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## 2. Draft Recommendation of the Council on Public Service Leadership and Capability

### THE COUNCIL,

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Recommendation of the Council for Improving the Quality of Government Regulation [[C\(95\)21/FINAL](#)], the Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service [[C\(2003\)107](#)], the Recommendation of the Council on Regulatory Policy and Governance [[C\(2012\)37](#)], the Recommendation of the Council on Gender Equality in Education, Employment and Entrepreneurship [[C/MIN\(2013\)5/FINAL](#)], the Recommendation of the Council on Gender Equality in Public Life [[C\(2015\)164](#)], the Recommendation of the Council on Public Integrity [[C\(2017\)5](#)],

**RECOGNISING** the important work done on public employment and good governance by the United Nations, embodied in particular in the work of the International Labour Organisation and the United Nations Sustainable Development Goals;

**RECOGNISING** that public servants and the systems used to manage them are an essential component of public governance, directly impacting the quality of democratic processes, and the capacity of the government to contribute to and protect citizens' well-being and generate and sustain inclusive, economic growth;

**RECOGNISING** that public services are facing new challenges to which they must be enabled and empowered to respond effectively, including through innovation and greater accountability, while at the same time remaining stable, trustworthy and reliable in delivering services in a fair and timely manner;

**RECOGNISING** the important role played by non-governmental organisations with respect to the governance of the public service, in particular trade union organisations such as the Trade Union Advisory Committee (TUAC);

**CONSIDERING** that ensuring high levels of public service leadership and capability is a responsibility for all levels of government and all public institutions, taking into account their different mandates and levels of autonomy in line with national legal and institutional frameworks, and that therefore, this Recommendation is relevant to all levels of government;

### On the proposal of the Public Governance Committee:

**I. AGREES** that, for the purpose of the present Recommendation, the following definitions are used:

- **Public Service:** those entities (for example, ministries, agencies, departments) which are directly subordinated to domestic political power and which are at the service of the central executives, and to which common policies for people management may apply.

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- **Public Servants:** all government employees who work in the public service, that may be employed by way of various contractual mechanisms (e.g. civil servant statutes, collective agreements, labour law contracts), on indeterminate or fixed-term employment contracts, but not normally including employees of the broader public sector who are usually regulated under alternative employment frameworks (e.g. most doctors, teachers, police, the military, the judiciary, or elected officials).
  - **Values:** citizens expect public institutions and public servants to serve their interests. In the context of this Recommendation, “values” refers to core organisational values that guide the judgement of public servants as to how to perform their tasks in daily operations. While such values may vary by system, commonly stated core public values include impartiality, legality, integrity, transparency and inclusiveness. “Values conflicts” refer to situations in which two or more values direct decision-making in contradictory ways.
  - **Merit-based:** ensuring a fair and open system for recruitment, selection and promotion, based on objective criteria and a formalised procedure, and an appraisal system that supports accountability and a public-service ethos.
  - **Senior Level Public Servants:** individuals who work, take decisions and exert influence within the public service. Political leadership and their cabinets/advisors are not within the scope of this Recommendation.

**II. RECOMMENDS** that Members and non-Members having adhered to the Recommendation (hereafter the “Adherents”) **build values-driven culture and leadership in the public service, centered on improving outcomes for society**, by:

1. **Defining the values** of the public service and promoting values-based decision-making at all levels, in particular through:
  - a. Clarifying and communicating the shared fundamental values which should guide decision-making in the public service;
  - b. Demonstrating leadership commitment to such values at all times through behaviour; and
  - c. Promoting regular opportunities for all public servants to discuss values, value conflicts and the systems in place to support values-based decision making, through tools such as training, open discussion forums, and performance evaluation discussions.
2. **Building leadership capability** in the public service, in particular through:
  - a. Clarifying the role and expectations incumbent upon senior level public servants to be politically impartial leaders of public organisations, trusted to deliver on the priorities of the government of the day, and uphold and embody the highest standards of public sector integrity;
  - b. Considering merit-based criteria and transparent procedures in the appointment of senior level public servants , and holding them accountable for performance;
  - c. Ensuring senior level public servants have the mandate, resources and professional autonomy necessary to provide impartial evidence-based advice and speak truth to power; and

