget, criterion 3. Review of documents' submission dates.

Criterion 16.1.1.10. The time available for parliament to debate and vote on supplementary budgets during the fiscal year is, in practice at least, six weeks (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 23.1.9. Parliamentary scrutiny of the annual budget, criterion 4. Review of parliamentary minutes. In the rare instances where there has been no supplementary budget during the year the country should receive the points as well.

Criterion 16.1.1.11. The annual supreme audit institution report is discussed in at least one parliamentary committee (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 25.1.9. Transparency and quality of the annual financial report, criterion 4. Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 16.1.1.12. The annual supreme audit institution report is presented at the plenary of the parliament (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 25.1.9. Transparency and quality of the annual financial report, criterion 5. Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 16.1.1.13. The annual supreme audit institution report is presented to the parliament before it votes on the forthcoming annual budget bill or before the end of the calendar year (whichever comes earlier) (0.5 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 25.1.9. Transparency and quality of the annual financial report criterion 6. Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 16.1.1.14. Perceived ability of the parliament to effectively hold the government accountable (%) (2.5 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “The [Parliament/Congress] effectively scrutinise the government and make it accountable to citizens.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to Agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 2.5$ points.

Sub-indicator 16.1.2. Parliamentary support to the ombudsperson and the supreme audit institution (SAI)

Relevant sub-principle(s): 16.b. The parliament actively supports the ombudsperson and the supreme audit institution (SAI) in their oversight functions by ensuring adequate resources, considering their reports and urging the government to correct the deficiencies identified by the oversight bodies.

Maximum points: 12

Criterion 16.1.2.1. A formal mechanism exists for handling SAI reports in the parliament, including a dedicated committee (2 points)

Category: Institutional set-up

Approach: Review of parliamentary regulations and interviews with parliamentary administration to determine whether the process for handling supreme audit institution and ombudsperson reports is formalised, ensuring consistent approach. The results for criterion 1 are taken from section: 31.1.9.1 The parliament has a formal mechanism for handling SAI reports, including a committee formally dedicated to handling SAI reports.

Criterion 16.1.2.2. A formal mechanism exists for handling reports from the ombudsperson in the parliament, including a dedicated committee (2 points)

Category: Institutional set-up

Approach: Review of parliamentary regulations and interviews with parliamentary administration to determine whether the process for handling supreme audit institution and ombudsperson reports is formalised, ensuring consistent approach. The results for criterion 1 are taken from section: 31.1.9.1 The parliament has a formal mechanism for handling SAI reports, including a committee formally dedicated to handling SAI reports.

Criterion 16.1.2.3. Parliament has issued at least one written statement calling on specific government bodies to implement the recommendations of the ombudsperson (2 points)

Category: Practice in implementation

Approach: Period of the assessment year or the last year prior to the assessment year is taken into account. Review of administrative records and interviews with parliamentary administration to determine whether written statements calling on specific government bodies to implement the recommendations have been issued.

Criterion 16.1.2.4. Parliament has issued at least one written statement calling on specific government bodies to implement the recommendations of the SAI (2 points)

Category: Practice in implementation

Approach: Period of the assessment year or the last year prior to the assessment year is taken into account. Review of administrative records and interviews with parliamentary administration to determine whether written statements calling on specific government bodies to implement the recommendations have been issued.

Criterion 16.1.2.5. The ombudsperson annual report was presented and discussed in the parliamentary committee and plenary session no later than six months after its submission (2 points)

Category: Practice in implementation

Approach: Review of administrative records. Parliaments are asked to provide documentary evidence that both plenary and committee discussions took place. Interviews with representatives of the parliament and oversight institutions are conducted to validate this information. Two last years are analysed – consistent practice is expected; therefore, points are awarded only if in both years the practice took place.

Criterion 16.1.2.6. The SAI annual report was presented and discussed in the parliamentary committee and plenary session no later than six months after its submission (2 points)

Category: Practice in implementation

Approach: Review of administrative records. Parliaments are asked to provide documentary evidence that both plenary and committee discussions took place. Interviews with representatives of the parliament and oversight institutions are conducted to validate this information. Two last years are analysed – consistent practice is expected; therefore, points are awarded only if in both years the practice took place.

Sub-indicator 16.1.3. Independence of the ombudsperson, capacities, and public trust

Relevant sub-principle(s): 16.c. The independence of the ombudsperson is ensured in legislation and in practice. The ombudsperson has sufficient institutional capacities for exercising the organisation's mandate and enjoys public trust.

Maximum points: 13

Criterion 16.1.3.1. The independence and impartiality of the ombudsperson institution is enshrined in law (1 point)

Category: Legislation

Approach: Review of laws to determine if the legislative framework for the ombudsperson institution meets international standards. Principles and requirements regarding the status and powers of the ombudsperson institution are derived from Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles"), adopted by the Venice Commission at its 118th Plenary Session (Venice, 15-16 March 2019).

Criterion 16.1.3.2. Removal from office is only possible in the case of incapacity or misconduct (1 point)

Category: Legislation

Approach: Review of laws to determine if the legislative framework for the ombudsperson institution meets international standards. Principles and requirements regarding the status and powers of the ombudsperson institution are derived from Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles"), adopted by the Venice Commission at its 118th Plenary Session (Venice, 15-16 March 2019).

Criterion 16.1.3.3. The term of office of the ombudsperson supports functional independence (2 points)

Category: Legislation

Approach: Review of laws to determine if the legislative framework for the ombudsperson institution meets international standards. Principles and requirements regarding the status and powers of the ombudsperson institution are derived from Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles"), adopted by the Venice Commission at its 118th Plenary Session (Venice, 15-16 March 2019).

Points are allocated based on the fulfilment of the following criteria in the legislation that regulates the term of office of the ombudsperson:

- Ombudsperson has a non-renewable mandate with the term 7 years minimum (2 points)
- Ombudsperson has a non-renewable or once renewable term that is longer than that of the appointing body (1 point).

Criterion 16.1.3.4. The ombudsperson institution manages its budget, staff and organisational structure without interference of the executive (2 points)

Category: Institutional set-up

Approach: Analysis of the legislation is corroborated by interviews with the representatives of the ombudsperson institution to learn about the application in practice.

Criterion 16.1.3.5. Perceived independence of the ombudsperson by the population (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “The [Ombudsperson] is independent of political influence.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 2$ points

Criterion 16.1.3.6. Level of trust in the ombudsperson (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “How much trust do you have in the following institutions? [Ombudsperson]”

Answer options are: Do not trust at all, Tend to not trust, Neither distrust nor trust, Tend to trust, Trust completely, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to trust” or “Trust completely” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 2$ points.

Criterion 16.1.3.7. Perceived ability of the ombudsperson to effectively hold the government accountable (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “The [Ombudsperson] effectively scrutinizes the government and make it accountable to citizens.”

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” or “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 3$ points.

Sub-indicator 16.1.4. Requirements for the person appointed to the ombudsperson position

Relevant sub-principle(s): 16.d. High moral character, integrity and appropriate professional expertise and experience of the person responsible for exercising the ombudsperson functions are required in the legislation and ensured in practice.

Maximum points: 6

Criterion 16.1.4.1. Criteria for being appointed ombudsperson are sufficiently broad as to encourage a wide range of suitable candidates (1 point)

Category: Legislation

Approach: Review of legislation to check if any provisions exist that would limit the range of candidates in an unjustified way (i.e., acceptable criteria is a requirement of higher education, but it is not acceptable require a PhD in law). This can be supported by reviewing the GANHRI accreditation results.

Criterion 16.1.4.2. The essential criteria required from a candidate to an ombudsperson position are high moral character, integrity and appropriate professional expertise and experience, including in the fields of human rights and fundamental freedoms (1 point)

Category: Legislation

Approach: Review of legislation to verify if the international standards (The Venice Principles, p.8) are reflected in This can be supported by reviewing the GANHRI accreditation results.

Criterion 16.1.4.3. The ombudsperson was elected by a qualified majority by parliament (%) (4 points)

Category: Practice in implementation

Approach: Administrative data (voting records) from the parliament is analysed. Identification of majority, the results of the votes are confirmed in interviews with the representatives of the administration of the parliament or of the ombudsperson institution.

Points are allocated based on how the ombudsperson was elected (x):

0 points if the ombudsperson in place was elected by simple majority; 1 point if absolute majority; 2 points if two-thirds qualified majority; 3 points if three-fourths qualified majority; 4 points 90% majority or higher.

Sub-indicator 16.1.5. Mandate and powers of the ombudsperson

Relevant sub-principle(s): 16.e. The mandate of the ombudsperson or equivalent institution, covering prevention and correction of maladministration in all public administration bodies, and the protection and promotion of human rights and fundamental freedoms, is enshrined in the legislation and implemented. The ombudsperson has appropriate powers to investigate individual cases and systemic issues.

Maximum points: 8

Criterion 16.1.5.1. The ombudsperson mandate covers all general interest and public services provided to the public, whether delivered by the state, municipalities, state bodies or private entities (1 point)

Category: Legislation

Approach: Review of legislation to verify if it complies with the criterion.

Criterion 16.1.5.2. The ombudsperson mandate covers prevention and correction of maladministration, and the protection and promotion of human rights and fundamental freedoms (1 point)

Category: Legislation

Approach: Review of legislation to verify if it complies with the criterion.

Criterion 16.1.5.3. The ombudsperson institution may initiate investigation both ex officio and from a complaint. (1 point)

Category: Legislation

Approach: Review of legislation to verify if it complies with the criterion.

The complaint can be filed by an individual or legal person, including non-governmental organisations.

Criterion 16.1.5.4. The ombudsperson institution enjoys effective investigative powers (1 point)

Category: Legislation

Approach: Review of legislation to verify if it complies with the criterion.

Effective investigative powers, include a legally enforceable right to unrestricted access to all relevant documents, databases, and materials, including those which might otherwise be legally privileged or confidential. This includes the right to unhindered access to buildings, institutions and persons, including those deprived of their liberty.

Criterion 16.1.5.5. The ombudsperson has the power to challenge the constitutionality of laws and regulations or general administrative acts (1 point)

Category: Legislation

Approach: Review of legislation to verify if it complies with the criterion.

Criterion 16.1.5.6. There were no problems (obstacles) with the implementation of the ombudsperson's comprehensive mandate publicly reported or discussed in the parliament (3 points)

Category: Practice in implementation

Approach: Interview with the ombudsperson and, if needed, representatives of the parliamentary committee as well as review of administrative data to confirm the existence of cases where obstacles to implement the mandate of the ombudsperson were discussed in public or in the parliament in the period covered by the assessment.

If there are several ombudsperson institutions, all public bodies should be covered by the combined scope of the ombudsperson institutions; however detailed analysis is conducted only for the national ombudsperson set by the constitution as responsible for issues related to central national administration.

Sub-indicator 16.1.6. Implementation of ombudsperson recommendations

Relevant sub-principle(s): 16.f. Public administration bodies effectively implement the recommendations of the ombudsperson, including systemic recommendations.

Maximum points: 13

Criterion 16.1.6.1. The ombudsperson has power to issue recommendations and a legally enforceable right to demand responses (1 point)

Category: Legislation

Approach: Review of legislation and regulations. The ombudsperson should have the power to address individual recommendations to any bodies or institutions and the legally enforceable right to demand that officials and authorities respond within a reasonable time set by the ombudsperson.

Criterion 16.1.6.2. There is a system of monitoring implementation of recommendations (3 points)

Category: Practice in implementation

Approach: Review of administrative records (including annual report of the ombudsperson), interviews with representatives of the parliament and ombudsperson institution confirmed with documentary evidence.

A complete database of recommendations with their implementation status and an internal procedure regulating the monitoring of implementation of recommendations are required to score 3 points.

Criterion 16.1.6.3. Reported implementation of ombudsperson's recommendations (%) (5 points)

Category: Results

Approach: The data on implemented recommendations is taken from the ombudsperson report for the current year, or latest full calendar year, whichever is most recent. The rate reflects the number of ombudsperson recommendations fully implemented in a period, divided by the total number of recommendations issued, expressed as a percentage.

Points are allocated based reported implementation rate of recommendations (x):

- $x < 30\% = 0$ points
- $30\% \leq x < 80\% =$ linear function
- $x \geq 80\% = 5$ points.

Criterion 16.1.6.4. The ombudsperson has power to issue systemic recommendations (2 points)

Category: Legislation

Approach: Review of legislation and regulations. The ombudsperson should have power to present, in public, recommendations to parliament or the government, including to amend legislation or to adopt new legislation.

Criterion 16.1.6.5. There is a system of monitoring implementation of systemic recommendations (2 points)

Category: Practice in implementation

Approach: Review of administrative records (including annual report of the ombudsperson), interviews with representatives of the parliament and ombudsperson institution confirmed with documentary evidence.

A- complete database of systemic recommendations with their implementation status and an internal procedure regulating the monitoring of implementation are required to score 2 points.

Sub-indicator 16.1.7. Independence of the supreme audit institution (SAI)

Relevant sub-principle(s): 16.g. The independence of the SAI and that of its head and members, in all its forms, is established in the constitution, legally protected, and respected in practice.

Maximum points: 15

Approach: Results are taken from the assessment in the public financial management area, sub-indicator 31.1. *Constitutional, legal, organisational and managerial independence of the supreme audit institution.*

Criterion 16.1.7.1. The constitution ensures the independence of the SAI (1 point)

Category: Legislation

Approach: Review of the constitution to ensure it provides for the independence of the supreme audit institution (SAI) and the head of the SAI (and the members of the SAI if relevant).

Criterion 16.1.7.2. The legal framework provides adequate protection by a supreme court against any interference with the SAI's independence and audit mandate (1 point)

Category: Legislation

Approach: Review of the supreme audit institution (SAI) law against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 16.1.7.3. There has been no removal of the head or members of the SAI for reasons not specified in the legal framework, and not without following due legal process, in the past three years (1 point)

Category: Practice in implementation

Approach: Review of the supreme audit institution (SAI) law against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 16.1.7.4. The last appointment of the head of the SAI was carried out according to the legal framework, which requires the appointment process to be conducted independently from the executive (1 point)

Category: Practice in implementation

Approach: Based on good practice examples of GUID 9030, appointment process includes (but is not limited to) appointment by:

- the legislature
- the head of the state (not the government) with the approval of legislature

Criterion 16.1.7.5. The head of the SAI was appointed for a sufficiently long and fixed term allowing to carry out the mandate without fear of retaliation (2 points)

Category: Practice in implementation

Approach: Standards do not define specifically a sufficiently long and fixed term. SIGMA has established through practice that this should be a minimum of 5 years, and preferably it should be one single term of over 7 years, but no more than 15 years. Review the legal framework to confirm the appointment term of the head of the SAI and whether it is for a single non-renewable term. Review of the appointment decisions (by the legislature or head of state) to confirm it is in line with the legal framework.

- The head of the SAI was appointed for a single non-renewable term of 7 years or more, but no more than 15 years = 2 points
- The head of the SAI was appointed for a fixed term of 5 years or more (renewable or non-renewable) = 1 point
- None of the above apply = 0 points

Criterion 16.1.7.6. The executive (e.g., MoF) did not directly control or provide direction over the formulation of the SAI's budget (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 16.1.7.7. The executive (e.g., MoF) did not control or provide direction over how the SAI uses its financial resources and executes its budget after its approval by the parliament (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 16.1.7.8. The SAI is free from undue direction or interference from the legislature or the executive in the organisation and management of its office (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 16.1.7.9. Perception of SAI independence by civil service (%) (3 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants who know the work of the supreme audit institutions to the following statement: "To what extent do you agree with the following statement?: "The supreme audit institution carries out its work and activities independently of the government".

Answer options are: Strongly disagree; Tend to disagree; Neutral – Neither agree nor disagree, Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of "Tend to agree" and "Strongly agree" responses to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $X \geq 90\% = 3$ points.

Sub-indicator 16.1.8. Capacities of the supreme audit institution (SAI) and public trust

Relevant sub-principle(s): 16.h. The SAI has sufficient capacities for exercising its mandate and enjoys public trust.

Maximum points: 9

Approach:

Criterion 16.1.8.1. The legal framework provides the SAI with the right to access premises, documents, and information (1 point)

Category: Legislation

Approach: Results are taken from the assessment in the PFM area, Principle 31, sub-indicator "Constitutional, legal, organisational and managerial independence of the SAI", criterion 1 (P31.1.8) and criterion 2 (P31.1.16)

Criterion 16.1.8.2. The SAI has not been denied access to premises, documents, and information in the last three years (2 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the PFM area, Principle 31, sub-indicator "Constitutional, legal, organisational and managerial independence of the SAI", criterion 1 (P31.1.8) and criterion 2 (P31.1.16).

Criterion 16.1.8.3. Perceived ability of SAI to effectively hold the government accountable by public servants (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of the public servants to the following question: "Do you agree that the Supreme Audit Institution can effectively scrutinize the government and make it accountable to citizens?".

Answer options are: Strongly disagree; Tend to disagree; Neither agree nor disagree; Tend to agree; Strongly agree; Don't know; Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to trust or completely trust OR "Tend to agree" or "Strongly agree" to the survey question(x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 3$ points.

Criterion 16.1.8.4. Trust in the SAI (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “How much trust do you have in the following institutions? [Supreme Audit Institution]”.

Answer options are: Do not trust at all, Tend not to trust, Neither distrust nor trust, Tend to trust, Trust completely, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to trust” or “Trust completely” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x \leq 90\% =$ linear function.
- $x > 90\% = 3$ points.

Sub-indicator 16.1.9. Mandate and powers of the supreme audit institution (SAI)

Relevant sub-principle(s): 16.i. The mandate of the SAI, covering compliance, financial and performance audits in all bodies of public administration, is enshrined in the legislation and implemented in practice.

Maximum points: 7

Approach: Results are taken from selected criteria under Principle 31, sub-indicator 31.2. Adequacy and coverage of the SAI mandate and its alignment with ISSAIs: criterion 1 (31.2.1), criterion 2 (31.2.2), criterion 4 (31.2.3), criterion 5 (31.2.4)

Criterion 16.1.9.1. The SAI is empowered by law to carry out financial, compliance and performance audits (1 point)

Category: Legislation

Approach: Review of the supreme audit institution law.

Results are taken from the assessment in the public financial management area.

Criterion 16.1.9.2. All public financial operations, regardless of whether and how they are reflected in the national budget, are subject to audit by the SAI (1 point)

Category: Legislation

Approach: Review of the supreme audit institution law to confirm the scope of the audit mandate. There should be no legal restrictions to the initiation of audits to obtain the point.

Results are taken from the assessment in the public financial management area.

Criterion 16.1.9.3. The legal framework provides the SAI with the right to decide the content and timing of audit reports and to publish and disseminate them (1 point)

Category: Legislation

Approach: Results are taken from the assessment in the public financial management area, Principle 31, sub-indicator 31.1. Constitutional, legal, organisational, and managerial independence of the SAI, criterion 6.

Criterion 16.1.9.4. Coverage of financial/compliance audit (%) (2 points)

Category: Practice in implementation

Approach: It is calculated the percentage of mandatory audits carried out in the last three calendar years (and the supreme audit institution has reported on the results to those charged with governance). The law specifies which audits are mandatory every year.

Results are taken from the assessment in the public financial management area.

Points are allocated based on the percentage of mandatory audits carried out in the last three calendar years (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 100\% =$ linear function.
- $x = 100\% = 2$ points.

Criterion 16.1.9.5. Coverage of performance audit (%) (2 points)

Category: Practice in implementation

Approach: For performance audits, the following sectors are defined: defence, economic development, education, environment, justice and police, health, public administration, infrastructure, social security and labour market, foreign affairs.

Results are taken from the assessment in the public financial management area.

Points are allocated based on the number of sectors covered by the SAI's reports in the last full calendar year (x).

- $x = 0 = 0$ points.
- $0 < x < 5 =$ linear function.
- $x \geq 5 = 2$ points.

Sub-indicator 16.1.10. Implementation of supreme audit institution (SAI) recommendations

Relevant sub-principle(s): 16.j. Public administration bodies effectively implement the recommendations of the SAI, including systemic recommendations.

Maximum points: 11

Criterion 16.1.10.1. Audit recommendations accepted by the auditees (%) (4 points)

Category: Results

Approach: Data is copied from the public financial management sub-indicator 31.7. Implementation of audit recommendations, criteria 1 and 2.

The data is taken from the supreme audit institution (SAI) report and/or monitoring systems established by the SAI. The percentage reported is an average of all types of audits conducted by the SAI, based on the number of recommendations made by the SAI the year prior to the latest full calendar year that are fully and partially implemented by the end of the latest full calendar year (partially implemented recommendations are counted at a weight of 50%. For example, if 20% of recommendations are partially implemented, they are included at 10% in the percentage share of recommendations implemented). If the SAI does not systematically collect and publish information on follow-up of its recommendations, the assessment result is 0% for both criteria.

Points are allocated based on the percentage of recommendations accepted by the auditees (x):

- $x < 40\% = 0$ points.
- $40\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 4$ points.

Criterion 16.1.10.2. Reported implementation rate of audit recommendations accepted by the auditees (%) (7 points)

Category: Results

Approach: Data is copied from the public financial management sub-indicator 31.7. Implementation of audit recommendations, criteria 1 and 2.

The data is taken from the supreme audit institution (SAI) report and/or monitoring systems established by the SAI. The percentage reported is an average of all types of audits conducted by the SAI, based on the number of recommendations made by the SAI the year prior to the latest full calendar year that are fully and partially implemented by the end of the latest full calendar year (partially implemented recommendations are counted at a weight of 50%. For example, if 20% of recommendations are partially implemented, they are included at 10% in the percentage share of recommendations implemented). If the SAI does not systematically collect and publish information on follow-up of its recommendations, the assessment result is 0% for both criteria.

Points are allocated based on the reported implementation rate of audit recommendations accepted by the auditees (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 7$ points.

0 points are awarded if the SAI does not systematically collect and publish information on follow-up of its recommendations.

Principle 17: The right to good administration is upheld through administrative procedure, judicial review and public liability.

Indicator 17.1. Due process and good administrative behaviour when conducting administrative procedures and applying public authority

The indicator examines that administrative procedures are compatible with international standards of good administrative behaviour. This includes the legal framework for administrative procedure and its practical application. In addition, the indicator examines the functioning system guaranteeing redress or compensation for unlawful acts and omissions of public authorities. It examines the strength of the legislative framework for public liability and whether it is applied in practice.

Sub-indicators	Maximum points
1. Due process in the legal framework regulating administrative procedures	30
2. Timeliness of administrative procedures	20
3. Public perception of the lawfulness and impartiality of administrative procedures (%)	6
4. Business perception of the consistency and impartiality of conducting administrative procedures (%)	6
5. Functioning of administrative appeal	10
6. Monitoring the effectiveness of administrative procedures	18
7. Legal framework and application of the public liability regime	10
Total	100

Sub-indicator 17.1.1. Due process in the legal framework regulating administrative procedures

Relevant sub-principle(s): 17.a. Administrative procedures are conducted in line with principles of legality, including lawful exercise of discretion, legal certainty, equality, impartiality and proportionality.

17.b. Parties involved in administrative procedures can exercise their right to be heard and access the files of the proceeding.

17.c. The public administration states the reasons for its decisions, notifies the parties and informs them of the right to appeal. Exceptions are allowed for cases when the decision is entirely beneficial for the interest of all involved parties and no party requested it.

17.d. Internal administrative appeal mechanisms, if established, ensure swift and easy access to effective legal remedies.

Maximum points: 30

Approach: Review of legislation, including the law on general administrative procedures (LGAP), if it exists, and laws as well as bylaws regulating procedure in the sample cases listed below. This sub-indicator measures whether the legislation regulating selected administrative procedure guarantees the principles of good administrative behaviour.

Assessment of this sub-indicator is conducted in two steps: assessment of the LGAP (if it exists) and assessment of the laws and bylaws regulating the procedure in the selected administrative procedures below:

1. decision on an application for a work permit for a foreigner (citizen of an EU Member State);
2. decision on construction permit for an individual house (licence);
3. decision on granting disability payment (disability pension);
4. decision on issuing taxi permit (in a capital city, if organised at municipal level).

If there is no LGAP, the assessment is based only on the special laws and bylaws regulating the administrative procedure.

To award points, the LGAP as well as the special legislation have to ensure the rights listed in all of the criteria or, if the special legislation does not stipulate the rights and the LGAP does, then the special legislation should not contain any contradictory provisions (e.g. obligating the applicant to submit data that the state already has, making electronic communication effectively impossible, foreseeing different contents for the administrative act, etc.). If any of the procedures is conducted by sub-national levels of government municipalities, the assessment is only applied on the procedures conducted by the capital.

Criterion 17.1.1.1. The applicant has the right to submit data to public authorities only once (2 points, based on a review of selected procedures)

Category: Legislation

Approach: The applicant of the administrative procedure should not be required to submit any data to the public authority conducting the procedure that state registries already have.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.2. The applicant is entitled to communicate electronically with the public authority (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The legal framework should enable electronic submission of the application and electronic communication throughout the procedure.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.3. The applicant has the right to correct errors in the application (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The applicant should have the right to correct any possible errors in the application (i.e., the application should not be dismissed without the possibility to correct).

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.4. Each party has the right to be heard prior to final decision that limits the rights of the party (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The right to be heard means that before an act adversely affecting a person is adopted, the party has the right to express his/her opinion regarding all facts of the case.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.5. Each party has the right to access their files (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: Parties should have the right to access their files. While some restrictions to this right can exist for respecting the legitimate interests of confidentiality, professional and business secrecy.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.6. The administrative act indicates the legal basis of the decision (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The administrative act should refer to the legal basis, i.e., the provisions of the laws and bylaws which mandate the issuance of this act, or which dictate the procedural conditions.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.7. The administrative act includes a statement of reasons (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The administration should be obligated to provide the reasoning behind the decision in the administrative act.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.8. The administrative act provides information about the appeal deadline and the appeal body (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The administrative act must provide information about the right to appeal and specify both the deadline for filing an appeal and the relevant appeal body.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.9. The applicant has the right to appeal against administrative silence as well as to turn to court (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The applicant should have the right to appeal against administrative silence as well as to turn to court.

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.10. Each party has the right to appeal and turn to the courts (2 points, based on a review of selected administrative procedures)

Category: Legislation

Approach: The right to turn to court has to be granted in any case for awarding points (i.e., the right to appeal to a superior authority is not sufficient on its own).

0.5 points is awarded for each procedure that meets the criterion.

Criterion 17.1.1.11. Due process is respected in administrative proceedings (10 points)

Category: Results

Approach: The assessment is based on the most recent results of the World Justice Project (WJP) Rule of Law Index for factor “6.4 Due process is respected in administrative proceedings”, available at: <https://worldjusticeproject.org/rule-of-law-index/>. According to the WJP rule of law methodology, the score is based on the answers from legal practitioners to the question: In practice, the “Due Process of Law” (including the right to be heard, right to challenge the collected evidence) is respected in administrative proceedings conducted by the following authorities in your country: national environment protection authorities, national tax authorities, local authorities (strongly agree, agree, disagree, strongly disagree).

Points are allocated based on the results of the World Justice Project Rule of Law Index for factor “6.4 Due process is respected in administrative proceedings” (x):

- $x < 0.25 = 0$ points
- $0.25 \leq x < 0.65 =$ linear function
- $x \geq 0.65 = 10$ points.

Sub-indicator 17.1.2. Timeliness of administrative procedures

Relevant sub-principle(s): 17.a. Administrative procedures are conducted in line with principles of legality, including lawful exercise of discretion, legal certainty, equality, impartiality and proportionality.

Maximum points: 20

Criterion 17.1.2.1. Renewing an identification (ID) card: average time until the document becomes available (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 5. The actual delivery of the government service is tested based on a predefined scenario: An adult person applying for the renewal of a passport or national identification (ID) card due to the expiration of the previous ID document. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no fast-track procedures are taken into account).

The average number of days to receive confirmation of the availability of the document. The starting point for the waiting time should be the earlier of the following: the date of requesting the appointment or the date the application was submitted. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 7 = 1$ point.
- $7 < x \leq 21 =$ linear function
- $x > 21 = 0$ points.

Criterion 17.1.2.2. Registering in the healthcare system: average number of days to obtain documents proving your registration (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 6. The actual delivery of the government service is tested based on a predefined scenario:

An adult person registering in the administration of the national healthcare system. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no fast-track procedures are taken into account).

The average number of days to receive confirmation of document availability. The starting point for the waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 7 = 1$ point.
- $7 < x \leq 21 =$ linear function
- $x > 21 = 0$ points.

Criterion 17.1.2.3. Applying for unemployment benefits: average number of days until receiving first payment (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 7. The actual delivery of the government service is tested based on a predefined scenario:

An adult woman claiming unemployment benefits. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no fast-track procedures are taken into account).

The average number of days to receive the first unemployment benefit payment. The starting point for the waiting period should be the earlier of the following: the date of the appointment or the date the claim was sent. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x < 30 = 1$ point.
- $30 \leq x \leq 90 =$ linear function
- $x > 90 = 0$ points

Criterion 17.1.2.4. Applying for a disability pension: average number of days until receiving first payment (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 8. The actual delivery of the government service is tested based on a predefined scenario:

An adult woman applying for a disability pension. The application is made within the country (i.e., not at an embassy) using the standard procedure (i.e. no fast-track procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to receive the first payment. The starting point for waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 60 = 1$ point.
- $60 < x \leq 180 =$ linear function
- $x > 180 = 0$ points.

Criterion 17.1.2.5. Registering a second-hand car: average number of days to obtain documents (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 9. The actual service delivery of government services is tested based on a predefined scenario:

A non-commercial second-hand car being sold within the same country. Seller and buyer are women. The car is clear of any claims, and the buyer is in possession of a valid driver's licence and the necessary mandatory insurance requirements to register the car in her name. Registration takes place under the standard procedure (i.e., no voluntary fees or accelerated procedures are taken into account).

Registration takes place in the capital city. This process only measures registration of the vehicle with public authorities. It does not evaluate the process necessary to comply with insurance requirements.

The average number of days for receiving a confirmation of the availability of the documents. The starting point for waiting time should be the earlier of the following: dates: the date requesting the appointment (for de-registration and/or new registration) or the date the application was submitted. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 1 = 1$ point.
- $1 < x \leq 15 =$ linear function
- $x > 15 = 0$ points.

Criterion 17.1.2.6. Starting a business: average number of days (2 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 10. The actual delivery of the government service is tested based on a predefined scenario:

The scenario uses a standardised company, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no fast-track procedures are taken into account).

The average number of days is calculated between these two milestones. The day the entrepreneur asks about the availability of the company name and the latest of these two dates: the date when the first employee is registered or the date when the fiscal number is obtained. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 4 = 2$ points
- $4 < x \leq 24 =$ linear function
- $x > 24 = 0$ points.

Criterion 17.1.2.7. Registering a new employee: average number of days (2 points)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 11. The actual delivery of the government service is tested based on a predefined scenario:

The scenario uses a standardised company, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

An existing and legally registered company applies to register the contract of a new (permanent / temporary) employee with a valid work permit (national or foreigner with a valid work permit). The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no accelerated procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to confirm registration of a new employee. The starting point for the waiting time should be the earlier of the following: date of the appointment or the date the application was submitted to register a new employee. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x > 1 = 0$ points
- $x \leq 1 = 1$ point

Criterion 17.1.2.8. Applying for an environmental subsidy for companies: number of days until receiving the payment (1 point)

Category: Practice in implementation

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 12. The actual delivery of the government service is tested based on a predefined scenario:

A standardised company is used, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

An existing and legally registered company applies for a subsidy (grant or preferential loan, not award or competitive scheme) to improve energy efficiency of the company (e.g., solar panels, insulation of buildings). The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no accelerated procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to receive the payment. The starting point for the waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 30 = 1$ point.
- $30 < x \leq 180 =$ linear function
- $x > 180 = 0$ points.

Criterion 17.1.2.9. Satisfaction with the time needed to complete the administrative procedure by citizens (%) (1 point)

Category: Results

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 14. Analysis of survey responses from a representative sample of the population who have been in contact with the selected services in the past 36 months. The selected public authorities are the following: 1) Authorities that issue an ID card or a passport, 2) Civil registry, 3) Administrative offices of the national health institution, 4) Unemployment services, 5) Public institutions in charge of granting pensions and or allowances, 6) National tax agency.

Survey question: “Were you satisfied or dissatisfied with the overall time that it took to complete your application with [SER] the last time, including time filling forms and/or visits to the offices?”

Answer Options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 17.1.2.10. Satisfaction with the time needed to complete the administrative procedure by businesses (%) (1 point)

Category: Results

Approach: Results are taken from the assessment in the service delivery and digitalisation area, sub-indicator 20.1.1. criterion 18. Analysis of survey responses from a sample of the businesses who have been in contact with two of the selected services in the past 36 months. Survey question: “Were you satisfied or dissatisfied with the overall time that it took to complete [PRO] the last time, including time filling forms and/or visits to the offices?”

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 17.1.2.11. Administrative proceedings completed within statutory deadline (%) - Application for construction permit (2 points)

Category: Results

Approach: The assessment is based on the data provided by the administration on the number of applications handled for the sample procedures. In case of doubts regarding the accuracy or reliability of the data, the administration is asked to provide additional evidence (e.g. reports containing the referred data).

Points are allocated based on the share of sample proceedings (application for construction permit, application for work permit for a foreigner, application for disability benefit, application for taxi permit, maximum 2 points per procedure, 8 points in total) completed within the statutory deadline (x):

- $x < 80\% = 0$ points
- $80\% \leq x < 100\% =$ linear function
- $x \geq 100\% = 2$ points.

The share of proceedings completed within the statutory deadline is calculated by dividing the number of reported proceedings completed within the statutory deadline by the total number of completed proceedings during the latest full calendar year.

Criterion 17.1.2.12. Administrative proceedings completed within statutory deadline (%) - Application for work permit for a foreigner (2 points)

Category: Results

Approach: The assessment is based on the data provided by the administration on the number of applications handled for the sample procedures. In case of doubts regarding the accuracy or reliability of the data, the administration is asked to provide additional evidence (e.g. reports containing the referred data).

Points are allocated based on the share of sample proceedings (application for construction permit, application for work permit for a foreigner, application for disability benefit, application for taxi permit, maximum 2 points per procedure, 8 points in total) completed within the statutory deadline (x):

- $x < 80\% = 0$ points
- $80\% \leq x < 100\% =$ linear function
- $x \geq 100\% = 2$ points.

The share of proceedings completed within the statutory deadline is calculated by dividing the number of reported proceedings completed within the statutory deadline by the total number of completed proceedings during the latest full calendar year.

Criterion 17.1.2.13. Administrative proceedings completed within statutory deadline (%) - Application for disability benefit (2 points)

Category: Results

Approach: The assessment is based on the data provided by the administration on the number of applications handled for the sample procedures. In case of doubts regarding the accuracy or reliability of the data, the administration is asked to provide additional evidence (e.g. reports containing the referred data).

Points are allocated based on the share of sample proceedings (application for construction permit, application for work permit for a foreigner, application for disability benefit, application for taxi permit, maximum 2 points per procedure, 8 points in total) completed within the statutory deadline (x):

- $x < 80\% = 0$ points
- $80\% \leq x < 100\% =$ linear function
- $x \geq 100\% = 2$ points.

The share of proceedings completed within the statutory deadline is calculated by dividing the number of reported proceedings completed within the statutory deadline by the total number of completed proceedings during the latest full calendar year.

Criterion 17.1.2.14. Administrative proceedings completed within statutory deadline (%) - Application for taxi permit (2 points)

Category: Results

Approach: The assessment is based on the data provided by the administration on the number of applications handled for the sample procedures. In case of doubts regarding the accuracy or reliability of the data, the administration is asked to provide additional evidence (e.g. reports containing the referred data).

Points are allocated based on the share of sample proceedings (application for construction permit, application for work permit for a foreigner, application for disability benefit, application for taxi permit, maximum 2 points per procedure, 8 points in total) completed within the statutory deadline (x):

- $x < 80\% = 0$ points
- $80\% \leq x < 100\% =$ linear function
- $x \geq 100\% = 2$ points.

The share of proceedings completed within the statutory deadline is calculated by dividing the number of reported proceedings completed within the statutory deadline by the total number of completed proceedings during the latest full calendar year.

Sub-indicator 17.1.3. Public perception of the lawfulness and impartiality of administrative procedures

Relevant sub-principle(s): 17.a. Administrative procedures are conducted in line with principles of legality, including lawful exercise of discretion, legal certainty, equality, impartiality, and proportionality

Maximum points: 6

Criterion 17.1.3.1. Perception of the public administration's lawfulness in processing applications (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population. They are asked the following question: "The public administration respects the law, when handling citizens' requests for administrative services (licences and permits, etc.)."

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" or "Strongly agree" to the survey question(x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 3$ points.

Criterion 17.1.3.2. Perception of the public administration's impartiality in procedures (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population. They are asked the following question: "The public administration is applying the law to everyone equally."

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" or "Strongly agree" to the survey question(x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 3$ points.

Sub-indicator 17.1.4. Business perception of the consistency and impartiality of conducting administrative procedures

Relevant sub-principle(s): 17.a. Administrative procedures are conducted in line with principles of legality, including lawful exercise of discretion, legal certainty, equality, impartiality, and proportionality.

Maximum points: 6

Criterion 17.1.4.1. Business perception of the public administration's consistency in applying the law (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following statement: "The public administration's interpretations of the laws and regulations affecting your company are consistent and predictable."

Answer options are: Strongly disagree, Somewhat disagree, Neither disagree nor agree, Somewhat agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Somewhat agree" or "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 3$ points.

Criterion 17.1.4.2. Business perception of the public administration's impartiality in procedures (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following statement: "The public administration is applying the law to everyone equally."

Answer options are: Strongly disagree, Somewhat disagree, Neither disagree nor agree, Somewhat agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Somewhat agree" or "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 3$ points.

Sub-indicator 17.1.5. Functioning of administrative appeal

Relevant sub-principle(s): 17.a. Internal administrative appeal mechanisms, if established, ensure swift and easy access to effective legal remedies.

Maximum points: 10

Criterion 17.1.5.1. Administration is able to provide effective legal remedies without the need for judicial intervention in the majority of cases (4 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: The criteria is applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability payment (disability pension);
4. decision on issuing a taxi permit (in capital city, if organised at municipal level).

The number of complaints submitted to court in the given procedure is divided by the total number of administrative appeal decisions in the same procedure (i.e., the full population of the administrative acts, which could have been contested in court in the last full calendar year).

In case administrative acts are only challenged in courts (i.e., no administrative appeal), the percentage is calculated based on the share of administrative acts contested in court. The number of complaints submitted to court is divided by the total number of administrative acts. If the share is high (i.e. above 40%), then this may indicate the need for administrative appeal.

1 point is awarded for each of the selected four procedures if less than 40% of the appeal decisions are contested in court. If the share is equal to or greater than 40%, 0 points are awarded.

Criterion 17.1.5.2. Repeals of, or changes to, decisions of administrative bodies (%) (6 points)

Category: Practice in implementation

Approach: The share of repealed or changed administrative acts is calculated by dividing the number of administrative acts repealed or changed by the first instance Administrative Court with the total number of decisions of the first instance Administrative Court (during the last full calendar year). The administrative acts repealed or changed by the court are usually the cases, where the complaint was upheld or partially upheld. Misdemeanour decisions are excluded from the calculation.

Points are allocated based on the percentage of Court repeals or changes to decisions of administrative bodies (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 6$ points.

Sub-indicator 17.1.6. Monitoring the effectiveness of administrative procedures

Relevant sub-principle(s): 17.e. The government monitors the functioning of individual types of administrative procedures, the results of internal administrative appeals, as well as judicial appeals, and, if needed, addresses any challenges related to the efficiency, effectiveness, and lawfulness of the administration.

Maximum points: 18

Criterion 17.1.6.1. The responsibility for monitoring the functioning of administrative procedures is established (2 points)

Category: Institutional set-up

Approach: Review of the legal framework for identifying the clear obligation for monitoring the functioning of administrative procedures. There needs to be a legal requirement for monitoring and analysing the functioning of administrative procedures on institutional level (i.e., for the institution conducting the procedure or its superior authority) or at central level, i.e., ministry responsible for public administration.

Criterion 17.1.6.2. Government collects data on the number of submitted requests or procedures (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the number of submitted requests.

Criterion 17.1.6.3. Government collects data on the number of solved requests or procedures (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the number of solved requests.

Criterion 17.1.6.4. Government collects data on the outcome of the procedure (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the outcome of the procedure (e.g., share of approved/rejected requests).

Criterion 17.1.6.5. Government collects data on the duration of procedures (2 point, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the share of first instance procedures completed during the statutory deadline or average duration of procedures.

Criterion 17.1.6.6. Government collects data on the number of submitted appeals or complaints (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the number of appeals submitted against administrative acts in the procedure (or complaints submitted to the court in case of direct access to court).

Criterion 17.1.6.7. Government collects data on number of appeals or complaints solved (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the number of appeals resolved against administrative acts in administrative procedures (or complaints resolved in court in case of direct access to court).

Criterion 17.1.6.8. Government collects data on duration of appeal or court procedures (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

the government needs to be aware of the share of appeal procedures completed during statutory deadline or average duration of appeal procedures (or court procedures in case of direct access to court).

Criterion 17.1.6.9. Government collects data on outcomes of the appeal or court procedure (2 points, based on a review of selected administrative procedures)

Category: Practice in implementation

Approach: Review of reports prepared and published by the authorities or administrative data provided by the administration, in order to confirm that the administration regularly collects and analyses the required data.

The criteria are applied on the four sample administrative procedures:

1. an application for a work permit for a foreigner;
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability benefit;
4. decision on an application for a taxi permit.

For awarding points, the criteria have to be fulfilled for the sample procedure.

The government needs to be aware of the outcomes of the appeal and court procedure, i.e., share of first instance decisions repealed or changed.

Sub-indicator 17.1.7. Legal framework and application of the public liability regime

Relevant sub-principle(s): 17.h. Individuals and legal persons are redressed and fairly compensated for damages from wrongdoing by holders of public authority.

Maximum points: 10

Criterion 17.1.7.1. Bodies exercising public authority are subject to liability (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

Criterion 17.1.7.2. Unlawful acts and actions (as well as inaction) fall within the scope of public liability (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

Criterion 17.1.7.3. Normative activity in the exercise of regulatory authority fall within the scope of public liability (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

The fact that normative activity or normative inaction fall under the scope of public liability regime should be explicitly mentioned in the legal framework (e.g. special law on public liability, also laws on the constitutional court or other courts handling disputes regarding constitutionality and lawfulness of normative acts) or there should be case-law confirming that normative activity or normative inaction fall under the scope of the public liability regime. Possible examples of liability for normative activity or inaction include:

- Right to claim compensation for damages caused by a normative act that was declared unconstitutional even if there was no individual act adopted on the basis of the provision that was declared unconstitutional or if the consequences caused by the unconstitutional provision cannot be eliminated by amending an individual act;
- Right to claim compensation of damages caused by normative inaction (i.e. failure of the regulator to adopt a normative act within the deadline stipulated by law or court decision).

There can be criteria in place that limit the scope of liability for normative activity or inaction, e.g. the damage was caused by breach of duties that are “sufficiently serious”, the provision in the normative act is directly applicable, there is evidence of unequal treatment. However, a situation where liability exists only in case an individual act has been adopted on the basis of a normative act, which was declared unconstitutional, is not sufficient for meeting the requirement.

Criterion 17.1.7.4. Lawful acts and actions can also fall within the scope of public liability (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

It is necessary to determine, if lawful acts and actions can fall under the scope of public liability based on explicit provisions of the law or established court practice. An example of public liability for lawful acts and actions would be a situation, where it would be manifestly unjust to allow the injured person to bear the damage alone, having regard to the following circumstances: the act is in the general interest, only one person or a limited number of persons have suffered the damage and the act was exceptional or the damage was an exceptional result of the act. Possible real-life examples include:

- Compensation for property owners whose land is devalued by the construction of a road or public facility
- Compensation for health damage caused by a lawful vaccination
- Compensation for the withdrawal of water or forest rights if this becomes necessary as a result of nature conservation measures
- Compensation for damage caused by construction work as part of transport projects or similar major projects.
- During a criminal pursuit, an innocent bystander is injured by a ricochet from a police gun.
- The right for compensation for expropriation of property alone (i.e. if this rule is not applied in other non-specified situations, where public authority is exercised), is not sufficient.

Criterion 17.1.7.5. The specified time limit for submitting a public liability request is not shorter than 1 year (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

The time limit for submitting a public liability request (i.e., the period of prescription) must be specified in the legal framework and it should not be less than one year after the applicant could have become aware of the damage.

Criterion 17.1.7.6. Fair compensation is guaranteed (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

The methodology on how to define compensation should be specified in the legislation (pecuniary, *restitutio in integrum*, return to original state), and according to this fair compensation (*damnum emergens* and *lucrum cessans*, actual losses as well as loss of profit) should be guaranteed.

Criterion 17.1.7.7. There is a general administrative procedure to claim compensation due to state liability and the deadline for reviewing the claim by the responsible state authority is two months or less (1 point)

Category: Legislation

Approach: Review of laws to determine the compliance of the public liability regime with the criteria above including the law on obligations, law on administrative procedures, law on administrative disputes and law on the constitutional court process (for liability due to normative activity).

Criterion 17.1.7.8. Compensation payments from state budget for confirmed cases of state liability are paid (3 points)

Category: Practice in implementation

Approach: Analysis of administrative data on amicable settlements for public liability, the payments made from the state budget to entitled applicants or court rulings in public liability cases. Payments made by the state to cover the court costs are excluded.

Indicator 17.2. Effective and fair handling of administrative judicial disputes

This indicator measures the existence of key preconditions for ensuring access to administrative justice, the perception of independence of judiciary and trust in administrative judiciary, as well as the functioning of the administrative judiciary, as characterised by efficiency and effectiveness.

Sub-indicators	Maximum points
1. Access to independent administrative justice	15
2. Perceived independence of the judicial system by the population	10
3. Perceived trust in the judiciary by the population	10
4. Functioning of administrative justice	35
5. Clearance rate in administrative courts	10
6. Calculated disposition time of first-instance administrative cases	20
Total	100

Sub-indicator 17.2.1. Access to independent administrative justice

Relevant sub-principle(s): 17.f. Individuals and legal persons have effective access to an independent court to challenge lawfulness of administrative acts and actions, and obtain effective protection of their rights in a timely manner.

Maximum points: 15

Criterion 17.2.1.1. The right to challenge the lawfulness of administrative acts and actions in court (3 points)

Category: Legislation

Approach: Review of laws. Individuals should have the right to challenge the lawfulness of administrative acts and actions (including inaction and delay) in court to protect their rights. At minimum it should be possible to contest administrative acts as well as actions and delay (administrative silence). If one of these three is not possible to contest, no points are awarded. For example, if in order to contest an administrative action – the plaintiff needs to first obtain a written administrative act confirming that the administration will not perform the action or will not adjust its action, then no points are awarded, because it should be possible to contest the action directly.

Criterion 17.2.1.2. The time limit for challenging an administrative act in court is at least 30 days (2 points)

Category: Legislation

Approach: Review of legislation. The time limit for general complaints against administrative acts is assessed and it should be at least 30 days from delivering the act to the person. There can be different time limits for specific claim types, e.g., claim for compensation of damages can have a longer deadline, but these are not considered for this criterion.

Criterion 17.2.1.3. The right to apply for legal aid in court proceedings for administrative cases (2 points)

Category: Legislation

Approach: Review of legislation. All persons should have the right to apply for necessary legal aid (assistance for legal representation) in court proceedings for administrative cases. The legal acts regulating availability of legal aid should ensure its availability for participation in administrative disputes and there should not be any restrictions for physical persons. The right to free legal aid, where the interests of justice so require, is enshrined in the European Convention of Human Rights (Article 6(3)(c)) for criminal proceedings and in its case-law the European Court of Human Rights has widened its application to civil and administrative proceedings. The Council of Europe Committee of Ministers (“CoE CM”) Resolution (78) 8 On Legal Aid and Advice ²⁵recommends the Member States to ensure that persons in an economically weak position are able to obtain necessary legal advice on civil, commercial, administrative,

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[https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016804e2bb2%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016804e2bb2%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})

social or fiscal matters. The CoECM Recommendation No. R (93) 1 On Effective Access to the Law and to Justice for the Very Poor²⁶ invites the Member States to promote legal advice services to the very poor by defraying the cost of legal advice through legal aid schemes, by supporting advice centres in underprivileged areas, and by enabling non-governmental organisations or voluntary organisations providing support to the very poor, to give legal assistance.

Criterion 17.2.1.4. Right to be exempt from court fees, based on the material situation of the applicant (2 points)

Category: Legislation

Approach: Review of legislation. Legislation should provide for exemption from payment of court fees in administrative disputes, based on the material situation of the applicant.

Criterion 17.2.1.5. The statutory level of fees does not create a barrier to access to justice (2 points)

Category: Legislation

Approach: Review of laws. To assess whether fees are not a barrier to access to justice, the level of fees are analysed in two types of cases:

5. The fee for a complaint against refusal of access to public information must not exceed 5% of the average gross salary (as defined by the administration's national statistics office);
6. The fee for a complaint against results of a public tender with an estimated value of EUR 25 000 must not exceed EUR 500.

Criterion 17.2.1.6. The costs of the applicant are covered by the state, if the case ends in favour of the applicant (2 points)

Category: Legislation

Approach: Review of legislation. If the court decides in favour of the applicant, the court costs (court fee and costs of legal representation) of the applicant should be covered by the state according to legislation.

Criterion 17.2.1.7. The administration bears its own costs regardless of the outcome of the procedure (2 points)

Category: Legislation

Approach: Review of legislation as well as court practice (e.g. in case not explicitly regulated in the legal framework). The criterion is fulfilled even if in exceptional cases the complainant is responsible for covering the costs, e.g., when the complainant has caused the costs by inappropriate behaviour or similar.

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[https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016804df0ee%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016804df0ee%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})

Sub-indicator 17.2.2. Perceived independence of the judicial system by the population

Relevant sub-principle(s): 17.f. Individuals and legal persons have effective access to an independent court to challenge lawfulness of administrative acts and actions, and obtain effective protection of their rights in a timely manner.

Maximum points: 10

Criterion 17.2.2.1. Perceived independence of the judicial system by the population (%) (10 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: From what you know, how would you rate the justice system in your [COUNTRY] in terms of the independence of courts and judges?

Answer options are: Very bad, Fairly bad, Neither bad nor good, Fairly good, Very good, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Fairly good" or "Very good" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 10$ points.

Sub-indicator 17.2.3. Perceived trust in the judiciary by the population

Relevant sub-principle(s): 17.f. Individuals and legal persons have effective access to an independent court to challenge lawfulness of administrative acts and actions, and obtain effective protection of their rights in a timely manner.

Maximum points: 10

Criterion 17.2.3.1. Perceived trust in the judiciary by the population (%) (10 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: How much trust do you have in the following institutions? The courts and judiciary

Answer options are: Do not trust at all, Tend not to trust, Neither distrust nor trust, Tend to trust, Trust completely, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to trust" or "Trust completely" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 10$ points.

Sub-indicator 17.2.4. Functioning of administrative justice

Relevant sub-principle(s): 17.g. The administrative judiciary has the mandate and resources to ensure efficient delivery of quality decisions that are effectively executed.

Maximum points: 35

Criterion 17.2.4.1. The court has the legal powers necessary to redress an unlawful act or action of the administration (2 points)

Category: Legislation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Legal powers necessary to redress an unlawful act or action of the administration is considered to include, as a minimum, the ability to quash the administrative act in part or in full, and order that an administrative act be adopted, or an administrative action be taken within the deadline specified by the court.

Criterion 17.2.4.2. Judgements of the first-instance administrative court can be challenged in higher court (2 points)

Category: Legislation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

It is important to verify that both the complainant as well as the defendant (public authority) have the right to challenge the decision of the first instance court. There can be filtering mechanisms in place that the higher court can apply, when deciding the admissibility of appeal, e.g., to identify cases that have fundamental significance, where the decision derogates from the prior ruling of the higher court, where there are serious doubts about the correctness of the judgment or there are serious procedural shortcomings. Points are not awarded, if (for example):

- The admissibility of the appeal (due to other than formal reasons, e.g., timeliness, lack of authority) is decided by the same court that made the first instance decision without any right to appeal against this decision.
- Appeal is allowed only in cases, where the first instance court decided in full jurisdiction/in meritum;
- Appeal is allowed only in cases, where administrative appeal was excluded.
- Appeal right depends solely on a monetary threshold.

Criterion 17.2.4.3. Judgements of the first-instance administrative court can be challenged in higher court by public authorities (2 points)

Category: Legislation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

It is important to verify that both the complainant as well as the defendant (public authority) have the right to challenge the decision of the first instance court. There can be filtering mechanisms in place that the higher court can apply, when deciding the admissibility of appeal, e.g., to identify cases that have fundamental significance, where the decision derogates from the prior ruling of the higher court, where there are serious doubts about the correctness of the judgment or there are serious procedural shortcomings. Points are not awarded, if (for example):

- The admissibility of the appeal (due to other than formal reasons, e.g., timeliness, lack of authority) is decided by the same court that made the first instance decision without any right to appeal against this decision.
- Appeal is allowed only in cases, where the first instance court decided in full jurisdiction/in meritum;
- Appeal is allowed only in cases, where administrative appeal was excluded.
- Appeal right depends solely on a monetary threshold.

It is important to verify that the public authority (defendant in the first instance procedure) has the same rights for challenging the decisions of the first instance courts in the higher courts as the plaintiff.

Criterion 17.2.4.4. Safeguards are established in the legislation to ensure that court rulings are executed effectively and without delays (2 points)

Category: Legislation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

The safeguards for ensuring effective enforcement can include sanctions for failure to comply or other effective measures to bypass inactive administration (e.g., appointment of an executor by the court).

Criterion 17.2.4.5. There is a procedure for ensuring effective remedies for excessive length of judicial proceedings in administrative cases (2 points)

Category: Legislation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

To determine whether a procedure for ensuring effective remedies for excessive length of judicial proceedings in administrative cases is in place, the assessor needs to verify if there is a possibility to submit a complaint for inactivity of the judge to the court president and/or to a higher court as well as the possibility to be awarded compensation for the violation of the right.

Criterion 17.2.4.6. Procedure for ensuring effective remedies for excessive length of judicial proceedings in administrative cases is functional in practice (3 points)

Category: Practice in implementation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

To determine whether a procedure for ensuring effective remedies for excessive length of judicial proceedings in administrative cases is applied in practice, court decisions on complaints against excessively lengthy proceedings would be considered as evidence of effective implementation of procedures. If complaints are filed but there are no related court decisions, it is evidence that a procedure exists but is not effectively implemented.

Criterion 17.2.4.7. Administrative cases are handled by administrative courts or judges specialised in administrative cases in all court instances (2 points)

Category: Institutional set-up

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Review of regulations (regulating organisation of courts or, in cases where no specialised administrative courts exist, the internal division of work of judges and the establishment of specialised chambers in courts of general jurisdiction) to identify the existence and the number of judges who deal exclusively with administrative cases in all court instances. Points are not awarded, if the judges handling administrative cases are also handling other types of cases (e.g., civil, criminal, misdemeanour) AND if the judges have to apply a different procedural code for these cases (than the code applied for handling administrative cases).

Criterion 17.2.4.8. Judges dealing with administrative cases have an adequate number of legal assistants supporting them in their work (2 points)

Category: Institutional set-up

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Review of regulations prescribing the number of positions for legal assistants in all courts, and all court instances dealing with administrative cases, supplemented with statistical data on the number of assistants employed. An adequate number of legal assistants is considered, at a minimum, a ratio of one legal assistant for every two judges in the country.

Criterion 17.2.4.9. Specialised training programme(s) for judges dealing with administrative cases are conducted and attended by administrative judges (2 points)

Category: Institutional set-up

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Review of the training programme(s) to identify special training for administrative judges, supplemented with statistics on the number of administrative judges who have participated in the special training. Training programmes must be run in the current or latest full calendar year and attended by judges dealing with administrative court cases.

Criterion 17.2.4.10. The workload of judges is systematically analysed (2 points)

Category: Institutional set-up

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Review of reports on the performance of administrative courts. To meet the criteria for systematic analysis of judges' workload, the reports must include the following data:

- the number of judges per court;
- the number of cases annually received/resolved per court and per judge in each court;
- the number of unresolved cases at the end of a period per court;

Criterion 17.2.4.11. A functional and comprehensive case management system is used by the first instance administrative courts (3 points)

Category: Practice in implementation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Points can be awarded only if the annual report on the workload of administrative judges is prepared solely based on the data from the case management system (i.e. not based on manually collected data) and if the judges are able to use the system for identifying other relevant cases (for ensuring consistency of case-law) and for identifying the complete list of cases, which they are currently handling.

Criterion 17.2.4.12. Final court rulings of all administrative courts are available to the public online (3 points)

Category: Practice in implementation

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

The total number of final rulings published online for a calendar year are identified and compared to the number of cases solved by the same court during the same period. Points are not awarded, if the final rulings are published for less than 80% of solved cases. The same approach has to be applied for all courts handling administrative cases in all court instances.

Criterion 17.2.4.13. Cases returned for retrial or judgments amended by a higher court (%) (8 points)

Category: Results

Approach: Review of legislation as well as document review and interviews with judges, civil servants and civil society organisations.

Only administrative court cases for the last full calendar year are taken into account. It is calculated by dividing the number of cases amended or returned for retrial in the second-instance court by the total number of resolved cases in the second-instance court, expressed as a percentage. No points are awarded for criterion 13 if no points were awarded for criterion 2, due to the non-functional mechanism for challenging first instance court decisions.

Points are allocated based on the percentage of cases returned or judgements amended by a higher court (x):

- $x > 50\% = 0$ points
- $20\% \leq x \leq 50\% =$ linear function
- $x < 20\% = 8$ points.

Sub-indicator 17.2.5. Clearance rate in administrative courts

Relevant sub-principle(s): 17.f. Individuals and legal persons have effective access to an independent court to challenge lawfulness of administrative acts and actions, and obtain effective protection of their rights in a timely manner.

17.g. The administrative judiciary has the mandate and resources to ensure efficient delivery of quality decisions that are effectively executed.

Maximum points: 10

Criterion 17.2.5.1. Clearance rate in administrative courts (%)

Category: Results

Approach: Review of administrative data. The number of resolved cases in the latest full calendar year divided by the number of incoming cases in the same period, expressed as a percentage. In a three-instance court system, the clearance rate is calculated for first and second instance courts separately and then the weighted average is calculated (weights are determined by the number of solved cases by each court instance).

Points are allocated based on the clearance rate (x):

- $x < 60\% = 0$ points
- $60\% \leq x < 100\% =$ linear function
- $x = 100\% = 10$ points.

Sub-indicator 17.2.6. Calculated disposition time of administrative cases

Relevant sub-principle(s): 17.f. Individuals and legal persons have effective access to an independent court to challenge lawfulness of administrative acts and actions and obtain effective protection of their rights in a timely manner.

17.g. The administrative judiciary has the mandate and resources to ensure efficient delivery of quality decisions that are effectively executed.

Maximum points: 20

Criterion 17.2.6.1. Calculated disposition time of administrative cases (20 points)

Category: Results

Approach: The number of unresolved administrative cases at the end of the latest full calendar year divided by number of resolved administrative cases in the same period and multiplied by 365.

In a three-instance court system, the disposition time is calculated for first and second instance courts separately and then the weighted average is calculated (weights are determined by the number of solved cases by each court instance).

Points are allocated based on the calculated disposition time (x):

- $x \geq 730 = 0$ points
- $730 > x > 150 =$ linear function
- $x \leq 150$ days = 20 points.

Principle 18: A coherent and comprehensive public sector integrity system minimises the risks of corruption.

Indicator 18.1. Anti-corruption and public integrity

This indicator examines essential components of an effective public sector integrity system. An evidence- and risk-based strategic approach is essential for mitigating public integrity risks and curbing corruption. Corruption offences and sanctions must be established, codes of conducts respected, whistleblowers protected, and an open organisational culture promoted. Regulatory safeguards to manage conflict-of-interest situations and undue influence through lobbying are examined, as well as practice in implementation. The strength of the integrity risk management environment and interagency collaboration is also examined. Finally, the frequency of bribery as reported by individuals and businesses is examined.

