OECD Public Governance Reviews

Policy Advisory Systems

SUPPORTING GOOD GOVERNANCE AND SOUND PUBLIC DECISION MAKING

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BETTER POLICIES FOR BETTER LIVES

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Foreword

Governments and policy makers face increasingly complex, dynamic and 'wicked' policy challenges that require new and fit solutions. The underlying dynamics and interactions between various challenges further exacerbates this situation, making it increasingly difficult for single government agencies or departments to solve problems on their own. A reliable and impartial knowledge infrastructure that underpins policy making with reliable evidence supports governments in solving these challenges. Policy advisory bodies are a fundamental pillar of this knowledge infrastructure and provide governments with information, facts and evidence-based analysis and advice along all phases of the policy cycle.

This report was prepared under the auspices of the Public Governance Committee which brings member country officials and experts together to improve policy-making systems and the performance of public institutions. The 2015 OECD Helsinki Public Governance Ministerial stressed the importance of the policy cycle, highlighting the significance of hearing diverse voices, of designing and delivering evidence-based inclusive policies and emphasising the value of accountability. Policy advisory bodies can contribute to good public governance and make government more alert to the diverse voices present in society.

Policy advisory bodies at arm's length of government play a special role in the policy advisory system underpinning the knowledge infrastructure around governments. Often close enough to government to be up-to-date with ongoing policy challenges, they have the potential to act as knowledge brokers trusted with the capacity to provide neutral and independent findings and policy advice that can fit into the policy cycle and contribute to maintaining trust in public institutions. How can governments reap the full potential of the policy advisory bodies supporting them with policy advice? This report provides topical insights for enhancing and improving the system of policy advisory bodies at arm's length of government.

First, policy advisory bodies at arm's length of government should remain flexible and adaptive, while maintaining and furthering their topical expertise. A fitting mix of permanent and ad-hoc policy advisory bodies

supports this. Second, transparency is crucial to ensure trust in the soundness of the decision-making process and boost the quality of advice. Third, although a certain level of control and guidance can be useful to ensure that policy advisory bodies at arm's length of government provide advice that is topical, on time and fits into the policy cycle, governments can be better served when preserving the autonomy and impartiality of the policy advisory bodies, as their advice is more likely to be trusted. Finally, inclusiveness is crucial for comprehensive, relevant advice. Policy advisory bodies should seek to consider a wide range of political perspectives and hear inputs from different socio-economic backgrounds.

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Executive summary

Governments face increasingly complex and interconnected policy challenges and need to develop new approaches and solutions to address them. To do so, they need high-quality evidence that feeds into the policy making process and helps bridge sectoral and administrative "silos". Policy advisory systems - networks or clusters of advisory bodies - are an important pillar of a knowledge infrastructure supporting policy design and implementation.

Policy advisory bodies are well placed to provide governments with evidence-based analysis throughout the policy cycle, from the inception stage to *ex post* policy evaluation. These systems can take a variety of forms and differ in lifespan, structure, mandate, and institutional setting.

Building on the 2016 OECD Survey on Policy Advisory Systems in which 17 countries participated, this report provides a detailed analysis of success factors and the challenges that remain in the establishment and governance of effective and reliable policy advisory systems. The analysis is structured around five key dimensions: adaptability, transparency, autonomy, inclusiveness and effectiveness.

It is important for policy advisory systems to be adaptive and agile to equip governments for addressing new and constantly evolving challenges. The survey showed that countries have established a wide range of permanent and ad hoc advisory bodies that provide government with scientific analysis and evidence. Permanent advisory bodies tend to have broad and long-term expertise, while ad hoc advisory bodies often serve as a 'fast track', option for governments seeking more specialised advice on short notice.

Transparency and trust are crucial for unlocking the full potential of policy advice while avoiding undue influence. They are needed so citizens can track the influence advisory bodies exert on government. Transparency and trust also enable decision-makers to act in full awareness of the streams of influence that shaped the policy-making process.

Levels of transparency differ across countries. While some countries have regulations or long-standing traditions in place that ensure the openness of public administration documents, including those concerning streams of influence on policy, others do not.

Advisory bodies must have a certain degree of autonomy if they are to provide trusted, comprehensive and impartial advice for use in policy design. Too much government influence on knowledge production processes may undermine the quality and reliability of policy advice. Autonomy needs to be supported by governance arrangements, such as those ensuring the selection of qualified and independent staff and the availability of resources. Advisory bodies also need autonomy in conducting research and formulating advice.

In some countries well established traditions have proven sufficient to guarantee the autonomy and quality of the advice, while in others it has been useful to define clear mandates and roles for advisory bodies in decision- and policy making processes. In some countries a lack of such regulation has resulted in bodies with indefinite mandates that allow representatives to continue exerting influence beyond their initial purpose.

Comprehensive advice that includes the full range of perspectives is crucial for designing policies that serve all citizens effectively and support inclusive growth. To achieve this, information should be gathered from diverse sources including different socio-economic backgrounds, ethnicities, genders, and regional origin; the private, public and civil society sectors; and the entire political spectrum. Nevertheless, the need for inclusiveness needs to be balanced with the need for expertise.

Countries are increasingly adopting inclusive advisory processes, but differences persist. In many countries, permanent advisory bodies often limit their efforts to ensuring that different socio-economic backgrounds are represented. Ad hoc bodies tend to be more diverse, including stakeholders from various backgrounds, sectors and from across the political spectrum.

Policy advice needs to be relevant and must have a real impact on the policy-making process. It must be timely and presented in a format that allows governments to make use of it. Therefore, it is important for governments to specify their needs throughout the different phases of the policy cycle. It is also vital governments give clear mandates to the policy advisory bodies in order to enable them to provide the knowledge governments need in order to make informed decisions.

Chapter 1

Improving the effectiveness of policy advisory systems: Key findings

Governments face increasingly complex, dynamic and "wicked" policy challenges. This chapter presents the key findings from the research: adaptive systems are key to facilitate apt advice to answer to these challenges. Trust and transparency coupled with clear lines of responsibility and access to information are key to enable solid and evidence-based advice across topics and stages of the policy cycle. Independence is key to enable unbiased, objective advice, while inclusiveness is crucial to ensure that advice is both representative and relevant. Sufficient resources are an important factor in creating impactful advice.

Governments face increasingly complex, dynamic and "wicked" policy challenges. Due to the pace of technological, environmental and cultural developments, policy makers are challenged to continuously find new solutions for complex issues. This requires governments to increase their strategic capacity for policy making, including an institutional framework for evidence brokerage that generates sound policy advice. In most countries, this institutional set up includes not only policy advisors working within government departments but also a network of policy advisory bodies operating at arm's length from government. These are set up, either on an ad hoc or permanent basis, to provide government with information, facts and evidence to feed into policy design. This report focuses on the policy advisory system which consists in a range of such public bodies commonly known as "(policy) advisory bodies".

The 2015 OECD Helsinki Public Governance Ministerial focused on the importance of the policy cycle, highlighting the significance of hearing diverse voices and of policy design and emphasising accountability. Policy advisory systems have a crucial role to play to ensure good public governance in this respect. Advisory bodies play a central role in the policy-making process by feeding in information, facts and evidence in the various phases of the policy cycle policy. They are also tasked with providing evaluations and contributing to strategic foresight, which enhance the legitimacy and inclusiveness of policies and helps to build consensus around a range of policy options for reform. Improving the understanding of the institutional set-up and governance of these bodies matters and has been the focus of some recent academic literature (van Twist et al., 2015; Fleischer, 2012; Glynn, Cunningham and Flanagan, 2003). This report benefits from a survey of policy advisory systems covering 17 countries,[1] complemented with qualitative interviews.

The report identifies a range of good practices that can help improve the effectiveness of policy advisory systems:

- A first key element is to strike the right balance between the longer time frames offered by permanent advisory bodies versus the fast track approaches offered by ad hoc advisory bodies. Permanent bodies contribute to making the system solid and stable, but are also less flexible in terms of the ability to respond to new issues. On the other hand, relying exclusively on ad hoc policy advisory bodies may result in a shortage in structural and broad analysis. In general, advisory bodies need to be given enough resources and staff time to have the capacity to investigate a particular issue or policy challenge.

- Second, building trust in public institutions such as these advisory bodies, is key to ensure effective public governance. Trust needs in the quality in research and advice grows with time, as policy advisory bodies prove themselves as trustworthy and reliable partners in achieving balanced decision- and offering authoritative policy making proposals.
- It is important that advisory bodies readily support all policy domains and parts of the policy cycle, while reducing the scope for overload. Most countries have many different policy advisory bodies, providing advice in different policy domains and with different objectives and functions in different phases of the policy cycle. While a variety of bodies may be necessary to adequately solve increasingly complex policy challenges, the number of policy advisory bodies can result in fragmented policy advice and an overload of input for the government agenda, with a risk of not being able to consider all of them in the available time.
- While the interface between policy advisors, parliament, other politicians, and administrators can help inform policy advisory bodies on the policy agenda of the government, their autonomous role needs to be maintained. Connectedness to the government agenda can help ensure that policy advice is delivered on time, focused on the relevant topic, and in the right format. The autonomy of policy advisors is also highly important to maintain trust in the outcome of the process.
- Transparent advice can help increase trust in the capacity of public institutions to make informed and well-considered policy choices. Transparency is highly important, as it can help show that governments are not cherry picking the advice that they use to inform decision- and policy making processes.
- Involving citizens in policy advisory processes matters greatly to assure the legitimacy and practicability of the advice. Government should provide incentives for policy advisory bodies to present their advice in easily understandable formats (e.g. videos, short notes, newspaper articles) and distribute the advice to a wide audience via different media channels (social media, websites, etc.).
- There is a need to ensure inclusiveness and expertise. Inclusive policy advisory bodies are a success factor in a context where the needs of deprived communities are to be understood and integrated. Countries also need to assure a high level of expertise among advisors and to prevent the risk of conflicts of interest. Advice that

relies solely on the input of "representative" advisors without placing similar emphasis on these advisors' expertise may be very different from advice given by advisors recruited on the basis of "expertise" rather than representativeness.

- Financial resources matter for the quality of the advice, for example in terms of enabling the hiring of qualified staff in the right numbers. Solid financial resources also matter to preserve the autonomy of advisory bodies, but may run risk to come with strings attached (e.g. when tied to a predetermined advice).
- Well-functioning policy advisory systems assume that clear demarcations exist between the work of advisors and politicians. Scrutiny of ad hoc advisory bodies should especially take place at early stages in order to allow for complements and resubmission to the oversight body. To assure a clear demarcation between the work of policy advisors and politicians, advisory processes should end once the advice has been given and treated. Advisory bodies that seek to influence decision-making until the very end beyond providing evidence-based advice to policy makers risk the trust that the public has placed in them.
- Finally, success hinges on governments finding a proper balance between providing space to policy advisory bodies to perform their work autonomously, while ensuring that policy advisory bodies are close enough to government to be aware of their knowledge needs. The autonomous position of policy advisory bodies is especially important in the primary processes during the research and the analysis conducing to an advice. The terms of reference that often underpin the working relationship between advisory bodies and government thus need to address what the Government wants to achieve, but should leave room for an open assessment of the policy challenge and of the policy options in order to find the best policy solution.

Shaping the governance of advisory systems

The report identifies five key dimensions to enhance and improve the set-up and governance of policy advisory systems. The goal is to ensure that policy advisory bodies provide advice that is on time, on topic (relevant) and in the right format for governments to be able to use. These dimensions concern the adaptability, transparency, autonomy, inclusiveness and effectiveness of policy advisory systems.

Creating adaptive policy advisory systems to cope with new strategic challenges

It is important for countries to have the capacity to adapt policy advisory systems at arm's length of government to deal with new and evolving policy issues. This is part of ensuring strategic state agility (OECD, 2015). The drive for adaptability has resulted in different institutional set-ups for policy advisory body system, with differences in duration, structure, position, focus and functions of these bodies. Countries need to have different bodies that provide them with adequate expertise, information and advice in different phases of the policy cycle, while also preventing an overload of advice. Cross-topic advisory bodies can cover several policy issues and are capable in advising on "wicked issues" that are complex and require capacity for "system change" (OECD, 2017). Addressing the consequences of globalisation, one of the key challenges faced by OECD countries today, is an example for cross-cutting issues highlighted during the qualitative interviews and which is part of the productivity-inclusiveness nexus addressed during the OECD Ministerial Council Meeting in 2016. However, in most OECD countries policy advisory systems are set up by Ministries and for specific sectoral issues, rather than addressing cross-cutting issues as a whole.

Furthermore, countries have established permanent and ad hoc advisory bodies to be adaptive to policy issues with different time perspectives. Permanent advisory bodies often have broad and long-term expertise on certain policy domains. They monitor policies, provide trend analyses and collect data for future analysis. Ad hoc advisory bodies on the other hand are often used by governments to gather evidence-based answers to particular questions relatively quickly. They often serve as a "fast track" and specialised option for governments to obtain advice. The Nordic countries have well established traditions of creating ad hoc bodies to enhance the adaptability of the system. In some continental European countries, such as the Netherlands, the study found a strong pattern of established permanent and ad hoc advisory bodies, which government can also solicit to answer "ad hoc questions".

Creating transparent interfaces between policy advisors, politicians and administrators to enable a trust-based advisory system

Transparency is fundamental for good governance and highly important for enabling trust in the functioning of policy advisory systems. Transparency has two dimensions: one is in relation to citizens and open government (OECD, 2016), and the other, is transparency between the

senior levels of the administration and ministers and political appointees, which corresponds to the political-administrative interface.

The level of transparency in these interfaces differs across countries. Some countries, such as Sweden and Norway, have regulations on the openness of all public documents, based on long established traditions of open access to information. In the Netherlands, the vast majority of advisory documents are made public (with the exception of internal documents, such as meeting minutes and preparatory documents). In Iceland, all matters that are sent to an authority or to the government have to be replied to within two weeks. In many countries, governments do not publish their advisory requests and may keep the majority of advice received non-public. Still, there is value in ensuring the transparency of the advisory processes to enhance citizens' trust in the government's capacity to take well-informed, evidence-based and thoroughly considered decisions.

