

COUNTRY REFORM INITIATIVES

"PUBLIC GOVERNANCE FOR INCLUSIVE GROWTH: TOWARDS A NEW VISION FOR THE PUBLIC SECTOR"

GERMANY

Lab 1 – Voice

1. Listening to citizens and businesses and foster participatory decision-making:

To foster participation, the Federal Government has amongst others adopted the following decisions (in brackets: date of decision), here specifically in the field of better regulation:

1. Legislative proposals of the Federal Government will be published online after they have been adopted by the Federal Cabinet. Furthermore, wherever suitable, the Federal Government intends to engage in broader public information or consultation prior to Cabinet decision than is presently the case, with involvement of groups directly affected by the intended legislation. (28 March 2012; No. II.7. of the decision of the Federal Cabinet)
2. The Federal Government will in future thus take even greater account of the experiences of those affected, when it develops new legislative proposals. (4. June 2014; sentence two of the decision of the Federal Cabinet)
3. The Federal Government performs frequently surveys (which are statistically representative) on the perception of the quality of the cooperation of citizens and the business sector with the public (self) administration and the quality of the given legal framework. (4 June 2014; No. I of the decision). The website of this initiative – see <http://www.amtlich-einfach.de/> – contains additional feedback functionalities for the public on specific life events, the legal framework, and the performance of the public (self) administration.
4. The Federal Government further develops its approach to take part in the new consultation approach of the European Commission for planned European initiatives.

2. Developing policies and improving public services to deliver inclusive outcomes through:

1. Engaging citizens and the voluntary sector:

Transparency, participation and close cooperation with citizens and civil society organizations are core principles of policy making in Germany. In the same way self-administration is a fundamental principle of state organization in Germany. The following answers provide examples for the wide range of activities in all fields of policy making.

Dialogue process “Charter for the Future”

In preparation for the United Nations Sustainable Development Goals (SDG) the Federal Ministry for Economic Cooperation and Development (BMZ) launched the broad dialogue process “Charter for the Future” beginning 2014. Under the slogan “ONE WORLD – Our Responsibility” the aim was to initiate a national debate amongst different development cooperation actors, e.g. CSOs, business, science, churches, political foundations and the German federal states, about common goals and priorities in light of the upcoming SDGs. Also the Charter-dialogue-process served as a tool to foster the understanding within the broader public about the paradigm shift of the SDGs to combine the development- with the sustainability-agenda. In order to include experts as well as the broader public in the debate a series of workshops (expert-forums) throughout Germany was organized 2014 and an online-dialogue (www.zukunftscharta.de) initiated.

The outcome of the first phase of the dialogue process in 2014 is a “Charter for the Future” document addressing eight priority areas of German state and non-state actors in the field of development cooperation and sustainable living. The first draft of the Charter was based on the results of the workshops and the online-dialogue and the opportunity to comment the first draft document online was intensively used by a big variety of actors. End of 2014 the Charter finally was handed over to Federal Chancellor Dr. Angela Merkel.

Within the second phase 2015 and 2016 the BMZ organizes events for the broader public in all 16 federal states to discuss sustainable development issues. Alongside these events BMZ works on the implementation of the eight priority areas addressed in the Charter. The ongoing charter-process is part of Germany's preparation for the upcoming SDG-Agenda and interlinked with the revision of the National Sustainability Strategy.

Dialogue process “Well-being in Germany – what matters to us”

In accordance with diverse international efforts (e.g. the OECD's “Better Life Initiative”) in 2014 the German government has set up a strategy involving all ministries in order to better understand, measure, and report on well-being in Germany. The government strategy aims to develop a new reporting system, including a new set of well-being indicators, as well as a plan of action.

Starting point and core element of this process is the participation of German citizens. In order to foster participation and to listen to as many citizens as possible, the German government has started a national citizens' dialogue, called “Well-being in Germany – what matters to us” (*“Gut leben in Deutschland – was uns wichtig ist”*). From April to October 2015 in more than 180 public dialogue events and on a website (www.gut-leben-in-deutschland.de) German citizens can articulate their priorities and opinions regarding their understanding of personal well-being and of quality of life in Germany. This will provide decision makers with better evidence in order to improve public services and take concrete actions for improvement.