Sub-indicators	Maximum points
1. Strategic framework for public integrity	10
2. Comprehensiveness of corruption offences and sanctions	10
3. Communication and enforcement of rules and values for ethical conduct of public officials	8
4. Protection of whistleblowers and open organisational culture	10
5. Avoidance and management of conflict-of-interest situations and unjustifiable wealth	15
6. Transparency and integrity of lobbying activities	10
7. Effectiveness of integrity risk management and control systems	10
8. Fairness and timeliness of handling integrity violations	6
9. Interagency collaboration and public communication	7
10. Experience with bribery in the public sector	10
11. Public trust in the civil service	4
Total	100

Sub-indicator 18.1.1. Strategic framework for public integrity

Relevant sub-principle(s): 18.a. The government has established strategic objectives to reduce the risks of corruption and threats to integrity, based on risk analysis and data.

18.l. The responsible body regularly collects statistical data to monitor the effectiveness of anticorruption and public integrity systems

Maximum points: 10

Criterion 18.1.1.1. Strategic objectives are established for reducing corruption and integrity risks (1 point)

Category: Strategy and guidance

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

Strategies must be adopted at the level of the government (council of ministers or equivalent), or by parliament, and be in force. Objectives relating to curbing corruption or mitigating integrity risks facing public officials qualify. Objectives targeting risk in the private sector and public corporations, state-owned enterprises and public-private partnerships are also accepted. Strategic objectives may be established in various documents touching upon the subject (e.g. Action Plan for Chapter 23; rule of law strategic documents, etc.).

Criterion 18.1.1.2. All strategies contain outcome-level indicators for the public integrity objectives (1 point)

Category: Strategy and guidance

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

Strategies must be adopted at the level of the government (council of ministers or equivalent), or by parliament, and be in force. Objectives relating to curbing corruption or mitigating integrity risks facing public officials qualify. Objectives targeting risk in the private sector and public corporations, state-owned enterprises and public-private partnerships are also accepted. Strategic objectives may be established in various documents touching upon the subject (e.g. Action Plan for Chapter 23; rule of law strategic documents, etc.).

If no strategic objectives are established at the level of the government (council of ministers or equivalent) then 0 points are automatically awarded. If there are more strategies in force and any are without outcome-level indicators or target values, then 0 points are awarded.

Criterion 18.1.1.3. All strategies set target values for all outcome-level indicators (1 point)

Category: Strategy and guidance

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

Strategies must be adopted at the level of the government (council of ministers or equivalent), or by parliament, and be in force. Objectives relating to curbing corruption or mitigating integrity risks facing public officials qualify. Objectives targeting risk in the private sector and public corporations, state-owned enterprises and public-private partnerships are also accepted. Strategic objectives may be established in various documents touching upon the subject (e.g. Action Plan for Chapter 23; rule of law strategic documents, etc.).

If no strategic objectives are established at the level of the government (council of ministers or equivalent) then 0 points are automatically awarded. If there are more strategies in force and any are without outcome-level indicators or target values, then 0 points are awarded.

Criterion 18.1.1.4. All strategies have action plans (1 point)

Category: Strategy and guidance

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

The action plan must specify activities, timelines for each area of work, as well as the responsibility for implementing activities at least at the level of organisations. The action plan(s) must be published.

If no action plan is in place, then 0 points are automatically awarded. If there are more strategies in force and any are without an action plan, then 0 points are awarded.

Criterion 18.1.1.5. All strategies have monitoring reports (1 point)

Category: Strategy and guidance

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

The monitoring report(s) must be published and produced at least annually.

If no monitoring report is developed and published, then 0 points are automatically awarded. If there are more strategies in force and are without a published monitoring report, then 0 points are awarded.

Criterion 18.1.1.6. Reported implementation rate of integrity activities (%) (5 points)

Category: Practice in implementation

Approach: Review of strategies related to anti-corruption and public integrity (public integrity strategies), provided by national authorities. One or several strategies can constitute the strategic framework.

Analysis of the implementation rate of activities related to strategic objectives for public integrity for the last full calendar year, as presented in the monitoring reports provided by the national authorities. Implementation rate is calculated based on the planned actions of all action plans of all valid integrity-related planning documents that comprise the strategic framework on public integrity during the last full calendar year. Activities that are only partially implemented will be counted as not implemented. Continuous activities that span over more than one year and which do not have a clear timeframe, annual targets and deadlines established in the action plan are excluded from the calculation of the implementation rate. If there is no information on implementation of the action plan(s) of one or more strategies establishing strategic objectives for public integrity, it is assumed that the activities planned for the reporting year have not been implemented from the list of all planned activities of all strategies.

Points are allocated based on the reported implementation rate of planned activities (x):

- $x \leq 25\% = 0$ points.
- $25\% < x < 90\% =$ linear function.
- $x = 90\% = 5$ points.

Sub-indicator 18.1.2. Comprehensiveness of corruption offences and sanctions

Relevant sub-principle(s): 18.b. Regulations define a comprehensive set of corrupt acts and integrity violations as criminal, civil and/or administrative offences, including proportional sanctions.

Maximum points: 10

Criterion 18.1.2.1. The penal code establishes the mandatory corruption offences provided in the UNCAC (2 points)

Category: Legislation

Approach: Review against the corruption offences established in the United Nations Convention Against Corruption (UNCAC) and the [International Classification of Crime for Statistical Purposes of the United Nations Office on Drugs and Crime, Version 1.0](#), Level 07 Acts involving fraud, deception or corruption.

In the penal code, regulation of fraud, deception and corruption offences perpetrated by public officials must be established, including, at a minimum: financial fraud against the state, acts of forgery/counterfeiting documents, active bribery, passive bribery, embezzlement, abuse of functions/power, money laundering and other acts involving the proceeds of crime (the definitions must be mutually exclusive, exhaustive and in line with the classifications of the United Nations Office on Drugs and Crime). The two non-mandatory corruption offences are a) trading in influence, and b) illicit enrichment.

Criterion 18.1.2.2. The penal code establishes at least one of the non-mandatory corruption offences provided in the UNCAC (2 points)

Category: Legislation

Approach: Review against the corruption offences established in the United Nations Convention Against Corruption (UNCAC) and the [International Classification of Crime for Statistical Purposes of the United Nations Office on Drugs and Crime, Version 1.0](#), Level 07 Acts involving fraud, deception or corruption.

In the penal code, regulation of fraud, deception and corruption offences perpetrated by public officials must be established, including, at a minimum: financial fraud against the state, acts of forgery/counterfeiting documents, active bribery, passive bribery, embezzlement, abuse of functions/power, money laundering and other acts involving the proceeds of crime (the definitions must be mutually exclusive, exhaustive and in line with the classifications of the United Nations Office on Drugs and Crime). The two non-mandatory corruption offences are a) trading in influence, and b) illicit enrichment.

Criterion 18.1.2.3. Sanctions are established for breaching incompatibilities between public functions and other public or private activities (1 point)

Category: Legislation

Approach: Regulations must establish a list of specific functions or positions that are incompatible with specific public functions, meaning bans.

Criterion 18.1.2.4. Sanctions for breaches of conflict-of-interest provisions are defined (1 point)

Category: Legislation

Approach: Review of regulations. Any restrictions on secondary employment and post-employment limitations along with the sanctioning of breaching these restrictions qualify. These rules should apply the scope defined in the regulatory framework that should include also civil servants.

Data is also collected regarding the use of investigations and trials for each of the offences.

Criterion 18.1.2.5. Sanctions for unlawful secondary employment are established (1 point)

Category: Legislation

Approach: Review of regulations. Any restrictions on secondary employment and post-employment limitations along with the sanctioning of breaching these restrictions qualify. These rules should apply the scope defined in the regulatory framework that should include also civil servants.

Data is also collected regarding the use of investigations and trials for each of the offences.

Criterion 18.1.2.6. Sanctions on post-employment integrity practices are established in regulations (1 point)

Category: Legislation

Approach: Review of regulations. Any restrictions on secondary employment and post-employment limitations along with the sanctioning of breaching these restrictions qualify. These rules should apply the scope defined in the regulatory framework that should include also civil servants.

Data is also collected regarding the use of investigations and trials for each of the offences.

Criterion 18.1.2.7. Sanctions for breaches of standards for transparency and integrity in lobbying are defined (1 point)

Category: Legislation

Approach: Review of regulations. Any restrictions on secondary employment and post-employment limitations along with the sanctioning of breaching these restrictions qualify. These rules should apply the scope defined in the regulatory framework that should include also civil servants.

Data is also collected regarding the use of investigations and trials for each of the offences.

Criterion 18.1.2.8. Sanctions for failure to disclose assets are established in regulations (1 point)

Category: Legislation

Approach: Review of regulations. Any restrictions on secondary employment and post-employment limitations along with the sanctioning of breaching these restrictions qualify. These rules should apply the scope defined in the regulatory framework that should include also civil servants.

Data is also collected regarding the use of investigations and trials for each of the offences.

Sub-indicator 18.1.3. Communication and enforcement of rules and values for ethical conduct of public officials

Relevant sub-principle(s): 18.c. Rules and values for ethical conduct are in place throughout the public sector and are effectively communicated and enforced.

Maximum points: 8

Criterion 18.1.3.1. Standards of conduct and ethical behaviour are published (1 point)

Category: Legislation

Approach: Review of regulations relating to the codes of conduct/ethics, verification of online public availability and scope of application.

Criterion 18.1.3.2. Standards of conduct and ethical behaviour are applicable at least to civil servants (1 point)

Category: Legislation

Approach: Review of regulations relating to the codes of conduct/ethics, verification of online public availability and scope of application.

Criterion 18.1.3.3. Rules related to the receipt of gifts and benefits are published (1 point)

Category: Legislation

Approach: Review of regulations relating to the receipt of gifts and benefits, verification of online public availability, scope of application, as well as that regulations establish at least value thresholds for gifts and benefits.

Criterion 18.1.3.4. Rules related to the receipt of gifts and benefits are applicable to at least to civil servants (1 point)

Category: Legislation

Approach: Review of regulations relating to the receipt of gifts and benefits, verification of online public availability, scope of application, as well as that regulations establish at least value thresholds for gifts and benefits.

Criterion 18.1.3.5. Public officials know and understand the code of conduct (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in central government who read the code of conduct/ethical guidelines for public employees. They were asked: “To what extent do you agree with the following statement? The ethical guidelines are clear and understandable?”.

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know and Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 4$ points.

Sub-indicator 18.1.4. Protection of whistleblowers and open organisational culture

Relevant sub-principle(s): 18.d. An easily accessible and trusted complaints mechanism encourages reports on integrity violations and an open organisational culture.

18.e. The law protects whistleblowers against all types of reprisals, and they can report confidentially to a body that ensures follow-up²⁷.

Maximum points: 10

Criterion 18.1.4.1. Procedures for reporting breaches of integrity violations are established by law, and include both internal and external channels (1 point)

Category: Legislation

Approach: Review of legislation. The reporting person must be free to choose between the internal and external (or public disclosure) channels. There can be no hierarchy of internal and external reporting channels.

²⁷ Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, <http://data.europa.eu/eli/dir/2019/1937/oj>.

Criterion 18.1.4.2. Whistleblowers are protected against retaliation by law (1 point)

Category: Legislation

Approach: Review of legislation. The definition of a whistleblower must be in line with the 2019 EU Directive on Protection of Whistleblowers. Criminal, civil or administrative penalties are necessary to ensure the effectiveness of the rules on whistleblower protection. Penalties against those who take retaliatory or other adverse actions against reporting persons can discourage further such actions. Penalties against persons who report or publicly disclose information on breaches which are demonstrated to be knowingly false are also necessary to deter further malicious reporting and preserve the credibility of the system. The proportionality of such penalties should ensure that they do not have a dissuasive effect on potential whistleblowers. Those surrounding a whistleblower, such as facilitators, individuals and non-profit legal entities, are also protected.

Criterion 18.1.4.3. The confidentiality of the reporting person is protected by law (0.5 points)

Category: Legislation

Approach: Review of legislation. Both internal and external channels of reporting must protect the confidentiality of the identity of the reporting person and any third party and prevent access by non-authorised staff members. The competent authorities must have in place channels that ensure confidentiality for receiving and handling information provided by the reporting person on breaches, and that enable the durable storage of information to allow for further investigations. Normal complaints channels should be separate from whistleblowing channels.

Criterion 18.1.4.4. Multiple reporting channels are mandatory by law (0.5 points)

Category: Legislation

Approach: Review of legislation. The reporting channels should enable persons to report in writing or to report orally, or both. Upon request by the reporting person, such channels should also enable reporting by means of physical meetings, within a reasonable timeframe.

Criterion 18.1.4.5. Reporting channels must by law acknowledge receipt of reports, provide follow-up, feedback on the outcome, and forward to relevant authorities (0.5 points)

Category: Legislation

Approach: Review of legislation. Reporting channels must comply with the following requirements: a) acknowledge receipt of the report within seven days of receiving it, unless the reporting person explicitly requests otherwise, or there is a reasonable belief that such acknowledgment would risk the protection of the reporting person; b) provide follow-up on the report; c) provide feedback to the reporting person not exceeding a three-month timeframe, or six months if it is duly justified; d) communicate the outcome of the investigation triggered by the report to the reporting person; e) communicate the appropriate information of the report to the relevant institutions, bodies, offices, or agencies for further investigation and action.

Criterion 18.1.4.6. Designated authority(ies) exist to receive external whistle-blower reports (0.5 points)

Category: Institutional set-up

Approach: Review of regulations. The competent authorities could be judicial authorities, regulatory or supervisory bodies competent in the specific areas concerned, or authorities of a more general competence at a central level, law enforcement agencies, anticorruption bodies or ombudsperson institutions.

Criterion 18.1.4.7. Anonymous reports are accepted and systemically followed-up (2.5 points)

Category: Practice in implementation

Approach: Review of annual report(s) from the latest full calendar year of the competent authorities to identify receipt and investigation of anonymous reports. The report must be publicly available. Any information about follow-up counts as meeting the criterion.

Criterion 18.1.4.8. A public website provides information on whistleblowers' rights, procedures for reporting, and contact details (0.5 points)

Category: Practice in implementation

Approach: Review of the public website. The competent authority(ies) must publish in their website(s) the conditions for being granted protection as a whistle-blower, facilitator or relative of a whistleblower. The website should also provide the contact details for external reporting, including the postal address and telephone number with information whether or not the conversations are recorded. The procedure after filing the report should be explained, including whether and how the competent authority may request more information or further clarification and the deadlines for providing feedback and follow-up reports.

Criterion 18.1.4.9. Perception of ease of reporting corruption (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: "What do you think, if you witnessed a case of corruption and you wanted to officially report it, how easy or difficult would this be for you to do?" Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer

Points are allocated based on the percentage of respondents who replied "Somewhat easy" or "Very easy" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 3$ points.

Sub-indicator 18.1.5. Avoidance and management of conflict-of-interest situations and unjustifiable wealth

Relevant sub-principle(s): 18.f. A coherent system manages conflict-of-interest situations, provides guidance and procedures for resolution and a list of incompatibilities between public functions and private activities, and mitigates pre- and post-public employment risks, for example through cooling-off periods.

18.g. A public body with authority to issue sanctions monitors a risk-based system of asset declarations and mechanisms are in place for investigating and sanctioning discrepancies between personal assets and declared incomes.

Maximum points: 15

Criterion 18.1.5.1. Cooling off periods for public officials are established by law (1 point)

Category: Legislation

Approach: No mandatory time for the cooling-off period is defined. Only the existence of a cooling-off period post-employment is assessed. Scope of application can be for specific categories of public officials, including at least senior civil servants. Restrictions must be established by primary law.

Criterion 18.1.5.2. Conflict-of-interest situations for public officials are regulated (1 point)

Category: Legislation

Approach: The regulation must establish the authority of the public body responsible for the implementation of the regulation, including verification and sanctioning powers.

Criterion 18.1.5.3. Regulations list incompatibilities between public functions and other public or private activities (1 point)

Category: Legislation

Approach: Regulations must establish a list of specific functions or positions that are incompatible with specific public functions, meaning bans.

Criterion 18.1.5.4. Regulations define institutional responsibilities asset declarations as well as submission, compliance, and content verification procedures (1 point)

Category: Legislation

Approach: Review of regulations. For all types of asset declarations. Responsibilities for content verification must be explicitly outlined.

Criterion 18.1.5.5. Any member of the government must submit an asset declaration, as a minimum upon entry and at any renewal or change in public office (1 point)

Category: Legislation

Approach: Review of regulations. It is not a requirement that asset declarations are made public (this is assessed elsewhere).

Criterion 18.1.5.6. Any member of the parliament must submit an asset declaration, as a minimum upon entry and at any renewal or change in public office (1 point)

Category: Legislation

Approach: Review of regulations. It is not a requirement that asset declarations are made public (this is assessed elsewhere).

Criterion 18.1.5.7. Any member of the highest bodies of the judiciary must submit an asset declaration, as a minimum upon entry and at any renewal or change in public office (1 point)

Category: Legislation

Approach: Review of regulations. It is not a requirement that asset declarations are made public (this is assessed elsewhere).

Criterion 18.1.5.8. Any public employee in a high-risk position must submit an asset declaration, as a minimum upon entry and at any renewal or change in public duties (1 point)

Category: Legislation

Approach: As a minimum, senior civil servants and/or top management positions, political advisors and staff with decision making powers in regulatory and procurement functions is defined as high-risk positions. In addition, any national definitions apply. Otherwise, it is for the administration to define which positions are included in high-risk positions.

Criterion 18.1.5.9. Any newly appointed or reappointed top public manager of the executive branch must submit an asset declaration (1 point)

Category: Legislation

Approach: Review of regulations. It is not a requirement that asset declarations are made public (this is assessed elsewhere).

Criterion 18.1.5.10. All declarations are submitted electronically (1 point)

Category: Practice in implementation

Approach: Review of administrative data. No submissions can be paper-based.

Criterion 18.1.5.11. Procedures are in place to verify that asset declaration obligations are adhered to by all members of government(s) during the last full calendar year (1 point)

Category: Institutional set-up

Approach: Review of administrative data and interviews. Any evidence would satisfy the criteria demonstrating that the body in charge of managing the declarations is certain that all obligors adhered to their declaration obligations positively (e.g. by providing the number of obligors and number of submissions in the latest full calendar year) or negatively (by demonstrating that the body was aware of obligors that did not adhere to their obligations during the last full calendar year).

Criterion 18.1.5.12. Procedures are in place to verify that asset declaration obligations are adhered to by all newly appointed or reappointed top public managers of the executive branch during the last full calendar year (2 points)

Category: Institutional set-up

Approach: Review of administrative data and interviews. Any evidence would satisfy the criteria demonstrating that the body in charge of managing the declarations is certain that all obligors adhered to their declaration obligations positively (e.g. by providing the number of obligors and number of submissions in the latest full calendar year) or negatively (by demonstrating that the body was aware of obligors that did not adhere to their obligations during the last full calendar year).

Criterion 18.1.5.13. Procedures are in place to verify the accuracy and correctness of declarations (1 point)

Category: Legislation

Approach: As a minimum, politically exposed persons should be more likely to be selected. Politically exposed persons are defined for the FATF²⁸. Verification of accuracy of content is understood as checking that information submitted in the different sections is complete, consistent and coherent, and checked against other available data sources (e.g. sources of assets can be proven). Any regulation or procedures manual is counted for checking these criteria.

Criterion 18.1.5.14. Declarations to be verified are selected according to a risk-based approach (1 point)

Category: Legislation

Approach: As a minimum, politically exposed persons should be more likely to be selected. Politically exposed persons are defined for the FATF. Verification of accuracy of content is understood as checking that information submitted in the different sections is complete, consistent and coherent, and checked against other available data sources (e.g. sources of assets can be proven). Any regulation or procedures manual is counted for checking these criteria.

²⁸ [FATF Guidance: Politically Exposed Persons \(Recommendations 12 and 22\) \(fatf-gafi.org\)](https://www.fatf-gafi.org/publications/fatfrecommendations/documents/FATF%20Guidance%20on%20Politically%20Exposed%20Persons.pdf)

Sub-indicator 18.1.6. Transparency and integrity of lobbying activities

Relevant sub-principle(s): 18.h. Lobby and influence activities are defined, transparent and conducted with integrity.

Maximum points: 10

Criterion 18.1.6.1. Lobbying activities are defined by law, including which actors are considered as lobbyists (2 points)

Category: Legislation

Approach: Review of regulation(s), which must cover both the legislative and executive branch.

Criterion 18.1.6.2. A code of conduct regulates interactions between public officials and lobbyists (1 point)

Category: Legislation

Approach: The code of conduct must include practical examples of at-risk or undesirable behaviours and situations.

Criterion 18.1.6.3. A supervisory function exists to oversee transparency of lobbying activities (1 point)

Category: Institutional set-up

Approach: The responsible unit or body must have oversight functions to monitoring and enforce implementation of regulations.

Criterion 18.1.6.4. Lobbyists' registration tools are made accessible for all and detail the registration procedure step by step to support the registrant (1 point)

Category: Practice in implementation

Approach: Review of the lobbying register functionalities. If the register is not publicly available, the national authority is requested to provide access.

Criterion 18.1.6.5. The lobbying register allows to sort information collected at the minimum by lobbyist's name, company or organisation, domain of intervention, and piece of legislation or regulation targeted (1 point)

Category: Practice in implementation

Approach: Review of the lobbying register functionalities. If the register is not publicly available, the national authority is requested to provide access.

Criterion 18.1.6.6. Information disclosed by lobbyists in the register includes their name, organisation, domain of intervention, and type of lobbying activities (1 point)

Category: Practice in implementation

Approach: Review of the lobbying register functionalities. If the register is not publicly available, the national authority is requested to provide access.

Criterion 18.1.6.7. Information disclosed by lobbyists in the register include budget/expenses for lobbying activities and pieces of legislation and regulation targeted (1 point)

Category: Practice in implementation

Approach: Review of the lobbying register functionalities. If the register is not publicly available, the national authority is requested to provide access.

Criterion 18.1.6.8. The lobbying register is accessible online (1 point)

Category: Practice in implementation

Approach: Review of the lobbying register functionalities. If the register is not publicly available, the national authority is requested to provide access.

Criterion 18.1.6.9. At least one investigation was carried out for non-compliance with the regulation of lobbying activities or incomplete or erroneous disclosure of information during the latest full calendar year (1 point)

Category: Practice in implementation

Approach: The responsible authority is asked to provide case files to verify a minimum level of use of integrity investigations in practice.

Sub-indicator 18.1.7. Effectiveness of integrity risk management and control systems

Relevant sub-principle(s): 18.i. An effective integrity risk management and control system is functioning in all public sector organisations.

Maximum points: 10

Criterion 18.1.7.1. There is a supporting internal control environment (5 points)

Category: Practice in implementation

Approach: This criterion re-uses the analysis conducted for “Adequacy of the operational framework for internal control and its functioning in practice” (Indicator 26). All elements of the internal control and internal audit environments are relevant for safeguarding against corruption risks.

Points are allocated based on the percentage of available points awarded under Indicator 26 on internal control (x):

- $x \leq 20\% = 0$ points.
- $20\% < x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Criterion 18.1.7.2. There is a supporting internal audit function (5 points)

Category: Practice in implementation

Approach: This criterion re-uses the analysis conducted for “Adequacy of the operational framework for internal control and its functioning in practice” (Indicator 26). All elements of the internal control and internal audit environments are relevant for safeguarding against corruption risks.

Points are allocated based on the percentage of available points awarded under Indicator 27 on internal audit (x):

- $x \leq 20\% = 0$ points.
- $20\% < x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Sub-indicator 18.1.8. Fairness and timeliness of handling integrity violations

Relevant sub-principle(s): 18.j. Integrity violations are detected, investigated and sanctioned with fairness, objectivity, and timeliness, with an option to appeal.

Maximum points: 6

Criterion 18.1.8.1. The disciplinary procedure for integrity violations is established in the law (1 point)

Category: Legislation

Approach: Review of regulations. An explicit statement of obligations of public servants must be included in the national regulation, including a statement that a breach of these obligations should lead to disciplinary proceedings. Regulations state who initiates the proceedings, who takes decisions, and which is the appeal body.

Criterion 18.1.8.2. Disciplinary procedures comply with basic procedural principles (1 point)

Category: Legislation

Approach: Results are taken from the assessment in the public service and HRM area, sub-indicator 8.1.5. criterion 2 and 3.

Criterion 18.1.8.3. Public servants have the right to appeal disciplinary decisions to the courts (1 point)

Category: Legislation

Approach: Results are taken from the assessment in the public service and HRM area, sub-indicator 8.1.5. criterion 2 and 3.

Criterion 18.1.8.4. Duration of disciplinary procedures for integrity violations (3 points)

Category: Practice in implementation

Approach: Review of administrative data provided by national authorities. The average amount of days from the initiation of a disciplinary procedure to its decision is counted.

Points are allocated based on the duration of disciplinary procedures expressed in days (x):

- $x > 90 = 0$ points.
- $30 < x \leq 90 =$ linear function.
- $X \leq 30 = 3$ points.

Sub-indicator 18.1.9. Interagency collaboration and public communication

Relevant sub-principle(s): 18.k. Public administration bodies share information with law enforcement authorities to allow interagency collaboration and criminal investigations; they inform the public about the outcome of cases, while respecting confidentiality.

Maximum points: 7

Criterion 18.1.9.1. Entities carrying out disciplinary investigations provide data on disciplinary cases to a central co-ordination body within the executive (2 points)

Category: Practice in implementation

Approach: Reports must be provided as a minimum on an annual basis. The central co-ordination body must provide evidence of receipt of all reports for the latest full calendar year.

Criterion 18.1.9.2. Central statistics on disciplinary procedures initiated, concluded, and appealed are published, by type of offence (1 point)

Category: Practice in implementation

Approach: Review of reports. The report must be publicly available and include information from all disciplinary proceedings for the latest full calendar year. National regulations on confidentiality must be respected.

Criterion 18.1.9.3. Central statistics on the number and type of sanctions for disciplinary procedures are published by type of offence (1 point)

Category: Practice in implementation

Approach: Review of reports. The report must be publicly available and include information from all disciplinary proceedings for the latest full calendar year. National regulations on confidentiality must be respected.

Criterion 18.1.9.4. Central statistics on corruption related criminal investigations, prosecutions and court judgments are published, by type of offence (1 point)

Category: Practice in implementation

Approach: x Review of reports. The report must be publicly available and include information from all criminal cases for the latest full calendar year. National regulations on confidentiality must be respected. Criminal courts and prosecutorial institutions published as a minimum a) the number of criminal investigations initiated; b) cases brought before a court; c) cases concluded; and d) appeals, by type of offence, as well as the number and type of sanctions applied.

Criterion 18.1.9.5. Central statistics on number and type of criminal sanctions are published, by type of offence (1 point)

Category: Practice in implementation

Approach: Review of reports. The report must be publicly available and include information from all criminal cases for the latest full calendar year. National regulations on confidentiality must be respected. Criminal courts and prosecutorial institutions published as a minimum a) the number of criminal investigations initiated; b) cases brought before a court; c) cases concluded; and d) appeals, by type of offence, as well as the number and type of sanctions applied.

Criterion 18.1.9.6. Central statistics on corruption related criminal cases and judgements are accessible on a user-friendly website (1 point)

Category: Practice in implementation

Approach: Review of public websites. It is not a condition that all data must be kept on a single portal. The portal must contain all the information mentioned in criteria 4 and 5. The data must be downloadable and searchable and include the following functionalities: a) a search bar; b) filters to sort at minimum by dates, jurisdiction, organisation, localisation, and type of offence; c) a contact form for queries. Statistics is consolidated throughout the chain of procedures – investigation, prosecution and court. National regulations on confidentiality must be respected.

Sub-indicator 18.1.10. Experience with bribery in the public sector

Relevant sub-principle(s): 18.I. The responsible body regularly collects statistical data to monitor the effectiveness of anticorruption and public integrity systems.

Maximum points: 10

Criterion 18.1.10.1. Perceived level of bribery in the public sector by businesses (%) (5 points)

Category: Results

Approach: This sub-indicator measures the level of bribery from representative surveys of the population and businesses.

Analysis of survey responses from a sample of businesses to the following statement: “It is common for companies in my line of business to have to give irregular payments or gifts to public officials “to get things done” by the public administration.”.

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x > 30\% = 0$ points.
- $15\% \leq x \leq 30\% =$ linear function.
- $x < 15\% = 5$ points.

Criterion 18.1.10.2. Bribery in the public sector experienced by the population (%) (5 points)

Category: Results

Approach: This sub-indicator measures the level of bribery from representative surveys of the population and businesses.

Analysis of survey responses from a representative sample of the population to the following question: “In the last 12 months (since [MONTH YEAR]), have you had to give any public official a gift or money--in addition to any official fee--, or done them a favour in return for a service, including through someone else (in relation to any of the following institutions: police, registry and permit services, utilities, tax revenues, land services or any government agency)?” Answer options are: Yes, No, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x > 8\% = 0$ points.
- $2\% \leq x \leq 8\% =$ linear function.
- $x < 2\% = 5$ points.

Sub-indicator 18.1.11. Public trust in the civil service

Relevant sub-principle(s): 18.c. Rules and values for ethical conduct are in place throughout the public sector and are effectively communicated and enforced.

Maximum points: 4

Criterion 18.1.11.1. Public trust in the civil service (4 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question: “How much trust do you have in the following institutions? ”

Civil servants (non-elected government employees at central or local levels of government).

Answer options are: Do not trust at all, Tend not to trust, Neither distrust nor trust, Tend to trust, Trust completely, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to trust” and “Trust completely” to the survey questions (x):

- $x < 10\% = 0$ points
- $10\% \leq x \leq 90\% =$ linear function
- $x > 90\% = 4$ points.



Service delivery and digitalisation

The public administration places **users at the centre** and delivers high-quality and easily **accessible services** online and offline to all people and businesses. Digitalisation enables data-driven decisions, effective and efficient processes.

Principle 19: Users are at the centre in design and delivery of administrative services.

Indicator 19.1. Enablers for user-centric services

This indicator focuses on whether the government has put in place a policy and institutional set-up to achieve user-centric service design and delivery, including a framework for user-engagement and participation, service standards and mechanisms to reduce administrative burden.

Sub-indicators	Maximum points
1. Existence of a service delivery policy and institutional set-up	20
2. User engagement and participation	20
3. Procedures and practice to control creation of administrative burdens	15
4. Analysis of administrative burdens of existing regulations	15
5. Existence of service delivery standards	15
6. Monitoring system of service standards	15
Total	100

Sub-indicator 19.1.1. Existence of a service delivery policy and institutional set-up

Relevant sub-principle(s): 19.a. The government establishes and co-ordinates a whole-of-government policy to continuously improve design and delivery of public administrative services, based on evolving user needs.

Maximum points: 20

Criterion 19.1.1.1. A service delivery policy or strategy is in force (1 point)

Category: Strategy and guidance

Approach: It is required the existence of a service delivery policy or strategy that covers the entire central government. For the strategy to be considered covering the entire central government, it is required that it covers all sectorial policies in the competency framework of the central government. The existence of sectorial strategies for some policy sectors is not enough to fulfil the criterion.

The strategy can be contained in one or several planning documents and it should be in force (valid) the year of the assessment.

The service delivery policy or strategy can be part of a more general strategy (e.g. public administration reform (PAR) strategy) or it can be one or several planning documents related to only service design and delivery.

Criterion 19.1.1.2. Service delivery planning document(s) include a situation analysis, including identification of existing problems and user needs (1 point)

Category: Strategy and guidance

Approach: Review of government service delivery planning document(s) to check they have a situation analysis, including identification of existing problems and data on user needs and preferences regarding administrative services.

Criterion 19.1.1.3. Service delivery planning document(s) include policy objectives (1 point)

Category: Strategy and guidance

Approach: Review of government service delivery planning document(s) to check they include policy objectives.

Criterion 19.1.1.4. Service delivery planning document(s) include outcome-level indicators for policy objectives (1 point)

Category: Strategy and guidance

Approach: Review of government service delivery planning document(s) to check they include outcome-level indicators for policy objectives.

Criterion 19.1.1.5. Service delivery planning document(s) include baseline and target values for outcome-level indicators (1 point)

Category: Strategy and guidance

Approach: Review of government service delivery planning document(s) to check they include baseline and target values for outcome-level indicators.

Criterion 19.1.1.6. Service delivery planning document(s) include activities linked to specific institutions with clear deadlines for completion (1 point)

Category: Strategy and guidance

Approach: Review of government service delivery planning document(s) to check they include activities linked to specific institutions with clear deadlines for completion.

Criterion 19.1.1.7. Reported implementation rate of planned service delivery activities (%) (5 points)

Category: Practice in implementation

Approach: Review of service delivery planning documents and reports. Reported implementation rate is calculated based on actions contained in all service delivery planning documents during the last full calendar year. If there is no information on implementation of the action plan(s) of one or more strategies comprising the public administration reform (PAR) agenda, it is assumed that the activities planned for the reporting year have not been implemented from the list of all planned activities of all strategies. Activities that are ongoing, continuous or only partly implemented will not be counted.

Points are allocated based on the reported implementation rate of activities:

- $x < 25\% = 0$ points
- $25\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Criterion 19.1.1.8. Reported fulfilment rate of planned service delivery objectives (%) (5 points)

Category: Practice in implementation

Approach: Analysis is based on measurable reform objectives set by the government in one or more service delivery planning documents. The number of fulfilled reform objectives is compared with all reform objectives. If the government has established annual targets or results, these are taken into account in the analysis. If the government has established less frequent targets or results, the analysis will take into account the data from the latest available year (providing it dates no more than three years back). If the government has not set targets or any other form of measurable reform objectives, 0 points are awarded. The sub-indicator is calculated based on all targets that are fully achieved. If all targets are fully achieved, the rate is 100%.

Points are allocated based on the reported fulfilment rate of objectives:

- $x < 25\%$ = 0 points
- $25\% \leq x < 90\%$ = linear function
- $x \geq 95\%$ = 5 points.

Criterion 19.1.1.9. A responsible body has been appointed with the mandate to co-ordinate and steer the service design and delivery for the entire central government (1 point)

Category: Institutional set-up

Approach: Review of legislation. To fulfil this criterion a regulation (law or bylaw) should designate a responsible body with the mandate to co-ordinate and steer the service delivery policy for the entire central government. It is not prescribed which type of body, only that a clear mandate is given to a ministry, agency, unit inside the office of the prime minister, or inter-ministerial committee, etc. If competences are shared between more than one official or body, points are awarded if there is evidence of a co-ordination mechanism (e.g. co-ordination committee).

Criterion 19.1.1.10. The responsible body has the mandate to propose and initiate simplification of services that involve more than one ministry or agency (1 point)

Category: Institutional set-up

Approach: Review of legislation to check that the mandate to propose and initiate simplification of services that involve more than one ministry or agency, being able to set Inter-ministerial or interagency groups, to lead these groups, and to prepare proposals and submit them to the council of ministers for approval. If competences are shared between more than one official or body, points are awarded if there is evidence of a co-ordination mechanism (e.g. co-ordination committee).

Criterion 19.1.1.11. The responsible body has the mandate to approve a general methodology or guidance for setting service standards or citizen charters (0.5 points)

Category: Institutional set-up

Approach: Review of legislation to verify that the law or bylaw establish the mandate to approve a common methodology for setting service standards or citizen charters, including how to define standards and indicators, how to establish performance measures and corrective mechanisms, etc. If competences are shared between more than one official or body, points are awarded if there is evidence of a co-ordination mechanism (e.g. co-ordination committee).

Criterion 19.1.1.12. The responsible body has the mandate to approve a general methodology or guidance for measuring citizen and business satisfaction with public administrative services (0.5 points)

Category: Institutional set-up

Approach: Review of legislation to verify that a law or bylaw establishes the mandate to approve a common methodology for measuring citizen and business satisfaction with public services, including the definition of sampling methods, scales, standardised questions, etc., ensuring the comparability between different service providers. If competences are shared between more than one official or body, points are awarded if there is evidence of a co-ordination mechanism (e.g. co-ordination committee).

Criterion 19.1.1.13. The responsible body has the mandate to collect and publish information about performance and satisfaction with public services in the entire central government (1 point)

Category: Institutional set-up

Approach: Review of government documentation to verify that the responsible body has the mandate to collect and publish regularly information about performance and satisfaction with the functioning of public services. It can be a formal report, but also publicly accessible dashboards or scorecards are admissible if they contain information about all line ministries and central government agencies.

Sub-indicator 19.1.2. User engagement and participation

Relevant sub-principle(s): 19.b. Public administration bodies engage users to understand their needs, expectations, and experiences and to involve them actively in the (re)design of public administrative services (co-creation).

Maximum points: 20

Criterion 19.1.2.1. Use of user research or consultation tools (12 points, based on a review of selected administrative services)

Category: Practice in implementation

Approach: Review of reports, government websites and documentation of the selected administrative services. Official government data and information. Interviews with the central government function responsible for service quality co-ordination (if it exists) and with line ministries and agencies.

It is verified whether ministries/agencies have adopted:

- Conventional user research and consultation tools (surveys of user needs, expectations and satisfaction, administrative burden perception, systems for complaints and suggestions);
- Advanced user research and consultation tools (e.g., mystery shopping, user focus groups and panels, user segmentation A/B testing of transactional services or service prototypes, customer journey maps for life events, interacting with users through digital channels).

Evidence is required that the tools were applied during the current or previous calendar year relating users of the following services:

1. Registering in the civil registry any of the following events: birth, marriage, divorce, death
2. Registering/requesting certificates to the administration of the healthcare system (e.g. obtaining a health insurance card, a certificate of proof of health insurance coverage, certificate of vaccination, etc.).
3. Claiming unemployment benefits
4. Applying for a disability pension
5. Presenting an income tax declaration
6. Registering a second-hand car
7. Providing information and guidance to entrepreneurs in the process of starting a business
8. Registering a new employee
9. Declaring corporate income tax
10. Declaring value-added-tax (VAT)
11. Registering financial statements in the business registry
12. Applying for an environmental subsidy (e.g., for installing solar panels, improve building insulation, etc.)

Points are allocated based on the number of cases (x):

- $x < 1 = 0$ points.
- $1 \leq x < 12 =$ linear function.
- $x = 12 = 12$ points.

Criterion 19.1.2.2. User involvement in the (re)design of public administration services (8 points)

Category: Practice in implementation

Approach: Review of government documentation and interviews to verify the administration has (re)designed public administrative services in the last three calendar years based on user inputs, opinions or ideas brought by user representatives or stakeholders. Re-designing per se does not suffice to fulfil the criteria. Evidence must be shown that user insight was taken into account to define the improvement of services.

Points are allocated based on the number of cases (x):

- $x < 1 = 0$ points.
- $1 \leq x < 8 =$ linear function.
- $x = 8 = 8$ points.

Sub-indicator 19.1.3. Procedures and practice to control creation of administrative burdens

Relevant sub-principle(s): 19.d. When designing and implementing new policies and services, the public administration ensures that unnecessary administrative burdens and costs are not being created.

Maximum points: 15

Criterion 19.1.3.1. The law requires that all new regulations undergo ex-ante assessment of the proportionality of administrative burden creation (2.5 points)

Category: Legislation

Approach: Review of the existing rules of procedure of the government and other relevant regulations to check if the preparation and approval of regulatory proposals (laws and regulations) by government and/or parliament require carrying out analysis to inform decision making. In particular, checks are carried out whether regulatory impact assessments (RIA) or any other *ex-ante* analysis is prescribed, and if it contains specifically the obligation to assess their potential impacts on administrative burden creation/simplification and the obligation to prove that the burden created is proportionate to the legal aims.

Criterion 19.1.3.2. The government has published guidelines to calculate regulatory administrative burdens and costs (2.5 points)

Category: Legislation

Approach: Review of the legislative and regulatory framework is checked if there is a rulebook, manual and/or a guidance document, prepared centrally or by ministries, containing guidance for ministry officials on internal ministerial procedures, processes, and steps how to prepare a regulatory impact assessments (RIA) report or similar *ex-ante* assessment of normative acts. It is particularly checked if this methodology includes guidance on how to calculate the administrative burdens and costs created by regulations (through the application of the Standard Cost Model or other similar method).

Criterion 19.1.3.3. Ex-ante assessment of administrative burden on new legislation is carried out in practice (%) (5 points)

Category: Practice in implementation

Approach: The consistency of implementation of at least basic analytical tools during policy preparation is checked based on the review of the full list of all draft laws and regulations approved by the government during the last full calendar year, as well as the relevant supporting documents that were prepared for those proposals (e.g., explanatory memorandum, fiscal impact assessments, regulatory impact assessment reports, public consultation reports). The complete list of all required supporting documents will be established based on the review of the existing national regulations. Administrations will be asked to inform whether the required documents were prepared for all approved draft laws and regulations, including an assessment of its impacts on administrative burden/cost. Random checks are carried out to ensure that all relevant supporting documents were indeed prepared and included in the final packages that went to the government for approval. Further checks are carried out based on the review of the actual supporting documents of a selected sample of five cases. A sample of five draft laws and the relevant supporting documents are reviewed and checked.

Points are allocated based on the percentage of the 5 selected cases of regulatory impact assessments or similar *ex-ante* analyses of new legislation which assess their impact on administrative burden:

- $x < 30\% = 0$ points
- $30\% \leq x < 70\% =$ linear function
- $x \geq 70\% = 5$ points.

Criterion 19.1.3.4. Ex-ante assessment of administrative burden on new secondary regulations is carried out in practice (%) (5 points)

Category: Practice in implementation

Approach: (Numerical) consistency of analysis of administrative burden/cost creation on secondary legislation approved by the government is assessed based on the review of all normative acts and decisions of government which are regulatory by nature, and which were approved by the government in the last full calendar year. The national administrations are asked to provide the full list of all normative acts and decisions approved by the government during the last full calendar year, indicating the regulations for which such analysis of administrative burden/ cost creation had been prepared at the time of government approval. Exceptions to the regulatory impact assessment (RIA) rule provided in the national regulations and procedures establishing the RIA system for the secondary legislation will not be considered in the calculation of this indicator (i.e., all eligible acts of government which are in regulatory nature will be included in the baseline). It is determined the scope of the regulatory measures to be considered in the analysis to ensure only regulatory measures are included.

Points are allocated based on the percentage of the 5 selected cases of regulatory impact assessments or similar *ex-ante* analyses of all secondary legislation which assess their impact on administrative burden:

- $x < 30\% = 0$ points
- $30\% \leq x < 70\% =$ linear function
- $x \geq 70\% = 5$ points.

Sub-indicator 19.1.4. Analysis of administrative burdens of existing regulations

Relevant sub-principle(s): 19.c. The public administration conducts regular reviews of existing administrative procedures to simplify and improve services, reducing the cost, time and physical presence needed.

Maximum points: 15

Criterion 19.1.4.1. Simplification of administrative procedures/services in practice (15 points)

Category: Practice in implementation

Approach: The results of this sub-indicator come from the assessment of sub-indicator 6.1.4. criterion 3, in the policy development and co-ordination area.

The government is asked to provide examples of simplifying administrative procedures/services during the last two full calendar years, with documentary evidence that demonstrates:

- a reduction in cost for the user of the service;
- a reduction in the number of steps (actions) required from the user to obtain a public service or to comply with inspection requirements;
- a reduction in the amount of information/documents required from the user to obtain a public service or comply with inspection requirements (e.g. thanks to improved data sharing with other institutions);
- a reduction in the frequency of required reporting and/or number of reporting obligations for citizens and businesses;
- a reduction in the duration of the time needed to deliver a public service or duration of inspections; digitalisation of a service or inspection (or one of its steps).

Each case should be supported by a clear reference to the relevant regulatory change introduced for applying the simplification.

Points are allocated based on the number of simplification measure examples provided (x):

- $x = 0 = 0$ points
- $0 < x < 15 =$ linear function
- $x \geq 15 = 15$ points

Points will be allocated based on the total number of submitted successful simplification cases, in line with the assessment approach and methodology provided below. The maximum points will be awarded for 15 or more successful simplification cases.

Sub-indicator 19.1.5. Existence of service delivery standards

Relevant sub-principle(s): 19.e. The public administration establishes service standards, defines them with users, communicates them to users, and regularly updates them to reflect changing circumstances and expectations.

Maximum points: 15

Criterion 19.1.5.1. There is an obligation for all line ministries and agencies to define and publish service quality standards (1 point)

Category: Legislation

Approach: Review of legislation to verify that all line ministries and agencies are obliged to define and publish service quality standards.

Criterion 19.1.5.2. The government has published common guidelines or criteria exist to define service quality standards for public services (2 points)

Category: Strategy and guidance

Approach: Review of government documentation to verify that the government has published common guidelines or criteria exist to define service quality standards for public services.

Criterion 19.1.5.3. Evidence of standard publication of basic service elements in practice (6 points, based on a review of selected administrative services)

Category: Practice in implementation

Approach: Review of government documentation to verify the share of the following services which have standard basic service elements published. The standard basic elements are a. Purpose of the service; b. Target group (persons entitled to receive the service) c. Information of documents required; d. Deadline to apply (if exists); e. Deadline of the authority to answer to the application. The services to be checked are the following:

1. Registering in the civil registry (birth, marriage, divorce, death)
2. Registering/requesting certificates in the healthcare system
3. Claiming unemployment benefits
4. Applying for a disability pension
5. Declaring personal income tax
6. Registering a second-hand car
7. Starting a business
8. Registering a new employee
9. Declaring corporate income tax
10. Declaring value-added tax (VAT)
11. Registering financial statements
12. Applying for an environmental subsidy (e.g., for installing solar panels, improve building insulation, etc.)

If the service is provided both physical and digital, evidence of standards for both channels is necessary to fulfill the criterion.

Points are allocated based on the number of the selected services that had standardised basic information published:

- $x < 1 = 0$ points.
- $1 \leq x < 12 =$ linear function.
- $x = 12 = 6$ points.

Criterion 19.1.5.4. Evidence of publication of service charters practice (6 points, based on a review of selected administrative services) (6 points, based on a review of selected administrative services)

Category: Practice in implementation

Approach: Review of government documentation to verify the share of the following services that count on a service charter in force and enacted or revised in the last four calendar years.

1. Registering in the civil registry (birth, marriage, divorce, death)
2. Registering/requesting certificates in the healthcare system
3. Claiming unemployment benefits
4. Applying for a disability pension
5. Declaring personal income tax
6. Registering a second-hand car
7. Starting a business
8. Registering a new employee
9. Declaring corporate income tax
10. Declaring value-added tax (VAT)
11. Registering financial statements
12. Applying for an environmental subsidy (e.g., for installing solar panels, improve building insulation, etc.)

If the service is provided both physical and digital, evidence of standards for both channels is necessary to fulfill the criterion

Points are allocated based on the number of the selected services that had a service charter published:

- $x < 1 = 0$ points.
- $1 \leq x < 12 =$ linear function.
- $x = 12 = 6$ points.

Sub-indicator 19.1.6. Monitoring system of service standards

Relevant sub-principle(s): 19.f. The public administration regularly monitors service quality against delivery standards and other metrics, to learn lessons and improve service design and delivery.

Maximum points: 15

Criterion 19.1.6.1. The government regularly produces a report or a dashboard complying the performance of selected services (7 points)

Category: Practice in implementation

Approach: Review of government documentation to verify whether the government regularly produces a report or a dashboard assessing the performance of a substantial number of services.

As a minimum the following metrics have to be published:

1. Volume of monthly transactions by ministry / agency.
2. Average waiting time at the premises for in-person services.
3. Average time it takes to complete online forms of digital services.
4. Performance metrics on costs (such as average cost of transaction for each service)
5. Uptake of digital channels
6. Percentage of users that completed the online service that they attempted.
7. Average response time to the citizen's request

Criterion 19.1.6.2. Evidence of corrective actions implemented to correct deviations in last two years (8 points)

Category: Practice in implementation

Approach: Review of government documentation to assess whether there is evidence of corrective measures taken by the government to respond to information from the performance management system

Points are allocated depending on the number of cases presented by the administration showing evidence of a singular corrective action taken as result of results of the performance monitoring system. Each case presented assigns 1 point, the maximum possible points are 8 (8 cases).

Principle 20: The public administration delivers streamlined and high-quality services.²⁹

Indicator 20.1. Delivering high-quality services

This indicator examines if the public administration (as a service owner, designer and provider), delivers good quality services that are easy to use. The simplification and modernisation of processes is examined; the reduction of steps/interactions required for a user to get a service; the exchange of users' data within and across government levels; the present services that match user's requirements (individual and in "life event" format). It is also verified the public administration offers services proactively and automatically without the user having to request them.

Sub-indicators	Maximum points
1. Quality of selected administrative services	40
2. Integrated life-event services	20
3. Pre-filling of forms and proactive services	20
4. Once-only principle	20
Total	100

²⁹ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services, <http://data.europa.eu/eli/reg/2018/1724/oj>.

Sub-indicator 20.1.1. Quality of selected administrative services

Relevant sub-principle(s): 20.a. The public administration ensures that service delivery is streamlined for the maximum convenience of the service users.

Maximum points: 40

Criterion 20.1.1.1. User-centricity of selected digital services for citizens (2.5 points)

Category: Practice in implementation

Approach: Analysis of the EU eGovernment Benchmark: the latest biannual report on the user-centricity dimension of services for citizens. The score includes indicators on online availability, user support and mobile friendliness.

Points are allocated based on the EU Digital Benchmark of services for citizens and businesses user centricity and transparency scores:

- $x < 50\% = 0$ points
- $50\% \leq x < 100\% =$ linear function
- $x = 100\% = 2.5$ points.

Criterion 20.1.1.2. Transparency of selected digital services for citizens (2.5 points)

Category: Practice in implementation

Approach: Analysis of the EU eGovernment Benchmark: the latest biannual report on transparency dimension of services for citizens. The score includes indicators on transparency of the following: service provision, personal data, service design.

Points are allocated based on the EU Digital Benchmark of services for citizens and businesses user centricity and transparency scores:

- $x < 50\% = 0$ points
- $50\% \leq x < 100\% =$ linear function
- $x = 100\% = 2.5$ points.

Criterion 20.1.1.3. User-centricity of selected digital services for businesses (2.5 points)

Category: Practice in implementation

Approach: Analysis of the EU eGovernment Benchmark: the latest biannual report on user-centricity dimension of services for businesses. The score includes indicators on online availability, user support and mobile friendliness.

Points are allocated based on the EU Digital Benchmark of services for citizens and businesses user centricity and transparency scores:

- $x < 50\% = 0$ points
- $50\% \leq x < 100\% =$ linear function
- $x = 100\% = 2.5$ points.

Criterion 20.1.1.4. Transparency of selected digital services for businesses (2.5 points)

Category: Practice in implementation

Approach: Analysis of the EU eGovernment Benchmark latest biannual report on the transparency dimension of services for businesses. The score includes indicators on transparency of the following: service provision, personal data, service design.

Points are allocated based on the EU Digital Benchmark of services for citizens and businesses user centricity and transparency scores:

- $x < 50\% = 0$ points
- $50\% \leq x < 100\% =$ linear function
- $x = 100\% = 2.5$ points.

Criterion 20.1.1.5. Renewing an identification (ID) card: average time until the document becomes available (1 point)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

An adult person applying for the renewal of a passport or national identification (ID) card due to the expiration of the previous ID document. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no fast-track procedures are taken into account).

The average number of days to receive confirmation of the availability of the document. The starting point for the waiting time should be the earlier of the following: the date of the application was submitted. The 12-month average is calculated for the most recent period available. For countries where there is a mandatory pre-booking of appointment system which is not registered as application, but only as pre-booking of appointment, then the average number of days from the moment the person contacts the pre-booking system to the first available day have to be added to the calculation. For example, if the first available date is in average 7 days later from contacting the pre-booking system, and the ID card is ready for collection 7 days later than the appointment, then the average waiting time is 14 days.

No points are awarded for statutory time limits. Real statistical data of the last year has to be submitted as evidence.

Points are allocated based on the average number of days (x):

- $x \leq 7 = 1$ point.
- $7 < x \leq 21 =$ linear function
- $x > 21 = 0$ points

Criterion 20.1.1.6. Registering in the healthcare system: average number of days to obtain documents proving your registration (1 point)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

An adult national registering in the administration of the national healthcare system, either registering under new insurance basis (e.g. from insurance based on being an employee to insurance based on being retired) or registering with a new employer. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no fast-track procedures are taken into account).

The average number of days to receive confirmation of document availability. The starting point for the waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 7 = 1$ point.
- $7 < x \leq 21 =$ linear function
- $x > 21 = 0$ points

Criterion 20.1.1.7. Applying for unemployment benefits: average number of days until receiving first payment (1 point)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

An adult woman claiming unemployment benefits. The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no fast-track procedures are taken into account).

The average number of days to receive the first unemployment benefit payment. The starting point for the waiting period should be the earlier of the following: the date of the appointment or the date the claim was sent. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 30 = 1$ point.
- $30 < x \leq 90 =$ linear function
- $x > 90 = 0$ points

Criterion 20.1.1.8. Applying for a disability pension: average number of days until receiving first payment (1 point)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

An adult woman applying for a disability pension. The application is made within the country (i.e., not at an embassy) using the standard procedure (i.e., no fast-track procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to receive the first payment. The starting point for waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 60 = 1$ point.
- $60 < x \leq 180 =$ linear function
- $x > 180 = 0$ points

Criterion 20.1.1.9. Registering a second-hand car: average number of days to obtain documents (1 point)

Category: Practice in implementation

Approach: The actual service delivery of government services is tested based on a pre-defined scenario:

A non-commercial second-hand car being sold within the same country. Seller and buyer are women. The car is clear of any claims, and the buyer is in possession of a valid driver's licence and the necessary mandatory insurance requirements to register the car in her name. Registration takes place under the standard procedure (i.e., no voluntary fees or accelerated procedures are taken into account).

Registration takes place in the capital city. This process only measures registration of the vehicle with public authorities. It does not evaluate the process necessary to comply with insurance requirements.

The average number of days for receiving a confirmation of the availability of the documents. The starting point for waiting time should be the earlier of the following dates: the date requesting the appointment (for de-registration and/or new registration) or the date the application was submitted. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 1 = 1$ point.
- $1 < x \leq 15 =$ linear function
- $x > 15 = 0$ points

Criterion 20.1.1.10. Starting a business: average number of days (2 points)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

The scenario uses a standardised company, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no fast-track procedures are taken into account).

The average number of days is calculated between these two milestones. The day the entrepreneur asks about the availability of the company name and the latest of these two dates: the date when the first employee is registered or the date when the fiscal number is obtained. The 12-month average is calculated for the latest period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 4 = 2$ points.
- $4 < x \leq 24 =$ linear function
- $x > 24 = 0$ points

Criterion 20.1.1.11. Registering a new employee: average number of days (2 points)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

The scenario uses a standardised company, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

An existing and legally registered company applies to register the contract of a new (permanent / temporary) employee with a valid work permit (national or foreigner with a valid work permit). The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e., no accelerated procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to confirm registration of a new employee. The starting point for the waiting time should be the earlier of the following: date of the appointment or the date the application was submitted to register a new employee. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 30 = 1$ point.
- $30 < x \leq 120 =$ linear function
- $x > 120 = 0$ points

Criterion 20.1.1.12. Applying for an environmental subsidy for companies: number of days until receiving the payment (1 point)

Category: Practice in implementation

Approach: The actual delivery of the government service is tested based on a predefined scenario:

A standardised company is used, which is a 100% domestically owned limited liability company, engaged in general industrial or commercial activities, and employing at least one person.

An existing and legally registered company applies for a subsidy (grant or preferential loan, not an award or competitive scheme) to improve energy efficiency of the company (e.g., solar panels, insulation of buildings). The application is made within the country (i.e., not at an embassy) using the standard procedure and paying the minimum fees (i.e. no accelerated procedures are taken into account). The public administration accepts the application at first instance (without appeal).

The average number of days to receive the payment. The starting point for the waiting time should be the earlier of the following: the date of the appointment or the date the application was submitted. The 12-month average is calculated for the most recent period available. No points are awarded for statutory time limits.

Points are allocated based on the average number of days (x):

- $x \leq 30 = 1$ point.
- $30 < x \leq 180 =$ linear function
- $x > 180 = 0$ points

Criterion 20.1.1.13. Perceived easiness to complete the administrative procedure by citizens (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population who have been in contact with the selected services in the past 36 months. The selected public authorities are the following: 1) Authorities that issue an ID card or a passport, 2) Civil registry, 3) Administrative offices of the national health institution, 4) Unemployment services, 5) Public Institutions in charge of granting pensions and or allowances, 6) National tax agency.

For those who have been in contact with two of the selected services, the following question is asked:

“How easy or difficult was it to complete the process (e.g. number of visits necessary, going to the wrong institution, etc)?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

The percentage is calculated for each service and the simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat easy” or “Very easy” to the survey questions(x):

- $x < 100\% = 0$ points
- $100\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 20.1.1.14. Satisfaction with the time needed to complete the administrative procedure by citizens (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population who have been in contact with the selected services in the past 36 months. The selected public authorities are the following: 1) Authorities that issue an ID card or a passport, 2) Civil registry, 3) Administrative offices of the national health institution, 4) Unemployment services, 5) Public institutions in charge of granting pensions and or allowances, 6) National tax agency.

Survey question: “Were you satisfied or dissatisfied with the overall time that it took to complete your application with [SER] the last time, including time filling forms and/or visits to the offices?”

Answer Options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point

Criterion 20.1.1.15. Satisfaction with the channel used to complete the administrative procedure by citizens (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population who have been in contact with the selected services in the past 36 months. The selected public authorities are the following: 1) Authorities that issue an ID card or a passport, 2) Civil registry, 3) Administrative offices of the national health institution, 4) Unemployment services, 5) Public institutions in charge of granting pensions and or allowances, 6) National tax agency.

Depending on the channel, different questions are asked:

For those who interacted physically with the public authorities: “Overall, how satisfied or dissatisfied were you with the public servants you interacted with?”

Answer Options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

For those who interacted digitally (through website):

How easy or difficult was it for you to use [SER]’s website: for example, to find what you needed or to understand what to do?

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

For those who interacted digitally (through website): "How easy or difficult was it for you to log-in and confirm your identity to use [SER]’s website or mobile application?"

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

For those who interacted digitally (through mobile phone application): “How easy or difficult was it for you to use [SER]’s mobile phone application: for example, to find what you needed or to understand what to do?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied”/”Somewhat easy” or “Completely satisfied”/”Very easy” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 20.1.1.16. Satisfaction with the overall procedure by citizens (%) (7 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population who have been in contact with the selected services in the past 36 months. The selected public authorities are the following: 1) Authorities that issue an ID card or a passport, 2) Civil registry, 3) Administrative offices of the national health institution, 4) Unemployment services, 5) Public institutions in charge of granting pensions and or allowances, 6) National tax agency.

Survey question: “How satisfied were you with the overall procedure with [SER] this last time?”

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 7$ points.

Criterion 20.1.1.17. Perceived easiness to complete the administrative procedure by businesses (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of businesses who have been in contact with two of the selected services in the past 36 months. The selected services are the following:

- a. Creation of a company
- b. Presenting corporate income tax declaration
- c. Registering the financial statements of the company in the official business registry
- d. Registering the contract of a new employee in the Ministry of Labour or Social Security
- e. Applying for a green subsidy

To those who performed the administrative process themselves or are familiar with the process, the following question was asked:

“How easy or difficult was it for your company to complete the procedure (e.g. number of visits necessary, going to the wrong office, etc)?”

Answer Options: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat easy” or “Very easy” to the survey questions (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 20.1.1.18. Satisfaction with the time needed to complete the administrative procedure by businesses (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of the businesses who have been in contact with two of the selected services in the past 36 months. Survey question: “Were you satisfied or dissatisfied with the overall time that it took to complete [PRO] the last time, including time filling forms and/or visits to the offices?”

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely *satisfied*, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 20.1.1.19. Satisfaction with the channel used to complete the administrative procedure by businesses (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of the businesses who have been in contact with two of the selected services in the past 36 months. Depending on the channel, different questions are asked:

For those who interacted physically with the public authorities: “Overall, how satisfied or dissatisfied were you and your colleagues with the officials you interacted with?”

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

For those who interacted digitally (through website):

“When doing [PRO], how easy or difficult was it for you and your colleagues to use the authority’s website: for example to find what you needed or to understand what to do?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

For those who interacted digitally (through website): “How easy or difficult was it to log in and confirm your identity to do [PRO] via the website or the mobile application?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

For those who interacted digitally (through mobile phone application): “When doing [PRO], how easy or difficult was it for you and your colleagues to use the mobile phone application: for example, to find what you needed or to understand what to do?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied”/“Somewhat easy” or “Completely satisfied”/“Very easy” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 1$ point.