Enhancing the autonomy of advisory bodies

Ensuring the autonomy of advisory bodies matters to enable a well-functioning, trust-based policy advisory system in which policy advice is neither subject to undue influence by narrow private interest, nor to short-term political pressures. The production of knowledge should be transparent and independent to collect true, evidence-based "facts" and information. Too much influence of government on knowledge production processes has the potential of undermining the quality and reliability of policy advice. In some countries, where policy advice and public evaluations is requested by ministers through internal inspections that work at the ministers' discretion and that can only release the results if authorised by the minister, the process tends to be less trusted and less understood by citizens. Sometimes committee structures can also be understood as pure political manoeuvring to take the heat off of politicians. Autonomy requires to be supported by corresponding governance arrangements, such as the selection of qualified and independent staff and the availability of own resources. Autonomy should also be assured in the primary process of conducting research and formulating advice. Here, it is important to create freedom with regard to the outcomes of the advice and the research methods that are needed to answer the questions.

Some countries have well established unwritten traditions that are sufficient to guarantee the autonomy and quality of the advice. In other countries relations can be useful to define mandates and set-up a clear role for advisory bodies in decision- and policy making processes. The study found that in some countries the lack of regulation can cause a situation where bodies have indefinite mandates, commissions never die, and

representatives can continue to try to exert influence long after the commissions were supposed to submit their final report, such as in Iceland. Still the question remains open as to how much can be covered in regulations and laws and how much reflects political practice. The Dutch government is obliged to respond to all advice received from the restricted set of the 25 advisory bodies[2] that are covered by the law on policy advisory bodies (*kaderwet adviescolleges*) to show that they have studied and considered the advice properly Mexico made an even more drastic move, as the advice of the Productivity Committee is binding for the government. While rules can be useful, the question is what and how much they should cover. As also shown by OECD's (2014) work on lobbying, regulations and laws can help avoid that the advice received from advisory bodies is unduly tainted by lobbyists pushing for the adoption and implementation of their advice. Many countries have created regulations to prevent conflicts of interest.

Some countries, such as Norway and the Netherlands, have very extensive regulations to assure the autonomy of the bodies and the advisors. They have regulated the managerial autonomy of advisory bodies, for example, by structuring the selection of policy advisors in independent and formalised processes. Other countries have also regulated the budget allocation of the advisory bodies. In addition, some countries have regulations to assure the autonomy of the advisors in the primary advisory process, for example, regulations concerning conflicts of interests.

Fostering inclusiveness to obtain comprehensive advice

Fourth, to obtain comprehensive advice, inclusiveness matters. From an inclusive growth perspective and to ensure that advice is relevant and can be duly implemented all perspectives are to be taken on board. With regard to advisory bodies, "inclusiveness" has two dimensions. The first dimension implies to the need to include stakeholders from different socio-economic backgrounds, including ethnicity, gender, and regional origin. The second dimension relates to the need to hear the full range of political interests, e.g. by including representatives from the private, public and civil society sectors. Results from the survey show that, in regard to permanent advisory bodies, many countries only consider the first type of inclusiveness; whereas in ad hoc advisory bodies, both dimensions of inclusiveness are usually achieved.

Some countries have formal processes concerning inclusiveness of different perspectives in their advisory bodies. For example, Norway and Iceland have regulations in place that require that both sexes have to be represented at a minimum of 40% in public bodies. In Iceland, it is also an

institutionalised tradition to include different political perspectives in ad hoc advisory bodies. An overemphasis on inclusiveness may however risk blurring the analysis to government and may create a type of advice that differs from advice that would be given strictly the basis of independent expertise. Solid and trusted policy advice will require both inclusiveness and reliance upon independent experts who can provide hard facts and go beyond their own political interests.

Creating effective advisory systems that meet the needs of government

Finally, effectiveness matters in terms of relevance and impact of the policy advice. This is also the metrics against which OECD's own policy advice is often benchmarked and analysed. To be effective, the advice produced by advisory bodies should have an impact on decision- and policy-making processes, be on time, on topic (relevant) and in the right format for governments to be able to use. Therefore, it is important for governments to identify their needs in the different phases of the policy cycle and to give clear tasks and mandates to advisory bodies.

Notes

1. Australia, Austria, Czech Republic, Finland, France, Greece, Iceland, Ireland, Latvia, Lithuania, Mexico, the Netherlands, Norway, Peru, Portugal, Spain and Sweden.
2. This number is not fixed and may fluctuate.

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Chapter 2

Understanding the set-up of policy advisory systems

This chapter presents the institutional set-up for policy advisory systems at arm's length of government. These systems are made up of permanent or ad hoc advisory bodies that differ in structure. Permanent bodies operate as committees/councils or as research institutes, while ad hoc bodies come in various shapes. They can also differ in their position towards government. Bodies at arm's length are either mandated with full managerial/legal autonomy or are attached to ministries. Advisory bodies can also have a broad or a specific focus. Finally, advisory bodies can be classified by function, ranging from providing evidence and evaluations to ensuring strategic foresight.

Enhancing strategic state capacity

Governments face a policy-making environment with increasingly complex, dynamic and interrelated policy challenges, which can be referred to as "VUCA", including volatility, uncertainty, complexity and ambiguity.[1] Due to the pace of technological, environmental and cultural developments, policy makers are continuously challenged to find new solutions for ever more complex issues, some of which can be characterised as "wicked issues" that can never be resolved fully, yet require constant government attention. This requires governments to increase their strategic capacity (OECD, 2015). Governments need strategic knowledge to be able to develop a mix of flexibility and innovation, while at the same time needing the ability to develop and maintain long term strategies in uncertain and unstable environments.

Policy makers face increasing difficulty in understanding complex issues as all countries have to address the multiple dimensions of globalisation and accelerated technological change, making it challenging to predict future developments and the effects of policy. The underlying interactions between various challenges are exacerbating this situation, making it increasingly impossible for any individual government agency or department to solve a problem on its own. These complex issues require a capacity of understanding and analysis that is greater than that of a single organisation (OECD, 2013). This complexity in turn requires governments to rethink the organisation and function of their public administration, breaking away from the "silo" approach to policymaking and moving towards a more collaborative approach. More comprehensive, transparent and outcome-focused indicators are needed to provide an understanding of these complex challenges and new evidence on the working of public administration is needed to understand how it works against the background of new developments and expectations.

To deal with these challenges, governments need the expertise, views and information from a wide range of actors. This requires a strategic knowledge infrastructure which can go beyond the boundaries of individual departments including bodies operating at arm's length from government. This *policy advisory system* consists of advisory councils, strategic planning councils, ad hoc commissions, commissions of inquiry, foresight units, special advisors, "tiger teams", innovation fora, "what works centres", think thanks and many other bodies, all of which provide knowledge and strategic

1. This was the characteristics of geopolitics after the end of the Cold War period.

advice to government (Bressers et al., 2017; van Twist et al., 2015; Craft and Howlett, 2013; Fleischer, 2012; Glynn, Cunningham and Flanagan, 2003; Halligan, 1995).

Advisory bodies help governments and political leaders to deal with complexity and also to create a shared consensus and understanding that facilitates reform shaping and implementation. Knowledge from advisory bodies helps government consider options and outcomes and, reflect on policies and provides new policy options and evidence. Advisory bodies can help provide answers to questions for which government does not yet have answers. An essential aim of advisory bodies is to ensure preparedness for the future, in the sense that knowledge from a wide range of actors is included to inform current policy choices, longer-term planning and strategic vision.

The institutional design of countries' policy advisory system is partly the outcome of institutional history but can also result from clear policy shifts, such as the recent setting up of productivity commissions in countries as diverse as New Zealand or Mexico, or the setting up of Independent Fiscal Institutions. Policy advisory systems vary greatly across countries (van Twist et al., 2015; Craft and Halligan, 2015; Fobé et al., 2013; Pollitt and Bouchaert, 2011; Howlett and Newman, 2010; Glynn, Cunningham and Flanagan, 2003) and there is no one-size-fits-all approach that countries could embrace once and for all. The greatest challenge is ensuring that information, expertise and views from advisory organisation translate into the decision making and policy making process in ways that are effective taking into account the institutional characteristics of every country.

Understanding the function of providing policy advice

Advisory bodies produce policy advice for government. Policy advice analyses problems and proposes solutions to decision makers. Government can receive all sorts of advice. Some of the advice is informative and report government on issues that might have developed outside of the scope of government. Advice can also be "objective" and provide "evidence" and "facts" to government in the sense that it gives government insight into complex challenges (Peters and Barker, 1993). In the academic literature, these types of advice have been described as the "speaking-truth-to-power" model, in which policy advice adds objectiveness and correct information to the political debate and the policy-making process (Pielke, 2010; Haas, 2004; Wildavsky, 1989; Lindblom and Cohen, 1979). However, policy advice does not only give objectives and facts, but can also represent new or alternative points of view (Hoppe, 1999).

"Policy advice" is not only based on scientific knowledge, but can also be the result of the consultation of stakeholders. It can come from lobby of interest groups or from the practical experiences of professionals. It can focus on the provision of "facts" to support the policy-making process, and can also focus on influencing policy outcomes in accordance with political interests. Policy advice can come from scientists or experts, and also from interests groups and other political groups and individuals. To give inclusive advice some advisory bodies are purposely composed of a wide range of public and private actors.

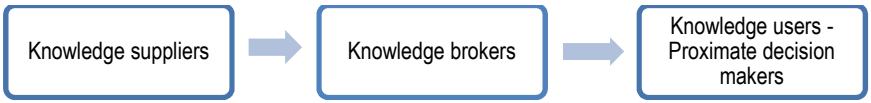
There is no strict definition of what is "good advice". For example, the OECD benchmark is relevance and impact. In different country contexts, whether an advice is good depends on its function in the policy- and decision-making process. Advice can be of instrumental value to politicians and administrators, when it is directly applicable and when it informs policy making with valuable insight and evidence. Advice can also have a strategic value. The advice is then used in different ways to influence policy processes within government. Under some circumstances, the advice can be used to slow down the policy-making process or conversely to help speed it up. Advice can also be of conceptual value. The advice is not used to make decisions or policy, but rather to understand the issue. What makes advice "good advice" is not easy to define and differs in each period of time. Its value can be different for various actors in the process and according to its function. Still, there should be a notion that good advice is advice that contributes to improving policy outcomes in a broader context, such as building better policies for better lives, improving living standards and other outcome dimensions of a well-being framework.

Framing policy advisory systems

Countries' knowledge infrastructure generally consists of three components: a supply of knowledge and information, knowledge brokers and knowledge users (Craft and Howlett, 2013; Lindquist, 1998; Radaelli, 1995). The knowledge producers are located in academia, statistical agencies and research institutes who provide the basic scientific data upon which analyses and decisions are based. The knowledge brokers are the intermediary between knowledge producers and decision makers, who repack data and knowledge into usable forms (Craft and Howlett, 2013). These include many of the advisory bodies, among others councils, commissions in the public sector. They also include "in-house" advisory systems composed of policy advice units, ministerial and political advisors (OECD, 2011), although their number and influence differs considerably

across countries. While ministers in Nordic countries, such as Sweden, may only have two or three ministerial advisors, ministers in countries, such as France, may have up to 50 in the recent period. When there are fewer ministerial advisors, such as in Peru or the Nordic countries, or the most recently 2017 elected French government, the ministerial questions are to be handled by civil servants rather than by ministerial advisors. There are also other kinds of private knowledge brokers operating outside the public sector, such as lobby groups, consultancy firms and interest groups. The knowledge users, or the "proximate decision makers", are the consumers of the knowledge and the advice. These include ministers trusted with the power to make and execute decisions, as well as parliamentarians and legislators charged with defining the rules. Advisory bodies can function as a knowledge supplier or knowledge broker, or a mix of both (Figure 2.1).

Figure 2.1. **Advisory bodies: Knowledge infrastructure**



Source: Author, based on Lindquist, E. (1998), "A quarter century of Canadian think tanks: Evolving institutions, conditions and strategies", *Think Tanks Across Nations: A Comparative Approach*, 127-144; Craft, J. and M. Howlett (2013), "The dual dynamics of policy advisory systems: The impact of externalization and politicization on policy advice", *Policy and Society*, No. 32, pp. 187–197.

The policy advisory system is part of the knowledge infrastructure of a country. On the one hand, the policy advisory system of a country is narrower than the knowledge infrastructure and focuses on knowledge supply and knowledge brokering *only on the policy- and decision-making processes of government.* On the other hand, the advisory system is broader than the knowledge system, because the advice that is produced by the policy advisory system is not only based on *scientific knowledge,* and has to integrate a number of political perspectives. Advice also comes from other suppliers, such as lobby groups, interest groups, business associations and other groups that try to inform government on policy issues (van Twist et al., 2015).

In general, policy advisory systems can be divided into three parts: the part inside of government, the part that functions at arm's length of government and external advisors (Halligan, 1995). First, some of the policy advice comes from the inside of the public service: senior policy advisors, political advisors, and strategy units provide advice to politicians and

administrators in the policy-making and decision-making processes (OECD, 2011; 2013; Fleischer, 2012; Eichbaum and Shaw, 2007).). These advisors are employed by government and function as a part of the public service. They function inside of the executive branch of government and are part of the policy advisory profession in a country such as the United Kingdom.

Secondly, there are actors and advisors that that function internally to government and are related to government, but are not an institutional part of the public service. These organisations function at arm's length of government. Examples of these advisory bodies are (ad hoc) commissions (Schulz and van Twist, 2010; Schulz, 2010; Premfors, 1983), temporary advisory commissions and permanent advisory bodies, such as councils, research institutes and public think tanks (Blackstone and Plowden, 1988). These advisory bodies function inside of government and have a formal separate organisation, often as semi-autonomous entities.

