Offices of Institutional Integrity in Peru

IMPLEMENTING THE INTEGRITY SYSTEM

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IMPLEMENTING THE INTEGRITY SYSTEM
Foreword

The Organisation for Economic Co-operation and Development (OECD) defines public integrity as “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.” Therefore, the promotion and implementation of an integrity strategy in the public administration is fundamental in order to attain the objective principles of the State and generate public value, so that it contributes to the needs and demands of citizens with efficiency.

This modern governance perspective has been incorporated by Peru after an exhaustive reflection on the results that actions developed to fight corruption have had in the country. Working together, the public sector, entrepreneurial sector and civil society have defined a National Plan of Integrity and Fight against Corruption that sets forth a clear path and opts for long-term goals through the development of an integrity culture in every public and private entity.

This major first step was inspired in the OECD Integrity Review of Peru, a study submitted in 2016, which extensively analysed the Peruvian context. Its recommendations laid the foundations to build an integrity model with a systemic focus oriented to cultivating a new culture toward ethics and integrity in Peru through each public management unit. In this context, the integrity function is incorporated in the entities of the public administration and the creation of Institutional Integrity Offices in charge of developing preventive actions and fostering a solid ethical culture in public sector entities was proposed.

This review provides an indispensable analysis for the organisational design and the effective implementation of integrity units in the institutions of the public sector. The review also signals the path for establishing an interlinked system within the Secretariat of Public Integrity of the Presidency of the Council of Ministers. This technical body is in charge of conducting, implementing and assessing the National Policy of Integrity and Fight against Corruption.

There is no question that this is a process, raising enormous expectation, but shall consolidate with the priority that demands both the need and importance that each policy implemented and budgets executed in Peru include ethics and integrity as a cross-cutting focus.
Having Institutional Integrity Offices constitutes a clear short and medium-term goal in this collective effort of fighting exclusion, inequality and distrust of citizens in the State. These three ills summarise the cost of corruption. Its effective implementation will not only strengthen entities in the long-term in order to prevent corruption, but it will make a decisive contribution to have public management culture with ethics and integrity as cornerstones.

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### Abbreviations and acronyms

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<tr>
<td>BAK</td>
<td>Federal Bureau of Anti-Corruption (Austria) (<em>Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung</em>)</td>
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<tr>
<td>CAN</td>
<td>High-level Commission against Corruption</td>
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<td>CAS</td>
<td>Administrative Service Contracting</td>
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<td>CDJE</td>
<td>Legal Defence Council of the State</td>
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<td>CEPLAN</td>
<td>Centre for National Strategic Planning</td>
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<td>CGP</td>
<td>General Comptroller for the Republic</td>
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<td>CGR</td>
<td>Office of the Comptroller General of the Republic</td>
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<td>CGU</td>
<td>Office of the Comptroller General of the Union (Brazil) (<em>Controladoria-Geral da União</em>)</td>
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<td>ENAP</td>
<td>National Public Administration School</td>
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<td>G20</td>
<td>Group of 20</td>
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<tr>
<td>GIZ</td>
<td>German Cooperation (<em>Deutsche Gesellschaft für Internationale Zusammenarbeit</em>)</td>
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<tr>
<td>JUTEP</td>
<td>Transparency and Public Ethics Board</td>
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<td>MIPG</td>
<td>Integrated Planning and Management Model (Colombia)</td>
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<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>OCI</td>
<td>Offices of Institutional Control</td>
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<td>OII</td>
<td>Offices of Institutional Integrity</td>
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<td>ORH</td>
<td>Offices of Human Resources</td>
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<tr>
<td>PAD</td>
<td>Disciplinary Administrative Process</td>
</tr>
<tr>
<td>PCM</td>
<td>Presidency of the Council of Ministers</td>
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<td>PESEM</td>
<td>Multi-Year Sectorial Strategic Plan</td>
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<td>PNILC</td>
<td>National Policy of Integrity and Fight Against Corruption 2018-2021</td>
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<tr>
<td>POA</td>
<td>Annual Operating Plans</td>
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<td>POI</td>
<td>Institutional Operating Plans</td>
</tr>
<tr>
<td>SENAC</td>
<td>National Anti-Corruption Ministry (Paraguay)</td>
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<tr>
<td>SERVIR</td>
<td>National Civil Service Authority</td>
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<td>SG</td>
<td>General Secretariat</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>SGP</td>
<td>Secretariat of Public Management</td>
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<td>SINAD</td>
<td>National System of Attention to Complaints</td>
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<td>SIP</td>
<td>Secretariat of Public Integrity</td>
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<td>UTA</td>
<td>Transparency and Anti-Corruption Units (Paraguay)</td>
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Executive summary

Public integrity policies and plans require effective implementation. At this level, gaps are observed between what the standards stipulate and what is put into practice in the day-to-day work of the public sector. In particular, the challenge involves translating and anchoring standards into organisational realities in order to achieve effective changes in conduct. Among other things, this requires a clear assignment of responsibilities within the integrity system. Even when integrity is, ultimately the responsibility of all public officials at an organisational level, “integrity actors” – individuals, committees or units – have the responsibility to foster and enforce integrity within public entities.

In Peru, the New National Plan of Integrity and Fight Against Corruption 2018-2021 (PNILC) provides the opportunity to design and implement the Offices of Institutional Integrity (OII).

In this context, different existing integrity and anti-corruption units could be standardised by following a common nomenclature and managing the same criteria and concepts. In small, low corruption risk entities, this function could be performed by a full-time Integrity Officer. These Offices or Officers of Institutional Integrity have the potential to become key actors in order to assure the implementation of an organisational culture that cultivates integrity, adopted in the context of every public entity and also ensuring a coherent framework.

The Offices of Institutional Integrity should focus on the prevention of corruption and promotion of integrity within their organisation.

It is necessary to detect, investigate and sanction cases of corruption and other ethical violations. Nevertheless, preventive measures also need to be adopted to counter systemic and institutional weaknesses that foster these bad practices. Countries, including Peru, face the challenge of making a transition from a reactive “case culture” to a proactive “integrity culture.”

In order to achieve this paradigmatic change, it is necessary to invest in the strengthening of a public integrity culture and clearly separate systemic prevention functions from those of detection and investigation of specific cases. OII could lead the promotion of an organisational integrity culture and coordinate efforts in implementing the Peruvian integrity model in each public entity. OII, however, may not, and should not, implement all integrity policies in a single public entity. Indeed, the OII provides advice and, where applicable, supervises the different relevant units so that they could fulfil their part of the work within the integrity policy framework. These units mainly are: The General Secretariat, the Technical Secretariat for the Disciplinary Administrative Process, Public Prosecutor, Office of Institutional Control, Office of Human Resources, officers or officials in charge of standard transparency portals and information delivery. These units could be empowered and strengthened so that the system works as a whole at an organisational level.

Specifically, it is recommended that OII perform the following functions:
• Support public officials in the identification of integrity and corruption risks and advice units in the selection of effective and efficient controls.

• Lead the incorporation of integrity measures in public entity plans.

• Take part in Internal Control Committees and contribute from there to the joint monitoring of internal control.

• Communicate public integrity matters both internally, to all employees, and externally, to stakeholders and users of the institution’s services. This includes communicating the progress of the implementation of the integrity model at the entity level and the results of evaluations.

• Raising awareness among public officials on public integrity matters and reminding them about their obligations.

• In coordination with the Office of Human Resources, support the development of an internal integrity training plan and assure the implementation thereof.

• Advise and guide public officials on doubts, ethical dilemmas, conflict-of-interest situations regarding complaint channels and existing protective measures and other aspects of integrity policies.

• Monitor the implementation of the institutional integrity model aided by the Secretariat of Public Integrity.

• Monitor the follow-up on whistleblower reports and the use of protective measures. This includes assuring that units responsible for receiving complaints, investigating and sanctioning have adequate personnel and perform their functions promptly and effectively.

• Collect information on complaints and sanctions as a source of information in order to focus preventive measures more specifically. For example, concentrate certain training or communication activities in areas or processes that generated more complaints than others.

• The public entity could designate the OII to be in charge of the application of the Law of Transparency and Access to Public Information (Law 27806). If it were to be decided that these two areas are to be kept separate, coordination between integrity and transparency needs to be assured.

In order to fulfil their functions effectively, the Officer or Offices of Institutional Integrity could report directly to the head of the entity and have certain degree of administrative and financial autonomy. Likewise, an OII head and personnel selection process needs to be guaranteed based on merit.

The Secretariat of Public Integrity (SIP) governs integrity policies in Peru and is the main ally of OIIs.

It is recommended that the SIP maintain the following responsibilities regarding OIIs and that the SIP is given the necessary human and financial resources to perform these roles:

• Approve the design of the OII (Integrity Officer or a reduced or broader version of an Integrity Office).

• Along with SERVIR and the head of the entity, the SIP could play a part in the appointment process of the head of the OIIs.
• Monitor the implementation of the OIIIs in order to allow adjustments in case of difficulties in the implementation and a learning process among different public entities.

• Provide general technical support through guidelines, manuals or methodologies. For example, ad hoc support, in case of doubts or questions, to the OIIIs in integrity measure matters.

• Provide wider technical assistance to support Integrity officers in small entities or small Integrity Offices that lack resources and capacity to perform certain functions.

• In coordination with the National Public Administration School (ENAP), National Control School (ENC) or universities, the SIP could contribute to develop a training plan and specifically could train OII personnel in different subjects relevant for the development of their activities.

• Receive the OII reports and information on the implementation of relevant aspects of PNILC.

• Establish and foster a network between the OIIIs that will ease good practice exchange, foster debate of issues and provide a starting point for the development of capacities and skills.

• Initiate an independent evaluation of the implemented OII model to learn and refine the work of the OIIIs and their relationship with the SIP.
1. Background

The *OECD Integrity Review of Peru* underlined that the responsibilities and public ethics and conflict-of-interest policies in the country are fragmented and that clear leadership has not been defined (OECD, 2017[1]). Nevertheless, since the Review was published, significant progress was made on the subject. Along with the recommendations from the Presidential Commission in late 2016, the Integrity Review was used as an input for the National Policy of Integrity and Fight Against Corruption (PNILC, Supreme Decree 092-2017-PCM) and the National Plan of Integrity and Fight Against Corruption (Supreme Decree 044-2018-PCM). Following the creation of the Secretariat of Public Integrity (SIP), the Presidency of the Council of Ministers (PCM) lay the foundations for a coherent integrity system in Peru. The SIP also assumed technical support and general coordination of the High-Level Anti-Corruption Commission (CAN). Therefore, the fragmentation mentioned in the Integrity Review was acted on and a clear governing body for public integrity matters was established.