Criterion 20.1.1.20. Satisfaction with the overall procedure by businesses (%) (7 points)

Category: Results

Approach: Analysis of survey responses from a sample of the businesses who have been in contact with two of the selected services in the past 36 months. Survey question: “Thinking of [PRO], how satisfied were you and your colleagues with the overall procedure this last time?”

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither dissatisfied nor satisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

After the percentage is calculated for each service, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 7$ points

Sub-indicator 20.1.2. Integrated life-event services

Relevant sub-principle(s): 20.b. The public administration organises and offers public services in the form of “life events”.

Maximum points: 20

Criterion 20.1.2.1. Availability of the following integrated services for the life event loss of employment (4 points)

Category: Practice in implementation

Approach: Review of government documentation to verify if one or more of the listed services are fully integrated in a one-window physical or digital one-stop shop, where the citizen has to fill only one form and contact only one public servant to submit the application for several services and to verify if one or more of the listed services are offered in a physical or digital single-door (one roof) one-stop shop, where the citizen still has to fill several forms or contact several public servants, but all services are located in the same building or all digital services are grouped in the same web portal (but still each individual service requires its own electronic form to be filled). The list of services is the following:

Being unemployed: 1. registering as unemployed, 2. calculating unemployment benefits, 3. applying for unemployment benefits, 4. Obtaining guidance on housing, transportation, studies, and other unemployment benefits, 5. submitting proof the citizen is looking for work, 6. registering circumstances that impede the citizen from looking for work, 7. registering employment to stop receiving benefits).

Two or more physical services are considered to be fully integrated if they can be performed by one public official, preferably filling one form. If the citizen has to contact several public officials in the same physical premises, it is not considered full integration and less points are awarded.

Two or more services are considered to be digitally integrated if they are located in the same virtual space in the portal or app, where the citizen can view all related services and he or she only has to click on the relevant options to select which services to apply for. If the service is proactive (triggered automatically in

the back-end and the citizen does not have to perform any action), the full integration is also considered. If there is a single portal or app, but each service is located in a different page, where the citizen needs to access them separately, then less points are awarded.

Services 1 to 4 are provided at the first moment the citizens contact the unemployment services, and previous definition is fully applied.

Services 5, 6 or 7 are usual procedures that must be performed at a later stage, during receiving unemployment benefits. Regarding these services physical full integration is considered if the unemployed person can communicate any of these events (proof of being looking for work, proof of not being able to work or having found a job) to the assigned job counsellor or similar position.

If, on the contrary, the unemployed person has to contact different public servants to communicate different events (5, 6 or 7), then the service is not considered fully integrated. For fully digital integration of these three services, the requirement is that the citizen has access to a personal space for unemployed people, where he or she can communicate any of these events with a simple click. If the citizen needs to access different online forms or different platforms, the service is not considered fully integrated.

Regarding service 7, if it is automatic and proactive (the citizen does not need to communicate that he or she started to work, because the system automatically pulls this data from the relevant authentic registry of labour contracts), this service is also considered fully integrated.

The criterion also award points (even less) if full integration is not in place, but the previously mentioned services 1 to 7 can be obtained by visiting different public officials in the same building. The same applies to digital services, when there is a single portal, but the services are located in independent areas where the citizen has to access and fill different forms.

Life event: Being unemployed. Points are allocated depending on how many individual services are offered together:

- a. 4 points: 7 services are offered fully integrated (physical or digital single window one-stop shop).
- b. 2.5 points: 3 to 6 services are offered fully integrated (physical or digital single window one-stop shop).
- c. 1.5 points: 7 services are offered in several windows but in the same physical premises or in the same internet portal.
- d. 1 point: 3 to 6 services are offered in several windows but in the same physical premises or in the same internet portal.
- e. 0 points: 2 or less services are fully integrated or offered in the same physical premises or in the same internet portal.

Criterion 20.1.2.2. Availability of the following integrated services for the life event having a baby (4 points)

Category: Practice in implementation

Approach: Review of government documentation to verify if one or more of the listed services are fully integrated in a one-window physical or digital one-stop shop, where the citizen has to fill only one form and contact only one public servant to submit the application for several services and to verify if one or more of the listed services are offered in a physical or digital single-door (one roof) one-stop shop, where the citizen still has to fill several forms or contact several public servants, but all services are located in the same building or all digital services are grouped in the same web portal (but still each individual service requires its own electronic form to be filled). The list of services is the following:

Birth of a baby 1. registering the baby in the civil registry, 2. applying for identification (ID) card or passport, 3. registering the baby in the national health care system, 4. applying for allowances or benefits.

Two or more physical services are considered to be fully integrated if they can be performed by one public official, preferably filling out one form. If the citizen has to contact several public officials in the same physical premises, it is not considered full integration and less points are awarded.

Two or more services are considered to be digitally integrated if they are located in the same virtual space in the portal or app, where the citizen can view all related services and he or she only has to click on the relevant options to select which services to apply for. If the service is proactive (triggered automatically in the back-end and the citizen does not have to perform any action), the full integration is also considered. If there is a single portal or app, but each service is located on a different page, where the citizen needs to access them separately, then less points are awarded.

Life event: Birth of a baby. Points are allocated depending on how many individual services are offered together:

- a. 4 points: 4 services are offered fully integrated (physical or digital single window one-stop shop).
- b. 3 points: 2 to 3 services are offered fully integrated (physical or digital single window one-stop shop).
- c. 1.5 points: 4 services are offered in several windows but in the same physical premises or in the same internet portal.
- d. 1 point: 2 to 3 services are offered in several windows but in the same physical premises or in the same internet portal.
- e. 0 points: Less than 2 services are fully integrated or offered in the same physical premises or in the same internet portal.

Criterion 20.1.2.3. Availability of the following integrated services for the life event death of a close relative (4 points)

Category: Practice in implementation

Approach: Review of government documentation to verify if one or more of the listed services are fully integrated in a one-window physical or digital one-stop shop, where the citizen has to fill only one form and contact only one public servant to submit the application for several services and to verify if one or more of the listed services are offered in a physical or digital single-door (one roof) one-stop shop, where the citizen still has to fill several forms or contact several public servants, but all services are located in the same building or all digital services are grouped in the same web portal (but still each individual service requires its own electronic form to be filled). The list of services is the following:

Death of a close relative, registering the death in the following agencies: 1. civil registry, 2. land registry, 3. vehicle registry, 4. company registry, 5. tax office, 6. social security.

Life event: Death of a close relative. Points are allocated depending on how many individual services are offered together:

- a. 4 points: 6 services are offered fully integrated (physical or digital single window one-stop shop).
- b. 3 points: 3 to 5 services are offered fully integrated (physical or digital single window one-stop shop).
- c. 1.5 points: 6 services are offered in several windows but in the same physical premises or in the same internet portal.
- d. 1 point: 3 to 5 services are offered in several windows but in the same physical premises or in the same internet portal.
- e. 0 points: 2 or less services are fully integrated or offered in the same physical premises or in the same internet portal.

Criterion 20.1.2.4. Availability of the following integrated services for the life event moving residence within the country (4 points)

Category: Practice in implementation

Approach: Review of government documentation to verify if one or more of the listed services are fully integrated in a one-window physical or digital one-stop shop, where the citizen has to fill only one form and contact only one public servant to submit the application for several services and to verify if one or more of the listed services are offered in a physical or digital single-door (one roof) one-stop shop, where the citizen still has to fill several forms or contact several public servants, but all services are located in the same building or all digital services are grouped in the same web portal (but still each individual service requires its own electronic form to be filled). The list of services is the following:

Moving residence within the country, registering the new address in the following agencies: 1. civil registry, 2. land registry, 3. vehicle registry, 4. company registry, 5. tax office, 6 social security, 7. obtaining proof of residence from the competent authority, 8. changing address in identification (ID) card (if needed) and 9) driver's licence (if needed).

Life event: Moving residence within the country. Points are allocated depending on how many individual services are offered together:

- a. 4 points: 8 or more services are offered fully integrated (physical or digital single window one-stop shop).

- b. 3 points: 3 to 7 services are offered fully integrated (physical or digital single window one-stop shop).
- c. 1.5 points: 8 or more services are offered in several windows but in the same physical premises or in the same internet portal.
- d. 1 point: 3 to 7 services are offered in several windows but in the same physical premises or in the same internet portal.
- e. 0 points: 2 or less services are fully integrated or offered in the same physical premises or in the same internet portal.

Criterion 20.1.2.5. Availability of the following integrated services for the life event starting a business (4 points)

Category: Practice in implementation

Approach: Review of government documentation to verify if one or more of the listed services are fully integrated in a one-window physical or digital one-stop shop, where the citizen has to fill only one form and contact only one public servant to submit the application for several services and to verify if one or more of the listed services are offered in a physical or digital single-door (one roof) one-stop shop, where the citizen still has to fill several forms or contact several public servants, but all services are located in the same building or all digital services are grouped in the same web portal (but still each individual service requires its own electronic form to be filled). The list of services is the following:

Business creation (1. getting information on business start-up obligations, 2. getting guidance for drafting a business plan and getting financial support, 3. registering the company in the business register, 4. registering the company as an employer in the Social Security, 5. registering the company with the tax office)

Life event: Starting a business. Points are allocated depending on how many individual services are offered together:

- a. 4 points: 5 services are offered fully integrated (physical or digital single window one-stop shop).
- b. 3 points: 3 to 4 services are offered fully integrated (physical or digital single window one-stop shop).
- c. 1.5 points: 5 services are offered in several windows but in the same physical premises or in the same internet portal.
- d. 1 point: 3 to 4 services are offered in several windows but in the same physical premises or in the same internet portal.
- e. 0 points: 2 or less services are fully integrated or offered in the same physical premises or in the same internet portal.

Sub-indicator 20.1.3. Pre-filing of forms and proactive services

Relevant sub-principle(s): 20.c. The public administration provides pro-active administrative services, whereby it uses prediction and automation to offer services where appropriate.

Maximum points: 20

Criterion 20.1.3.1. Amount of data that is pre-filled in selected public services' online forms (10 points)

Category: Practice in implementation

Approach: Assesses the extent to which service-related application, registration, submission or reporting forms are pre-filled for users with data already held by the government, with the user retaining control over its content.

The criterion is assessed by using the EU eGovernment Benchmark indicator “pre-filled forms” defined as the amount of data that is pre-filled in public services' online forms.

Points are allocated based on the EU Digital Benchmark of services for citizens: pre-filling of forms (x):

- $x < 50\% = 0$ points
- $50\% \leq x < 100\% =$ linear function
- $x \geq 100\% = 10$ points.

Criterion 20.1.3.2. Automatically renewing of a social benefit (2 points)

Category: Practice in implementation

Approach: Review of government documentation to verify a social allowance for low income is proactively offered the renewal in practice (rather than having to be requested), with the user having discretion over whether and how the service is taken up. The government should provide evidence these automatic processes happen as the general procedure. Pilot projects are not enough to award points. The evidence can be provided for any social allowance for low income households or individuals, either general benefits to guarantee a minimum income, or benefits target only to certain categories of beneficiaries (e.g. households with children, people with disabilities, old age, etc.).

Criterion 20.1.3.3. Automatic preparation of income tax declaration (2 points)

Category: Practice in implementation

Approach: Review of government documentation to verify the tax authority prefills the tax declaration form with the personal details (points 1-3 below), sources of income (points 4-7 below) and expenditure information relevant for tax deductions (points 8-10 below):

1. date of birth
2. number of dependent children
3. number of dependent adults
4. salary(ies)
5. pension(s)
6. social allowance(s)
7. dividends
8. donations to registered charities
9. expenditure in registered education services
10. expenditure in private insurance

If some of the above-mentioned types of income or expenditure are not relevant for the calculation of the tax liability according to the tax code, then this type of income or expenditure will not be considered for point allocation.

Points are awarded if a preliminary calculation of the tax due is communicated and at least eighty percent of the relevant types of information defined above are pre-filled.

Criterion 20.1.3.4. Proactive notification of the right and the amount of child benefits after registering a child) (2 points)

Category: Practice in implementation

Approach: Review of government documentation to verify the relevant authorities proactively inform parents about their right to receive a social allowance (or tax benefit) and its amount.

Criterion 20.1.3.5. Proactive notification of upcoming expiration of a citizen's identification (ID) card (through e-mail, SMS, or another user-friendly channel) (2 points)

Category: Practice in implementation

Approach: Review of government documentation to verify the relevant authorities proactively inform citizens of the upcoming expiration of identification (ID) cards and passports.

Criterion 20.1.3.6. Proactive notification of upcoming expiration of a citizen's driver's licence (through e-mail, SMS, or another user-friendly channel) (2 points)

Category: Practice in implementation

Approach: Review of government documentation to verify whether the relevant authorities proactively inform citizens of the upcoming expiration of a citizen's driver's license.

Sub-indicator 20.1.4. Once-only principle

Relevant sub-principle(s): 20.d. Users have the legal right to provide the public administration with information and documents only once. The public administration applies this right consistently.

Maximum points: 20

Criterion 20.1.4.1. There is a general provision in the legislation that users have the right to provide information to the government only once (2 points)

Category: Legislation

Approach: Review of legislation to verify that there is a general provision in legislation, applicable to all administrative procedures (at least subsidiary to special regulation) establishing that citizens have the right to provide information only once to the central government.

Criterion 20.1.4.2. The applicant has the right to submit data to public authorities only once in selected administrative procedures (2 points, based on a review of selected procedures) (8 points)

Category: Legislation

Approach: Review of legislation to check whether the legislation regulating selected administrative procedure guarantees the principles of good administrative behaviour. Assessment of this indicator is conducted in two steps: 1) assessment of the Law on General Administrative Procedure (LGAP), if it exists 2) assessment of the laws and by-laws regulating four selected administrative procedures below:

1. decision on an application for a work permit for a foreigner (citizen of an EU Member State);
2. decision on a construction permit for an individual house (licence);
3. decision on granting a disability payment (disability pension);
4. decision on issuing a taxi permit (in a capital city, if organised at municipal level).

If there is no LGAP, the assessment is based only on the special laws and by-laws regulating the administrative procedure. To award points, the LGAP as well as the special legislation have to ensure the rights listed in all of the criteria or, if the special legislation does not stipulate the rights and the LGAP does, then the special legislation should not contain any contradictory provisions (e.g. obligating the applicant to submit data that the state already has, making electronic communication effectively impossible, foreseeing different contents for the administrative act, etc.). If any of the procedures is conducted by sub-national levels of government municipalities, the assessment is only applied on the procedures conducted by the capital.

Results are taken from the assessment in the organisation, accountability and oversight area, Sub-indicator 17.1.1 criterion 1.

2 points are awarded for each one of the four procedures that comply with the once-only principle (max. 8 points).

Criterion 20.1.4.3. Perception of the implementation of the once-only principle by citizens (%) (5 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question:

This last time, did you feel that you were unnecessarily required to present documents or information (for example your birth date, a copy of your tax declaration, birth certificate or similar) that [SER] already had, or should be able to access elsewhere in the public administration system? Answer options are: Yes, No, Do not know, Prefer not to answer.

The selected services are the following:

- a. Authorities that issue an ID card or a passport.
- b. Civil registry (e.g., registering the birth of a baby, a marriage, a divorce, the death of a relative, asking for a birth certificate, etc.).
- c. Administrative offices of the National Health Institution (e.g., to register a person or a member of their family, to obtain a certificate like health records, vaccinations records) or to make any change in a person's data (e.g., changing address, etc.).
- d. Unemployment services (e.g., Registering as an unemployed person, applying for a benefit, request for training.)
- e. Public institutions in charge for granting pensions and or allowances (e.g., retirement pension/ disability pension/ minimum guaranteed income, etc.).
- f. National tax agency (e.g., to present the personal income tax declaration).

Points are allocated based on the simple average of the percentage of respondents who replied "Yes" to the survey questions (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Criterion 20.1.4.4. Perception of the implementation of the once-only principle by businesses (%) (5 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following question:

This last time you did [PRO], did you or your colleagues feel that you were required to present documents or information, such as a copy of a tax declaration or certification of not having debts with the tax office, which the authority should have already possessed or been able to access elsewhere in the public administration system? Answer options are: Yes, No, Do not know, Prefer not to answer

The selected authorities are those responsible for the following administrative procedures:

- a. Creation of a company (if it was created in the last three years)
- b. Presenting the annual corporate income tax declaration.
- c. Registering the financial statements of the company in the business registry.
- d. Registering the contract of a new employee in the ministry of labour or social security.
- e. Applying for a green subsidy (e.g., subsidy to insulate the windows, to install solar panels, etc.)

Points are allocated based on the simple average of the percentage of respondents who replied “Yes” to the survey questions (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Principle 21: Administrative services are easily accessible online³⁰ and offline, taking into account different needs, choices and constraints.

Indicator 21.1. Accessibility of administrative services

The indicator focuses on the accessibility of the public administration to all users, taking into account different needs. It examines the approach and satisfaction of different (online and offline) channels, allowing all users, including those with special needs, to have easy access to all information needed and high-quality service delivery.

Sub-indicators	Maximum points
1. Multi-channel service delivery	20
2. Physical access to public services	20
3. Accessibility of services for users with special needs	20
4. Findability of public services information	20
5. Clarity of government information and communication	20
Total	100

³⁰ Directive EU 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, <http://data.europa.eu/eli/dir/2016/2102/oj>.

Sub-indicator 21.1.1. Multi-channel service delivery

Relevant sub-principle(s): 21.a. The public administration applies omni-channel service delivery, combining online and (digitally assisted) offline channels, so users have a seamless user journey with the possibility to interact digitally with any part of administration, if desired.

Maximum points: 20

Criterion 21.1.1.1. The legislation recognises citizens' and businesses' rights to communicate electronically with the public administration, if available (4 points)

Category: Legislation

Approach: Review of legislation to verify citizens and businesses have the legal right to communicate electronically with the public administration, if available.

Criterion 21.1.1.2. The legislation grants the right to citizens to apply or get help for accessing public services in person (4 points)

Category: Legislation

Approach: Review of legislation to verify citizens have the legal right to apply or get help for accessing public services in person.

Criterion 21.1.1.3. Unemployment benefits can be applied for both online and offline (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Criterion 21.1.1.4. A retirement pension can be applied for both online and offline (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Criterion 21.1.1.5. A disability pension can be applied for both online and offline (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Criterion 21.1.1.6. Registration of a second-hand car can be done both online and offline (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Criterion 21.1.1.7. Value-added tax (VAT) can be declared both online and offline or online only with human support (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Criterion 21.1.1.8. Corporate income tax can be declared both online and offline or online only with human support (2 points)

Category: Practice in implementation

Approach: Review of legislation, government documentation and websites to verify if this service can be applied for both online and offline. It is possible to fulfil this criterion for digital only services, if the possibility of contacting a human to get help during the process either physically or by phone is ensured and easily accessible. The public administration will have to present enough evidence of the existence and actual usage of all channels or human support for online only services.

Sub-indicator 21.1.2. Physical access to public services

Relevant sub-principle(s): 21.b. All potential users have physical access to high-quality public services within reasonable distance, through collaboration of involved public administration bodies and co-ordination across and within levels of government.

Maximum points: 20

Criterion 21.1.2.1. Satisfaction with accessibility of physical services by citizens (%) (12 points)

Category: Results

Approach:

Analysis of survey responses from a representative sample of the population who have been in contact with selected central government services during the past 36 months. The respondents are asked the following question: *“How satisfied or dissatisfied were you with the access to the in-person services of [SER] when you were in contact last time? By this I mean the time to reach the administrative office from your home?”*.

Answer options are: Completely dissatisfied, Somewhat dissatisfied, Neither satisfied nor dissatisfied, Somewhat satisfied, Completely satisfied, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Somewhat satisfied” or “Completely satisfied” to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 12$. points.

Criterion 21.1.2.1. Geographical access to administrative services provided by the central administration for citizens (8 points)

Category: Results

Approach: Analysis of the geospatial distribution of offices in the territory and the distribution of the population to calculate the percentage of the population that can reach the selected service within 30 minutes.

The list of offices is those where citizens and businesses can apply for the following services:

1. Unemployment services (counselling, registering, etc.)
2. Disability pensions (medical boards and offices where citizens can apply for renewal)

Points are allocated based on the percentage of the population that can reach the physical office within 30 minutes (x):

- $x < 60\% = 0$ points
- $60\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 3.75$ points for each service (7.5 points in total).

Sub-indicator 21.1.3. Accessibility of services for users with special needs

Relevant sub-principle(s): 21.c. The public administration takes account of the diverse needs of different user groups in delivering services (including with respect to physical and intellectual ability, digital skills, language) and ensures there are no barriers to service access.

Maximum points: 20

Criterion 21.1.3.1. Strategic objectives for service provision to people with special needs are in force in policy or strategic document(s) (1 point)

Category: Strategy and guidance

Approach: Review of government strategic documents related to verify that there are objectives and actions designed to improve accessibility and quality of service provision to people with special needs that are valid on the date of assessment. The objectives should cover all aspects of accessibility of services, including access to people with special needs, access to people with lower-level digital skills and access to people who speak minority languages.

Criterion 21.1.3.2. The strategic document(s) have a situation analysis, including identification of existing problems and user needs (1 point)

Category: Strategy and guidance

Approach: Review of government strategic documents to verify that there is a situation analysis about how easy it is to access government services by people with special needs, people with weak digital skills and those speaking minority languages.

Criterion 21.1.3.3. Explicit actions are defined to achieve the objectives (1 point)

Category: Strategy and guidance

Approach: Review of government strategic documents to verify that explicit actions are defined to achieve the objectives.

Criterion 21.1.3.4. Responsibility for achieving objectives and executing actions are clearly assigned to specific institutions (1 point)

Category: Strategy and guidance

Approach: Review of government strategic documents to verify that responsibility for achieving objectives and executing actions is clearly assigned to specific institutions.

Criterion 21.1.3.5. All actions of the strategy for service provision to people with special needs include a cost estimation (1 point)

Category: Strategy and guidance

Approach: Review of government strategic documents to verify that all actions of the strategy for service provision to people with special needs include a cost estimation.

Criterion 21.1.3.6. Reported implementation rate of activities to improve access to services to people with special needs (%) (5 points)

Category: Practice in implementation

Approach: Review of government documentation, planning documents and reports. The reported implementation rate is calculated based on the planned actions of all action plans of all valid planning documents during the last full calendar year. If there is no information on implementation of the action plan(s) of one or more strategies comprising the accessibility agenda, it is assumed that the activities planned for the reporting year have not been implemented from the list of all planned activities of all strategies. Activities that are ongoing, continuous, or only partly implemented will not be counted.

Points are allocated based on the reported implementation rate of activities related to service provision to people with special needs (x):

- $x < 25\% = 0$ points
- $25\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Criterion 21.1.3.7. Public buildings accessible without barriers (%) (5 points)

Category: Practice in implementation

Approach: Review of official registry or database in which the accessibility of government buildings with no barriers and buildings still to comply is recorded. If the public administration does not have a register of all public buildings of the central public administration with the information, then no points are awarded.

Points are allocated based on the percentage of buildings that are accessible without barriers (x):

- $x < 25\% = 0$ points
- $30\% \leq x < 75\% =$ linear function
- $x \geq 75\% = 5$ points.

Criterion 21.1.3.8. Citizens have the right to communicate with the public administration in official sign language (2 points)

Category: Legislation

Approach: Review of the legislation to verify if citizens have the right to communicate with the public administration in official sign language.

Criterion 21.1.3.9. Citizens have the right to receive government written communication in braille writing (2 points)

Category: Legislation

Approach: Review of the legislation to verify if citizens have the right to receive government written communications in Braille writing.

Criterion 21.1.3.10. Mandatory accessibility standards for construction or retrofitting of public sector buildings (1 point)

Category: Legislation

Approach: Review of legislation, regulations and building codes. Mandatory accessibility standards guide the construction or retrofitting of public sector buildings and related facilities (for example access paths). Laws, regulations and building codes should, at a minimum, include provisions to remove barriers for people with reduced mobility (e.g., wheelchair access) and people with visual impairments (e.g., Braille signage, audible guidance.)

Sub-indicator 21.1.4. Findability of public services information

Relevant sub-principle(s): 21.d. The public administration ensures that users can easily find their preferred channels and have easy access to information about their rights, obligations, services and the institutions providing them, for example through a service catalogue.

Maximum points: 20

Criterion 21.1.4.1. A central portal for accessing or redirecting to central public administration services exists organised by life-events or topical categories (5 points)

Category: Practice in implementation

Approach: Review of government websites to verify that a central portal for accessing or redirecting to central public administration services exists, and it is organised by life-events or topical categories.

Criterion 21.1.4.2. A catalogue of public services exists organised by life-events, and it is published online (5 points)

Category: Practice in implementation

Approach: Review of government websites to verify that a catalogue of public services exists, and it is published online.

Criterion 21.1.4.3. Perceived easiness to find information about how to apply for the administrative procedure by citizens (%) (10 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population who have been in contact with two of the selected services in the past 36 months. The selected public authorities are the following: Authorities that issue an ID card or a passport, civil registry, administrative offices of the national health institution, unemployment services, public institutions in charge of granting pensions and or allowances, national tax agency.

“How easy or difficult was it for you to find out how to apply for this procedure, including which administration to address and what documents you had to provide?”

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

The percentage is calculated for each service and then, simple average between all services is calculated.

Points are allocated based on the average percentage of respondents who replied “Somewhat easy” or “Very easy” to the survey questions(x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 10$ points.

Sub-indicator 21.1.5. Clarity of government information and communication

Relevant sub-principle(s): 21.e. In their communication tools (websites, leaflets, forms, etc.) and in the context of administrative decisions, public administration bodies use concise and understandable language that conveys all relevant information in a manner appropriate to the diverse circumstances of service users (minority languages according to the law, visual and hearing impairments, etc.).

Maximum points: 20

Criterion 21.1.5.1. Written guidelines or toolkits are in place for the clarity of government communication (1 point)

Category: Strategy and guidance

Approach: Review of government documentation to verify that written guidelines or toolkits are in place for the clarity of written government communications.

Criterion 21.1.5.2 Written guidelines or toolkits are in place for the clarity and visual look and feel of government websites (1 point).

Category: Strategy and guidance

Approach: Written guidelines or toolkits are in place for the clarity of visual look and feel of government websites. Points are awarded if either a central guidance is published or if there is guidance applicable for all line ministries.

Criterion 21.1.5.3. Citizen's satisfaction with the clarity of language used in government communications (%) (5 points)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population that has been in contact with central government administrative services in the past 36 months to the following question: "How easy or difficult was it for you to understand [SER]'s written communication, such as letters and e-mails received, or information from the website?"

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Somewhat easy" or "Very easy" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Criterion 21.1.5.4. Businesses' satisfaction with the clarity of language used in government communications (%) (5 points).

Category: Results

Approach: Analysis of survey responses from a sample of businesses that have been in contact with central government administrative services in the past 36 months to the following question: "How easy or difficult would it have been for you and your colleagues to understand the public authorities' written communication, such as letters and e-mails received, or information from the website, if you could not use the help of external experts (external accountant, lawyer, consultant)?"

Answer options are: Very difficult, Somewhat difficult, Neither difficult nor easy, Somewhat easy, Very easy, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Somewhat easy" or "very easy" to the survey question (x):

- $x < 10\% = 0$ points
- $10\% \leq x < 90\% =$ linear function
- $x \geq 90\% = 5$ points.

Criterion 21.1.5.5. Compliance of government websites with Web Content Accessibility Guidelines (WCAG) (8 points).

Category: Results

Approach: Review of government websites. Government websites are tested for compliance with WCAG 2.0 AA, which is the equivalent of ISO 40500, using the resource³¹. The testing requires processing of website URLs one by one. The websites analysed are those where the following services can be obtained:

1. Central eServices Portal
2. Tax Office
3. Social Security
4. National Health Institution
5. Department of Road and Transportation
6. National Statistical Office
7. Government website
8. Official Gazette
9. Ministry of Economy
10. Ministry of Education

For each website, the number of errors (red colour) under WCAG 2.0 AA is recorded. The arithmetic mean (average) of all websites is calculated.

If websites exist for more than one Constitutional language all are tested and the one with the highest number of errors is used for the calculation. Website versions for languages that are not Constitutional languages are not taken into account

Points are allocated based on the arithmetic mean of the number of errors (x):

- $x > 30$ errors = 0 points
- $10 \leq x \leq 30$ errors = linear function
- $x < 10$ errors = 8 points (8 points in total).

³¹ <http://wave.webaim.org>

Principle 22: Digitalisation enables data-driven decisions and effective, efficient and responsive policies, services and processes in the whole of government.

Indicator 22.1. Digital government readiness and maturity

This indicator examines how the government has managed to adopt the fundamentals as well as advanced enablers for an impactful digital transformation of the public sector, and in particular, how widely such measures are applied in practice across the government.

Sub-indicators	Maximum points
1. Digital government strategy and co-ordination	10
2. Digitalisation of public registries and data governance	15
3. Interoperability: infrastructure, framework and adoption	15
4. Digital identity, digital signature and trust services	15
5. Digital government architecture and infrastructure maturity	15
6. Uptake of emerging technologies in the public sector	10
7. Legal framework for privacy and cyber security	10
8. Digital talent management in public administration	5
9. Re-use of digital solutions	5
Total	100

Sub-indicator 22.1.1. Digital government strategy and co-ordination

Relevant sub-principle(s): 22.a. The public administration ensures leadership, co-ordination and capacity for the creation of effective, integrated and digital government strategies and services.

Maximum points: 10

Criterion 22.1.1.1 A national digital government strategy, policy or programme is in force, updated and publicly available (0.5 points).

Category: Strategy and guidance

Approach: Review of strategy, policy, and action plan, checking for a national digital government strategy in force and publicly available. Verify inclusion of essential elements (objectives, owners, deadlines). The strategy must be valid for the assessment year. An updated strategy should span three years or more; if older, a revision of the strategy has had to be performed in the last three calendar years before the assessment. Points are awarded if the strategy is not a stand-alone, separately developed document, but part of a broader framework like service delivery or public administration reform.

Criterion 22.1.1.2. The strategy, policy or programme is developed in a formal government document, which establishes the overall objectives of the digitalisation policy (0.5 points).

Category: Strategy and guidance

Approach: Review of strategy, policy or programme developed in a formal government document, establishing the overall objectives of the digitalisation policy.

Criterion 22.1.1.3. Responsibility for achieving objectives and executing actions with deadlines is clearly assigned to specific institutions (0.5 points)

Category: Strategy and guidance

Approach: Review of government documents that establish the responsibility for achieving objectives and executing actions with deadlines that are clearly assigned to specific institutions.

Criterion 22.1.1.4. A public body has been made responsible for leading and co-ordinating decisions on digital government across the whole public administration (0.5 points).

Category: Institutional set-up

Approach: Review of legislation and institutional arrangements to verify the authority, the mandate and power of a public body responsible for leading and co-ordinating decisions on digital government across the whole public administration.

Criterion 22.1.1.5. An action plan is defined to achieve the objectives (1 point).

Category: Strategy and guidance

Approach: Review of a digital government action plan which is defined to achieve its objectives.

Criterion 22.1.1.6. Reported implementation rate of actions specified in the digital government policy or strategy (%) (3 points).

Category: Practice in implementation

Approach: Review of government reports to verify the reported implementation rate of actions specified in the digital government policy or strategy for the calendar year previous to the assessment.

Points are allocated based on the implementation rate (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 22.1.1.7. A compulsory central review process exists to examine the purpose and implementation of all government IT projects above EUR 500 000 (1 point)

Category: Legislation

Approach: Review of legislation and institutional arrangements to verify the existence of a compulsory central review process responsible for examining the purpose and implementation of government IT projects.

Criterion 22.1.1.8. A standardised method to develop business cases for new digital projects is used (1 point).

Category: Practice in implementation

Approach: Review of legislation and institutional arrangements to verify the use of a standardised method that develops business cases for new digital projects.

Criterion 22.1.1.9 A whole-of-government catalogue of existing IT systems is in place (1 point).

Category: Practice in implementation

Approach: Review of government documentation to verify that there is a whole-of-government catalogue of existing IT systems.

Criterion 22.1.1.10. A whole-of-government catalogue of projects in the pipeline for new digital services and IT systems exists (1 point).

Category: Practice in implementation

Approach: Review of government documentation to verify there is a whole-of-government catalogue of projects in the pipeline for new digital services and IT systems.

Sub-indicator 22.1.2. Digitalisation of public registries and data governance

Relevant sub-principle(s): 22.b. Public registries are digital by design, and data governance coherent and systematic, to ensure the trustworthiness and high quality of data and access to it, with active use and sharing of data within the public administration and beyond.

Maximum points: 15

Approach: Review of laws, reports and government websites. Interviews with central government functions for IT (e.g., CIO office) and with IT representatives from line ministries or agencies responsible for the registers.

Criterion 22.1.2.1. Existence of a catalogue of public sector registries that is complete and updated (1 point).

Category: Practice in implementation

Approach: Review of government documents, websites and databases to verify the existence of a catalogue of registers which covers all registries kept by the public administration, including a list of all fields (variables) included in each registry and a description of each field. The catalogue of registries should be digital, and it should have been updated or revised in the last three years.

Criterion 22.1.2.2 Legislation establishes that data from digital registries with digital certificates have full legal value and prevail over paper documents in case of a discrepancy (1 point).

Category: Legislation

Approach: Review of legislation to verify that a law establishes that all digital registries records have full legal value and prevail over paper documents in case of a discrepancy.

Criterion 22.1.2.3. Digitalisation of public registry data (%) (7 points)

Category: Practice in implementation

Approach: Review of government documents, websites and databases to verify the share of basic information kept in registries that are fully digital and classified as authentic sources. This is based on the percentage of the following data that is digitalised and incorporated to a basic registry which is considered an authentic source (their digital data records make full proof, have the presumption of veracity, and prevail over paper documents unless there is proof of the error of the digital record). The basic information is comprised of 40 types of data.

Basic information about businesses (12 data types): name, addresses, trademarks, ownership, representation and management, economic activities, financial statements, auditing reports, number of employees, value-added tax (VAT) corporate income tax, social security contributions.

Basic information about population (8 data types): name, date of birth, civil status and identification of partner, number and identification of dependents, address, income (tax data), contractual situation, labour history (social security contributions).

Basic information about health (5 types): vaccinations, clinical history (diagnostics, dates, doctors), imaging results, prescriptions, disabilities.

Basic information about real estate and land property (5 types): location, ownership, environmental information, economic activity authorised, mortgage.

Basic information about vehicles and driving permits (10 types): number of chassis, year, brand, model, type of engine, emissions, insurance, car owner history, driver's license, driver's licence points).

Points are allocated based on the share of basic data that are fully digital and of an authentic source (x):

- $x < 20\% = 0$ points.
- $20\% \leq x < 100\% =$ linear function.
- $x = 100\% = 7$ points.

Criterion 22.1.2.4. A public body is responsible for co-ordinating the public sector data policy (1 point)

Category: Institutional set-up

Approach: Review of government documentation to verify the mandate of the body in charge of coordinating public sector data policy.

Criterion 22.1.2.5. Data governance requirements are clearly defined and are binding for the entire public administration (1 point)

Category: Legislation

Approach: Review of legislation and secondary regulations to verify that a clear definition of the rules on data governance exists and it is binding for the entire public administration.

Criterion 22.1.2.6. The law establishes the obligation of sharing public data with the rest of the public administration (1 point).

Category: Legislation

Approach: Review of legislation and secondary regulations to verify that legislation establishes a formal obligation of sharing data within the rest of the public administration.

Criterion 22.1.2.7. Guidelines of data governance to ensure quality and availability of data are adopted in the public sector (1 point).

Category: Strategy and guidance

Approach: Review of government documents and websites to verify the existence of data governance guidelines.

Criterion 22.1.2.8. A comprehensive single data inventory for the central government exists (1 point).

Category: Practice in implementation

Approach: Review of government documents and websites to verify the existence of the central data registry. The content of this registry will be assessed to check whether all data enumerated in criterion 3 is included.

Criterion 22.1.2.9. The law establishes the obligation of all public sector bodies to register into the single data inventory the metadata of the data they collect (1 point).

Category: Legislation

Approach: Review of legislation and secondary regulations to verify that the formal obligation to register the metadata of data collected into the single data registry is in place.

Sub-indicator 22.1.3. Interoperability: infrastructure, framework and adoption

Relevant sub-principle(s): 22.c. Interoperability of public registries (legal, semantic, organisational, and technical) across the public administration improves services and facilitates cross-border integrations³².

Maximum points: 17

Criterion 22.1.3.1. An interoperability framework has been adopted and published (1 point)

Category: Legislation

Approach: Review of laws, strategy and planning documents to verify the interoperability framework has been adopted and published.

Criterion 22.1.3.2. The framework covers all levels of interoperability (legal, semantic, organisational, and technical) (1 point)

Category: Legislation

Approach: Review of laws on whether the interoperability framework covers all levels of interoperability (legal, semantic, organisational, and technical).

Criterion 22.1.3.3. It is mandatory for the entire public sector to adhere to the interoperability framework (2 points)

Category: Legislation

Approach: Review of laws, strategy and planning documents to verify it is mandatory for the entire public sector to adhere to the interoperability framework.

Criterion 22.1.3.4. The interoperability framework is in alignment and corresponds to the EU Interoperability Framework, at least for the cross-border dimension (1 point)

Category: Legislation

Approach: Review of laws, strategy and planning documents to verify the alignment and correspondence of the interoperability framework with the EU Interoperability Framework, for at least the cross-border dimension.

³² In line with available standards at the national and international level, including the European Interoperability Framework: COM (2017) 134 final, *European Interoperability Framework – Implementation Strategy*, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2017:134:FIN>.

Criterion 22.1.3.5. Adoption of the interoperability framework (%) (5 points)

Category: Practice in implementation

Approach: Review of government documents to check the adoption of the interoperability framework. Experts calculate the percentage of the total number of public administration institutions (ministries and dependent agencies at the central level) which are connected to the interoperability framework.

Criterion 22.1.3.6. Public sector information systems corresponding to the framework and its requirements (%) (5 points)

Category: Practice in implementation

Approach: Assesses the share of public sector information systems corresponding to the framework and requirements. The percentage is calculated of the total number of information systems in the central government public administration.

- An information system is any software application holding, processing or presenting data.
- Information about the total number of information systems is obtained from a catalogue (inventory) of information systems in the public administration.

Data Collection Questions (no points allocated): Number of yearly transactions (data queries) of the interoperability system in the last 3 years.

Sub-indicator 22.1.4. Digital identity, digital signature and trust services

Relevant sub-principle(s): 22.d. User-friendly digital identity, digital signature and trust services, digital payment and digital delivery solutions are easily available to everyone, legally enacted, technically functional and widely used³³.

Maximum points: 15

Criterion 22.1.4.1. A national eID and a trust services regulation has been adopted (2 points)

Category: Legislation

Approach: Review of legislation on whether a national eID and trust services regulation has been adopted.

³³ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.257.01.0073.01.ENG.

Criterion 22.1.4.2. National legislation is harmonised with the EU eIDAS regulation proven in a self-assessment report according to eIDAS Article 14 checklist (2 points)

Category: Legislation

Approach: Review of government documentation to verify that there is a self-assessment report conducted according to eIDAS Article 14 (Assessment Checklist), presenting a structured approach covering the four pillars (legal context, supervision and auditing, best practice, trust representation) described in ETSI TR 103 684, where administrations check their compliance with the minimum legal requirements.

Criterion 22.1.4.3. The state offers a secure electronic identity to the citizens (1 point)

Category: Practice in implementation

Approach: Review of government documents to assess the existence of a state-offered secure electronic identity (eID).

Criterion 22.1.4.4. The use of an electronic identity and signature is free of charge for individuals (1 point)

Category: Practice in implementation

Approach: Review of government documents to verify that the use of an electronic identity and signature is free of charge for individuals.

Criterion 22.1.4.5. Public sector entities accepting electronic signatures in their information systems (%) (3 points)

Category: Practice in implementation

Approach: Assess the share of public entities accepting electronic signatures in their information systems. Data extracted from a digital infrastructure catalogue (if it exists).

Points are allocated based on the calculated percentage (x): Points are allocated based on the calculated percentage (x), where the denominator is the total number of public entities having information systems and the numerator is the number of public entities which have information systems that accept electronic signatures:

- $x < 33\% = 0$ points.
- $33\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 3$ points.

Criterion 22.1.4.6. Public sector entities accepting the national eID in their digital service delivery and administrative processes (%) (3 points)

Category: Practice in implementation

Approach: Assess the share of public entities accepting the national eID in their digital service delivery and administrative processes. Data extracted from a digital infrastructure catalogue (if it exists)

Points are allocated based on the calculated percentage (x): Points are allocated based on the calculated percentage (x), where the denominator is the total number of public entities offering electronic services through portals or apps, and the numerator is the number of public entities which accept the national eID to log in the portals or apps:

- $x < 33\% = 0$ points.
- $33\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 3$ points.

Criterion 22.1.4.7. Regular use of the national eID for authentication (%) (3 points)

Category: Results

Approach: Assess the use of the national eID for authentication, calculated based on inputs/data requests from the national eID certification authorities as they usually keep user statistics on unique users in a timeframe. The use of the national eID for authentication is considered regular if it happens at least every 12 months.

Points are allocated based on the calculated percentage (x): where the denominator is the total number of unique users of electronic services offered by the central public administration (the sum of the users of all portals or apps of the central public administration), and the numerator is the number of unique users that have authenticated using the national eID.

- $x < 33\% = 0$ points.
- $33\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 3$ points.

Sub-indicator 22.1.5. Digital government architecture and infrastructure maturity

Relevant sub-principle(s): 22.e. Digital government infrastructure and information systems are scalable, flexible and future proof.

Maximum points: 15

Review of laws, strategy and planning documents, and other existing reviews and assessments. Interviews with government representatives:

- Responsible for digital government co-ordination;
- From a ministry responsible for public administration, service delivery or digitisation and those responsible for implementation of the policy (e.g., chief information officers and similar in line ministries and agencies).

Criterion 22.1.5.1. Cloud-based IT systems in the public sector (%) (5 points)

Category: Practice in implementation

Approach: Quantify the use of cloud-based IT systems in the public sector. Data might be found if a government-wide portfolio view of IT systems exists. Interviews with government representatives to fact check data.

Points are allocated based on the percentage of public sector systems in the cloud (x):

- $x = 0\% = 0$ points.
- $0\% < x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Criterion 22.1.5.2. Public sector IT systems based on open-source technology (%) (5 points)

Category: Practice in implementation

Approach: Quantify the use of public sector IT systems which are based on open-source technology. Data might be found if a government-wide portfolio view of IT systems exists.

Points are allocated based on the percentage of public sector systems based on open-source technology:

- $x = 0\% = 0$ points.
- $0\% < x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Criterion 22.1.5.3. Government-wide enterprise IT architecture exists (2.5 points)

Category: Institutional set-up

Approach: Assess whether a government-wide enterprise IT architecture exists.

Criterion 22.1.5.4. The regulation establishes government-wide IT requirements for public sector information (2.5 points)

Category: Legislation

Approach: Review of regulations on whether they establish government-wide IT requirements for public sector information.

Sub-indicator 22.1.6. Uptake of emerging technologies in the public sector

Relevant sub-principle(s): 22.f. The public administration promotes digital possibilities and new technologies, such as artificial intelligence, including through a flexible regulatory framework, while mitigating risks adequately.

Maximum points: 10

Review of laws, strategy and planning documents, and other existing reviews and assessments. Interviews with government representatives:

- Responsible for digital government co-ordination;
- From a ministry responsible for public administration, service delivery or digitisation and those responsible for implementation of the policy (e.g., chief information officers and similar in line ministries and agencies);
- From councils, committees or other governing bodies that guide or oversee government digital policies.

Criterion 22.1.6.1. An action plan covering the uptake of artificial intelligence and emerging technologies in the public sector is adopted (2 points)

Category: Strategy and guidance

Approach: Determine whether an action plan covering the uptake of artificial intelligence and emerging technologies in the public sector has been adopted.

Criterion 22.1.6.2. In administrative procedures, electronic transactions have equal validity as paper-based ones (2 points)

Category: Legislation

Approach: Review of laws, strategy and planning documents to determine whether electronic transactions have equal validity as paper-based ones.

Criterion 22.1.6.3. Legislation regulating eID, eSignature and administrative procedures is technologically neutral, and it does not specify the concrete technology (2 points)

Category: Legislation

Approach: Review of laws, strategy and planning documents regulating eID, eSignature and administrative procedures to be technologically neutral.

Criterion 22.1.6.4. There is a legal obligation to conduct digital-ready analysis of new legislation (2 points)

Category: Legislation

Approach: The legislative process must ensure that new rules can work in practice and can be administered digitally. The legal framework for regulatory impact assessment or equivalent *ex ante* analysis of legislation requires to assess if the legislation can be administered in whole or in part digitally and supports the use of new technologies.

Criterion 22.1.6.5. Regulation for algorithmic decision-making including transparency obligations is in place (2 points)

Category: Legislation

Approach: Review of legislation to assess the existence of regulation for algorithmic decision making and transparency.

Sub-indicator 22.1.7. Legal framework for privacy and cyber security

Relevant sub-principle(s): 22.g. Mitigation of cyber security and privacy risks ensures data protection, in particular personal data protection, and builds public trust by applying prevention frameworks and building sufficient capacities.³⁴

Maximum points: 15

Criterion 22.1.7.1. National data protection regulation is adopted (2 points)

Category: Legislation

Approach: Review of legislation, strategies, and documents to verify whether national data protection regulation is adopted.

Criterion 22.1.7.2. National data protection regulation is fully harmonised with the EU general data protection regulation (GDPR) (2 points)

Category: Legislation

Approach: Review of legislation, strategies, and documents to verify whether national data protection regulation is fully harmonised with the EU general data protection regulation (GDPR).

Criterion 22.1.7.3. A responsible body oversees and enforces the data protection regulation (1 point)

Category: Institutional set-up

Approach: Ensure a responsible body exists to oversee and ensure the data protection regulation.

Criterion 22.1.7.4. A national cyber security regulation and standard are adopted (2 points)

Category: Legislation

Approach: Review of legislation, strategies, and documents to ensure a national cyber security regulation and standard is adopted.

³⁴ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, (General Data Protection Regulation), <http://data.europa.eu/eli/reg/2016/679/oj>.

Criterion 22.1.7.5. A national cyber security regulation is fully harmonised with the EU Network and Information Security (NIS) Directive (1 point)

Category: Legislation**Approach:** Review of legislation, strategies, and documents to verify whether the national cyber security regulation is fully harmonised with the EU Network and Information Security (NIS) Directive.**Criterion 22.1.7.6. Public sector entities are in compliance with cyber security standards (%) (2 points)**

Category: Practice in implementation**Approach:** Assess the compliance with cyber security standards by public sector entities. The percentage should be obtained from a recent (no older than 1 year) audit of compliance with cybersecurity standards.

Points are allocated based on the percentage of public sector entities in compliance with cyber security standards (x):

- $x < 33\% = 0$ points.
- $33\% \leq x < 67\% =$ linear function.
- $x \geq 67\% = 2$ points.

Criterion 22.1.7.7. A national cyber security strategy is adopted and implemented, at least for public administration (1 point)

Category: Strategy and guidance**Approach:** Verify if the national cyber security strategy is adopted and implemented, at least for the public administration.**Criterion 22.1.7.8. The reported implementation rate of the national cyber security strategy (%) (1 point)**

Category: Practice in implementation**Approach:** Quantify the reported implementation rate of national cyber security strategy. The percentage is calculated based on a monitoring report of the implementation of the strategy for the calendar year before the assessment.

Points are allocated based on the reported implementation rate (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.

Criterion 22.1.7.9. The governmental cyber response mechanism CERT/CIRT and/or SOC is established and fully operational (1 point)

Category: Practice in implementation

Approach: It is verified that a computer emergency response team (CERT) and/or cyber incident response team (CIRT) are operational together with a security operations centre (SOC).

Criterion 22.1.7.10. Public servants having the needed cyber security skills (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants who answered if they agree to the following statement: "I have received enough training on cybersecurity skills to understand risks and know how to avoid them."

Answer options are: Strongly disagree, Tend to disagree, Neither disagree nor agree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied, "Tend to agree" or "Strongly agree" to the statement (x):

- $x < 30\% = 0$ points
- $30\% \leq x < 75\% =$ linear function
- $x \geq 75\% = 2$ points.

Sub-indicator 22.1.8. Digital talent management in public administration

Relevant sub-principle(s): 22.h. The public administration devises and implements targeted policy to attract and maintain digital talent and leadership, and to enhance digital skills and mind-set among public servants.

Maximum points: 5

Criterion 22.1.8.1. A digital skills/competency framework is determined for the entire public administration (1 point)

Category: Strategy and guidance

Approach: Review of laws, strategy and planning documents, other existing assessments to determine whether the digital skills/competency framework is determined for the entire public administration. Interviews with government representatives:

- Responsible for digital government co-ordination.
- From a ministry responsible for public administration, service delivery or digitisation and those responsible for implementation of the policy (e.g., chief information officers and similar in line ministries and agencies).
- From the body in charge of human resources policies in public administration

Criterion 22.1.8.2. Policy and action plans exist for skilling and attracting talent for the public sector (1 point)

Category: Strategy and guidance

Approach: Review of laws, strategy and planning documents, and other existing assessments on existing policy and action plans for skilling and talent attraction for public sector.

Criterion 22.1.8.3. public servants have sufficient digital skills to meet the needs of their job functions (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of the public servants to the following statement: "I have the necessary digital skills to complete my work tasks effectively".

Answer options are: Strongly disagree, Tend to disagree, Neither agree nor disagree, Tend to agree, Strongly agree, Do not know, Prefer not to answer.

Points are allocated based on the percentage of agreement (x):

- $x < 30\% = 0$ points
- $30\% \leq x < 75\% =$ linear function
- $x \geq 75\% = 3$ points

Sub-indicator 22.1.9. Re-use of digital solutions

Relevant sub-principle(s): 22.i. The public administration actively collaborates with relevant stakeholders to enhance the re-use of digital solutions developed with public budget to boost a collaborative ecosystem for the provision and use of digital services economy-wide.

Maximum points: 5

Criterion 22.1.9.1. Sharing for re-use of digital solutions is mandatory (1 point)

Category: Legislation

Approach: Review of laws, strategy and planning documents to verify the possibility to re-use digital solutions developed for the public administration is mandatory.

Criterion 22.1.9.2. There is a central institution in charge of facilitating the re-use of digital solutions (1 point)

Category: Institutional set-up

Approach: Review of laws, strategy and planning documents to verify whether there is a public body in charge of facilitating re-use of digital solutions.

Criterion 22.1.9.3. Digital solutions are available and easy-to-find through public repositories, inventories or similar (3 points)

Category: Practice in implementation

Approach: Review of government websites to verify whether there is a central repository of digital solutions, which is available and easy to find through public repositories or similar.

Indicator 22.2. Digital government tools

This indicator examines how the government is using digital tools in each of the following PAR areas: strategy and continuous improvement of public administration; policy development and co-ordination; public service and human resource management; organisation, accountability and oversight, service delivery and digitalisation and public financial management. This indicator is a composite of the criteria included in each area.

Sub-indicators	Maximum points
1. Digital access to legislation	10
2. Digital platform for public consultation	10
3. Human resource management (HRM) information system	15
4. Digital portal for recruitment	10
5. Open data and re-use of public information	20
6. Digital tools for internal control	10
7. Digital tools for accounting information	10
8. Public procurement data system	15
Total	100

Sub-indicator 22.2.1. Digital access to legislation

Relevant sub-principle(s): 4.i. All primary and secondary legislation, including consolidated versions, is easily accessible and available free of charge through a central online database(s). Administrative guidance documents, forms and materials essential for complying with regulations are easily available for businesses and citizens.

Maximum points: 10

Criterion 22.2.1.1. All primary legislation is available to the public online and free of charge (3 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws are published. Results are taken from the assessment in the public policy development and co-ordination area, Sub-indicator 4.1.6 criterion 4.

Criterion 22.2.1.2. All secondary legislation is available to the public online and free of charge (3 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of are published. Results are taken from the assessment in the public policy development and co-ordination area, Sub-indicator 4.1.6 criterion 5.

Criterion 22.2.1.3. The database(s) of laws allows searching, categorising and accessing laws and regulations by date, type and sector (4 points)

Category: Practice in implementation

Approach: Review of the national legislation and regulations establishing rules and procedures for publication of legal and normative acts. Checks are carried out on the official website(s) where the official versions of laws and regulations are published. Results are taken from the assessment in the public policy development and co-ordination area, Sub-indicator 4.1.6 criterion 10.

Sub-indicator 22.2.2. Digital platform for public consultation

Relevant sub-principle(s): 5.b. Consultation with the general public is conducted in an accessible and transparent manner.

Maximum points: 10

Criterion 22.2.2.1. The central portal is consistently used for written public consultation (%) (10 points)

Category: Practice in implementation

Approach: Review of government documentation to verify the existence of a central portal for consultation of draft proposals (legislation as well as sector planning documents) approved or adopted by the government is verified first. The central portal (as opposed to the individual consultation websites of individual line ministries) should enable the consultation of all draft laws and draft sector planning documents, which have been prepared by the line ministries and which are submitted to the government for approval/adoption. If the portal exists, the percentage of draft laws and sector planning documents is calculated, which were published for written public consultation on the portal (using the total number of laws and sector planning documents published for written online public consultation). The number of consulted draft laws and draft sector planning documents is established based on administrative data provided by the administration. Results are taken from the assessment in the public policy development and co-ordination area, Sub-indicator 5.1.1. Criterion 12.

Points are allocated based on the percentage of consultations taking place on the central website/portal (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 100\% =$ linear function.
- $x = 100\% = 10$ points.

Sub-indicator 22.2.3. Human resource management (HRM) information system

Relevant sub-principle(s): 8.i. An effective information system supports HRM processes and provides data allowing for evidence-based public service policy

Maximum points: 15

Criterion 22.2.3.1. There is a public service HRM information system used in everyday HRM processes (3 points)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration.

Determines whether the human resource management information system (HRMIS) includes functionalities that are used to manage everyday HRM processes in the areas listed under and whether the processes are run digitally, without the need for paper forms. Results are taken from the public service and HRM area, sub-indicator 8.1.10. Existence of an effective HRM information system, criterion 1.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

A maximum of 2 points are available, with 0.1 points awarded for each of the ten areas listed below if there a human resource management information system used in everyday HRM processes in the given areas:

1. Organisation structures and job descriptions
2. Recruitment and Selection
3. Training (training needs analysis, training plans, monitoring of implementation)
4. Performance appraisal
5. Promotion
6. Other mobility processes (e.g., transfers, secondments)
7. Compensation/salary
8. Disciplinary procedures
9. Termination of employment

If the process is run digitally, without the need for paper forms, an additional 0.15 points are awarded in each of the above cases.

Criterion 22.2.3.2. The HRM information system interoperates with the payroll system (2.5 points)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration.

It is determined whether interoperability between the HRMIS and the relevant systems allows the automatic retrieval of HRM-related data from the relevant systems for the relevant HRM procedures and interoperability is used in practice.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

Criterion 22.2.3.3. The HRM information system interoperates with other relevant information systems (2.5 points)

Category: Practice in implementation

Approach: On-site review of the information system supporting HRM procedures concerning the public service in the central government administration.

It is determined whether interoperability between the HRMIS and the relevant systems allows the automatic retrieval of HRM-related data from the relevant systems for the relevant HRM procedures and interoperability is used in practice.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

A maximum of 1 point is available, with 0.2 points awarded for each database that interoperates with the human resource management information, up to five information systems.

Criterion 22.2.3.4. The central registry (HR database) of public servants includes all employed public servants and institutions in the central government administration (2 points)

Category: Practice in implementation

Approach: On-site inspection of the public service central registry including the extraction of data if necessary, to verify:

- a. The total number and list of public bodies of the central government administration included in the information system, by type of public body according to legislation (e.g. ministries, other public administration bodies subordinated to ministries or to the government, etc.).
- b. The total number of public servants employed in the central government administration included in the information system (total and by public body).

The analysis is supplemented by interviews with the relevant staff responsible for the public service central registry in the central government administration.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

Criterion 22.2.3.5. The structure of the public service central registry includes relevant variables on individual characteristics and employment (2 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry must verify whether the structure of the database includes at least the following information of individual public servants: name, date of birth, gender, current position, public service positions held, education, salary, bonuses and benefits, performance appraisal results, disciplinary sanctions, and termination of employment.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

Criterion 22.2.3.6. Data in the public service central registry is complete and updated (1.5 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry verifies, for each of the variables mentioned in Criterion 5, the total number of individual public servants for which information is available in the system.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

Criterion 22.2.3.7. The public service central registry allows for accurate and quick reporting (1.5 points)

Category: Practice in implementation

Approach: The onsite inspection of the public service central registry must verify whether it allows for at least the following reports:

- a. Number of public servants by professional categories (as defined by law) for ministries;
- b. Annual turnover of public servants by professional category (as defined by the law for ministries);
- c. Average total yearly salary for different staff categories (as defined by the law) for ministries.

The system must allow for quick reporting on the three topics. If reports on the three topics cannot be obtained during the onsite inspection, 0 points are awarded.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 8.10.

Sub-indicator 22.2.4. Digital portal for recruitment

Relevant sub-principle(s): 9.h. Recruitment and selection processes are efficient, timely, user-friendly, and supported by digital tools.

Maximum points: 10

Criterion 22.2.4.1. Public service job announcements in the central government administration are available on a single web portal (5 points)

Category: Practice in implementation

Approach: Analysis of the website of the public service central co-ordination unit, the government portal or other government official websites where job announcements for public service positions at least in the central government administration are published. The information on the website must be updated, i.e., it does not include expired job announcements. Results are taken from the assessment in the public service and human resource management, Sub-indicator 9.3. Criterion 5.

Criterion 22.2.4.1. The single web portal that announces public service vacancies in the central government administration is user-friendly (5 points)

Category: Practice in implementation

Approach: Analysis of the same website(s) based on a checklist including at least the following elements:

- The website allows users to filter vacancies.
- It allows subscribing to new announcements.
- The information is in all the official languages.

Results are taken from the assessment in the public service and human resource management, Sub-indicator 9.3. Criterion 6.

Sub-indicator 22.2.5. Open data and re-use of public information

Relevant sub-principle(s): 15.h. Access for re-use of information and their metadata held by public authorities, public undertakings and publicly financed research data for commercial and non-commercial purposes is widely granted

Maximum points: 20

Results are taken from the assessment of organisation, accountability and oversight. Sub-indicator 15.8 Criteria 1 to 8.

Criterion 22.2.5.1. The right to re-use public information is enshrined in legislation (2 points)

Category: Legislation

Approach: Review of legislation to verify that the right to re-use public information is enshrined in law and it is enforceable.

Criterion 22.2.5.2. The definition of re-use is aligned with the Directive (EU) 2019/1024 (2 points)

Category: Legislation

Approach: Review of legislation to verify that the definition of re-use is aligned with the Directive (EU) 2019/1024.

Criterion 22.2.5.3. The government should give the right to re-use free of charge, only with the exemptions included in the Directive (EU) 2019/1024 (2 points)

Category: Legislation

Approach: Review of legislation to verify that the government should give the right to re-use free of charge, only with the exemptions included in Article 6 of the Directive (EU) 2019/1024.

Criterion 22.2.5.4. An open data portal exists and offers an advanced data search function (2 points)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that an open data portal exists and offers an advanced data search function. If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded.

Criterion 22.2.5.5. Datasets in the data portal are provided in open, machine-readable format (1 point)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that datasets in the open data portal are provided in open, machine-readable format. If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded.

Criterion 22.2.5.6. The open data portal allows users to extract data using Application Programming Interfaces (APIs) (1 point)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the open data portal allows users to extract data using Application Programming Interfaces (APIs). If the analysed portals are not regularly updated (no data update done during the assessment year), no point is awarded

Criterion 22.2.5.7. The open data portal provides access to real-time and dynamic data at least in these four domains: air quality data, live weather data, transport and traffic information. (4 points)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the open data portal provides access to real-time and dynamic data at least in these four domains: air quality data, live weather data, transport and traffic information.