Next to that, advice can come from sources external to government (OECD, 2014; Howlett and Migone, 2013; van den Berg, 2016), with or without a formal organisation. These organisations function outside of the executive branch of government. They are autonomous to government. Examples of these organisations are universities, think tanks, research institutes, trade unions, that all may carry some form of an advisory function, interest groups/lobby groups/advocacy and legislative committees. In addition, there is a large group of private, commercial advising and consulting agencies that advice the government based on their strategic interests.

This report analyses policy advisory systems across OECD and partner countries with a view to identifying good practices that can help improve policy performance. The study focuses on the part of policy advisory system that is positioned within the public sector, while still being at arm's length of government (van Thiel, 2012; Verhoest et al., 2004; Künneke, 1991). While advisory bodies at arm's length are not always directly situated within the organisational structure of government, they are still related to, and to a certain extent controlled by government and must adhere to rules and responsibilities that arise from that relationship and apply to the public sector across the board (Christensen and Laegreid, 2006). As a result, the focus of this study excludes the advisors inside of government, such as the ministerial advisors, as well as private and external knowledge and advisory bodies, such as private consultancy firms or lobby groups. The analysis did consider the interaction with ministers and political advisors, which function internally to government and which could be addressed as part of the qualitative interviews.

The report benefitted from survey responses from 17 countries (Australia, Austria, Czech Republic, Finland, France, Greece, Iceland, Ireland, Latvia, Lithuania, Mexico, the Netherlands, Norway, Peru, Portugal, Spain and Sweden), complemented by high level interviews with several delegates to the Public Governance Committee and senior representatives from advisory bodies.

Policy advisory systems consist of a wide range of advisory bodies. Advisory bodies do not typically have a single shared organisational structure, mandate or function in the policy cycle and do not have a shared thematic focus, but instead come in various shapes and with different mandates and roles (see Box 2.1 and Figure 2.2). While providing a single definition of a policy advisory body can be challenging, there are *common features* to the set-up of advisory bodies across countries (Figure 2.3). The first feature is their life span/duration: most countries have permanent and ad hoc advisory bodies. Second, in general, advisory bodies are either structured as committees/councils, or as a vertically oriented organisation or directorate, Third, advisory bodies have different positions towards government and can, for example, be positioned as an agency at arm's length from government or as an organisational part of ministries. Fourth, advisory bodies differ in their thematic focus, ranging from very broad focuses (e.g. cultural policies) to very specific policy areas (e.g. libraries). Finally, advisory bodies can be classified in terms of their function, ranging from providing evidence, legitimacy and evaluations to strategic foresight functions.

Box 2.1. **Defining policy advisory systems and advisory bodies**

Policy advisory systems

The word "system" suggests the existence of a logical and rational design, but this is not the case in all countries. The incremental development and change of state structures, policy crises or political issues let new advisory bodies appear or suddenly disappear, resulting in a cluster of advisory bodies that together form the "(policy) advisory system". It is important to note that the word "system" unjustly suggests a logical relation between the various advisory bodies, making a description as "a network of advisory bodies" that together provide government with advice more accurate. In line with the body of research on this subject, this study uses the word "system" to refer to the cluster or network of advisory bodies in a given country.

Box 2.1. **Defining policy advisory systems and advisory bodies** *(continued)*

Permanent (policy) advisory bodies

Permanent advisory bodies are established to conduct research and provide advice on a question or topic. Unlike ad hoc advisory bodies, the duration of the mandate of permanent bodies is not predefined and often is continuously renewed. Permanent advisory bodies often have a broad and long- term expertise on certain policy domains. They conduct monitor policies, provide trend analyses and store collect data that might be needed for the future analysis. The survey considers all public bodies with the provision of information and/or advice to government as their core task. Public bodies that have policy advice as a sub task to their core activities were excluded.

Permanent advisory bodies as knowledge suppliers and knowledge brokers

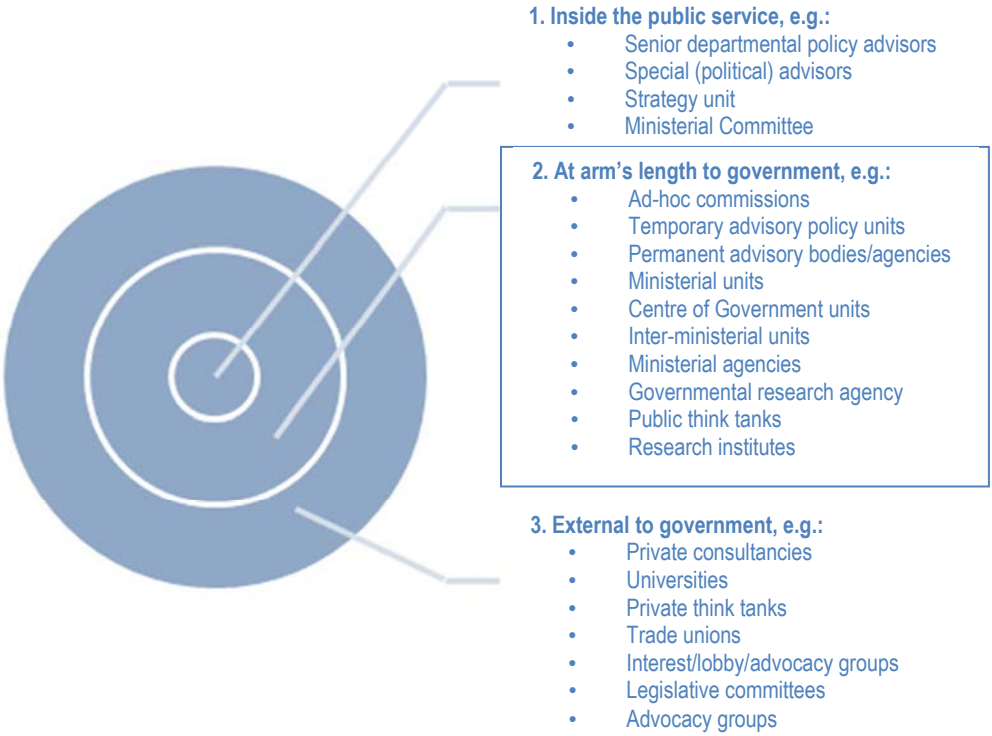
The OECD Survey on Policy Advisory Systems covered both advisory bodies that serve as knowledge suppliers and as knowledge brokers. Public research institutes, for example, often serve the role of knowledge producers by conducting large researches and collecting data. In some cases they do not even provide policy advice to governments. Councils and commissions often - mostly depending on their budgets to conduct own researches - serve a role as a knowledge broker, relying on the research and data collected by other organisations to formulate their advice.

Ad hoc (policy) advisory bodies

Ad hoc advisory bodies are created to examine an issue for specified period of time, or to deliver specified results and are dissolved once their purpose has been fulfilled. Ad hoc advisory bodies often serve as a "fast track" and specialised option for governments to obtain advice.

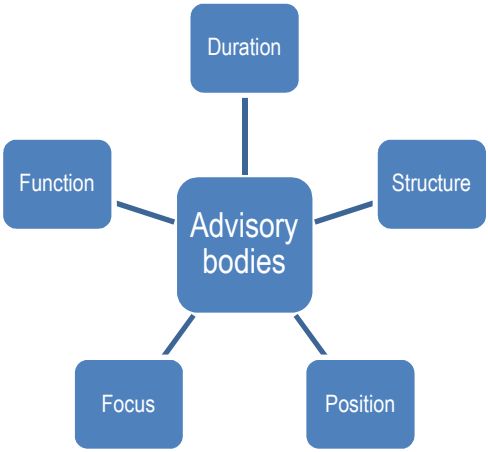
Source: Adapted from van Twist, M.J.W.et al. (2015), "Strengthening (the institutional setting) of strategic advice", OECD seminar "Towards a Public Governance Toolkit for Policymaking: 'What Works and Why'", 22 April 2015, Paris; Halligan, J. (1995), "Policy advice and the public sector", in Peters, G. and D.T. Savoie (eds.), *Governance in a Changing Environment*, McGill-Queen's University Press, Montreal, pp. 138– 172.

Figure 2.2. **Policy advisory systems**



Source: Author, based on van Twist, M.J.W. et al. (2015), "Strengthening (the institutional setting) of strategic advice", OECD seminar "Towards a Public Governance Toolkit for Policymaking: 'What Works and Why'", 22 April 2015, Paris; Halligan, J. (1995), "Policy advice and the public sector", in Peters, G. and D.T. Savoie (eds.), *Governance in a Changing Environment*, McGill-Queen's University Press, Montreal, pp. 138– 172.

Figure 2.3. **Features of advisory bodies**



Source: Author, based on Bressers, D. et al. (2017), "The contested autonomy of advisory bodies: The trade-off between autonomy and control of advisory bodies in the Netherlands, the United Kingdom and Sweden", in van Thiel and Ongaro (eds.), *Public Administration and Public Management in Europe*, Palgrave, London; van Twist et al, 2015; van Twist, M.J.W. et al. (2015), "Strengthening (the institutional setting) of strategic advice", OECD seminar "Towards a Public Governance Toolkit for Policymaking: 'What Works and Why'", 22 April 2015, Paris.

Key aspects of the institutional set-up

Duration: Permanent and ad hoc advisory bodies

The first feature of advisory bodies concerns their life span. Most countries have permanent advisory bodies with a continuous mandate, some of which have been advising government for decades (Table 2.1). These are institutionalised organisations that have a relatively long history. Next to that, countries have ad hoc advisory bodies in place that are established to respond to specific questions and often have a set end date.

Table 2.1. **Permanent and ad hoc advisory bodies: Duration**

Life span/duration	Example
Permanent advisory bodies	The Spanish Economic and Social Council (ESC),[1] established in 1991, consists of employees' organisations, trade unions and other representatives of public interests. They advise government on socio-economic policy issues.
Ad hoc advisory bodies	The Norwegian Official Committees, appointed by the Cabinet or the relevant ministry, provide Norwegian Official Reports (NOUs), which are important documents that play a part in agenda setting, policy development and in evaluating policy. Between 10 to 20 NOUs are published each year.

1. www.ces.es/en/web/guest/naturaleza.

Source: OECD Survey on Policy Advisory Systems.

Most countries have many ad hoc advisory bodies that function at arm's length of government. The exact numbers vary considerably (Table 2.2), which is caused by the different definitions that are used to describe these bodies and due to the existence of other government and arm's length bodies that have some kind of advisory role next to their core tasks (e.g. regulatory bodies with advisory functions). Some countries, such as Lithuania and Sweden, have established well over 50 bodies with an advisory or research role in decision- and policy-making process. In other countries, the numbers are much lower. Greece, for example, establishes 21 to 30 ad hoc bodies on an annual basis, while countries, such as Austria and Czech Republic form one to five ad hoc advisory bodies per year. On the lower end of the spectrum, Peru used to create six to ten ad hoc commissions per year and has recently decided to further reduce this number to one to five.

Most ad hoc advisory bodies exist for up to one to two years. However, as with the number of ad hoc advisory bodies, the lifespan of permanent advisory bodies differs greatly across countries. On the higher end of the spectrum, ad hoc advisory bodies in Ireland tend to be in place for two to three years, while in Greece, Lithuania and in the Netherlands ad hoc advisory bodies usually exist for periods of under a year. Ad hoc advisory bodies in Latvia and Peru on the other hand may exist for periods under one year up to 1.5 years (Peru) and two years (Latvia).

Table 2.2. **Ad hoc advisory bodies: Average lifespan and number formed annually**

Country	Average life span	Number formed annually
Australia	N/A	N/A
Austria	1-2 years	1 to 5
Czech Republic	N/A	1 to 5
Finland	1-2 years	11 to 20
France	N/A	6 to 10
Greece	4-12 months	21 to 30
Iceland	1-2 years	31 to 50
Ireland	2-3 years	6 to 10
Latvia	4 months – 3 years	N/A
Lithuania	4-12 months	More than 50
Netherlands	4-12 months	11 to 20
Norway	1-2 years	10 to 20
Peru	1-18 months	1 to 5 (formerly 6 to 10)
Portugal	1- 2 year	6 to 10
Spain	1-2 years	1 to 10
Sweden	1-2 years	More than 50

Source: OECD Survey on Policy Advisory Systems.

Governments have different reasons for consulting their permanent or ad hoc advisory bodies. Often, permanent advisory bodies have a long track record of research on specific topics and can therefore adequately advise government on these topics. Ad hoc advisory bodies can be installed to inform government on precise questions that need to be answered within a particular time frame. They often serve as a "fast track option" governments can use to request for advice in decision- and policy-making processes. In addition, setting up an ad hoc advisory body can create a possibility to consult specific groups of experts that are not employed by the permanent advisory bodies.

Ad hoc advisory bodies constitute a relatively strong element of the policy advisory system in Nordic countries, underpinned by institutionalised traditions in decision- and policy-making processes. Sweden for example has a policy advisory system in which ad hoc "commissions of inquiry" play a central role (Box 2.2). Central European countries, such as the Netherlands tend to rely more on permanent advisory bodies. Here, ad hoc bodies are often used in political crisis or in special occasions for example to evaluate political sensitive issues. Ireland on the other hand does not have any permanent advisory bodies in place, as their government relies fully on ad hoc bodies, which exist for longer than in other countries (two to three years).

Box 2.2. **Ad hoc advisory bodies in Sweden**

Sweden establishes over 50 commissions for inquiry on an annual basis. Before the Swedish Government submits a proposal for a new law to the Riksdag, it may need to examine the various alternatives available. The Government will then appoint a commission of inquiry. The commission can comprise one or several people. It may include experts, public officials or politicians. When the Government appoints a commission of inquiry, it also provides the committee with a set of guidelines, or "terms of reference," for its work. These terms of reference set out the questions to be examined by the commission, any problems that need to be solved and the date by which the Government wants the commission to complete its inquiry. The commission of inquiry submits its proposals in the form of a report to the Government. The report is then published as part of the Swedish Government Official Reports (SOU) series. After a commission of inquiry has submitted its report, the Government forwards it to relevant public agencies, organisations and municipalities to hear their opinions on the proposals. This is known as the referral of a report for consideration. Anyone, including private individuals, is entitled to obtain a copy of the report and submit comments to the Government. This process is a tradition in Swedish public administration and for policy advice they often rely on ad hoc advisory bodies.