The dialogue process is organized in cooperation with a variety of different groups, associations and institutions from German society. These groups host the events and invite citizens to the discussions. This approach was chosen in order to actively engage major stakeholder from civil society but also from the business sector.

The results will be analyzed by independent scientists and included in a report, a new set of well-being indicators and a political action program to be published in 2016.

Strategy “Effective governance”

Another strategy of the German Government focuses on "effective governance". It aims to strengthen the use of scientific findings of behavioral science in policy making as well as the use of scientific empirical methods such as interviews, field experiments and randomized controlled trials in order to find out how policy objectives can be achieved most effectively and how the benefit of policy measures for citizens can be increased. Following a user-led perspective the engagements of citizens – e.g. interviews with citizens, experts and organizations – is an important element of the production of policy measures and public services.

Participation process “Federal Transport Infrastructure Plan” (FTIP)

The Federal Ministry of Transport and Digital Infrastructure (BMVI) works on a new Federal Transport Infrastructure Plan (FTIP), which will be the basis for maintenance, development and extension of the German transport infrastructure system until 2030. The aim is to draw up a realistic and fundable overall approach for the infrastructure of the future. The most important challenge to be addressed by the new FTIP is the prioritization of investment.

For the first time, public participation before the Cabinet decision of the FTIP will be part of the process. Hereby, BMVI aims at improving the quality of as well as transparency and trust in policy on transport infrastructure. The participation process fulfils the requirements set up by the strategic environmental assessment within the Environmental Impact Assessment Act (UVPG). During the process, the FTIP draft is made available online and physically displayed for examination in about 20 locations throughout Germany. Everyone interested is invited to comment on the FTIP online or in writing. Each statement will be checked with regard to necessary modifications of the FTIP.

Dialogue Process “Energy Grids”

Since January 2015, the Federal Ministry for Economic Affairs and Energy has been supporting the initiative for a public dialogue on grids (“Bürgerdialog Stromnetz”). This initiative follows a regional approach and focuses on so-called hotspots, i. e. municipalities where there is a particularly strong need

for communication and discussion.

New citizens' bureaus for all matters linked to the expansion of the grids are to be established to act as local points of contact for the public. These citizens' bureaus provide information to the public on a case-by-case basis. Their work is tailored to the needs and specifics of their respective regions. This is to ensure that the public's need for information is met, even where grid-expansion projects require long planning periods with decisions being taken at various levels, and irrespective of the individual scope for decision-making. The citizens' bureaus provide information to the public and also feed the public's input back to the authorities. Anybody affected by the expansion of the grid as well as the general public is able to submit their questions, comments and queries at any time and receive a reply.

Various formats of events, ranging from citizens' conferences to information markets, to discussion evenings where locals have the opportunity to get together in small groups, are also to be rolled out. This allows locals to learn about the projects that are envisaged, to voice their concerns, and to discuss possible solutions - preferably before the formal process of involving the public begins. Mediation services are also available where needed to supplement this dialogue.

A new internet platform provides information on the initiative and opens up even more ways for the public to get involved - including the opportunity for citizens to join the online debate in the dedicated online forum, which also makes it possible for them to vote on the proposals being made, and the opportunity to chat with experts. This online tool ensures that the initiative covers the whole of Germany - even areas where there is no citizens' bureau.

An external evaluation of the initiative is to be started in 2015; first results are to be expected in 2016.

Energy Transition Platforms

The Federal Ministry for Economic Affairs and Energy is constantly exchanging information with representatives from the Länder, business and industry, society, science and research in high-level energy transition platforms. This facilitates the development of solutions and strategies for key action fields in the energy transition. The dialogue is structured along five thematic platforms (Electricity Market, Energy Efficiency, Energy Grids, Research and Innovation, Buildings).

Representatives of the Federal Government, the Länder, grid operators, economic, consumer and environmental associations meet on a regular basis in the "Energy Grids Platform" in order to formulate recommendations for grid expansion and modernisation of electricity grids.

Together with representatives from the Federal Government and the Länder, economic, environmental and energy economy associations, the goal of the multi-theme „Electricity Market Platform“ is to design the electricity market so as to guarantee a secure supply and support the transformation of the electricity system.