However, public integrity policies and plans require effective implementation. At this level, gaps are observed between what the standards stipulate and what is put into practice in the day-to-day work of the public sector. In particular, the challenge involves translating and anchoring standards into organisational realities in order to achieve effective changes in conduct. Despite the fact that integrity in the public sector is the responsibility of all public servants, it is important that there are “integrity actors” in order to overcome the previously mentioned challenge and promote a culture of integrity in public entities. In fact, the international experience recognises the value of having a specialised and dedicated person or unit that is responsible and held accountable for the internal implementation and promotion of integrity laws and policies (OECD, 2009[2]; G20, 2017[3]; INACAL, 2017[4]).

In Peru, the Public Administration Ethics Code Law (Law 27815) was enacted in 2002 and applies to each entity of the public administration, no matter the labour regime that public employees were hired under. In Article 9, the Ethics Code sets forth that a senior management body of each public entity shall execute measures to promote a culture of integrity, transparency, justice and public service as provided in the Code. In particular, the Public Function Ethics code shall be disclosed, incentives and stimuli for public officials shall be designed, established, applied and disclosed, and educational campaigns on the sanctions for public officials who act contrary to the principles established in the Code shall be developed. The regulations to the Code define that the General Secretariat of each entity is in charge of fulfilling these functions (article 22 of Supreme Decree 033-2005-PCM).

Although the National Integrity Policy does not mention units at entity level, in 2017, the regulations to Legislative Decree 1327, which sets forth protection measures to complainants, defines in Article 2 the “Offices of Institutional Integrity” (OII) as organisational units that regularly assume institutional integrity and ethics promotion in public entities and specifies the following general functions:

- Receive complaints on corruption made by whistleblowers and that contain a whistleblower protection request.
• Evaluate facts and documents that sustain reports on corruption acts and, in this sense, provide protective measures to whistleblowers or witnesses, as appropriate.
• Evaluate whether the submitted report is malicious and provide the corresponding measures.
• Transfer the report and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the assumed disciplinary violations of the entity or Public Prosecutor, if necessary.
• Coordinate with the Human Resources Office of the entity responsible for the content of personnel training in those matters related to integrity in the exercise of public functions.
• Participate and lead the process that entails the approval of the entity’s anti-corruption plan, as well as provide follow-up to the fulfilment thereof.¹

The National Plan of Integrity and Fight Against Corruption 2018-2021 expands on this and stipulates the strengthening of the Offices of Institutional Integrity that exist in the public administration and the establishment of integrity offices in entities that so require. At the same time, the PNILC attributes a series of functions to these offices and states that the implementation of the Peruvian “integrity model,” which is a set of processes and policies orientated to preventing corruption and other questionable practices in an entity, is realised through the creation of an integrity office, which has the following main tasks:

• The implementation and monitoring regarding all elements of the model.
• The promotion of ethics and integrity, management of risks, supervision, monitoring of internal control.

Whilst Legislative Decree 1327 is focused almost exclusively on the reception and handling of whistleblower reports, the PNILC broadens the functions of the OIIIs and emphasises the preventive function. This report provides an analysis of the standards and practice in Peru, and compares them with international good practices. In this way, recommendations are made to strengthen the design of these Offices of Integrity as a key institution for the effective implementation of the National Policy and the National Plan of Integrity and Fight Against Corruption to raise integrity standards in the entire public administration of Peru.

Note

¹ Nevertheless, according to the directorate of CEPLAN and the provisions set forth in the regulations to the National Policies (Supreme Decree 029-2018-PCM), entities do not formulate institutional plans, as they define “institutional integrity actions” which are to be incorporated in the planning documents of each entity instead.
2. Integrity offices as guarantors of the implementation of the Peruvian integrity system in the public administration

2.1. The effective implementation of integrity policies in Peru requires a dedicated function at public entity level

The effective implementation of integrity standards and policies requires, among other things, a clear assignment of responsibilities within the integrity system (OECD, 2009[2]; OECD, 2017[5]). At an organisational level, this discussion frequently tends to centre on particular “integrity actors”: individuals, committees or units whose main responsibility is to incentivise and enforce integrity within the organisation.

Nevertheless, it is useful to consider integrity as part of a management that many different actors contribute to within an organisation. In fact, integrity is ultimately the responsibility of all public officials. However, some actors play a more central role than others. There are two types of actors in an organisation’s integrity system (OECD, 2009[2]). Maybe the most important actors are directors; within their function of being ethical leaders and providing an example, they play a crucial part in the effective promotion of an integrity culture. For example, in Colombia, an innovative form of motivating directors relating to the integrity in their management is being implemented through the Integrated Planning and Management Model (see Box 2.1).

Box 2.1. Making integrity a management priority: The Integrated Planning and Management Model of Colombia

The Integrated Planning and Management Model (MIPG) is a reference framework for directing, planning, executing, providing follow-up, assessing and controlling the management of Colombian public entities and bodies. The framework seeks to generate results in line with development plans and solve the needs and problems of citizens with integrity and quality in service.

MIPG operates through the implementation of seven dimensions in which one or several institutional management and performance policies are developed.

1. Human Talent (core of the Model);
2. Strategic Direction and Planning (planning);
3. Management with Values for Results (managing);
4. Assessment of Results (verifying and acting);
5. Information and Communication (cross-sectional dimension);
6. Management of Knowledge and Innovation (cross-sectional dimension);
7. Internal Control (verifying, acting and assuring).
Integrity Policy as Motor of Change

Although integrity is an element in all of the MIPG’s dimensions, the development of Integrity Policies was included as a fundamental piece in the Strategic Management of Human Talent. The integrity policy seeks to establish and promote values in the Colombian public service that fosters and strengthens exemplary practices and behaviours of integrity. In order to overcome this challenge, the adoption of the general code, adopted recently, is one of the areas of the development of the integrity policy.

For its adoption, public entities shall oversee, among other things, the following aspects:

1. Boost leadership of the and the coordination of human management areas;
2. Carry out permanent participatory exercises for the dissemination and ownership of the values and principles proposed in the Integrity Code;
3. Establish a system for monitoring and evaluating the implementation of the Code to ensure compliance by the public servants when exercising their functions;
4. Familiarise public officials with the Code in a way that builds on their personal experiences to encourage reflections about their work and role as public servants that eventually lead to changes in their behaviour;
5. Adopt and internalise the Code of Integrity, and in accordance with the particularities and autonomy of each public entity, add principles of action ("what I do" and "what I don't do") to the five values established in the Code and include up to two additional values, if the entity deems it necessary.

Source: Public Function (2017), Integrated Planning and Management Model.

No matter how important the part of managers is in the promotion of integrity, this role is not sufficient. In effect, it is essential that there is a clear place for integrity within the organisational structure and that it is visible in the organisational chart. These are “integrity actors” – individuals committees or units – whose main responsibility is to promote integrity within the organisation by articulating efforts and assuring the institution’s compliance with different integrity policies. As such, according to the model of three lines of defence (see Box 2.2), these integrity actors are the second line of defence of internal control and provide support to public officials and managers (Institute of Internal Auditors, 2013[6]).
Box 2.2. The model of three lines of defence

The three lines of defence or assurance model offers advice on the basic functions of an internal control system.

- Management (first line): Functions responsible for designing, developing, implementing, and executing controls, processes, and practices to deliver services, objectives, and drive intended results (i.e., outcomes). This line may be referred to as “program management” and is responsible for the effective and efficient management of the service delivery and the daily operations of the entity. Because oversight and independent assurance cannot compensate for weak management or control, these functions generally have the greatest influence on entity-wide risk management. Risks arise on this level and the “risk owners” shall manage them.

- Oversight (second line): Functions responsible for overseeing and monitoring line management and front desk activities. These groups may include (but are not limited to) functions responsible for financial control/oversight, privacy, security, risk management, quality assurance, integrity and compliance. Oversight functions also inform decision makers with objective perspectives and expertise, and provide continuous monitoring to strengthen risk management.

- Internal audit (third line): A professional, independent and objective appraisal function that uses a disciplined, evidence-based approach to assess and improve the effectiveness of risk management, control and governance processes. Internal Audit may provide consulting, assurance, or a combination of both to inform key decisions and support good and accountable public governance.

Source: (Institute of Internal Auditors, 2013[6]; OECD, 2017[7]).

The relevance of an internal function that coordinates the implementation of integrity policies at entity level and that serves as a point of contact was also acknowledged in the G20 High Level Principles on Organising Against Corruption (G20, 2017[3]). There are several reasons why it is important to have a unit dedicated to integrity in an organisation (OECD, 2009[2]):

- A visible place for integrity management in the organisational structure increases the scope of coordination between integrity management instruments and, therefore, allows synergies between instruments. The explicit designation of this coordination function to a person, group or organisational unit will significantly increase the possibility of producing said coordination.

- A clear location of integrity management in the organisational structure also allows a true accumulation of expertise, as recommendations, insights and good practices would be complied in a single area within the organisation.

- The anchoring of the integrity management system in the organisation also guarantees the continuity of integrity policies. In practice, it is common that, even when integrity management draws attention and enthusiasm when launched for the first time, this tends to decrease after some time. Holding a person or entity accountable for long-term integrity management and asking them to report on their progress will significantly reduce this risk.
- The organisational anchoring also has a symbolic element. It sends the signal that integrity is deemed important within the organisation. A typical rule in the theory of organisational design is that “the structure follows the strategy”; the structure reflects the areas of strategic importance for the organisation. If an organisation seeks to attribute importance to integrity, this shall be reflected in its organisational chart.

- Providing integrity with its own position in the organisational chart also provides its own identity. A separate identity does not mean that integrity management instruments are to be isolated from other relevant management areas, such as human resources or financial management. Neither does this mean that those responsible for integrity management have to try to take over areas or instruments of other areas that may be considered as integrity management instruments within their own competence sphere. Consequently, the cooperation and articulation among those responsible for integrity and actors of other areas is fundamental.