Source: OECD Survey on Policy Advisory Systems; Swedish Riksdag (2017), "How the Riksdag works: What does the Riksdag do? Makes laws", www.riksdagen.se/en/how-the-riksdag-works/what-does-the-riksdag-do/makes-laws/.

Diverse organisational structures

Ad hoc advisory bodies can take on a number of organisational structures, including: committees, commissions, (working) groups, panels, boards in which a separate group of experts formulates expert advice. These groups of experts are relatively small in size and are composed of people from diverse backgrounds. Some of these expert groups have secretariats that operationally support them in their research and advisory activities.

With regard to the permanent advisory bodies, two general types of organisational structures exist: councils and research institutes. Many countries have permanent advisory bodies that are set-up as councils. Councils are groups of civil servants, professionals, scientists, representative, etc. that give the advice to government in the name of the councils. Councils either function independently or are supported by additional staff members that contribute to the research and advisory process. Many countries also have institutes that are structured as vertically hierarchical organisations. These organisations do not have a group of

advisors at the top of the organisation as councils do, but instead rely on either a single director, or a board of managing directors at the top of the organisation and directorates or groups of researchers that produce knowledge and advice to government. Councils are an opportunity to consult a group of experts on specific topics and often have a symbolic function that highlight the urgency and importance of a topic. Research institutes on the other hand can be more easily consulted on and day-to-day policy challenges (see Table 2.3).

Table 2.3. **Councils and institutes: Organisational structure**

Organisational structure	Example
Council Committee Commission (Working) Group Panel, College, Teams	The Dutch Educational Council[1] was re-established in 1997 and is composed of a maximum of ten members that are assigned for a period of four years, with a maximum of two possible reassignments. Members are assigned on the basis of their expertise and have different backgrounds (public service, science, education). The council is supported by around 20 staff members.
Institute Centre Office	The Spanish National Statistics Institute[2] was assigned to the Ministry of Economy and Competitiveness via the Secretary of State for the Economy and Business Support in 1989. The organisation is managed by a president and has four directorates that are concerned with different research topics.

1. www.onderwijsraad.nl/english/item34.

2. www.ine.es/en/.

Source: OECD Survey on Policy Advisory Systems.

Position: Legal and managerial autonomy

This report focuses on advisory bodies operating at arm's length from government, which while autonomous to some extent, are still not subject to private law (OECD, 2002). The OECD Survey on Policy Advisory Systems showed that in some cases, advisory bodies operating at arm's length from government do not have full legal independence, with some even formally part of ministries, but equipped with managerial autonomy. The analysis also found examples of advisory bodies at arm's length with both legal and managerial autonomy (Table 2.4).

Table 2.4. **Position: Legal and managerial autonomy**

Position	Example
Autonomous unit inside of government: without legal autonomy, but with managerial autonomy	The Netherlands institute for Social Research is legally a part of the Ministry of Health, wellbeing and sports. The Ministry is legally responsible for the institute, however managerially it is fully autonomous.
Agency or quangos: with legal and managerial autonomy	In Norway and Sweden many of the agencies do perform functions as advisory bodies.

Source: OECD Survey on Policy Advisory Systems.

Thematic focus: Specific and broad

Fourth, the focus of the advisory bodies on different policy domains differs across countries. Some advisory bodies have a very specific scope and focus on a particular policy issue or topic. Examples are councils for museums or councils for libraries. Other advisory bodies have a very general and broad scope, such as "councils for culture" or "councils for health" (Figure 2.5).

Table 2.5. **Thematic focus of permanent advisory bodies: Specific and broad**

Thematic focus	Example
Broad focus	The German Council of Economic Experts[1] is an academic body that advises German policy makers on questions of economic policy. It was set up by law in 1963 with the objective to assess the macroeconomic development of Germany. It also aims to aid the public and economically relevant institutions in making informed judgements about economic developments. The mandate of the council is to analyse the current economic situation and its likely development, examining ways and means of ensuring steady and adequate growth, pointing out the causes of current and potential conflicts of macroeconomic demand and supply, pointing out undesirable developments and examining ways and means of avoiding or eliminating these.
Specialised/thematic focus	The Lithuanian Council for the Affairs of the Disabled[2] was established in 1992 to plan, organise and coordinate measures of social integration of people with disabilities in order to create equal rights and opportunities for disabled people to participate in public life.

1. www.sachverstaendigenrat-wirtschaft.de/ziele.html?&L=1.

2. www.ndt.lt/en/about-us/.

Source: OECD Survey on Policy Advisory Systems.

Governments have different reasons for creating advisory bodies with a particular focus. Advisory bodies with a broad focus can provide advice on many different questions. Often, countries also established advisory bodies that cover a wide set of policy issues. Specific advisory bodies have a relatively small scope, on which they have a high level of technical expertise. In some countries advisory bodies are linked to the respective ministries.

Table 2.6. **Link of policy advisory body to single ministry or the centre of government**

Focus	Example
Single ministry	For example, the Environmental Consultative Council of the Ministry of Environmental Protection and Regional Development, the Strategic Council of the Health Sector of the Ministry of Health and the National Council of Culture of the Ministry of Culture in Latvia focus mainly on policy issues only pertaining to the respective ministries, but may provide invitations for analysis to other ministries in the case of interconnected policies".
Centre of government	The National Centre for Strategic Planning (*Centro Nacional de Planeamiento Estratégico,* CEPLAN) in Peru is a specialised technical body that belongs to the Presidency of the Council of Ministers (centre of government). It exercises effective stewardship of the National Strategic Planning System. CEPLAN functions as a research body that gives technical assistance in strategic planning and policy to public entities.

Source: OECD Survey on Policy Advisory Systems.

Functions: Evidence, legitimacy, evaluations, counter vailing power and strategic foresight

By providing knowledge and advice to government, advisory bodies serve a wide range of functions. The study helped to identify the following functions in policy-making-processes:

- **Evaluations**: To provide (*ex post*) reflections and evaluations.
- **Evidence**: To provide information, expertise and facts to policy makers.
- **Strategic foresight**: To provide new perspectives, strategic foresight and explorations of the future.
- **Legitimacy**: To consult with stakeholders and present their perspectives on policy choices.
- **Counter vailing power**: To present alternative views in the policy-making process and make government reflect on their choices.

Advisory bodies also formulate a framework for policy implementation, create strategies and create overall dialogue in society. In most cases, advisory bodies combine several functions in the advisory process (Table 2.7).

Table 2.7. **Functions of advisory bodies**

Function	Example of permanent advisory bodies
Creating evidence	The Netherlands Bureau for Economic Policy Analysis (CPB)[1] conducts scientific research aimed at contributing to the economic decision-making process of politicians and policy makers. The output for which CPB is best known includes its quarterly economic forecasts of the development of the Dutch economy. The main forecasts are the Central Economic Plan (CEP), published every spring, and the Macro Economic Outlook (MEV), which is published jointly with the Annual Budget at the Opening of the Parliamentary Year each September.
Legitimacy	Established in 2007, the German Ethics Council[2] is concerned with the ethical, social, scientific, medical and legal questions and the probable consequences for individuals and society resulting from research and development, in particular in the field of life sciences and their application to humans. The Ethics Council is composed of 26 members who singularly represent scientific, medical, theological, philosophical, social, legal, ecological and economic interests. The Ethics Council reports annually to the German Bundestag and to the Federal Government on its activities and the current state of the public debate.
Evaluations	Operating as an independent public agency since established in 1997, the Lithuanian Centre for Quality Assessment implements the external quality assurance policy in higher education in Lithuania and contributes to the development of human resources by creation of enabling conditions for free movement of persons. The Centre was founded by the Ministry of Education and Science of the Republic of Lithuania as an expert institution.
Counter vailing powers	The Fiscal Advisory Council in Ireland is an independent statutory body established as part of a wider agenda of budgetary reform. The role of the Council is to independently assess, and comment publicly on, whether the Government is meeting its own stated budgetary targets and objectives. It is required to assess and endorse, as it considers appropriate, the official macroeconomic forecasts underpinning each Budget and stability program. The body assesses government policies and functions to ensure government meets fiscal standards.
Strategic foresight	The Greek Centre for Renewable Energy Sources and Saving (CRES) is responsible for Renewable Energy Sources (RES), Rational Use of Energy (RUE) and Energy Saving (ES). CRES was founded in 1987 and serves the main role of researching and promoting RES/RUE/ES applications at a national and international level, as well as the support of related activities, taking into consideration the principles of sustainable development.[3]

1. www.cpb.nl/en.

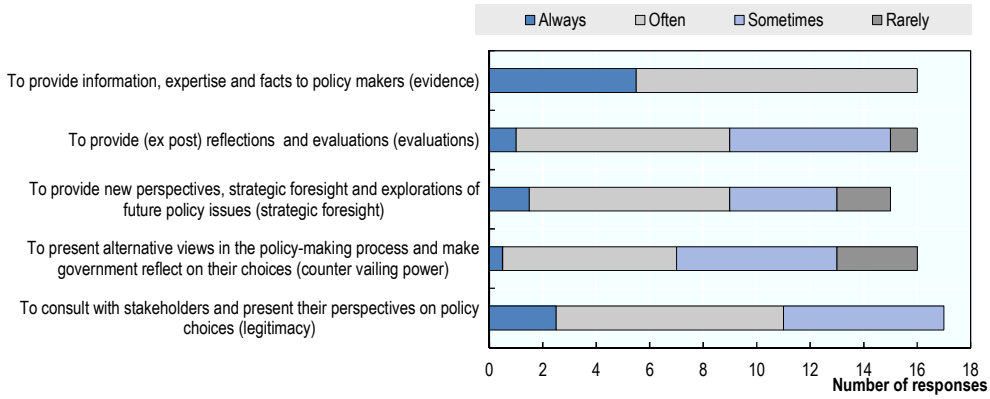
2. www.ethikrat.org/welcome?set_language=en.

3. www.cres.gr/kape/present/present_uk.htm.

Source: OECD Survey on Policy Advisory Systems.

Providing information, expertise and facts to policy making is often the most important function performed by ad hoc advisory bodies (Figure 2.4). Countries indicated creating legitimacy and conducting evaluations as the second most important roles of ad hoc bodies in the decision- and policy making process. Countries have indicated the role "counter-vailing power" as the least common role of ad hoc advisory bodies.

Figure 2.4. **What are the roles of the ad hoc advisory bodies in decision- and policy-making processes?**



Note: Mexico did not respond to this question.

Source: OECD Survey on Policy Advisory Systems.

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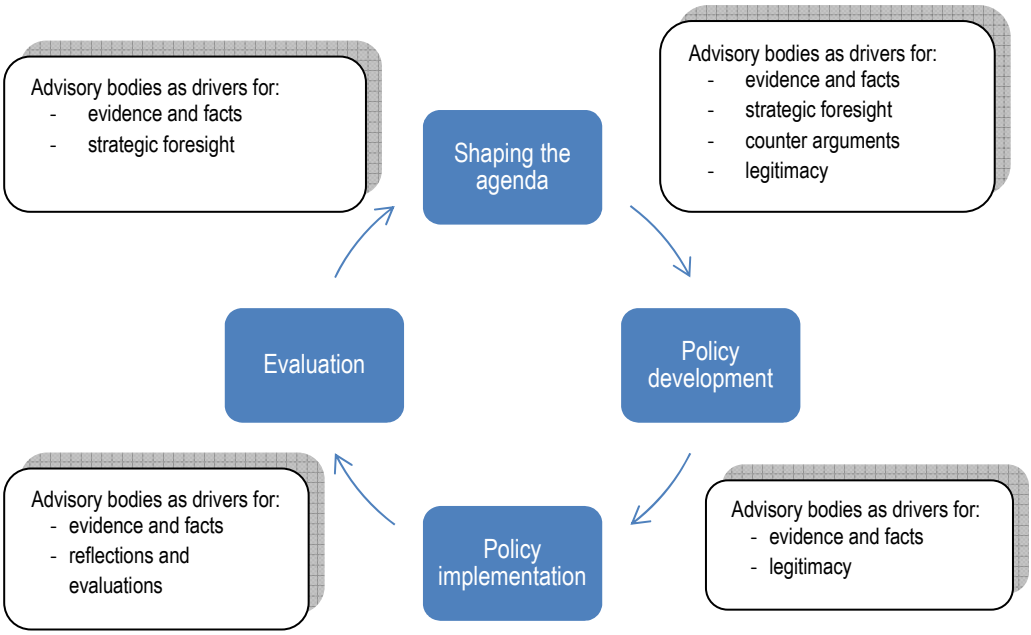
Chapter 3

The role of advisory bodies in the policy cycle

While policy advisory bodies underpin all phases of the policy cycle, including voice, design, implementation and evaluation, different bodies may play slightly different roles. In the policy development phase, ad hoc advisory bodies play a relatively larger role than permanent advisory bodies, which tend to operate more upstream. In the implementation phase, all bodies tend to be relatively active except for public think tanks and foresight bodies, which have a relatively small role in this phase. Ad hoc advisory bodies, as well as permanent advisory bodies with a secretariat and public research institutions have a relatively large role in the evaluation phase.

Advisory bodies intervene throughout the policy cycle but they really make a difference at the time of policy design, both enabling the voice process and engaging with stakeholders, and helping to provide the evidence. Ad hoc advisory bodies have a major role in the phase in which the agenda is being shaped, whereas other advisory bodies have a stronger role in the policy development phase, providing the evidence basis *ex ante* and evaluating policies *ex post* (Figure 3.1).

