

## Executive summary

Modern government operates in a complex market of ideas, policies and actors. It requires thousands of decisions to be taken and acted upon each day. Today's information and communication technologies have not only increased sources of information and created new communities but have, at the same time, raised public expectations about government response times. A key challenge to successful government is the ability to make good decisions and communicate them in a timely manner.

Strategic decision making requires high-quality advice to assist government leaders in making informed decisions, particularly to help restore long-term economic growth. It also requires co-ordination to keep in tune with the various stakeholders within and outside government as well as to ensure the coherence of government actions.

Alongside the senior public service, ministerial advisors can help government leaders in these areas. Indeed, in many countries ministerial advisors are appointed primarily in order to increase the responsiveness of government and help address strategic challenges faced by government leaders. At the same time, their sheer number and the opacity surrounding their status have prompted widespread concern in the last decade in many countries. These were two of the main findings from the 2010 OECD *Ministerial Advisors Survey* which was carried out across 27 countries.

The survey comprised two questionnaires. The first, to which respondents were senior public servants, gathered evidence-based data on legal, institutional and procedural frameworks governing ministerial advisors. The second questionnaire, designed specifically for ministerial advisors, gathered their insights into their own roles and how they contributed to policy making.

This report examines the survey's findings in order to better understand the important role advisors play and how they are managed. It considers why ministers use their services, how they are appointed, the special status they enjoy, the concerns they have prompted in the general public, and how reform may make them more accountable for their work and improve the transparency of their status.

## What is a ministerial advisor?

Although there is no single definition of what constitutes a ministerial advisor across countries, there are some common characteristics in their appointment procedures and the range of functions they carry out.

First, the appointment of ministerial advisors is at the sole discretion of the minister or the head of government in 73% of respondent countries, according to the survey. They are primarily appointed on the basis of personal trust and their term of office is generally tied to that of the government leader who appointed them. Although 78% of the respondent countries indicate that their general employment framework rules for the public service apply to ministerial advisors, the minister is the only authority responsible for the implementation of employment rules in 50% of respondent countries.

A second common characteristic is the nature of the functions they perform. Advisors' responses to the survey yield insight into what they regard as their most common functions. Ninety-five percent of respondents listed strategic advice in the design of policies or reforms as their prime duty. They stress that their influence is telling in such key areas as crisis management, diplomacy (e.g. accession to the European Union), and the design of new laws and policies. Also, their co-ordination with such stakeholders as Parliament, interest groups and lobbyists, and the minister's political party helps decision makers keep in touch with stakeholders and public opinion in an increasingly complex and fast-paced environment, thereby ensuring that their key policy decisions are timely and in tune with expectations (86% of respondents). The other functions which advisors describe as those they most commonly perform are:

- political/partisan advice that reflects the minister's political outlook or governing party's priorities – 76% of respondents;
- media assistance – 67% of respondents.

Their functions may have a narrower focus (e.g. on media assistance or politico-partisan advice) in countries such as Finland and the Netherlands where there are strong traditions of political neutrality in the public service and public servants are ministers' main advisors.

## Blurred boundaries, risk of politicisation of the public service?

However, discussions within the framework of the OECD Public Sector Integrity Network, which brings together senior public servants in charge of

integrity policies in central government, highlighted the following governance issues:

- A frequent challenge is to delineate the respective roles and responsibilities of ministerial advisors and public servants in their advisory relationship with ministers. A majority of countries (59%) have moved to restrict ministerial advisors' ability to manage public servants. Although the boundaries they have introduced should, of course, be clearly understood and respected, they are meant to constitute a line, not a wall.
- The problem of politicisation of the public service was raised in countries with a system of *ministerial cabinet* (such as Belgium or France), where political parties may exert pressure on public servants and ministerial advisors are entitled as a matter of priority to join the public service on leaving office. In other countries, politicisation was not necessarily meant in party political terms, but referred to pressure on public servants to be more “responsive” to ministers and the government agenda in their advice and actions.
- Also, depending on a countries' politico-administrative settings, ministerial advisors may act as “gatekeepers” to the minister's office instead of facilitating communication between public servants and the minister concerned.