Criterion 22.2.5.8. The government has published for re-use the datasets included in the Commission Implementing Regulation (EU) 2023/138. (6 points)

Category: Practice in implementation

Approach: Review of government websites and government documentation to verify that the government has published for re-use the datasets included in the Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use:

10. Geospatial (Administrative units, Geographical names, Addresses, Buildings, Cadastral parcels, Reference parcels, Agricultural parcels)
11. Earth observation and environment (within the scope of the INSPIRE data themes listed in the first table below and defined in Annexes I-III to Directive 2007/2/EC)
12. Meteorological (Observations data measured by weather stations Climate data: validated observations Weather alerts Radar data NWP model data)
13. Statistics (Harmonised Indices of consumer prices, National accounts – GDP main aggregates, National accounts – key indicators on corporations, National accounts – key indicators on households, Government expenditure and revenue, Consolidated government gross debt, Environmental accounts and statistics, Population, Fertility, Mortality, Current healthcare expenditure, Poverty, Inequality, Employment, Unemployment, Potential Labour Force, Tourism (inflow, outflow).
14. Companies and company ownership (Basic company information: key attributes, Company documents and accounts).
15. Mobility (those defined in the INSPIRE DATA THEME (as defined in Annex I to Directive 2007/2/EC)

One point is awarded for each of the six domains of datasets published according the criteria set in Commission Implementing Regulation (EU) 2023/138 of 21 December 2022

Sub-indicator 22.2.6. Digital tools for internal control

Relevant sub-principle(s): 26.e. Each organisation produces comprehensive, timely and accurate information for managers on performance and budget execution, including on major investment projects.

Maximum points: 4

Criterion 22.2.6.1. An authentication system with different levels of security to accede the digitalised management IT system is in place (5 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five public administrations, including three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration).

The criteria are fulfilled if all five sample bodies meet the corresponding requirements.

SIGMA verifies that a secure digitalised management information system is in place and that it meets the following requirements:

- authentication for access with different levels of security
- security and integrity of data are periodically assessed

Results are taken from the assessment of Public Financial Management Sub-indicator 26.1.5, criteria 1 and 2.

Points are allocated as follows:

- All sample bodies meet the criterion = 5 points
- Four out of five sample bodies meet the criterion = 2.5 points
- Three or less of the sample bodies meet the criterion = 0 points.

Criterion 22.2.6.1. Security and integrity of data are periodically assessed (5 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five public administrations, including three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration).

The criteria are fulfilled if all five sample bodies meet the corresponding requirements.

SIGMA verifies that a secure digitalised management information system is in place and that it meets the following requirements:

- authentication for access with different levels of security

- security and integrity of data are periodically assessed

Results are taken from the assessment of Public Financial Management Sub-indicator 26.1.5, criteria 1 and 2.

Points are allocated as follows:

- All sample bodies meet the criterion = 5 points
- Four out of five sample bodies meet the criterion = 2.5 points
- Three or less of the sample bodies meet the criterion = 0 points.

Sub-indicator 22.2.7. Digital tools for accounting information

Relevant sub-principle(s): 24.d. The government supports the reliability of its financial data by regular reconciliation between the treasury information system, accounting information systems and bank account data.

Maximum points: 10

Criterion 22.2.7.1. Reconciliation of bank account and accounting data (general ledger) takes place at least monthly (2 points)

Category: Practice in implementation

Approach: Documentary evidence on treasury procedures and implementation.

Criterion 22.2.7.2. Suspense accounts, if these exist, are cleared at least monthly (2 points)

Category: Practice in implementation

Approach: Documentary evidence on treasury procedures and implementation.

- No suspense accounts exist = 2 points
- Suspense accounts exist, and they are cleared at least monthly = 2 points
- None of the above = 0 points

Criterion 22.2.7.3. An IT audit was conducted in the last three years (2 points)

Category: Practice in implementation

Approach: Review of documents (IT audit report and any follow up action plan).

Criterion 22.2.7.4. Recommendations from the IT audit have been implemented (4 points)

Category: Practice in implementation

Approach: Review of documents (IT audit report and any follow up action plan).

Sub-indicator 22.2.8. Public procurement data system

Relevant sub-principle(s): 28.f. A central procurement body monitors, oversees and evaluates the procurement system and identifies possible improvements. It provides public access to consolidated data on public procurement operations (including both contract award and performance).

Maximum points: 15

Criterion 22.2.8.1. The central procurement institution uses the data system to collect the results of procurement processes (1 point)

Category: Practice in implementation

Approach: Review of administrative data from monitoring and statistical reports and data presentation facilities. Data monitored and collected should include, at a minimum, the information in the standard forms of Tenders Electronic Daily (TED). Results are taken from the assessment of Public Financial Management Sub-indicator 28.2.6, criterion 1.

Criterion 22.2.8.2. The system facilitates easy and free public access to public procurement data, retrieval of information for external use and analysis (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities and check the actual outputs are obtainable in the system. Results are taken from the assessment of Public Financial Management Sub-indicator 28.2.6, criterion 5.

Criterion 22.2.8.3. The system displays public procurement data in a clear, concise and simple format, data is up to date and complete (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities, as well as checking of the actual outputs obtainable in the system. Results are taken from the assessment of Public Financial Management Sub-indicator 28.2.6, criterion 6.

Criterion 22.2.8.4. The system has a function for searching notices. (2 points)

Category: Practice in implementation

Approach: Checking of the actual outputs obtainable in the system. At least five search criteria must be included: e.g., notice type, contracting authority type, type of procedure, type of contract, Common Procurement Vocabulary, time period, free text search in the notice text, or geographical location. Results are taken from the assessment of Public Financial Management Sub-indicator 28.2.6, criterion 7.

Criterion 22.2.8.5. The system makes it possible to mine data down to the lowest level of aggregation and the dataset is downloadable (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities, as well as checking of the actual outputs obtainable in the system. Results are taken from the assessment of Public Financial Management Sub-indicator 28.2.6, criterion 8.

Criterion 22.2.8.6. All procurement notices are published on a central public portal, accessible for free (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms). Results are taken from the assessment of Public Financial Management Sub-indicator 29.1.4, criterion 1.

Criterion 22.2.8.7. All tender documents and their amendments are available on a central public portal, accessible for free (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms). Results are taken from the assessment of Public Financial Management Sub-indicator 29.1.4, criterion 2.

Criterion 22.2.8.8. All communication between the contracting authority and economic operators is carried out by using electronic means (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms). Results are taken from the assessment of Public Financial Management Sub-indicator 29.1.4, criterion 3.

Criterion 22.2.8.9. Use of e-submission in procurement procedures in the latest full calendar year (%) (1 point)

Category: Practice in implementation

Approach: Analysis of administrative data in the last full calendar year to determine the number of procurement procedures where e-submission has been used, divided by the total number of procurement procedures in the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage. Results are taken from the assessment of Public Financial Management Sub-indicator 29.1.4, criterion 4.

Points are allocated based on the percentage of e-submission in procurement procedures in the latest full calendar year (x):

- $x < 90\% = 0$ points.

- $90\% \leq x < 100\%$ = linear function.
- $x = 100\%$ = 1 points.

Criterion 22.2.8.10. Regulations require contracting authorities to accept and process electronic invoices (1 point)

Category: Legislation

Approach: Review of laws and regulations. Results are taken from the assessment of Public Financial Management Sub-indicator 29.1.4, criterion 6.



Public financial management

The public administration plans and manages public finances to ensure that they are **sustainable** and **transparent** and allow the delivery of policy objectives. Control, procurement and oversight arrangements are in place to ensure the economic, efficient and effective use of public resources shared across all levels of government.

Principle 23: The annual budget is comprehensive and formulated within a credible and rolling medium-term framework, balancing policy needs with fiscal constraints.

Indicator 23.1. The annual budget is comprehensive and formulated within a credible and rolling medium-term framework, balancing the policy needs with the fiscal constraints

This indicator focuses on how well the medium-term budgetary framework (MTBF) is established as a fiscal plan of the government, focusing on the process of budget preparation and areas that influence the quality of the budget documents. A good MTBF should increase transparency in budget planning, contribute more credible forecasts and ultimately help achieve public policy goals while ensuring general government budget balance. This indicator analyses the process of budget preparation and the level of transparency and quality of the budget documents. Quality parameters include the link between the multi annual and annual budget, the budget preparation process, selection of priorities for new expenditures, comprehensiveness and transparency of budget documentation, scrutiny and oversight of the budget proposal and rules for in year budget adjustment.

Sub-indicators	Maximum points
1. Budget calendar	5
2. Preparation of the medium-term fiscal framework (MTFF)	15
3. Strength of the medium-term budget framework (MTBF)	25
4. First-level budget organisations	5
5. Oversight of fiscal discipline by an independent institution	5
6. Annual budget documentation	15
7. Budget classification	5
8. Planning and budgeting for capital investment projects	10
9. Parliamentary scrutiny of the annual budget	10
10. Public access to budget information	5
Total	100

Sub-indicator 23.1.1. Budget calendar

Relevant sub-principle(s): 23.a. The budget is prepared in line with the relevant legislation and a calendar issued by the ministry of finance that allows budget organisations sufficient time to prepare their proposals.

Maximum points: 5

Criterion 23.1.1.1. The annual budget calendar is fixed in legislation and budget instructions (budget circular) (1 point)

Category: Legislation

Approach: Review of the Organic Budget Law and the budget calendar.

Criterion 23.1.1.2. The annual budget calendar covers the medium-term and the annual budget (1 point)

Category: Legislation

Approach: Review of the Organic Budget Law and the budget calendar.

Criterion 23.1.1.3. Budget organisations have at least six weeks to prepare their budget following the applicable instructions (1 points)

Category: Legislation

Approach: Review of the Budget Instruction / budget circular.

Criterion 23.1.1.4. The official budget calendar has been respected during the latest full calendar year (2 points)

Category: Practice in implementation

Approach: Review of the publication and submission dates of the relevant elements included in the budget calendar vis a vis the required dates. A minor deviation is interpreted as a missed deadline of less than one calendar week.

Criterion 4:

- The official budget calendar has been fully respected = 2 points.
- Minor deviations are found from the official budget calendar = 1 point.
- None of the above = 0 points.

Sub-indicator 23.1.2. Preparation of the medium-term fiscal framework

Relevant sub-principle(s): 23.b. The ministry of finance prepares a medium-term fiscal framework each year that includes policy objectives for fiscal aggregates for a minimum of three years ahead, based on disclosed macroeconomic projections, and respects the fiscal rules established in the legislation.

Maximum points: 15

Criterion 23.1.2.1. A MTFF covering all revenues and expenditures for a minimum of three years is adopted by the government (2 points)

Category: Strategy and guidance

Approach: Review of the Medium-Term Fiscal Framework.

Criterion 23.1.2.2. The MTFF is published before the annual budget bill is presented to the parliament (2 points)

Category: Strategy and guidance

Approach: Review of the Medium-Term Fiscal Framework.

Criterion 23.1.2.3. The government has established clear quantitative fiscal rules at least for the total levels of public debt and the deficit (2 points)

Category: Strategy and guidance

Approach: Review of the Medium-Term Fiscal Framework.

Criterion 23.1.2.4. The fiscal rules for public debt and deficit are defined in a law with strict correction procedures (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 23.1.2.5. The MTFF includes quantitative fiscal targets that meet the fiscal rules (if any) (2 points)

Category: Strategy and guidance

Approach: Review of the Medium-Term Fiscal Framework.

In case there are no fiscal rules, it is sufficient that the MTFF includes quantitative targets for the two points. In case there are fiscal rules, it is also required that the fiscal targets meet the fiscal rules for the budget year and the following two fiscal years.

Criterion 23.1.2.6. Credibility of the medium-term revenue forecasts (%) (2.5 points)

Category: Practice in implementation

Approach: Review of the Medium-Term Fiscal Framework and the Annual Financial Statements and/or Budget Execution Reports to get the forecasts and outturns for total revenues and total expenditures. The range to calculate the points is based on public expenditure and financial accountability (PEFA) D score of PI-2 (p.28).

Points are allocated based on the variation (x) between the total revenues (or total expenditures) forecasted for the last fiscal year (Y) in the MTFE adopted in year Y-2 and the outturns for total revenue (or total expenditure) in year Y:

- $x > 15\% = 0$ points.
- $2\% < x \leq 15\% =$ linear function.
- $x \leq 2\% = 2.5$ points.

Criterion 23.1.2.7. Credibility of the medium-term expenditure forecasts (%) (2.5 points)

Category: Practice in implementation

Approach: Review of the Medium-Term Fiscal Framework and the Annual Financial Statements and/or Budget Execution Reports to get the forecasts and outturns for total revenues and total expenditures. The range to calculate the points is based on PEFA D score of PI-2 (p.28).

Points are allocated based on the variation (x) between the total revenues (or total expenditures) forecasted for the last fiscal year (Y) in the MTFE adopted in year Y-2 and the outturns for total revenue (or total expenditure) in year Y:

- $x > 15\% = 0$ points.
- $2\% < x \leq 15\% =$ linear function.
- $x \leq 2\% = 2.5$ points.

Sub-indicator 23.1.3. Strength of the medium-term budget framework (MTBF)

Relevant sub-principle(s): 23.c. The medium-term budgetary framework links fiscal policy to sectoral policies by disaggregated medium-term ceilings for line ministries as the basis for annual budget preparation, and the government approves it.

Maximum points: 25

Criterion 23.1.3.1. The MTBF breaks down the fiscal aggregates of the MTFE into budget ceilings for each year for first-level budget organisations (5 points)

Category: Strategy and guidance

Approach: Review of the MTBF.

Criterion 23.1.3.2. In the last calendar year, budget organisations provided comprehensive inputs to the MTBF within the deadlines of the calendar (2 points)

Category: Practice in implementation

Approach: Review of the budget circular related to the submission of the medium-term expenditure framework (MTEF). Comprehensive inputs require that the line ministry gives an elaborate account of expenditure developments and requests for new policy initiatives with justification. The information is triangulated with interviews with the MoF and line ministries.

Criterion 23.1.3.3. The budget ceilings are formally adopted by the government before the MoF issues the instruction for annual budget preparation bill (2 points)

Category: Strategy and guidance

Approach: Review of the MTBF.

Criterion 23.1.3.4. The MTBF includes sector-based policy information to justify the ceilings (2 points)

Category: Strategy and guidance

Approach: Review of the MTBF.

Criterion 23.1.3.5. Variation rate from the aggregated ceilings for expenditure established in the MTBF in the annual budget bill (%) (3 points)

Category: Practice in implementation

Approach: SIGMA uses calculation sheets. For disaggregate ceilings, the five largest spending ministries are included in the calculation.

Points are allocated based on the average variation rate from the aggregated ceilings (x):

- $x > 2\% = 0$ points.
- $0\% < x \leq 2\% =$ linear function.
- $x = 0\% = 3$ points.

Criterion 23.1.3.6. Variation rate from the disaggregated ceilings for first-level budget organisations established in the MTBF in the annual budget bill (%) (3 points)

Category: Practice in implementation

Approach: SIGMA uses calculation sheets. For disaggregate ceilings, the five largest spending ministries are included in the calculation.

Points are allocated based on the average variation rate from the disaggregated ceilings (x):

- $x > 2\% = 0$ points.
- $0\% < x \leq 2\% =$ linear function.
- $x = 0\% = 3$ points.

Criterion 23.1.3.7. Consistency of ceilings at aggregate level between successive MTBFs. In case of deviations, these are documented and justified (3 points)

Category: Practice in implementation

Approach: SIGMA uses calculation sheets. For disaggregate ceilings, the five largest spending ministries are included in the calculation. Review of current and successive MTBFs to check whether the ceilings at the aggregated level are consistent across years. In case of deviations, these are documented and justified.

Points are allocated based on the consistency of ceilings at aggregate level:

- Between 0% and less than 0.5% of deviations, or deviations are documented and justified = 3 points
- Between 0.5% and less than 1% of deviations = 2 points
- Between 1% and less than 2% of deviations = 1 point
- 2% of deviations or more, or no ceilings are defined = 0 points

Criterion 23.1.3.8. Consistency of ceilings at disaggregate level between successive MTBFs. In case of deviations, these are documented and justified (3 points)

Category: Practice in implementation

Approach: SIGMA uses calculation sheets. For disaggregate ceilings, the five largest spending ministries are included in the calculation. Review of current and successive MTBFs to check whether the ceilings at the disaggregated level are consistent across years. In case of deviations, these are documented and justified.

Points are allocated based on the consistency at disaggregate level between successive MTBFs:

- Between 0% and less than 0.5% of deviations, or deviations are documented and justified = 3 points
- Between 0.5% and less than 1% of deviations = 2 points
- Between 1% and less than 2% of deviations = 1 point
- 2% of deviations or more, or no ceilings are defined = 0 points

Criterion 23.1.3.9. The MoF has an operational system of spending reviews to inform re-allocation of funds across sectors and/or policies (2 points)

Category: Strategy and guidance

Approach: An operational system of spending reviews includes the presence of a regulation with the country-specific approach to spending reviews and evidence of implementation of that regulation resulting in one or more reports in the last fiscal year.

Sub-indicator 23.1.4. First-level budget organisations

Relevant sub-principle(s): 23.d. Ministries co-ordinate budget preparation within their sectors to align policy responsibility with in-sector budget allocation.

Maximum points: 5

Criterion 23.1.4.1. First-level budget organisations that are not ministries or constitutional bodies (5 points)

Category: Practice in implementation

Approach: Review of the list of first-level budget organisations to establish the number of budget organisations that submit their budgets and report directly to the parliament or the MoF. The total number will be reduced with the number of ministries and constitutional bodies.

Points are allocated based on the number of first-level budget organisations that are not ministries or constitutional bodies (x):

- $x > 20 = 0$ points.
- $20 \geq x > 5 =$ linear function.
- $x \leq 5 = 5$ points.

Sub-indicator 23.1.5. Oversight of fiscal discipline by an independent institution

Relevant sub-principle(s): 23.e. An independent oversight body improves fiscal discipline by publishing reports on the quality of forecasts and macro-assumptions under the budget estimates and the compliance of the government with the legal fiscal rules and by advising the government on fiscal policy matters.

Maximum points: 5

Criterion 23.1.5.1. An authority, independent of the government, is mandated to review government fiscal policy (2 points)

Category: Institutional set-up

Approach: Review of legislation. The authority is mandated to review government fiscal policy, including the enforcement of fiscal rules and to report independently from government.

Criterion 23.1.5.2. The mandated authority comments on the MTBF and the annual budget (1 point)

Category: Practice in implementation

Approach: Document review to identify whether comments were provided on the most recent version of the MTBF/annual budget and supplementary budgets in the last completed fiscal year.

Criterion 23.1.5.3. The mandated authority comments on budget execution (1 point)

Category: Practice in implementation

Approach: Document review to identify whether comments were provided on the most recent version of the MTBF/annual budget and supplementary budgets in the last completed fiscal year.

Criterion 23.1.5.4. The mandated authority publishes its opinions / advisory reports (1 point)

Category: Practice in implementation

Approach: Review of publications on website.

Sub-indicator 23.1.6. Annual budget documentation

Relevant sub-principle(s): 23.f. The annual budget documentation is comprehensive and includes all public expenditures and revenues, fiscal risks, tax expenditures and multi-annual commitments.

Maximum points: 15

Criterion 23.1.6.1. The budget documentation sets out the macroeconomic and fiscal assumptions on which the budget is based (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Criterion 23.1.6.2. The budget documentation provides medium-term projections for general government balance, revenue and expenditure (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Projections are made on the basis of the European System of National and Regional Accounts (ESA) or Government Financial Statistics (GFS).

Criterion 23.1.6.3. The budget documentation indicates the latest estimates of the budget balance, revenue and expenditure of the current year for comparison (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Criterion 23.1.6.4. The budget documentation provides information on the approved new policy initiatives (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Criterion 23.1.6.5. The budget documentation provides information on fiscal risks including contingent liabilities (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Criterion 23.1.6.6. The budget documentation includes non-financial performance information (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

To meet the criteria, the non-financial performance information must present links between the budget and the government's policy objectives on outcome and output level consistent with relevant policy planning documents.

Criterion 23.1.6.7. The budget documentation provides information on tax expenditures (1 point)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Criterion 23.1.6.8. Extra-budgetary expenditures and revenues (%) (2 points)

Category: Practice in implementation

Approach: Review of the Budget Law and its accompanying documentation

Review of financial reports and calculation of the ratio of extra-budgetary expenditures and revenues to the total expenditures and revenues, expressed as a percentage.

Points are allocated based on the percentage of extra-budgetary expenditures and revenues of the total expenditure and revenues (x):

- $x > 5\% = 0$ points.
- $5\% \geq x > 1\% =$ linear function.
- $x \leq 1\% = 2$ points.

Sub-indicator 23.1.7. Budget classification

Relevant sub-principle(s): 23.g. The budget is presented in administrative, economic, functional, and programmatic terms, and makes use of non-financial performance information. Expenditures related to policies such as green transition and gender equality are tracked to assess the impact of initiatives where there are relevant targets or goals.

Maximum points: 5

Criterion 23.1.7.1. The budget is presented using an economic qualification aligned with GFS (1 point)

Category: Practice in implementation

Approach: Review of budget documents. Comparison with the international standards.

Criterion 23.1.7.2. The budget is presented using a functional classification aligned with COFOG (1 point)

Category: Practice in implementation

Approach: Review of budget documents. Comparison with the international standards.

Criterion 23.1.7.3. The budget is presented using an administrative classification linking appropriations to administrative units (all first-level budget users as a minimum) (1 point)

Category: Practice in implementation

Approach: Review of budget documents.

Criterion 23.1.7.4. The budget is presented using a programme classification, including performance information per programme (1 point)

Category: Practice in implementation

Approach: Review of budget documents.

Criterion 23.1.7.5. The budget is presented with a summary analysis of the impact on gender (0.5 points)

Category: Practice in implementation

Approach: Review of budget documents.

Criterion 23.1.7.6. The budget is presented with a summary analysis of the impact on climate (0.5 points)

Category: Practice in implementation

Approach: Review of budget documents.

Sub-indicator 23.1.8. Planning and budgeting for capital investment projects

Relevant sub-principle(s): 23.h. Objective selection criteria underpin the capital investment project pipeline. The budget document presents the costs of multi-annual investments, and their fiscal risks and maintenance costs are assessed

Maximum points: 10

Criterion 23.1.8.1. Decisions on capital investment projects are an integral part of medium and annual budget preparation (2 points)

Category: Practice in implementation

Approach: Review of the budget documentation. Both the aggregate allocation to capital projects and the disaggregated estimates are shown in the budget documentation under the applicable administrative heading.

Criterion 23.1.8.2. Multi-annual commitments of capital projects are included in the budget and presented in the budget documentation (1 point)

Category: Practice in implementation

Approach: Review of the budget documentation. Both the aggregate allocation to capital projects and the disaggregated estimates are shown in the budget documentation under the applicable administrative heading.

Criterion 23.1.8.3. The legislation requires that large capital projects are subject to a cost/benefit analysis (1 point)

Category: Legislation

Approach: Review of the legislation.

Criterion 23.1.8.4. The legislation regarding cost/benefit analysis is complied with in practice (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Control testing a sample of the 5 largest investment projects. Triangulation with the Supreme Audit Institution.

Criterion 23.1.8.5. The legislation includes a requirement for large capital projects to be subject to an independent appraisal (1 point)

Category: Legislation

Approach: Review of the legislation.

Criterion 23.1.8.6. The legislation regarding independent appraisal is complied with in practice (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Control testing a sample of the 5 largest investment projects. Triangulation with the Supreme Audit Institution.

Criterion 23.1.8.7. Appraisal documents for capital projects include an estimate of their associated operational and maintenance expenditures (OME) (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of budget documentation of the selected projects for criterion 6.

Criterion 23.1.8.8. Recurrent costs are incorporated in the MTEF following approval of the project (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of budget documentation of the selected projects for criterion 6.

Criterion 23.1.8.9. The government applies selection criteria to decide between proposed capital investment projects at least on a sectoral level (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of budget documentation of the selected projects for criterion 6.

Sub-indicator 23.1.9. Parliamentary scrutiny of the annual budget

Relevant sub-principle(s): 23.i. The parliament has sufficient time and resources to analyse, debate and approve the budget proposal before the start of the new fiscal year.

Maximum points: 10

Criterion 23.1.9.1. The parliament discusses the MTBF or a pre-budget report or similar, before it receives the annual budget proposal (2 points)

Category: Practice in implementation

Approach: Review of minutes of the parliamentary discussion. Parliamentary discussion at the level of budget and finance committee meet this criterion.

Criterion 23.1.9.2. Sector committees of the parliament are engaged in the deliberation on the draft budget (2 points)

Category: Practice in implementation

Approach: Review of written inputs to the budget submitted by sector committees to the finance committee.

Criterion 23.1.9.3. The time available for parliament to debate and vote the annual budget bill is, in practice at least, three months (2 points)

Category: Practice in implementation

Approach: Review of documents' submission dates.

Criterion 23.1.9.4. The time available for parliament to debate and vote on supplementary budgets during the fiscal year is, in practice at least, six weeks (2 points)

Category: Practice in implementation

Approach: Review of parliamentary minutes. In the rare instances where there has been no supplementary budget during the year, the country should receive the points as well.

Criterion 23.1.9.5. Parliaments identify the sources of funding in case they propose amendments to the budget law (2 points)

Category: Practice in implementation

Approach: Review of parliamentary minutes.

Sub-indicator 23.1.10. Public access to budget information

Relevant sub-principle(s): 23.j. The government stimulates citizen engagement in the budgeting process by making a complete set of budget documentation publicly available, preparing a citizen budget and using open-budgeting tools.

Maximum points: 5

Criterion 23.1.10.1. A complete set of executive budget proposals is timely available to the public (1 point)

Category: Practice in implementation

Approach: The criterion requires that a complete set of budget proposal (similar to what has been sent to parliament) is shared with the public no later than two weeks after the executive's submission to the legislature.

Criterion 23.1.10.2. The annual budget law approved by the legislature is published including the annexes / supporting documents (2 points)

Category: Practice in implementation

Approach: Review of the government's website.

Criterion 23.1.10.3. The government publishes a citizen-friendly summary of the budget (1 point)

Category: Practice in implementation

Approach: Review of the government's website.

Criterion 23.1.10.4. Budgetary data are published in machine readable and open-source formats to facilitate any analysis (1 point)

Category: Practice in implementation

Approach: Review of the government's website.

Principle 24: The government supports budget implementation and service delivery by ensuring liquidity in the short and medium term.

Indicator 24.1. Budget implementation and service delivery is supported by cash availability in the short and medium-term

This indicator measures the management of the flow of funds into and from the treasury including revenue collection, cash and debt management and commitment control in budget execution. These aspects ensure the availability of the financial means so that the government can provide the services that it has planned in the budget.

The revenues that the government can collect effectively determines its budgetary space. Governments need to bridge any short-term gaps between the collections and its spending by cash management to allow for a smooth service delivery to the public. Commitment controls need to ensure that the government is not overspending and remains within the limits of the approved budget. Debt management needs to ensure a balance between the needs of the government to invest in the country's development and the sustainability of public finances in the medium to long term.

Sub-indicators	Maximum points
1. Efficiency of tax collection	10
2. Effectiveness of tax collection	20
3. Treasury/cash management	10
4. The reliability of financial data is supported regular reconciliation of accounting information	5
5. Cash flow management	5
6. Commitment controls are established	10
7. Management of expenditure arrears	10
8. Debt management	10
9. Government debt risk mitigation	10
10. Reporting on public debt	10
Total	100

Sub-indicator 24.1.1. Efficiency of tax collection

Relevant sub-principle(s): 24.a. The responsible public administration body collects revenue in an efficient manner using electronic tools.

Maximum points: 10

Criterion 24.1.1.1. Cost of tax collection ratio (%) (5 points)

Category: Results

Approach: The cost of tax collection ratio is calculated as the ratio of aggregated tax administration costs of net revenue collected (less VAT and imports). Tax administration costs include three categories: administrative costs, salaries and ITC costs.

Points are allocated based on the cost of tax collection ratio (x):

- $x > 5 = 0$ points.
- $1.5 < x \leq 5 =$ linear function.
- $x \leq 1.5 = 5$ points.

Criterion 24.1.1.2. Personal income tax declarations that are submitted using an online portal (%) (5 points)

Category: Results

Approach: Based on information provided by the tax authority

Points are allocated based on the percentage of personal income tax declarations being submitted electronically (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 5$ points.

Sub-indicator 24.1.2. Effectiveness of tax collection

Relevant sub-principle(s): 24.b. The realisation of revenues is in line with the budget estimates

Maximum points: 20

Criterion 24.1.2.1. The tax administration has a compliance improvement plan in place (1 point)

Category: Strategy and guidance

Approach: The compliance improvement plan refers to one (or more) documents that reflect the objectives and measures to enhance compliance with the tax legislation by tax payers.

Criterion 24.1.2.2. The compliance improvement plan is comprehensive (2 points)

Category: Strategy and guidance

Approach: A comprehensive compliance improvement plan covers all main taxes and duties. It gives a diagnosis of the existing situation and includes objectives, indicators and an action plan with measures for more than one tax category.

Criterion 24.1.2.3. Implementation rate of the activities in the compliance improvement plan (%) (2 points)

Category: Practice in implementation

Approach: Review of an implementation report of the compliance improvement plan to determine the extent to which planned measures were implemented.

Points are allocated based on the implementation rate of activities in the compliance improvement plan (x).

- $x < 60\% = 0$ points.
- $60\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 2$ points.

Criterion 24.1.2.4. Aggregate tax outturn (%) (5 points)

Category: Results

Approach: Data and documents provided by revenue administration, document review, calculation sheets on revenue credibility: comparison plan and outturns.

- Actual tax revenue was between 100% or more of budgeted tax revenue in the last fiscal year = 5 points
- Actual tax revenue was between 95% and 100% of budgeted tax revenue in the last fiscal year = 3 points
- Actual tax revenue was between 90% and 100% of budgeted tax revenue in the last fiscal year = 1 point
- None of the above applies = 0 points

Criterion 24.1.2.5. Tax composition outturn (%) (5 points)

Category: Results

Approach: Data and documents provided by revenue administration, document review, calculation sheets on revenue credibility: comparison plan and outturns.

Data and documents provided by the revenue administration, calculation sheets to compare plan and outturns for three major taxes (PIT, CIT and VAT).

Points are allocated based on the variance in revenue composition in the last fiscal year for three major taxes (PIT, CIT and VAT):

- Collections are higher than planned for three taxes = 5 points
- Collections were higher than planned for two taxes = 3 points

- Collections were higher than planned for 1 tax = 1 point.

Criterion 24.1.2.6. Stock of tax arrears at the end of the last completed fiscal year (%) (5 points)

Category: Results

Approach: Data and documents provided by revenue administration, document review, calculation sheets on revenue credibility: comparison plan and outturns.

Points are allocated based on the stock of revenue arrears in the last fiscal year expressed as percentage of the total revenue collection for the year (x):

- $x > 40\% = 0$ points.
- $40\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 5$ points.

Sub-indicator 24.1.3. Treasury/cash management

Relevant sub-principle(s): 24.c. The government has a complete overview of its daily cash balance using a Treasury Single Account (TSA) and oversight of the balances on all others bank accounts.

Maximum points: 10

Criterion 24.1.3.1. A TSA is established and controlled by the ministry of finance (MoF)/treasury (1 point)

Category: Institutional set-up

Approach: Review of the national legislation and documentation defining the structure of treasury bank accounts. Assessment of data from the MoF/treasury, verified through interviews and independent reports, such as other diagnostics and SAI reports.

Use of a TSA, or accounts that are centralised at a single bank, usually the Central Bank, facilitates the consolidation of bank accounts. In case there is no TSA, regular consolidation of multiple bank accounts not held centrally will generally require making timely electronic clearing and payment arrangements with the government's bankers.

Assessment of the coverage should be at central government level (ministries and agencies, excluding any social funds).

Criterion 24.1.3.2. Coverage of the TSA (%) (4 points)

Category: Institutional set-up

Approach: Review of the national legislation and documentation defining the structure of treasury bank accounts. Assessment of data from the MoF/treasury, verified through interviews and independent reports, such as other diagnostics and SAI reports.

Use of a TSA, or accounts that are centralised at a single bank, usually the Central Bank, facilitates the consolidation of bank accounts. In case there is no TSA, regular consolidation of multiple bank accounts

not held centrally will generally require making timely electronic clearing and payment arrangements with the government's bankers.

Assessment of the coverage should be at central government level (ministries and agencies, excluding any social funds).

Points are allocated based on the number of budget organisations that have separate bank accounts not controlled by the MoF/treasury (x).

- $x > 10 = 0$ points.
- $10 \geq x > 0 =$ linear function.
- $x = 0 = 4$ points.

Criterion 24.1.3.3. Entities collecting most central government revenue transfer the collections daily into accounts controlled by the treasury (3 points)

Category: Practice in implementation

Approach: Review of the national legislation and documentation defining the structure of treasury bank accounts. Assessment of data from the MoF/treasury, verified through interviews and independent reports, such as other diagnostics and SAI reports.

Use of a TSA, or accounts that are centralised at a single bank, usually the Central Bank, facilitates the consolidation of bank accounts. In case there is no TSA, regular consolidation of multiple bank accounts not held centrally will generally require making timely electronic clearing and payment arrangements with the government's bankers.

Assessment of the coverage should be at central government level (ministries and agencies, excluding any social funds).

Criterion 24.1.3.4. All central government bank balances are consolidated at least daily (2 points)

Category: Practice in implementation

Approach: Review of the national legislation and documentation defining the structure of treasury bank accounts. Assessment of data from the MoF/treasury, verified through interviews and independent reports, such as other diagnostics and SAI reports.

Use of a TSA, or accounts that are centralised at a single bank, usually the Central Bank, facilitates the consolidation of bank accounts. In case there is no TSA, regular consolidation of multiple bank accounts not held centrally will generally require making timely electronic clearing and payment arrangements with the government's bankers.

Assessment of the coverage should be at central government level (ministries and agencies, excluding any social funds).

Sub-indicator 24.1.4. The reliability of financial data is supported regular reconciliation of accounting information

Relevant sub-principle(s): 24.d. The government supports the reliability of its financial data by regular reconciliation between the treasury information system, accounting information systems and bank account data.

Maximum points: 5

Criterion 24.1.4.1. Reconciliation of bank account and accounting data (general ledger) takes place at least monthly (1 point)

Category: Practice in implementation

Approach: Documentary evidence on treasury procedures and implementation.

Review of documents (IT audit report and any follow up action plan).

Criterion 24.1.4.2. Suspense accounts, if these exist, are cleared at least monthly (1point)

Category: Practice in implementation

Approach: Documentary evidence on treasury procedures and implementation. Review of documents (IT audit report and any follow up action plan).

- No suspense accounts exist = 1 point
- Suspense accounts exist, and they are cleared at least monthly = 1 point
- None of the above = 0 points

Criterion 24.1.4.3. An IT audit was conducted in the last three years (1 point)

Category: Practice in implementation

Approach: Review of documents (IT audit report and any follow up action plan).

Criterion 24.1.4.4. Recommendations from the IT audit have been implemented (2 points)

Category: Practice in implementation

Approach: Review of documents (IT audit report and any follow up action plan).

Sub-indicator 24.1.5. Cash flow management

Relevant sub-principle(s): 24.e. The cash management function ensures that liabilities can always be met within the legal timeframe, using cash flow projections and access to the capital market to address cash shortfalls.

Maximum points: 5

Criterion 24.1.5.1. An aggregate cash flow forecast is prepared for the fiscal year (2 points)

Category: Practice in implementation

Approach: This sub-indicator assesses the extent to which budgetary unit commitments and cash flows are forecasted and monitored by the MoF. Effective cash flow planning, monitoring, and management by the treasury facilitates predictability of the availability of funds for budgetary units. This will require reliable forecasts of cash inflows and outflows, both routine and non-routine, that are linked to the budget implementation and commitment plans of individual budgetary units.

Criterion 24.1.5.2. The aggregate cash flow forecast is prepared based on expenditure and revenue forecasts received from all first-level budget organisations (1 point)

Category: Practice in implementation

Approach: This sub-indicator assesses the extent to which budgetary unit commitments and cash flows are forecasted and monitored by the MoF. Effective cash flow planning, monitoring, and management by the treasury facilitates predictability of the availability of funds for budgetary units. This will require reliable forecasts of cash inflows and outflows, both routine and non-routine, that are linked to the budget implementation and commitment plans of individual budgetary units.

Criterion 24.1.5.3. The cash flow forecast is updated monthly based on expenditures and revenue forecasts received from all budget organisations (1 point)

Category: Practice in implementation

Approach: This sub-indicator assesses the extent to which budgetary unit commitments and cash flows are forecasted and monitored by the MoF. Effective cash flow planning, monitoring, and management by the treasury facilitates predictability of the availability of funds for budgetary units. This will require reliable forecasts of cash inflows and outflows, both routine and non-routine, that are linked to the budget implementation and commitment plans of individual budgetary units.

Criterion 24.1.5.4. The cash flow forecasts provide monthly profiles for each first-level budget organisation, broken down between pay, non-pay current, capital and own resources (1 point)

Category: Practice in implementation

Approach: This sub-indicator assesses the extent to which budgetary unit commitments and cash flows are forecasted and monitored by the MoF. Effective cash flow planning, monitoring, and management by

the treasury facilitates predictability of the availability of funds for budgetary units. This will require reliable forecasts of cash inflows and outflows, both routine and non-routine, that are linked to the budget implementation and commitment plans of individual budgetary units.

Sub-indicator 24.1.6. Commitment controls are established

Relevant sub-principle(s): 24.f. A control system ensures that public sector organisations do not exceed their budget appropriations by committing to unfunded spending.

Maximum points: 10

Criterion 24.1.6.1. Length of commitment ceilings. Budgetary units can plan and commit expenditure for the entire fiscal year (3 points)

Category: Practice in implementation

Approach: Interview with MoF and the budget departments of five selected budget organisations. Review of other relevant source such as PEFA reports.

Criterion 24.1.6.2. Significant in-year adjustments to budget allocations take place no more than once a year (2 points)

Category: Practice

Approach: Interview with MoF and the budget departments of five selected budget organisations. Review of other relevant source such as PEFA reports.

Criterion 24.1.6.3. An in-year budget adjustment has been carried out following a clear procedure (1 point)

Category: Practice in implementation

Approach: Analysis of data provided by the MoF/treasury, based on the annual financial statement of the government. Review of the relevant SAI reports to further verify the information. Interview with MoF validated by budget departments of five selected line ministries.

Criterion 24.1.6.4. A commitment control system is operational (2 points)

Category: Practice in implementation

Approach: Review of financial and compliance audits of the SAI, or other relevant source such as PEFA reports.

Criterion 24.1.6.5. A commitment control system is complied with (2 points)

Category: Practice in implementation

Approach: Review of financial and compliance audits of the SAI, or other relevant source such as PEFA reports.

Sub-indicator 24.1.7. Management of expenditure arrears

Relevant sub-principle(s): 24.g. The government meets its liabilities within the legal deadline. It manages, monitors, and regularly reports on any outstanding to unfunded spending.

Maximum points: 10

Criterion 24.1.7.1. Availability of data on the stock of expenditure arrears (5 points)

Category: Practice in implementation

Approach: Review of the annual financial statement/report of the government and in-year budget execution reports. Analysis of SAI reports to seek additional confirmation of whether the data provided by the MoF is reliable.

- Data on the stock and composition of expenditure arrears is generated quarterly, within four weeks of the end of each quarter and there are no concerns regarding the reliability = 5 points
- Data on the stock and composition of expenditure arrears is generated at least annually, and there are no concerns regarding the reliability = 3 points
- None of the above = 0 points

Criterion 24.1.7.2. Expenditure arrears (%) (5 points)

Category: Results

Approach: Review of the annual financial statement/report of the government and in-year budget execution reports. Analysis of SAI reports to seek additional confirmation of whether the data provided by the MoF is reliable.

The level of arrears is expressed as the total stock of expenditure arrears at the end of the year prior to the latest full calendar year as a percentage of the total expenditure outturns for that year.

Points are allocated based on the level of expenditure arrears (x):

- $x > 2\% = 0$ points.
- $2\% \geq x > 0.5\% =$ linear function.
- $x \leq 0.5\% = 5$ points.

Sub-indicator 24.1.8. Debt management

Relevant sub-principle(s): 24.h. Government borrowing to fund its financing gaps is prudent and sustainable, in line with a published medium-term debt management strategy and fiscal strategy.

Maximum points: 10

Criterion 24.1.8.1. A medium-term debt management strategy is published every year, either independently or as part of a wider fiscal strategy of the government (2 points)

Category: Strategy and guidance

Approach: Review of the planning documents for public debt. Interviews with representatives from MoF/treasury.

Criterion 24.1.8.2. The medium-term debt management strategy covers all levels of government (2 points)

Category: Strategy and guidance

Approach: Review of the planning documents for public debt. Interviews with representatives from MoF/treasury.

All levels of government include local government and social security funds

Criterion 24.1.8.3. The medium-term debt management strategy includes data about debt developments in previous years and a forecast for at least the next three years (2 points)

Category: Strategy and guidance

Approach: Review of the planning documents for public debt. Interviews with representatives from MoF/treasury.

Criterion 24.1.8.4. The government has set clear (numerical) targets for general government debt levels for a minimum of three years (2 points)

Category: Strategy and guidance

Approach: Review of the planning documents for public debt. Interviews with representatives from MoF/treasury.

Criterion 24.1.8.5. The long-term credit rating of the country by the main credit rating agencies (2 points)

Category: Results

Approach: Review of the planning documents for public debt. Interviews with representatives from MoF/treasury.

The credit-rating is verified using the ratings of S&P and Fitch. In case the ratings of these agencies are different, the lowest rating is taken for the measurement.

- A and higher = 2 points
- BB and BBB = 1 point
- None of the above = 0 points

Sub-indicator 24.1.9. Government debt risk mitigation

Relevant sub-principle(s): 24.i. The government mitigates the fiscal risk of an unsustainable debt burden by centralising the mandate for central government borrowing and establishing legal constraints for borrowing or guarantees by other public entities.

Maximum points: 10

Criterion 24.1.9.1. Only one single debt management entity (MoF/treasury) can carry out central government borrowing according to legislation (2 points)

Category: Legislation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Criterion 24.1.9.2. The annual budget law defines the limits for annual borrowing (1 point)

Category: Legislation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Criterion 24.1.9.3. The annual budget law defines the limits for state loan guarantees (1 point)

Category: Legislation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Criterion 24.1.9.4. There are either legal limits within which local government can borrow, or local government can only borrow with the formal consent of the government. (1 point)

Category: Legislation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

The criterion is met if two conditions are fulfilled: (1) There are either legal limits within which local government can borrow, or when local government can only borrow with the formal consent of the

government. (2) All local government entities that are permitted to borrow must report on their debt and borrowing at least twice a year.

Criterion 24.1.9.5. All local government entities that are permitted to borrow report on their debt and borrowing at least twice a year (1 point)

Category: Practice in implementation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Criterion 24.1.9.6. All state-owned enterprises (SOEs) report on their debt and borrowing at least twice a year (1 point)

Category: Practice in implementation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Criterion 24.1.9.7. Stock of general government debt that will mature in the next year (%) (1 point)

Category: Practice in implementation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Calculated by dividing the stock of general government debt that will mature in the next year by the total of general government debt.

Points are allocated based on the percentage of the stock of general government debt that will mature in the next year (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 1$ point.

Criterion 24.1.9.8. General government debt held in foreign currency (%) (1 point)

Category: Practice in implementation

Approach: Review of legislation and reporting on local government and SOE debt and borrowing.

Calculated by dividing general government debt held in foreign currency by the total of general government debt.

Points are allocated based on the percentage of general government debt held in foreign currency (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 1$ point.

Criterion 24.1.9.9. Floating rate debt in the stock of general government debt (%)
(1 point)

Category: Practice in implementation

Approach: Calculated by dividing floating rate debt in the stock of general government debt by the total of general government debt.

Points are allocated based on the percentage of floating rate debt in the stock of general government debt (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 1$ point.

Sub-indicator 24.1.10. Reporting on public debt

Relevant sub-principle(s): 24.h. Government borrowing to fund its financing gaps is prudent and sustainable, in line with a published medium-term debt management strategy and fiscal strategy.

Maximum points: 10

Criterion 24.1.10.1. The national report on public debt is published no later than three months after the end of the reporting year (2 points)

Category: Practice in implementation

Approach: Review of national reports on public debt.

Criterion 24.1.10.2. The definition of public debt in the national report on public debt is in line with the ESA 2010 definitions (2 points)

Category: Legislation

Approach: Review of national reports on public debt.

Criterion 24.1.10.3. The national report on public debt provides information on all levels of government (2 points)

Category: Practice in implementation

Approach: Review of national reports on public debt.

All levels of government include central government, local government and social security funds.

Criterion 24.1.10.4. The national report on public debt breaks down the existing stock of debt in relevant categories (2 points)

Category: Practice in implementation

Approach: Review of national reports on public debt.

The criterion is met in case public debt is broken down in three ways: between currencies, maturity, and origin (national or foreign).

Criterion 24.1.10.5. The national report on public debt explains the reasons for any deviations from the estimates or targets presented in the national debt management strategy (2 points)

Category: Practice in implementation

Approach: Review of national reports on public debt.

Principle 25: The government implements the budget in line with estimates and reports on it in a comprehensive and transparent manner, allowing for timely scrutiny.

Indicator 25.1. The government implements the budget in line with estimates and reports on it in a comprehensive and transparent manner, allowing for timely scrutiny

This indicator measures the extent to which the government facilitates external monitoring of the execution of the budget through the publication of relevant information, as well as the credibility of that information and whether it is used effectively to ensure accountability. The degree of budget scrutiny on the basis of the published information is also assessed.

Sub-indicators	Maximum points
1. Budget execution in line with appropriations	20
2. Fiscal targets	12
3. In-year reporting of government revenue, expenditure and borrowing	10
4. Clear accounting standards and consistency with international standards	8
5. Content of the annual financial report of the government	8
6. Reporting on capital investment	9
7. Monitoring and reporting on fiscal risks	9
8. Annual reports of state-owned enterprises, extra-budgetary funds and local government	10
9. Transparency and quality of the annual financial report	14
Total	100

Sub-indicator 25.1.1. Budget execution in line with appropriations

Relevant sub-principle(s): 25.a. The government implements the budget in line with the approved appropriations, fiscal rules and performance targets.

Maximum points: 20

Criterion 25.1.1.1. Credibility of the aggregate revenue plans in the annual budget (%) (3 points)

Category: Practice in implementation

Approach: Measure the percentage difference between the planned revenue/expenditure in the original annual budget bill as adopted by the parliament and the outturn of actual revenues/expenditures collected. The analysis is carried out based on the data of the three most recent years. The average percentage difference over the last three calendar years needs to be within the specific range.

Points are allocated based on the average variance of the actual revenue outturn against the budgeted targets in the last three years (x):

- $x > 12\% = 0$ points.
- $2\% < x \leq 12\% =$ linear function.
- $x \leq 2\% = 4$ points.

Criterion 25.1.1.2. Credibility of the disaggregated revenue plans in annual budget (%) (3 points)

Category: Practice in implementation

Approach: Measure the percentage difference between the planned revenue/expenditure in the original annual budget bill as adopted by the parliament and the outturn of actual revenue/expenditure collected for the three main taxes (PIT, CIT and VAT). The average percentage difference over the last three calendar years must be within the specified range.

Points are allocated based on the average variance in revenue composition in the last fiscal year (x) for three main taxes (PIT, CIT and VAT):

- $x > 15\% = 0$ points.
- $15\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 5$ points.

Criterion 25.1.1.3. Credibility of the aggregate expenditure plans in the annual budget (%) (3 points)

Category: Practice in implementation

Approach: Measure the percentage difference between the planned revenue/expenditure in the original annual budget bill as adopted by the parliament and the outturn of actual revenues/expenditures collected. The analysis is carried out based on the data of the three most recent years. The average percentage difference over the last three calendar years needs to be within the specific range.

Points are allocated based on the average variance of the actual expenditure outturn against the budgeted targets in the last three years (x):

- $x > 12\% = 0$ points.
- $2\% < x \leq 12\% =$ linear function.
- $x \leq 2\% = 4$ points.

Criterion 25.1.1.4. Credibility of the disaggregated expenditure plans in the annual budget for 10 largest budget organisations (%) (3 points)

Category: Practice in implementation

Approach: Measures the percentage difference between the planned expenditure in the original annual budget bill as adopted by the parliament and the outturn of actual expenditures collected for the 10 largest (based on planned expenditure) ministries/institutions in the budget. The average percentage difference over the last three calendar years needs to be within the specific range.

Points are allocated based on the average variance in expenditure composition by administrative and economic classification in the last three years (x):

- $x > 20\% = 0$ points.
- $5\% < x \leq 20\% =$ linear function.
- $x \leq 5\% = 4$ points.

Criterion 25.1.1.5. Clear rules restrict in-year budget adjustments by the government/ministry of finance (MoF) to no more than 5% between individual budget lines (2 points)

Category: Legislation

Approach: Review of the legislation for budget management, annual budget bills, annual financial statements and the annual SAI reports.

Criterion 25.1.1.6. The national rules on restrictions within-year budget adjustments by the government are respected (2 points)

Category: Practice in implementation

Approach: Review of the legislation for budget management, annual budget bills, annual financial statements and the annual SAI reports.

Measured by examining whether the Supreme Audit Institution reports any violations in year budget adjustment rules.

Criterion 25.1.1.7. The annual financial statement/budget execution report of the government reports and explains all material variations (over 5%) that were done by the government (2 points)

Category: Practice in implementation

Approach: Review of the legislation for budget management, annual budget bills, annual financial statements and the annual SAI reports.

Criterion 25.1.1.8. No more than two budget amendments by the parliament are passed annually (2 points)

Category: Practice in implementation

Approach: Review of the legislation for budget management, annual budget bills, annual financial statements and the annual SAI reports.

Sub-indicator 25.1.2. Fiscal targets

Relevant sub-principle(s): 25.a. The government implements the budget in line with the approved appropriations, fiscal rules and performance targets.

Maximum points: 12

The sub-indicator is calculated by comparing the formally established targets for the latest full calendar year and the actual levels at the end of the latest full calendar year.

Criterion 25.1.2.1. The government complied with the quantitative fiscal rules it has established (2 points)

Category: Practice in implementation

Approach: Look specifically at debt and deficit levels (based on EU benchmarks), and it is expected these are included in national fiscal targets. If these are the only fiscal targets this is what is also assessed for criterion 1, but the government may establish other quantitative fiscal targets and if this is the case compliance with these additional targets is also assessed under criterion 1.

Criterion 25.1.2.2. Difference between public sector debt outturn from approved target (%) (3 points)

Category: Results

Approach: Look specifically at debt and deficit levels (based on EU benchmarks), and it is expected these are included in national fiscal targets. If these are the only fiscal targets this is what is also assessed for criterion 1, but the government may establish other quantitative fiscal targets and if this is the case compliance with these additional targets is also assessed under criterion 1.

If public debt outturn as a percentage of GDP is within the national target for the year, then 3 points will be awarded. Where the target is missed, the points are allocated based on the GDP variation between the public debt outturn and the national target for the year (x):

- $x > 4\% = 0$ points.
- $0\% < x \leq 4\% =$ linear function.
- $x = 0\% = 3$ points.

If no national targets are set, 0 points will be awarded.

Criterion 25.1.2.3. Difference between public sector fiscal deficit from approved target (%) (3 points)

Category: Results

Approach: Look specifically at debt and deficit levels (based on EU benchmarks), and it is expected these are included in national fiscal targets. If these are the only fiscal targets this is what is also assessed for criterion 1, but the government may establish other quantitative fiscal targets and if this is the case compliance with these additional targets is also assessed under criterion 1.

If public sector fiscal deficit outturn as a percentage of GDP is within the national target for the year, then 3 points will be awarded. Where the target is missed, the points are allocated based on the GDP variation between the public sector fiscal deficit outturn and the national target for the year (x):

- $x > 1\% = 0$ points.
- $0\% < x \leq 1\% =$ linear function.
- $x = 0\% = 3$ points.

If no national targets are set, 0 points will be awarded.

Criterion 25.1.2.4. Public debt as a share of GDP (%) (2 points)

Category: Results

Approach: Look specifically at debt and deficit levels (based on EU benchmarks), and it is expected these are included in national fiscal targets. If these are the only fiscal targets this is what is also assessed for criterion 1, but the government may establish other quantitative fiscal targets and if this is the case compliance with these additional targets is also assessed under criterion 1.

Public debt and deficit are calculated as the total public sector debt and deficit levels as a percentage of GDP, according to the definitions of ESA 2010. The benchmarks assigned are based on the reference values referred to in Article 126 (2) of the Treaty on the Functioning of the European Union established in the Protocol (No. 12) on the excessive deficit procedure Article 1 (<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A12008M%2FFPRO%2F12>). In Article 1 it says:

“The reference values referred to in Article 126(2) of the Treaty on the Functioning of the European Union are:

- - 3 % for the ratio of the planned or actual government deficit to gross domestic product at market prices;
- - 60 % for the ratio of government debt to gross domestic product at market prices.”

Points are allocated based on the public debt as a share of GDP (x):

- $x > 90\% = 0$ points.
- $60\% < x \leq 90\% =$ linear function.
- $x \leq 60\% = 2$ points.

Criterion 25.1.2.5. Public sector deficit as a share of GDP (%) (2 points)

Category: Results

Approach: Look specifically at debt and deficit levels (based on EU benchmarks), and it is expected these are included in national fiscal targets. If these are the only fiscal targets this is what is also assessed for criterion 1, but the government may establish other quantitative fiscal targets and if this is the case compliance with these additional targets is also assessed under criterion 1.

public debt and deficit are calculated as the total public sector debt and deficit levels as a percentage of GDP, according to the definitions of ESA 2010. The benchmarks assigned are based on the reference values referred to in Article 126 (2) of the Treaty on the Functioning of the European Union established in the Protocol (No. 12) on the excessive deficit procedure Article 1 (<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A12008M%2FPRO%2F12>). In Article 1 it says:

“The reference values referred to in Article 126(2) of the Treaty on the Functioning of the European Union are:

- - 3 % for the ratio of the planned or actual government deficit to gross domestic product at market prices;
- - 60 % for the ratio of government debt to gross domestic product at market prices.”

Points are allocated based on the public sector deficit as a share of GDP (x):

- $x > 5\% = 0$ points.
- $3\% < x \leq 5\% =$ linear function.
- $x \leq 3\% = 2$ points.

Sub-indicator 25.1.3. In-year reporting of government revenue, expenditure and borrowing

Relevant sub-principle(s): 25.b. The ministry of finance monitors the execution of the budget throughout the financial year and regularly publishes budget execution information to enable effective decision-making and transparency.

Maximum points: 10

Criterion 25.1.3.1. In-year reports of central government revenue, expenditure and borrowing are published quarterly (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.2. In-year reports of central government revenue, expenditure and borrowing are published monthly (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.3. The reports are published within four weeks of the month/quarter end (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.4. The reports show the total of all the transactions of all central government bodies (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

The transactions of all central government bodies are compiled from standard format reports completed by each of the central government bodies for the period.

Criterion 25.1.3.5. The reports show data for each ministry and first level budget users (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.6. The reports note and explain variations from an original spending and revenue profile published at the start of the year (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.7. Reports include future spending commitments (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.8. A comprehensive, government wide analysis of budget implementation is prepared at least every six months, and a report is published (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

The six-monthly budget implementation analysis provides information for each ministry and large budget users.

Criterion 25.1.3.9. Quarterly reports of local government financial data are published, which include information on capital and payroll spending, lending, borrowing, and the stock of arrears (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Criterion 25.1.3.10. The quarterly reports of local government financial data are published before the end of the following quarter (1 point)

Category: Practice in implementation

Approach: Review of the MoF or government website and in-year reports. Assessors review legislation and conduct interviews with officials from the central budget authority.

Both quarterly and monthly reports are assessed, if applicable.

Sub-indicator 25.1.4. Clear accounting standards and consistency with international standards

Relevant sub-principle(s): 25.d. National standards for financial reporting and accounting are defined and are aligned with the minimum requirements in place for EU member countries and enable the provision of data compliant with the European system of accounts (ESA 2010).

Maximum points: 8

Criterion 25.1.4.1. The accounting standards are defined and apply to all general government institutions (2 points)

Category: Legislation

Approach: Review of legislation (organic budget law, law on accounting, depending on country)

Criterion 25.1.4.2. The accounting standards are consistent with international standards, or if not, variations are disclosed, and differences explained (2 points)

Category: Legislation

Approach: Check what is prescribed in the legislation and national standards

Criterion 25.1.4.3. The accounting standards are applied in the preparation of the government's annual financial report (2 points)

Category: Practice in implementation

Approach: Review of annual report of government (not annual reports of institutions or ministries) and the annual report of the SAI. Standards used in preparing the report are disclosed in the report.

Criterion 25.1.4.4. The accounting standards enable the provision of ESA 2010 compliant data (2 points)

Category: Strategy and guidance

Approach: Review of annual reports to ascertain that national standards for accounting are defined and consistent with international standards and thus enable the provision of ESA 2010 compliant data.

Sub-indicator 25.1.5. Content of the annual financial report of the government

Relevant sub-principle(s): 25.e. The annual financial report of the government is comprehensive and based on an appropriate financial reporting framework, is in a format mirroring the format of the budget, explains variations from the budget figures, includes an analysis of state assets and liabilities, and contains non-financial performance information comparing results with performance targets.

25.g. The government, in its annual financial report or a separate report, provides information on the significant economic, social and environmental impacts of its policies, procurements and operations.

Maximum points: 10

Criterion 25.1.5.1. The annual financial reporting is comprehensive at the central government level (2 points)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

The report at a minimum contains total revenue, expenditure and borrowing for central government and revenue and expenditure for each individual central government body. It also contains details of capital and current expenditure, and pay and non-pay expenditure.

Criterion 25.1.5.2. The format of the annual financial reporting mirrors the presentation format of the budget (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Criterion 25.1.5.3. The annual financial reporting notes and explains variations from the original budget allocation (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Criterion 25.1.5.4. The annual financial reporting contains an analysis of state assets and liabilities, including state guarantees and other contingent liabilities (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

The analysis of assets and liabilities includes information on transfers and disposal.

Criterion 25.1.5.5. The annual financial reporting contains non-financial performance information linked with budget appropriations, comparing performance targets with results (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Criterion 25.1.5.6. The annual financial report, or a separate report, provides information on the environmental impacts of policies, procurements and operations (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Criterion 25.1.5.7. The annual financial report, or a separate report, provides information on the social and economic impacts of policies, procurements and operations (1 point)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Sub-indicator 25.1.6. Reporting on capital investment

Relevant sub-principle(s): 25.f. The government provides information on capital investment in its annual financial report or a separate report.

Maximum points: 9

Criterion 25.1.6.1. Credibility of the capital expenditure/investment plans in the annual budget (%) (4 points)

Category: Practice in implementation

Approach: Measures the percentage difference between the planned capital expenditure in the original annual budget bill as adopted by the parliament and the outturn of actual capital expenditure. The analysis is carried out based on the data of the three most recent years. The average variance in the last three years needs to be within the specific range.

Points are allocated based on the average variance of the planned capital expenditure in the original annual budget bill and the outturn of the actual capital expenditure of the last three years (x):

- $x > 20\% = 0$ points.
- $5\% < x \leq 20\% =$ linear function.
- $x \leq 5\% = 4$ points.

Criterion 25.1.6.2. The total cost of major investment projects are monitored and reported on quarterly (1 point)

Category: Practice in implementation

Approach: Review of in-year monitoring reports and annual reports to assess the level of reporting on the cost and physical progress of major investment projects.

Criterion 25.1.6.3. The physical progress of major investment projects are monitored and reported on quarterly (1 point)

Category: Practice in implementation

Approach: Review of in-year monitoring reports and annual reports to assess the level of reporting on the cost and physical progress of major investment projects

Criterion 25.1.6.4. The total cost and physical progress of major investment projects are monitored and reported on annually (1 point)

Category: Practice in implementation

Approach: Review of in-year monitoring reports and annual reports to assess the level of reporting on the cost and physical progress of major investment projects

Criterion 25.1.6.5. The annual financial report or a separate report provides information on the implementation of capital investment projects (1 point)

Category: Practice in implementation

Approach: Review of the annual financial report or relevant separate reports published on the MoF or government website to ensure that the report contains details of capital expenditure.