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- d. Developing the capabilities of senior level public servants, and the pipelines of future leadership talent.
3. Ensuring an **inclusive public service that reflects the diversity of the society** it represents, in particular through:
    - a. Publicly committing to an inclusive workplace which welcomes all members of society with the necessary skills;
    - b. Developing measures of inclusion and conducting measurement and benchmarking within and across institutions at regular intervals to monitor progress, detect barriers, and design interventions; and
    - c. Taking active steps to align organisational and people management processes that support collaboration and inclusion, with particular focus on staffing mechanisms, talent management and leadership development.
  4. Building a **proactive and innovative** public service that takes a **long-term perspective in the design of policy and services**, in particular through:
    - a. Ensuring an appropriate balance between stability and mobility in positions so that public servants can support continuous and impartial implementation and innovation beyond a political cycle;
    - b. Investing in foresight and analysis capabilities; and
    - c. Engaging with communities outside the public service to set quality standards and ensure policies and services are responsive to user's needs.

**III. RECOMMENDS** that Adherents **invest in public service capability** in order to develop an effective and trusted public service, in particular by:

1. Continuously **identifying skills and competencies needed** to transform political vision into services which deliver value to citizens, communities and business, in particular through:
  - a. Balancing behavioural competencies, managerial skills, and specialised expertise, recognising the changing nature of work in the public service;
  - b. Reviewing and updating required skills and competencies regularly, based on input from a range of public servants and citizens to ensure that public service skills are keeping pace with the needs of the society which they serve; and
  - c. Promoting the alignment of all people management processes to the identified skills and competencies.
2. **Attracting and retaining** skilled and competent employees from the whole labour market, in particular through:
  - a. Promoting the public service as an employer of choice and appealing to candidates' values, motivation and pride to contribute to the public good;
  - b. Determining what attracts and retains skilled employees, and using this to inform employment policies including compensation and non-financial incentives, such as career progression, adaptable working options, development and training opportunities, and terms and conditions of employment; and
  - c. Proactively communicating an employer brand and value proposition through multiple media channels and towards multiple target audiences, including through social media, and targeting under-represented groups and skill-sets.

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3. Recruiting, selecting and promoting candidates through **transparent, open and merit-based processes**, to guarantee fair and equal treatment, in particular through:
    - a. Using relevant and appropriate criteria (including technical, behavioural, managerial skills, experience and values) for the specific position, and recognising competencies;
    - b. Assessing criteria using a diversity of methods suited to the needs of the position, in a process conducted and overseen by appropriate professionals, and making the results of these assessments transparent and contestable;
    - c. Filling vacancies in a timely manner to remain competitive and meet operational staffing needs;
    - d. Encouraging diversity and inclusion in the workforce by identifying and controlling for implicit or unconscious bias, ensuring equal accessibility to various groups of the labour market, and valuing perspective and experience acquired outside the public service; and
    - e. Ensuring effective recourse mechanisms are available to receive and address complaints.
  4. Developing the necessary skills and competencies by **creating a learning culture and environment** in the public service, in particular through:
    - a. Identifying employee development as a core management task of every public manager and encouraging the use of employees' full skill-sets;
    - b. Encouraging learning as an individual responsibility of all public employees through self-development and proactive learning;
    - c. Valuing different learning approaches and contexts, linked to the type of skillset and ambition or capacity of the learner; and
    - d. Promoting formal learning programmes targeted at current and future senior leaders to develop innovation, diversity and inclusion.
  5. Assessing, rewarding and recognising **performance, talent and ambition**, through:
    - a. Assessing individual, team and organisational performance through well aligned, agreed upon and regularly revised indicators and goals;
    - b. Recognising and rewarding good performance by appropriate means and adequately preventing and remedying low or poor performance as part of a coherent approach to performance management; and
    - c. Including an assessment of the working environment, conditions, resources and the capability of managers to ensure the right conditions and effectively manage for performance.