In Latin America and the Caribbean, a recent OECD poll showed that an increasing number of countries in the region require integrity officers or units in all ministries (Figure 2.1). However, the models may differ significantly. Mexico chose to have Ethics Committees with elected members: The Committees for Ethics and the Prevention of Conflict of Interest (CEPCI) are responsible for applying integrity policies in all entities (DOF 20/08/2015). Nevertheless, given their temporary nature, the lack of specialised knowledge and high rotation of elected members, these Committees do not have capacity to mainstream integrity effectively (OECD, 2017[8]); (OECD, 2019[9]). Honduras, with its Integrity and Public Ethics Committees, followed a similar model and faces similar challenges. In Costa Rica, an Institutional Values Rescue and Formation Commission shall be established and be in charge of promoting ethics in the public service inside public entities (Executive Decree 23944-JC of 1995). Brazil, recently finished the implementation of its new Integrity Management Units (Decree 9203 of 2017, see also Figure 2.1). In Paraguay, Transparency and Anti-Corruption Units (UTA) operate within the institutions of the Executive Branch and operate within a technical relationship with the National Anti-Corruption Ministry (SENAC) for the implementation of National Government Public Policies in the area of integrity, transparency, accountability and corruption prevention (Decree Nº 10.144 /12). In Uruguay, all ministries have a Liaison Officer with the Transparency and Public Ethics Board (JUTEP). The respective head of each ministry designates the Liaison Officer by a reasoned resolution. Liaison officers are responsible for knowing about any acts of corruption and forward public servants’ asset declaration to the JUTEP. Some ministries also have Integrity and Transparency Units. In Argentina, even though they do not yet have integrity officers or units, there are “integrity liaisons” of the Anti-Corruption Office in the Executive Branch; the Public Ethics Law reform seeks to formalise these liaisons (OECD, 2019[10]). Finally, Chile is in the process of voluntarily implementing integrity officers in the public administration.
Increasingly more countries in the region demand the existence of integrity officers or units in the public administration.

Box 2.3. Integrity Management Units in Brazil

The Office of the Comptroller General of the Union (Controladoria-Geral da União, or CGU) of Brazil, submitted the Integrity Plan in April 2018 through Portaria 1.089/2018, which was changed by Portaria 57/2019 to regulate Decree 9.203/2017. It states procedures for the structuring, execution and monitoring of integrity programmes in bodies and entities of the Federal Government (ministries, and public foundations).

The first phase of the application process of integrity programmes involves the incorporation of Integrity Management Units within the federal public administration bodies. Contained in Article 4 of Portaria 57, dated 4 January 2019, the creation of these units represents a preliminary and necessary condition for administration bodies and entities to embark in the process of applying the Integrity Plan.

As provided in the standards, Integrity Management Units are bodies vested with functional autonomy, which may also be created on the basis of another unit.

Specifically, Integrity Management Units shall have the following attributes:

- Coordination of the structure, implementation and monitoring of the integrity programme.
- Advice to, and training of, public servants regarding subjects related to the integrity programme.
- Promotion of other actions related to the implementation of integrity plans together with the rest of the units of the body or entity.
To date, 147 bodies and entities out of 187 of the federal public administration bound to incorporate integrity management units have already done this.

The CGU Public Integrity webpage also offers the possibility of accessing a list containing bodies and entities bound by law to establish Integrity Management Units and which indicates whether they have their own unit or not.

Source: Information received by the Office of the Comptroller General, October 2019.

In Peru, at least since the National Anti-Corruption Plan 2012-2016 (Supreme Decree 119-2012-PCM), anti-corruption units have already been formed within the Executive Branch. These units, however, were not build in an orderly manner due to the absence of a reference regulatory framework (Deutsche Gesellschaft für Internationale Zusammenarbeit, 2017[11]). The SIP recently identified that, at ministerial level, all 19 ministries have one or more anti-corruption bodies, with different institutional arrangements and functions (Annex A). Several public bodies and companies, even at sub-national level, already have similar units.

With Legislative Decree 1327 and the National Plan of Integrity and Fight Against Corruption 2018-2021, there is an opportunity to bring order to the system and standardise different existing units, in following a common nomenclature (OII) and using the same criteria and concepts (see section 3.1 below). The Offices or Officers of Institutional Integrity have the potential to become key actors in order to assure the implementation of an organisational climate that favours integrity, adopted in the context of every public entity and also for assuring a coherent framework.

In particular, OII could assure the effective implementation of the Peruvian integrity model, which, according to the Secretariat of Public Integrity, has the following nine components:

1. Commitment of the senior leadership
2. Risk management
3. Integrity policies
4. Transparency, open data and accountability
5. Internal and external control and audit
6. Communication and training
7. Complaint channels
8. Oversight and monitoring of the integrity model
9. A person in charge of the Integrity Model

As well as training, institutional integrity actors shall provide advice to the entity’s employees; they shall offer public officials a place that they could turn to at any time in case of doubts or questions in the subject of integrity. This role does not have an explicit appearance in the nine aforementioned components, although this could be assumed in component no. 6 as part of communication and training in a wider sense.
The person in charge of the Integrity Model, according to the National Plan of Integrity and Fight Against Corruption (PNILC), the Office of Institutional Integrity, has the following conceptual scope:

- The person in charge of the Integrity Model assumes the role of articulating and monitoring the components thereof.
- Depending on the size of the entity and vulnerabilities it is exposed to, the task of implementation is performed by the Office of Institutional Integrity or an official who performs these functions. In cases in which the institution has an Ombudsperson, office of transparency or anti-corruption office, it could assume as well the functions of the person in charge of the Office of Institutional Integrity.
- The person in charge shall have a high-level position within the entity’s organisational structure.
- Empowerment is derived from the high hierarchical level. It requires public endorsement of a senior management to the follow-up function of the integrity policy.
- The functions of the person in charge shall be independent from any particular burden or interest. Therefore, the full independence of the person in charge shall be guaranteed regarding his/her actions and formulation of recommendations that he/she deems pertinent.
- The necessary resources needed for the optimal performance of his/her duties.
- The person in charge of the Office of Institutional Integrity or official this task is assigned to shall mainly advise and guide rather than audit.

Even where the Offices of Integrity perform a key part in the integrity system, they may not and even they shall not be responsible for implementing each of the model’s components or the measures that could be included in an institutional integrity plan (see section 2.4 for further details). Indeed, there could be a temptation to create OIIIs as a strong unit that incorporates or implements all elements related to integrity policies and the fight against corruption. This creates the risk of generating duplicities. This could be caused by the perception that other duplications with related functions are too weak to be able to fulfil these in practice; for example, complaint investigation and sanction or internal audit. Such concentration of functions, however, does not only have costs in terms of creating duplications inside the organisation, it could also generate tensions between functions if these are under the same authority (see section 2.2 for further details).

Rather, Integrity Offices shall fill the void that exists currently in Peru in terms of integrity and corruption prevention policies. In particular, as stated by the PNILC, they shall assure that, together, the different measures are implemented effectively by the respective units or individuals responsible within the organisation and advise the senior leadership and employees on integrity and public ethics. Consequently, clarifying the role of Offices in each integrity model component is important. In other words, the functions of Integrity Offices needs to be defined clearly.
2.2. The Offices of Institutional Integrity should focus clearly on the prevention of corruption and promotion of integrity within their organisation

The effective application of the law is a necessary element in order to prevent impunity in society, guarantee credibility and legitimacy of institutions, access to services for citizens and generate equal conditions among economic actors. It is necessary to detect, investigate and sanction cases of corruption and other ethical violations. If there are no responses whatsoever to the violation of integrity codes, and criminal or disciplinary sanctions are not applied in a fair, objective and timely manner, countries may not be able to guarantee accountability. This could undermine credibility, which is necessary for deterring individuals from participating in illegal or unethical conducts. Guaranteeing the effective application of the law is fundamental in order to break the vicious circle of corruption and consolidate trust in government leaders and institutions (OECD, 2018[12]).

In addition, preventive measures need to be adopted to counter systemic and institutional weaknesses that foster these bad practices. Without a systemic prevention strategy, corruption – and the corrupt individuals – evolve, migrate to other opportunities and corrupt practices are adapted and modernised. In other words, countries face the challenge of making its transition from a reactive “culture of cases” to a proactive “culture of integrity.”

In many countries, attaining this paradigmatic change is even more difficult as, under the pressure of showing results in terms of sanctions, the incentives for investing time and resource in preventive work are limited. For example, it is frequently observed that, in practice, prevention is limited to training and awareness raising campaigns. There is no doubt that training is important and well-designed campaigns can help in promoting an integrity culture. In particular, campaigns need to pay special attention to underlining solutions, good practices and success stories. Nevertheless, they generally focus on the problem represented by corruption cases and the cost thereof. This focus could become both discouraging and counterproductive. Evidence has shown that, in the worst scenario, this communication centred on problems turns corruption into some sort of self-fulfilled prophecy (Corbacho et al., 2016[13]). The perception that corruption is common in society turns violations to integrity into something justifiable (OECD, 2018[14]). On the other hand, a preventive strategy should focus on the identification of risks and design of efficient controls, taking into account the cost of control and the provision of incentives that change conduct (OECD, 2018[14]). A perspective based on the identification of risks also allows seeing and addressing structural issues that relate, for example, to the management of human resources, public management or financing of political parties and electoral campaigns.

On the other hand, there are risks of mixing prevention and detection/sanction functions in one single unit at an organisational level.

- First, other internal units could think that measures directed toward gathering information with preventive purposes, such as polls or interviews, are in fact another way of getting information for investigative purposes. In this case, if other units believe that the information they provide is really destined to detecting alert signals or undue practices, they may not have an incentive to cooperate and provide true information to the Integrity Office.

- Second, there could be a dilemma upon a situation in which the Integrity Office recommended preventive measures that were implemented by the public entity but which, notwithstanding, arose after a case of corruption. An analogy between advice and auditing functions could be made. Guidelines on external audits point
to the fact that “...if internal auditors are involved in the development of internal control systems, it may be difficult to keep the appearance of independence when such systems are audited (International Organization of Supreme Audit Institutions, 2010[15]).”

- Third, if it is considered that a key function for an Integrity Office is to provide advice at personal level in the area of public ethics, for example, regarding doubts concerning situations of ethical dilemmas or potential conflicts of interests, it is important that public officials of the entity trust the Integrity Office. They need to be able to trust that the fact of them sharing their doubts does not end up damaging them, for example, an investigation. Indeed, it is impossible to cover all eventualities in clear rules, as there will always be grey areas or legal voids. In order to advise officials in these cases, the Integrity Office need to be a “safe port” where employees can speak and ask questions without fearing direct repercussions.

- Fourth, due to the abovementioned reason, it is often politically more attractive to invest time and resources in activities related to detecting, investigating and sanctioning cases. Nevertheless, as resources are scarce, this also means that not enough is invested in systemic change and effective prevention.

These four points clearly favour a separation of functions between prevention that is systemic, and the detection and investigation of specific cases. In fact, even when there are cases of units in which these two functions are mixed, good international practices reflect these considerations and strictly separate prevention from detection and investigation, for example, in Austria or Germany (Box 2.4).