To boost energy efficiency in the upcoming stage of the energy transition, the "Energy Efficiency Platform" concentrates on issues relating to an increase in energy efficiency, bringing together representatives of the Federal Government, the Länder, business and industry along with consumer associations.

Stakeholders from the real estate sector, business and industry along with consumers and the government are involved in the "Energy Transition Platform: Buildings". The aim is to jointly leverage the wide-ranging potential to be found in the building sector in the energy transition, to meet challenges and develop appropriate steps bundled in an energy efficiency strategy for buildings.

The aim of the "Research and Innovation Platform“ is to provide strategic coordination of national actors (the Federal Government, the Länder and business) with regard to the research and promotional programme while focusing more attention on European measures within the framework of the Strategic Energy Technology Plan and HORIZON 2020. The platform is to moreover generate input for a

coordinated, accelerated use of innovative energy technologies.

Consultations within the framework of the Green/White Paper „Electricity Market of the Future“:

A Green Paper entitled "An Electricity Market for Germany's Energy Transition", published by the Federal Ministry for Economic Affairs and Energy (BMWi) in October 2014, was used to usher in a broad-based discussion on the future design of the electricity market and enable an informed political decision to be made. Based on this Green Paper, a public consultation was opened at the beginning of March 2015, with around 700 different actors from business associations, companies, authorities and the general public submitting comments.

The consultation has been followed in July 2015 by a White Paper specifying concrete measures. The White Paper will be submitted to public consultation until September 2015 before necessary legislation will follow.

Sectoral Dialogues “Strengthening the competitiveness of the German industry”

The Federal Ministry for Economic Affairs and Energy (BMWi) organises three-step sectoral dialogues together with industry representatives from businesses, business associations and trade unions. The aim is to develop concrete measures with the industry representatives to strengthen the competitiveness of the German industry in a targeted way. The sectoral dialogues each consist of the following elements:

- Public online consultations

For each sector an individual questionnaire with sector-specific and horizontal issues, like e.g. the shortage of skilled workers or Industrie 4.0, is developed. The aim is to identify high priority areas and areas with a high need to act.

- Expert discussions on the operational level

After the most important and most current topics have been identified via evaluating the online consultation, about 60 to 80 representatives from businesses, business associations and trade unions in each sector are invited to an interactive workshop ("World Cafe") taking place at the BMWi. There, the attendants have the possibility to develop concrete proposals for action concerning the top issues and questions. This is to ensure that future measures are particularly practical and well balanced.

- Meeting of the top representatives with the minister

In a third step, the top representatives of each sector discuss the consolidated package of measures with the Federal Minister for Economic Affairs and Energy. The focus of the discussion is on feasibility and efficiency of the measures. Finally, concrete measures and follow-up activities shall be prioritized and agreed on.

So far, four sectoral dialogues of this kind have taken place in the area of manufacturing (basic materials, mechanical engineering, chemical industry, electrical industry). In the context of the latter three sectoral dialogues a joint declaration was signed by BMWi and the correspondent business associations and trade unions. After a reasonable period, an evaluation is supposed to take place in order to review the impact and current state of affairs and to readjust if necessary.

In 2015, further sectoral dialogues are planned in the area of vehicle construction and aerospace.

2. Partnering with the private sector:
3. Fostering inclusiveness through integrating different gender, cultural and socio-economic groups:

As mentioned, the Federal Government has started various initiatives: for instance:

- A national citizens' dialogue called "Well-being in Germany – what matters to us" (see above). The Federal Government would like to hear the views of people with a wide variety of opinions, perspectives and hopes – people who are as different and diverse as Germany itself.

- initiative “amtlich einfach” (see above) which contains frequently surveys on the perception of the quality of the cooperation of citizens and the business sector with the public (self) administration and the quality of the given legal framework– see <http://www.amtlich-einfach.de/> –

4. Actively engaging with citizens on social media and other ICT enablers:

See above

3. Involving citizens and service users in the design, delivery and evaluation of public services:

See above

Lab 2 – Design

1. Using the best mix of policy instruments for effective policies:

On 11 December 2014, the Federal Government adopted a set of keys to further reduction of bureaucratic burdens on small and medium-sized enterprises. These keys comprise 21 measures in areas such as taxation and accountancy law, facilitating start-ups, assisting young business founders and reducing statistical and information obligations. Where the implementation of measures requires legislative amendments, those measures are consolidated into a composite amending act. Where measures have budgetary implications, they are funded from existing allocations to departmental budgets. The composite amendment bill was adopted before the summer recess in 2015. With these keys, which build on the existing 2014 Programme of Work for Better Regulation, the Federal Government seeks to make more rapid and consistent progress in cutting red tape and to inject fresh impetus for growth and investment in Germany.