Criterion 25.1.6.6. The annual financial report or a separate report explains variations from the original budget allocation for capital investment projects (1 point)

Category: Practice in implementation

Approach: Review of the annual financial report or relevant separate reports published on the MoF or government website to ensure that the report contains details of capital expenditure.

Sub-indicator 25.1.7. Monitoring and reporting on fiscal risks

Relevant sub-principle(s): 25.c. The central government continuously monitors fiscal risks and has oversight of the in-year financial performance, including on contingent liabilities of local and regional governments, state-owned enterprises (SOEs) and relevant public-private partnerships.

Maximum points: 6

Criterion 25.1.7.1. The arrangements for managing and monitoring fiscal risks include a risk management policy regarding acceptable fiscal risks (1 point)

Category: Strategy and guidance

Approach: Review of relevant documentation and interviews with officials to assess whether arrangements are in place to manage and monitor fiscal risks and if fiscal risks have been identified, monitored and reported on annually.

Criterion 25.1.7.2. Clear accountability arrangements for identifying, estimating, analysing and monitoring specific fiscal risks are established (1 point)

Category: Strategy and guidance

Approach: Review of relevant documentation and interviews with officials to assess whether arrangements are in place to manage and monitor fiscal risks and if fiscal risks have been identified, monitored and reported on annually.

Criterion 25.1.7.3. The arrangements to manage and monitor fiscal risks include a central oversight body or committee to monitor fiscal risks (1 point)

Category: Institutional set-up

Approach: Review of relevant documentation and interviews with officials to assess whether arrangements are in place to manage and monitor fiscal risks and if fiscal risks have been identified, monitored and reported on annually.

Criterion 25.1.7.4. Fiscal risks are identified in the budget (1.5 points)

Category: Practice in implementation

Approach: Review of relevant documentation and interviews with officials to assess whether arrangements are in place to manage and monitor fiscal risks and if fiscal risks have been identified, monitored and reported on annually.

Criterion 25.1.7.5. Fiscal risks are monitored at least twice a year (1.5 points)

Category: Practice in implementation

Approach: Review of relevant documentation and interviews with officials to assess whether arrangements are in place to manage and monitor fiscal risks and if fiscal risks have been identified, monitored and reported on annually.

Criterion 25.1.7.6. Annual reporting on fiscal risks (3 points)

Category: Practice in implementation

Approach: Reporting of the central government's explicit contingent liabilities from its own programs and projects, including those of extrabudgetary units. Explicit contingent liabilities include umbrella state guarantees for various types of loans for example, mortgage loans, student loans, agriculture loans, and small business loans. Explicit contingent liabilities also include state insurance schemes, such as deposit insurance, private pension fund insurance, and crop insurance. The financial implications of ongoing litigation and court cases should be included, although these are often difficult to quantify. State guarantees for non-sovereign borrowing by private sector enterprises and guarantees on private investments of different types, including special financing instruments such as PPPs, should be reported. Such contingencies may result in a significant and quantifiable financial risk for government and should be included in the assessment of this indicator.

Significant contingent liabilities are defined as those with a potential cost in excess of 0.5 percent of total Budgetary Central Government (BCG) expenditure and for which an additional appropriation by the legislature would be required.

Annual reporting may be in separate reports such as a fiscal risks statement or integrated into another report such as a budget execution or performance report.

- A report is published by central government annually that quantifies and consolidates information on all significant contingent liabilities and other fiscal risks of central government = 3 points
- Central government entities and agencies quantify most significant contingent liabilities in their annual financial report = 2 points

- Central government entities and agencies quantify some significant contingent liabilities in their annual financial report = 1 point
- None of the above = 0 points

Sub-indicator 25.1.8. Annual reports of state-owned enterprises, extra-budgetary funds and local government

Relevant sub-principle(s): 25.h. Local and regional governments, SOEs and extra-budgetary funds prepare and publish annual audited financial statements.

25.c. The central government continuously monitors fiscal risks and has oversight of the in-year financial performance, including on contingent liabilities of local and regional governments, state-owned enterprises (SOEs) and relevant public-private partnerships.

Maximum points: 10

Criterion 25.1.8.1. SOEs submit annual audited statements to the MoF or sponsoring ministry within six months of the year's end (2 points)

Category: Practice in implementation

Approach: Review of the annual statements, as well as interviews with officials in the MoF or the responsible ministry to assess the quality of annual reports of SOEs, extrabudgetary funds and local government.

Criterion 25.1.8.2. A consolidated report on the financial performance of the SOE sector is published by the central government annually (2 points)

Category: Practice in implementation

Approach: Review of the annual statements, as well as interviews with officials in the MoF or the responsible ministry to assess the quality of annual reports of SOEs, extrabudgetary funds and local government.

Criterion 25.1.8.3. Detailed financial reports of all extra budgetary units are submitted to the MoF within three months of the year's end (2 points)

Category: Practice in implementation

Approach: Review of the annual statements, as well as interviews with officials in the MoF or the responsible ministry to assess the quality of annual reports of SOEs, extrabudgetary funds and local government.

Criterion 25.1.8.4. Audited annual financial statements for all local government entities are published within nine months of the year's end (2 points)

Category: Practice in implementation

Approach: Review of the annual statements, as well as interviews with officials in the MoF or the responsible ministry to assess the quality of annual reports of SOEs, extrabudgetary funds and local government.

Criterion 25.1.8.5. A consolidated report on the financial position of all local government entities is published at least annually (2 points)

Category: Practice in implementation

Approach: Review of the annual statements, as well as interviews with officials in the MoF or the responsible ministry to assess the quality of annual reports of SOEs, extrabudgetary funds and local government.

Sub-indicator 25.1.9. Transparency and quality of the annual financial report

Relevant sub-principle(s): 25.i. The government publishes its annual financial report no later than six months after the end of the financial year. The supreme audit institution audits the report, and the parliament discusses it before the next budget debate.

Maximum points: 14

Criterion 25.1.9.1. The annual financial report is published within six months of the end of the financial year (2 points)

Category: Practice in implementation

Approach: Review of the annual financial reporting (financial statements and/or budget execution report) published on the MoF or government website.

Criterion 25.1.9.2. Quality of annual financial reporting on the use of public finances (2 points)

Category: Results

Approach: Review of the annual financial report and the annual report of the SAI to ensure that it is audited by the SAI. The SAI report is used to verify whether the government is providing sufficient information on budget spending and if reporting on budget execution is accurate.

- The SAI has given an unqualified opinion on the annual financial report = 2 points
- The SAI report gives a qualified opinion on the annual financial report = 1 point
- The report of the SAI does not exist, or does not include an opinion or provides an adverse opinion or a disclaimer = 0 points

Criterion 25.1.9.3. The annual supreme audit institution report is presented to the parliament with the annual financial statement (2 points)

Category: Practice in implementation

Approach: Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 25.1.9.4. The annual supreme audit institution report is discussed in at least one parliamentary committee (2 points)

Category: Practice in implementation

Approach: Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 25.1.9.5. The annual supreme audit institution report is presented at the plenary of the parliament (2 points)

Category: Practice in implementation

Approach: Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 25.1.9.6. The annual supreme audit institution report is presented to the parliament before it votes on the forthcoming annual budget bill or before the end of the calendar year (whichever comes earlier) (2 points)

Category: Practice in implementation

Approach: Review of the records of a parliamentary debate obtained from the website of the parliament or through interviews with relevant officials, to determine whether the report of the SAI is discussed by the parliament (in committee or plenary session) before the end of the year.

Criterion 25.1.9.7. The annual SAI report is published within one year after the end of the budget year audited (2 points)

Category: Practice in implementation

Approach: Review of the website of the parliament and/or the SAI report to identify the date that the annual report is submitted to the national parliament after being audited by the SAI.

Principle 26: Public administration bodies manage resources in an effective and compliant manner to achieve their objectives.

Indicator 26.1. Adequacy of the operational framework for internal control and its functioning in practice

This indicator focuses on the operational framework for internal control (financial management and control), its policy and strategic content, the regulatory framework, and review and reporting mechanisms.

The indicator also measures the extent to which internal control systems are implemented in practice within the budget institutions and between ministries and their subordinate institutions, and the immediate results in terms of improved managerial responsibility and governance arrangements between ministries and subordinated bodies

Sub-indicators	Maximum points
1. Regulatory framework and development policy for internal control	10
2. Co-ordination of internal control	10
3. Adequacy and effectiveness of management and control systems in place	15
4. Managerial accountability	15
5. Reporting on internal control	10
6. Regularity and completeness of risk management practices	15
7. Institutional accountability	12
8. Irregularity and fraud management	13
Total	100

Sub-indicator 26.1.1. Regulatory framework and development policy for internal control

Relevant sub-principle(s): 26.a. A framework for internal control applies throughout the public administration and is coherent with other relevant regulations, including those on public financial management, and with international standards.

Maximum points: 10

Criterion 26.1.1.1. The regulations for implementing internal control are applicable to all central government bodies (1 point)

Category: Legislation

Approach: Review of the legislation on internal control, either as part of the general PFM legislation or specific on PIFC, to verify that it is applicable to all central government bodies.

Criterion 26.1.1.2. Internal control guidelines or instructions are issued, and they apply to all central government bodies (1 point)

Category: Legislation

Approach: Review of guidelines or formal instructions related to implementation of internal control, to verify that they are applicable across the public administration.

Criterion 26.1.1.3. The government has adopted a comprehensive plan for strengthening internal control (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted IC planning document(s) for the last full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they cover the IC area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or subchapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 26.1.1.4. The plan for strengthening internal control includes reform activities to enhance managerial accountability across public administration (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted IC planning document(s) for the last full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they include reform activities to enhance managerial accountability across public administration, including accountability mechanisms and objective setting.

Criterion 26.1.1.5. The plan for strengthening internal control includes reform activities planned for budget management (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted IC planning document(s) for the last full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they include reform activities planned for budget management: planning, execution, accounting, treasury, IT tools, etc.

Criterion 26.1.1.6. The plan to strengthen internal control includes activities under the responsibility of agencies/ministries other than the one responsible for PIFC (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted IC planning document(s) for the last full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they include reform activities that are the responsibility of government institutions other than the ministry responsible for internal control.

Criterion 26.1.1.7. The plan for strengthening internal control addresses significant cross-cutting risks (1 point)

Category: Strategy and guidance

Approach: Review of the government adopted IC planning document(s) for the last full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they address significant cross-cutting issues. The verification will include not only the pillars related to financial management and control but also other pillars of the PFM reform strategy.

Criterion 26.1.1.8. Implementation rate of activities in the plan to strengthen internal control in the last full calendar year (%) (3 points)

Category: Practice in implementation

Approach: Review of IC planning document(s) and reports. Implementation rate is calculated based on the planned actions of planning documents for the latest full calendar year that are implemented by the end of the latest full calendar year. If there is no information on implementation of the action plan(s), it is assumed that the activities included in the list of planned activities have not been implemented.

Activities that are continuous or partially implemented will not be counted.

The number of points to be allocated under this criterion is higher than in the rest of criteria, as it focuses on implementation.

Points are allocated based on the implementation rate of activities in the plan to strengthen internal control (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Sub-indicator 26.1.2. Co-ordination of internal control

Relevant sub-principle(s): 26.b. A single ministry co-ordinates implementation of internal control, reviews progress and reports annually to the government on the development of internal control in the public sector.

Maximum points: 10

Criterion 26.1.2.1. Central government bodies report annually on the implementation of internal control to the body co-ordinating internal control (2 points)

Category: Practice in implementation

Approach: Comparison of the list of central government bodies obliged to provide a self-assessment report as required by the national legislation and the list of central government bodies that have reported. SIGMA counts the number of bodies that have reported annually on the self-assessment on implementation of internal control, divides it by the total number of bodies required to provide a self-assessment report, and expresses the results as a percentage.

Points are allocated based on the percentage of central government bodies that have reported on internal control implementation (x):

- $x < 70\%$ = 0 points.
- $70\% \leq x < 100\%$ = linear function.
- $x \geq 95\%$ = 2 points.

Criterion 26.1.2.2. A comprehensive report on internal control implementation is presented to the government at least annually (1 point)

Category: Practice in implementation

Approach: Review of the annual report on internal control prepared by the CHU and confirmation of its presentation to the government.

Criterion 26.1.2.3. The report on internal control implementation includes the monitoring of internal control systems carried out by the CHU (1 point)

Category: Practice in implementation

Approach: Review of the annual report on internal control prepared by the CHU and confirmation of its presentation to the government.

Review of the annual report on internal control prepared by the CHU to verify that it includes:

The monitoring of internal control systems carried out by the CHU: SIGMA confirms that the CHU has carried out quality reviews of the FMC systems. The information to be included in the CHU's annual report should include the list of entities, main results, conclusion on the implementation of the requirements for internal control and identification of aspects that require further improvement.

Criterion 26.1.2.4. The report on internal control implementation includes a summary of the self-assessments of IC (1 point)

Category: Practice in implementation

Approach: Review of the annual report on internal control prepared by the CHU and confirmation of its presentation to the government.

Review of the annual report on internal control prepared by the CHU to verify that it includes:

A summary of the self-assessments of IC, including the most significant weaknesses in FMC/internal control, significant risks and measures taken over the reporting period and significant risk mitigation actions planned for the next year.

Criterion 26.1.2.5. The report on internal control implementation includes conclusions on the status of the overall functioning of IC systems (1 point)

Category: Practice in implementation

Approach: Review of the annual report on internal control prepared by the CHU and confirmation of its presentation to the government.

Review of the annual report on internal control prepared by the CHU to verify that it includes:

Conclusions on the status of the overall functioning of internal control systems in the public sector, including evidence of systematic weaknesses as reported by the institutions and improvements recommended to reduce significant risks.

Criterion 26.1.2.6. The report on internal control implementation includes recommendations to the government on significant cross-cutting risks (1 point)

Category: Practice in implementation

Approach: Review of the annual report on internal control prepared by the CHU and confirmation of its presentation to the government.

Review Recommendations to the government, related to significant cross-cutting risks. of the annual report on internal control prepared by the CHU to verify that it includes:

Criterion 26.1.2.7. The government issues conclusions/decisions at least annually requiring specific action to improve internal control (3 points)

Category: Practice in implementation

Approach: Review of the government's decisions on actions related to strengthening internal control, corresponding to the last full calendar year, to verify that they include specific actions to improve internal control.

Sub-indicator 26.1.3. Adequacy and effectiveness of management and control systems in place

Relevant sub-principle(s): 26.c. Public managers are responsible for the implementation of management and control systems that ensure the legal, effective, efficient and economic management of operations, assets and resources.

Maximum points: 15

Criterion 26.1.3.1. Central government bodies perform a self-assessment of their financial management and control systems (2 points, based on review of selected cases).

Category: Practice in implementation

Approach: Review of data and documentation in a sample of five central government bodies.

SIGMA reviews the annual report submitted by each of the sample bodies to the body responsible for the co-ordination of internal control, to verify that it includes a self-assessment of the adequacy and effectiveness of financial management and control systems.

Points are allocated as follows:

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.3.2. The self-assessment by central government bodies includes aspects on performance (2 points, based on review of selected cases).

Category: Practice in implementation

Approach: Review of data and documentation in a sample of five central government bodies.

SIGMA reviews the annual report submitted by each of the sample bodies to the body responsible for the co-ordination of internal control, to verify that evaluation includes aspects on performance issues.

Points are allocated as follows:

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.3.3. Functioning of internal control in central government bodies (2 points)

Category: Practice in implementation

Approach: SIGMA reviews the annual report on implementation of PIFC and other information provided by the CHU, to verify the conclusions on functioning of internal control.

Points are allocated as follows:

- CHU concludes that internal control functions effectively= 2 points.
- CHU concludes that functioning of internal control is partially effective= 1 point
- CHU concludes that internal control is ineffective, or no conclusion is made= 0 points.

Criterion 26.1.3.4. The acts for internal organisation establish accountability lines (1 point, based on a review of selected ministries)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.7., criterion 2. At minimum the organigrams should not foresee subordination to more than one superior.

Criterion 26.1.3.5. Management has established clear reporting lines for confidential information (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of data and documentation in a sample of five central government bodies.

SIGMA reviews the documentation provided by the sample bodies to confirm that management has established alternative channels to communicate confidential information (e.g. whistle-blower, ethics information, etc.).

Points are allocated as follows:

- All sample bodies meet the criterion = 1 point
- Four out of five sample bodies meet the criterion = 0.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.3.6. A commitment control system is operational (2 points)

Category: Practice in implementation

Approach: Results are taken from the public financial management area, sub-indicator 24.1.6., criterion 4. Review of financial and compliance audits of the SAI, or other relevant source such as PEFA reports.

Criterion 26.1.3.7. Central government bodies with payment arrears (%) (3 points)

Category: Practice in implementation

Approach: SIGMA reviews the annual report on internal control, the SAI annual report and/or other information provided by the MoF.

SIGMA counts the number of central government bodies with payment arrears, divides it by the total number of central government bodies, and expresses the result as a percentage.

Points are allocated based on the percentage of central government bodies with payment arrears.

- $x \geq 20\%$ = 0 points.
- $10\% \leq x < 20\%$ = linear function.
- $x < 10\%$ = 3 points.

Criterion 26.1.3.8. Information on assets is updated annually (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of data and documentation in a sample of five central government bodies.

The sample budget organisations include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration). SIGMA reviews the documentation provided by the sample budget organisations to confirm that management has established an asset registry or equivalent, and the information is updated regularly.

Points are allocated as follows:

- All sample bodies meet the criterion = 1 point
- Four out of five sample bodies meet the criterion = 0.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.3.9. Perceived usefulness of internal audit recommendations by senior and middle managers (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in management positions to the following question or statement: “To what extent do you agree with the following statement: Internal audit recommendations contribute to improving functioning of my organisation.”

Answer options are: Strongly disagree; Tend to disagree; Neither agree nor disagree, Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.

Sub-indicator 26.1.4. Managerial accountability

Relevant sub-principle(s): 26.d. Managers at all levels have clearly assigned responsibilities, delegated authority for making decisions and the autonomy and resources necessary to achieve the results they are accountable for.

Maximum points: 15

Criterion 26.1.4.1. Legislation foresees delegation of decision-making by senior managers to lower levels of management (2 points)

Category: Legislation

Approach: Review of legislation to verify that it foresees delegation of decision-making by senior managers to lower levels of management.

Criterion 26.1.4.2. Clear objectives, roles and responsibilities are assigned within the organisations (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in middle management positions to the following question or statement: "I am aware of my objectives, role and responsibilities within the organisation."

Answer options are: Strongly disagree; Tend to disagree; Neither agree or disagree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 26.1.4.3. Perception of empowerment of middle-managers in line ministries (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in middle-level management positions to the following statement "To what extent do you agree with the following statement: Under normal circumstances, I feel autonomous and empowered to take my own managerial decisions on operational/day-to-day issues (for example budget, HR, procurement, project management or service delivery), without political interferences."

Answer options are: Strongly disagree; Tend to disagree; Neither agree nor disagree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 26.1.4.4. Procurement/contracts of low-level purchases (less than EUR 5 000) are signed below the level of minister (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 1. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.5. Recruitment decisions and employment contracts of senior advisers and similar positions are signed below the level of minister (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 2. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.6. Replies to public information requests are signed below the level of minister (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 3. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.7. Regular annual leave requests are formally approved by the line manager (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 4. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.8. Business trips of staff members are formally approved (signed) below the level of permanent secretary or equivalent (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 5. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.9. Approval of training for staff members is authorised below the level of permanent secretary or equivalent (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 6. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.10. Order for the payments of salaries to the staff of the ministry are signed below the level of minister (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.9., criterion 7. Analysis of five ministries (ministries responsible for finance, social affairs, justice, economy and education) to assess the scope of delegation of decision-making authority at two levels: 1) from the political level (minister) to the administrative level (senior civil servants); and 2) from the top administrative level (secretary general/permanent secretary of the ministry) to the lower administrative level (heads of units within the ministry). Delegation is defined as meaning that no higher managerial approval is needed to take decisions. Delegation from the political to the administrative level is prioritised to promote separation between policy-making and operational activities. Therefore, four criteria relate to delegation from the ministerial level to the administrative level, while three criteria concern delegation within the administrative level. The seven regular decision-making items are checked in all five ministries. The administration is asked to provide documentary evidence for each of the seven decisions. SIGMA verifies the information provided during on-site observations and interviews with relevant staff members of the sample ministries.

Points are awarded based on the number of reviewed ministries that meet the requirement, 0.2 points per ministry.

Criterion 26.1.4.11. Alignment between management and budget structures (%) (2 points)

Category: Practice in implementation

Approach: Checks whether senior managers have their budgets allocated to them. The analysis is carried out based on data provided by the ministry responsible for the co-ordination of internal control and a review of the budget structure and the organigramme, comparing the managerial/ organisational structures and budgets adopted by the parliament, or a more detailed budget breakdown adopted by the government.

The organisational structure is defined in the country context, but it typically refers to independent constitutional bodies, agencies and departments or sectors within ministries.

Points are allocated based on the level of alignment between management and budget structures within ministries (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 2$ points.

Sub-indicator 26.1.5. Reporting on internal control

Relevant sub-principle(s): 26.e. Each organisation produces comprehensive, timely and accurate information for managers on performance and budget execution, including on major investment projects.

Maximum points: 10

Criterion 26.1.5.1. An authentication system with different levels of security to accede the digitalised management IT system is in place (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five central government bodies.

SIGMA verifies that a secure digitalised management information system is in place and that it meets the following requirements:

- authentication for access with different levels of security
- security and integrity of data are periodically assessed

- All sample bodies meet the criterion = 2 points.
- Four out of five sample bodies meet the criterion = 1 point.
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.5.2. Security and integrity of data are periodically assessed (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five central government bodies.

SIGMA verifies that a secure digitalised management information system is in place and that it meets the following requirements:

- authentication for access with different levels of security
- security and integrity of data are periodically assessed

- All sample bodies meet the criterion = 2 points.
- Four out of five sample bodies meet the criterion = 1 point.
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.5.3. Information on performance and budget execution is prepared regularly for senior management (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five central government bodies.

On the basis of data provided by the bodies analysed, SIGMA verifies if the information prepared for senior managers on performance and budget execution during the last full calendar year is prepared regularly (ideally, on a monthly basis, or at least quarterly)

- All sample bodies meet the criterion = 2 points.
- Four out of five sample bodies meet the criterion = 1 point.
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.5.4. Regular information for senior management includes budget and financial reporting data (assets and liabilities) (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five central government bodies.

On the basis of the data provided by the bodies analysed, SIGMA verifies if the regular information prepared for senior managers during the last full calendar year is comprehensive, including:

- overall budget information
 - financial information
 - non-financial performance information
 - information on budget execution and deviations
-
- All sample bodies meet the criterion = 2 points.
 - Four out of five sample bodies meet the criterion = 1 point.
 - Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.5.5. Regular information for senior management includes non-financial performance information (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of data provided by five central government bodies.

On the basis of the data provided by the bodies analysed, SIGMA verifies if the regular information prepared for senior managers during the last full calendar year is comprehensive, including

- overall budget information
 - financial information
 - non-financial performance information
 - information on budget execution and deviations
-
- All sample bodies meet the criterion = 2 points.
 - Four out of five sample bodies meet the criterion = 1 point.
 - Three or less of the sample bodies meet the criterion = 0 points

Sub-indicator 26.1.6. Regularity and completeness of risk management practices

Relevant sub-principle(s): 26.f. Public administration bodies identify and periodically assess the risks that threaten achievement of their objectives, including economic or environmental risks, and implement the necessary measures to mitigate them.

Maximum points: 15

Criterion 26.1.6.1. Strategic and operational objectives are specified, to enable the identification and assessment of risks for achieving them (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that the strategic and operational objectives are specified with sufficient clarity, to enable the identification and the assessment of the risks for the achievement of those objectives.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.2. Risk management is effectively implemented in the organisation (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that risk management is effectively implemented throughout the organisation (there is a risk management strategy, risk register, risk mitigation plan, etc).

- All sample bodies meet the criterion = 3 points
- Four out of five sample bodies meet the criterion = 1.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.3. Responsibility for conducting risk assessments and taking risk mitigation actions is assigned to the management, not to internal auditors (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that the responsibility for conducting the risk assessment and taking risk mitigation actions is assigned to the management, not to internal auditors.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.4. Risks are assessed at least annually in the organisations (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that the risk assessment is carried out at least annually.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.5. Risk assessment is carried out against all the objectives of the organisation (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that the risk assessment is carried out against all the objectives of the organisation.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.6. Risk mitigation measures and responsible persons are defined for at least significant risks (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that for at least the significant risks, the corresponding risk mitigation measures and the responsible persons are defined

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.6.7. Residual risks are reported at least annually in the organisations (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of five large budget organisations based on documentation demonstrating risk assessment, risk mitigation action and its impact during the last calendar year or later, ideally a risk register.

Based on documentation provided by the sample bodies (strategic and operational plan, risk register, other) and the information obtained in the interviews, the assessors will verify: that residual risks after implementing the risk mitigation measures are reported at least annually in the organisation.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Sub-indicator 26.1.7. Institutional accountability

Relevant sub-principle(s): 26.g. The government clearly defines the relationship between first-level organisations and subordinate bodies, and robust governance arrangements ensure control over dependent state-owned and regional/local enterprises.

Maximum points: 12

Criterion 26.1.7.1. Ministries are responsible for the co-ordination of the budget preparation within their sectors (1 point)

Category: Legislation

Approach: The Organic Budget Law and the Budget Instruction / budget circular are reviewed to verify if ministries co-ordinate the budget preparation within their sectors, and the information is confirmed with the three sample ministries.

Criterion 26.1.7.2. First-level budget organisations that are not ministries or constitutional bodies (2 points)

Category: Practice in implementation

Approach: Results are taken from the public financial management area, sub-indicator 23.1.4., criterion 1. Review of the list of first-level budget organisations to establish the number of budget organisations that

submit their budgets and report directly to the parliament or the MoF. The total number will be reduced with the number of ministries and constitutional bodies.

Points are allocated based on the number of first-level budget organisations that are not ministries or constitutional bodies (x):

- $x > 20 = 0$ points.
- $20 \geq x > 5 =$ linear function.
- $x \leq 5 = 2$ points.

Criterion 26.1.7.3. An annual plan and activity report of selected subordinate bodies need to be submitted to the responsible ministry (1 point, based on a review of selected ministries and subordinate authorities)

Category: Legislation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 3. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. Regulations need to stipulate the requirement to submit the annual plan as well as the activity report to the responsible ministry for approval.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 26.1.7.4. The annual plan of the subordinated body contains specific objectives and measurable targets at output level (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 4. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. The annual plan of the subordinated body should contain specific objectives and measurable targets approved by the ministry or agreed upon by the ministry and the subordinated body that can be monitored at outcome level or output level.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 26.1.7.5. The annual plan of the subordinated body contains specific objectives and measurable targets at outcome level (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 5. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. The annual plan of the subordinated body should contain specific objectives and measurable targets approved by the ministry or agreed upon by the ministry and the subordinated body that can be monitored at outcome level or output level.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 26.1.7.6. The last annual report of the subordinate body contained information on outputs against predefined objectives and targets (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 6. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and output or outcome level targets and to be publicly available.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 26.1.7.7. The last annual report of the subordinate body contained information on outcomes against predefined objectives and targets (1 point, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 7. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. The annual report (or any other document for informing the public about achievements) needs to contain information on the predefined objectives and output or outcome level targets and to be publicly available.

Points are awarded based on the number of reviewed subordinate bodies that meet the requirement, 0.2 points per each body (1 point in total).

Criterion 26.1.7.8. There is evidence of performance dialogue between ministry and the body (2 points, based on a review of selected subordinate authorities)

Category: Practice in implementation

Approach: Results are taken from the organisation, accountability and oversight area, sub-indicator 13.1.4., criterion 8. Review of practices of three ministries (responsible for finance, economy, and social affairs) and five central government bodies subordinated to these three ministries. The performance dialogue can include feedback provided by the ministry based on the achievements reported in the annual report, meetings between the ministry and the agency management to discuss achievements and potential challenges, etc.

Points are awarded based on the number of subordinate bodies that meet the requirement, 0.4 points per each body (2 points in total).

Criterion 26.1.7.9. The annual business plan and key financial performance indicators for SOEs are agreed with the ministry (1 point)

Category: Practice in implementation

Approach: The performance dialogue can include feedback provided by the ministry based on the achievements reported in the annual report, meetings between the ministry and the agency management to discuss achievements and potential challenges, etc.

Review of the data provided and obtained in interviews, to confirm that annual business plans and key financial performance indicators are agreed with the parent ministry/agency.

The SOEs' annual business plan and key financial performance indicators are agreed with the ministry if they are approved by the supervisory board with representatives of the ministry, or other government body.

Criterion 26.1.7.10. Progress of SOEs towards key financial performance indicators is monitored by a specific unit at least annually (1 point)

Category: Practice in implementation

Approach: The data is obtained from the body responsible for the monitoring of SOEs, either at central or decentralised (line ministries) level. The data provided by the body responsible for the monitoring will be validated on a sample of three ministries (ministries responsible for health, interior and infrastructure), in case SOEs in the sector are under their responsibility, to confirm that the ministry has agreed the annual business plan and key financial performance indicators and that progress towards key performance indicators is monitored at least annually.

Review of data provided and obtained in interviews, to confirm that progress of SOEs towards key financial performance indicators is monitored at least annually.

Sub-indicator 26.1.8. Irregularity and fraud management

Relevant sub-principle(s): 26.h. Public management and control systems include procedures for preventing, detecting and reporting on irregularities and fraud, ensuring co-ordination and timely investigation and sanction of fraud and corruption.

Maximum points: 13

Analysis of five large budget organisations (including three ministries) to assess the procedures for effective prevention, detection and reporting on irregularities and fraud, as well as co-ordination with the relevant bodies. The analysis is carried out based on actual documentation demonstrating the existence of procedures and the effective reporting during the last calendar year or later.

Criterion 26.1.8.1. Perception of awareness on irregularities and fraud by civil servants (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants to the following question or statement: "To what extent do you agree with the following statement? If in the exercise of my work in the organisation, I become aware of a case of an unethical irregularity or potential fraud, I know how to report it."

Answer options are: Strongly disagree; Tend to disagree; Neither agree or disagree; Tend to agree; Strongly Agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 26.1.8.2. The organisation assesses irregularity and fraud risk and adopts the necessary mitigating actions (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the risk register/risk assessment documentation to verify that the risk of fraud has been considered among the risks for the achievement of the objectives of the organisation.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.8.3. There is a procedure for reporting on irregularities and suspected fraud, with clear responsibilities assigned in the organisation (2 points, based on review of selected cases)

Category: Legislation

Approach: Review of the legislation, documentation, instructions, guidelines, manuals, etc. on management of irregularities and fraud, to verify that a clear procedure exists.

The procedure can be established at the level of the public administration or by the sample body but, in both cases, responsibility has to be clearly assigned within the organisation (co-ordination, reporting, etc.).

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.8.4. Irregularity cases detected are addressed within the organisation and/or by the MoF and its specialised administration (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of internal procedures and information obtained in the interviews, to verify that the irregularities reported by management controls, or by internal or external auditors are addressed either within the ministry by relevant administrative measures and/or by the MoF and its specialised administration (financial Inspection or similar).

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point

- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.8.5. Reporting of irregularities is effective (4 points, based on review of selected cases).

Category: Practice in implementation

Approach: Analysis of the information provided by the five sample bodies or by co-ordinating bodies, to verify that at least one case of irregularity has been reported in each sample entity in the last full calendar year.

- All sample bodies meet the criterion = 4 points
- Four out of five sample bodies meet the criterion = 2 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 26.1.8.6. Mechanisms for co-ordination and co-operation between bodies with responsibilities related to irregularities and suspected fraud are established (1 point)

Category: Institutional set-up

Approach: Analysis of the information from the MoF (CHU, financial inspection) on the mechanisms for co-ordination and cooperation between bodies responsible for management and investigation of irregularities and suspected fraud. These mechanisms can include the exchange of information and regular follow-up, the co-ordination by a specific body, the creation of a network, etc.

Principle 27: Internal audit improves the management of public administration bodies.

Indicator 27.1. Adequacy of the operational framework for internal audit and its functioning in practice

This indicator measures the extent to which the operational framework for internal audit (IA) has been established, assessing the adequacy of the regulatory framework, the institutional set-up, and co-ordination and quality assurance mechanisms. The indicator also focuses on the implementation of internal audit and whether activities effectively contribute to improved management of public finances within the budget organisations.

Sub-indicators	Maximum points
1. Adequacy of the regulatory framework for internal audit	10
2. Co-ordination, development and guidance of the internal audit system	10
3. Organisational capacity for internal audit	10
4. Independence and objectivity of internal audit	15
5. Strength of planning of internal audit in budget organisations	10
6. Quality of audit reporting	10
7. Follow-up and implementation of audit recommendations	15
8. Certification and professional development	10
9. Existence of a system for quality assurance of internal audit	10
10. Total	100

Sub-indicator 27.1.1. Adequacy of the regulatory framework for internal audit (IA)

Relevant sub-principle(s): 27.a. Internal audit (IA) is implemented consistently throughout the public administration, on the basis of operational arrangements established by the legislation, in line with the definitions of the Institute of Internal Auditors (IIA).

Maximum points: 10

Criterion 27.1.1.1. Legislation specifies the functional independence of IA (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Legislation specifies the main operational requirements for the effective and efficient functioning of internal audit, in line with international standards:

- functional independence: independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner,
- IA's powers and duties,
- minimum organisational requirements and size of units.

Criterion 27.1.1.2. Legislation specifies IA's powers and duties (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Legislation specifies the main operational requirements for the effective and efficient functioning of internal audit, in line with international standards:

- functional independence: independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner,
- IA's powers and duties,
- minimum organisational requirements and size of units.

Criterion 27.1.1.3. Legislation specifies the minimum organisational requirements and size of units (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Legislation specifies the main operational requirements for the effective and efficient functioning of internal audit, in line with international standards:

- functional independence: independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner,
- IA's powers and duties,
- minimum organisational requirements and size of units.

Criterion 27.1.1.4. Legislation allows for IA requirements to differ depending on the type and size of the organisation (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the legislation and formal instructions governing the IA function, to verify that they allow flexibility in the arrangements for the IA function, to adapt its structure and organisation to the risks, type, size and complexity of the institution.

These arrangements may include the possibility of centralised or de-centralised IA services, shared IA services (including sectoral approach, with IA in a ministry covering subordinated bodies), hybrid systems with centralisation of certain types of audits that require very specific expertise (such as IT audit, forensic, etc.), contracting out IA, etc.

Criterion 27.1.1.5. Legislation stipulates IA standards applicable (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the legislation governing the IA function, to verify that it covers the basic requirements guiding the professional practice of internal audit in line with international standards.

Legislation covers the IA standards applicable.

Criterion 27.1.1.6. Legislation stipulates reporting arrangements for IA (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the legislation governing the IA function, to verify that it covers the basic requirements guiding the professional practice of internal audit in line with international standards:

Legislation covers the reporting arrangements for IA.

Criterion 27.1.1.7. Legislation stipulates a code of ethics for IA (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the legislation governing the IA function, to verify that it covers the basic requirements guiding the professional practice of internal audit in line with international standards:

Legislation covers certification for internal auditors.

Criterion 27.1.1.8. Legislation stipulates IA certification (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the legislation governing the IA function, to verify that it covers the basic requirements guiding the professional practice of internal audit in line with international standards:

Legislation covers the code of ethics for internal auditors.

Criterion 27.1.1.9. Legislation for IA applies to all central government bodies (%) (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the scope of IA in legislation and comparison with the number of central government bodies. SIGMA counts the number of central government bodies where legislation requires an IA function to be established, divides it by the total number of central government bodies, and expresses the result as a percentage.

Points are allocated based on the percentage of central government bodies that have to establish IA according to legislation (x):

- $x < 65\% = 0$ points.
- $65\% \leq x < 100\% =$ linear function.
- $x = 100\% = 1$ point.

Criterion 27.1.1.10. The code of ethics (or similar) for internal auditors covers the main aspects governing the internal auditors' conduct (1 point)

Category: Legislation

Approach: Review of the legislation and formal instructions governing for the IA function. Review of the code of ethics (or similar) guiding the behaviour of internal auditors.

Review of the code of ethics established for the IA function. The code of ethics should cover at least the following areas:

- integrity
- objectivity
- confidentiality
- competency

Sub-indicator 27.1.2. Co-ordination, development and guidance of the internal audit (IA) system

Relevant sub-principle(s): 2.b. The government harmonises and co-ordinates internal audit at the central level, issuing subsidiary regulations and methodological guidance that are applicable throughout the public sector.

Maximum points: 10

Review of planning documents and reports corresponding to the latest full calendar year, IA manuals, minutes of meetings and other documents providing evidence for the criteria.

Criterion 27.1.2.1. There is an up to date and formally approved plan for the development or further improvement of internal audit (IA) (2 points)

Category: Strategy and guidance

Approach: Review of the government adopted IA planning document(s) corresponding to the latest full calendar year, either as part of a specific PIFC planning document, or as part of the government adopted PAR planning document(s), to verify that they cover the IA area. To be considered “covered”, the area must be a clearly identifiable part of the planning documents (e.g., either a separate strategy or similar document, a chapter or subchapter or similar section) that: 1) analyses the existing situation; 2) sets objectives; and 3) identifies specific reform activities.

Criterion 27.1.2.2. Implementation rate of the plan for development or further improvement of IA (%) (2 points)

Category: Strategy and guidance

Approach: Review of IA planning document(s) and the implementation reports. Implementation rate is calculated based on the planned and implemented activities for the development of the IA which were outlined in the planning documents for the last full calendar year. If there is no information on implementation of the action plan(s), it is assumed that the activities planned for the reporting year have not been implemented from the list of planned activities. Activities that are ongoing, continuous or only partly implemented will not be counted.

Points are allocated based on the percentage of planned activities that were implemented during the last full calendar year (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 27.1.2.3. Internal audit manuals are prepared (1 point)

Category: Strategy and guidance

Approach: Review the IA manuals prepared by the CHU.

Criterion 27.1.2.4. Internal audit manuals are based on and consistent with the guidelines of the IIA or the equivalent national standards applicable (1 point)

Category: Strategy and guidance

Approach: Review of the IA manuals to verify that they are consistent either with the guidelines of the Institute of Internal Auditors (IIA) by addressing all IIA standards relevant for the public sector, or with the equivalent national standards applicable, which should be aligned with international standards.

IA manuals are deemed consistent with the IIA standards or the equivalent national standards applicable if no more than one material/substantial inconsistency between the manuals and the standards exists.

Criterion 27.1.2.5. The central harmonisation unit (CHU) organises general co-ordination activities with the heads of IA units (2 points)

Category: Strategy and guidance

Approach: Review of the documents and information provided by the CHU (reports, minutes of meetings, exchanges with IA units, etc. to verify the general co-ordination activities carried out by the CHU. General co-ordination activities are those organised by CHU, for purposes such as:

- Distribution, clarification and discussion of manuals, guidelines, standards, methodologies (sampling, etc.)
- Provide and discuss instructions for planning.
- Discuss specific issues related to internal audit, with time for questions (from internal auditors) and answers.
- Inform of relevant changes in legislation, standards, etc. affecting the IA work and methodologies.
- Regular general co-ordination meetings to present and discuss issues relevant for the IA profession in the public sector.

Training is not considered a general co-ordination activity.

Points are allocated based on the number of occasions in the last full calendar year when co-ordination activities were organised (x):

- $x < 1 = 0$ points.
- $1 \leq x < 2 =$ linear function.
- $x \geq 2 = 2$ points.

Criterion 27.1.2.6. The annual report on IA development reports on progress in the quality of IA (2 points)

Category: Strategy and guidance

Approach: Review of the annual report on IA development to verify that it reports on progress in the quality of IA; this is the case if it includes summary information on official quality assurance reports on IA functions, data on the quality of IA recommendations (either the nature of recommendations or the implementation rate) or other information that factually demonstrates progress or lack of progress in IA.

Sub-indicator 27.1.3. Organisational capacity for internal audit (IA)

Relevant sub-principle(s): 27.c. The structure and organisation of the internal audit function can be adapted to the type, size and complexity of the institution. This includes the possibility of shared internal audit services.

Maximum points: 10

Criterion 27.1.3.1. IA is established across central government bodies (%) (5 points)

Category: Institutional set-up

Approach: Review of data provided by the CHU/ministry of finance (MoF).

Review of data provided by the CHU/MoF on the number of central government bodies where an IA function is established (organisations that either have an IA unit or where the IA function is covered through shared services, including sectoral approach, contracting out IA, etc). The number of central government organisations where IA is established is divided by the total number of central government organisations required to have IA function, and the result is expressed as percentage.

Points are allocated based on the percentage of central government bodies where the IA function is established (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Criterion 27.1.3.2. IA units are staffed according to legal requirements and have at least two auditors (%) (5 points)

Category: Institutional set-up

Approach: Review of data provided by the CHU/ministry of finance (MoF).

Review of data provided by the CHU/MoF on the staffing of IA units established in central government bodies, to verify that they are staffed according to the legal requirements and having at minimum two auditors. The number of central government bodies where the IA unit is staffed in line with the legal requirements is divided by the total number of established IA units, and the result is expressed as a percentage.

Points are allocated based on the percentage of central government bodies that are staffed according to the legal requirements and having at least two auditors (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 100\% =$ linear function.
- $x = 100\% = 5$ points.

Sub-indicator 27.1.4. Independence and objectivity of internal audit

Relevant sub-principle(s): 27.d. Internal audit provides independent and objective assurance, reporting directly to the head of the organisation.

Maximum points: 15

Criterion 27.1.4.1. The head of internal audit reports directly to the head of the organisation (%) (3 points)

Category: Practice in implementation

Approach: The criteria reflect the requirements of the IIA International Professional Practices Framework (IPPF)

Analysis of survey responses from a sample of public servants in the position of heads of internal audit units to the following question: “Are your audit reports directed to the head or the governing body of the organisation”.

Answer options are: Yes, No, Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Yes” to the survey question (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 27.1.4.2. Internal audit does not have decision-making or operational roles that might lead to impairment of independence and objectivity (%) (3 points)

Category: Practice in implementation

Approach: The criteria reflect the requirements of the IIA International Professional Practices Framework (IPPF)

Analysis of survey responses from a sample of public servants in the position of heads of internal audit units to the following statement: “Select one of the following statements which better reflects your situation”.

Answer options are: 1- As an auditor, my role is limited to audit and advise; 2 – I combine the auditing function with contributing to the management and the operations of my organisation. Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “As an auditor, my role is limited to audit and advise” to the survey question (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 27.1.4.3. Internal audit is not subject to interference in determining the scope of its auditing, performing its work and communicating the results (%) (3 points)

Category: Practice in implementation

Approach: The criteria reflect the requirements of the IIA International Professional Practices Framework (IPPF)

Analysis of survey responses from a sample of public servants in internal auditor positions to the following statement: Select one of the following statements which better reflects your situation

Answer options are: 1 – As an auditor, I am professionally independent and take my own decisions for the development of my audit work, 2 – I receive instructions from senior managers for the development of my audit work. Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “As an auditor, I am professionally independent and take my own decisions for the development of my audit work” to the survey question (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 27.1.4.4. Internal audit has systems/processes to identify and manage the potential conflicts of interest of its staff in individual audit assignments (%) (3 points)

Category: Practice in implementation

Approach: The criteria reflect the requirements of the IIA International Professional Practices Framework (IPPF)

Analysis of survey responses from a sample of public servants in internal auditor positions to the following statement: “To what extent do you agree with the following statement? If I am in the situation of a potential conflict of interest for an individual audit assignment, I know how to report it.”

Answer options are: Strongly disagree; Tend to disagree; Neither agree or disagree, Tend to agree; Strongly Agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 27.1.4.5. There have been no restrictions to accessing records, personnel and property in the last 3 years (%) (3 points)

Category: Practice in implementation

Approach: The criteria reflect the requirements of the IIA International Professional Practices Framework (IPPF)

Analysis of survey responses from a sample of public servants in internal auditor positions to the following question or statement: “In the last 3 years, I have not encountered significant restrictions in my audit work to accede records, personnel or property.”

Answer options are: Strongly disagree; Tend to disagree; Neither agree or disagree; Tend to agree; Strongly agree; Do not know Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Sub-indicator 27.1.5. Strength of planning of internal audit in budget organisations

Relevant sub-principle(s): 27.e. Public administration bodies have an up-to-date and formally approved strategic plan for the implementation of internal audit. Annual plans cover the entire organisation and are based on an assessment on the effective operation of the organisation’s risk management, governance, internal control and reporting, including a variety of audit types.

Maximum points: 10

Review of data from the CHU. Five examples of strategic and annual audit plans are analysed to validate CHU data and to assess the planning process. The plans are collected from five large central government bodies.

Criterion 27.1.5.1. Central government bodies with an IA function prepare and regularly update strategic plans (%) (2 points)

Category: Practice in implementation

Approach: Review of CHU data to verify the percentage of central government bodies with an IA function established that prepare strategic and annual plans.

The strategic plans analysed are the most recent ones.

The strategic plan adapts to changing expectations and maintain alignment with organizational objectives. It seeks to achieving a balance between cost and value, while making meaningful contributions to the organization’s overall governance, risk management, and internal controls. Its preparation is based on a systematic approach including:

- A definition of the critical success factors.
- A SWOT analysis.
- Identification of key initiatives.

Points are allocated based on the percentage of central government bodies where an IA function is established which prepare and regularly update strategic plans (x):

- $x < 75\% = 0$ points.
- $75\% \leq x < 90\% =$ linear function.

- $x \geq 90\% = 2$ points.

Criterion 27.1.5.2. Central government bodies with an IA function prepare annual audit plans (%) (2 points)

Category: Practice in implementation

Approach: Review of CHU data to verify the percentage of central government bodies with an IA function established that prepare annual plans.

The annual plans analysed are the ones for the latest full calendar year.

The annual plan identifies the priorities of the IA activity for the corresponding year. It must be based on a documented risk assessment (IPPF 2010-A1).

Points are allocated based on the percentage of central government bodies where an IA function is established which prepare annual audit plans (x):

- $x < 75\% = 0$ points.
- $75\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 27.1.5.3. Audit plans are prepared in line with the national legal requirements (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the audit plans of five large central government bodies to verify that the plan is prepared in conformity with the national requirements. The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration). If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

The audit plans are considered to be in conformity with the national requirements if no more than one material/substantial inconsistency between them and requirements in national legislation exists.

- All sample bodies meet the criterion = 1 point
- Four out of five sample bodies meet the criterion = 0.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 27.1.5.4. Audit plans are prepared in conformity with IA standards (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Review of the audit plans of five large central government bodies to verify that the plan is prepared in conformity with IA standards. The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration). If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

The audit plans are considered to be in conformity with IA standards if no more than one material/substantial inconsistency between them and the IA standards exists.

- All sample bodies meet the criterion = 1 point
- Four out of five sample bodies meet the criterion = 0.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 27.1.5.5. Audit plans are based on a risk assessment for which the audit universe covers all departments and processes in the organisation (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of five examples of audit plans and the risk assessment on which they are based, to verify that the audit universe for the risk assessment includes all departments, processes and budget in the organisation.

The plans are collected from five large central government bodies. The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration. If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 27.1.5.6. IA evaluates the governance, risk management and control processes in the organisation, using a systematic approach (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of five examples of audit plans and the risk assessment on which they are based, to verify that the risk assessment is based on an evaluation of the governance, risk management and control processes in the organisation.

The plans are collected from five large central government bodies. The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration. If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

- All sample bodies meet the criterion = 2 points
- Four out of five sample bodies meet the criterion = 1 point
- Three or less of the sample bodies meet the criterion = 0 points

Sub-indicator 27.1.6. Quality of audit reporting

Relevant sub-principle(s): 27.f. Internal audit units conduct and report on their audits in accordance with internal audit standards, manuals and code of ethics, which are consistent with the guidelines of the Institute of Internal Auditors.

Maximum points: 8

Criterion 27.1.6.1. Audit reports include objective and scope definitions (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of five IA reports prepared by five different central government institutions that are required to have an IA function, to verify that they include objective and scope definitions.

The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration). If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

- All sample bodies meet the criterion = 3 points
- Four out of five sample bodies meet the criterion = 1.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 27.1.6.2. Audit reports include audit recommendations, references and explanations of the evidence backing up the recommendations (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Review of five IA reports prepared by five different central government institutions that are required to have an IA function, to verify that they include audit recommendations, references and explanations of the evidence backing up the recommendations.

The sample bodies include three ministries (ministries responsible for finance, interior and infrastructure), and two large agencies (tax administration, road administration). If any of the sample bodies does not exist in the country, alternative bodies will be selected to assess the sample-based criteria.

- All sample bodies meet the criterion = 3 points
- Four out of five sample bodies meet the criterion = 1.5 points
- Three or less of the sample bodies meet the criterion = 0 points

Criterion 27.1.6.3. The draft audit report is discussed with the auditee, who can make comments in writing before the final report is issued (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in management positions to the following question or statement: "To what extent do you agree with the following statement?: I/my team

have the opportunity to discuss the results and conclusions of each individual audit assignment and may make comments in writing before the final report is issued”.

Answer options are: Strongly disagree; Tend to disagree; Neither agree nor disagree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 27.1.6.4. Perceived usefulness of internal audit recommendations by senior and middle managers (%) (2 points)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of public servants in management positions to the following question or statement: “To what extent do you agree with the following statement? Internal audit recommendations contribute to improving functioning of my organisation.”

Answer options are: Strongly disagree; Tend to disagree; Neither agree or disagree, Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 27.1.7. Follow-up and implementation of audit recommendations

Relevant sub-principle(s): 27.g. Senior managers implement internal audit recommendations and internal auditors ensure systematic follow-up and monitoring of acceptance and implementation.

Maximum points: 15

Review of data from the CHU or from the ministry responsible for co-ordinating the development of internal audit (IA) to identify the share of IA recommendations made during the year prior to the latest full calendar year that were followed-up, accepted and implemented within one year in all three cases, focusing only on IA recommendations of central government bodies.

The data is taken from the annual report on IA development and/or monitoring systems established by the CHU. SAI reports are also reviewed for possible inconsistencies with data provided by the CHU. If CHU data is inconsistent with the other data, assessors will systematically verify the CHU data to confirm if they are reliable.

Criterion 27.1.7.1. IA recommendations are followed up by the IA units within one year (%) (5 points)

Category: Practice in implementation

Approach: Review of data provided by the CHU, to verify the percentage of IA recommendations made during the year prior to the latest full calendar year that have been followed up during the latest full calendar year by IA units. The follow-up rate is expressed as a percentage of the total number of recommendations.

Follow-up by IA units may include:

- requirement for the audited entity to present an action plan for the fulfilment of the recommendations
- obligation for the audited entity to self-track implementation
- periodic reporting on the implementation of the action plan or on the result of the self-assessment
- systematic interviews and questionnaires to be completed by the audited entity, or updated risk registers

Points are allocated based on the percentage of IA recommendations that are followed up by the IA units within one year (x):

- $x < 50\%$ = 0 points.
- $50\% \leq x < 90\%$ = linear function.
- $x \geq 90\%$ = 4 points.

Criterion 27.1.7.2. IA recommendations are accepted by the auditees (%) (5 points)

Category: Results

Approach: Review of data provided by the CHU, to verify the percentage of IA recommendations made during the year prior to the latest full calendar year that have been accepted by the audited entities during the latest full calendar year.

Accepted means that the recommendation is agreed to by management and is followed by a risk mitigation action documented in the action plan or risk register. The acceptance rate is expressed as a percentage of the total number of recommendations.

Points are allocated based on the percentage of IA recommendations that are accepted by auditees (x):

- $x < 40\% = 0$ points.
- $40\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 4$ points.

Criterion 27.1.7.3. Reported implementation rate of internal audit recommendations accepted by the auditees (%) (5 points)

Category: Results

Approach: Review of data provided by the CHU, to verify the percentage of IA recommendations made by the IA units the year prior to the latest full calendar year that are fully and partially implemented by the end of the latest full calendar year (partially implemented recommendations are counted at a weight of 50%. For example, if 20% of recommendations are partially implemented, they are included at 10% in the percentage share of recommendations implemented).

Points are allocated based on the reported implementation rate of IA recommendations accepted by the auditees (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 5$ points.

Sub-indicator 27.1.8. Certification and professional development

Relevant sub-principle(s): 27.h. Internal auditors hold a national or globally recognised certificate. The co-ordinating body ensures continuous professional development for internal auditors.

Maximum points: 10

Criterion 27.1.8.1. Internal auditors holding a national or international IA certificate (%) (5 points)

Category: Institutional set-up

Approach: Review of data provided by the CHU/MoF on the number of internal auditors who hold a national or international IA qualification. This number is divided by the total number of internal auditors and the result is expressed as a percentage.

Review of national requirements for qualification of internal auditors. Internationally recognised certifications include CPA, ACCA, etc.

Points are allocated based on the percentage of internal auditors that have IA qualifications (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 5$ points.

Criterion 27.1.8.2. Professional development programme exists (2 points)

Category: Practice in implementation

Approach: Review of the CPD programme for enhancing knowledge, skills and other competencies of internal auditors (IPPF 1230)

Criterion 27.1.8.3. Implementation rate of the professional development programme (%) (3 points)

Category: Practice in implementation

Approach: Review of evidence provided by the CHU on the implementation of the CPD programme including the CHU annual report, interviews of CHU and internal auditors. SIGMA determines the number of activities planned for the last full calendar year that got implemented, divides it by the total number of activities planned for that year and expresses the result as a percentage.

Points are allocated based on the percentage of planned activities that were implemented during the last full calendar year (x):

- $x < 25\% = 0$ points.
- $25\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

27.1.9. Existence of a system for quality assurance of internal audit

Relevant sub-principle(s): 27.i. Internal quality assurance and periodic external quality assessment continuously improve the quality of internal audit.

Maximum points:

Procedures for the national quality assurance scheme are deemed consistent with the IPPF or the equivalent national standards applicable, which should be aligned with international standards, if no more than one material/substantial inconsistency between them exists.

Criterion 27.1.9.1. A formal procedure is established for a national quality assurance scheme (2 points)

Category: Strategy and guidance

Approach: Review of the formal procedure for the national quality assurance scheme, covering all aspects of the internal audit activity.

Criterion 27.1.9.2. The quality assurance procedure is in line with IA standards (2 points)

Category: Strategy and guidance

Approach: Review of the procedure for the national quality assurance scheme, to verify that it is in line with the IPPF or the equivalent national standards applicable. This means that:

- It enables an evaluation of the internal audit activity's conformance with standards and an evaluation of whether internal auditors apply the Code of Ethics.
- It assesses the efficiency and effectiveness of the internal audit activity, identifying opportunities for improvement.
- It includes both internal and external assessments.

Procedures for the national quality assurance scheme are deemed consistent with the IPPF or the equivalent national standards applicable if no more than one material/substantial inconsistency between them exists.

Criterion 27.1.9.3. Internal assessments have been carried out in IA units during the latest full calendar year (%) (3 points)

Category: Strategy and guidance

Approach: Review of data from the CHU, to verify that internal assessments have been carried out in IA units during the latest full calendar year.

Internal assessments may include:

- Ongoing monitoring of the performance of the internal audit activity. Ongoing monitoring is an integral part of the day-to-day supervision, review, and measurement of the internal audit activity. It is incorporated into the routine policies and practices used to manage the internal audit activity and uses processes, tools, and information considered necessary to evaluate conformance with the Code of Ethics and the Standards.
- Periodic self-assessments or assessments by other persons within the organisation with sufficient knowledge of internal audit practices, conducted to evaluate conformance with the Code of Ethics and the Standards.

Points are allocated based on the percentage of IA units that had an internal assessment during the latest full calendar year (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Criterion 27.1.9.4. External assessments have been carried out in IA units during the last 5 years (%) (3 points)

Category: Strategy and guidance

Approach: Review of data from the CHU, to verify that external assessments by a qualified, independent assessor or an assessment team from outside the organisation have been carried out in IA units during the last 5 years.

External assessments may be accomplished through a full external assessment, or a self-assessment with independent external validation. The external assessor must conclude as to conformance with the Code of Ethics and the Standards; the external assessment may also include operational or strategic comments.

Points are allocated based on the percentage of IA units that had an external assessment during the last 5 years (x):

- $x < 50\% = 0$ points.
- $50\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 3$ points.

Principle 28: Public procurement legislation, including public-private partnerships and concessions, is based on principles of equal treatment, non-discrimination, transparency, proportionality and competition, and supported by a sound governance framework.

Indicator 28.1. Quality of legislative framework for public procurement and PPPs/concessions

This indicator measures the quality of the legislative framework for public procurement and public-private partnerships (PPPs)/concessions, above and below European Union (EU) thresholds.

Sub-indicators	Maximum points
1. Application of fundamental EU policy goals and Treaty principles across the spectrum of procurement legislation	30
2. Level of alignment of public procurement legislation for contracts above EU thresholds with the EU Directives	35
3. Level of alignment of PPPs/concessions legislation for contracts above EU thresholds with the EU Directives	15
4. Level of alignment of procurement legislation for contracts below EU thresholds with the EU Treaty principles	20
Total	100

The overall scoring for this indicator can be reduced in case if a significant part of public procurement is exempted from the main public procurement legislation and is subject to special legislation which allows for less competitive and transparent award procedures, proportionally to the total value of procurement exempted from the general rules (for instance: if the value of procurement awarded under the special regime amounts to 40 % of the total value of national procurement, the overall scoring for this indicator can be reduced by 40%).

Sub-indicator 28.1.1. Application of fundamental EU policy goals and Treaty principles across the spectrum of procurement legislation

Relevant sub-principle(s): 28.a. Public procurement legislation, including public-private partnerships (PPPs) and concessions, reflects internationally recognised principles, such as value for money, free competition, transparency, non-discrimination, equal treatment, mutual recognition and proportionality

Maximum points: 30

Criterion 28.1.1.1. The public procurement legal framework is established and organised hierarchically with a clear precedence of legal instruments (1 point)

Category: Legislation

Approach: Review of all legal instruments related to public procurement. This includes laws, decrees, regulations and any other legal documents that pertain to public procurement. Analyse these legal documents to understand their hierarchy and relationships. Analyse how the legal framework is applied and whether any inconsistencies or conflicts emerge, in particular whether there are instances where secondary legislation conflicts with primary law.

Criterion 28.1.1.2. The public procurement legal framework applies to all procurement (goods, works and services) financed from public funds (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.3. The public procurement legal framework applies to all public bodies (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.4. The public procurement legal framework applies to all sub-national governments and entities (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.5. The public procurement legal framework applies to all utility companies with special or exclusive rights (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.6. Procurement value awarded through special legislation or international agreements that deviate from the principles of non-discrimination, transparency and competition) (%) (20 points)

Category: Practice in implementation

Approach: Verify if any specialised legislation or international agreements that govern procurement of specific projects (i.e., major infrastructure projects such as motorways, bridges, metro) or procurement by entities operating in specific sectors undermine or override public procurement principles of non-discrimination, transparency and competition. Calculate the procurement value that has been awarded through special legislation or international agreements, divide it by the total procurement value and express it as a percentage.

Points are allocated based on the percentage of the procurement value that has been awarded through special legislation or international agreements (x):

- $x > 10\% = 0$ points.
- $10\% \geq x > 0\% =$ linear function.
- $x = 0\% = 20$ points.

Criterion 28.1.1.7. Competitive procedures are the standard method for conducting procurement (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.8. Exceptions to competitive procedures are defined and limited to exceptional circumstances and require appropriate justification when used (1 point)

Category: Legislation

Approach: Review of legislation to identify provisions related to exceptions to competitive procedures. Exceptional circumstances allowing the use of non-competitive procedures include extreme urgencies due to unforeseeable events and contracts that may be executed only by one particular economic operator for technical or artistic reasons, or connected to the protection of exclusive rights, etc.

Criterion 28.1.1.9. Subdividing procurement to avoid competitive rules is prohibited (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.1.10. The legal framework ensures there are no direct or indirect barriers or discriminatory conditions to participation in the public procurement market (1 point)

Category: Legislation

Approach: Review of legislation.