Figure 3.1. **The policy cycle and the role of advisory bodies as drivers for policy advice**

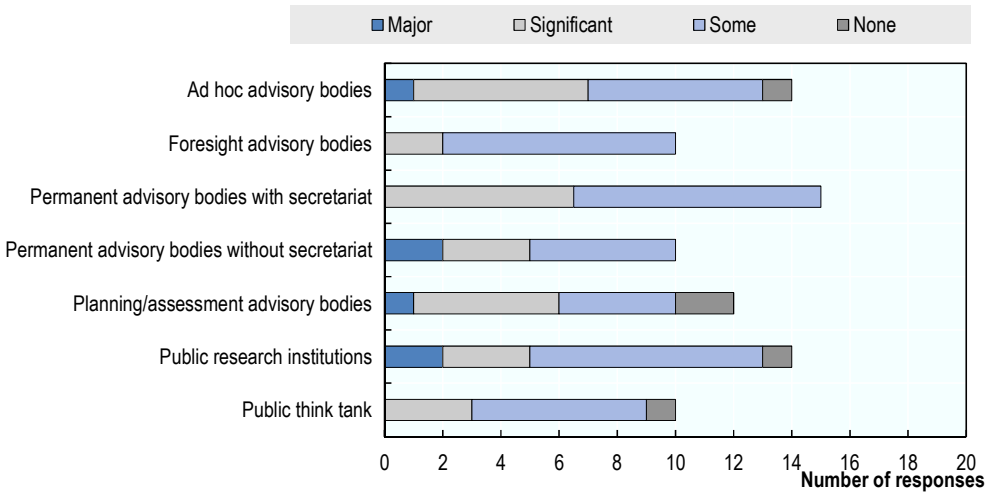


Source: OECD Survey on Policy Advisory Systems.

Shaping the agenda

In first stage of the policy cycle, survey results show that public research institutions and planning/ assessment advisory bodies have a relatively large role (Figure 3.2). In this phase, these institutions create attention for certain topics and provide facts that help to gain momentum in terms of the political agenda. Relatively to the other phases, this phase is the most influential phase for advisory bodies in general. "Foresight advisory bodies" seem to be the ones with the least significant role in this phase.

Figure 3.2. **The influence of advisory bodies in terms of shaping the agenda for reform**

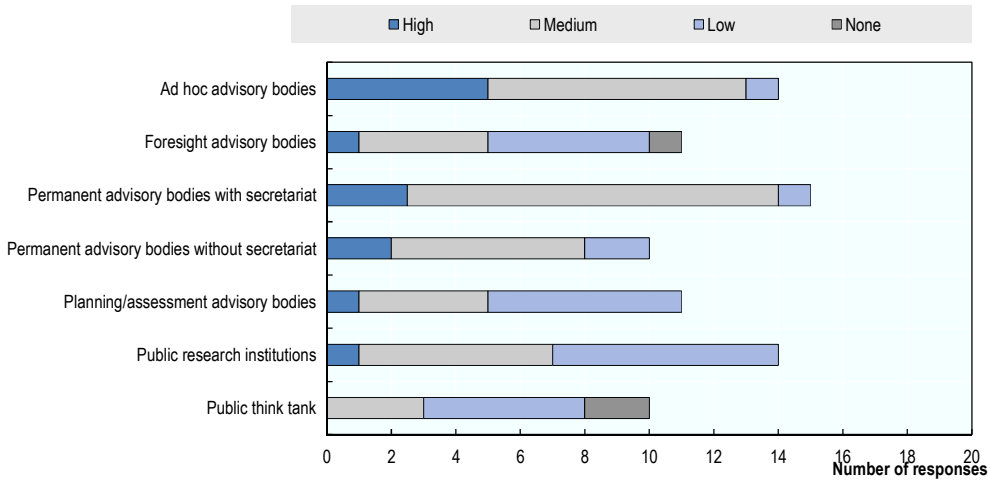


Source: OECD Survey on Policy Advisory Systems.

Policy development

In the policy development phase, the survey showed that ad hoc advisory bodies play a relatively larger role than permanent advisory bodies without a secretariat, while playing a similar role as the more established permanent advisory bodies with a secretariat (Figure 3.3). During the policy development phase advisory bodies point to new policy options and create evidence and help create legitimacy for choosing particular policy options.

Figure 3.3. **The level of impact of advisory bodies on policy development**

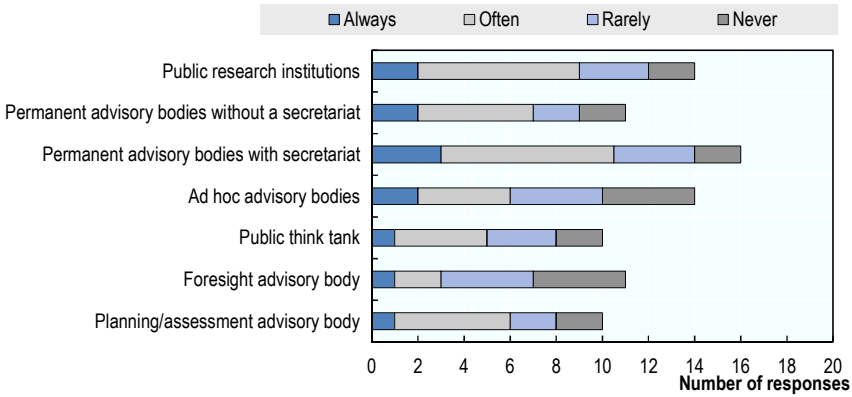


Source: OECD Survey on Policy Advisory Systems.

Monitoring the implementation of policies

In the implementation phase, public research institutions but also permanent and ad hoc advisory bodies tend to play a larger role (Figure 3.4). Public think tanks and foresight bodies have a relatively small role in this phase. During the interviews, respondents also pointed out the critical role that ministerial advisors play in some countries and signalled that advisory bodies are not necessarily kept in the loop of the internal work of Ministries at this point.

Figure 3.4. **The extent to which advisory bodies monitor policy implementation**

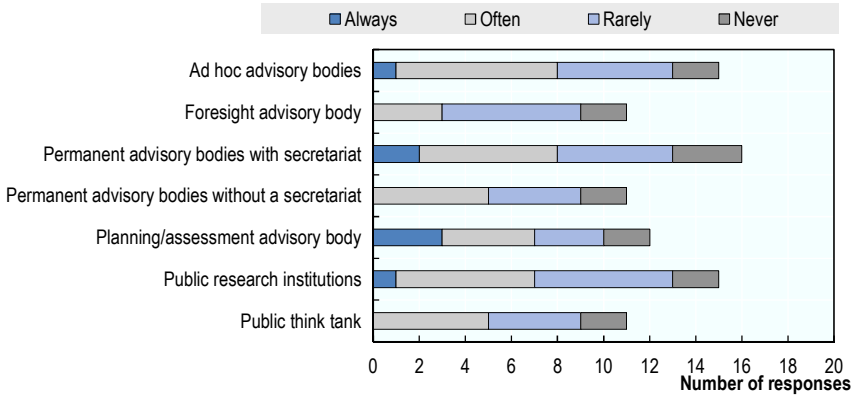


Source: OECD Survey on Public Advisory Systems.

Evaluation

Ad hoc advisory bodies, as well as permanent advisory bodies with a secretariat and public research institutions have a relatively large role in the evaluation phase, followed by planning/ assessment advisory bodies that often have the explicit task to "asses" governments' policies (Figure 3.5). During the interviews, some countries also indicated that "evaluation" usually falls under the line ministry's responsibility, which is also reflected the fact that in smaller countries the evaluation capacity and expertise tends to be either with ministries or with the National Audit Offices.[1]

Figure 3.5. **The role of advisory bodies in evaluating policies**



Source: OECD Survey on Policy Advisory Systems.

Notes

1. National Audit Offices did not fall within the scope of the survey, but have been analysed in other OECD reports (OECD, 2016).

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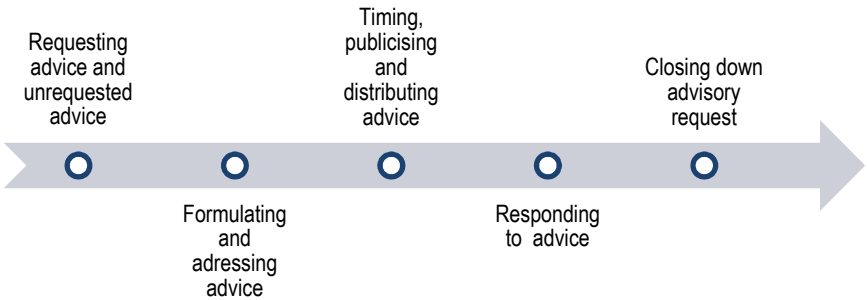
Chapter 4

Exploring the interface between policy advisors, politicians and public administration

Advisory bodies interact with politicians and public administration through various channels and at different times. This chapter explores this interplay. The first interface forms when governments request advice. Subsequently, advisors start to prepare advice, which involves exchanges with government. This can be crucial for topical advice, but may also sway the results. At a later stage, when the advice is published, getting the timing right matters for the impact of the advice. Once the advice has been published and shared with government, policy makers decide on how to respond to the advice, eventually closing the advisory process.

A full understanding of how and when policy advice is given is key for analysing the institutional impact of advisory bodies. Advisory bodies that feed into the policy process are bound to interact with politicians, administrators and even the media, although the extent of their independence and the governmental control tends to differ significantly across jurisdictions. This chapter explores the interplay of policy advice and the political-administrative interface along the various stages of advice (Figure 4.1).

Figure 4.1. **Interfaces between policy advisors, politicians and administrators along the stages of policy advice**

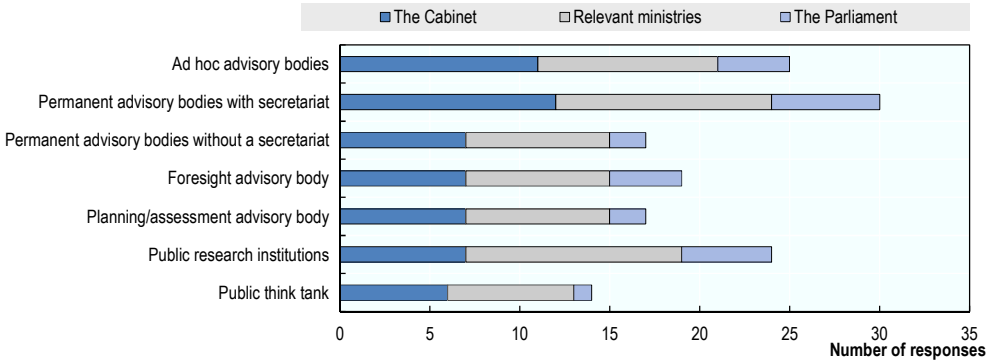


Source: Author, based on van Twist, M.J.W. et al. (2015), "Strengthening (the institutional setting) of strategic advice", OECD seminar "Towards a Public Governance Toolkit for Policymaking: 'What Works and Why'", 22 April 2015, Paris; Bressers, D. et al. (2017), "The contested autonomy of advisory bodies: The trade-off between autonomy and control of advisory bodies in the Netherlands, the United Kingdom and Sweden", in van Thiel and Ongaro (eds.), *Public Administration and Public Management in Europe*, Palgrave, London.

Requesting advice

The first phase of the interface between policy advisors, politicians and administrators is the request of the advice. Most of the requests to permanent advisory bodies are made by either ministries or the cabinet (Figure 4.2). In some cases, parliament also requests advice. Ministries and cabinet tend to make particular strong use of permanent advisory bodies with secretariat, as well as of public research institutions, but also of ad hoc advisory bodies.

Figure 4.2. **Which part of government requests advisory bodies for advice?**



Source: OECD Survey on Policy Advisory Systems.

The actors that request policy advice, whether a minister, the Cabinet or a Parliamentary Committee, can also determine what is being requested in terms of content, research question, and schedule and may even indicate the desired policy options. Most countries indicated that requests to permanent advisory bodies are done formally, with the format specified in some form of law or regulation (Table 4.1). In some countries, these requests are also done through informal, unwritten requests. Relying on unwritten requests make the advisory process less transparent, as the lack of documentation makes it unclear and hard to trace what has been requested by government and what has been suggested by advisory bodies without prior governmental request. Providing policy advice in a context where it has been requested may increase the impact of advice on a policy decision, as it responds to a clear need expressed by policy makers.

Most respondents indicated that the research question is specified in the request for permanent advisory bodies (Table 4.2). The specificity of the request for advice influences the discretional space of policy advisory bodies to design their research and advice programmes along their own perspectives and interests. About half of the respondents indicated that the requests also define the desired policy options that should be covered by the advice. This implies that in many cases the government does not only define the research question, but also anticipates possible outcomes of the advice they demand. Sweden and France also indicated that the requests for advice usually also specify the research methods to be used. Most ad hoc advisory bodies also receive tasks descriptions from government that include the research question concerning a specific policy issue. Half of the responding countries also indicated that desired policy options the advice should cover

are already included in the task description. Australia, France and Ireland also indicated that the requests for advice from ad hoc advisory bodies also include instructions on the research method that should be used in the research process.

Table 4.1. **How does government request advice from permanent advisory bodies?**

Country	By formal written requests	By unwritten requests	They are specified in law
Australia	●	○	●
Austria	●	●	●
Czech Republic	○	○	○
Finland	●	●	●
France	●	○	●
Greece	●	●	●
Iceland	●	○	●
Ireland	●	●	●
Latvia	X	X	X
Lithuania	●	●	●
Mexico	●	○	○
Netherlands	●	○	○
Norway	●	●	○
Peru	●	●	●
Portugal	○	○	●
Spain	●	●	●
Sweden	●	●	●

● Yes ○ No X Not applicable

Source: OECD Survey on Policy Advisory Systems.