2. Initiatives that benefitted or required joined up government:

Happy events such as the birth of a child or a wedding, but also sad occasions like the death of a close friend or relative or the loss of a job, involve contacts with public authorities and administrative departments. Businesses are also confronted with official forms and application processes in various situations, such as a start-up or insolvency. In these cases, bureaucracy is experienced locally at first hand. The Federal Government has set itself the aim of making dealings with the public administration appreciably better for citizens as well as businesses.

On behalf of the Federal Government, the Federal Statistical Office surveys citizens and businesses on their perceptions of dealings with public authorities and administrative departments. This approach, which has been pursued in France for some years, puts the human perspective in the spotlight. It is intended to ensure that measures taken by the Federal Government address the areas in which citizens and businesses consider that the most urgent action is needed.

For its study, the Federal Statistical Office targets contacts made with authorities in connection with specific events in the lives of individuals or businesses.

For these selected events, the Federal Statistical Office produced summaries of the requisite official procedures. These identify the authorities with which people come into contact when one of the examined events occurs. The perspective of citizens and businesses was at the heart of this process too, which is why the summaries were jointly drafted with individuals who had recently experienced the event in question. On this basis, the Statistical Office determined which authorities should be the focal point for the main survey in respect of each event. In the case of a marriage or the registration of a civil partnership, for example, it would be the registry office.

Since January 2015, the opinion-research institute TNS Infratest has surveyed a total of 7,125 citizens on their satisfaction with these selected authorities. During the spring of 2015, 1,625 businesses were also surveyed about their experiences. The respondents were asked to express their satisfaction with a number of aspects, such as the comprehensibility of the law, the scope for online administration and the accessibility and opening hours of public offices. The Federal Statistical Office will make the findings available in the summer of 2015. With the aid of this information, the Federal Government will then formulate improvement measures designed to be of appreciable benefit to those involved.

3. Leveraging regulatory practices to foster a whole-of-government approach:

In Germany all government activities follow the principle of joint responsibility due to the German

constitution. In practice this means, that government decisions are only adopted, when no ministry is against the decision. With its Programme of Work for Better Regulation of 28 March 2012, the Federal Government decided that the cost of compliance with federal legislation for citizens, businesses and the administration was to be kept permanently at a low level. Cost surveillance is based on estimates made by the government ministries in the explanatory memoranda accompanying Federal Government bills. The federal ministries establish the data by applying the procedure introduced in 2011 for the identification and presentation of compliance costs in the Federal Government's regulation proposals. This procedure has now become established in the various federal ministries and forms the basis of the report.

The aim is to provide decision-makers with maximum transparency and a realistic portrayal of the expected impact of a regulatory instrument on citizens, businesses and the administration. Special attention is focused on bureaucracy cost trends as expressed in the bureaucracy cost index.

By adopting the 2014 Work Programme for Better Regulation, the Federal Government made a commitment to make simplifications more tangible, to further reduce compliance costs and to continue improving legislative processes. There will now be an even sharper focus on the experiences of citizens, business and administration.

4. Engaging with innovative practices:

Due to Germany's federal structure, establishing a long-term innovation strategy for the entire country is difficult and needs permanent action. This especially holds true for e-Government services since they are usually delivered to citizens by regional and local government agencies, which are independent from the Federal Government.

- *Innovation in e-Government for Germany (long term):*

A major step bridging especially the gap between the Federal and the regional governments was an addition to the German Constitution that fosters the IT cooperation between the Federal Government and the governments of Germany's Federal States ("Länder"). On that legal basis, the IT planning council was set up, in which the Federal Government and the Länder closely work together in the IT field. In addition, the IT planning council has defined Germany's e-Government strategy that is applicable to the federal and regional level. That strategy sets out the vision, the fields of action and strategic E-Government-goals and serves as strategic foundation of a variety of joint IT-projects, such as a concerted eID-strategy.