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**Box 2.4. Corruption prevention contact persons in Germany**

At a federal level, Germany has institutionalised corruption prevention units within public bodies together with responsible persons dedicated to the promotion of corruption prevention measures. The contact person is officially proposed, together with a deputy. The “Guidelines for Prevention of Corruption in the Federal Administration” defines these contact persons along with their tasks as follows:

1. A contact person for corruption prevention shall be appointed according to the functions and extent of the body. A contact person may be responsible for more than one body. Contact persons may be responsible for the following tasks:

   - being a contact for a body’s personnel and management, without having to go through official channels, if it were necessary, along with private individuals;
   - providing advice to the body’s management;
   - keeping the personnel members informed (for example, through presentations and seminars scheduled with regularity);
   - assisting in training;
   - monitoring and assessing any sign of corruption;
   - helping to keep the public informed regarding sanctions provided for in public service laws and criminal law (preventive effect) while respecting the right to privacy of the persons concerned.

2. If the contact person knows about facts that lead to a reasonable suspicion that a corruption offence has been committed, he/she shall inform the entity’s management promptly and make recommendations for an internal investigation for measures to be taken...
to avoid concealment and for informing the application authorities. The entity’s management shall adopt the necessary measures to address the matter.

3. Contact persons shall not have powers to apply disciplinary measures or conduct investigations in disciplinary procedures for cases of corruption.

4. Entities shall promptly provide exhaustive information necessary for contact persons to perform their duties regarding incidents of alleged corruption.

5. In order to develop their corruption prevention functions, contact persons will be independent from instructions. They shall have the right to report directly to the head of the entity and not to be subject to discrimination as a result of the performance of their functions.

6. After finishing their term of office, contact persons will not disclose any obtained information that refers to personal circumstances of personnel. Notwithstanding, they may provide such information to the entity’s management or personnel if they have a reasonable suspicion that a corruption crime is being committed. Information of personal nature shall be treated pursuant to the management of personnel files.


2.3. The functions of the Offices of Institutional Integrity

Taking into account the considerations of the previous section and the eight components of the Peruvian integrity model, (the ninth component is the existence of the OII itself), it is recommended that the functions of the Offices of Institutional Integrity are outlined as follows:

- **Commitment of the Senior Leadership.** While an OII by itself cannot contribute directly to the commitment of the senior leadership, the existence of an Integrity Office, the supply of resources thereof and attention it receives by the senior leadership reflect the degree of commitment of the latter. Section 3.1 of this report will address these aspects in further detail.

- **Risk Management.** If they have a person trained in this area, OII could support public officials in the identification of integrity and corruption risks and advise units in the selection of effective and efficient controls. The experience shows that such support may be necessary, as it requires specific knowledge on different corrupt practices and national and international regulations. Likewise, OII shall supervise the development of integrity risk maps and controls.

- **Integrity Policies.** One of the most important functions of OII is to formulate integrity and corruption prevention measures at entity level and assure that these are mainstreamed, as demanded by CEPLAN, in planning documents for each entity, for example, in the annual operating plans (POA). The OII, however, shall not necessarily implement all these measures. For instance, integrity measures in human resource management shall remain a task of Human Resource Offices (ORH) and integrity measures in hiring and public acquisitions shall be the task of the General Secretariat (SG). OII shall provide orientation and support to these and other relevant units (see section 2.4). This work requires a deep capacity to communicate with other institution units and a convening power that is supported
from the highest level to guarantee the effective implementation of actions or integrity policies (see section 3.1).

- **Transparency, Open Information and Accountability.** According to the Law of Transparency and Access to Public Information, Law 27806 and regulations thereof (articles 4 and 5, Supreme Decree N° 072-2003-PCM), public entities shall designate an official in charge of assuring the implementation of this Law. In view of the relevance of transparency and accountability for integrity, two options are presented; the entity could designate the OII as the entity in charge of the application of law 27806. Alternatively, if it is decided that these two areas are to be kept separate, a close coordination shall be assured between integrity and transparency and the respective responsibilities and functions shall be defined.

- **Internal and External Control and Audit.** Internal control is the responsibility of the head of the body and each public official. As such, Offices of Institutional Integrity are part of internal control. As units of second line of defence (see Box 2.2 above), the OII shall also take part in Internal Control Committees and contribute to the monitoring from within. It could be considered that the OII chair these Internal Control Committees and perform a leadership role in said matters. Internal audit makes professional, independent and objective assessments to evaluate and improve the efficacy of risk management, control and entity governance processes. Internal audit is the third line of defence of the entity (Institute of Internal Auditors, 2013[6]). In Peru this function is performed through Offices of Institutional Control (OCI, see section 2.4). This function could lead to a confusion of internal and external controls as the OCI functionally and administratively depend on the Office of the Comptroller General of the Republic (OECD, 2017[1]). Despite this, the OII shall not perform an internal auditing function and the division between a second and third line of defence shall be respected.

- **Communication, Training and Advice.** OIIs fulfil a key role in communication, either internally to all employees or externally to stakeholders or users of the institution’s services. A part of the communication work also implies the communication on the progress in the implementation of organisational integrity measures and the results of assessments. Likewise, OIIs could raise awareness among public officials and remind them about their obligations. In particular, timely moral reminders could have a significant impact on ethical behaviour (OECD, 2018[14]). Regarding the official training role, the OII does not necessarily have to develop these trainings with its personnel, as it is an activity that consumes both time and resources. Nevertheless, the OII shall be in charge of developing and implementing an internal integrity training plan; for example, through a reserve of trainers and/or agreements with the National Public Administration School of SERVIR, the National Control School and universities. Finally, a key function if OIIs consists of advising and guiding employees in matters of public integrity; they shall provide a “safe port” where employees can ask about ethical dilemmas, conflicts of interest or doubts regarding where to report corruption acts or ethical violations to.

- **Oversight and monitoring of the integrity model.** Linked to its function of leading and articulating the development and implementation of measures of organisational integrity, the OII also fulfils the function of monitoring these measures. In order to fulfil this role, it is key that OIIs have public management, planning and monitoring capacity. With support from the SIP, integrity measures
considered in POA shall have efficient indicators that allow for monitoring the progress of implementation of the different measures and which can be used both for the report from OII to heads of entities and to the SIP, which could collect and analyse different OII monitoring reports (see section 0). It is important to emphasise that the monitoring involves identifying challenges and opportunities for decision-making and allowing adjustments during implementation. Monitoring should not be understood as a control mechanism that aims to expose and shaming. Monitoring is a priori an internal process and absolute transparency could be counterproductive in this case, since it could inhibit honest and open discussions between implementing bodies and the SIP. This could provide an incentive to report progress incorrectly in order to not look bad (“gaming” (OECD, 2017[16])).

- **Complaint channels.** Regarding complaints, which are an indispensable element of integrity, it is recommended that the OII performs three specific functions:

  o First, the OII shall accompany and provide advice to public officials in cases of doubts and questions, aiding potential whistleblowers regarding processes and available protective measures. It could also implement awareness raising campaigns regarding complaint channels and protective measures (OECD, 2016[17]).

  o Second, the OII could guarantee adherence to complaint processes and the application of protection measures. This includes assuring that relevant units, such as the Technical Secretariat for the Disciplinary Administrative Process have adequate personnel to perform its functions with promptness and timeliness (see section 2.4). Hence, the OII could monitor that the rights of a whistleblower are respected. For this, it is important to ensure the OII a certain degree of independence a direct communication channel with the Secretariat of Public Integrity in PCM and direct access to the highest level of the institution (see section 3.1).

  o Finally, the OII should keep a communication channel open with all units that receive complaints, issue sanctions in order to guarantee traceability of complaints and sanctions. The OII could also use them as a source of information to better focus their preventive measures; for example, by concentrating certain training or communication tasks to areas or processes that generate more complaints or sanctions than others. In order to support this oversight and analysis role, it would be useful for the OII to have access to information and data related to complaints such as, for example, those gathered by CGR in its National Complaint Attention System (SINAD) and the status of disciplinary and criminal cases for its entity.

Regarding complaints, it is recommended that the OII does not process complaints. Processing complaints, although similar, goes beyond prevention as, by definition, this touches specific individual cases and does not follow a systemic focus. By following Legislative Decree 1327 and, according to the interviews given in the survey, several units receive complaints and some perform preliminary investigations in order to determine whether a complaint has merit(see Annex A). They then forward the complaints to the Public Prosecutor, the Institutional Control Body (OCI) or Technical Secretariat for the Disciplinary Administrative Process in order to have them solved (see section 2.4).

Nevertheless, as well as the points mentioned in section 2.2, the processing of complaints by the OII generates two problems:
First, the processing and investigation of complaints requires substantial resources, but the OII shall focus its resources to perform its articulating and preventive role with the abovementioned functions.

Second, in interviews performed by OECD with existing units in Peru, it was mentioned that, when a complaint is filed with the unit, it implicitly generates the expectation that this unit will solve and sanction the case, which it cannot and shall not do.

Therefore, in order to focus resources and avoid generating wrong expectations and misunderstandings, it is recommended that OII do not process complaints and that this is made clear to public officials. If they receive a complaint, they could inform the complainant regarding the existing complaint channels or transfer the complaint to a competent unit and provide follow-up for it; for example, in case of an anonymous complaint. In this regard, upon receiving complaints, it is adequate to inform the complainant about the status of the complaint and the authority that will carry out the investigation. Considering this, it would be pertinent that Peru updates Legislative Decree 1327 to determine OII functions when facing complaints. At the same time, the entity’s units in charge of investigations shall be empowered and strengthened (see section 2.4).

If it were to be decided that receiving complaints would remain a function of OII, three specific measures shall be taken in order to mitigate the abovementioned risks; more if receiving complaints includes the power to perform preliminary investigations:

- In the first place, there is a risk of following or disregarding an investigation that in some cases, public officials or citizens may question this decision. Therefore, clear criteria should be established and communicated transparently both inside and outside the public entity. The application of such criteria increases accountability and helps the Integrity Office to defend its decisions against accusations of inactivity or bias.

- In the second place, the OII should be separated into two sub-units: prevention and advice along with complaint processing. This would mitigate potential undesired effects of activities that seek to gather information related to reported cases on the preventive function. Precise communication protocols regulating the exchange of information between the two sub-units should be established. The complaint sub-unit requires stricter security standards regarding information management and personnel. These stricter security standards shall also apply to the head of the OII.