Table 4.2. **Elements that are covered in the request for advice**

	Permanent advisory bodies			Ad hoc advisory bodies		
Country	Research question that the advice should cover	Policy options that the advice should cover	Research method to be used	Research question on a specific issue	Policy options that the advice should cover	Research method to be used
Austria	●	●	○	●	○	○
Australia	●	●	○	●	●	●
Czech Republic	○	○	○	●	●	○
Finland	●	●	○	●	●	○
France	●	○	●	●	○	●
Greece	●	●	○	●	●	○
Iceland	●	○	○	●	○	○
Ireland	●	●	○	●	●	●
Latvia	○	●	○	○	●	○
Lithuania	●	●	○	●	●	○
Mexico	●	○	○			
Netherlands	●	○	○	●	○	○
Norway	●	●	○	●	○	○
Peru	●	●	○	●	●	○
Portugal	●	○	○	●	●	○
Spain	●	○	○	●	○	○
Sweden	●	●	●	●	●	○

● Yes ○ No

Source: OECD Survey on Policy Advisory Systems.

Unrequested advice

Not all advice is given in response to a formal question for advice to advisory bodies. As part of proper functioning policy advisory system, most governments allow advisory bodies to produce "unrequested advice" (Figure 4.3). Unrequested advice is produced by advisory bodies when they consider an issue of high importance and want to inform government of the challenges associated with the issue. Through unrequested advice that looks beyond the everyday scope of government, advisory bodies are able to enhance government's foresight and bring otherwise underrepresented topics to the agenda. Allowing for unrequested advice is important to create and maintain an inclusive policy agenda, in which government is informed on a broad range of topics.

Advisory bodies can also use the possibility to produce unrequested advice to respond to advice that other advisory bodies have given and expand the evidence base and the perspective taken. A government may for example choose to request advice from one single advisory body, while other advisory bodies may feel that they have another perspective on the policy issue, which should be weighed in. Allowing for unrequested advice thus enables interactions between different advisory bodies and creates a wide and inclusive discourse around policy issues that is informed by different perspectives. Despite its benefits, unrequested advice can be difficult to deal with for governments, as it is not always clear for governments when they are going to receive advice and on which issue. Allowing for unrequested advice may also lead to overwhelming quantities of advice formulated, which as a result may make it difficult for decision makers to choose from or may overcomplicate the decision making process.

Formulating and addressing advice

After a request for advice has been made, advisors and experts start conducting their research and formulating advice. In this phase, too, there is room for government and experts/advisors to interact. Governments can, for example, conduct mid-term reviews to see the primary findings of the research and to confirm whether the advice being shaped is still on topic. This also helps governments to not be caught off guard. However, especially in this phase, it is equally important for governments to give space to advisory bodies to properly formulate independent and trusted advice. Giving space and freedom to policy advisory bodies ensures that they can yield political value and create consensus on complex issues. A proper division between the role of providing policy advice, while leaving the discretionary space for ministers to take decisions may help (Box 4.1).

Most requests for advice tend to come either from the relevant ministries or from the cabinet (Figure 4.3). In turn, most of the advice is also addressed towards ministers, followed by cabinet (Table 4.3). This implies that advice is directed towards a principal ministry and that the policy recommendations are focused on the political responsibilities of this ministry. In some countries, such as Greece, advisory bodies address their advice to both the cabinet, the relevant minister, the parliament and the public and formulate advice that goes beyond the scope and interests of a sole ministry.

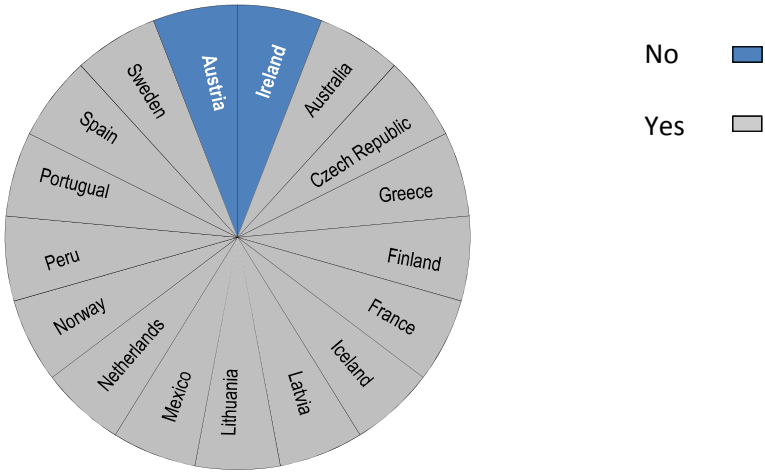
Box 4.1. **The interface between advisory bodies and the political-administrative interface during the advisory process in the Netherlands and Iceland**

Although these committees are rare, some important plenary offices (*planbureau*) in the Netherlands have a "guiding committee". Mostly, these committees consist of professors in the relevant policy area, senior civil servants and in some cases representatives of societal organisations that work in the policy domain that is being studied. These committees give on a regular basis feedback on the preliminary outcomes of the research.

In Iceland, ministries typically appoint designated contacts for both permanent and ad hoc advisory bodies as the liaison between advisory bodies and government. The contact person regularly reports to the ministry about the discussions that are held within the advisory bodies and informs the minister on upcoming advices.

Source: OECD Survey on Policy Advisory Systems.

Figure 4.3. **Are permanent advisory bodies allowed to produce and publish unrequested advice?**



Source: OECD Survey on Policy Advisory Systems.

Table 4.3. **To whom is advice addressed?**

Country	The Cabinet	Relevant ministries	The Parliament	The public
Australia	●	●	●	●
Austria	●	●	●	○
Czech Republic	○	●	○	○
Finland	●	●	●	●
France	●	●	●	●
Greece	●	●	●	●
Iceland	○	●	○	○
Ireland	○	●	○	○
Latvia	●	●	○	○
Lithuania	●	●	○	○
Mexico	●	●	●	○
Netherlands	●	●	●	○
Norway	○	●	○	○
Peru[1]	○	●	●	○
Portugal	●	●	●	○
Spain	●	●	○	○
Sweden	●	●	○	○

1. In Peru some of the advice is also requested by and given to the Congress.

Source: OECD Survey on Policy Advisory Systems.

Timing, publishing and distributing advice

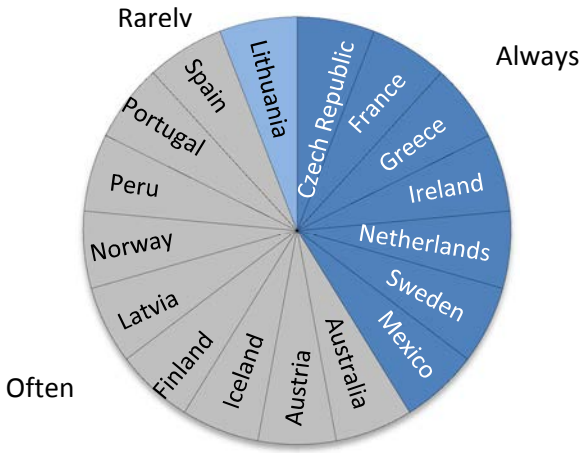
Timing is a crucial factor for the influence that an advice may have on decision- and policy-making processes. For example, advice published right before political debates in parliament can influence these discussions, whereas the impact of advice that comes just one day after the debate is significantly lower. Timing the publication of advice is therefore crucial for a well-functioning advisory system. Advice should be in time and inform ministers at the right moment.

However, "time" can also be used strategically by governments to increase or even temper the influence of advice. Advice can help ministers in important political debates by providing facts and evidence that underpin their statements. Advice can also question or offer the room for criticism of the policies, giving an incentive to ministers to decide to postpone the publication of requested advice. Regulations concerning publication dates are therefore highly important for a transparent advisory system that can help sustain trust in public institutions.

Almost all respondents indicated that the advice of permanent advisory bodies in their countries is in general made public (Figure 4.4). A majority

of countries has however indicated that advice is "often" or in some cases even only "rarely" made public, which implies that not all advice is made available to the public. Transparency is important for the functioning of the policy advisory system and publishing the advice given is crucial to prevent governments from "cherry picking" just the policy advice that is line with pre-defined policy options and from ignoring other advice that could disturb decision- and policy-making processes. Some good practice examples come from the Nordic countries, including Norway, which has a policy in place that ensures the publication of all government documents, including all the advice of advisory bodies. In Sweden the constitution includes a principle of public access to official documents (*offentlighetsprincipen*) that regulates that all such information, such as advice from external policy advisors to the government, must be made public. The "referral system" in which all advice received is published openly, is an example of the implementation of this requirement. In addition, the government holds "public hearings" in which all relevant interest groups can comment on the advice. In Spain, a range of bodies, such as the Council of Development Cooperation, the Elcano Royal Institute and the Social and Economic Council, make their advice publicly available in reports and publications shared via the official web pages. Despite the benefits of transparent advisory processes and openly available advice, a confidentiality option for advice on sensitive issues may be helpful for policy makers, who otherwise might shy away from making use of advisory bodies for sensitive policy challenges.

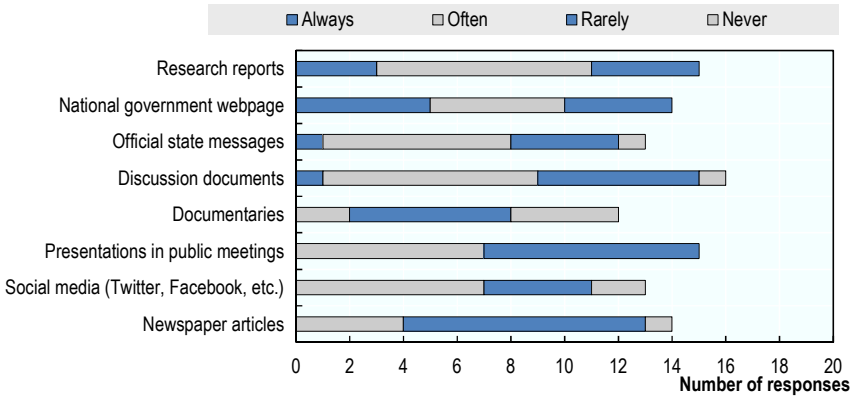
Figure 4.4. **To what extent is advice of the permanent advisory bodies made publicly available?**



Source: OECD Survey on Policy Advisory Systems.

The survey reveals that most of the advice produced by advisory bodies is published in research reports, with much of it also featured on the national government website (Figure 4.5) or is disclosed mostly in official ways. This implies a high level of transparency. In addition, most of the advice published in research reports is made public on the website of the advisory body and presented in public meetings. In some countries, advice is increasingly published on social media, which can increase the visibility of advice beyond the scope of government and in turn make the advice stronger, gathering public support around it. The increased visibility of the advice may also lead to "trending topics", which require an ever fast response, possibly exceeding the capacity of policy makers and advisors alike. The use of social media can also boost inclusiveness. Policy advisory bodies may also make use of the additional scrutiny available on social media to also create more balanced and objective advice. For governments, this means increasing pressure to not only consider the advice that they receive, but to also translate it into policies. However, social media tends to operate within very short time frames, which can also make the tasks of formulating balanced policy advice more complex. For an example of citizen involvement in advisory processes, see Box 4.2.

Figure 4.5. **How is the advice from permanent advisory bodies disclosed?**



Source: OECD Survey on Policy Advisory Systems.

Box 4.2. **Citizen involvement in advisory processes in Latvia**

Latvia has introduced mandatory publishing of green papers as a part of a consultation process in which NGOs and citizens can provide feedback within two weeks after the publication of the green paper. Green papers are published on proposals for substantial legislative changes or new policy initiatives. This gives citizens the opportunity to respond and add their perspectives at the early stage of drafting of the regulation. Latvia also increasingly social media and videos, like regular live transmissions of several advisory bodies' sessions."

Source: OECD Survey on Policy Advisory Systems.

Responding to advice

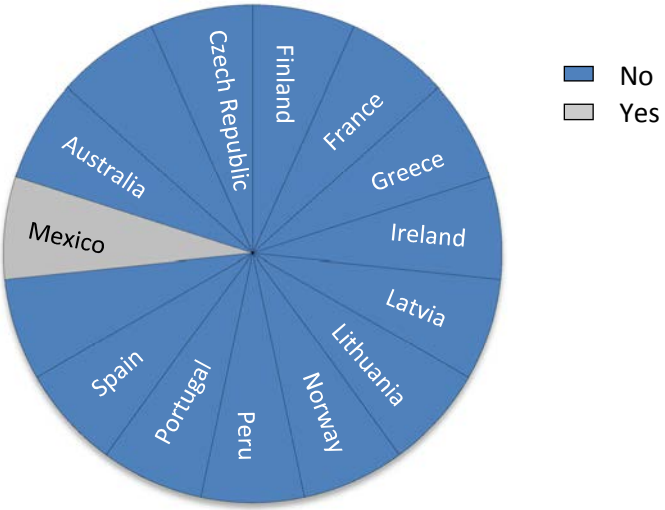
A final important phase of the political-administrative interface is the government's response to policy advice, which reveals whether governments have indeed considered the advice for public policies. The value of this obligation however depends highly on the content of the government's response. Making the response to advice mandatory is a possible way of preventing "cherry picking" advice that is directly beneficial to existing government plans, while ignoring the remainder. Therefore, responding to advice forces government to acknowledge that it received the advice and to consider the corresponding policy implications. This practice is far from being established, as results from the OECD Survey on Policy Advisory Systems show that responding to advice is often not required (see Box 4.3 and Figure 4.6).

Box 4.3. **Mandatory government response to Dutch advisory bodies advice**

Formal and written government responses to advice show that the advice has been received and considered by government. The Dutch government is obliged to respond to advice but this obligation only concerns the advisory bodies that fall under the *Kaderwet adviescolleges* framework (giving advice on future policy and legislation). The actor in government (e.g. the relevant minister) that requested the advice also needs to respond to it. There are no regulations with regard to the content of these responses. Therefore, the responses differ from brief responses to extensive reaction in which the policy implications of the advice are indicated. The Dutch government has to respond to the advice of advisory bodies within three months after the publication.

Source: Ministry of Security and Justice (2009), "Kaderwet adviescolleges", http://wetten.overheid.nl/BWBR0008159/2009-02-13.