The E-Government legislation brought this idea one step further and has grounded innovation in important domains such as electronic payment, electronic identification and open data in law. Although the E-Government legislation is only applicable for the Federal Government, it had a signaling effect for all Federal States and most of them implemented their own e-Government strategies and laws.

- *E-Government innovation programmes by the current Federal Cabinet (mid term):*

The digital agenda for Germany and the government's programme "Digital Administration 2020" focus particularly on innovation. The Digital Agenda is the umbrella strategy, which covers innovation in digital infrastructures, security, trust and digital economy. The Digital Administration 2020 Programme aims at providing innovative cross-sector public services. The programme does not only focus on citizens but also on government agencies as a whole since it is believed that the digitization of the governments is a key enabler for providing better, faster and more transparent services to citizens and wherewith reap the full potential of digitization.

Another recent example is Germany's High-Tech Strategy that focuses on innovation in many fields such as industry 4.0, smart cities, cloud computing, green economy, healthy living, mobility and security including cyber security.

- *Accompanying measures in education and training:*

In addition, the German government invests major resources in research, education and training. This is thought as key enabler for thinking outside the box that leads to new and innovative ideas, which in turn can be transferred to governments by mutual cooperation. For example, the Federal Ministry of the Interior is financing the Institute of Public IT as part of Fraunhofer Fokus and the National E-Government Competence Center. These research institutes provide relevant research to many E-Government projects and thereby bridging the gap between academia and government.

1. Strengthening the civil service, increasing efficiency and helping to meet the needs and challenges of changing societies and economies:

Germany has launched recommendations on a demographic-orientated Human Resource Policy in 2012.

These recommendations include

- Integrated HR management;
- Diversity management;
- Employee engagement
- Corporate health management.

The aim is to promote and to secure work ability and motivation.

2. Building a more diverse and inclusive civil service:
3. Impact of reforms on building trust in government:
4. Reaffirming the core values of the public sector:
5. Addressing the gender balance in the civil service:

The Act on Equality between Women and Men in the Federal Administration and in Federal Enterprises and Courts (Federal Act on Gender Equality) has been amended with effect from 1 May 2015. It aims at increasing the percentage of women in top executive positions in the Public Service and at improving the compatibility of tasks in family life, long-term care and professional activity. In future, the successful implementation of this project in the area of supreme Federal authorities will be recorded within the scope of a gender equality index and will be published every year.

Lab 4 – Accountability

1. Improving policy evaluation and developing a more coordinated government-wide evaluation system:

Systematic Evaluation Procedure

The systematic evaluation of all major regulatory instruments is one of the measures for the implementation of the 2014 Programme of Work for Better Regulation under the heading of improving legislative processes. It is an important means of improving regulation in Germany.

Already in March 2013 the Federal Government introduced a procedure for the systematic evaluation of regulatory proposals. Under this procedure, government ministries are to review generally major regulatory instruments once they have been in force for a reasonable length of time, chiefly with a view to establishing whether the objectives of the regulation have been achieved. The systematic evaluation procedure, which has been introduced for federal legislation, was tested in a pilot phase that concluded at the end of 2014 and involved seven pilot projects conducted by various ministries. In February 2015, these ministries held an initial meeting to share their experiences of the evaluation process. It emerged from these exchanges that the approach had proved very workable to force linking ex ante and ex post evaluation. It is planned to evaluate the procedure of the systematic evaluation on the basis of a representative number of regulatory instruments in 2016.

Reassessment of compliance costs by the Federal Statistical Office

About two years after a regulatory instrument enters into force, the Federal Statistical Office assesses the compliance costs that have actually been generated by that instrument. Until 2013, this review covered only bureaucracy costs incurred by businesses. Since 2014, the Federal Statistical Office has been reassessing the full compliance costs for all addressees.

2. Strengthening performance management:

See above.

3. Identifying what works and what does not:

See above No. 1.

Communicating the results:

The reporting of the above mentioned initial meeting of the evaluation process was publicized for all ministries.

4. Utilising policy and programme experimentation or piloting:

See above No. 1.