Sub-indicator 28.1.2. Level of alignment of public procurement legislation for contracts above EU thresholds with the EU Directives

Relevant sub-principle(s): 28.b. Public procurement legislation, including PPPs and concessions, is in compliance with applicable international standards, promotes efficiency and ensures a regulatory balance proportionate to the size, nature and risks of the contracts.

Maximum points: 35

Criterion 28.1.2.1. The definition of contracting authorities is aligned with the EU Directive 2014/24 (classical sector) (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2014/24.

Criterion 28.1.2.2. The definition of contracting entities is aligned with the EU Directive 2014/25 (utilities) (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2014/25.

Criterion 28.1.2.3. The definition of public procurement is provided and aligned with EU Directives (0.5 points)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.4. The definition of a public contract is provided and aligned with EU Directives (0.5 points)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.5. The definitions of supplies, services and works contracts are provided and aligned with EU Directives (0.5 points)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.6. The regulations about mixed procurement are provided and aligned with EU Directives (0.5 points)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.7. The list of exclusions does not exceed the permitted exclusions in EU Directive 2014/24 for classical procurement (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2014/24.

Criterion 28.1.2.8. The list of exclusions does not exceed the permitted exclusions in EU Directive 2014/25 for utilities procurement (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2014/25.

Criterion 28.1.2.9. The list of exclusions for procurement in the field of defence and security does not exceed the permitted exclusions in EU Directive 2009/81 (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2009/81.

Criterion 28.1.2.10. The material scope of the legislation for defence and security is aligned with EU Directive 2009/81 (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2009/81.

Criterion 28.1.2.11. Special requirements for procurement in the field of defence and security are aligned with EU Directive 2009/81 (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directive 2009/81.

Special requirements for procurement in the field of defence and security include security of supply requirements, security of information requirements and the rules on subcontracting.

Criterion 28.1.2.12. Competitive public procurement procedures (launched by publication of a procurement notice), are aligned with the EU Directives (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.13. Time limits for submission of applications and tenders are aligned with the EU Directives (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.14. Negotiated procedure without prior publication can only be applied in exceptional circumstances that are aligned with the EU Directives (1 point)

Category: Legislation

Approach: Review of legislation with regard to EU Directives 2014/24 and 2014/25.

Criterion 28.1.2.15. Publication of contract notices and contract award notices on a central, freely accessible website or in the national official journal is mandatory (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.16. The contracting authority is obliged by law to inform each candidate or tenderer of decisions reached, including the grounds for any decision (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.17. The contracting authority is obliged by law to prepare and keep individual reports on the procedure (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.18. The contracting authority is obliged by law to make the reports on the procedure publicly available (either published or on request) (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.19. The law obliges contracting authorities to prevent, detect, and address conflicts of interest (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.20. Contracting authorities are encouraged to divide contracts into lots (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.21. The law requires that technical specifications ensure equal access of economic operators to the contract (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.22. Mandatory grounds for exclusion are aligned with EU Directives (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.23. Non mandatory grounds for exclusion are aligned with EU Directives (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.24. Selection criteria (economic and financial standing and technical and professional ability) must be related and proportionate to the subject matter of the contract (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.25. The law provides that economic operators can rely on capacities of other entities (1 point)

Category: Legislation

Approach: Review of legislation to verify that economic operators can rely on capacities of other entities. The capacities economic operators can rely on include criteria relating to economic and financial standing and criteria relating to technical and professional ability.

Criterion 28.1.2.26. The use of the European Single Procurement Document (ESPD) or a standard self-declaration of economic operators is required (1 point)

Category: Legislation

Approach: Review of legislation to verify that the European Single Procurement Document (ESPD) or a standard self-declaration is used to confirm that the economic operator meets the relevant selection criteria and is not in a situation in which economic operators shall or may be excluded.

Criterion 28.1.2.27. Economic operators can participate in procurement despite exclusion grounds if they demonstrate sufficient self-cleaning measures proving their reliability (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.28. The contracting authority is obliged to award a contract to the most economically advantageous tender complying with the criteria in the tender documents (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.29. There are no restrictions for the use of the best price-quality ratio as the contract award criterion (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.30. The law enables the contracting authorities to use centralised procurement (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.31. The law enables the contracting authorities to use occasional joint procurement (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.32. The law enables the contracting authorities to use framework agreements (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.33. The law enables the contracting authorities to use dynamic purchasing systems (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.34. The law enables the contracting authorities to use qualification systems in case of utilities (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.35. Contracting authorities have the opportunity to use a light regime for social and other specific services in accordance with EU Directives (1 point)

Category: Legislation

Approach: Review of legislation to verify that contracting authorities have the opportunity to use a light regime for social and other specific services in accordance with EU Directives. A light regime for social and other specific services is regulated in Articles 75-76 of EU Directive 2014/24 and in Articles 91-93 of EU Directive 2014/25.

Criterion 28.1.2.36. Contracting authorities have the opportunity to use the design contest procedure (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.2.37. Contracts during their term may be modified without a new procurement procedure in line with EU Directives (1 point)

Category: Legislation

Approach: Review of legislation to verify that contracts during their term may be modified without a new procurement procedure in line with EU Directives. The regulation regarding modification of contracts is contained in Article 72 of EU Directive 2014/24 and in Article 89 of EU Directive 2014/25.

Sub-indicator 28.1.3. Level of alignment of PPPs/concessions legislation for contracts above EU thresholds with the EU Directives

Relevant sub-principle(s): 28.b. Public procurement legislation, including PPPs and concessions, is in compliance with applicable international standards, promotes efficiency and ensures a regulatory balance proportionate to the size, nature and risks of the contracts.

Maximum points: 15

Criterion 28.1.3.1. The legislative framework for PPPs/concessions procedures for works and services is in place (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.2. The definition of contracting authorities and contracting entities is aligned with EU Directive 2014/23 (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.3. The definition of works and services concession is aligned with EU Directive 2014/23, including the transfer of operating risk to the concessionaire (2 points)

Category: Legislation

Approach: Review of legislation to verify that the definition of works and services concession is aligned with EU Directive 2014/23, including the transfer of operating risk to the concessionaire. The definition of works and services concession is provided in Article 5(1) of the EU Directive 2014/23.

Criterion 28.1.3.4. The list of exclusions does not exceed the permitted exclusions in EU Directive 2014/23 (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.5. The contracting authority is obliged by law to use competitive procedures (launched by a notice) for PPP/concessions awards (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.6. The law requires contracting authorities to publish concession notices in all cases, except those explicitly stated in the EU Directive 2014/23 (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.7. The contracting authority is obliged by law to inform each candidate and tenderer of decisions reached, including the grounds for any decision (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.8. The law obliges contracting authorities to prevent, detect, and address conflicts of interest (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.9. The legal framework regulates the preparation of technical specifications, the formulation of the grounds for exclusion, the selection and award criteria (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 28.1.3.10. PPPs/concessions contracts during their term may only be modified without a new award procedure in line with the EU Directive 2014/23 (1 point)

Category: Legislation

Approach: Review of legislation to verify that PPPs/concessions contracts during their term may only be modified without a new award procedure in line with the EU Directive 2014/23. The modification of concessions contracts during their term is regulated in Article 43 of EU Directive 2014/23.

Sub-indicator 28.1.4. Level of alignment of procurement legislation for contracts below EU thresholds with the EU Treaty principles

Relevant sub-principle(s): 28.b. Public procurement legislation, including PPPs and concessions, is in compliance with applicable international standards, promotes efficiency and ensures a regulatory balance proportionate to the size, nature and risks of the contracts.

Maximum points: 20

Criterion 28.1.4.1. It is mandatory to publish contract notices on a central website, easily accessible for free, or in the national official journal (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.2. The law requires that contract notices and tender documents include essential information of the contract to be awarded and of the award method (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.3. Procedures without publication of a notice for the award of contracts are only allowed as an exception in duly specified situations (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.4. The law provides equal access for all national and foreign economic operators to procurement opportunities below the EU threshold (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.5. The contracting authority is obliged by law to treat all participants in a transparent, non-discriminatory and objective manner (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.6. For choosing the best offer, the law requires contracting authorities to establish objective criteria (3 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Criterion 28.1.4.7. For choosing the best offer, the law requires contracting authorities to apply the criteria that were described in tender documents (2 points)

Category: Legislation

Approach: Review of legislation for the award of contracts below the EU thresholds but above a de minimis amount (contracts above EUR 10 000).

Indicator 28.2. Central institutions effectively support, steer and co-ordinate implementation, enforcement and monitoring of the public procurement system

This indicator measures that public procurement policy is systematically developed, implemented and monitored, how central public procurement functions are distributed and regulated, to what extent the preparation and implementation of policies is open and transparent, and the level of performance of strategic procurement.

Sub-indicators	Maximum points
1. Quality of the strategy and action plan for development of public procurement and PPPs/concessions	23
2. Green procurement performance	12
3. Performance of socially responsible procurement	12
4. Central institutions to develop and implement public procurement policy effectively and efficiently	22
5. Central institutions to develop and implement PPPs/concessions policy effectively and efficiently	12
6. Quality of monitoring and reporting on public procurement system	19
Total	100

Sub-indicator 28.2.1. Quality of the strategy and action plan for development of public procurement and PPPs/concessions

Relevant sub-principle(s): 28.c. The public administration has clear and comprehensive policies in place for the longer-term development of the public procurement system, including PPPs and concessions

Maximum points: 23

Criterion 28.2.1.1. A current strategy for the development of the public procurement system, covering no less than three years, is in place (2 points)

Category: Strategy and guidance

Approach: Review of the adopted strategy.

Criterion 28.2.1.2. The strategy covers all key aspects for the policy framework in public procurement (2 points)

Category: Strategy and guidance

Approach: Review of the adopted strategy. Key aspects for the policy framework in public procurement include institutional capacity building, legal and regulatory reforms, professionalisation and training, modernisation of procedures and anti-corruption.

Criterion 28.2.1.3. The strategy contains a chapter or substantive content on PPPs/concessions (1 point)

Category: Strategy and guidance

Approach: Review of the adopted strategy. A substantive content on PPPs/concessions refers to a part, section or any segment of the strategy related to PPPs/concessions.

Criterion 28.2.1.4. The strategy contains key performance indicators that are clear, relevant and measurable (1 point)

Category: Strategy and guidance

Approach: Review of the adopted strategy.

Criterion 28.2.1.5. A consultation on the strategy has been conducted with relevant stakeholders, allowing for a minimum of two weeks to respond and for sufficient time to address any comments received (2 points)

Category: Strategy and guidance

Approach: Review of administrative data and data from publicly available sources. The strategy should be consulted with relevant stakeholders such as contracting authorities, NGOs, economic operators and external auditors.

Criterion 28.2.1.6. An action plan for the implementation of the strategy, covering no less than one year, is in place (2 points)

Category: Strategy and guidance

Approach: Review of the adopted action plan.

Criterion 28.2.1.7. The action plan clearly presents all activities to be undertaken and indicates which institutions are responsible for their implementation (1 point)

Category: Strategy and guidance

Approach: Review of the adopted action plan.

Criterion 28.2.1.8. The action plan contains a timetable with clearly defined milestones and deadlines (1 point)

Category: Strategy and guidance

Approach: Review of the adopted action plan.

Criterion 28.2.1.9. The action plan describes the sources of financing for implementation of all activities (1 point)

Category: Strategy and guidance

Approach: Review of the adopted action plan.

Criterion 28.2.1.10. The action plan clearly presents the expected results and target values (1 point)

Category: Strategy and guidance

Approach: Review of the adopted action plan.

Criterion 28.2.1.11. The action plan is available to the public. (1 point)

Category: Strategy and guidance

Approach: Review of administrative data and data from publicly available sources.

Criterion 28.2.1.12. Reported implementation rate of the action plan activities (%) (5 points)

Category: Results

Approach: Review of the monitoring report. The implementation rate is calculated by dividing the number of activities actually implemented in the latest full calendar year by the total number of activities planned for that year, expressed as a percentage. Ongoing activities are also counted if implemented successfully according to schedule.

Points are allocated based on the reported implementation rate of activities (x):

- $x < 60\% = 0$ points.
- $60\% \leq x < 95\% =$ linear function.
- $x \geq 95\% = 5$ points.

Criterion 28.2.1.13. Implementation of the strategy and action plan is regularly monitored, at least annually, according to the methodology adopted (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 28.2.1.14. Implementation of the strategy and action plan is monitored by a responsible institution gathering data from all involved users (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 28.2.1.15. Reports on implementation are prepared and made public at least annually (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources

Sub-indicator 28.2.2. Green procurement performance

Relevant sub-principle(s): 28.d. Contracting authorities pursue strategic goals of sustainable procurement, including green procurement, while maintaining balance and consistency with primary procurement objectives.

Maximum points: 12

Criterion 28.2.2.1. Strategy for public procurement includes substantive content on green procurement (2 points)

Category: Strategy and guidance

Approach: Review of the adopted strategy. A substantive content refers to part, section or any segment of the strategy related to green procurement.

Criterion 28.2.2.2. Legal framework allows for green objectives to be incorporated to all stages of the procurement cycle (2 points)

Category: Legislation

Approach: Review of legislation. Procurement cycle includes planning stage, technical specification, selection criteria, contract award criteria and conditions for performance of contracts.

Criterion 28.2.2.3. Minimum requirements for green considerations for various types of works, services and goods are defined by legislation (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 28.2.2.4. Tools that facilitate the implementation of green public procurement are available for all contracting authorities (1 point).

Category: Strategy and guidance

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 28.2.2.5. Green public procurement (%) (5 points)

Category: Results

Approach: Analysis of administrative data to determine the number of contracts with green objectives in technical specifications, selection criteria, award criteria or conditions of performance of contracts, divided by the total number of contracts concluded in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of green procurement (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 50\% =$ linear function.
- $x \geq 50\% = 5$ points.

Sub-indicator 28.2.3. Performance of socially responsible procurement

Relevant sub-principle(s): 28.d. Contracting authorities pursue strategic goals of sustainable procurement, including green procurement, while maintaining balance and consistency with primary procurement objectives.

Maximum points: 12

Criterion 28.2.3.1. Strategy for public procurement includes substantive content on socially responsible procurement (2 points)

Category: Strategy and guidance

Approach: Review of the adopted strategy. Substantive content refers to a part, section or any segment of the strategy related to socially responsible procurement.

Criterion 28.2.3.2. Legal framework allows for social objectives to be incorporated to all stages of the procurement cycle (2 points)

Category: Legislation

Approach: Review of legislation. Procurement cycle includes a planning stage, technical specification, selection criteria, contract award criteria and conditions for performance of contracts.

Criterion 28.2.3.3. It is mandatory to comply to social and labour laws when performing a contract (2 points)

Category: Legislation

Approach: Review of legislation. Applicable obligations refer to all applicable rules in social and labour fields, including laws, collective agreements or international agreements ratified.

Criterion 28.2.3.4. Tools that facilitate the implementation of socially responsible public procurement are available for all contracting authorities (1 point)

Category: Strategy and guidance

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 28.2.3.5. Socially responsible procurement (%) (5 points)

Category: Results

Approach: Analysis of administrative data to determine the number of contracts with social objectives in technical specifications, selection criteria, award criteria or conditions of performance of contracts, divided by the total number of contracts concluded in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of socially responsible procurement (x):

- $x < 10\%$ = 0 points.
- $10\% \leq x < 50\%$ = linear function.
- $x \geq 50\%$ = 5 points.

Sub-indicator 28.2.4. Central institutions to develop and implement public procurement policy effectively and efficiently

Relevant sub-principle(s): 28.e. A body with a clear political and legal mandate at central level is entrusted with a policymaking function to steer and manage public procurement reform. The key functions and responsibilities to implement the public procurement system are clearly distributed among central procurement institutions, which have the necessary authority and resources.

Maximum points: 22

Criterion 28.2.4.1. A body at the central level is responsible for policy making (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.2. The legal framework clearly defines and allocates the drafting of primary legislation to central procurement institution(s) (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.3. The legal framework clearly defines and allocates the drafting of secondary legislation and performing regulatory functions to central procurement institution(s) (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.4. The legal framework clearly defines and allocates the disseminating of information about public procurement (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.5. The legal framework clearly defines and allocates the monitoring and oversight of public procurement system to central procurement institution(s) (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.6. The legal framework clearly defines and allocates the international co-ordination, including EU integration, to central procurement institution(s) (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.7. The legal framework clearly defines and allocates the advisory and operational support to central procurement institution(s) (2 points)

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.8. The legal framework clearly defines and allocates the professionalisation and capacity building to central procurement institution(s) (2 points).

Category: Institutional set-up

Approach: Review of legislation

Criterion 28.2.4.9. International co-ordination (including EU requirements regarding the national contact point) is in place (2 points)

Category: Institutional set-up

Approach: Review of laws and regulations, including internal acts on organisation and functioning of procurement institutions. Review of the reports on functioning of central institutions.

Criterion 28.2.4.10. Advisory and operational support is offered to the contracting authorities and economic operators (2 points)

Category: Practice in implementation

Approach: Review of laws and regulations, including internal acts on organisation and functioning of procurement institutions. Review of the reports on functioning of central institutions Interviews with

institutions involved, as well as contracting entities, economic operators (and their associations), procurement experts and NGOs.

Criterion 28.2.4.11. Control is performed when a formal risk assessment indicates a risk of infringement of public procurement rules (ad-hoc, ex-post control) (2 points)

Category: Practice in implementation

Approach: Review of laws and regulations, including internal acts on organisation and functioning of procurement institutions.

Review of the reports on functioning of central institutions.

Interviews with institutions involved, as well as contracting entities, economic operators (and their associations), procurement experts and NGOs.

Review of the most recent examples of laws, regulations and other outputs of the central public procurement institutions.

Sub-indicator 28.2.5. Central institutions to develop and implement PPPs/concessions policy effectively and efficiently

Relevant sub-principle(s): 28.e. A body with a clear political and legal mandate at central level is entrusted with a policymaking function to steer and manage public procurement reform. The key functions and responsibilities to implement the public procurement system are clearly distributed among central procurement institutions, which have the necessary authority and resources.

Maximum points: 12

Criterion 28.2.5.1. A body at the central level is responsible for policymaking (2 points)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.2. Legal framework clearly designates the body responsible for drafting primary legislation for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.3. Legal framework clearly designates the body responsible for drafting secondary legislation (implementing regulations) for responsible for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.4. Legal framework clearly designates the body responsible for international co-ordination, including EU integration, for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.5. Legal framework clearly designates the body responsible for advisory and operational support for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.6. Legal framework clearly defines and allocates the publication of information to the body responsible for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.7. Legal framework clearly designates the body responsible for professionalisation and capacity building for PPPs/concessions (1 point)

Category: Institutional set-up

Approach: Review of legislation.

Criterion 28.2.5.8. Contracting authorities have guidelines and best-practice examples and access to expert support to prepare and manage PPPs/concessions operations (2 points)

Category: Practice in implementation

Approach: Review of regulations, including internal acts on organisation and functioning of PPPs/concessions institutions. Review of the reports on functioning of central institutions. Interviews with institutions involved, as well as contracting entities, economic operators (and their associations), PPPs/concessions experts and NGOs. Review of the most recent examples of laws, regulations and other outputs of the central PPPs/concessions institutions.

Criterion 28.2.5.9. Control is performed when a formal risk assessment indicates a possibility of infringement of PPPs/concessions rules (ad-hoc, ex-post control) (2 points)

Category: Practice in implementation

Approach: Review of regulations, including internal acts on organisation and functioning of PPPs/concessions institutions. Review of the reports on functioning of central institutions. Interviews with institutions involved, as well as contracting entities, economic operators (and their associations), PPPs/concessions experts and NGOs. Review of the most recent examples of laws, regulations and other outputs of the central PPPs/concessions institutions.

Sub-indicator 28.2.6. Quality of monitoring and reporting on public procurement system

Relevant sub-principle(s): 28.f. A central procurement body monitors, oversees and evaluates the procurement system and identifies possible improvements. It provides public access to consolidated data on public procurement operations (including both contract award and performance).

Maximum points: 19

Criterion 28.2.6.1. The central procurement institution uses the data system to collect the results of procurement processes (3 points)

Category: Practice in implementation

Approach: Review of administrative data from monitoring and statistical reports and data presentation facilities. Data monitored and collected should include, for example, the information listed in the standard forms of Tenders Electronic Daily (TED).

Criterion 28.2.6.2. The central procurement institution monitors performance over the whole procurement cycle, from planning to contract management (3 points)

Category: Practice in implementation

Approach: Review of administrative data from monitoring and statistical reports and data from publicly available sources.

Criterion 28.2.6.3. Monitoring focuses on both quantitative and qualitative aspects of the procurement system (3 points)

Category: Practice in implementation

Approach: Review of administrative data from monitoring and statistical reports and data from publicly available sources.

Criterion 28.2.6.4. Annual reports are publicly available and contain consolidated public procurement data (2 points)

Category: Practice in implementation

Approach: Review of administrative data from annual reports. Consolidated public procurement data should include: the development of spending volume, intensity of competition, use of different procedure types, speed of administrative procedures, cost overruns and delivery delays.

Criterion 28.2.6.5. The system facilitates easy and free public access to public procurement data, retrieval of information for external use and analysis (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities and check the actual outputs are obtainable in the system

Criterion 28.2.6.6. The system displays public procurement data in a clear, concise and simple format, data is up to date and complete (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities, as well as checking of the actual outputs obtainable in the system.

Criterion 28.2.6.7. The system has a function for searching notices. (2 points)

Category: Practice in implementation

Approach: Checking of the actual outputs obtainable in the system. At least five search criteria must be included: e.g., notice type, contracting authority type, type of procedure, type of contract, Common Procurement Vocabulary, time period, free text search in the notice text, or geographical location.

Criterion 28.2.6.8. The system makes it possible to mine data down to the lowest level of aggregation and the dataset is downloadable (2 points)

Category: Practice in implementation

Approach: Review of data presentation facilities, as well as checking of the actual outputs obtainable in the system.

Principle 29: Contracting authorities conduct public procurement operations, including public-private partnerships, efficiently and economically.

Indicator 29.1. Efficiency, economy and competitiveness of public procurement operations

This indicator measures that public procurement operations comply with basic principles of equal treatment, non-discrimination, proportionality and transparency, while ensuring most efficient use of public funds. It measures performance in the planning and preparation of public procurement, the transparency and competitiveness of the procedures used, that modern approaches and tools are applied, and how the contracts are managed once they have been concluded.

Sub-indicators	Maximum points
1. Planning and preparation of the public procurement procedure	8
2. Share of competitive public procurement procedures	5
3. Efficiency of modern tools and techniques	15
4. Penetration of e-procurement	7
5. Quality of tender documents	6
6. The use of contract award criteria	8
7. Performance of public procurement market	30
8. Performance of PPPs/concessions market	6
9. Contract management	9
10. Contract management for PPPs/concessions	4
11. Ex post evaluation of the procurement process and of contract performance	2
Total	100

Sub-indicator 29.1.1. Planning and preparation of the public procurement procedure

Relevant sub-principle(s): 29.a. Contracting authorities develop annual or multi-annual procurement plans, aligned with budget planning, and publish them on time. A thorough needs analysis and market research guide the preparation of individual procurement, including definition of desired outcomes.

Maximum points: 8

Criterion 29.1.1.1. Procurement plans are published before the beginning of the period they cover on a central website accessible for free by all contracting authorities (2 points)

Category: Practice in implementation

Approach: Review of administrative data from assessments of monitoring systems and data presentation facilities, and data from publicly available sources, as well as checking of the actual outputs obtainable in the system.

Criterion 29.1.1.2. Contracts awarded were previously announced in a procurement plan for the given year (%) (2 points)

Category: Practice in implementation

Approach: Analysis of the procedures announced publicly in procurement plans or prior information notices as a share of the total number of procedures conducted in the latest full calendar year. Only procedures above the *de minimis* thresholds (contracts above EUR 10 000) are included. Data is taken from annual reports from the public procurement authority and other relevant sources.

Points are allocated based on the percentage of contracts awarded that were previously announced in a procurement plan for the given year (x):

- $x < 90\% = 0$ points.
- $90\% \leq x < 100\% =$ linear function.
- $x = 100\% = 2$ points.

Criterion 29.1.1.3. Guidelines for preparation of public procurement are up to date, clear, and provide practical examples (2 points)

Category: Strategy and guidance

Approach: Review of the guidelines for planning and preparation of public procurement and for the preparation of tender documentation. Guidelines are up to date if they are issued, amended or adjusted to be in line with laws and regulations in force

Criterion 29.1.1.4. Contracting authorities that find the guidelines for preparation of public procurement useful (%) (1 point)

Category: Strategy and guidance

Approach: Analysis of survey responses from a sample of contracting authorities who had used the guidelines for planning and preparation of public procurement and for the preparation of tender documentation in the past three years. They were asked: *“In general, how useful were the guidelines and manuals you used for solving your practical problems?”*

Answer options are: “1 – Not at all useful, 2, 3, 4, 5 - Extremely useful, Do not know.”

Points are allocated based on the percentage of respondents who replied “4” and “5 - Extremely useful” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Criterion 29.1.1.5. Contracting authorities that use inputs from market consultations and cost estimates when preparing tender documentation (%) (1 point)

Category: Strategy and guidance

Approach: Analysis of survey responses from a sample of contracting authorities to the following questions or statements:

- “Over the past three years, how often have you done the following when preparing a specific public procurement process? Conducted consultations with the relevant market (economic operators) for goods, works or services you intend to purchase:”
- “Over the past three years, how often have you done the following when preparing a specific public procurement process? Prepared cost estimates:” Equal weight is given to both questions when calculating the average.

Answer options are: Never, Once, A few times, Often, Always, Do not know.

Points are allocated based on the percentage of respondents who replied “Often” and “Always” to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Sub-indicator 29.1.2. Share of competitive public procurement procedures

Relevant sub-principle(s): 29.b. Competitive procedures are standard procurement methods, and contracting authorities use other procedures only in duly justified exceptional circumstances.

Maximum points: 5

Criterion 29.1.2.1. Use of competitive procedures (%) (2 points)

Category: Practice in implementation

Approach: Analysis of administrative data to determine the number of competitive procedures divided by the total number of procedures commenced in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage. Procedures with subject-matter of the procurement divided into two or more lots shall be regarded as one single procedure.

Points are allocated based on the percentage of competitive procedures (x):

- $x < 37\% = 0$ points.
- $37\% \leq x < 94\% =$ linear function.
- $x \geq 94\% = 2$ points.

Criterion 29.1.2.2. Contract value awarded in competitive procedures (%) (3 points)

Category: Practice in implementation

Approach: Analysis of administrative data to determine the value of contracts awarded in competitive procedures divided by the total value of contracts, above the de minimis amount (contracts above EUR 10 000) including the value of contracts excluded from application of procurement rules, awarded in the latest full calendar year, expressed as a percentage.

Points are allocated based on the percentage of the value of competitive procedures (x):

- $x < 73\% = 0$ points.
- $73\% \leq x < 98\% =$ linear function.
- $x \geq 98\% = 3$ points.

Sub-indicator 29.1.3. Efficiency of modern tools and techniques

Relevant sub-principle(s): 29.c. Public procurement operations benefit from the use of modern tools and techniques, such as framework agreements, dynamic purchasing systems (DPS) and the establishment of central purchasing bodies and arrangements that can reduce transaction costs, provide more competitive prices and simplify tendering.

Maximum points: 15

Criterion 29.1.3.1. Guidelines for the use of framework agreements cover all relevant stages of the procurement process (2 points)

Category: Strategy and guidance

Approach: Review of guidelines. Relevant stages of the procurement process are: planning and preparation of procurement process, advertising the framework agreement, the tender process, awarding the framework agreement, operating a framework agreement and award of contracts under a framework agreement, managing the framework agreement.

Criterion 29.1.3.2. Guidelines for the use of framework agreements provide detailed explanations and practical examples (1 point)

Category: Strategy and guidance

Approach: Review of guidelines.

Criterion 29.1.3.3. Guidelines for the use of framework agreements are up to date (1 point)

Category: Strategy and guidance

Approach: Review of guidelines. Guidelines are up to date if they are issued, amended, or adjusted to be in line with laws and regulations in force.

Criterion 29.1.3.4. Contracting authorities and economic operators that find the guidelines for the use of framework agreements useful (%) (1 point)

Category: Strategy and guidance

Approach: Analysis of survey responses from a sample of contracting authorities and businesses of those that had used the guidelines for the use of framework agreements in the past three years. They were asked: "In general, how useful were the guidelines and manuals you used for solving your practical problems?"

Answer options are: 1 – Not at all useful, 2, 3, 4, 5 – Extremely useful, Do not know." Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied "4" and "5 – Extremely useful" to the survey question (x):

- $x < 10\% = 0$ points.

- $10\% \leq x < 90\%$ = linear function.
- $x > 90\%$ = 1 point.

Criterion 29.1.3.5. Use of multi-supplier framework agreements (%) (2 points)

Category: Practice in implementation

Approach: Analysis of administrative data to determine the number of multi-supplier framework agreements divided by the total number of framework agreements concluded in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of multi-supplier framework agreements (x):

- $x < 23\%$ = 0 points.
- $23\% \leq x < 63\%$ = linear function.
- $x \geq 63\%$ = 2 points.

Criterion 29.1.3.6. Contract value awarded under framework agreements (%) (2 points)

Category: Practice in implementation

Approach: The value of contracts concluded under framework agreements is calculated as the share of value of procurement awarded in contracts under framework agreements in the total contract value in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of contract value awarded under framework agreements (x):

- $x < 5\%$ = 0 points.
- $5\% \leq x < 25\%$ = linear function.
- $x \geq 25\%$ = 2 points.

Criterion 29.1.3.7. Clear and comprehensive guidelines for the use of dynamic purchasing systems (DPS) are available to contracting authorities (1 point)

Category: Strategy and guidance

Approach: Review of guidelines. Guidelines are considered to be comprehensive when they cover all relevant stages of the procurement process i.e., planning and preparation of procurement process, advertising the dynamic purchasing systems (DPS), the tender process, setting up the DPS, operating a DPS and award of contracts under a DPS, managing the DPS.

Criterion 29.1.3.8. Contract value awarded under a dynamic purchasing system (%) (2 points)

Category: Practice in implementation

Approach: The value of contracts concluded using dynamic purchasing systems (DPS) is calculated as the share of value of procurement awarded in contracts under DPS in the total contract value in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of contract value awarded under a dynamic purchasing system (x):

- $x < 3\% = 0$ points.
- $3\% \leq x < 10\% =$ linear function.
- $x \geq 10\% = 2$ points.

Criterion 29.1.3.9. At least one central purchasing body is operational (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations, internal acts on organisation and functioning of procurement institutions and reports on the work of central institutions.

Criterion 29.1.3.10. Procurement value awarded in centralised purchasing (%) (2 points)

Category: Practice in implementation

Approach: The value of contracts concluded in centralised purchasing is calculated as the share of value of procurement awarded in contracts under centralised purchasing in the total contract value in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of contract value awarded in centralised procurement (x):

- $x < 1\% = 0$ points.
- $1\% \leq x < 5\% =$ linear function.
- $x \geq 5\% = 2$ points.

Sub-indicator 29.1.4. Penetration of e-procurement

Relevant sub-principle(s): 29.d. Contracting authorities widely use e-procurement which covers all stages of the procurement process³⁵

Maximum points: 7

Criterion 29.1.4.1. All procurement notices are published on a central public portal, accessible for free (2 points)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms).

Criterion 29.1.4.2. All tender documents and their amendments are available on a central public portal, accessible for free (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms).

Criterion 29.1.4.3. All communication between the contracting authority and economic operators is carried out by using electronic means (1 point)

Category: Practice in implementation

Approach: Review of laws and regulations and websites (public procurement portal, e-procurement platforms).

³⁵ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement, and repealing Directive 2004/18/EC, <http://data.europa.eu/eli/dir/2014/24/oj>; Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, <http://data.europa.eu/eli/dir/2014/25/oj>.

Criterion 29.1.4.4. Use of e-submission in procurement procedures in the latest full calendar year (%) (1 point)

Category: Practice in implementation

Approach: Analysis of administrative data in the last full calendar year to determine the number of procurement procedures where e-submission has been used, divided by the total number of procurement procedures in the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of e-submission in procurement procedures in the latest full calendar year (x):

- $x < 90\% = 0$ points.
- $90\% \leq x < 100\% =$ linear function.
- $x = 100\% = 1$ points.

Criterion 29.1.4.5. Use of e-auction in procurement procedures in the latest full calendar year (%) (1 point)

Category: Practice in implementation

Approach: Analysis of administrative data in the last full calendar year to determine the number of procurement procedures where e-auction has been used, divided by the total number of procurement procedures in the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of e-auction in procurement procedures in the latest full calendar year (x):

- $x = 0\% = 0$ points.
- $0\% \leq x < 4\% =$ linear function.
- $x \geq 4\% = 1$ points.

Criterion 29.1.4.6. Regulations require contracting authorities to accept and process electronic invoices (1 point)

Category: Legislation

Approach: Review of laws and regulations.

Sub-indicator 29.1.5. Quality of tender documents

Relevant sub-principle(s): 29.e. Procurement documents contain clear, appropriate and unbiased technical specifications, as well as clear and non-discriminatory criteria for qualitative selection of economic operators proportionate to the specific contract and limited to those ensuring that the economic operator has the legal and financial capacities and the technical and professional abilities to successfully perform the contract. Procurement documents do not impose unjustified barriers to participation in public procurement or any unduly onerous procedural requirements.

Maximum points: 6

Criterion 29.1.5.1. Businesses not taking part in a public tender or public procurement procedure because of unclear selection or evaluation criteria, non-objective criteria, or burdensome procedures (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following survey question: *“In the past three years, has your company decided not to take part in a public tender or a public procurement procedure?”* Assessors measure the percentage of businesses that stated that they decided not to take part in a public tender or a public procurement procedure in the past three years, for any of the following reasons:

- a) unclear selection or evaluation criteria;
- b) the criteria seemed to be tailor made for certain participants; or
- c) the procedure seemed too bureaucratic or burdensome.

Answer options are: The deadline for submitting the bids were too tight and impossible to meet; The deal seemed to have been sealed before the tender was published; The criteria seemed to be tailor-made for certain participants; The evaluation criteria were unclear; The procedure seemed too bureaucratic or burdensome; Other (please, specify); Do not know; Prefer not to answer.

Points are allocated based on the percentage of respondents who replied that they did not participate in a public tender or a public procurement procedure because of unclear selection or evaluation criteria, non-objective criteria, or burdensome procedures (x):

- $x > 90\% = 0$ points.
- $90\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 3$ points.

Criterion 29.1.5.2. Tender documents amended after initial publication (%) (3 points)

Category: Practice in implementation

Approach: Analysis of administrative data in the last full calendar year to calculate the number of competitive procedures where tender documents have been amended after initial publication and before the deadline for submission of tenders, divided by the total number of competitive procedures in the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of tender documents that were amended after initial publication (x):

- $x > 60\% = 0$ points.
- $60\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 3$ points.

Sub-indicator 29.1.6. The use of contract award criteria

Relevant sub-principle(s): 29.f. Contract award criteria, specified in advance in the procurement documents, are relevant to the subject matter of the contract and ensure objective evaluation of tenders resulting with the award of contract to the most economically advantageous tender in terms of specific criteria of price or cost and quality considerations.

Maximum points: 8

Criterion 29.1.6.1. Tools facilitating the use of economically most advantageous tender criteria include model criteria for selected products, works or service categories (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 29.1.6.2. Tools facilitating the use of economically most advantageous tender criteria include scoring systems (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 29.1.6.3. Tools facilitating the use of economically most advantageous criteria include award strategies (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 29.1.6.4. Tools facilitating the use of economically most advantageous tender criteria include methodology for the evaluation of tenders (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 29.1.6.5. Tools facilitating the use of economically most advantageous tender criteria include methodologies on calculating life cycle costs (1 point)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Tools include guidelines, instructions, commentaries, interpretative communications or other operational tools.

Criterion 29.1.6.6. Contracts awarded based on acquisition price only (%) (3 points)

Category: Practice in implementation

Approach: Analysis of administrative data to calculate the number of competitive procedures having the lowest price as the one and only award criterion, divided by the number of all competitive procedures commenced in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of procedures that were awarded based on acquisition price (x):

- $x > 88\% = 0$ points.
- $88\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 3$ points.

Sub-indicator 29.1.7. Performance of public procurement market

Relevant sub-principle(s): 29.i. The public procurement market is competitive and attracts interest of domestic and international economic operators, especially small and medium-sized enterprises.

Maximum points: 30

Criterion 29.1.7.1. Businesses that did not take part in a public tender or procedure because the deadline for submitting the bids was too tight and impossible to meet (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following question or statement: *“In the past three years, has your company decided not to take part in a public tender or a public procurement procedure?”*

Assessors determine the percentage of businesses that answer “yes” and cited the following reason: *because the deadline for submitting the bids was too tight and impossible to meet.*

Answer options are: The deadline for submitting the bids were too tight and impossible to meet; The deal seemed to have been sealed before the tender was published; The criteria seemed to be tailor-made for certain participants; The evaluation criteria were unclear; The procedure seemed too bureaucratic or burdensome; Other (please, specify); Do not know; Prefer not to answer.

Points are allocated based on the percentage of respondents who replied that they did not take part in a public tender or procedure because the deadline for submitting the bids was too tight and impossible to meet (x):

- $x > 90\% = 0$ points.
- $90\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 4$ points.

Criterion 29.1.7.2. Businesses that did not take part in a public tender or procedure because the outcome seemed to have been predetermined before the tender was published (%) (4 points)

Category: Results

Approach: Analysis of survey responses from a sample of businesses to the following question: “*In the past three years, has your company decided not to take part in a public tender or a public procurement procedure?*”

Assessors determine the percentage of businesses that answer “yes” and cited the following reason: *the deal seemed to have been sealed before the tender was published.*

Answer options are: The deadline for submitting the bids were too tight and impossible to meet; The deal seemed to have been sealed before the tender was published; The criteria seemed to be tailor-made for certain participants; The evaluation criteria were unclear; The procedure seemed too bureaucratic or burdensome; Other (please, specify); Do not know; Prefer not to answer.

Points are allocated based on the percentage of respondents who replied that they did not take part in a public tender or procedure because the deal seemed to have been sealed before the tender was published (x):

- $x > 90\% = 0$ points.
- $90\% \geq x > 10\% =$ linear function.
- $x \leq 10\% = 4$ points.

Criterion 29.1.7.3. Average number of tenders submitted per competitive procedure (5 points)

Category: Results

Approach: Review of administrative data provided by the authorities and data from publicly available sources.

Points are allocated based on the average number of tenders submitted per competitive procedure (x):

- $x < 2.6 = 0$ points.
- $2.6 \leq x < 5 =$ linear function.
- $x \geq 5 = 5$ points.

Criterion 29.1.7.4. Competitive procedures when only one tenderer submitted a tender (%) (4 points)

Category: Results

Approach: Analysis of administrative data to calculate the number of competitive procedures where only one tenderer submitted a tender in the latest full calendar year, divided by the total number of competitive procedures in the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of competitive procedures to which only one tenderer submitted a tender (x):

- $x > 38\% = 0$ points.
- $38\% \geq x > 13\% =$ linear function.
- $x \leq 13\% = 4$ points.

Criterion 29.1.7.5. Contracts awarded to small and medium-sized enterprises (%) (3 points)

Category: Results

Approach: Analysis of administrative data to calculate the number of contracts awarded to small and medium- sized enterprises in the latest full calendar year as a share of the total number of contracts concluded the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage. Contracts awarded to consortia where at least one of the members is a small or medium-sized enterprise shall be taken into account.

Points are allocated based on the percentage of contracts that are awarded to small and medium sized enterprises (x):

- $x < 40\% = 0$ points.
- $40\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 3$ points.

Criterion 29.1.7.6. Contract value awarded to small and medium-sized enterprises (%) (3 points)

Category: Results

Approach: Analysis of administrative data to calculate the value of contracts awarded to small and medium- sized enterprises in the latest full calendar year as a share of the total value of contracts concluded the same year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage. Contracts awarded to consortia where at least one of the members is a small or medium-sized enterprise shall be taken into account.

Points are allocated based on the percentage of contract values that are awarded to small and medium sized enterprises (x):

- $x < 20\% = 0$ points.
- $20\% \leq x < 60\% =$ linear function.
- $x \geq 60\% = 3$ points.

Criterion 29.1.7.7. Competitive procedures with subject matter of procurement divided into lots (%) (2 points)

Category: Practice in implementation

Approach: x

Analysis of administrative data to determine the number of competitive procedures with subject matter of procurement divided into two or more lots divided by the total number of competitive procedures commenced in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage.

Points are allocated based on the percentage of competitive procedures with subject-matter of procurement that are divided into lots (x):

- $x < 9.5\% = 0$ points.
- $9.5\% \leq x < 43\% =$ linear function.
- $x \geq 43\% = 2$ points.

Criterion 29.1.7.8. Procurement procedures cancelled (%) (5 points)

Category: Practice in implementation

Approach: Analysis of administrative data to calculate the share of procurement procedures cancelled for reasons other than a decision of a review body in the latest full calendar year, whether above or below the EU thresholds, but above the de minimis amount (contracts above EUR 10 000), expressed as a percentage of the total number of procurement procedures in the same year.

Points are allocated based on the percentage of procurement procedures that are cancelled (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 5$ points.

Sub-indicator 29.1.8. Performance of PPPs/concessions market

Relevant sub-principle(s): 29.i. The public procurement market is competitive and attracts interest of domestic and international economic operators, especially small and medium-sized enterprises.

Maximum points: 6

Criterion 29.1.8.1. Average number of tenders submitted per competitive PPPs/concessions procedure (2 points)

Category: Results

Approach: Analysis of administrative data to calculate the total number of tenders submitted for all competitive PPPs/concessions procedures commenced in the latest full calendar year, divided by the corresponding total number of competitive PPPs/concessions procedures in the same year, whether above or below the EU thresholds.

Points are allocated based on the average number of tenders submitted per competitive PPPs/concessions procedure (x):

- $x < 2 = 0$ points.
- $2 \leq x < 4 =$ linear function.
- $x \geq 4 = 2$ points.

Criterion 29.1.8.2. Competitive PPPs/concessions procedures when only one tenderer submitted a tender (%) (2 points)

Category: Results

Approach: Analysis of administrative data to calculate the number of competitive PPPs/concessions procedures where only one tenderer submitted a tender in the latest full calendar year, divided by the total number of competitive PPPs/concessions procedures in the same year, whether above or below the EU thresholds, expressed as a percentage.

Points are allocated based on the percentage of competitive PPPs/concessions procedures when only one tenderer submitted a tender (x):

- $x > 35\% = 0$ points.
- $35\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 2$ points.

Criterion 29.1.8.3. PPPs/concessions procedures cancelled (%) (2 points)

Category: Practice in implementation

Approach: Analysis of administrative data to calculate the share of PPPs/concessions procedures cancelled for reasons other than a decision of a review body in the latest full calendar year, expressed as a percentage of the total number of PPPs/concessions procedures in the same year.

Points are allocated based on the percentage of PPPs/concessions procedures that are cancelled (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 2$ points.

Sub-indicator 29.1.9. Contract management

Relevant sub-principle(s): 29.m. Goods, works or services procured are delivered according to the contract in terms of time, quality, cost and other contract conditions; contract amendments are managed in a timely manner and do not limit competition.

Maximum points: 9

Criterion 29.1.9.1. Contracting authorities have access to guidelines and good practice examples on contract management, complementing the provisions in primary law (2 points)

Category: Strategy and guidance

Approach: Review of guidelines.

Criterion 29.1.9.2. Contracting authorities and economic operators confirming that contracts are implemented in a timely manner (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses to the following question: "Over the past three years, how often have concluded contracts been implemented within the deadline stipulated in the contract?"

Answer options are: "Never, Once, A few times, Often, Always, Do not know". Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied "Often" and "Always" to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Criterion 29.1.9.3. Contracting authorities and economic operators confirming that quality control measures have been carried out during contract execution (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses to the following question or statement: “Over the past three years, how often have quality-control measures been carried out during contract execution?”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”. Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied “Often” and “Always” to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Criterion 29.1.9.4. Contracting authorities and economic operators confirming that time limits for payments comply with legal requirements, and payments are processed as stipulated in the contract (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses to the following questions:

- “Over the past three years, how often have time limits for payments stipulated in the contracts complied with legal requirements?”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”.

- “Over the past three years, how often have payments been processed as stipulated in the contract?”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”.

Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied “Often” and “Always” to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Criterion 29.1.9.5. Contracts amended after award (%) (2 points)

Category: Practice in implementation

Approach: Analysis of administrative data to calculate the number of contracts amended in the latest full calendar year as a share of the total number of contracts concluded the same year, expressed as a percentage. Modifications that have been provided for in the initial procurement documents including price revision clauses, or options are not included in the calculation. Framework agreements and call-offs under them are excluded from the calculation.

Points are allocated based on the percentage of contracts that are amended after award (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 5\% =$ linear function.
- $x \leq 5\% = 2$ points.

Criterion 29.1.9.6. Up-to-date information on progress in the execution of contracts is available on a central public portal, accessible for free (2 points)

Category: Practice in implementation

Approach: Review of websites (public procurement portal, e-procurement platforms). Information on progress in the execution of contracts can include milestones, completion, and payment.

Sub-indicator 29.1.10. Contract management for PPPs/concessions

Relevant sub-principle(s): 29.m. Goods, works or services procured are delivered according to the contract in terms of time, quality, cost and other contract conditions; contract amendments are managed in a timely manner and do not limit competition.

Maximum points: 4

Criterion 29.1.10.1. Contracting authorities have access to guidelines and good practice examples on PPPs/concessions contract management (1 point)

Category: Strategy and guidance

Approach: Review of guidelines.

Criterion 29.1.10.2. PPPs/concessions contracts amended after award (%) (2 points)

Category: Practice in implementation

Approach: Analysis of administrative data to calculate the number of contracts amended in the latest full calendar year as a share of the total number of contracts concluded the same year, expressed as a percentage. Modifications that have been provided for in the initial concession documents including value revision clauses, or options are not included in the calculation.

Points are allocated based on the percentage of PPPs/concessions contracts amended after award (x):

- $x > 25\% = 0$ points.
- $25\% \geq x > 5\% =$ linear function
- $x \leq 5\% = 2$ points.

Criterion 29.1.10.3. Up-to-date information on progress in the execution of PPPs/concessions contracts during their term is available on a central public portal, accessible for free (1 point)

Category: Practice in implementation

Approach: Review of websites (public procurement portal, e-procurement platforms). Information on progress in the execution of PPPs/concessions contracts during their term can include: milestones, completion and payment.

Sub-indicator 29.1.11. Ex post evaluation of the procurement process and of contract performance

Relevant sub-principle(s): 29.n. Contracting authorities apply instruments to benchmark the economy, effectiveness and efficiency of public procurement proceedings and to evaluate contract performance.

Maximum points: 2

Criterion 29.1.11.1. Contracting authorities that evaluate the public procurement procedures used and the performance of the contracts concluded after the contracts have been executed (%) (1 point)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of contracting authorities to the following questions:

- “Over the past three years, how often have you evaluated the extent to which the procurement procedures used have been efficiently planned and managed?”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”.

- “Over the past three years, how often have you evaluated the performance of the contracts after the contracts have been executed to assess whether the procurement has delivered the benefits for which it was first conceived.”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”.

Points are allocated based on the percentage of respondents who replied “Often” and “Always” to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Criterion 29.1.11.2. Contracting authorities that take into consideration the results of contract execution as well as problems arising during contract execution in preparation of the next procurement procedures (%) (1 point)

Category: Practice in implementation

Approach: Analysis of survey responses from a sample of contracting authorities to the following question or statement: “Over the past three years, how often have you taken into consideration the results of contract execution as well as problems arising during contract execution to identify areas for improvement that can be applied in preparation of the next procurement procedures?”

Answer options are: “Never, Once, A few times, Often, Always, Do not know”.

Points are allocated based on the percentage of respondents who replied “Often” and “Always” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 1$ point.

Indicator 29.2. Availability and quality of support to contracting authorities and other actors to strengthen professionalisation of procurement operations

This indicator measures the availability and quality of support given to contracting authorities and economic operators to develop and improve the knowledge and professional skills of procurement officers and to advise them in preparing, conducting and managing public procurement operations. This support is usually provided by a central procurement institution. This indicator does not directly measure the capacity of contracting authorities and entities. The assessment is of the scope of the support (whether all important stages of the procurement cycle are covered), its extent, and its quality and relevance for practitioners (whether it provides useful, practical guidance and examples). This indicator also measures the role of civil society in public procurement.

Sub-indicators	Maximum points
1. Availability of advisory and operational support	36
2. Availability of advisory and operational support for PPPs/concessions	12
3. Availability of quality training for procurement officers and other actors	28
4. Availability of quality training for officers and other actors in the area of PPPs/concessions	12
5. Role of civil society	12
Total	100

Sub-indicator 29.2.1. Availability of advisory and operational support

Relevant sub-principle(s): 29.j. Advisory and operational support on application and interpretation of the public procurement legislation is quick, practical, useful and relevant.

Maximum points: 36

Criterion 29.2.1.1. A regularly updated collection of solutions to the most common practical problems faced by practitioners is available online (3 points)

Category: Practice in implementation

Approach: Review of websites for information to verify the availability of the collection of solutions to the most common practical problems. The collection of solutions should be updated at least twice a year.

Criterion 29.2.1.2. A mechanism is in place to co-ordinate the interpretation of public procurement legislation between the key institutions involved (3 points)

Category: Institutional set-up

Approach: Review of administrative data to verify the existence of the mechanism to co-ordinate the interpretation of public procurement legislation between the key institutions involved. The mechanism is considered to exist if institutions involved co-operate in any of the following modalities: holding regular (for example, semi-annual) co-ordination meetings to facilitate effective communication and collaboration among the institutions; organising joint tailor-made training events focused on enhancing the understanding of the legal framework and promoting best practices in practical implementation; preparation of an annual overview highlighting the most significant challenges within the public procurement system, serving as a basis for targeted actions and improvements; preparation of action points to follow-up joint activities; providing problem-solving support on specific legal or practical issues, offering expertise and guidance to overcome obstacles and improve the system.

Criterion 29.2.1.3. Contracting authorities and economic operators that find the advice provided helpful (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses that had requested advice or other support in the past three years to the following question: “*Were the answers provided generally helpful?*” Answer options are: No, Somewhat, Yes, Do not know.

Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied “Somewhat” and “Yes” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 3$ point.

Criterion 29.2.1.4. Available manuals and/or guidelines cover all relevant stages of the procurement process (3 points)

Category: Strategy and guidance

Approach: Review of manuals and/or guidelines. The relevant stages of the procurement process are market analysis, budgeting, design of contract documentation, choice of contracting strategy and tendering method, determination of selection and award criteria, evaluation of tenders, and award and management of contracts.

Criterion 29.2.1.5. Available manuals and/or guidelines provide detailed explanations and practical examples (3 points)

Category: Strategy and guidance

Approach: Review of manuals and/or guidelines.

Criterion 29.2.1.6. The guidelines and/or manuals cover the specificities of procurement for key sectors (3 points)

Category: Strategy and guidance

Approach: Review of manuals and/or guidelines. The key sectors of procurement can include: health, road construction and maintenance, IT supplies and services.

Criterion 29.2.1.7. The guidelines and/or manuals are up to date (3 points)

Category: Strategy and guidance

Approach: Review of manuals and/or guidelines. Manuals and/or guidelines are considered to be up to date if they are issued, amended or adjusted to be in line with laws and regulations in force.

Criterion 29.2.1.8. Contracting authorities and economic operators that find the guidelines and manuals useful (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses that had used the guidelines/manuals in the past three years to the following question: *“In general, how useful were the guidelines and manuals you used for solving your practical problems?”*

Answer options are: 1 - Not at all useful, 2, 3, 4, 5 – Extremely useful, Do not know.

Points are allocated based on the percentage of respondents who replied “4” and “5 - Extremely useful” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 3$ point.

Criterion 29.2.1.9. Standard forms for the key elements of the procurement procedure are in place (3 points)

Category: Practice in implementation

Approach: Review of standard forms (contract notice, tender documents, standard self-declaration, standard tender form, evaluation form, contract award notice, model contract conditions).

Criterion 29.2.1.10. Available standard forms provide detailed explanations and practical examples (3 points)

Category: Practice in implementation

Approach: Review of standard forms (contract notice, tender documents, standard self-declaration, standard tender form, evaluation form, contract award notice, model contract conditions).

Criterion 29.2.1.11. The standard forms are up to date (3 points)

Category: Practice in implementation

Approach: Review of standard forms. Standard forms are considered to be up to date if they are issued, amended or adjusted to be in line with laws and regulations in force.

Criterion 29.2.1.12. Contracting authorities and economic operators that find the standard forms useful (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses that had used the standard forms/models in the past three years to the following question: “How would you rate the usefulness of the standard forms or models provided by [NAME OF THE PPO]?”

Answer options are: 1 - Not at all useful, 2, 3, 4, 5 - Extremely useful, Do not know.

Equal weight is given to both groups when calculating the average.

Points are allocated based on the percentage of respondents who replied “4” and “5 – Extremely useful” to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 3$ point.

Sub-indicator 29.2.2. Availability of advisory and operational support for PPPs/concessions

Relevant sub-principle(s): 29.j. Advisory and operational support on application and interpretation of the public procurement legislation is quick, practical, useful and relevant.

Maximum points: 12

Criterion 29.2.2.1. A facility is in place to quickly answer questions about practical application of PPPs/concessions rules for contracting authorities (3 points)

Category: Institutional set-up

Approach: Review of websites for information to verify the availability of the helpdesk, hotline or similar.

Criterion 29.2.2.2. A regularly updated collection of solutions to the most common practical problems faced by practitioners is available online (3 points)

Category: Practice in implementation

Approach: Review of websites for information to verify the availability of the collection of solutions to the most common practical problems. The collection of solutions should be updated at least twice a year.

Criterion 29.2.2.3. Available manuals and/or guidelines cover all relevant stages of the PPP/concession process (3 points)

Category: Strategy and guidance

Approach: Review of manuals and/or guidelines. The relevant stages of the PPPs/concessions process are market analysis, budgeting, design of contract documentation, choice of contracting strategy and tendering method, determination of selection and award criteria, evaluation of tenders, and award and management of PPPs/concessions contracts.

Criterion 29.2.2.4. There are standard forms for the key elements of the PPP/concession procedure (3 points)

Category: Practice in implementation

Approach: Review of standard forms (contract notice, tender documents, standard tender form, evaluation form, PPPs/concessions award notice, model PPPs/concessions contract conditions).

29.2.3. Availability of quality training for procurement officers and other actors

Relevant sub-principle(s): 29.k. A well-functioning and sustainable system is in place that supports the continuous professionalisation of procurement officers and other actors of the procurement system.

Maximum points: 28

Criterion 29.2.3.1. Regular training is available for procurement officers (contracting authorities) (4 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Training is considered to be regularly available if it is provided at least once a year, or after every major change of legislation.

Criterion 29.2.3.2. A central curriculum is provided for mandatory basic training programmes (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.3.3. Certification schemes are in place for procurement officers' continuous professionalisation (3 points)

Category: Practice in implementation

Approach: Review of laws and regulations, administrative data and data from publicly available sources.

Criterion 29.2.3.4. Training tailored to the needs of businesses is available for economic operators (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.3.5. Training materials provide comprehensive, practical information about the procurement practice (3 points)

Category: Practice in implementation

Approach: Review of training materials. Training materials are considered to be comprehensive when they cover all relevant stages of procurement process, i.e., planning and preparation of procurement process, advertising the contracts, the tender process, evaluation and award and managing the contract.

Criterion 29.2.3.6. Training materials are up to date (3 points)

Category: Practice in implementation

Approach: Review of training materials. Training materials are considered to be up to date if they are issued, amended or adjusted to be in line with laws and regulations in force.

Criterion 29.2.3.7. Training programmes are regularly monitored and evaluated (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.3.8. Feedback from training participants is regularly collected (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.3.9. Contracting authorities and economic operators that find the training provided useful (%) (3 points)

Category: Results

Approach: Analysis of survey responses from a sample of contracting authorities and businesses that attended training in the past three years to the following question: "How would you rate the usefulness of the training in general?"

Answer options are: 1 – Not at all useful, 2, 3, 4, 5 – Extremely useful, Do not know.

Points are allocated based on the percentage of respondents who replied "4" and "5 – Extremely useful" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x > 90\% = 3$ points.

Sub-indicator 29.2.4. Availability of quality training for officers and other actors in the area of PPPs/concessions

Relevant sub-principle(s): 29.c. Public procurement operations benefit from the use of modern tools and techniques, such as framework agreements, dynamic purchasing systems, and the establishment of central purchasing bodies and arrangements that can reduce transaction costs, provide more competitive prices and simplify tendering.

Maximum points: 12

Criterion 29.2.4.1. Regular training is available for PPPs/concessions officers (contracting authorities) (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources. Training is considered to be regularly available if it is provided at least once a year, or after every major change of legislation.

Criterion 29.2.4.2. Training materials provide comprehensive, practical information about the PPPs/concessions practice (3 points)

Category: Practice in implementation

Approach: Review of training materials. Training materials are considered to be comprehensive when they cover all relevant stages of PPPs/concessions process, i.e., planning and preparation of PPPs/concessions process, advertising the contracts, the tender process, evaluation and award and managing the contract.

Criterion 29.2.4.3. Training materials are up to date (3 points)

Category: Practice in implementation

Approach: Review of training materials. Training materials are considered to be up to date if they are issued, amended or adjusted to be in line with laws and regulations in force.

Criterion 29.2.4.4. Feedback from training participants is regularly collected (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Sub-indicator 29.2.5. Role of civil society

Relevant sub-principle(s): 29.1. Civil society has adequate and timely access to information in each phase of the public procurement process, including planning and contract performance, to monitor public procurement and act as a safeguard against non-transparent and un-competitive practices and inefficient and ineffective use of public resources.

Maximum points: 12

Criterion 29.2.5.1. Civil society organisations have access to information in each phase of the public procurement process including planning and contract performance (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.5.2. Central procurement institutions take into account the feedback received from civil society (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources.

Criterion 29.2.5.3. Monitoring by central procurement institutions takes into account all sources of information, including media and NGO reports (3 points)

Category: Practice in implementation

Approach: Review of administrative data and data from publicly available sources such as monitoring reports to determine whether they have considered media and NGO reports.

Criterion 29.2.5.4. There is an active community of purchasers organised through associations or other means (3 points)

Category: Results

Approach: Review of administrative data and data from publicly available sources. Active community of purchasers organised through associations or other means plan training, conferences and act as a consultation forum for central procurement institutions and law makers.

Principle 30: An independent procurement review system ensures effective, rapid and competent handling of complaints³⁶.

Indicator 30.1. Independence, effectiveness and competence of the review system

This indicator measures the effectiveness of the system for handling complaints on public procurement. First, the quality of the legislative and regulatory framework is assessed, specifically in terms of compliance with EU Directives. Then, the strength of the institutional set-up for handling complaints is analysed. Next, the actual performance of the review system is measured. This indicator also evaluates the performance of the remedies system for PPPs/concessions.

Sub-indicators	Maximum points
1. Mechanisms and procedures to challenge procurement decisions	18
2. Mechanisms and procedures to challenge decisions taken by contracting authorities as regards PPPs/concessions	8
3. The independence and responsibility of the review body and its members	13
4. The independence and responsibility of the review body for PPPs/concessions and its members	7
5. Effectiveness of handling complaints by the review body and mechanisms to ensure implementation of its decisions	9
6. Effectiveness of handling complaints by the review body and mechanisms to ensure implementation of its decisions for PPPs/concessions	5
7. Complaint submission in practice and fairness of fee rates for initiating review procedures	9
8. Quality of decision making by the review body	11
9. Right to challenge decisions of the review body which is not judicial in character	6
10. Public availability and timeliness of data on the review system	14
Total	100

³⁶ Council Directive 89/665/EEC of 21 December 1989 on the co-ordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts, <http://data.europa.eu/eli/dir/1989/665/oj>, Council Directive 92/13/CEE of 25 February 1992 co-ordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors, <http://data.europa.eu/eli/dir/1992/13/oj>, Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 with regard to improving the effectiveness of review procedures concerning the award of public contracts, <http://data.europa.eu/eli/dir/2007/66/oj>.

