Designing and Implementing a Code of Conduct: Benchmarking the PA draft Code

International Workshop on Policy tools for regulatory quality, better service delivery and enhanced integrity: supporting implementation

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Framework of the OECD project:

• OECD mission and working methods
• The MENA-OECD Initiative to Support the Palestinian Authority (MIP)

Benchmarking the PA draft Code of Conduct:

• The OECD approach to integrity and corruption prevention
• Methodology and key conclusions of the benchmarking report

Impact & Next Steps
Mission:

- Partnering with countries for a cleaner, fairer and stronger world economy

Working Methods:

- Multidisciplinary approach which focus on supporting the implementation of policies based on practical tools, comparative data, analysis and principles
The MENA-OECD Initiative to Support the Palestinian Authority (MIP)

• The MIP supports the implementation of national and sectoral policies

• The focus areas are the result of comprehensive consultation process with the Palestinian Authority
  1. Regulatory Policies
  2. E-Government
  3. Integrity
The OECD Approach to Integrity and Corruption Prevention (1)

- Fostering integrity and preventing corruption in the public sector are essential for maintaining trust in government.

- High standards of conduct in public policy making and implementation also support a level playing field for businesses and enhance public service performance to ensure value for money.
The OECD approach to integrity and corruption prevention (2)

- The OECD has developed *comparative analysis, data, tools and instruments* to promote integrity and transparency

- **Public Sector:**
  - Principles on Managing Ethics in the Public Service
  - Guidelines & Tools for Managing Conflict of Interest in the Public Service
  - Principles, Checklist & Toolbox for Enhancing Integrity in Procurement
  - Integrity Management Framework
  - Assessment Framework
  - Principles for Transparency and Integrity in Lobbying
  - Best Practice Guidelines for Budget Transparency and International Budget Database

- **Private Sector:**
  - OECD Guidelines for Multinational Enterprises
  - FATF; Recommendation on bribery in export credits, *etc.*
  - Good Practices Guidance on Internal Controls, Ethics and Compliance
  - OECD Anti-Bribery Convention
  - Recommendation on Tax Deductibility of Bribes
The OECD approach to integrity and corruption prevention (3)

- Based on **15 years of experience**, the OECD has developed a comprehensive approach to clean government through its **Integrity Framework**.

- The **Integrity Framework** provides guidance on how to prevent fraud and corruption in public organisations.

- It covers areas such as implementing code of conduct, risk areas as public procurement, conflict of interest of public officials, revolving door policies, etc.

- The Integrity Framework is at the crossroads of various public governance topics (e.g. human resources policies)
The OECD approach to integrity and corruption prevention (4)

• Defining standards of conduct for public officials is a first step toward safeguarding integrity.

• The OECD Principles on Managing Ethics in the Public Service and the UNCAC recognise that implementing a Code of Conduct would create a common understanding on:
  a) values of the civil service
  b) standards of conduct of civil servants
The OECD approach to integrity and corruption prevention (5)

Frequently stated core public service principles (2000 and 2009)

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<th>Principle</th>
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<td>Impartiality</td>
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Percentage of the 25 countries that responded to both the 2000 and 2009 surveys
Methodology of the benchmarking report

- Benchmarking draft PA Code against international good practices
- Builds on OECD work
Key conclusions of the benchmarking report (1)

- Define common values shared by the entire civil service and issue them in a clear and well-articulated document

- Design easily interpretable standards of conduct which include concise but not simplistic messages

- Standards of conduct must be well articulated and structured in the Code to avoid misinterpretation by civil servants or citizens

- Adopting a single code for all civil servants does not exclude developing specific codes for vulnerable functions or public institutions
Key conclusions of the benchmarking report (2)

- Defining a clear administrative structure when designing the Code
- Effective dissemination of the Code to all civil servants
- Designing guiding materials and activities to support civil servants implementing the standards of conduct in their daily actions
- Establishing well-defined mechanisms to monitor compliance with the Code
- Periodically assessing the results and impact of the standards of conduct in enhancing the transparency and effectiveness of the civil service
• Provided the PA with *good practices, data and analyses* on how to enhance integrity in the public administration through *defining standards of conduct*

• *Increased awareness* on key elements of a Code of Conduct based on OECD and MENA countries experiences

• *Enhanced regional collaboration and policy dialogue* in particular with the Government of Jordan

• Reinforced the momentum on the next steps
Next Steps

- What is your feedback on the benchmarking report?

- How can the OECD continue supporting the design and implementation of the Code of Conduct?
Website: [http://www.oecd.org/gov/ethics](http://www.oecd.org/gov/ethics)

**Selected publications:**
- Principles for Enhancing Integrity in Public Procurement (2009)
- Enhancing Integrity in Public Procurement – Joint Learning Study on Yemen (2010)
- Integrity in Public Procurement: Good Practice from A to Z (2007)
- Public Sector Integrity: A Framework for Assessment (2005)

**Contact us:** OECD Integrity Unit (gov.integrity@oecd.org)
Thank you