Figure 4.6. **Is government obliged by formal regulations to respond to the advice given by permanent advisory bodies?**



Notes: In the Netherlands the government is obliged to respond to advice but only from those bodies that fall under the *Kaderwet adviescolleges*.

Source: OECD Survey on Policy Advisory Systems.

In the case of the Productivity Committee in Mexico highlighted in the chart, the obligation to respond to advice goes even farther, with the implementation of advice given by the Productivity Committee being mandatory (Box 4.4). Maintaining the inclusiveness of different perspectives inside the advisory bodies is highly important to assure democratic legitimacy of the decisions that are being taken in such a context. In the case of the Productivity Committee, this is ensured by the multi-stakeholder approach to its membership.

Box 4.4. **Binding advice in Mexico**

Created in 2013, the Mexican productivity committee (*Comité Nacional de Productividad*, CNP) is a consultative advisory body within the realm of the federal executive. The CNP's mission is supported by a network of 32 productivity committees at the state level and is backed by strong political commitment at the highest political level, with the President of Mexico having attended one of the sessions. The design of the CNP has been inspired by the Australian Productivity Commission, but relies on a closer linkage to the departmental bureau of the Ministry of Economy and Finance.

The consultative body is a multi-stakeholder body that brings 21 representatives of the public and private sector, as well as from labour unions and academia together. As such, the CNP not only brings together expertise to draft well-informed advice, but also creates cross-sectoral dialogue and bridges "knowledge silos".

With the exception of trade and monetary policy, the CNP is mandated to advice on a wide range of issues pertaining to questions of productivity. While a key task of the CNP is to formulate concrete policy and project advice that contributes to advancing and democratising productivity in Mexico, it also issues recommendations for the implementation of the advice and outlines specific tasks for ministries in regard to these recommendations. To ensure its feasibility, the advice has to be legally implementable, operationally realisable and implementable within the available budgets. Although not mandated to ask for budget shifts or demand new spending, the CNP can make recommendations on how to allocate previously earmarked expenditure within the predetermined earmarking.

Unlike in the case of many other policy advisory bodies, the CNP is mandated to issue binding advice that the government is legally obliged to translate into concrete action. Compared to advisory bodies that can only issue non-committal advice, this equips the CNP with an additional layer of authority that ensures that advice will not only be heard, but also implemented.

Source: OECD Survey on Policy Advisory Systems; Government of Mexico (2017), "Comité Nacional de Productividad (CNP) [National Productivity Committee, CNP]", www.gob.mx/productividad/articulos/comite-nacional-de-productividad-cnp.

Closing the advisory body processes

After the period in which advice is published, policy advisors might be interested in the actual implications and impact of their advice. To prevent advisory groups to start "lobbying" for their preferred outcomes, it is important for governments to set a clear end date for particular advisory projects, as well as for ad hoc advisory bodies, which may have an interest in continuing their existence. This enhances the division of roles between

government and its policy advisors and is important for a proper and accountable policy advisory system and to prevent advisors from unduly interfering in the democratic process. Not all countries have such clear closing procedures in place. In Iceland, for example, some ad hoc advisory bodies do not have a clear end date, which implies that policy advisors can continue to give advice, even after their requested advice has been given.

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Chapter 5

Governance and practical arrangements

Governance and practical arrangements matter. The independence of advisory bodies at arm's length is crucial for un-biased advice and enables evidence to bear into the policy-making process, irrespective of political undertones and beyond daily issues. Strengthening the institutional framework of advisory bodies requires formal rules and well-established frameworks. Access to government information is also crucial. Sufficient resources matter to enable quality advice, including skilled policy advisors, and a well-functioning organisational structure supporting a healthy research environment. This helps maintain the autonomy of advisory bodies and create space for quality analysis. The study found that practices across countries differ significantly in this regard.

Independence and institutional frameworks

The independence of advisory bodies at arm's length is crucial for their functioning and their un-biased influence on decision- and policy-making processes. This independence is what separates advisory bodies at arm's length from policy advisors inside of government that are deeply immersed in governmental processes and from external advisory bodies, which may follow their own interests and agenda that come close to lobbying. Independence also gives advisory bodies the opportunity to bring "facts" and evidence into the decision- and policy-making process, which is crucial to be able to adopt a strategic perspective beyond daily issues.

Strengthening the institutional framework of policy advisory bodies requires formal regulations or well established institutional frameworks. Regulations can frame the operational space for advisory bodies and confirm their mandates. They can also be tools for government steering and control. Through regulations government influences the advisory process and the functioning of the bodies. These regulations can help to ensure that policy advice is on topic, on time and fits into the policy cycle, but they can also serve restrictive purposes, for example, to prevent policy advice from being unduly critical. Governments need to find an effective balance between the autonomy of their advisory bodies and the control they exert over them, to grow a system of advisory bodies that provides valuable, evidence-based, informative and strategic advice.

The debate concerning advisory bodies can be usefully informed by policy analysis concerning independent regulators, itself often inspired by the economic literature on the independence and institutional frameworks of central banks. Recent OECD work on regulators indicated (OECD, 2016) the most frequently used dimensions of independence of these agencies (Box 5.1).

Box 5.1. **Independence indexes: Most frequent dimensions**

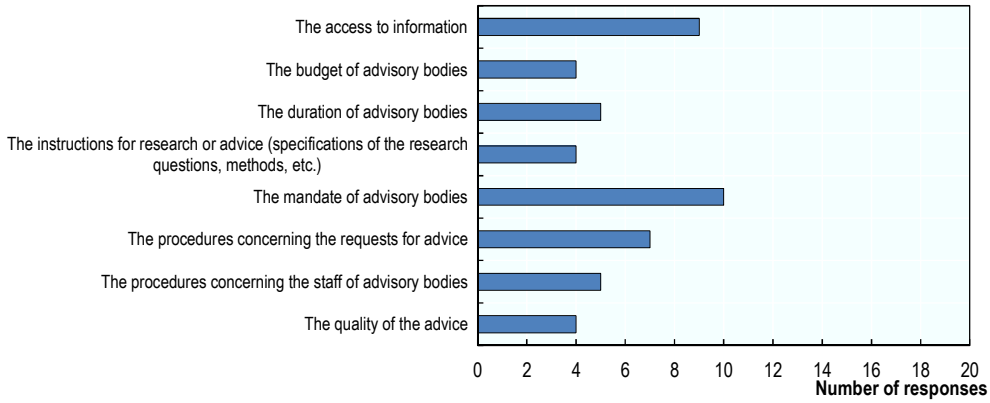
The most frequently used dimensions of independence include:

- budget independence
- conditions for dismissal of the head of public bodies
- appointment of members/head of the regulatory agency by parliament or the legislature
- accountability and reporting to executive, legislature, or representatives from regulated industry
- power to set tariffs or price-setting
- power to review or approve contract terms between regulated entities or market actors).

Source: OECD (2016), *Being an Independent Regulator*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264255401-en.

A majority (11) of the countries studied have general regulations on permanent advisory bodies in place (Figure 5.1), which include a description of the mandate of the advisory body. "Access to information" is frequently covered in these regulations (also see Table 5.1). "Procedures concerning the staff of advisory bodies" and "concerning the requests for advice" are also often covered. Regulations regarding e.g. the selection of the staff of advisory bodies are valuable to ensure that staff is selected on the basis of expertise rather than connections, while regulations concerning the request for advice can be helpful to e.g. ensure that advice is demanded in written form rather than informally. Specifications on the research question and quality criteria for the advice do not tend to be included in regulations, as governments try to give freedom and space during the research process that determines the quality of policy advice.

Figure 5.1. **Elements covered in formal regulations for permanent advisory bodies**



Note: Question posed only to countries that answered "yes" to "Does your government have general regulations with regard to permanent advisory bodies?". Australia, Austria, Finland, Greece, Iceland, Ireland, and Portugal do not have general regulations regarding permanent advisory bodies.

Source: OECD Survey on Policy Advisory Systems.

A majority (10) of the countries have established general regulations for ad hoc advisory bodies. The regulations cover similar elements as those for permanent advisory bodies, with the mandate as the element covered most frequently (Figure 5.2). Unlike in the case of permanent advisory bodies, which have continuously renewed mandates, ad hoc advisory bodies are set up for shorter, pre-determined periods of time to answer to concrete policy challenges. The duration of the ad hoc advisory body's existence is thus the second most covered element.

Figure 5.2. **Elements covered in formal regulations for ad hoc advisory bodies**

Note: Chart tracks responses only if the country answered "yes" to "Does your government have general regulations with regard to ad hoc advisory bodies?" Austria, Finland, France, Iceland, Lithuania and Portugal do not have formal regulations regarding ad hoc advisory bodies; Mexico did not answer this question.

Source: OECD Survey on Policy Advisory Systems.

Most of the countries have some form of regulations for their permanent and ad hoc advisory bodies (see Box 5.2 for examples). These regulations are two-sided. They help advisory bodies to maintain their independence by giving them a certain mandate, ensuring their access to information and government data and creating procedures that apply to both the advisory bodies as government. Regulations do not generally focus on the expected content of the advice, which typically is covered in the actual request for advice. The survey results show that regulations cover “the instructions for research or advice” or quality criteria for the advice in only a few countries. Despite the benefits regulations have in terms of enabling the work of advisory bodies, they also give a certain level control to government by setting procedures and giving advisory bodies clear, pre-defined mandates.

Box 5.2. **Laws and regulations on advisory bodies: Netherlands, Norway and Iceland**

In the Netherlands the *kaderwet adviescolleges* currently) regulates 25 of the Dutch advisory bodies (in December 2016) of the Dutch policy advisory bodies. The law determines the mandate, the tasks and the formal assignment of policy advisors, and regulates the advisory process, and the structural budget of the bodies. Most of the advisory bodies that do not fall under this law are covered by their own regulations.

While Norway does not have regulations that govern the policy advisory system as a whole, laws and directives such as the "instructions for official studies and reports" and the "freedom of information act" apply to all advisory bodies and provide streamlined guidance.

In Iceland, the "freedom of information act" implies that the draft reports of advisory bodies have to be made public. Committee working papers do not fall under this requirement. Aside from this requirement Iceland is an example for a system without general laws governing their advisory bodies. Instead, each body operates under their own mandate and regulation.

Source: OECD Survey on Policy Advisory Systems.

Ensuring clarity of roles

Clear roles and a separation between government and advisory bodies are important to ensure the independence of policy advice. A distinction needs to be made between "advisors" and "administrators". In most of the countries, it is not mandatory that the government is represented in the boards or secretariats of permanent advisory bodies. The survey results suggest that this also applies to most ad hoc advisory bodies. In some countries, such as Ireland, Lithuania, Spain, Portugal and France, government representatives and civil servants do however need to be represented and involved in advisory bodies (Table 5.1). In the United Kingdom, government has consultation criteria in place, which provide guidance on when to consult with the various in-house, ad hoc and permanent advisory bodies at arm's length for advice. This assures that the tasks between the bodies are clearly divided and can be evaluated accordingly.

Table 5.1. **Mandatory participation of government representative in advisory bodies**

Country	Permanent advisory bodies	Ad hoc advisory bodies
Australia	No	No
Austria	N/A*	N/A*
Czech Republic	No	No
France	Yes	No
Greece	No	No
Iceland	No	No
Ireland	Yes	Yes
Latvia	No	No
Lithuania	Yes	Yes
Netherlands	No	No
Norway	No	No
Peru	No**	No
Portugal	Yes	No
Spain	No	Yes
Sweden	No	No

N/A = No answer.

* Participation of government representatives varies case by case.

** With exceptions

Notes: For Peru, in the case of CEPLAN, for example, the chair is designated by the President of the Republic and there are three representatives of the national government in its board.

Source: OECD Survey on Policy Advisory Systems.

Although a minority of the countries requires government participation in advisory bodies, almost all countries responding to the survey would allow members of advisory bodies to hold other public offices (Table 5.2). Including policy advisors that hold another public office can be very fruitful in terms of making sure that advice is on topic and aligned with current and relevant policy debates. At the same time, holding multiple public offices may also blur the lines between "advisors" and "administrators" and makes the separation of their roles less distinctive, possibly leading to biased advice.

Table 5.2. **Are members of advisory bodies allowed to hold other public offices?**

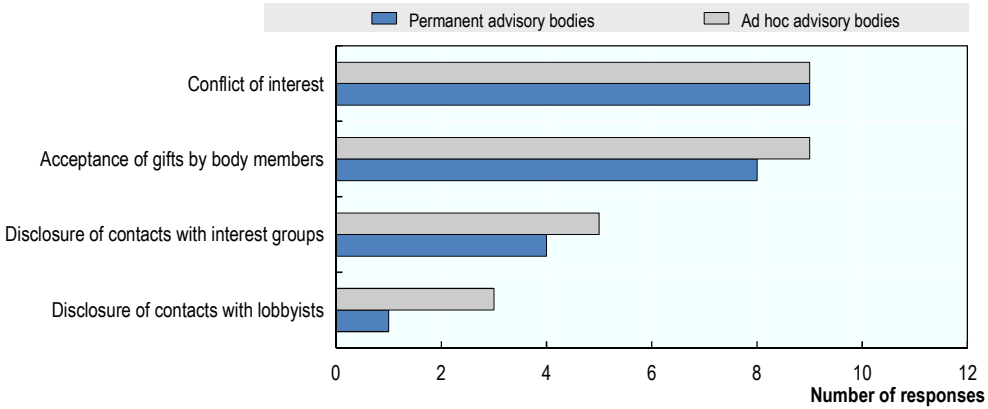
Country	Permanent advisory bodies	Ad hoc advisory bodies
Australia	Not allowed unless authorised by executive branch	Not allowed unless authorised by executive branch
Austria	No prohibition for holding another office	No prohibition for holding another office
Czech Republic	No prohibition for holding another office	No prohibition for holding another office
Finland	No prohibition for holding another office	N/A
France	No prohibition for holding another office	No prohibition for holding another office
Greece	No prohibition for holding another office	No prohibition for holding another office
Iceland	No prohibition for holding another office	No prohibition for holding another office
Ireland	Don't know	No prohibition for holding another office
Latvia	No prohibition for holding another office	No prohibition for holding another office
Lithuania	No prohibition for holding another office	No prohibition for holding another office
Mexico	No prohibition for holding another office	No prohibition for holding another office
Netherlands	Not allowed unless authorised by executive branch	No prohibition for holding another office
Norway	It is regulated	No prohibition for holding another office
Peru	No prohibition for holding another office	No prohibition for holding another office
Portugal	Prohibited by law	Prohibited by law
Spain	Varies depending on the different bodies. The Incompatibility Law is applied in any case.	The Incompatibility Law is applied
Sweden	Not allowed unless authorised by executive branch	No prohibition for holding another office

Source: OECD Survey on Policy Advisory Systems.