Sub-indicator 30.1.1. Mechanisms and procedures to challenge procurement decisions

Relevant sub-principle(s): 30.a. The procurement legislation sets out the mechanisms and procedures for handling complaints in compliance with international standards, including interim measures, ineffectiveness of contracts and alternative penalties, and covers public contracts, private-public partnerships (PPPs) and concessions.

Maximum points: 18

Criterion 30.1.1.1. Any person having or having had an interest in obtaining a public procurement contract and who has been or risks being harmed by an alleged infringement has the legal right to challenge decisions taken by contracting authorities (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.2. The right to challenge decisions taken by contracting authorities is ensured regardless of the type of procedure and the value of procedure (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.3. The time limit for challenging decisions taken by contracting authorities is in line with EU Directives (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.4. A mandatory standstill period is in line with EU Directives (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.5. The review body has the legal right to suspend or to ensure suspension of the public procurement procedure or the implementation of any decision taken by the contracting authority (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.6. The contracting authority cannot conclude the contract before the review body decides on the application either for interim measures or for review (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.7. The review body has the legal right to set aside or ensure the setting aside of decisions, including the removal of discriminatory technical, economic or financial specifications in the procurement documents (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.8. The right to claim damages by persons harmed by an infringement on the grounds that a decision of contracting authorities was taken unlawfully is granted in law (2 points)

Category: Legislation

Approach: Review of legislation

Criterion 30.1.1.9. The mechanisms for ineffectiveness of the contracts and for imposition of alternative penalties are aligned with the EU Directives (2 points)

Category: Legislation

Approach: Review of legislation

Sub-indicator 30.1.2. Mechanisms and procedures to challenge decisions taken by contracting authorities as regards PPPs/concessions

Relevant sub-principle(s): 30.a. The procurement legislation sets out the mechanisms and procedures for handling complaints in compliance with international standards, including interim measures, ineffectiveness of contracts and alternative penalties, and covers public contracts, private-public partnerships (PPPs) and concessions.

Maximum points: 8

Criterion 30.1.2.1. Any person having or having had an interest in obtaining a PPP/concession contract and who has been or risks being harmed by an alleged infringement has the right to challenge decisions taken by contracting authorities (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.2. The time limit for challenging decisions taken by contracting authorities and the mandatory standstill period is in line with EU Directives (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.3. The review body has the legal right to suspend or to ensure suspension of the PPP/concession procedure or the implementation of any decision taken by the contracting authority (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.4. The contracting authority cannot conclude the contract before the review body decides on the application either for interim measures or for review (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.5. The review body has the legal right to set aside or ensure the setting aside of decisions, including the removal of discriminatory technical, economic or financial specifications in the PPP/concession documents (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.6. The right to claim damages by persons harmed by an infringement on the grounds that a decision of contracting authorities was taken unlawfully is granted in law (1 point)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.2.7. The mechanisms for ineffectiveness of the PPP/concession contracts and for imposition of alternative penalties are aligned with the EU Directives (1 point)

Category: Legislation

Approach: Review of legislation.

Sub-indicator 30.1.3. The independence and responsibility of the review body and its members

Relevant sub-principle(s): 30.b. In cases where an independent review body is created (instead of a regular court), the institutional set-up guarantees the exercise of the functions of the review body and its members in line with standards of independence and transparency.

Maximum points: 13

Approach: If the body responsible for review procedures is a court, all criteria listed below are automatically fulfilled.

Criterion 30.1.3.1. A review body is established according to legal provisions (2 points)

Category: Legislation

Approach: Review of legislation, including relevant decisions by the government or the parliament.

Criterion 30.1.3.2. The law defines the roles and functions of the review body establishing its independence and transparency (2 points)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.3. Legislation stipulates that the term of office of the members of the review body is at least four years (1 point)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.4. The process of selection of candidates for the position of a member of a review body is based on merit (1 point)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.5. The process of selection of candidates for the position of a member of a review body respects principles of equal opportunities and open competition (2 points)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.6. The dismissal of a review body member before the expiry of the term of office is possible only in objectively justifiable cases specified by law (1 point)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.7. The law prohibits additional employment for a member of the review body during the term of office (1 point)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.8. Conflict of interest safeguards are established by law (2 points)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.3.9. Members of the review body are required by law to disclose general interest and asset declarations (1 point)

Category: Legislation

Approach: Review of legislation, internal acts on organisation and functioning of the review body and reports on the work of the review body.

Sub-indicator 30.1.4. The independence and responsibility of the review body for PPPs/concessions and its members

Relevant sub-principle(s): 30.b. In cases where an independent review body is created (instead of a regular court), the institutional set-up guarantees the exercise of the functions of the review body and its members in line with standards of independence and transparency.

Maximum points: 7

Approach: If the body responsible for review procedures is a court, all criteria listed below are automatically fulfilled.

Criterion 30.1.4.1. A review body for PPPs/concessions is established according to legal provisions (2 points)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.4.2. The law defines the roles and functions of the review body establishing its independence and transparency (1 point)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.4.3. The process of selection of candidates for the position of a member of a review body is based on merit (1 point)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.4.4. The process of selection of candidates for the position of a member of a review body respects principles of equal opportunities and open competition (1 point)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.4.5. The dismissal of a review body member before the expiry of the term of office is possible only in objectively justifiable cases specified by law (1 point)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Criterion 30.1.4.6. Conflict of interest safeguards are established by law (1 point)

Category: Legislation

Approach: Review of legislation.

Review of the internal acts on organisation and functioning of the review body and reports on the work of the review body.

Sub-indicator 30.1.5. Effectiveness of handling complaints by the review body and mechanisms to ensure implementation of its decisions

Relevant sub-principle(s): 30.c. The review process provides for rapid, effective and competent handling and resolution of complaints.

Maximum points: 9

Criterion 30.1.5.1. Actual time for resolving complaints, median length of review (4 points)

Category: Results

Approach: The actual time for resolving complaints by the first-instance review body when judging procurement cases is expressed as the median length of the time for reaching a first-instance judgement (independent of whether the first-instance body is judicial or non-judicial), measuring the number of calendar days between a starting date i.e., when the complaint is registered and an end date i.e., when the first-instance review decision is issued. The median was chosen instead of the arithmetic mean because the average length of first instance reviews is particularly susceptible to the influence of so called “outliers”. Outliers are unusual values, e.g., unusually small or large numbers.

Points are allocated based on the median length of review (x):

- $x > 100$ days = 0 points.
- $100 \text{ days} \geq x > 30 \text{ days}$ = linear function.
- $x \leq 30$ days = 4 points.

Criterion 30.1.5.2. Cases where the review body exceeded the maximum legal time limit (%) (1 point)

Category: Results

Approach: The share of cases where the review bodies exceeded the maximum legal time limit is calculated by taking the number of cases in which the prescribed time limit was exceeded as a share of the total number of cases, expressed as a percentage.

Points are allocated based on the percentage of cases where the review body exceeded the maximum legal time limit (x):

- $x > 10\%$ = 0 points.
- $x \leq 10\%$ = 1 point.

Criterion 30.1.5.3. Challenged cases changed or returned after verification by court (%) (2 points)

Category: Results

Approach: Review of administrative data for the latest full calendar year to calculate the number of cases changed or returned after review by a court (second-instance body) as a share of the total number of cases reviewed by the court, expressed as a percentage.

Points are allocated based on the percentage of cases that are changed or returned after court verification (x):

- $x > 50\% = 0$ points.
- $50\% \geq x > 20\% =$ linear function.
- $x \leq 20\% = 2$ points.

Criterion 30.1.5.4. A mechanism is in place that ensures that contracting authorities implement the decisions of the review body (2 points)

Category: Results

Approach: Review of legislation to assess the existence of appropriate mechanisms that ensure effective and timely implementation of the review body's decisions by contracting authorities such as mandating that contracting authorities provide regular reports on the implementation of the review body's decisions and penalties for the non-implementation of the decisions of the review body.

Sub-indicator 30.1.6. Effectiveness of handling complaints by the review body and mechanisms to ensure implementation of its decisions for PPPs/concessions

Relevant sub-principle(s): 30.c. The review process provides for rapid, effective and competent handling and resolution of complaints

Maximum points: 5

Criterion 30.1.6.1. Actual time for resolving complaints, median length of review (2 points)

Category: Results

Approach: The actual time for resolving complaints by the first-instance review body when judging procurement cases is expressed as the median length of the time for reaching a first-instance judgement (independent of whether the first-instance body is judicial or non-judicial), measuring the number of calendar days between a starting date i.e., when the complaint is registered and an end date i.e., when the first-instance review decision is issued. The median was chosen instead of the arithmetic mean because the average length of first instance reviews is particularly susceptible to the influence of so called “outliers”. Outliers are unusual values, e.g., unusually small or large number.

Points are allocated based on the median length of review (x):

- $x > 100$ days = 0 points.
- $100 \text{ days} \geq x > 30 \text{ days}$ = linear function.
- $x \leq 30$ days = 2 points.

Criterion 30.1.6.2. Cases where the review body exceeded the maximum legal time limit (%) (1 point)

Category: Results

Approach: The share of cases where the review bodies exceeded the maximum legal time limit is calculated by taking the number of cases in which the prescribed time limit was exceeded as a share of the total number of cases, expressed as a percentage.

Points are allocated based on the percentage of cases where the review body exceeded the maximum legal time limit (x):

- $x > 10\%$ = 0 points.
- $x \leq 10\%$ = 1 point.

Criterion 30.1.6.3. A mechanism is in place that ensures that contracting authorities implement the decisions of the review body (2 points)

Category: Legislation

Approach: Review of legislation to assess the existence of appropriate mechanisms that ensure effective and timely implementation of the review body's decisions by contracting authorities such as mandating that contracting authorities provide regular reports on the implementation of the review body's decisions and penalties for the non-implementation of the decisions of the review body.

Sub-indicator 30.1.7. Complaint submission in practice and fairness of fee rates for initiating review procedures

Relevant sub-principle(s): 30.d. The review and remedies system is easily accessible to economic operators, without discrimination, excessive cost or administrative burden.

Maximum points: 9

Criterion 30.1.7.1. Complaints can be lodged by using electronic means (1 point)

Category: Practice in implementation

Approach: Analysis of publicly available documentation and assessment based on legal provisions.

Criterion 30.1.7.2. Members of the review body use internal mechanisms (2 points)

Category: Practice in implementation

Approach: Review of internal acts on organisation and functioning of the review body to establish existence of internal mechanisms that enable the members of the review body to ensure consistency, quality and integrity in their approaches and decisions. Examples of internal mechanisms are: case-management system, proceedings for case distribution, regular meetings (to discuss general matters and interpretations) of all persons involved in the process of handling the complaints, internal reports on cases when the lack of uniformity was observed disseminated among the members of the review body, control by a specially designated official, proceedings for preventing conflicts of interest or other. Internal mechanisms to ensure the quality and integrity of decisions must, at a minimum, prevent conflicts of interest and collusion, and ensure that decisions are taken in full knowledge of the procurement object at hand.

Criterion 30.1.7.3. All communication between the review body and the parties in the review procedure can be carried out by using electronic means (1 point)

Category: Practice in implementation

Approach: Analysis of publicly available documentation and assessment based on legal provisions.

Criterion 30.1.7.4. Formal errors in filing the complaint are signalled to the complainant without delay and can be corrected without further delays and costs (1 point)

Category: Practice in implementation

Approach: Analysis of publicly available documentation and assessment based on legal provisions.

Criterion 30.1.7.5. Foreign economic operators can lodge a complaint with no additional requirements comparing to local economic operators (1 point)

Category: Practice in implementation

Approach: Analysis of publicly available documentation and assessment based on legal provisions. Interviews with contracting authorities, economic operators and their associations, procurement experts and NGOs.

Criterion 30.1.7.6. Fairness of fee rates (3 points)

Category: Practice in implementation

Approach: Assessment based on legal provisions and fee statistics.

Points are allocated based on the fee for different estimated contract values:

For an estimated contract value of EUR 25 000, the fee value (x):

- $x > 500\text{€} = 0$ points.
- $500\text{€} \geq x > 50\text{€} =$ linear function.
- $x \leq 50\text{€} = 0.75$ points.

For an estimated contract value of EUR 250 000, the fee value (x):

- $x > 2\,500\text{€} = 0$ points.
- $2\,500\text{€} \geq x > 100\text{€} =$ linear function.
- $x \leq 100\text{€} = 0.75$ points.

For an estimated contract value of EUR 1 million, the fee value (x):

- $x > 3\,000\text{€} = 0$ points.
- $3\,000\text{€} \geq x > 200\text{€} =$ linear function.
- $x \leq 200\text{€} = 0.75$ points.

For an estimated contract value of EUR 10 million, the fee value (x):

- $x > 5\,000\text{€} = 0$ points.
- $5\,000\text{€} \geq x > 300\text{€} =$ linear function.
- $x \leq 300\text{€} = 0.75$ points.

Sub-indicator 30.1.8. Quality of decision making by the review body

Relevant sub-principle(s): 30.e. The review process gives due consideration to achieving the main goals of public procurement (particularly value for money through open, transparent and non-discriminatory competition), as opposed to purely formal errors and omissions, especially those that do not impact on the outcome of the procurement process.

Maximum points: 11

Criterion 30.1.8.1. Decisions are based on the applicable law(s) and reflect the principles of transparency, competition and equal treatment (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Criterion 30.1.8.2. Both parties were given the right to be heard (3 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Both parties were given the right to be heard: the criterion is satisfied if both parties had the opportunity to present their position either in oral hearing or by submitting explanations in writing.

Criterion 30.1.8.3. Decisions do not focus purely on formal errors or omissions (especially those with no impact on the procedure outcome) (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Criterion 30.1.8.4. Decisions include resolution of complaints and sanctions with reference to legal provisions (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Criterion 30.1.8.5. Decisions include a clear rationale (2 points, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Criterion 30.1.8.6. Decisions are rendered on the basis of available evidence submitted by the parties (1 point, based on review of selected cases)

Category: Practice in implementation

Approach: Analysis of decisions. Six decisions collected from the procurement review body are analysed (one each for works, supplies and services above the highest applicable threshold and one each below that threshold but above the subsequent threshold). For each category, the first decision issued after 1 September in the latest calendar year is selected.

Sub-indicator 30.1.9. Right to challenge decisions of the review body which is not judicial in character

Relevant sub-principle(s): 30.f. The decisions of a review body which is not judicial in character can be the subject of judicial review or review by another body which is a court or tribunal and independent of both the contracting authority and the review body.

Maximum points: 6

Criterion 30.1.9.1. The decisions of the review body which is not judicial in character can be challenged in a court (2 points)

Category: Legislation

Approach: Review of legislation.

Criterion 30.1.9.2. Actual time for resolving appeals against the decisions of the review body in a court, median length (2 points)

Category: Results

Approach: The actual time for resolving appeals by the court body when judging procurement cases is expressed as the median length of the time for reaching a judgement, measuring the number of calendar days between a starting date i.e., when the appeal is registered and an end date i.e., when the court decision is issued. The median was chosen instead of the arithmetic mean because the average length of first instance reviews is particularly susceptible to the influence of so called "outliers". Outliers are unusual values, e.g., unusually small or large number.

Points are allocated based on the median length for resolving appeals against the decision of the review body in a court (x):

- $x > 100$ days = 0 points.
- $100 \text{ days} \geq x > 30 \text{ days}$ = linear function.
- $x \leq 30$ days = 2 points.

Criterion 30.1.9.3. All court decisions are published, without delay, and no later than 14 days after their adoption on a central website or portal, accessible for free (2 points)

Category: Practice in implementation

Approach: Review of the website or a portal for the publication of court cases.

Sub-indicator 30.1.10. Public availability and timeliness of data on the review system

Relevant sub-principle(s): 30.g. Comprehensive data on the functioning of the remedies, including all decisions of the review body, with full rationale are published without a delay on a central, freely accessible public procurement website, ensuring wider access to the case law through a comprehensive search engine.

Maximum points: 14

Criterion 30.1.10.1. The formal requirements for lodging complaints are published (2 points)

Category: Practice in implementation

Approach: Analysis of publicly available documentation. Relevant information about formal requirements for lodging complaints includes fees, forms, attachments etc.

Criterion 30.1.10.2. All decisions of the review body are published on a central, public procurement website or a portal, accessible for free (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of review body activities and decisions.

Criterion 30.1.10.3. All decisions of the review body are published without delay, and no later than 14 days after their adoption (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of review body activities and decisions.

Criterion 30.1.10.4. All decisions of the review body are published with full rationale (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of review body activities and decisions.

Criterion 30.1.10.5. A website or a portal ensures access to the decisions of the review body through a comprehensive search engine (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of review body activities and decisions. The search engine should offer search by various predefined criteria such as time period, type of procurement, the contracting authority, the applicant, legal provision and free text search for a specific situation or legal problem.

Criterion 30.1.10.6. A website or a portal ensures access to the case law of the court or tribunal having jurisdiction in public procurement appeals (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of court or tribunal activities and decisions. Search engine should offer search by various predefined criteria such as time period, the applicant, legal provision and free text search for a specific situation or legal problem.

Criterion 30.1.10.7. Comprehensive data on the functioning of the review system are published on a central, public procurement website or a portal, accessible for free (2 points)

Category: Practice in implementation

Approach: Review of the website or portal for the publication of review body activities and decisions. Available information should include statistical data on the performance of the review system and reports on the work of the review body. Comprehensive data should at minimum include the following:

1. Number of received complaints,
2. Number of received complaints by specific phases of the public procurement procedure,
3. Number of cases resolved (dismissed, rejected, upheld, suspended),
4. Number of annulled decisions, procedures, and actions by the contracting authority due to irregularities,
5. Number of contracts or framework agreements declared ineffective,
6. Number of imposed fines and their amounts,
7. Average and median time for decision making,
8. Number of cases challenged in a court,
9. Most common reasons for filing complaints,
10. Most frequent irregularities identified by the review body,
11. Other relevant indicators in appeal cases,
12. Assessment of the state of legal protection and public procurement in general.

Principle 31: All public funds are effectively audited by an independent auditor that provides assurance on the use of public resources and helps improve the functioning of the public sector.

Indicator 31.1. Adequacy of the legal framework for external audit and its effectiveness in practice

This indicator measures the extent to which public external audit by the supreme audit institution (SAI) or other independent external auditor is conducted independently, the internationally recognised conditions for the effective functioning of the SAI are found in law and practice, and the extent to which government and parliament uses the work of the SAI.

Sub-indicators	Maximum points
1. Constitutional, legal, organisational and managerial independence of the SAI	20
2. Adequacy and coverage of the SAI mandate and its alignment with IFPP37	10
3. Governance and management of the supreme audit institution (SAI)	10
4. Compliance of audit methodology with ISSAIs ³⁸ / Audits are conducted in accordance with the ISSAIs	10
5. Quality management of the supreme audit institution (SAI)	10
6. Reporting and the follow-up of audits	10
7. Implementation of audit recommendations	15
8. Supreme audit institution (SAI) external engagement and communication	5
9. Use of supreme audit institution (SAI) reports by the legislature	10
Total	100

³⁷ INTOSAI Framework of Professional Pronouncements.

³⁸ International Standards of Supreme Audit Institutions.

Sub-indicator 31.1.1. Constitutional, legal, organisational and managerial independence of the supreme audit institution (SAI)

Relevant sub-principle(s): 31.a. The independence of the supreme audit institution (SAI), and that of its head and members, in all its forms, is established in the constitution, legally protected and respected in practice.

31.d. The SAI has unrestricted access to the premises, documents and information of the audited entities for the proper discharge of their statutory responsibilities.

Maximum points: 20

Criterion 31.1.1.1. The constitution ensures the independence of the SAI (2 points)

Category: Legislation

Approach: Review of the constitution to ensure it provides for the independence of the SAI and the head of the SAI (and the members of the SAI, if relevant).

Criterion 31.1.1.2. The legal framework states that the SAI is an independent organisation (1 point)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.3. The legal framework provides the SAI with financial autonomy (1 point)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.4. The legal framework provides the SAI autonomy in the discharge of its mandate (1 point)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.5. The legal framework provides the SAI with the right and obligation to report on their work (0.5 points)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.6. The legal framework provides the SAI with the right to decide the content and timing of audit reports and to publish and disseminate them (0.5 points)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.7. The legal framework provides adequate protection by a supreme court against any interference with the SAI's independence and audit mandate (1 point)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.8. The legal framework provides the SAI with the right to access premises, documents and information (1 point)

Category: Legislation

Approach: Review of the SAI law and other relevant legislation against the key requirements of INTOSAI P-10 using the SAI independence checklist.

Criterion 31.1.1.9. There has been no removal of the head or members of the SAI for reasons not specified in the legal framework, and not without following due legal process, in the past three years (2 points)

Category: Practice in implementation

Approach: Interviews with the SAI senior management and review of relevant parliamentary or government decisions.

Criterion 31.1.1.10. The last appointment of the head of the SAI was carried out according to the legal framework, which requires the appointment process to be conducted independently from the executive (1 point)

Category: Practice in implementation

Approach: Based on good practice examples of GUID 9030, appointment process includes (but is not limited to) appointment by:

- the legislature
- the head of the state (not the government) with the approval of legislature

Criterion 31.1.1.11. The head of the SAI was appointed for a sufficiently long and fixed term to allow them to carry out their mandates without fear of retaliation (2 points)

Category: Practice in implementation

Approach: Standards do not define specifically a sufficiently long and fixed term. It was established through practice that this should be a minimum of 5 years, and preferably it should be one single term of over 7 years but no more than 15 years. Review the legal framework to confirm the appointment term of the head of the SAI and whether it is for single non-renewable term. Review of the appointment decisions (by the legislature or head of state) to confirm it is in line with the legal framework.

- The head of the SAI was appointed for a single non-renewable term of 7 years or more, but no more than 15 years = 2 points
- The head of the SAI was appointed for a fixed term of 5 years or more (renewable or non-renewable) = 1 point
- None of the above apply = 0 points

Criterion 31.1.1.12. There was no gap (or only a limited gap – less than 3 months) between the appointments of the leadership of the SAI and the end of their predecessors' mandates (1 point).

Category: Practice in implementation

Approach: Interviews with the SAI senior management and review of relevant appointment decisions (by the legislature or head of state).

Criterion 31.1.1.13. The executive (e.g., MoF) did not directly control or provide direction over the formulation of the SAIs budget (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 31.1.1.14. The executive (e.g., MoF) did not control or provide direction over how the SAI uses its financial resources and executes its budget after its approval by the parliament (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 31.1.1.15. The SAI is free from undue direction or interference from the legislature or the executive in the organisation and management of its office. (1 point)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Organisational and managerial independence should include the ability of the SAI to determine its organisational structure and make individual recruitment decisions.

Criterion 31.1.1.16. The SAI has not been denied access to premises, documents and information in the last 3 years (2 points)

Category: Practice in implementation

Approach: Review of the legal framework and interviews with the SAI senior management to confirm how it has been applied in practice. Review of relevant organisational, budgetary and financial documents.

Criterion 31.1.1.17. Perception of SAI independence by civil service (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a sample of public servants to the following question or statement: "The supreme audit institution carries out its work and activities independently of the government."

Answer options are: Strongly disagree; Tend to disagree; Neither disagree nor agree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey question (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 1$ point.

Sub-indicator 31.1.2. Adequacy and coverage of the supreme audit institution (SAI) mandate and its alignment with IFPP

Relevant sub-principle(s): 31.b. The SAIs mandate covers all public funds and policies.

Maximum points: 10

Criterion 31.1.2.1. The SAI is empowered by law to carry out financial, compliance and performance audits (1 point)

Category: Legislation

Approach: Review of the SAI law.

Criterion 31.1.2.2. All public financial operations, regardless of whether and how they are reflected in the national budget, are subject to audit by the SAI or other independent external auditor (1 point)

Category: Legislation

Approach: Review of the SAI law to confirm the scope of the audit mandate. There should be no legal restrictions to the initiation of audits to obtain the point.

Criterion 31.1.2.3. Coverage of financial/compliance audit (%) (3 points)

Category: Practice in implementation

Approach: SIGMA calculates the percentage of mandatory audits carried out in the last three calendar years (and the SAI has reported on the results to those charged with governance). The law specifies which audits are mandatory every year.

Points are allocated based on the percentage of mandatory audits carried out in the last three calendar years (x):

- $x < 70\% = 0$ points.
- $70\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points.

Criterion 31.1.2.4. Coverage of performance audit (3 points)

Category: Practice in implementation

Approach: For performance audit, the following sectors are defined: defence, economic development, education, environment, justice and police, health, public administration, infrastructure, social security and labour market, foreign affairs.

Points are allocated based on the number of sectors covered by the SAI's reports in the last full calendar year (x) (Sectors considered are listed under approach):

- $x = 0 = 0$ points.
- $0 < x < 5 =$ linear function.
- $x \geq 5 = 3$ points.

Criterion 31.1.2.5. Coverage of EU policy priorities (2 points)

Category: Practice in implementation

Approach: For EU policy priorities covered by any type of audit, the following topics are defined: green/environment/ sustainability, climate protection and SDGs, digitalisation and public investment management/infrastructure.

Points are allocated based on the number of topics covered by the SAI's reports in the last three full calendar years (x) (Topics considered are listed under approach):

- $x = 0 = 0$ points.
- $0 < x < 3 =$ linear function.
- $x \geq 3 = 2$ points.

Sub-indicator 31.1.3. Governance and management of the supreme audit institution (SAI)

Relevant sub-principle(s): 31.e. The organisation, governance and human resource management of the SAI, as well as its strategic planning of audits and other activities, allow the SAI to carry out its mandate and continuously improve its institutional and professional capacity.

Maximum points: 10

Criterion 31.1.3.1. A strategic plan based on a needs assessment or analysis is in place (1 point)

Category: Strategy and guidance

Approach: Review of the strategic plan and any relevant supporting documentation such as a needs analysis.

Criterion 31.1.3.2. A strategic plan sets out clear objectives, including outward looking ones, with measurable indicators (1 point)

Category: Strategy and guidance

Approach: Review of the strategic plan and any relevant supporting documentation such as a needs analysis.

Criterion 31.1.3.3. A strategic plan is supported by an action plan or implementation matrix (0.5 points)

Category: Strategy and guidance

Approach: Review of the strategic plan and any relevant supporting documentation such as a needs analysis.

Criterion 31.1.3.4. A strategic plan is publicly available (0.5 points)

Category: Strategy and guidance

Approach: Review of the strategic plan and any relevant supporting documentation such as a needs analysis.

Criterion 31.1.3.5. An annual/operational plan is in place with activities, timelines, and responsibilities clearly defined (1 point)

Category: Strategy and guidance

Approach: Review of the annual/operational plan. Audit work and support services include financial management, HR and training, IT and infrastructure.

Criterion 31.1.3.6. An annual/operational plan covers audit work and support services (1 point)

Category: Strategy and guidance

Approach: Review of the annual/operational plan. Audit work and support services include financial management, HR and training, IT and infrastructure.

Criterion 31.1.3.7. A system/process for regular in-year monitoring of progress against the strategic plan and annual/operational plan is in place and implemented in practice (1 point)

Category: Practice in implementation

Approach: Review of in-year monitoring reports on the implementation of the strategic plan and annual/operational plan.

Criterion 31.1.3.8. The SAI publishes an annual report on its performance, including the performance against strategic objectives and the performance indicators established (1 point)

Category: Practice in implementation

Approach: Review of the annual SAI performance report. The report provides information on the performance against the strategic objectives and the related performance indicators in the strategic plan.

Criterion 31.1.3.9. The SAI has a human resource strategy that is aligned with the strategic plan/objectives of the SAI, with targets/indicators established (1 point)

Category: Strategy and guidance

Approach: Review of human resource strategy and its alignment with the strategic plan/objectives of the SAI. HR targets and indicators are established in the strategy.

Criterion 31.1.3.10. The SAI has a learning strategy and/or plan for professional development and training based on the results from a learning needs analysis (1 point)

Category: Strategy and guidance

Approach: Review of SAI's learning strategy and/or plan for professional development and training, and the learning needs analysis on which the strategy and/or plan are based.

Criterion 31.1.3.11. The SAI prepares an annual financial report, and which is subject to independent audit (1 point)

Category: Practice in implementation

Approach: Review of the annual financial report that contains the SAI's financial position/budget execution. The annual financial report is subject to independent audit.

Sub-indicator 31.1.4. Compliance of audit methodology with ISSAIs / Audits are conducted in accordance with the ISSAIs

Relevant sub-principle(s): 31.c. The SAI or other professional, independent auditors periodically audit all public funds in accordance with international audit standards, through financial, compliance and performance audits.

Maximum points: 10

Criterion 31.1.4.1. Compliance of the financial audit methodology with ISSAIs (2 points)

Category: Strategy and guidance

Approach: The audit methodologies outlined in the SAI's manuals/guidance should be assessed against the key requirements in the ISSAIs. Where possible this should be based on other assessments or reviews carried out by SIGMA or other independent bodies, but if needed a review against the SIGMA checklists for financial, compliance and performance audits.

- The SAI has adopted manuals that are in full accordance with ISSAIs 2000-2810, or other authoritative standards consistent with the principles in ISSAI 200 = 2 points
- The SAI has adopted manuals that are consistent with the principles in ISSAI 200 = 1 point
- None of the above = 0 points

Criterion 31.1.4.2. Compliance of the compliance audit methodology with ISSAIs (2 points)

Category: Strategy and guidance

Approach: The audit methodologies outlined in the SAI's manuals/guidance should be assessed against the key requirements in the ISSAIs. Where possible this should be based on other assessments or reviews carried out by SIGMA or other independent bodies, but if needed a review against the SIGMA checklists for financial, compliance and performance audits.

- The SAI has adopted manuals that are in full accordance with ISSAIs 4000, or other authoritative standards consistent with the principles in ISSAI 400 = 2 points
- The SAI has adopted manuals that are consistent with the principles in ISSAI 400 = 1 point
- None of the above = 0 points

Criterion 31.1.4.3. Compliance of the performance audit methodology with ISSAIs (2 points)

Category: Strategy and guidance

Approach: The audit methodologies outlined in the SAI's manuals/guidance should be assessed against the key requirements in the ISSAIs. Where possible this should be based on other assessments or reviews carried out by SIGMA or other independent bodies, but if needed a review against the SIGMA checklists for financial, compliance and performance audits.

- The SAI has adopted manuals that are in full accordance with ISSAIs 3000, or other authoritative standards consistent with the principles in ISSAI 300 = 2 points
- The SAI has adopted manuals that are consistent with the principles in ISSAI 300 = 1 point
- None of the above = 0 points

Criterion 31.1.4.4. Reports on EQRs of financial/compliance audit engagements indicate the engagements have been conducted / reported in accordance with an ISSAI compliant methodology (1 point)

Category: Practice in implementation

Approach: Review of the SAI's reports on the outcomes of EQRs and inspections to confirm that audit engagements have been conducted in accordance with an ISSAI compliant methodology and that the audit reports were reliable and good quality. The reviews should encompass all types of audits undertaken by the SAI and in the rare cases where the SAI has prepared a large number of reports on the outcomes of EQRs and inspections. Only a sample of the reports should be reviewed.

If zero points have been received for the compliance of the audit methodologies with the ISSAIs then no points can be awarded for these criteria.

Criterion 31.1.4.5. Reports on inspections of financial/compliance audit engagements indicate the engagements have been conducted / reported in accordance with an ISSAI compliant methodology (1 point)

Category: Practice in implementation

Approach: Review of the SAI's reports on the outcomes of EQRs and inspections to confirm that audit engagements have been conducted in accordance with an ISSAI compliant methodology and that the audit reports were reliable and good quality. The reviews should encompass all types of audits undertaken by the SAI and in the rare cases where the SAI has prepared a large number of reports on the outcomes of EQRs and inspections. Only a sample of the reports should be reviewed.

If zero points have been received for the compliance of the audit methodologies with the ISSAIs then no points can be awarded for these criteria.

Criterion 31.1.4.6. Reports on EQRs of performance audit engagements indicate the engagements have been conducted and reported in accordance with an ISSAI compliant methodology (1 point)

Category: Practice in implementation

Approach: Review of the SAI's reports on the outcomes of EQRs and inspections to confirm that audit engagements have been conducted in accordance with an ISSAI compliant methodology and that the audit reports were reliable and good quality. The reviews should encompass all types of audits undertaken by the SAI and in the rare cases where the SAI has prepared a large number of reports on the outcomes of EQRs and inspections. Only a sample of the reports should be reviewed.

If zero points have been received for the compliance of the audit methodologies with the ISSAIs then no points can be awarded for these criteria.

Criterion 31.1.4.7. Reports on inspections of performance audit engagements indicate the engagements have been conducted and reported in accordance with an ISSAI compliant methodology (1 point)

Category: Practice in implementation

Approach: Review of the SAI's reports on the outcomes of EQRs and inspections to confirm that audit engagements have been conducted in accordance with an ISSAI compliant methodology and that the audit reports were reliable and good quality. The reviews should encompass all types of audits undertaken by the SAI and in the rare cases where the SAI has prepared a large number of reports on the outcomes of EQRs and inspections. Only a sample of the reports should be reviewed.

If zero points have been received for the compliance of the audit methodologies with the ISSAIs then no points can be awarded for these criteria.

Sub-indicator 31.1.5. Quality management of the supreme audit institution (SAI)

Relevant sub-principle(s): 31.f. The SAI maintains procedures for quality management and ethics on an organisational level, in accordance with international standards.

Maximum points: 10

Criterion 31.1.5.1. The SAI has established policies and procedures for quality management covering all its work (1 point)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.2. The quality management policies clearly articulate a risk-based approach focused on achieving quality objectives (0.5 points)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.3. The quality management policies clearly articulate ultimate responsibility for quality in the SAI and day to day responsibility for quality management (0.5 points)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.4. The quality management policies clearly articulate the arrangements for engagement quality reviews (EQRs - hot reviews) (0.5 points)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.5. The quality management policies clearly articulate the monitoring and remediation arrangements, including the requirement for inspections (cold reviews) of audit engagements (0.5 points)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.6. The SAI has a code of ethics (or similar) aligned with the requirements of ISSAI 130 which is publicly available (1 point)

Category: Strategy and guidance

Approach: Review of the SAI's quality management and ethics policies to assess compliance with ISSAIs and whether the outcomes provide assurance that audits have been conducted in line with ISSAIs. Interviews with SAI staff.

Criterion 31.1.5.7. The SAI regularly obtains from all personnel that are required to be independent written confirmation that they meet independence, objectivity and impartiality obligations (1 point)

Category: Practice in implementation

Approach: Review of SAIs data and records such as declarations of independence or declarations of conflicts of interests by staff involved in audit engagements.

Criterion 31.1.5.8. Individual audit engagements were selected for EQR, with the results reported prior to the date/finalisation of the audit report (1 point)

Category: Practice in implementation

Approach: Review of the SAI's EQR reports and inspection reports on completed engagement, or a summary quality report.

Criterion 31.1.5.9. A sample of completed audit engagements across the range of work conducted by the SAI have been subject to review (inspections) (1 point)

Category: Practice in implementation

Approach: Review of the SAI's EQR reports and inspection reports on completed engagement, or a summary quality report.

Criterion 31.1.5.10. The EQRs and inspections reports state whether the audits have been conducted in accordance with auditing standards and if the results are consistent with the audit evidence (1 point)

Category: Practice in implementation

Approach: Review of the SAI's EQR reports and inspection reports on completed engagement, or a summary quality report.

Criterion 31.1.5.11. The SAI periodically seeks feedback from the audited entities about the quality of the audit process, including the professionalism of the audit team (1 point)

Category: Practice in implementation

Approach: Review of the SAI's survey results or other documents where feedback has been obtained from audited entities. Periodic feedback from audited entities is considered to be at least every two years.

Criterion 31.1.5.12. The SAI periodically seeks feedback from the audited entities about the quality and relevance of its audit reports (1 point)

Category: Practice in implementation

Approach: Review of the SAI's survey results or other documents where feedback has been obtained from audited entities. Periodic feedback from audited entities is considered to be at least every two years.

Sub-indicator 31.1.6. Reporting and the follow-up of audits

Relevant sub-principle(s): 31.g. Audit reports are concise and contain relevant and useful recommendations, and procedures are in place to follow-up on audit reports.

Maximum points: 10

Criterion 31.1.6.1. Policies and procedures for reporting on all audit engagements are established, including template reports (1 point)

Category: Strategy and guidance

Approach: Review of SAI policies and reports. Interviews with SAI staff.

Criterion 31.1.6.2. The SAI's audit reports/findings and any recommendations [or observations] are subject to comment and response from the audited entities (1 point)

Category: Practice in implementation

Approach: x

Criterion 31.1.6.3. The SAIs audit opinions and/or reports are submitted to the audited entity or other appropriate authority within the established legal or agreed time frame (1 point)

Category: Practice in implementation

Approach: The assessment of the timing and submission of audit reports and follow-up reports is based on the annual audit plan and data and monitoring reports provided by the SAI, with some validation against publicly available information.

If no timeframe is defined the assessment assesses whether audit opinions and/or reports have been submitted to the audited entity or other appropriate authority within 6 months from the end of the period to which the audit relates

Criterion 31.1.6.4. For all audit reports and/or opinions where the SAI has the obligation to publish, the report and/or opinion is made available in a timely manner to the public (1 point)

Category: Practice in implementation

Approach: The assessment of the timing and submission of audit reports and follow-up reports is based on the annual audit plan and data and monitoring reports provided by the SAI, with some validation against publicly available information.

Timely publication is defined as within one month from the date that the report was authorised for issue i.e., the date the Auditor general, Board or Court approved the report. The information should be obtained from the SAI's monitoring data and reports.

Criterion 31.1.6.5. The SAI has a follow-up system to ensure that the audited entities properly address observations and recommendations (1 point)

Category: Strategy and guidance

Approach: Review of the SAI's policies and procedures for follow-up of recommendations, including any database of recommendations maintained. It should also include those made by the legislature, one of its commissions, or the auditee's governing board, (as appropriate) based on the SAI's reports.

Criterion 31.1.6.6. The SAI's operational/audit plans include follow-up audits (excluding mandatory annual audits), which are carried out in practice and reported (1 points)

Category: Practice in implementation

Approach: The assessment of the timing and submission of audit reports and follow-up reports is based on the annual audit plan and data and monitoring reports provided by the SAI, with some validation against publicly available information.

Follow-up reports are reported to the legislature, one of its commissions, or the auditee's governing board, as appropriate, for consideration and action. This must have occurred in two of the last three calendar years.

Criterion 31.1.6.7. The SAI reports are easy to understand (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in management positions to the following question or statement: "The supreme audit institution's reports are easy to understand."

Answer options are: Strongly disagree; Tend to disagree; Neither disagree nor agree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied "Tend to agree" and "Strongly agree" to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Criterion 31.1.6.8. The SAI reports contain relevant and useful recommendations (%) (2 points)

Category: Results

Approach: Analysis of survey responses from a sample of public servants in management positions to the following question or statement: “The supreme audit institution’s reports contain relevant and useful recommendations.”

Answer options are: Strongly disagree; Tend to disagree; Neither disagree nor agree; Tend to agree; Strongly agree; Do not know, Prefer not to answer.

Points are allocated based on the percentage of respondents who replied “Tend to agree” and “Strongly agree” to the survey questions (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 90\% =$ linear function.
- $x \geq 90\% = 2$ points.

Sub-indicator 31.1.7. Implementation of audit recommendations

Relevant sub-principle(s): 31.g. Audit reports are concise and contain relevant and useful recommendations, and procedures are in place to follow-up audit reports.

Maximum points: 15

Criterion 31.1.7.1. Audit recommendations accepted by the auditees (%) (5 points)

Category: Results

Approach: Data is taken from the SAI report and/or monitoring systems established by the SAI. The percentage reported is an average of all types of audits conducted by the SAI, based on the number of recommendations made by the SAI the year prior to the latest full calendar year that are fully and partially implemented by the end of the latest full calendar year (partially implemented recommendations are counted at a weight of 50%. For example, if 20% of recommendations are partially implemented, they are included at 10% in the percentage share of recommendations implemented). If the SAI does not systematically collect and publish information on follow-up of its recommendations, the assessment result is 0% for both criteria.

Points are allocated based on the percentage of recommendations accepted by the auditees (x):

- $x < 40\% = 0$ points.
- $40\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 5$ points.

Criterion 31.1.7.2. Reported implementation rate of audit recommendations accepted by the auditees (%) (10 points)

Category: Results

Approach: Data is taken from the SAI report and/or monitoring systems established by the SAI. The percentage reported is an average of all types of audits conducted by the SAI, based on the number of recommendations made by the SAI the year prior to the latest full calendar year that are fully and partially implemented by the end of the latest full calendar year (partially implemented recommendations are counted at a weight of 50%. For example, if 20% of recommendations are partially implemented, they are included at 10% in the percentage share of recommendations implemented). If the SAI does not systematically collect and publish information on follow-up of its recommendations, the assessment result is 0% for both criteria.

Points are allocated based on the reported implementation rate of audit recommendations accepted by the auditees (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 80\% =$ linear function.
- $x \geq 80\% = 10$ points.

0 points are awarded if the SAI does not systematically collect and publish information on follow-up of its recommendations.

Sub-indicator 31.1.8. Supreme audit institution (SAI) external engagement and communication

Relevant sub-principle(s): 31.h. The SAI communicates widely on its activities and audit results through the media, websites and other means and makes its reports publicly available, in a timely manner.

Maximum points: 5

Criterion 31.1.8.1. The SAI has a communication/external engagement strategy or plan (either separately or part of another strategic document) that is aligned with the strategic plan/objectives of the SAI (1 point)

Category: Strategy and guidance

Approach: Review of the SAI's relevant strategic documents, action plans, and monitoring reports. Interviews of SAI staff and review of the SAI's communication channels, tools and activities during the last calendar year.

Proactive engagement with stakeholders should include electronic channels but also direct engagement with stakeholders such as regular meetings with CSO's/academia to discuss audit plans and topics, stakeholder surveys, conferences/seminars. It should provide stakeholders with an opportunity to give input/feedback to the SAI and not just be about the SAI sharing information. The assessor should reach a judgement on whether the SAI is making a concerted effort to proactively engage.

Regular stakeholder feedback/input is considered to be at least annually, and it should be systematic and not ad hoc.

Criterion 31.1.8.2. The SAI communicates with its stakeholders about its roles, responsibilities and activities through the media, websites, and other means (1 point)

Category: Practice in implementation

Approach: Review of the SAI's relevant strategic documents, action plans, and monitoring reports. Interviews of SAI staff and review of the SAI's communication channels, tools and activities during the last calendar year.

Proactive engagement with stakeholders should include electronic channels but also direct engagement with stakeholders such as regular meetings with CSO's/academia to discuss audit plans and topics, stakeholder surveys, conferences/seminars. It should provide stakeholders with an opportunity to give input/feedback to the SAI and not just be about the SAI sharing information. The assessor should reach a judgement on whether the SAI is making a concerted effort to proactively engage.

Regular stakeholder feedback/input is considered to be at least annually, and it should be systematic and not ad hoc.

Criterion 31.1.8.3. The SAI actively promotes its reports in public throughout the year (1 point)

Category: Practice in implementation

Approach: Review of the SAI's relevant strategic documents, action plans, and monitoring reports. Interviews of SAI staff and review of the SAI's communication channels, tools and activities during the last calendar year.

Proactive engagement with stakeholders should include electronic channels but also direct engagement with stakeholders such as regular meetings with CSO's/academia to discuss audit plans and topics, stakeholder surveys, conferences/seminars. It should provide stakeholders with an opportunity to give input/feedback to the SAI and not just be about the SAI sharing information. The assessor should reach a judgement on whether the SAI is making a concerted effort to proactively engage.

Regular stakeholder feedback/input is considered to be at least annually, and it should be systematic and not ad hoc.

The SAI promotes its work through press conferences, press releases, conferences and online platforms etc.

Criterion 31.1.8.4. The SAI regularly and systematically seeks feedback about the work it has conducted from various stakeholders (0.5 points)

Category: Practice in implementation

Approach: Review of the SAI's relevant strategic documents, action plans, and monitoring reports. Interviews of SAI staff and review of the SAI's communication channels, tools and activities during the last calendar year.

Proactive engagement with stakeholders should include electronic channels but also direct engagement with stakeholders such as regular meetings with CSO's/academia to discuss audit plans and topics, stakeholder surveys, conferences/seminars. It should provide stakeholders with an opportunity to give input/feedback to the SAI and not just be about the SAI sharing information. The assessor should reach a judgement on whether the SAI is making a concerted effort to proactively engage.

Regular stakeholder feedback/input is considered to be at least annually, and it should be systematic and not ad hoc.

Criterion 31.1.8.5. The SAI regularly and systematically seeks input to its plans and work from various stakeholders (0.5 points)

Category: Practice in implementation

Approach: Review of the SAI's relevant strategic documents, action plans, and monitoring reports. Interviews of SAI staff and review of the SAI's communication channels, tools and activities during the last calendar year.

Proactive engagement with stakeholders should include electronic channels but also direct engagement with stakeholders such as regular meetings with CSO's/academia to discuss audit plans and topics, stakeholder surveys, conferences/seminars. It should provide stakeholders with an opportunity to give input/feedback to the SAI and not just be about the SAI sharing information. The assessor should reach a judgement on whether the SAI is making a concerted effort to proactively engage.

Regular stakeholder feedback/input is considered to be at least annually, and it should be systematic and not ad hoc.

Criterion 31.1.8.6. Stakeholders know what the SAI does (%) (1 point)

Category: Results

Approach: Analysis of survey responses from a representative sample of the population to the following question or statement: "Are you familiar with the [supreme audit institution] and what it does?"

Answer options are: Yes, very well; Yes, to some extent; Not at all, Do not know, Prefer not to answer

Points are allocated based on the percentage of respondents who replied "Yes, very well" and "Yes, to some extent" to the survey question (x):

- $x < 30\% = 0$ points.
- $30\% \leq x < 60\% =$ linear function.
- $x \geq 60\% = 1$ points.

Sub-indicator 31.1.9. Use of supreme audit institution (SAI) reports by the legislature

Relevant sub-principle(s): 31.i. The parliament and its committees, in accordance with an existing mechanism, regularly consider SAI reports, take decisions based on them and follow up on them.

Maximum points: 10

Criterion 31.1.9.1. The parliament has a formal mechanism for handling SAI reports, including a committee formally dedicated to handling SAI reports (1 point)

Category: Strategy and guidance

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.2. Reports are considered within three months of being submitted to the parliament (1 point)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.3. The committee has held at least five hearings with auditees at a political and/or senior level during the latest full calendar year (2 points)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.4. The committee reaches independent decisions and makes recommendations for follow-up (1 point)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.5. Committee hearings are held in public, except in limited circumstances (national security or similar sensitive issues) (2 points)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.6. The committees have institutionalised a follow-up mechanism on the implementation of their decisions and recommendations (1 point)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Criterion 31.1.9.7. Subject committees consider and hold hearings on SAI reports relevant to their policy competences (2 points)

Category: Practice in implementation

Approach: Review of the reporting practices of the SAI and the number of parliamentary sessions held to discuss the reports, including their timeliness. Parliamentary records are used for verification. Supported by interviews of SAI and parliamentary staff, and the relevant parliamentary committee.

Points are allocated based on the number of hearings held by subject committees on SAI reports in the last calendar year (x):

- $x = 0 = 0$ points.
- $0 < x < 3 =$ linear function.
- $x \geq 3 = 2$ points.

Principle 32: Regional and local governments have resources and adequate fiscal autonomy for exercising their competences, with financial oversight to foster responsible financial management.

Indicator 32.1. Fiscal autonomy of local governments

This indicator measures the heterogeneity of fiscal revenues of local governments as well as their autonomy in revenue management. In addition, it assesses the financial sustainability of carrying out competences and analyses the existence of rules and mechanisms for responsible financial management. The indicator also assesses the degree of dependence and independence of local governments on government subsidies and grants.

Sub-indicators	Maximum points
1. Legislative guarantees for fiscal autonomy and diverse sources of revenues of local governments	19
2. Rules for fiscal equalisation to mitigate disparities among local governments	10
3. Mechanisms for financial oversight of local governments	12
4. Local governments' right to raise and manage own finances	23
5. Rules for conditional and unconditional grants to local governments	10
6. Financial balance and fiscal sustainability of local governments	26
Total	100

Sub-indicator 32.1.1. Legislative guarantees for fiscal autonomy and diverse sources of revenues of local governments

Relevant sub-principle(s): 32.a. The distribution of finances across levels of government is established by law, guaranteeing diversified revenues and borrowing rights while mitigating the fiscal risk of developing an unsustainable debt burden.

Maximum points: 19

Approach: This sub-indicator assesses the fiscal autonomy of local governments in terms of clarity of regulations, independence from state authority in budget approval as well as checks the availability of diverse sources of revenues. The sub-indicator also assesses the rules and limits for local governments' borrowing rights. It also looks at the existence of safeguard mechanisms in case of financial imbalances of local governments as well as sanctions to reprimand irresponsible financial management. The criterion also looks at the indebtedness of local governments in practice.

Criterion 32.1.1.1. The law and/or other regulations establish criteria for the allocation of resources to local governments (2 points)

Category: Legislation

Approach: Review of legislation to assess whether it establishes rules for the allocation of resources to local governments both for competences transferred from the state and own/exclusive competences. The legislation stipulates that no competences may be transferred to local governments without sufficient financial coverage. The legislation also stipulates how transferred competences are financed from the central state administration and what is the share of finances to local governments to cover their own competences.

Criterion 32.1.1.2. The law stipulates diverse revenues for local governments (2 points)

Category: Legislation

Approach: Review of legislation whether it establishes various sources of revenues for local governments. The basic sources of revenues include transfers from the state, grants, share on taxes, the right to raise local taxes and fees, borrowing rights, etc.

Criterion 32.1.1.3. Local government budgets do not require additional approval by a higher authority (2 points)

Category: Legislation

Approach: Review of legislation to check whether the law establishes any obstacles to local governments in their management of finances. The law requires that local governments approve their budgets in line with the national legislation, however the approval of local government budgets should not be conditional to central authorities' approval.

Criterion 32.1.1.4. Local governments can own assets (1 point)

Category: Legislation

Approach: Review of legislation to check whether the law grants local governments the right to own assets and manage their assets freely and in line with national legislation.

Criterion 32.1.1.5. Stable rules exist for the size and allocation of shared national taxes and general transfers (1 point)

Category: Legislation

Approach: Review of government documentation to check whether there are stable and clear rules established for the size and allocation of shared national taxes and general transfers. Stable refers to not significantly changing more often than once in two parliamentary terms of office (or two electoral circles).³⁹

Criterion 32.1.1.6. The law establishes the borrowing autonomy of local governments (2 points)

Category: Legislation

Approach: Review of legislation to check how borrowing rights of local governments are established. If there is a borrowing right of local governments, the law stipulates whether this right is subject to state authorisation.

Points are allocated as follows:

- Local governments have the right to borrow without state authorisation = 2 points
- Local governments have the right to borrow, but state authorisation is required = 1 point
- The law does not establish borrowing right for local governments = 0 points

Criterion 32.1.1.7. The law establishes procedural rules for borrowing rights of local governments (1 point)

Category: Legislation

Approach: Review of legislation and/or regulations to check how procedural rules for local government borrowing are established.

³⁹ For instance: Sebők, M., Kubik, B.G., Molnár, C. et al. Measuring legislative stability: a new approach with data from Hungary. *Eur Polit Sci* 21, 491–521 (2022). <https://doi.org/10.1057/s41304-022-00376-8>.

Criterion 32.1.1.8. The law establishes thresholds for borrowing rights and debt of local governments (2 points)

Category: Legislation

Approach: Review of legislation to check whether it establishes threshold for debt of local governments or other rules imposing limits on local government borrowing. In case there are rules that do not appear sufficient, insufficient refer to rules that are not efficient, very poorly designed or/and not duly respected/are imposed poorly.

Points are allocated as follows:

- There is an upper threshold established for debt of local governments and/or other rules imposing limits on local government borrowing = 2 points
- There are rules limiting local government borrowing, but they do not appear sufficient = 1 point
- No limits for local borrowing and no upper threshold established for debt of local governments = 0 points

Criterion 32.1.1.9. There are guidelines for local governments in the process of borrowing (1 point)

Category: Strategy and guidance

Approach: Review of central authorities' regulations, documentation to check whether there is a co-ordination mechanism to local governments in rules and procedures for borrowing and whether a consultation mechanism is in use.

Criterion 32.1.1.10. The law defines criteria and procedures for financial stabilisation of local government budgets that are not capable of financing their functions (2 points)

Category: Legislation

Approach: Review of legislation to check whether it stipulates the financial responsibility of local governments. The law should establish criteria and the procedure for stabilising local government budgets in case they are in financial constraint. Criteria mean what local governments have to fulfil to receive help for financial stabilisation. Procedure refers to the process, which the authority has to follow when supporting the stabilisation of local government budgets. The law should also stipulate cases, when local governments are unable to tackle their financial situation and describe which authority has the right to interfere and help to reorganise for future fiscal sustainability. There should not be interference in the basic local government functions from the state, interference should be limited to stabilizing the financial situation of the local government only in cases of insolvency or other legally defined financial distress cases.

Criterion 32.1.1.11. Debt of local governments (%) (3 points)

Category: Practice in implementation

Approach: Review of financial data available at the central administration concerning the indebtedness of local governments. Depending on the ceilings for debt for local governments, it is verified whether local governments fall within the legal limits of indebtedness.

Points are allocated based on the percentage of municipalities that are within the legal limits of debt (x):

- $x < 5\% = 0$ points.
- $5\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points.

Sub-indicator 32.1.2. Rules for fiscal equalisation to mitigate disparities among local governments

Relevant sub-principle(s): 32.b. A transparent and predictable fiscal equalisation mechanism balances the resources among regional and local governments.

Maximum points: 10

This sub-indicator assesses the existence of rules for fiscal equalisation as well as the existence of schemes for fiscal equalisation grants/subsidies. It aims at assessing whether countries have mechanisms to mitigate disparities and show solidarity across local governments that have higher-than-average costs for providing services and/or lower-than-average fiscal capacity to raise resources on their own.

General methodology:

Review of legislation and documents including law on fiscal equalisation, budget law, local government finance statistics, data from the Ministry of Finance, NALAS⁴⁰ Report on Financial Development Indicators in Southeast Europe.

Criterion 32.1.2.1. The legislation stipulates fiscal equalisation mechanisms (4 points)

Category: Legislation

Approach: Review of legislation to check whether the law stipulates fiscal equalisation to mitigate disparities and show solidarity across local governments. Due to local disparities the legislation should consider equalisation mechanisms, both vertical and horizontal, to help balance the economic difference among local governments. The criterion is fulfilled if there are rules regulating vertical equalisation and horizontal equalisation of local governments, which are based on objective measures that do not provide disincentives to local governments.

⁴⁰ Network of Association of Local Authorities of South-East Europe

Criterion 32.1.2.2. Intergovernmental transfer system leads to mitigation of disparities in financial potential of local governments (6 points)

Category: Results

Approach: Review of own source and total revenue execution data for individual local governments to check to what extent the intergovernmental transfer system leads to reduction of disparities between more and less affluent local governments.

Adds up from 2 elements:

Changes in the total revenue capital before and after equalisation:

- $-x <$ if the 9th to 1st decile proportion is 2 or more = 0 points
- $-9\text{th to } 1\text{st decile proportion is } 3 \leq x < 1.5 =$ linear function
- $-x \geq$ if the 9th to 1st decile proportion is below 1.5 = 65 points.

Sub-indicator 32.1.3. Mechanisms for financial oversight of local governments

Relevant sub-principle(s): 32.c. Financial oversight, by public authorities or external auditors, is performed to consider the financial situation of regional and local governments, supports the effective use of finances and helps prevent financial imbalances.

Maximum points: 12

This sub-indicator looks at the existence of mechanisms for financial control over local governments. It assesses the available institutions to carry out financial supervision over local governments' budgets and investments, their competence, and the clarity of procedures during financial control.

Criterion 32.1.3.1. The law defines the procedure for regular internal audit systems and reports of local governments (1 point)

Category: Legislation

Approach: Review of legislation to check whether it stipulates the procedure for regular internal audit systems and reports of local governments. The law establishes that local governments are subject to regular internal audit and reports are available.

Criterion 32.1.3.2. The law stipulates the responsible authority for local government financial oversight (1 point)

Category: Legislation

Approach: Review of legislation to check whether it establishes the authority or authorities responsible for financial oversight of local governments.

Criterion 32.1.3.3. The law defines procedure for local budget audit by independent auditors and/or by central auditing authority (public authority) (2 points)

Category: Legislation

Approach: The law stipulates the procedure for local government audits. Review of legislation to check whether local governments are subject to a public authority (central auditing) for scrutiny and/or whether it establishes that audit of local budgets is carried out by independent auditors.

Points are allocated as follows:

- The law defines procedure for local budget audit by independent auditors and/or by central auditing authority (public authority) = 2 points
- There are evident obstacles in the implementation of the criteria in practice = 1 point
- None of the above apply = 0 points

Criterion 32.1.3.4. The law stipulates responsibility and sanctions in case of breach of fiscal rules (2 points)

Category: Legislation

Approach: Review of legislation to check whether there are sanctions for local government authorities in case of breach of fiscal rules. The law stipulates who is responsible in case of financial malpractice, meaning that those responsible for the financial issues should be sanctioned to the extent of their responsibility.

Points are allocated as follows:

- The law stipulates responsibility and sanctions in case of breach of fiscal rules = 2 points
- There are evident obstacles in the implementation of the criteria in practice = 1 point
- None of the above apply = 0 points

Criterion 32.1.3.5. External audits conducted in local governments (%) (6 points)

Category: Practice in implementation

Approach: Review of central administration data on the percentage of local governments where external audit was conducted for the year previous to the assessment. Data collected from national audit offices/ministries of finance.

Points are allocated based on the percentage of local governments that were externally audited (x):

- $x < 10\%$ = 0 points.
- $10\% \leq x < 30\%$ = linear function.
- $x \geq 30\%$ = 6 points.

Sub-indicator 32.1.4. Local governments' right to raise and manage own finances

Relevant sub-principle(s): 32.d. Regional and local governments partly derive their financial resources from local taxes, fees and charges, for which they have the power to determine the rate.

Maximum points: 23

This sub-indicator looks at local governments' autonomy to manage finances and their ability to "decide" and impose taxes and other non-tax instruments to independently raise revenues from their citizens/community. It also assesses how local governments ensure their financial sustainability besides finances transferred from the state. The sub-indicator examines the proportion of local government revenues derived from own/local sources (i.e., taxes, fees, charges over which local government has influence). It compares the proportion of finances transferred from the state with own revenues raised by the local government.

Criterion 32.1.4.1. Local governments can raise funds in their own name (1 point)

Category: Legislation

Approach: Review of legislation whether the law grants local governments the right to raise funds in their own name.

Criterion 32.1.4.2. Local governments can set and/or modify the rate of a major tax. Range established by the law may apply (4 points)

Category: Legislation

Approach: Review of legislation to check whether the law grants the right to local governments to set and/or modify the rate of a major tax. Such taxes mostly include personal income tax, property tax, corporate tax, etc. When assessing this criterion, it is important to note, that fiscal autonomy to be meaningful, has to concern meaningful revenues. Allowing maximum score in case of autonomy to regulate very small revenues (e. g. tax on pets) would not in reality express autonomy of local governments. Therefore, to assess this criteria, regulatory power over taxes that bring over 0.5% of GDP receive more points, than others. The reference to "major tax" is therefore defined by referring to a GDP percentage.

Points are allocated as follows:

- Local governments may regulate the tax rate with no limitation and the major local tax brings over 0.5% of GDP = 4 points
- Local governments may regulate the tax rate within centrally decided limits and the major local tax brings over 0.5% of GDP = 3 points
- Local governments may regulate the tax rate with no limitation and the major local tax brings less than 0.5% of GDP = 2 points
- Local governments may regulate the tax rate within centrally decided limits and the major local tax brings less than 0.5% of GDP = 1 point
- Local government has no discretion to regulate rates of local taxes = 0 points

Criterion 32.1.4.3. Revenue ratio - share of local governments' own revenues compared to the total government revenues (%) (10 points)

Category: Practice in implementation

Approach: Percentage of the local own revenues (e.g., from taxes and fees) compared to the total government revenues. A higher percentage or 'importance' of the locally raised revenues would indicate a higher degree of decentralisation.

Points are allocated based on the percentage of own subnational revenues withing the total government revenues (x):

- $x < 5\% = 0$ points.
- $5\% \leq x < 30\% =$ linear function.
- $x \geq 30\% = 10$ points.