- Finally, it should be invested in a communication strategy with the objective to clarify this internal separation within the OII, informing highlighting its preventive role and emphasise this function in order to generate trust in the OII. It should be avoided that the OII is perceived as a police force and feared.

The OII needs to focus on promoting an integrity culture with the basic characteristics of a compliance office. They need to coordinate efforts regarding the implementation of an integrity system and fight against corruption inside the public sector, lead internal planning and monitoring in the subject matter and provide a degree of assurance for the head of the entities regarding compliance with the standards in effect. This includes, for example, alerting the head of the entity to the need of strengthening complaint processes and investigation units, and hiring personnel to perform these functions with the required speed and avoiding a perception of impunity.
2.4. Strengthening other internal integrity units of the integrity system at the level of public entities

As mentioned before, the Offices of Institutional Integrity may not, and shall not, implement all integrity policies in a public entity (see section 2.3). Likewise, the OIIs may not be the answer to the weaknesses identified in other internal units. At the same time, the National Plan of Integrity and Fight Against Corruption requires synergetic work between multiple actors, not only at the national level, between governing entities, but also at the level of each public entity. Similar to the Secretariat of Public Integrity leading and coordinating the system and policy at the national level (for example, within the framework of CAN, as well as with SERVIR, SGP, CGR, etc.), the OIIs perform a similar function of coordination at a public entity level. The Office advises and oversees different units so that they can fulfil their part of the work within the framework of the integrity policy and thus performs a key part in the promotion of a culture of integrity within its unit (Figure 2.2).

Figure 2.2. The support and coordination role of the Integrity Office in the integrity system at a public entity level

Source: Prepared by OECD.
For this purpose, the Office of Institutional Integrity shall keep communication channels open and coordinate within the entity, in particular with the following actors:

- **Technical Secretariat for the Disciplinary Administrative Process.** This technical secretariat, which may be composed of one or more officials depending on several criteria (for example, dimension of the entity, procedural burden), supports the development of the disciplinary process. The body pre-qualifies and documents all the stages of PAD and provides assistance to the instructing and sanctioning authorities (Guideline 02-2015). PAD Technical Secretariat officials shall be public officials of the entity (even from the Human Resources Office, except for the manager or deputy manager) and may exercise the function in addition to its regular functions. The Secretary, preferably a lawyer, is designated by means of the resolution of the head of the entity (Article 94 of the General Regulations of Law No. 30057) by the maximum administrative authority of the unit (in general, the General Secretariat) as proposed the Human Resources Office, to which the Technical Secretariat reports. The Secretariat is in charge of supporting PAD authorities in all of the procedure’s phases (for example, documenting the evidential activity, preparing the resolution project, proposing precautionary measures). It also performs other functions such as receiving complaints on disciplinary violations or transgression of the Public Function Ethics Code, processing them and providing an answer to the complainant (Article 101 of the General Regulations of Law No. 30057).

- **Public Prosecutor.** Public Prosecutors are in charge of the legal defence of the State’s interests (Article 47 of the Constitution) in subjects that involve the entity they respond to administratively. They are directed and supervised by the Legal Defence Council of the State (CDJE). CDJE proposes the designation of Prosecutors to the President of the Republic, who makes the final appointment. The powers of Public Prosecutors include representing the State and defending the interests of the Entity, they represent before jurisdictional and administrative bodies, as well as before the Office of the Public Prosecutor, National Police, Arbitration Court, Conciliation Centre and other of similar nature in which the State participates. The Public Prosecutors foster actions aimed at attaining civil repair, require all public institutions to provide information and/or documents necessary for the defence of the State. They also manage lawsuits, pursuant to the requirements and procedures provided by the legal framework and formulate queries to the CDJE in relation to the legal defence of the interests of the State (Legislative Decree no. 1068 and Supreme Decree-Nº-017-2008-JUS). The position of Public Prosecutor Specialised in Corruption Crimes, created in cooperation with Joint Public Prosecutors, enabled an official to intervene in preliminary investigations, preparatory investigations and judicial processes on the commission of criminal corruption actions. This official is in charge of primarily addressing complaints from public officials or officers, private citizens and communication media, related to the crimes of corruption. These investigations are made by assessing their merit and, if necessary, forwarding them to the Office of the Public Prosecutor (Supreme Decree Nº-017-2008-JUS). The Public Prosecutor Specialised in Crimes of Corruption does not have powers to open or closing procedures, but he/she may claim civil damages and appeal the decisions of the prosecuting attorney to an upper prosecuting attorney. (OECD, 2017[1])
- **Office of Institutional Control (OCI).** The OCI is the specialised unit responsible for performing the governmental control in a public institution or entity. Its purpose is to promote the correct and transparent management of resources and properties of the entity, guarding the lawfulness and efficiency of its acts and operations, and execute its control duties. OCIs have a functional and administrative dependence on the Office of the Comptroller General of the Republic (CGR). As such, it could be said that the OCI is a de-concentrated external control unit rather than an internal auditing unit. This could contribute to confusion between internal and external control that is frequently observed in Peru (OECD, 2017[1]). OCIs shall also provide advice, receive, and address complaints, providing the corresponding in accordance to the provision of the National Complaint Attention System or the CGR on the subject matter (Guideline No. 007-2015-CG/PROCAL). Although the Technical Secretariat of PAD processes control reports related to the disciplinary administrative procedure, the OCI or the Office of the Comptroller General may also begin a procedure in order to determine the functional administrative responsibility of the processed officer. In order to respect the principles of competence and *non bis in idem*, the disciplinary procedure authorities are competent as long as the Office of the Comptroller General of the Republic does not provide notice on the Resolution that determines the beginning of the sanctioning procedure for functional administrative responsibility. This duality involves the risk of gaps and overlap between these two regimes (disciplinary administrative and administrative functional), the fragmentation of the sanctioning response (OECD, 2017[1]), and, therefore, the potential increase of impunity (Deutsche Gesellschaft für Internationale Zusammenarbeit, 2017[11]).

- **Human Resources Office (ORH).** In Peru, ORHs perform a dual role in promoting an organisational integrity culture. The human resource management (GRH) performs a key role, as it is employees who ultimately shape and create an open organisational culture that fosters ethical growth and open discussion to solve the ethical issues (Figure 2.2). There are additional factors that that could lead to corrupt practices and low integrity levels including, a high level of politicisation that may result in loyalty to the party loyalty rather than the public, a weak performance-orientated culture, poor rewards and salaries, low levels of employment security, lack of training and professionalism, high employee turnover, and lack of ethical leadership (OECD, 2018[14]). The high employee turnover may prevent a decent work ethic culture being created as the individuals are not in their roles long enough in order to commit to public integrity values and putting these values into practice. Therefore, human resource management (GRH) policies are part of both the problem and the solution in promoting integrity in the public administration. In addition, as it has been mentioned before, the PAD Technical Secretary reports to ORH regarding the exercise of his/her functions. In this sense, he/she shall submit a six-month report before the Human Resources Head regarding the status of received claims and/or initiated disciplinary administrative procedures. At the same time, the Head of Human Resources may request, when he/she deems it convenient, information from the Technical Secretary regarding the status of complaints and/or initiated disciplinary administrative procedures (Directive 02-2015 SERVIR/GPGSC). As such, the ORH could be the main ally of the Offices of Institutional Integrity in public entities.
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Source: (OECD, 2017[7]).

- **Officials and offices in charge of standard transparency portals and information delivery.** As already mentioned, the Offices of Institutional Integrity could lead and supervise the implementation of the Law of Transparency. Nevertheless, if the entity prefers to separate this into two functions, the Integrity Offices shall coordinate and exchange information with the officials responsible for delivering information and preparing the Transparency Portal.

- **General Secretariat.** The General Secretariat (SG) is, in general terms, the highest administrative authority of public entities of the Executive Branch and is part of the senior leadership. Currently, the existing integrity offices are part of the SG; it is recommended, however, that OIIs be promoted to the level of the head of the entity (see section 3.1). Among the SG’s functions, there are aspects of particular relevance for integrity policies.
  - According to Supreme Decree 033-2005-PCM, which regulates the Public Function Code of Ethics, the SG is responsible for applying this Ethics Code in the entity. With the creation of OIIs, the Supreme Decree should be reformed and this function should be transferred to OIIs and it should be clarified that both public ethics and advice on managing conflict of interest is part of the obligations of Integrity Offices, which should in turn perform their duties in close collaboration with ORH.
  - The SG elaborates the Annual Procurement Plan, an area particularly vulnerable to corruption. As already mentioned, the OIIs shall provide advice and support the SG in the area of corruption prevention in contracting and public procurement.
  - The SG performs a key role in implementing several aspects of the integrity policy. For example, through the Planning Offices and Budget, it can be ensured that institutional integrity plans are integrated into and consistent with Annual Operating Plans (POA), Institutional Operating Plans (POI) or Multiannual Sectorial Strategic Plans (PESEM).
  - Finally, the SG is usually responsible for communicating outside the entity and in relation with other public entities. It is, therefore, key that the SG consults and cooperates with the OIIs on communication on integrity and fight against corruption in order to guarantee the coherence of messages both inside and outside the entity.
3. Organisational structure of Integrity Offices

3.1. The Officer or Offices of Institutional Integrity need to report directly to the head of the entity and have a certain degree of administrative and financial autonomy.

Promoting integrity and mitigating corruption risks are not only a matter of diagnosing problems and applying technical solutions. Powerful interests will be affected directly by integrity and anti-corruption policies and these interests shall exercise influence in decision-making and implementation processes in order to reduce its scope and impact. This challenge also exists inside an organisation. Consequently, anti-corruption bodies, such as the Offices of Institutional Integrity, need to be protected against undue influence. It is also important that protection be given to Integrity Offices against short-term political fluctuations to guarantee a certain degree of continuity of measures in order to allow public entity employees to learn to recognise and trust the Integrity Office or the members of the Integrity Offices and keep a certain degree of independence in their decisions.

Finally, the commitment of both the entity’s head and the senior leadership, identified as a key component of the Peruvian integrity system, in order to gain credibility, needs to be reflected in the continuity of integrity policies, sufficient human and financial resources. Furthermore, integrity measures need to respond to an analysis of the specific context, reports on progress and challenges need to be published, and sanctions applied timely and visible (Brinkerhoff, 2000[18]). Brinkerhoff also states that the commitment to implement integrity and anti-corruption measures is more credible if it comes from within, that is, when the decision to implement them is an initiative from the public entity itself. Nevertheless, it could be argued that the Peruvian integrity system somehow imposes the implementation of specific measures, among which is the implementation of the Offices of Institutional Integrity, to public entities. The implementation of this requirement may vary from a superficial and official implementation to a dedicated implementation, with a maximum degree of ownership by the public entity. An external actor, such as the SIP in Peru, could help mitigate the risk of superficial compliance (see section 0).

