

**CONCISE SUMMARY
OF THE COMMENTS RECEIVED DURING THE
PUBLIC CONSULTATION ON THE DRAFT
RECOMMENDATION OF THE OECD
COUNCIL ON PUBLIC INTEGRITY**

17 June 2016



Summary

This note provides a general overview of the comments received on the draft Recommendation of the OECD Council on Public Integrity. A full compilation of the comments is provided separately.

An invitation for comments was sent to the policy communities and published on the OECD Website. The open consultation took place from 22 February until 31 March 2016. Over fifty responses were received representing the relevant Committees, Working Parties and Networks, accession countries and key partners, international organisations and academic institutions.

Results of the public consultation

The open consultation [GOV/PGC/INT(2015)3/REV3] involved relevant OECD policy communities, stakeholders, international organisations and external experts, including public consultation through the OECD website. The open consultation took place from 22 February - 23 March 2016, with extension until 31 March 2016. Over fifty responses were received from delegates representing the relevant Committees, Working Parties and Networks, accession countries and key partners, international organisations and academic institutions.

The style of the comments also varied and included short approvals, concrete textual suggestions, principled issues and detailed alternative views. Many comments also provided relevant input for developing a toolbox and practical guidance, as well as for future exchanges of experiences at the Working Party of Senior Public Integrity Officials. A document with the full comments is provided and will be published at the OECD website. This summary provides a concise overview as an introduction to the many issues brought forward.

The revised draft Recommendation (GOV/PGC/INT(2015)3/REV4) takes into account the comments and specific suggestions received in the consultations and the revisions are made visible as 'track changes'. The current revision will be discussed at the upcoming meeting of the Working Party of Senior Public Integrity Officials on 18 April 2016. A consolidated revised draft Recommendation, integrating comments from the discussions, will be submitted to the Working Party of Senior Public Integrity Officials and Public Governance Committee for approval by written procedure and for transmission to Council.

Issues brought forward

Overall, the comments expressed approval or even compliments for the structure and scope of the draft Recommendation, making references to the three pillars and to the multilevel governance and the whole-of-society perspective to integrity. In addition, the need for an integrity system that balances a values-based and a compliance-based approach was recognised. Several suggestions for strengthening the draft Recommendation were also provided.

The main issues included:

- A general need for practical guidance and further explanation of the draft Recommendation, such as the whole-of-society approach of the draft Recommendation;
- The need for more precise definitions and consistent use of terminology relating to integrity (including the terms misconduct, corruption, conflict of interest, wrongdoings, and irregularities). In general a concern was expressed that the definitions tended to a 'compliance-based' integrity system and neglected violations of ethical values.
- The need for more precise and consistent use of terminology relating to the object of the Recommendation (such as organisations, units, bodies or entities). According to some comments, the draft Recommendation tended to a focus on a centralised integrity system, neglecting the responsibilities of individual organisations and of the subnational levels of government.

The issue of monitoring brought forward divergent views. While some comments indicated less preference for a strict review procedure for monitoring the implementation of the draft Recommendation, others expressed support for stricter and more elaborate reviews and benchmarking.

Invitations were made to strengthen or expand some specific recommendations:

- recognising transparency at the heart of any integrity system, not just as part of pillar 3;
- include the role of dedicated 'integrity officials' and the minimum standards of their work;
- expand the elements of an integrity 'strategy' such as the content of a strategic policy plan;
- revise the definition of conflict of interest to explicitly include asset declarations and post-public employment;
- strengthen the protection of whistleblowers;
- clarifying the elements of a merit based civil service;
- add a more explicit reference to training on ethics for all public officials;
- include the need for autonomy of internal control
- broaden the concept of accountability (to include public engagement and social responsibility);
- broaden integrity leadership to ethical leadership.

The OECD was also invited to consider various issues:

- questions on the level of the recommendation: does it address countries / subnational / organisational / individuals;
- the notion that integrity not only concerns fighting corruption;
- include references to integrity as essential for the health and performance of public organisations and the personal health and commitment of staff;
- include references to specific sectors (e.g. water sector);
- pay special attention to contracting and procurement management activities;
- the need for transparency of the process planning towards building or improving integrity systems
- inclusion of independent civil society organisations, including trade unions and employer organisations, and self-organizing knowledge networks.
- the use of the concept of a compliance and ethics ("C&E") program as a starting point and model and create a common language between the public and private sector
- Include public international organizations in the scope of the Recommendation

Some broader good governance issues were also brought forward for inclusion:

- Rules for elections and impeachment
- Rule of law issues such as an independent judiciary, independent public prosecutors.