Criterion 32.1.4.4. Revenue autonomy - share of local governments' own revenues compared to all local revenues (%) (8 points)

Category: Results

Approach: Review of fiscal data to check the percentage of own revenues of local governments compared to all local revenues, including transfers (grants) from the state administration. Local governments' own financial resources should account for part of local government revenues (in comparison with state subsidies). Higher reliance on locally raised revenue would indicate a higher degree of fiscal decentralisation.

Points are allocated based on the percentage of local governments' own revenues compared to all local revenues (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 50\% =$ linear function.
- $x \geq 50\% = 8$ points.

Sub-indicator 32.1.5. Rules for conditional and unconditional grants to local governments

Relevant sub-principle(s): 32.e. Earmarked allocations to regional and local governments have functional classification and are restricted to cases where there is a need to stimulate the regional and local implementation of national and/or international policies.

Maximum points: 10

The sub-indicator looks at the existence of both conditional and unconditional transfers from the state to local governments. Earmarked allocations (conditional grants), i.e., are tied to a specific purpose, while unconditional grants to local governments are more flexible to manage thus giving them more financial autonomy. The sub-indicator checks the rules and control by central government in case of providing conditional grants and the extent of providing unconditional grants to local governments, which provide for more autonomy.

Criterion 32.1.5.1. Rules for providing conditional and unconditional grants (2 points)

Category: Legislation

Approach: Review of legislation to check whether there is a stable legal framework (not ad hoc decisions) based on measurable criteria and stable allocation formula. Stable refers to not significantly changing more often than once in two parliamentary terms of office (or two electoral circles).

Points are allocated as follows:

- Rules for providing conditional and unconditional grants = 2 points
- There are evident obstacles in the implementation of the criteria in practice = 1 point
- None of the above apply = 0 points

Criterion 32.1.5.2. Unconditional transfers to local governments (%) (8 points)

Category: Practice in implementation

Approach: Review of data of central authorities to check the extent of unconditional to regional/local governments. Transfers to local governments from the central administrations should not be limited to conditional grants but should also include unconditional grants. Data are checked for the last calendar year.

Points are allocated based on the percentage of unconditional financial transfers from the state to local governments (x):

- $x < 2\%$ = 0 points.
- $2\% \leq x < 5\%$ = linear function.
- $x \geq 5\%$ = 8 points.

Sub-indicator 32.1.6. Financial balance and fiscal sustainability of local governments

Relevant sub-principle(s): 32.f. Financial resources of regional and local governments are commensurate with their tasks and responsibilities and ensure financial sustainability and self-reliance.

Maximum points: 26

The sub-indicator assesses the share of the central government's block transfers on delegated competencies and regional/local government expenditures. This sub-indicator assesses financial sustainability when carrying out delegated tasks by regional and local governments. It looks at the balance between government transfers to carry out delegated competencies and expenditures by regional and local governments on delegated competencies. The aim is to analyse the consistency of available financial resources with responsibilities assigned to local governments.

Criterion 32.1.6.1. The law stipulates that the state cannot transfer competencies to local governments without ensuring finances for their implementation (2 points)

Category: Legislation

Approach: Review of legislation whether the law ensures that the state does not transfer/delegate competencies to local governments without ensuring their financing. This is to guarantee that local governments are not receiving responsibilities beyond their capacities.

Points are allocated as follows:

- The law stipulates that the state cannot transfer competencies to local governments without ensuring finances for their implementation = 2 points
- There are evident obstacles in the implementation of the criteria in practice, e.g. there are cases when competences were transferred without providing financing = 1 point
- None of the above apply = 0 points

Criterion 32.1.6.2. Ministries consult on financing issues with the local governments prior to introducing a new competence or a new law (3 points)

Category: Practice in implementation

Approach: Review of government documentation to check whether the ministries consulted or negotiated with local governments prior to amending laws with an impact on local government financing. Data for the last three years is checked. Documentation can be at the ministry responsible for local government affairs, the ministry of finance and/or the sectoral ministry responsible for competences delegated to local governments. SIGMA identifies at least four sectors that have key delegates competences to local governments. These sectoral laws must be in the common areas: education, social affairs, environment and land use. The evaluation will not be generalised but emphasise that the assessment concerns only these sectoral laws that comprise the sample of ministries. All reviewed cases need to meet the criterion to get the points.

The criterion will be checked in the following areas:

- Education
- Social affairs
- Urban and land use planning
- Waste and wastewater management

Criterion 32.1.6.3. Proportion of local governments with operating surplus at the end of the budget year (%) (3 points)

Category: Practice in implementation

Approach: Review of fiscal data to check what proportion of local governments has operating surplus at the end of the budget year.

Points are allocated based on the percentage of local government with operating surplus at the end of the budget year (x):

- $x < 80\% = 0$ points.
- $80\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points.

Criterion 32.1.6.4. Local government spending ratio (%) (10 points)

Category: Practice in implementation

Approach: Review of fiscal data to check the percentage of spending at the local level (using all resources available, except borrowing) relative to total expenditure of the general government (using all resources available). A higher ratio indicates a higher degree of decentralisation. Calculation: total local government expenditure / total expenditure of general government.

Points are allocated based on the percentage of local government expenditure within total expenditure of general government (x):

- $x < 10\% = 0$ points.
- $10\% \leq x < 30\% =$ linear function.
- $x \geq 30\% = 10$ points.

Criterion 32.1.6.5. Municipalities that adopted the annual budget before the start of the budget year (%) (3 points)

Category: Practice in implementation

Approach: Review of administrative data to check the number of municipalities, which adopted their annual budget before the start of the budget year without substantial delay (one month). Calculation: number of local governments adopted budget before the end of the budget year with no substantial delay/ number of local governments.

Points are allocated based on the percentage of local governments having adopted their budget before the end of the budget year without substantial delay (less than one month). Calculation: number of local governments adopted budget before the end of the budget year with no substantial delay/ number of local governments:

- $x < 90\% = 0$ points.
- $90\% \leq x < 100\% =$ linear function.
- $x = 100\% = 3$ points

Criterion 32.1.6.6. Municipalities that have payment arrears (unpaid obligations) at the end of the calendar year (%) (5 points)

Category: Practice in implementation

Approach: Review of fiscal data to check how many municipalities have unpaid obligations at the end of the calendar year which are 3 months overdue. Calculation: number of local governments with unpaid obligations / number of local governments.

Points are allocated based on the percentage of local governments having unpaid obligations which are over 3 months overdue:

- $x > 30\% = 0$ points.
- $10\% < x \leq 30\% =$ linear function.
- $x \leq 10\% = 5$ points

Annex – Definitions and terms

Below are the key terms and definitions used in the assessment methodology.

Act: any action or omission of such nature as to directly affect the rights, liberties or interests of persons. This includes normative acts in the exercise of regulatory authority, and administrative acts that are not regulatory and physical acts. Footnote: Council of Europe, Recommendation No. R 84 (15) of the Committee of Ministers of 18 September 1984, <https://rm.coe.int/16804e3398>.

Administrative act: any act, action or omission directly affecting the rights, liberties or interests of an identifiable group of recipients.

Administrative appeal: procedure of intra-administrative (non-judicial) review of a decision issued by the relevant administrative body, separate and independent of the administrative body of first instance.

Administrative burdens refer to regulatory costs in the form of asking for permits, filling out forms, and reporting and notification requirements for the government. OECD (2006), Cutting Red Tape: National Strategies for Administrative Simplification. Footnote: OECD (2006), Cutting Red Tape: National Strategies for Administrative Simplification, Cutting Red Tape, OECD Publishing, Paris, <https://doi.org/10.1787/9789264029798-en>.

Administrative case: dispute involving the exercise of public power and any matter that is classified as such, according to the legal regime of the country.

Administrative court: judicial body (i.e., separate from executive and legislative bodies) that deals with administrative cases. It can be established separately from courts of general and other jurisdictions, but that is not a requirement.

Administrative services: services of an administrative nature provided to citizens by the executive bodies of central government, in the following forms: resolving individual administrative cases by issuing administrative acts and undertaking administrative actions at the request of an individual or otherwise; handling citizens' official requests; and enabling citizens to perform their duties towards the state (e.g. pay taxes).

Administrative supervision: control of regional/local government activities and/or decisions in carrying out their competences. Based on the European Charter of Local Self-Government, "administrative supervision of local authorities shall be exercised in such a way as to ensure that the intervention of the controlling authority is kept in proportion to the importance of the interests which it is intended to protect".

Arrears are overdue debts, liabilities, or obligations. They constitute a form of financing that is non-transparent. A large volume of arrears may indicate a number of different problems, such as inadequate commitment controls, cash rationing, inadequate budgeting for contracts, under-budgeting of specific items, and lack of information.

Asset declaration: A public statement specifying stakes or concerns in areas that might conflict with public duties. It includes asset declarations and financial disclosure schemes but excludes ad hoc conflict-of-interest declarations (e.g. declaration of a conflict of interest during a top public manager selection process or during a disciplinary procedure). It should include as a minimum, income and income sources, assets, paid and unpaid outside employment and liabilities.

Asset register is a detailed list of all the organisation's assets, including details on the date of acquisition, value, user, location, condition, etc. Assets include both movable and immovable resources (consumables, digital equipment, vehicles, furniture, buildings, etc.).

Bank account and accounting data reconciliation ensures alignment between them and ensures integrity of the financial information. Suspense accounts, including sundry deposits/liabilities, should be reconciled on a regular basis, and cleared in a timely way in order not to disrupt financial reports.

Direct or indirect **barriers** exist if contracting authorities are allowed to impose conditions causing direct or indirect discrimination against potential tenderers, such as preferential treatment, the requirement that undertakings interested in the contract must be established in the same country or region as the contracting authority and similar.

Base salary compression ratio: ratio between the base salary of the highest position and the base salary of the lowest position in the government's public service salary scale (e.g., the base salary of a secretary general or equivalent position and the base salary of a junior expert or equivalent position). Differences among classes in each category must also be analysed.

Better regulation is a set of principles, tools and practice that helps ensure evidence-based policymaking, enhanced involvement of citizens and businesses in decision-making and simplification.

Body subordinated to the ministry: executive body for which the designated ministry (parent ministry) performs all or a vast majority of the accountability measures (e.g., appointing and dismissing the heads of such bodies, setting or approving their budgets, setting or approving annual plans, accepting annual reports).

Bonus: variable element of remuneration that can be paid on an occasional basis and is related to quality and quantity of work. Payment of bonuses can contain some element of discretion but for the purposes of the assessment, this definition also includes performance-related pay. Bonuses do not include elements of pay that are based objective factors (such as seniority allowance, education allowance and geographical allowance). Other bonuses, if not related to performance and for social reasons awarded to everyone are not applicable here (e.g., so-called 13th salary, monetary jubilee awards, etc.).

Bribery: Act of intentionally to offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a (foreign) public official, for that official or for a third party, in order that the official act or refrain from acting in relation to the performance of official duties, in order to obtain or retain business or other improper advantage in the conduct of international business." https://www.oecd.org/daf/anti-bribery/ConvCombatBribery_ENG.pdf.

Budget calendar: binding procedure set out in legislation or internal regulations that specify the timeline for preparation of the budget proposal until it is approved by the parliament. The budget calendar indicates deadlines and assigns responsibilities for 1) inputs to the proposal by the institutions involved; 2) intra-governmental consultations; and 3) preparation and adoption of the final proposal.

Budgetary/fiscal impact assessment: an estimation of the financial consequences of adopting a new intervention (policy or legal act).

Business regulator: a government entity that is a state-wide actor, which derives from primary or subordinate legislation with one or more of the following powers in relation to businesses and occupations: price-setting; market supervision; inspection; regulatory advice to a third party; licensing; accreditation; and enforcement. Such a body may or may not be involved in the design of regulations or standard-setting.

Calculated disposition time: measure of the time necessary for pending cases to be resolved in court in light of the current pace of work, obtained by dividing the number of pending cases at the end of a period by the number of resolved cases in the same period and multiplying the result by 365 (the number of days in a year).

Capital investment project: long-term investment project requiring allocation of public funds for acquiring, constructing, renovating or improving a capital asset (e.g. land or public infrastructure).

Central government bodies: all public bodies performing administration function and operating at national level (ESA definition).

Central government organisations refer to all organisations of the government structure, including ministries and administrative bodies reporting directly to government or ministries, such as agencies, regulatory bodies implementing public policies. For the purpose of this methodology, it does not refer to all organisations that provide services in education, healthcare and other areas.

Central purchasing body is a contracting authority providing centralised purchasing activities and, possibly, ancillary purchasing activities.

Centre of government (CoG): in general, this includes institutions that provide direct support and advice to the head of government and the council of ministers, such as the head of the prime minister's office, cabinet secretaries or secretary generals of the government. The definition used by SIGMA for EU candidate countries and potential candidates includes the following institutions that help ensure a well organised and competent policy-making system: the government office/general secretariat, the ministry of finance (MoF), the body responsible for legal conformity and the body responsible for European integration (EI) when fulfilling the policy-planning, co-ordination and development functions.

Clearance rate measures whether the court is able to solve the same number of cases that it receives annually, in order to avoid the increase in the backlog. However, this indicator will not capture problems with overall effectiveness of the court, if a significant backlog already exists.

Code of conduct, code of ethics: written, formal codes of behavioural standards. They can set out in broad terms those values and principles that define the professional role of the civil service – integrity, transparency etc., or they can focus on the application of such principles in practice – for instance, in conflict-of-interest situations, such as the use of official information and public resources, receiving gifts or benefits, working outside the public service and post public employment. Ideally, codes combine aspirational values and more detailed standards on how to put them into practice.

In addition to the general standards applicable to all public servants, supplementary codes for specific positions often exist, in particular public office holders and senior civil servants, as well as professions working in sensitive areas, such as law enforcement, judiciary and national defence; the financially sensitive sectors (e.g. tax and custom administrations) and the professions with a tradition of self-regulation (doctors, medical personnel, lawyers).

Cognitive tests: tests that assess what a candidate knows, perceives, remembers, understands, or can work with mentally. They include problem identification, problem-solving, perceptual skills, remembering what was learned through education or experience, and the analysis or development of ideas. Cognitive tests include, among others, general cognitive abilities (GCA) tests, specific cognitive abilities tests, and knowledge-based tests (multiple-choice knowledge tests, written essays).

COFOG - Classification of the Functions of Government: detailed classification matching the government expenditure with the purpose for which the funds are used (government objectives, functions and areas of public intervention).

Communities of practice: groups of individuals who meet voluntarily – due to common interests or areas of expertise – to exchange experiences, identify or develop best practices, and establish new interindividual relations. The groups are built on mutual agreement and are self-managed. Basten, D., Haamann, T. (2018), Approaches for Organizational Learning: A Literature Review. SAGE Open, July-September 2018:1-20.

Competitive procedures: procedures launched by publication of a procurement notice.

Conflict of competences: the state administration may transfer competences to the regional/local government based on the law. It happens, that both the local government and the state administration have competences in the same area. When rules are unclear, it can often lead to overlap or doubt which body oversees the respective competence. It is therefore necessary to have an independent authority, which has the power to efficiently resolve such conflicts and determine which authority (state or local) has the obligation to act.

Conflict of interest situations: Situations involving a conflict between the public duty and the private interests of a public official, in which the public official has private-capacity interests, which could improperly influence the performance of their official duties and responsibilities. OECD (2005), *Managing Conflict of Interest in the Public Sector: A Toolkit*, OECD Publishing, Paris, <https://doi.org/10.1787/9789264018242-en>.

Consolidated format (of legislation): version of the legal act that includes all amendments integrated into the text of the act. Dates of amendments are provided in the heading/preamble of the act.

Constitutional body is a public entity whose establishment (independent from the Executive) is defined by the constitution.

Commitment control arrangements can be broadly classified in two main categories: centralised and decentralised. Centralised commitment controls are performed by a central agency, usually the MoF or treasury. Decentralised commitment controls are performed by respective line ministries and spending agencies.

Complaint: formal action of the interested economic operator that challenges acts and actions or omissions of the contracting authority before the relevant review body.

Conditional (earmarked) allocations: grants, which purpose is strictly stated.

Cooling off period: Time limit imposed on officials previously employed by public sector organisations in order to prevent any offences that they might commit by engaging with their former contacts after they leave public employment.

Council/ cabinet of Ministers (CoM): This term is used to refer to the collective meeting of Ministers. <https://www.oecd.org/fr/gov/a-to-z-public-governance.htm>

Corruption offences are defined in accordance with the International Classification of Crime for Statistical Purposes of the United Nations Office on Drugs and Crime, Version 1.0. https://www.unodc.org/documents/data-and-analysis/statistics/crime/ICCS/ICCS_English_2016_web.pdf

Cost-benefit analysis is the analysis that aims to determine whether the societal benefits of a capital investments outweigh its societal costs.

D1 Managers (part of ILO ISCO-08 1112) are top public servants just below the minister or Secretary of State/ junior minister. They advise government on policy matters, oversee the interpretation and implementation of government policies and, in some countries, have executive powers. D1 managers may be entitled to attend some cabinet/council of ministers meetings, but they are not part of the Cabinet/council of ministers. They provide overall direction and management to the ministry/secretary of state or a particular administrative area.

D2 Managers (part of ILO ISCO-08 11 and 112) are just below D1 managers. They formulate and review the policies and plan, direct, co-ordinate and evaluate the overall activities of the ministry or special directorate/unit with the support of other managers. They provide guidance in the co-ordination and management of the programme of work and leadership to professional teams in different policy areas. They determine the objectives, strategies, and programmes for the particular administrative unit / department under their supervision.

Delegated competencies: refer to powers and responsibilities, which are transferred from the state to local self-governments, carried out by local self-governments “on behalf” of the state.

Central authorities may delegate responsibilities to be carried out at another level (regional, local) to increase efficiency and effectiveness. The delegation of competences is carried out based on the law. There may be different levels of delegation, some including the transfer of decision-making, some including the administration of the responsibility without decision-making power. The law should explicitly stipulate whether a competence is own/original or delegated. This differentiation is essential for ensuring financing. Each country may have a different set of delegated competences. These mostly include competences in areas such as education, environmental protection, health, social protection, transportation, etc.

Demotion: the unilateral and formal decision by an employer to move an employee to a lower position or grade.

Disaggregate expenditures refer to the breakdown of expenditures in sectors or administrative heads. In the calculation sheet, the disaggregate variation is calculated as an average of the ten largest sectors or administrative heads.

Disability awareness training: training aimed at making HR staff, managers or other relevant parties understand the challenges faced by people with disabilities to improve accessibility and inclusion in the workplace.

Disciplinary procedure: the procedure established by law that regulates the proceedings conducted by the relevant administrative disciplinary body to investigate an alleged breach of regulations committed by a public servant. Disciplinary procedures include rules for conducting an investigation and issuing the final disciplinary decision, as well as a catalogue of possible sanctions.

Dismissal: the unilateral and formal decision by an employer to terminate the employment relationship.

Dynamic purchasing system (DPS) is an electronic procurement tool for the purchase of works, services and goods commonly available on the market similar to a framework agreement, but where new economic operators can join at any time.

Economic regulator: an institution or body that is authorised by law to exercise regulatory powers over the sector for the purpose of setting prices and/or improving the operation of the market so that consumers have access to secure services and service providers receive a reasonable rate of return. Regulators that deal only with health, safety, or environmental issues are not considered economic regulators.

E-learning platform: it is an integrated set of interactive online services that provide trainers, learners, and others involved in education with information, tools, and resources to support and enhance education delivery and management.

Electronic case-management system: IT solution that supports and automates the court case-management process, including the following minimum functionalities: 1) registration of documents; and 2) recording of documents, events and results. Footnote: Rooze, E. (2010), “Differentiated Use of Electronic Case Management Systems”, International Journal for Court Administration, November, <http://doi.org/10.18352/ijca.53>.

Eligible candidates: persons who apply to the position and fulfil the formal criteria for the position established in the job announcement, based on which they are invited to participate in the selection procedure.

Employer brand: it is the image an organisation projects to attract and retain talent. This branding encompasses the company’s values, work culture, and reputation in the job.

Engagement quality review (EQR): An EQR is an independent review of the significant judgements made and conclusions reached in formulating the auditor’s report prior to finalisation of the engagement and the

report. This is terminology used in ISQM 1, but they are often referred to as “hot reviews” by the SAI community.

Environmental footprint is a quantitative measure showing the use of natural resources through all activities of an organisation helping to measure and communicate its environmental impact.

European integration (EI) planning documents: set of official documents adopted by the government (in some cases also approved by the legislature) that specifies the policy priorities and actions related to the process of EI. These include, in particular, the National Plan for the Adoption of the Acquis, the Stabilisation and Association Agreement action plan, the national strategy for EI and agreements achieved during negotiations.

European integration (EI)-related commitments: specific non-legislative and legislative activities to be implemented by the government according to the relevant EI planning documents.

EU Treaty Principles of public procurement include: non-discrimination, equal treatment, proportionality, transparency and mutual recognition.

Equal access for economic operators means that contracting authorities should not impose conditions causing direct or indirect discrimination against potential tenderers, such as the requirement that undertakings interested in the contract must be established in the same country or region as the contracting authority.

Equalisation:

- **Cost equalisation:** aims to compensate subnational governments with higher per capita costs relative to other subnational governments, such that they do not face an undue burden. Typically, per capita costs are measured using average or standardised costs, based on budget categories, rather than the subnational governments’ actual expenditure.
- **Fiscal equalisation** refers to the transfer of financial resources to and between subnational governments with the aim of mitigating regional differences in fiscal capacity and expenditure needs.
- **Gap-filling equalisation:** aim to bridge the gap between per capita costs and revenues for each subnational government, rather than consider either side of the ledger in isolation.
- **Revenue equalisation:** relies on measurements of real or potential per capita revenues (fiscal capacity) to determine equalising grants.
- **Vertical and horizontal equalisation:** The source of the funds for equalising transfers to local governments is typically described as either vertical (from the centre to sub-central government [SCGs]) or horizontal (from wealthier SCGs to poorer SCGs) (OECD, 2013[1]). Few equalisation systems are fully horizontal – meaning that they are entirely funded by transfers of own-source revenues between SGCs. Vertical equalisation means that the central government provides resources to the SNGs to balance inequalities, while horizontal equalisation means that wealthy jurisdictions provide resources directly to poor ones.

Expenditure: sum of the nine areas defined in classification of the functions of government based on the Classification of the functions of government (COFOG). Comprises both current and capital expenditure.

Extra-budgetary expenditures/revenues: expenditures or revenues that are controlled by the central government, but which are not included in this annual budget.

Fee: payment required by law from the economic operator in order to initiate proceedings before the relevant review body.

First-level budget organisation is a budget organisation that receives funds directly from the state budget and is responsible for distribution of funds to any subordinated budget organisations.

Fiscal risks: Deviations of fiscal outcomes from what was expected at the time of the budget estimates.

A **fiscal rule** is a legal constraint on fiscal policy through numerical limits on budgetary aggregates. Correction procedures refer to the requirements to return to compliance with the fiscal rules in situations where the fiscal rules are not complied with.

Flexible work schedules (arrangements) are alternate arrangements or schedules from the traditional working day (usually 8-16 or 9-17) and week (usually Monday to Friday). It allows public servants to start and end a workday whenever they want, as long as they deliver services during the core hours specified by the employer.

Framework agreement is an agreement between one or more contracting authorities and one or more tenderers, whose purpose is to determine terms of contracts to be awarded over the specified period, relating to price and, as applicable, to quantities. **Multi-supplier framework agreement** is a framework agreement concluded with more tenderers.

GAWP: government annual work plan: official document approved by the government that specifies actions to implement government policy/policies for the year.

Gender pay gap (GPG): the unadjusted GPG is a key indicator used within the European Employment Strategy to monitor imbalances in wages between men and women. It is defined as the difference between the average gross hourly earnings of men and women expressed as a percentage of the average gross hourly earnings of men. Footnote: Eurostat: Gender pay gap statistics, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Gender_pay_gap_statistics

General government consists of all institutional units primarily engaged in nonmarket operations, including all levels of government.

General government debt is defined as the total consolidated gross debt at nominal value outstanding at the end of the year and consolidated between the sectors of general government.

Gini index: It measures inequality on a scale from 0 to 1, where higher values indicate higher inequality. This can sometimes be shown as a percentage from 0 to 100%. <https://ourworldindata.org/what-is-the-gini-coefficient>

Good administration (good administrative behaviour): set of procedural guarantees protecting citizens' rights in the course of administrative proceedings. While there is no uniform standard of good administration, key components of this concept have been specified in the following international documents: 1) Article 41 of the Charter of Fundamental Rights of the European Union; 2) Council of Europe Resolution (77) 31 on the Protection of the Individual in Relation to the Acts of Administrative Authorities; and 3) the European Code of Good Administrative Behaviour.

Government Finance Statistics (GFS): methodological framework developed by the International Monetary Fund (IMF), providing a uniform approach to fiscal analysis.

Government-initiated laws: laws adopted by the legislature that have been proposed by the government, rather than by individual MPs or other entitled parties.

Government programme: a document that includes a set of priorities, policies or measures agreed to be implemented by a government during its term of tenure, and often approved by the parliament.

Government session: the meeting of the cabinet of ministers or its equivalent, both regular and ad hoc, at which government decisions are taken and for which the CoG prepares an agenda and supporting material for government decisions.

Government transfer: block grants for a specific purpose – for ensuring the implementation of delegated competences.

Government-wide IT architecture is the set of principles, guidelines or rules for designing and managing IT systems and services throughout the public sector (including a list of core components and services and their interplay).

Green public procurement (GPP) is defined in the Communication (COM -2008- 400) "Public procurement for a better environment" as "a process whereby public authorities seek to procure goods, services and works with a reduced environmental impact throughout their life cycle when compared to goods, services and works with the same primary function that would otherwise be procured."

GUIDs have been developed to provide guidance to SAIs and individual auditors in on how to apply the ISSAIs in practice in financial, performance or compliance audits, other engagements and in relation to specific subject matter.

Head of the organisation is the individual who is accountable to stakeholders for the success of the organisation (definition according to the IIA Three lines model).

The head is responsible for ensuring that the appropriate structures and processes are in place for effective governance, and that the organisational objectives and activities are aligned with the prioritised interests of stakeholders. In the public administration, the head of the organisation can be the minister, the state secretary (or equivalent), the head or director of an agency, or a governing body.

Roles beyond internal audit are those related to operational responsibility in the organisation. The advisory role is not included among those that may impair independence and objectivity.

Head of subordinated body: individual or collegial managing organ of a body subordinated to the ministry (e.g., director, management board).

Highest bodies of the judiciary: The court or courts of the highest instance in the national judicial system, e.g., the Supreme Court and the Supreme Administrative Court, the Constitutional Court if such exists, as well as the body appointing or proposing appointments of judges and/or making decisions on disciplinary measures against judges, e.g., a judicial council. In federal systems, this also includes the courts of highest instance at the level of each unit (state).

Horizontal mobility: horizontal mobility includes secondment, swaps and horizontal or lateral transfers.

Horizontal or lateral transfer means a move to a position of the same or equivalent professional category and level, either in the same public body where the civil servant works or in another public organisation that becomes the employer of the transferred civil servant. Horizontal transfers may be **temporary** (i.e., for a fixed period, with the intention that the incumbent will return to the initial position) or **permanent**.

A job swap is when two public servants exchange jobs of a similar or equivalent category and level, usually for a defined period. For the assessment, only horizontal transfers are considered.

Horizontal promotion: career progression while remaining in the same position or moving to a similar job position through modification of the professional grade and/or salary step (e.g., based on performance appraisal results).

Horizontal scope refers to the bodies to which the law applies.

HR planning: It is an HR management procedure consisting of the assessment of current and future HR needs and gaps, as well as the proposal of strategies to fill them in the context of the overall organisational strategy. These strategies may involve different HRM procedures (e.g., recruitment and selection, training, mobility, career management, succession planning, etc.) and other organisational solutions (e.g., knowledge management, reorganisation, streamlining of work procedures, etc.) aimed at attracting, developing, retaining and making efficient use of critical competencies and skills necessary for the organisation to perform.

HR planning — also known as workforce planning, human capital planning or people planning — may be strategic or operational. Strategic HR planning usually covers a three to five-year time horizon. It seeks to

address high-level trends and developments that will affect the availability of the workforce required to deliver organisational outcomes. Operational HR planning usually covers one year and identifies actionable strategies to fill specific HR gaps (quantitative or qualitative) in the short term.

Incompatibility: Restricting unavoidable, serious and pervasive conflicts — Activities regarded as significantly affecting the full and proper exercise of official duties are considered as incompatible with public service employment. Footnote: OECD (2004), *Managing Conflict of Interest in the Public Service: OECD Guidelines and Country Experiences*, OECD Publishing, Paris, <https://doi.org/10.1787/9789264104938-en>.

Independence is the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner (IPPF 1100) Footnote: At the time of drafting of these principles, the IIA is undertaking a major review of the IPPF, under public consultation during 2023. It is expected to be completed by the beginning of 2024 and become compulsory as from January 2025.

The references to the IPPF specific standards refer to the edition published in 2016 and effective from the start of 2017. They should be interpreted as the equivalent standard in the new Global Internal Audit Standards once they are applicable.

Independent fiscal institutions (commonly referred to as independent parliamentary budget offices or fiscal councils) are publicly funded, independent bodies under the statutory authority of the executive or the legislature which provide non-partisan oversight and analysis of, and in some cases advice on, fiscal policy and performance (OECD).

Independent regulator: a regulator whose role and powers have been established in legislation and who makes regulatory decisions at arm's length from executive government. An independent regulator is not subject to the direction on individual regulatory decisions by executive government but could be supported by officials who are located within a ministry.

Individual recommendations: refer to specific weaknesses or incidents in a particular case or within a particular institution.

Information technology (IT) audit is the examination and evaluation of an organisation's IT, policies, and operations. It should determine whether IT controls protect government's assets and ensures data integrity. Given that the government's financial management is increasingly computerized, regular IT audits must be conducted to ensure that information-related controls and processes are working properly.

Information systems: any software application holding, processing or presenting data.

Inspections: Are independent reviews of completed engagements after the reports have been signed off and/or published to ensure the audit work has been conducted in accordance with the ISSAIs, and that the reports produced are reliable and of good quality. This is terminology used in ISQM 1, but they are often referred to as "cold reviews" by the SAI community.

Intergovernmental co-ordinating body: formal arrangement at the governmental level to discuss and put forward national policies.

Inter-municipal co-operation: for the use of this assessment, inter-municipal co-operation means a formal agreement between at least two (and among more) municipalities with the aim to fulfil tasks, competences and/or common projects in a more qualitative, efficient, and effective way to ensure good local governance and help local development. This co-operation may be on a voluntary or mandatory basis.

Internal control: the organisation, policies and procedures used to help ensure that government programmes achieve their intended results; that the resources used to deliver these programmes are consistent with the stated aims and objectives of the organisations concerned; that programmes are protected from waste, fraud and mismanagement; and that reliable and timely information is obtained, maintained, reported and used for decision making. Internal control has been broadly defined by the

Committee of the Sponsoring Organizations of the Treadway Commission (COSO – www.coso.org) as: “a process effected by an entity’s management designed to provide reasonable assurance regarding the achievement of objectives in the following categories: (i) Effectiveness and efficiency of operations; (ii) Reliability of financial reporting; and (iii) Compliance with applicable laws and regulations.

INTOSAI Framework of Professional pronouncements are internationally recognised professional principles and standards that promote excellence in the application of methodology, and support the effective functioning of Supreme Audit Institutions in the public interest. The pronouncements are comprised of the

- INTOSAI Principles (INTOSAI-P)
- International Standards of Supreme Audit Institutions (ISSAI)
- INTOSAI Guidance (GUID)

INTOSAI-Ps consist of founding principles and core principles for SAIs. The founding principles specify the role and functions, which SAIs should aspire to and include INTOSAI-P1 The Lima Declaration. The core principles support the founding principles for an SAI, clarifying the SAI’s role in society as well as high level prerequisites for its proper functioning and professional conduct. They include INTOSAI-P10 the Mexico Declaration on SAI Independence

IPPF 1300 Quality Assurance and Improvement Program

IPPF 1310 Requirements of the Quality Assurance and Improvement Program

IPPF 1311 Internal Assessments

IPPF 1312 External Assessments

ISSAIs are the authoritative international standards on public sector auditing. They set out the requirements for conducting the different types of audit engagements supported by the ISSAIs.

ISQM: International Standards on Quality Management

Job classification: the grouping of jobs into various grades, classes and/or categories or sub-categories, according to job descriptions and job evaluations.

Job description: written statement that clearly identifies the position and sets out the general purpose, the main duties and associated tasks, the level of responsibility, subordinate staff (if any) and working conditions.

Job evaluation: assessment of the relative worth of a position in a job hierarchy, based on a comparative process conducted using a consistent set of job factors, such as the level of responsibility, skill, effort and working conditions. It is important to note that a job evaluation ranks the job, not the job holder. Job evaluation assumes normal performance of the job by an employee, and does not consider the individual abilities of the job holder.

Job family: It is a group of jobs that involve similar work and require similar training, skills, knowledge, and expertise.

Job profile: Combination of the job description and the person specification in a single document. Sometimes this document is also referred as the job description, including both elements.

Job satisfaction or engagement survey among public servants is a survey that is used to assess the level of job satisfaction of public servants with their job, their working environment, and their organisation. The survey typically consists of a series of questions that are designed to gauge the views and opinions of the public servants on a range of topics, such as job satisfaction, work-life balance, communication, leadership, and training and development. The results of the survey can be used by organisations to identify areas for improvement and to make changes to enhance the satisfaction and engagement of their

public servants. Satisfaction surveys are often conducted anonymously to encourage honest and open responses from participants.

Key horizontal planning documents: cross-sectoral multi annual plans of the government e.g., medium-term expenditure framework, development strategy, programme for European integration and alike are documents that cover most policy areas and set out objectives for country's development in the medium or long term. The national administration will confirm the set of key horizontal planning documents included in the scope.

Law on general administrative procedure (LGAP): primary legislation that regulates the procedure for issuance of administrative acts and that could be applied in all or the vast majority of individual administrative cases under the jurisdiction of central government bodies, unless special regulation (*lex specialis*) excludes its application in specific cases.

Learning: it is the acquisition of knowledge or skills through study, experience, or being taught.

Legally enforceable right: The right, established by law, can be claimed and defended in a court and failure to respect the right can lead to legal consequences.

Legislative plan: official document adopted by the government that specifies the acts of primary and secondary legislation to be prepared and adopted by the government (and sometimes also by ministries) over a specific period of time (usually one year or six months).

Life events are common moments or stages in the lives of citizens or the lifespan of a business / non-public organisation, and may require multiple contacts with more than one institution, with the user at the centre trying to connect fragmented service offers. This sub-indicator acts as a benchmark regarding life event packaging for both sets of users: citizens and businesses / non-public organisations.

Examples of Life events for Citizens: having a baby; registering for public healthcare; studying in higher education; looking for a job; paying income taxes and social contributions; becoming unemployed; marrying / changing marital status; buying, building, renting or renovating a property; travelling to another country; moving within country; moving to another country; applying for a driver's licence (including renewal); owning a car; reporting a crime; starting a small claims procedure; applying for a disability allowance; retiring; dealing with the death of a close relative

Examples of Life events for Businesses / non-public organisations: starting a business / organisation; building, buying, renting or renovating a property; hiring an employee; running a business / paying tax and social security contributions; trading across borders; closing a business (including insolvency proceedings).

The legislative, judicial, and executive authority of **local government units** is restricted to the smallest geographic areas distinguished for administrative and political purposes. The scope of a local government's authority is generally much less than that of the central or a state government, and such governments may or may not be entitled to levy taxes on institutional units or economic activities taking place in their areas. They are often dependent on grants from higher levels of government, and act as agents of central or state governments to some extent. To be treated as institutional units, however, they must be entitled to own assets, raise funds, and incur liabilities by borrowing on their own account. They must also have discretion over how such funds are spent, and they should be able to appoint their own officers independently of external administrative control. For the purposes of this assessment, the term local government shall refer to all levels of self-government, should there also be a second tier (regional self-government). <https://ec.europa.eu/eurostat/documents/3859598/5925693/KS-02-13-269-EN.PDF/44cd9d01-bc64-40e5-bd40-d17df0c69334>

Mandatory standstill period: a period of at least 10 calendar days with effect from the day following the date on which the contract award decision is sent to the tenderers and candidates concerned if fax or electronic means are used or, if other means of communication are used, before the expiry of a period of either at least 15 calendar days with effect from the day following the date on which the contract award

decision is sent to the tenderers and candidates concerned or at least 10 calendar days with effect from the day following the date of the receipt of the contract award decision.

Material scope refers to the topics regulated in the law.

Material scope of legislation refers to the specific subject matter or area that a particular law covers. It delineates what the law regulates, governs, or addresses. In essence, the material scope of legislation defines the boundaries and subject matter that a particular law deals with, providing guidance on its intended purpose and application.

Medium-term budgetary framework (MTBF): policy instrument adopted by the government that allows the extension of the horizon for fiscal policymaking beyond the annual budgetary calendar. It may include planning horizons of varying lengths (e.g. three or four years). It usually relates to all sectors of general government and provides relevant targets (expenditure ceilings) for all of them. Sherwood, M. (2015), Medium-term Budgetary Frameworks in the EU Member States, Discussion Paper 021, December 2015, Publications Office of the European Union, Luxembourg, https://ec.europa.eu/info/publications/economy-finance/medium-term-budgetary-frameworks-eu-member-states_en.

Medium-term expenditure framework (MTEF) sets out three-year spending plans of the national and provincial governments. The budget ceiling for the first year should be considered 'hard' while the budget ceilings for the second and third outer years are 'soft' or 'indicative'. The second- and third-year budget ceilings should be the basis for the preparation of the next year medium-term budgetary framework (MTBF), but they can be revised conditional upon new fiscal developments and policy priorities. Such changes to the ceilings in consecutive MTBFs need to be clearly specified to give the MTBF a rolling nature.

Medium-term fiscal framework (MTFF) encompasses the top-down specification of the aggregate resource envelope based on medium-term macro-fiscal forecasts. Another term for the MTFF can be Fiscal Strategy. In countries that have also prepared the medium-term budget framework (MTBF) (see 24.3), the MTFF is likely to be presented as an integrated part of the MTBF and not as a separate document.

Middle-level management positions: all the management positions in the hierarchy of public service jobs underneath the top management positions and above the non-management staff. In countries where the job classification includes "middle-level management" and "low-level management" categories, this definition includes both.

Ministerial agency: semi-autonomous public organisation with implementing and executive functions that operates at arm's length from the government bodies directly linked and accountable to ministries.

Monitoring: ongoing process of data gathering and analysis to measure progress in meeting stated government policy objectives and achieving intended performance results (both financial and nonfinancial) for the purpose of improving performance and/or accountability.

MP-initiated laws: laws initiated by the members of parliament (individuals or group).

Multi-annual commitments constitute the approved funding of investment projects for future years.

Neutrality of public servants: it refers to the obligation of public servants to avoid using their official position for partisan purposes or interests, and not to undertake any activity that could call into question their political impartiality.

Non-standard approval procedures: parliamentary scrutiny and approval procedures which allow shortened and/or simplified steps for scrutiny, discussions and approval of draft legislation by the parliament compared with standard (normal) procedures.

Occupational health and safety (OHS), refers to the policies, procedures, and practices implemented by government agencies and bodies to ensure the physical, mental, and social well-being of their employees

in the workplace. It encompasses a broad range of topics and measures designed to prevent work-related injuries, illnesses, and fatalities and to promote overall well-being among employees.

Onboarding: The processes by which new hires are integrated into the organisation. It includes activities that allow new employees to complete an initial new-hire orientation process, as well as learn about the organisation and its structure, culture, vision, mission, and values. Footnote: Society of Human Resource Management <https://www.shrm.org/resourcesandtools/tools-and-samples/toolkits/pages/understanding-employee-onboarding.aspx>

Ombudsperson (or ombudsman or ombuds) is an independent official, usually appointed by the national parliament, who investigates complaints made by individuals against administrative errors, acts, omissions, or decisions made by the public government and attempts to resolve them, usually through recommendations or mediation. Core principles of the Ombudsperson Institution, including independence, objectivity, transparency, fairness, and impartiality, may be achieved through a variety of different models. The right to complain to the Ombudsman is an addition to the right of access to justice through the courts.

One-stop shop: a physical or virtual point of contact that provides a number of public services from several public institutions.

Single-door one-stop shops are merely a physical premise (or online portal) where several public institutions offer their services independently.

Single-window one-stop shops integrate different services into one simple front-end process. Therefore, users can apply for different related services merely visiting one public official (or online portal) and filling only one form.

Organisational restructuring: the process by which one or several organisations change their internal structure by suppressing, adding, modifying, or merging organisational units, the hierarchical and/or functional relations among them, and/or the internal operations and processes.

Original competences: refer to competences, which falls exclusively within the remits of local governments, when it comes the management of tasks and to decision-making, nevertheless, always in line with the law. These are the most basic and fundamental functions of local governments.

Oversight institution: public body performing external oversight over the executive with a wide degree of autonomy. For the purposes of this assessment, three types of oversight institutions are taken into consideration: 1) parliament; 2) ombudsperson institution of general mandate (excluding, for example, specialised ombudsperson for ethnic minorities, healthcare issues or education); and 3) supreme audit institution (SAI). Courts, playing similar role, are analysed separately under Principle 17.

Parliamentary governing body: is the highest governing body of parliament which meets regularly to discuss and agree on the parliamentary work plan/calendar and other issues.

PAR planning documents: a set of valid planning documents that cover either all, several or a single area of the Principles of Public Administration and together form a common PAR agenda for the country. The national administration will confirm the set of PAR planning documents included in the scope. Experts will prioritise overarching PAR-related planning documents (i.e., PAR and PFM strategies that cover more than one area of the Principles of Public Administration). In absence of overarching PAR-related planning documents, experts will determine relevant planning documents for each area together with national administration, if they exist.

Performance appraisal: methodology and set of procedures for rating the work performance of individuals according to standards and criteria applied across one or several organisations in a similar fashion. Footnote: OECD (2008), The State of the Public Service, OECD Publishing, Paris, <http://dx.doi.org/10.1787/9789264047990-en>

Person specification: Characteristics of the ideal person to fill the job, namely, what qualifications in terms of education, work experience, knowledge and skills the person requires for effective performance in the job. All attributes must be objectively established through job analysis, distinguishing between essential and desirable requirements.

Persons with disabilities: Persons who have long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others. The Court of Justice of the EU has defined disability as an impairment that is “long-term” and which, in the field of professional life, “hinders individuals’ access to, participation in, or advancement in employment” (Joined Cases C-335/11 and C-337/11, Ring; Case C-363/12, Z; Case C-354/13, Kaltoft). Footnote: UN Convention on the Rights of Persons with Disabilities <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

Politically appointed positions: Positions in any public institution occupied by elected or politically appointed individuals without formal recruitment and selection processes. These include the president, the prime minister, ministers and politically appointed members of their cabinets; members of parliament; politically appointed advisers; mayors and other elected members of local government councils; politically appointed chairpersons and members of the governing boards of different public bodies.

Policy-development departments: organisational units in the ministries dealing with the policy areas under the ministry’s responsibility, legal departments, analytical departments, European integration and policy co-ordination departments. This excludes units that provide auxiliary and administrative services.

Portal website is an eGovernment website that gathers and provides information and services from multiple public administrations. A portal can focus on one specific life event or target group (e.g. students, businesses, unemployed) or on multiple life events or target groups. These overarching government websites are often referred to as a one-stop-shop websites. In some cases, users can complete services on the portal website itself, whereas in other cases the portal website operates as a navigation website that directs users to the websites of those government entities responsible for providing the service. From the life event concept a portal website is often the starting point for a user.

Positive action: actions that public administrations take to address any imbalance of opportunity or disadvantage that an individual or individuals with one or more protected characteristics (e.g., disability, less represented gender, social minorities) could face.

Principle of subsidiarity is established in the European Charter of Local Self-Governments, which stipulates that “Public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen. Allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy.”

Procedures initiated ex officio: administrative procedures that are initiated upon the decision of the administrative authority, not upon an application or request from an individual.

Project appraisal is the calculation of the costs of a capital investment project and the multi-annual cash flow requirements. It involves comparing the costs of various options.

Professionalism of public servants: it refers to the obligation of public servants to perform the duties of their position efficiently and acting with integrity.

Psychometrics: is the field in psychology devoted to testing, measurement, assessment, and related activities.

Public consultation: process through which the government actively seeks the opinions of interested and affected groups for a policy or legislative initiative. A two-way flow of information, it may take place at any stage of policy development, from problem identification to evaluation of existing regulation. Key standards of public consultations are defined in the Code of Practice on Consultation of the Government

of the United Kingdom. Footnote: HM Government (2008), Code of Practice on Consultation: The Seven Consultation Criteria, p. 4,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100807/file47158.pdf

Public employee in a high-risk position: refers to, as a minimum, political advisors and staff in regulatory authorities. High-risk or at-risk positions are also often found in public procurement, revenue collection or licensing.

All public funds: All public monies, resources, or assets, used by a recipient or beneficiary regardless of their legal nature, or whether and how they are reflected in the national budget. This includes the collection of revenues owed to the government or public entities (INTOSAI P1 and P10).

Public liability: a legal recourse for seeking adequate compensation for damage caused to any person by unlawful administrative and physical acts and omissions committed by executive bodies in the course of exercising public authority. This definition excludes acts and omissions of legislative and judicial bodies. Illustrative cases of public liability are: 1) damage caused by the decision issued by a respective administrative body ordering the demolition of a building, if the decision was executed and subsequently repealed by the court (or appeals body); 2) damage caused by the decision of a tax authority imposing financial sanctions on a taxpayer, if the decision was executed and subsequently repealed by the court (or appeals body); 3) lack of action required by a law from the respective administrative body, if this inactivity had direct impact on damage caused to a citizen by a third party or external events, e.g. natural disaster (unlawful omission); and 4) excessive length of administrative proceedings. These examples are not exhaustive of public liability cases but provide guidance for assessors for the sub-indicators on the application of the public liability mechanism in the courts in practice and the proportion of entitled applicants receiving payments.

Public sector integrity: the OECD Recommendation of the Council on Public Integrity defines public integrity as the consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interest over private interests in the public sector

Public servants of the central government administration with direct participation in the exercise of public authority and duties designed to safeguard the general interest of the state: These functions typically include managers, public servants responsible for law drafting, administrative and public procurement decisions, inspectors, security personnel and diplomats.

Public servants: for the purposes of application of the Principles, it means employees of 1) ministries and agencies, including regulatory bodies, 2) offices/secretariats of the Prime Minister, the Council of Ministers and presidential administrations, 3) parliament, supreme audit institution, ombudsperson, courts and other independent bodies; 4) regional and local administrations. The Principles shall not apply to elected and politically appointed officials, judges and prosecutors. They shall also not apply to technical support staff in public administration bodies (for example drivers and cleaners). National legislation may apply a broader scope than the above definitions. For the assessment of this Sub-indicator, only public servants in ministries and agencies, including regulatory bodies, offices/secretariats of the Prime Minister and the Council of Ministers, are considered.

Public service: for the purposes of the application of the Principles, it includes employees of 1) ministries and agencies, including regulatory bodies, 2) offices/secretariats of the Prime Minister, the Council of Ministers and presidential administrations, 3) parliament, supreme audit institution, ombudsperson, courts and other independent bodies; 4) regional and local administrations. It excludes elected and politically appointed officials, judges and prosecutors, and technical support staff in public administration bodies (for example, drivers and cleaners). National legislation may apply a broader scope than the above definition. For the purpose of the assessment of this sub-indicator, only the public service in the central government administration is considered.

Qualified majority: requires a higher threshold than a simple majority. The threshold can vary, such as two-thirds or three-fourths of the total membership.

Reasonable accommodation for disabled persons: This means that employers shall take appropriate measures, where needed in a particular case, to enable a person with a disability to have access to, participate in, or advance in employment unless such measures would impose a disproportionate burden on the employer. Footnote: European Union Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0078>

Recruitment: The process of searching out the potential applicants qualified for the job and inspiring them to apply for the vacancy. It includes at least the following steps: 1) Preparation of the job offer based on the job description and the ideal profile of the candidate; 2) dissemination of the job offer; 3) Reception and initial screening of applications to determine which applicants meet the general requirements and could be invited to participate in the selection process.

Recurrent costs of a capital investment refer to the expenditure needed for operating and maintaining the investment.

Regulations approved by government: this includes all types of normative acts, orders or decisions approved by the Council of Minister/Government which introduce and/or change rules, restrictions on businesses, citizens, NGOs of public sector organisations, and/or which create certain obligations non-compliance with which can make the regulated entities non-compliant with law and/or will deprive them from benefiting from certain programmes and/or policies (e.g. rules on applying for subsidy programme). Policy or planning documents, as well as all decisions related to individual cases and/or entities approved by government are excluded from the scope.

Regulatory body includes business regulators, economic regulators, and independent regulators.

Regulatory impact assessment (RIA): a systemic approach to assessing the positive and negative impacts, effects and risks of proposed regulations and non-regulatory alternatives. A range of different analytical methods can be used. The analysis usually covers a wide range of impacts, including economic, social, and environmental, as well as on special groups and areas.

Residual risk is the risk that remains after management's response to the risk (definition by COSO's Enterprise Risk Management- Integrated Framework).

Review body: institution, typically a special review body or court, that resolves disputes on public procurement procedures in the first instance (in some countries, after an obligatory first-stage review conducted by the contracting authority).

Risk is the possibility that an event will occur and adversely affect the achievement of objectives of the organisation (COSO Framework)

Significant risks are those with a high probability of occurrence and/or a high impact, based on the analysis done by the organisation.

Risk management: A process to identify, assess, manage, and control potential events or situations to provide reasonable assurance regarding the achievement of the organisation's objectives.

Salary compression ratio is one of the key characteristics of a salary system and presents the difference between the highest and the lowest salaries. Low base salary compression ratios suggest that employees in the higher categories are underpaid, or lower levels are overpaid. There are several ways it can be calculated: taking into account base salaries, as presented in the salary scales or actual salaries paid.

Salary data at the individual level for the public sector encompasses detailed information on each employee's pay and employment characteristics. This includes base salary, pay grade and step, bonuses, allowances, overtime pay, and deductions. It also covers total gross and net pay. It also needs to include

demographic characteristics (age, gender – can be drawn from person ID number in the data set), reference data (employer, job title), and employment characteristics (employment type, service period; ideally should also include performance ratings, education level).

SAI leadership in a monocratic model is defined as the head of the institution, normally the auditor general (occasionally chairman or president). In SAIs with a board or court model the leadership is defined as the head of the institution and members of the board or court

Supreme audit institution (SAI): public body which, however designated, constituted or organised, exercises by virtue of law, the highest public auditing function

Sector strategies: sector or cross-sector strategies or other type of sector policy planning documents that set out the medium- or long-term policy goals, reform agenda, ambitions as well as measures and activities for a specific sector or sectors (e.g. health care, innovation, education or culture).

Secondary legislation: these include legal acts that the executive (government or ministry) is mandated to adopt, and which creates legal consequences for more than one individual (different from individual acts, e.g. appointments).

Secondment means a move to a job position in another organisational unit or to another public or private institution, in which the public body that seconds the civil servant remains his/her employer.

Selection: Process to assess the extent to which the candidates applying to a job fit the job's critical requirements and can perform the job. Assessment methods must provide accurate results relevant to specified job requirements (i.e., knowledge, skills, abilities and other characteristics necessary for the effective performance of the job), consistent across multiple applications.

Selection committee: A group of people appointed to select candidates in the selection process to fill a vacancy. The use of selection panels, provided that the composition is professional, helps to eliminate biases in the selection due to the opportunity to discuss different perspectives to reach an agreement on the rating scores for each candidate and the final selection proposal.

Simple majority: requires more votes in favour than against, regardless of abstentions or non-voting members.

Absolute majority: requires more than half of all eligible members to vote in favour. This type of majority takes into account the total number of members, not just those who vote.

Socially responsible public procurement (SRPP) is defined in the "Buying Social" A Guide to Taking Account of Social Considerations in Public Procurement 2nd Edition: Socially responsible public procurement (SRPP) aims to address the impact on society of the goods, services and works purchased by the public sector. It recognises that public buyers are not just interested in purchasing at the lowest price or best value for money, but also in ensuring that procurement achieves social benefits and prevents or mitigates adverse social impacts during the performance of the contract. As a public buyer you can consider social objectives throughout the entire procurement process, provided these are non-discriminatory and linked to the subject-matter of the contract.

Social partners: this term refers to representatives of management and labour – employers' organisations and trade unions or representatives of employees of one or more institutions where trade unions do not exist.

Spending review is an examination of the implementation efficiency and effectiveness of existing government policies.

Standard Cost Model: a framework for defining and quantifying administrative burdens for businesses

Standardised test: tests that require all test takers to answer the same questions in the same way and are scored in a consistent manner.

State-owned enterprise (SOE): corporate entity recognised by national law as an enterprise in which the state exercises ownership. This includes joint stock companies, limited liability companies and partnerships limited by shares. Moreover, statutory corporations with their legal personality established through specific legislation should be considered SOEs if their purpose and activities, or parts of their activities, are of a largely economic nature.

Subject committees: Parliamentary committees which focus on specific policy areas, for example health, defence or education.

Subnational debt: Subnational government debt include currency deposits, bonds and loans whilst excluding insurance pension and standardised guarantees as well as other accounts payable.

OECD: World Observatory on Subnational Government Finance and Investment, <https://www.sng-wofi.org/data/>

Tax:

- **CIT:** corporate income tax or profit tax
- **Local taxes** can be numerous and diverse depending on the economic, historical, geographical, etc. situation of the region/local community. Local taxes may include e.g.: property tax (including land tax and tax for construction), taxes for the use of public space, for dogs, for vending machines, for providing accommodation, for driving/parking of a vehicle in the historical part of a municipality, etc. Non-tax instruments include fees for services provided by the local government to its citizens. These may include e. g. local fee for municipal waste, waste management, fee for small construction waste.
- **Tax expenditures:** describe revenue losses attributable to provisions of national tax laws which allow a special exclusion, exemption, or deduction from gross income or which provide a special credit, a preferential rate of tax, or a deferral of tax liability.
- **Major tax** refers to largest local level taxes such as property tax, personal income tax, environmental tax, corporate tax, etc.
- **PIT:** personal income tax

Telework is the work performed using information communication technology (ICT's such as smartphones, tablets, laptops and desktop computers) outside the employer's premises. Opportunities to telework exist if a public servant can at least occasionally use telework, i.e., perform work from outside of their office.

Temporary employment: It is employment for a specific period of time. It includes fixed-term, project- or task-based contracts, as well as seasonal or casual work. Fixed-term, project- or task-based contracts are contractual employment arrangements between one employer and one employee characterised by a limited duration or a pre-specified event to end the contract. Casual work is the engagement of workers on a very short term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks, in return for a wage set by the terms of the daily or periodic work agreement. Footnote: International Labour Organisation https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang-en/index.htm

Territorial or municipal fragmentation refers to the number of local government units and how the power/competences are shared between them based on size of territory, number of population. Municipal fragmentation is measured as the number of municipalities per 100,000 inhabitants. According to the fiscal decentralisation literature, fragmentation should enhance growth as local government closer to citizens can implement policies that better match their needs, thus providing services and public goods in a more efficient way. The presence of many local governments, however, may create problems in terms of overlapping functions, (dis)economies of scale, and policy fragmentation. Therefore, it is important to reflect territorial fragmentation in the division of competences. It is also important to differentiate between rural and urban areas. Bartolini, D. (2015), "Municipal Fragmentation and Economic Performance of OECD

TL2 Regions”, OECD Regional Development Working Papers, No. 2015/02, OECD Publishing, Paris, <https://doi.org/10.1787/5jrxqs60st5h-en>.

Tertiary education refers to the educational level that follows the completion of secondary education at least the first stage of tertiary education (ISCED 5), as defined in the OECD Handbook for Internationally Comparative Education Statistics: Concepts, Standards, Definitions and Classifications. This stage of education is typically provided by universities, colleges, and other institutions that offer academic degrees, vocational training, and technical education.

Top Public Management (TPM) or senior civil service: considered as synonyms.

Top managerial positions: first and sometimes second hierarchical level under the minister or lower political position (according to International Labour Organisation [ILO] classification, D1 and sometimes D2 positions below the minister/deputy minister or equivalent political authority, such as secretary generals or similar positions in certain countries).

Top public manager: Top-tier public officials are defined as the higher management level of the public administration (e.g., a secretary-general).

Training: formalised teaching of members of the organisation regarding particular skills or types of behaviour (both soft and hard skills). Footnote: Basten, D., Haamann, T. (2018), Approaches for Organizational Learning: A Literature Review. SAGE Open, July-September 2018:1-20.

Training needs analysis (TNA): a systematic process to assess the goals of the organisation, determine the training needed to achieve those goals and decide on the training priorities that will make the greatest contribution to the organisation.

Training plans: periodic documents that set out the training priorities for the planning period, the training activities to be developed, and the objectives, target groups, calendar, resources, and evaluation methods.

A **treasury single account (TSA)** provides a unified structure of government bank accounts enabling consolidation and efficient use of government cash resources.

TSA is a tool for consolidating and managing governments’ cash resources, thus minimizing borrowing costs. Based on the principle of unity of cash and the unity of treasury, a TSA is a bank account or a set of linked accounts through which the government transacts all its receipts and payments. The principle of unity follows from the fungibility of all cash irrespective of its end use.

Unconditional (non-earmarked) grants: may allow subnational governments more fiscal autonomy.

VAT: value-added tax, or sales tax

Vertical promotion: move from the existing job position to another position of a higher grade (in the hierarchy) or professional category. For the purpose of assessing this sub-indicator, only promotions to a higher professional category in the job classification (e.g., from a professional-level category to a managerial-level category), or to a higher level within the same category which involves a substantial modification of job duties and requirements to perform the job well (e.g., within a professional category, direct vertical movement from the lower level “junior expert” to the higher level “senior expert”) are considered.

Vertical scope refers to the upper and lower division line between political appointees, public servants and technical support staff.

Voluntary turnover is a type of turnover that occurs when employees willingly choose to leave their positions (it is their decision). It does not include retirement or death, nor transfers initiated by an employer or resulting from the application of law. The information on voluntary/non-voluntary reasons for departure can be obtained from administrative documents or exit interviews and should be registered by each institution as it constitutes an essential HR metric to monitor. In countries where retirement (departing from

organisation) is not mandatory upon achieving retirement age set in the legislation, and civil servants can continue working, their later decision to leave are not considered voluntary for this calculation (are considered involuntary in this key performance indicator [KPI] calculation).

Wage bill, for the assessment purposes, is the sum of wages and salaries paid to employees of central administration in a year. Wages and salaries consist of all payments in cash (no other forms of payment, such as in-kind, are considered) to employees in return for services rendered before deduction of withholding taxes and employee pension contributions. Monetary allowances (e.g., for housing or transportation) are also included in the wage bill. Pensions, by contrast, are generally not included in the wage bill.

Whistleblower: persons who report (within the organisation concerned or to an outside authority) or disclose (to the public) information on a wrongdoing obtained in a work-related context, help preventing damage and detecting threat or harm to the public interest that may otherwise remain hidden. See also Articles 1-6 of the EU Directive on Protection of Whistleblowers. <https://eur-lex.europa.eu/eli/dir/2019/1937/oj>

Web Content Accessibility Guidelines (WCAG) 2.0): set of technical standards for web developers that sets out a single shared standard for web content accessibility.

Work sample tests: they assess a candidate's ability to perform specific job tasks. Their aim is to replicate actual job tasks or situations to assess if the candidate has the skills, experience or qualifications to carry out the work. The work sample must refer to tasks actually performed on a job. It may assess different aspects of performance such as the work process, or the result achieved. Work sample tests include situational judgement tests (SJT), in-tray exercises, interactive exercises which may include analysis and presentation exercises, roleplay/conversation simulations, planning exercises.

Assessment Methodology of the Principles of Public Administration

The Assessment Methodology provides a comprehensive framework for assessing the state of a public administration against each Principle described in The Principles of Public Administration. It features a complete set of indicators, focusing on the preconditions for a good public administration (good laws, policies, structures and procedures) and how the administration performs in practice, including the implementation of reforms and subsequent results.