These risks are mitigated mostly through an adequate organisational design that provides a certain degree of financial and administrative autonomy (see below) and through adequate human resource policies (see section 3.2). Consequently, it is recommended that the Office of Institutional Integrity reports directly to the head of the public entity. The ISO 37001 Anti-Bribery standard also underlines the importance of “direct access to top management […] leadership in order to communicate relevant information”. It states that there is a risk that the communication by the Officer or Integrity Offices is not “fully or clearly received by top management” if it is communicated to another manager in the chain that then reports to the senior leadership (INACAL, 2017[4]).

Upgrading the Integrity Office from the General Secretariat to the senior management level that reports directly to the head of the entity has several advantages. First, it gives a clear message externally and, above all, to employees that integrity is a priority. Second,
according to interviews and comments in the framework of “Institutionalisation of Integrity Offices: Towards an integrity model in the public administration in Peru,” which took place in Lima in 19 September 2018, the real independence of the Integrity Office will be limited if it is a sub-agency and does not report directly to the head of the entity. Third, the key function of Integrity Offices regarding the implementation of integrity efforts and fight against corruption within the entity also implies leading the development of integrity actions at an institutional level in internal planning and the monitoring of these actions. In order to fulfil this function, it is important that other units respond timely to information requests and that they are willing to collaborate with the Integrity Office. This is more likely if the Integrity Office reports directly to the head of the entity giving more importance to its communications, information requests and convening power. For example, in Paraguay, the Law mandates that heads of Anti-Corruption Units reports directly to the head of the respective Institution.

It is recommended that, additionally, Integrity Offices are accountable to and communicate to the Secretariat of Public Integrity. In addition, a certain degree of administrative autonomy, for example when recruiting personnel of the Office, and financial autonomy through a specific budget will allow a more effective work of Integrity Offices or Officers. This autonomy, along with the second accountability channel toward the Secretariat of Public Integrity, will help to guarantee a certain degree of independence and, in particular, play its part as a defender of whistleblowers’ right of protection.

3.2. A preventive function adapted to the reality of public entities

The advantages of structuring the system and harmonising the design of the Offices of Institutional Integrity shall not disregard the fact that there are diverse realities in the public administration; diversity with respect to the size of entities and their resources, but also diversity in integrity risks that they face. Likewise, some public entities have offices or agencies located geographically in different places and could even have a certain degree of autonomy, while other entities only have a single venue.

Consequently, the Offices of Institutional Integrity need to reflect these diverse realities. The National Plan of Integrity and Fight Against Corruption 2018-2021, Strategic Objective 1.2.10, states two options: “Offices of Institutional Integrity or officials responsible for the governmental integrity of public entities.” This indicates that a certain degree of flexibility has been permitted in the design of integrity actors at entity level.

Taking the functions of the Integrity Offices in relation to the Peruvian integrity model of the preceding section as a starting point, three different arrangements could be considered. A minimum version, which would involve designating an Institutional Integrity Officer, an intermediate version and a complete version, which would establish an organisational unit with more or less human resources.

This is differentiation is based on two criteria: first, the size of the entity or decentralised agency and budget thereof; second, the level of integrity risks present in the entity or agency. For example, in a small public entity, the Integrity Officer’s role could be assigned to a full-time employee. In view of the Peruvian context in which a considerable degree of prevention is yet to be done, combining this responsibility for integrity with others is not recommended. In any case, the Officer or members of the Offices need to have adequate competence, position, authority and independence (INACAL, 2017[4]).

The SIP could support Integrity Officers (minimum version) and the intermediate version of the Offices in certain subjects, for example, supporting the identification of integrity
risks, the preparation of an institutional integrity plan and internal capacities. In order to perform this and other tasks, the SIP needs to have sufficient resources (see also section 0). Table 3.1 provides a summary of these considerations and links the different models with functions within the Peruvian integrity system (for proposal regarding Office member profiles, see section 3.2).

It is recommended that the decision about the type of Office is not to be taken by the public entity alone, but that the Secretariat of Public Integrity validates the proposals from entities and that, in case of disagreement, it can place a veto on the proposal and impose the design that it deems pertinent.

### Table 3.1. Recommended functions depending on the type of institutional arrangement of the Offices of Institutional Integrity

<table>
<thead>
<tr>
<th>Type of institutional arrangement</th>
<th>Minimum version</th>
<th>Intermediate version</th>
<th>Complete version</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of public entities</td>
<td>Full-time person (“Officer of Institutional Integrity”)</td>
<td>Unit (“Office of Institutional Integrity”)</td>
<td>Big entities or other entities with a high level of integrity risks</td>
</tr>
<tr>
<td></td>
<td>Small decentralised entities or agencies</td>
<td>Medium-sized decentralised entities or agencies with a medium level of integrity risks</td>
<td>Medium-sized entities with a high level of integrity risks</td>
</tr>
<tr>
<td>Human resources</td>
<td>1 person</td>
<td>2 to 4 persons</td>
<td>5 to X persons</td>
</tr>
<tr>
<td>Functions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Commitment of the senior leadership</td>
<td>Reports directly to the highest authority</td>
<td>Reports directly to the highest authority</td>
<td>Reports directly to the highest authority</td>
</tr>
<tr>
<td>2. Risk management</td>
<td>Oversees risk maps</td>
<td>Supports managers in the identification of risks and oversees risk maps</td>
<td>Supports managers in the identification of risks and oversees risk maps</td>
</tr>
<tr>
<td>3. Integrity policies</td>
<td>Leads the internal development of the Institutional Integrity Plan</td>
<td>Leads the internal development of the Institutional Integrity Plan</td>
<td>Leads the internal development of the Institutional Integrity Plan</td>
</tr>
<tr>
<td>4. Transparency, open data and accountability</td>
<td>Coordinates with the official in charge of transparency</td>
<td>Coordinates with the official in charge of transparency</td>
<td>May fulfil the function of the person in charge of transparency or coordinate with the officer in charge of transparency</td>
</tr>
<tr>
<td>5. Internal and external control and audit</td>
<td>Participates in the Internal Control Committee (if any)</td>
<td>Participates in the Internal Control Committee (if any)</td>
<td>Participates in the Internal Control Committee</td>
</tr>
<tr>
<td>6. Communication, training and advice</td>
<td>Provides advice and guides employees on integrity subjects Identifies and coordinates the integrity training plan Communicates and raises awareness internally and externally</td>
<td>Provides advice and guides employees on integrity subjects Identifies and coordinates the integrity training plan Communicates and raises awareness internally and externally</td>
<td>Provides advice and guides employees on integrity subjects Identifies and coordinates the integrity training plan May conduct training, workshops and awareness raising measures Communicates and raises awareness internally and externally</td>
</tr>
<tr>
<td>7. Complaint channels</td>
<td>Provides advice to officers on complaint channels and protective measures</td>
<td>Provides advice to officers on complaint channels and protective measures</td>
<td>May receive complaints and forward them to units in charge of investigating cases Provides advice to officers on complaint channels and protective measures</td>
</tr>
<tr>
<td>8. Oversight and monitoring of the integrity model</td>
<td>Coordinates with implementation units, reports to highest authority and SIP</td>
<td>Coordinates with implementation units, reports to highest authority and SIP</td>
<td>Coordinates with implementation units, reports to highest authority and SIP</td>
</tr>
</tbody>
</table>
3.3. Selection process for OII heads and personnel based on merits

The *OECD Recommendation on Public Integrity* recommends its adherents “Promote a merit-based, professional, public sector dedicated to public-service values and good governance.” In order to achieve this, human resource management needs to be based on basic principles such as merit and transparency that contribute to promoting professionalism of the public service, avoiding favouritism and nepotism, providing protection against undue political interference and mitigating the risks of power abuse and undue conduct. (OECD, 2017[53]). The separation of professional careers in bureaucrats and politicians (or politically appointed officials) has shown to provide incentives for each group to control the others and reciprocally expose conflicts of interest and corruption risks. Vice versa, if the public administration consists mostly of political appointments, loyalty to the ruling party may discourage reports on political corruption of the public administration (Charron et al., 2017[19]).

A frequent rotation of personnel also affects the professionalisation and necessary continuity for performing integrity policies. This may be of particular relevance for Integrity Office personnel, as it could hinder the development of a relationship build on trust between OII members and personnel. This is indispensable for personnel to feel comfortable to approach the OII about any doubts or concerns. Recruitment according to the administrative career regime and not according to the administrative service contracting (CAS) could, for example, assure the continuity of the positions of personnel.

The impartiality of recruitment procedures in human resources is also a crucial factor that affects the entity’s integrity system. Moreover, the recruitment process of OII members can influence the perception other employees have regarding the level of integrity within the entity. If it were perceived that Integrity Office members are not chosen based on merit, this could send a message that, if even the OII does not comply with the principle of meritocracy and integrity, ethical standards for contracting in other units may be even lower.

Finally, the recruitment process shall be set up in a way that attracts public officials that do not only support the implementation of integrity policies, but also exemplify integrity in their daily life. In coordination with the SIP, SERVIR could develop strategies to examine the ethical position and willingness for ethical behaviour of an applicant during the interview stage. For example, potential candidates could be asked to solve an ethical dilemma or a conflict-of-interest situation in order to assess the candidate’s moral reasoning and ethical decision-making (Kidder, 2005[20]).

**Designation of the OII Head**

As mentioned in section 2.2, the role that OII could play in monitoring whistleblower protection requires a certain degree of independence from the Integrity Office and its head. Whenever possible, OII should stipulate that OII heads are not designated politically by the entity’s highest authority, but that he/she is a career official.

It is therefore recommended that the head of the Office of Institutional Integrity is part of the Public Management Body (CGP) promoted by SERVIR, as provided in Legislative Decree 1024. The CGP, by means of transparent and competitive processes, aims at recruiting highly trained professionals for senior positions and middle management offices of the State, as well as developing leadership and management capacities for the highest executive decision-making positions in the public administration. The selection is meritocratic and transparent and there is a special regime and remuneration scale funded...
The selection of OII heads could be coordinated between SERVIR and SIP (see section 0).