**IV. RECOMMENDS** that Adherents **develop Public Employment systems that fosters a responsive and adaptive public service** able to address ongoing and emerging challenges and changing circumstances by:

1. Clarifying **institutional responsibilities for people management** to strengthen the effectiveness of the public employment system, in particular through:
  - a. Establishing clear authority to set and oversee common standards, with appropriate alignment to other core resource management systems, such as budget and strategic planning;
  - b. Delegating an appropriate level of autonomy to individual agencies and ministries, and/or line managers, in order to align overall people management to their specific

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- strategic objectives, while ensuring consistency across the public service system and a merit-based approach;
- c. Ensuring appropriate mechanisms, tools and technology for horizontal and vertical communication and information sharing, coordination, cooperation, control and accountability; and
  - d. Ensuring that each institutional actor in the public employment system has the appropriate mandate and resources to function effectively.
2. Developing a **long-term, strategic and systematic approach to people management** based on evidence and inclusive planning that:
    - a. Is informed by evidence-based assessment of skills needed and skills available to meet current and future core business requirements, using HR and workforce data for strategic and predictive analytics;
    - b. Takes an inclusive approach to setting strategic direction and priorities, with input from relevant stakeholders, in particular public servants and the management accountable for implementation;
    - c. Takes a holistic and integrated view, linking all relevant aspects of people management (for example, recruitment, development, talent management, mobility, outplacement) and ensuring their alignment with strategic planning processes of the government, including budgeting and performance management; and
    - d. Includes appropriate indicators to monitor progress in an open and transparent manner, in consultation with relevant stakeholders – such as public sector trade unions – and evaluates the impact of HR policies and processes, making any necessary adjustments based on feedback loops.
  3. Setting the necessary conditions for internal and external **workforce mobility and adaptability** to match skills with demand, in particular through:
    - a. Establishing common frameworks and/or vocabulary to identify transversal job requirements and competencies (for example, through common competency frameworks and/or standardised job profiles);
    - b. Enabling and encouraging short- and medium-term assignments within and outside of the public sector to encourage learning and exchange of information and to occasionally meet short-term labour demands,
    - c. Valuing mobility as an asset for merit-based and transparent job promotion, especially in senior level positions; and
    - d. Promoting and making available adaptable and remote working options where operationally feasible.
  4. Determining and offering a transparent range of **employment terms and conditions** (including compensation package, term length, job security) that appropriately match the importance and requirements of the position and reflect the realities of the external and internal labour markets, in particular through:
    - a. Clearly defining the categories of employment that fall under civil service statutes, in countries where they exist, or common labour law, based on transparent and objective criteria;
    - b. Clearly defining the terms and conditions of employment for positions based on an assessment of current and future requirements;
    - c. Engaging representatives of public employees in open consultation and negotiating through open and fair processes, such as collective bargaining; and

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- d. Providing consistent guidelines for the use of a range of employment schemes and conditions which may be determined by such factors as the nature of the work, labour market considerations, as well as future-oriented longer term development of public service capability.
5. Ensuring that **employees have opportunities to contribute** to the improvement of public service delivery and are engaged as partners in public service management issues, in particular through:
    - a. Enabling free employee representation (for example, through trade unions or employee associations) with a mandate to represent employees in public service management decision-making processes and entering into constructive social dialogue with them;
    - b. Conducting regular employee surveys in cooperation with employee representatives in order to collect data on well-being and to identify strengths, challenges and trends to inform leadership and improve management and HRM decision-making; and
    - c. Ensuring ongoing communication flows upwards, from the front lines to decision-makers, and horizontally through networks and communities of practice.
    - d. Having processes in place for employees to report grievances and complaints, without fear of retaliation, and appropriate follow up procedures.

**V. INVITES** the Secretary-General to disseminate this Recommendation.

**VI. INVITES** Adherents to disseminate this Recommendation at all levels of government.

**VII. INVITES** non-Adherents to take due account of, and adhere to, this Recommendation.

**VIII. INSTRUCTS** the Public Governance Committee, through its Working Party on Public Employment and Management, to:

- a. develop jointly an implementation toolkit that helps Adherents to implement the Recommendation;
- b. monitor the implementation of this Recommendation; and
- c. report to the Council on the implementation of this Recommendation no later than five years following its adoption and regularly thereafter.