### **High numbers, little transparency, low accountability**

Survey findings suggest that ministerial advisors have become a source of public concern in the last decade in three-quarters of respondent countries. Their sheer number is the issue most often addressed in the media and/or formal enquiries. Although advisors are a long-established tradition in many countries, their growing numbers, role and influence have become institutionalised features of the machinery of government.

This development has, in turn, led to public concern in some countries over the lack of transparency in advisor appointment procedures and levels of pay. Also, because ministerial advisors are often answerable only to their minister (in 74% of respondent countries), the lack of clear accountability frameworks was also pointed out.

In fact, most countries fail to make information on ministerial advisors publicly available. The most readily available item of information about ministerial advisors is their numbers, which can be accessed online in countries such as Brazil, Denmark, Norway, the Netherlands, the United Kingdom and the United States.

However, only a minority of countries make any other information available to the public, particularly with respect to total cost of ministerial advisors (23% of respondent countries), their job descriptions (23%) and their profiles (14%). The accessibility of information does not fully meet the demand for transparency to maintain public trust.

Because they interact so closely with the private sector and exert influence on policy making, ministerial advisors are particularly vulnerable to undue influence, which may put their integrity at risk. Although 27% of respondent countries indicate that cases of advisor misconduct have fuelled public debate in the last decade, very few reported being aware of sanctions having been taken against the offenders.

The vocal concerns in the last decade over the opacity that may shroud ministerial advisors' roles, status and cost, point to the overarching question of frameworks that regulate their numbers, pay, work and ethical standards.

## **Frameworks governing ministerial advisors insufficient**

The review of legal and procedural frameworks governing ministerial advisors shows that these are still limited across OECD member countries. Some countries have, however, initiated reforms to increase transparency and exert tighter control over their numbers and costs. Some have also sought to spell out the terms and conditions of employment, set clear standards of conduct and clarify the accountability framework in which they work.

The numbers of ministerial advisors is both the most widely available information and the area where the most countries have taken measures: 65% of respondents place quotas on the number of advisors who may be assigned to the Prime Minister's Office and ministries. Most have chosen to restrict the budget allocated to ministerial advisors rather than cap actual numbers.

Despite the risks to integrity inherent in the function of ministerial advisor, few countries have developed tailored standards of conduct. Most simply apply their public service codes of conduct which fail to offer advisors sufficient guidance on what is expected of them considering the political nature of their work. To date, few countries have drawn up integrity standards specifically for ministerial advisors along the lines of the codes of conduct in Australia and the United Kingdom. More than one-third still do not require ministerial advisors to disclose their private interests, including Finland, Hungary, Iceland, Spain, Sweden and Switzerland.

A persistency failing in three-quarters of countries is that advisors are responsible only to the minister or head of government who appointed them

(74% of respondents). Their close, one-to-one relationship with their minister raises the question of who is accountable – and how – in the event of misconduct. Holding ministers answerable for their advisors’ misconduct is one way to address this. A solution could also be to make advisors accountable to an independent administrative body in addition to the minister.

## A role to play for centres of government?

Centres of government that provide direct support to heads of government and councils of ministers may have a role to play in appointing and managing ministerial advisors and in controlling their growing numbers. Setting and monitoring quotas is another way to restrict numbers and countries are increasingly adopting that approach – France, for example, has further lowered quotas for its *ministerial cabinets*.

Another mechanism of control, used in Norway, is for the Prime Minister’s Office to appoint and vet ministerial advisors. Also, establishing clear job descriptions helps clarify the role of ministerial advisors in their interactions with the minister and senior public servants. The United Kingdom’s Cabinet Office, for instance, has designed a Model Contract for Political Advisors that spells out advisors’ functions and their terms and conditions of employment.

There remains considerable room for improvement in developing a clear governance framework for ministerial advisors. The survey findings point to the following as potential avenues of reform:

- clearly stating advisors’ job descriptions, delineating their power and functions as distinct from those of senior public servants and setting the boundaries they may not overstep;
- setting clear standards of integrity specifically for ministerial advisors and ensuring that they disclose their private interests pro-actively to identify and prevent conflict of interest;
- increasing transparency not only in respect to the number of advisors but of their overall cost, profiles and competencies;
- clarifying the accountability structure governing ministerial advisors.