**Designation of Permanent Multidisciplinary Staff**

The size of permanent personnel of OIIs depends on the size of their budget and risk level (see Table 3.1). In general, it would be indispensable for OIIs to have multidisciplinary personnel who could develop strategies to prevent corruption from several disciplines, whether legal or social sciences, taking into consideration that a strictly legal view could be counterproductive, as integrity goes beyond regulatory compliance and requires public management knowledge. In particular, it would be important that personnel have detailed knowledge regarding the sector concerned (for example, health, education, environment, etc.), of integrity policies in Peru and public policies in general, the realities of the public administration and challenges of coordination within an entity and at the level of public policies. Depending on the specific function of the position, specialisation in monitoring and assessment of public policies, risk management, experience in conducting trainings, communication or mediation would be necessary (for a detailed description of profiles, see Table 3.2).

**Table 3.2. Profiles of personnel of an OII**

<table>
<thead>
<tr>
<th>Title</th>
<th>Number of employees</th>
<th>Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum version</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional Integrity Officer</td>
<td>1</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, experience in the public administration, preferably knowledge of internal control, monitoring and assessment of public policies and risk management.</td>
</tr>
<tr>
<td><strong>Intermediate version</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Head of OII</td>
<td>1</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, experience in the public administration.</td>
</tr>
<tr>
<td>Multidisciplinary advisers</td>
<td>1-3</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, preferably with experience in conducting trainings, communication and organisational policies, knowledge of internal control, monitoring and assessment of public policies and risk management.</td>
</tr>
<tr>
<td><strong>Complete version</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Head of OII</td>
<td>1</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, experience in the public administration.</td>
</tr>
<tr>
<td>Risk management adviser</td>
<td>1-x</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, internal control and risk management.</td>
</tr>
<tr>
<td>Public policy advisor</td>
<td>1-x</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, internal control and experience in public policy monitoring and assessment.</td>
</tr>
<tr>
<td>Training/Communication Manager</td>
<td>1-x</td>
<td>Undergraduate studies, preferably with postgraduate studies, knowledge of integrity policies, preferably with experience in conducting training, communication and organisational policies, and mediation.</td>
</tr>
</tbody>
</table>
4. The Role of the Secretariat of Public Integrity in respect of Offices of Institutional Integrity

The Secretariat of Public Integrity (SIP) in the Presidency of the Council of Ministers is the entity that governs integrity policies in Peru. Created in April 2018 according to the Supreme Decree 042-2018-PCM, it is the technical body in charge of conducting and supervising compliance with the National Policy of Integrity and Fight Against Corruption in the entire Peruvian State. As a ruling entity, SIP is responsible for issuing guidelines, directives, rules and technical opinions related to the Peruvian integrity system. Given, that among other powers, the SIP is mandated to provide technical support to the High-level Commission against Corruption; it is also a coordinating body between the Legislative and Judicial branches, civil society, private sectors, CAN members, the Executive Branch and, subnational level, through the Regional Anti-Corruption Commissions (Figure 4.1). As such, the creation of the SIP responds to previous OECD recommendations formulated in the Peru Integrity Review (OECD, 2017).[1]

Figure 4.1. Toward an Integrity System in Peru

Source: Based on information delivered by the Secretariat of Public Integrity in 2018.
Within its functions specified by the Decree that created SIP, among others, is the harmonisation and coordination with other entities as applicable. As stated in section 2.4, the coordination required between units at the level of public entities also requires previous coordination at the level of the respective entities, in particular between SIP, CGR, SERVIR and SGP. For example, coordination that involves actors outside the Executive Branch could be realised within the scope of CAN.

Additionally, even though an additional function of the SIP is “to formulate recommendations to entities of the Public Administration in matters of their competence,” it is recommended that the functional and technical relationship that exists between the SIP and the Offices of Institutional Integrity is specified and regulated in more detail.

In particular, it is recommended that the SIP has the following responsibilities regarding the Offices of Institutional Integrity and that the latter are given the necessary human and financial resources in order to perform these roles.

- **Approval of OII Design.** Section 3.1 recommends that the decision on whether an Integrity Officer or an intermediate or complete version of an Integrity Offices is implemented, is not decided solely by the public entity. For example, the procedure for approval could be that the public entity sends a proposal for the design of its OII to the SIP and the SIP in turn analyses and validates this proposal. In case of disagreement, the SIP could veto the proposal and impose the design it deems pertinent.

- **Appointment of the OII Head.** Along with SERVIR and the senior management of the entity, the SIP could play a part in the appointment process of the head of the OIIs. Two alternatives could be considered. On one hand, this role could be passive. That is, simply overseeing the selection process and intervening in case of reasonable doubts (for example, in the case that the SIP becomes aware of evidence against the candidate) to prevent or review the appointment. On the other hand, the SIP could play a more active part and actively participate in the selection of candidates.

- **Monitoring the implementation of OII.** The SIP could develop indicators at different levels in order to monitor the process of implementation of OII in public administration entities. These indicators would allow adjustments to be made in case of difficulties and allow a learning process between public entities.

- **Technical Support to OII.** As it is already doing, the SIP could provide general and ad hoc technical support, in case of doubts or questions, to the Offices of Institutional Integrity on integrity measures. On one hand, this support could be through guidelines, manuals or methodologies. On the other hand, the SIP could dedicate a full-time person to maintain this link with the OIIs, respond in case of doubts and questions and visit the OIIs for technical discussions. In particular, the SIP could provide centralised technical support to Integrity Officers in small entities or Integrity Offices that lack capacity to perform certain functions (see section 3.1).

- **OII Personnel Training.** In coordination with the National Public Administration School (ENAP), National Control School (ENC) or universities, the SIP could contribute to develop a training plan and could train OII personnel in different subjects relevant for the development of their activities. These could be short trainings in specific OIIs or trainings that are more generic for which OII staff are
• **Receipt of Reports and Information on the Implementation of relevant aspects of PNILC.** As mentioned in section 2.2, it is recommended that OIIs are strengthened by making them also accountable to the SIP. This way, OIIs could have an external support in case that they face internal resistance from the highest level. For example, it could be established that OIIs send an activity report twice a year to the SIP that also include relevant information on monitoring of the PNILC to the SIP.

• **Establishment and Monitoring of a Network between OIIs.** The SIP could initiate and foster a network between OIIs that will promote the exchange of good practice, discuss difficulties and can be a starting point for developing capacities and skills (see Box 4.1). An efficient manner for supporting up this network could be an online platform where participants could exchange ideas and practices, ask questions, upload information in addition to periodic personal meetings. Ideally, this network would be created during the implementation of OIIs in order to allow joint learning.

• **Evaluation of the OII Model.** At the end of the period of the PNILC, the SIP could carry out an independent evaluation of the implemented OII model to learn and fine-tune the work of the Integrity Offices and their relation with the SIP. This assessment could consider, among other variables, the impressions from the OII “clients” (SIP, senior management of entities), officials and internal units coordinated by the OII (see section 2.4).

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**Box 4.1. Austria: The Austrian Integrity Network (Integritätsbeauftragten-Netzwerk)**

In Austria, the Federal Bureau of Anti-Corruption (*Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung* or BAK) created the Austrian Integrity Network (*Integritätsbeauftragten-Netzwerk*) in order to strengthen integrity by anchoring it as an essential element in the public sector.

For this purpose, the BAK trains public officials so that they become experts in integrity and corruption prevention within the Integrity Network’s framework. These integrity officers provide advice within their organisations in order to strengthen integrity in specific bodies. Integrity officers can access more information on compliance, corruption, ethics, integrity and organisational culture.

As well as an internet platform, the BAK also offers periodical follow-up meetings for integrity officers to address specific subjects, such as risk management, ethic and values. For example, during the meeting on ethics and values, the participants presented their current values model. After discussing this in breakout groups and in a plenary session, the participants identified good practices for implementing a value statement in an organisation.

*Source: [https://integritaet.info/](https://integritaet.info/).*


International Organization of Supreme Audit Institutions (2010), Internal Audit Independence in the Public Sector, INTOSAI GOV 9140, International Organization of Supreme Audit Institutions, Vienna.


Annex A. Different integrity units in Peruvian ministries and functions thereof

<table>
<thead>
<tr>
<th>Ministry</th>
<th>Integrity Bodies</th>
<th>Main functions</th>
</tr>
</thead>
</table>
  - Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
  - Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
  - Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
  - Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
  - Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |
| Ministry of Defence - MINDEF             | Functional Institutional Integrity Unit Created by means of Ministerial Resolution N° 1175-2018-DE/SIG dated 12 September 2018 | - Receive reports of corruption by whistleblowers and that contain a request for protection of the whistleblower.  
  - Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
  - Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
  - Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
  - Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
  - Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |
<table>
<thead>
<tr>
<th>Ministry</th>
<th>Integrity Bodies</th>
<th>Main functions</th>
</tr>
</thead>
</table>
| Ministry of Economy and Finances          | Office of Human Resources                                                        | • Promote and coordinate the implementation of measures and actions oriented toward the prevention of and fight against corruption, to ensure ethics and integrity in the performance of functions of all public servants who work at MEF.  
• Promote actions aimed at fostering an ethics and transparency culture of all civil officers that work at MEF.  
• Promote the elaboration of a Code of Ethics and Public Integrity  
• Monitor the functions established in the regulations of Legislative Decree N°1327.  
• Propose activities and tasks that could be incorporated in the Annual Plan of Integrity and Fight against Corruption of MEF.  
• Monitor compliance with the National Plan of Integrity and Fight Against Corruption 2018-2021 under the purview of the MEF.  
• Foster and encourage a culture of values at MEF.  
• Support actions oriented toward inter-institutional cooperation with other entities in Ethics and Public Integrity.  
• Approve its Internal Regulations. | Additional to the tasks performed by the Office of Human Resources as Integrity Body, the Ministry of Economy and Finances has an Integrity and Anti-Corruption Task Force created by the Ministerial Resolution N° 242-2018-EF/10 on 02 July 2018. This articulation space is constituted by the Minister of Economy and Finances, the Deputy Minister of Economy, the Deputy Minister of the Treasury, the Head of the Ministerial Office Advisor Cabinet and the General Legal Advice Office. |
| Ministry of the Interior - MININTER       | Office of Institutional Integrity                                                 | • Oversight and control in the Sector.  
• Perform ex officio investigations on Disciplinary Administrative Violations.  
• Internal control.  
• Fostering ethics, transparency and fight against corruption.  
• Follow-up and monitoring of recommended actions. |                                                                                                                                                                                                           |
| Ministry of Education - MINEDU           | General Transparency, Ethics and Anti-Corruption Office                          | • Promotion of ethics and transparency.  
• Open Government.  
• Propose plans or normative standards on transparency, public ethics and anti-corruption.  
• Develop capacities in ethics, transparency, internal control, administrative responsibility and anti-corruption.  
• Follow-up on administrative violations linked to acts of corruption.  
• Complaint handling mechanisms.  
• Access to public information.  
• Internal control. |                                                                                                                                                                                                           |
| Ministry of Health - MINSA                | Transparency and Anti-Corruption Office                                          | • Supervision of Standard Transparency Portals.  
• Propose transparency, public information, access, ethics, integrity and anti-corruption mechanisms.  
• Open Government.  
• Handling of complaints. |                                                                                                                                                                                                           |
<table>
<thead>
<tr>
<th>Ministry</th>
<th>Integrity Bodies</th>
<th>Main functions</th>
</tr>
</thead>
</table>
• Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
• Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
• Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
• Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
• Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |
| Ministry of Agriculture and Irrigation - MINAGRI | Functional Institutional Integrity Unit Created by means of Ministerial Resolution N° 435-2018-MINAGRI dated 08 November 2018. | • Formulate, implement and monitor the Anti-Corruption Plan for the Sector.  
• Recommend actions to guarantee ethics, transparency and political neutrality.  
• Promote and raise awareness of principles and values.  
• Provide support in awareness raising and training on ethics, transparency and political neutrality.  
• Provide support in the promotion of access to information for citizens.  
• Strengthen citizen oversight. |
• Fostering ethics, transparency and fight against corruption.  
• Follow-up on allegations of corruption.-  
• Design strategies, mechanisms and indicators for risk management. |
• Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
• Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
• Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
• Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
• Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |
### Ministry of Energy and Mines - MINEM

**Office of Institutional Integrity**

*Created by ROF approved by means of Supreme Decree N° 026-2017-SA dated 14 May 2017.*

**Main functions**

- Receive complaints on corruption made by complainants and that contain a request for whistleblower protection.
- Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.
- Evaluate whether the submitted complaint is malicious and provide the corresponding measures.
- Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.
- Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.
- Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation.
- Formulate strategies, plans, programmes, projects and guidelines for strengthening integrity, prevention and fight against corruption in the Ministry of Energy and Mines.
- Develop mechanisms to strengthen ethics, transparency, political neutrality for the prevention and fight against corruption.
- Design strategies, methodologies and procedures for the identification of processes with risks susceptible or exposed to corruption in the organs and organic units of the entity.
- Propose the internal regulations related to its functional scope, as well as issue an opinion on the regulations covered by it.
- Undertake unannounced visits to sector bodies, organisational units and public agencies in order to prevent acts of corruption, as well as to gather information to contribute to the fight against corruption.
- Foster and promote a culture of values in energy and mining management.
- Propose the signing of inter-institutional cooperation agreements with public and private, national and foreign entities on matters within its competence that contribute to strengthening transparency in the sector and the eradication of acts of corruption.
- Require bodies, organisational units, managers, officials and staff to submit information, documentation and technology it considers necessary for the performance of its functions within the framework of the legislation in effect.
- Design and establish awareness-raising mechanisms aimed at civil society, the business sector and the private sector in general in order to contribute to the adoption of an ethical culture in their relations and links with organisations in the sector.
- Follow up on the implementation of the internal control system, assuming the Technical Secretariat of the Central Committee of Internal Control of the Ministry.
- Follow up on the implementation of recommendations and observations issued by the Institutional Control Body and the Comptroller General of the Republic.
As well as the work performed by the Office of Institutional Integrity, the Ministry of Energy and Mines has a Commission of Integrity and Fight against Corruption created by means of Ministerial Resolution N° 032-2019 MEMDM dated 04 February 2019.

<table>
<thead>
<tr>
<th>Ministry</th>
<th>Integrity Bodies</th>
<th>Main functions</th>
</tr>
</thead>
</table>
| Ministry of Transportation and Communications - MTC | Office of Integrity and Fight against Corruption Created by Regulations of Organisation and Functions approved by means of Supreme Decree N°022-2019-MTC on 31 December 2018 and Ministerial Resolution N°015-2019-MTC/01. (In the process of implementation). | • Execute, coordinate and oversee the implementation of the National Policy of Integrity and Fight Against Corruption in the sector.  
• Participate in the formulation and implementation of the plan for transparency, ethics, prevention and fight against corruption and oversee compliance.  
• Promote and monitor the implementation of the Internal Control System in the sector.  
• Propose and implement mechanisms, strategies and indicators to strengthen ethics, transparency, political neutrality, prevention and fight against corruption and risks inherent to possible corruption acts.  
• Evaluate the complaints submitted within the ministry and forward these to competent bodies, as necessary, and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
• Evaluate progress and gaps to improve management in the prevention and fight against corruption in the sector.  
• Undertake unannounced visits and oversee bodies, funds, special projects and ministry programmes, as well as perform follow-up to its public bodies and attached companies for the implementation of measures that contribute to the prevention and fight against corruption.  
• Promote and coordinate actions that improve transparency standards, foster good ethical practices and strengthen a culture of values and public integrity of public officials in the exercise of their functions.  
• Manage the record of reports linked to alleged acts of corruption submitted before the ministry and those who record its funds, programmes, special projects and attached public bodies.  
• Evaluate information disclosed by social communication media related to the existence of irregular facts within the scope of its functions and, where appropriate, initiate the corresponding actions within the scope of its competence.  
• Propose and implement mechanisms, strategies and other documents for regulation related to matters of its competence, for bodies, programmes and special projects of the Ministry and its attached public bodies, where applicable, in coordination with the corresponding bodies and entities, as well as monitoring the implementation thereof.  
• Plan and perform training on competence in coordination with the competent ministerial body. |
| Ministry of Housing, Construction and Sanitation - MVCS | Office of Integrity and Fight against Corruption Created by means of RDF approved by D.S. N° 010-2014-VIVIENDA dated 04 March 2017. | • Formulate and perform follow-up of the Anti-Corruption Plan in the Sector.  
• Identification of risks.  
• Fostering ethics, transparency and fight against corruption.  
• Follow-up on allegations of corruption. |

Additional to the work of the Office of Integrity and Fight against Corruption in the Ministry of Housing, Construction and Sanitation, the latter has a Commission of Integrity and Fight against Corruption created by means of Ministerial Resolution N°023-2017-VIVIENDA – dated 24 January 2017. This coordination space is constituted by the Secretary General, chairperson, the Deputy Minister of Housing and Urban Planning, the Deputy Minister of Construction and Sanitation, the Executive Director of the Informal Property Formalisation Body – COFOPRI, the Superintendent of the National Superintendence of State Properties – SBN, the General Manager of Empresa de Servicio de Agua Potable y Alcantarillado de Lima S.A. – SEDAPAL S.A., the General Manager of Fondo MI VIVIENDA S.A., the General Manager of the National Training Service for the Construction Service – SENCICO, and the Executive Director of the Technical Body of Sanitation Service Administration OTASS.
### Ministry of Women and Vulnerable Populations - MIMP

<table>
<thead>
<tr>
<th>Integrity Bodies</th>
<th>Main functions</th>
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</thead>
</table>
| General Secretariat | - Receive complaints on corruption made by complainants and that contain a request for whistleblower protection.  
- Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
- Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
- Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
- Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
- Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |

As specified in D. L. 1327.

### Ministry of Environment - MINAM

<table>
<thead>
<tr>
<th>Ethics and Public Integrity Task Force of the Ministry of Environment</th>
<th>Main functions</th>
</tr>
</thead>
</table>
- Ensure ethical conducts.  
- Develop competences in public ethics and integrity subjects.  
- Complaint handling mechanisms.  
- Revising and verifying the Interest declarations and avoid conflicts of interests. |

### Ministry of Culture - CULTURA

<table>
<thead>
<tr>
<th>General Secretariat</th>
<th>Main functions</th>
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</table>
| As specified in D. L. 1327. | - Receive complaints on corruption made by complainants and that contain a request for whistleblower protection.  
- Evaluate the facts and documents supporting corruption allegation; and, in this sense, apply protective measures for whistleblowers or witnesses, as appropriate.  
- Evaluate whether the submitted complaint is malicious and provide the corresponding measures.  
- Transfer the complaint and documents that sustain it to the Technical Secretariat in charge of pre-qualifying the alleged disciplinary misconduct of the entity or to the Public Prosecutor, if necessary.  
- Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
- Participate in and lead the process that involves the approval of the entity’s anti-corruption plan, as well as overseeing its implementation. |

**Additional to the work performed by the integrity area of the Secretary General, the Ministry has an Integrity, Transparency and Anti-Corruption Task Force, created by means of Ministerial Resolution N°418-2018-MC, dated 16 October 2018. This coordination space is constituted by the Secretary General, chairperson, Deputy Minister of Cultural Heritage and Cultural Industries or his/her representative, Deputy Minister of Interculturalism or his/her representative, the General Director of the General Office of Legal Advice or his/her representative, the General Director of the General Office of Planning and Budget, and the General Director of the General Office of Human Resources or his/her representative, who acts as the Technical Secretariat.**
<table>
<thead>
<tr>
<th>Ministry</th>
<th>Integrity Bodies</th>
<th>Main functions</th>
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</thead>
</table>
| Ministry of Justice and Human Rights -  | Office of Integrity and Fight against Corruption Created by means of ROF approved | • Formulate and perform follow-up for the Anti-Corruption Plan in the Sector.  
• Design methodologies and strategies, as well as implement actions to manage risks inherent to potential corruption acts.  
• Receive, systematise and enhance the follow-up of complaints about acts of corruption.  
• Evaluate the facts and documents supporting allegations of corruption  
• Coordinate the contents of personnel training in the area of integrity in the exercise of public functions with the Human Resources Office of the entity to which it belongs.  
• Prepare management indicators related to progress in the fight against corruption. |
| MINJUS                                 | by means of DS N° 013-2017-JUS dated 21 June 2017                                 |                                                                                                                                                                                                               |
| Ministry of Development and Social     | Office of Promotion of Integrity and Institutional Ethics Created by means of ROF | • Formulate, implement and monitor the Anti-Corruption Plan for the Sector.  
• Promote of public ethics and transparency.  
• Handling of reports of corruption.  
• Power to grant protection mechanisms to whistleblowers.  
• Evaluate and verify the accuracy of complaints.  
| Inclusion - MIDIS                      | approved by means of DSN N° 006-2017-MIDIS dated 03 March 2017                   |                                                                                                                                                                                                               |

*Source*: Information provided by the Secretariat of Public Integrity, 2018 and GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit, 2017).
Offices of Institutional Integrity in Peru

IMPLEMENTING THE INTEGRITY SYSTEM

For more information, visit:
www.oecd.org/gov/ethics/