To regulate the division of roles between policy advisors, government and other influential actors, most countries have regulations in place to prevent conflicts of interest place. The regulations apply to both permanent and ad hoc advisory bodies (Figure 5.3). To prevent corruption, countries have also formulated regulations concerning the acceptance of gifts by policy advisors. Almost a third of responding countries requires a disclosure of contacts with interest groups and lobbyists to encourage transparency and objectivity of policy advice from bodies at arm's length of government (OECD, 2005; 2014). In some countries, such as Czech Republic, there are also "codes of conduct" and "ethical codes" for public advisory bodies.

These codes cover procedures on preventing conflicts of interest and the acceptance of gifts. In some countries, individual bodies have requirements to declare interests and gifts in place. In France, for example, while where there is no overarching legal requirement to publish the acceptance of gifts, members of the French National Authority for Health (HAS) – among a range of other permanent bodies - are required to declare their financial interests and assets to prevent conflict of interests.

Figure 5.3. **Do provisions to regulate the following situations exist for advisory bodies?**



Notes: Austria did not answer this question; Finland, Greece, Iceland, Ireland and Portugal only answered the question for permanent advisory bodies; Mexico responded for ad hoc advisory bodies.

Source: OECD Survey on Policy Advisory Systems.

Human resources, staffing and composition

Resources matter for the functioning of advisory bodies. Even if advisory bodies have full autonomy and have clearly defined mandates, their resources determine the boundaries in which they can operate. First, the skills of the staff are important to enable proper research and advice that can be trusted. Second, the access of policy advisors to information is crucial for conducting comprehensive research. Finally, ensuring proper financing is important to maintain the autonomy of the advisory bodies and to create space for quality research and policy analysis.

Permanent advisory bodies

Permanent advisory bodies can be organised as councils or as policy research institutes. Across countries there is a wide variety in how councils are composed. Some of the councils are composed of only academics, whereas others are composed out of different actors that all represent a different perspective on policy issues (Box 5.3). In many countries the regulations concerning the assignments of the members of councils differ per council.

Box 5.3. **The composition of the Dutch Socio-Economic Council**

The Dutch socio-economic council (SER) was established in 1950. The council consists of three groups, each with 11 members, making up a total of 33 members. This tripartite composition reflects social and economic relations in the Netherlands. The first group consists of members representing employers, the second consists of members representing unions, and the third consists of independent or "Crown" members appointed by the Government. The different backgrounds of the member therefore give legitimacy to the advice given by the council.

Source: OECD Survey on Policy Advisory Systems.

With regard to policy research institutes, which are vertically structured, the survey results show that the heads of these bodies often have a public service background. Having experience in government seems to be a precondition to obtain a position at the top level of permanent advisory bodies. Academics with a background in law, public administration or political science often hold a chair in top levels of the advisory bodies. Almost none of the countries indicated that union representatives often hold seats at the top levels.

Advisory bodies can either have their own independent secretariat or can be staffed with civil servants. Responding countries have indicated that the secretariat of permanent advisory bodies mostly consists of senior officials and academics. Moreover, there are seldom private sector representatives, nor non-government organisation (NGO) or union representatives. In some countries advisory bodies have their own independent staff. However, in most respondent countries, the staff members of permanent advisory bodies come from ministries. In many cases, the staffs are seconded or work for the advisory body on a temporary basis.

Ad hoc advisory bodies

The composition of ad hoc advisory bodies is more diverse than the composition of permanent advisory bodies. The analysis showed that here the "inclusiveness" of different perspectives is an important element, particularly for shaping an "Inclusive Growth Agenda". The concept of "inclusiveness" can be explained in two ways. First, it concerns personal characteristic such as sex, age, ethnic background and origin from different parts of the country. For example, Norway has regulations in place that require that at least 40% of board members are female. In Germany, the Federal Act on Appointment to Bodies aims at ensuring the equal representation of men and women in bodies to which it has the authority of designating members (Government of Germany, 2015). Second, "inclusiveness" can be explained in terms of political interests. Here, for example, countries assure that all perspectives on a policy issue are represented in the composition of ad hoc advisory bodies, including members of employer organisations, employee organisations, government organisations and different political parties. In Iceland, the inclusiveness of these different perspectives is highly important. While there is no general rule that mandates it, a number of ministries do check if all major interest groups have their interests represented. From this perspective, advisory bodies contribute to creating consensus concerning certain topics, ahead of parliamentary debates and often even before the topic comes to parliament. Including different perspectives can also impact the analysis of facts. Giving advice on the basis of interests rather than evidence-based facts may create fundamentally different advice from advice given on the basis of independent expertise. The Dutch law on "advisory bodies" (*kaderwet adviescolleges*) takes this into account and determines that only independent academics and professionals can be policy advisors, and only if they have the necessary expertise. For interest groups, the country established other fora, such as interest groups, to send their advice to government. Here "advice" and "interests" are clearly distinguished.

Box 5.4. **Dealing with inclusiveness: Formulating diverse advice in Norway**

In Norway provisions are in place to ensure that both personal characteristics (e.g. sex, age, ethnic background) and different political interests are represented and heard in the ad hoc advisory bodies ("Norwegian Official Committees"). To enable all actors to express their perspectives, the committees are allowed to formulate several and diverse advice options. Formulating several and diverse advice gives advisory bodies the opportunity to be transparent on the different options and to clearly express all different perspectives and options on the policy issue.

Source: OECD Survey on Policy Advisory Systems.

The financing of advisory bodies

The budget of advisory bodies influences the way they function. First, the budget determines the number of staffs and members and can influence the quality of the members of the bodies in line with the possibility of higher compensations as an enticement, in the cases when compensation is paid to members of the advisory body. Second, the budget also determines the scope of research that can be conducted by the advisory body by allowing policy advisors to investigate a policy issue more in-depth. Third, the budget allocation determines whether advisory bodies have time and capacity to conduct unrequested advice next to their requested assignments. For example, in the Netherlands and Norway, the budget of advisory bodies is covered in formal regulations.

The budget of advisory bodies can either be fixed (e.g. annual) or based on separate assignments (per policy advice assignment). A structural budget implies that advisory bodies receive a standard annual budget (Box 5.5). This budget is independent from changing political situations, but can be subject to budget cuts. Some advisory bodies also work on the basis of separate advisory assignments from different ministries. This implies that their budget and their continuation depend on their relations with different actors that give them separate assignments. Correspondingly, the budget tool can also be used as a way to ensure that the bodies produce advice that is in fact useful and corresponds to the government needs, as highlighted by recent reforms in Finland (OECD, 2015).

Box 5.5. **Structural and self-owned budgets for the social research institute in the Netherlands**

From 2016, the social research institutes in the Netherlands received a structural annual budget for their activities. Before, only a small part of the budget of the institute was structural and the rest of the budget was based on separate assignments from different ministries. This self-owned budget gives the institute the opportunity to make more independent decisions on the budget allocation and allows them also to conduct unrequested advice.

Source: OECD Survey on Policy Advisory Systems.

Access to governmental data and information

Access to government data is important for policy advisors to formulate comprehensive researched and advice that are based on actual and current data. The majority of the countries that have indicated that they have formal regulations regarding their advisory bodies also indicated that "the access to information" and government data is covered in these regulations.

Table 5.3. **Formal regulations for access to information and budgets**

Country	Formal regulations	Access to information	Budgets
Australia	●	○	○
Austria	○	X	X
Czech Republic	●	○	●
Finland	○	X	X
France	○	X	X
Greece	●	○	●
Iceland	○	X	X
Ireland	●	●	X
Latvia	●	●	○
Lithuania	○	X	X
Mexico	●	●	○
Netherlands	●	●	○
Norway	●	○	●
Peru	●	●	●
Portugal	○	X	X
Spain	●	●	●
Sweden	●	●	●

● Yes ○ No X Not applicable

Notes: For Australia regulations concerning the "access to information" and "budgets" are not covered in general regulations, but are generally covered by the specific rules that create the advisory body.

Source: OECD Survey on Policy Advisory Systems.

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Chapter 6

Identifying success factors and challenges for policy advisory systems

This chapter takes stock of the results of the study and identifies the most important success factors and challenges for advisory bodies so that governments can reap the full benefit of their investment in policy advisory systems. Success hinges on creating a balance between ad hoc and permanent advisory bodies and ensuring a whole-of-government approach. It is also important to draw a clear line between the work of advisors and politicians and to ensure inclusiveness in the policy process. Finally, it is important to evaluate results and measure the effectiveness of the process for delivering advice.

Success factors

The role of the institutional set-up of policy advisory systems

***Long run vs fast track**: Striking the right balance between permanent and ad hoc advisory bodies*

Permanent advisory bodies have a broad – and often long term – expertise on certain policy domains. They can monitor trends and gather information on which advice can be based upon in the long run. Ad hoc commissions on the other hand are often used by governments to relatively quickly answer particular questions. They often serve the "fast track" and specialised option for governments to obtain their advice. Both types of advisory bodies serve a fundamental role in proper working decision- and policy making process. A large amount of permanent bodies makes the system solid, but also risks making it too rigid and inflexible to respond to new policy issues. A large number of ad hoc advisory bodies may result in a shortage of comprehensive analyses that look beyond a particular policy issues. Therefore government should assure a proper balance between permanent and ad hoc advisory bodies that fits within their political administrative system and traditions.

***Reforming vs. stability**: Reforms in this area have to maintain a stable and trustful role*

The results of the survey show that in many countries, permanent advisory bodies are well embedded in the institutional systems. In many countries, the use of ad hoc advisory bodies has a long history and is also embedded in institutionalised traditions and processes. Often, trust in the quality in research and advice comes in time when the image of advisory bodies has been established as a trustable partner in decision- and policy-making processes. Reforms of policy advisory systems should thus be processed with care to maintain the public trust in and reliability of those institutions

The role of advisory bodies in the policy cycle

***Variety vs. overload**: Ensuring that all policy domains and parts of the policy cycle are covered while preventing overload of advice*

Most countries have many different permanent advisory bodies in place; both in regards to policy domains covered, as well as with different functions in different phases of policy cycle of governments. Governments should have a variety of different bodies to meet the different needs in different phases of the policy cycle. However, governments should be careful not to create an excessive number of advisory bodies, which could result in an overload of overlapping inputs.

Exploring the interface between policy advisors, politicians and administrators

***Ensuring connectedness while preserving autonomy**: A well-functioning interface between advisory bodies, politicians and administrators can help inform advisors on the policy agenda of the government, but the autonomy of both sides needs to be maintained*

Ensuring that advisory bodies are connected to government can help to provide advice that is on time, on topic, relevant and in the right format. Being connected to government increases the chances of government to receive relevant advice that precisely address the issues government is confronted with. However, preserving the autonomy of advisory bodies at the interface between advisory bodies, politicians and administrators is also highly important to produce trusted policy outcomes that do not appear overly manipulated.

***Maintaining transparency and trust**: Transparent advice can help increase trust in public institutions capable of making informed and well-considered policy choices*

Transparency is highly important in advisory processes. Transparent processes show that governments are not selective in the advice used in informing decision- and policy-making processes. Transparency can also increase trust in public institutions, particularly when showing that policy choices are well-informed and well-considered on the basis of independent policy advice. The study revealed however that not all countries publish or respond to the entirety of the advice they receive from advisory bodies.

***Involving citizens and providing coherent and intelligible advice**: Presenting advisory outcomes in easily accessible formats can contribute to increase citizen involvement in policy advisory processes*

Involving citizens in decision- and policy-making processes is important to assure that policies are legitimate and widely supported. However, involving citizens in these processes requires that the material that advisory bodies produce is accessible and easily understandable. At times, this can be challenging, both in terms of the content of the advice and the channels through which citizens can be reached. Therefore, government should drive advisory bodies to present their advice in short and easily understandable formats (videos, short notes, newspaper articles, etc.) and to distribute such advice to a wide audience via different media channels (social media, websites, etc.).

***Clarifying the respective roles of advisors and politicians**: Closing down the advisory process after the advice has been given can help draw a clear line between the work of advisors and politicians*

Well-functioning policy advisory systems rely on clear demarcations between the work of advisors and politicians. Policy advisors give their advice, but politicians in the end have the final decision with regard to the policy issue. To assure this clear demarcation between the work of policy advisors and politicians, it is important to close down the advisory process after the advice has been given. This prevents advisors to "overtake" political debates or to lobby for the use and implementation of their advice. Roles of advisors and politicians should be clearly defined and separated.

Staffing, access and financial resources

Ensuring a balance between representation and expertise*: Creating inclusive advisory bodies, while maintaining high levels of expertise and preventing conflicts of interest*

Good policy advice has to consider a broad range of perspectives on a policy issue. This increases the chance that advice is on topic and implementable. Inclusion concerns both various socio-economic and ethnic groups as well as the full range of political interests. It is important to consider all sides to obtain balanced advice that is not overtaken by the interests of one particular group. Advice that is only formulated on the basis of "representativeness" runs risk of being fundamentally different from advice given on the basis of "expertise". Therefore, countries have to ensure that advisory bodies base their advice on a solid basis of facts and also hear the voices of independent experts in their research to enable inclusive and representative, evidence-based advice.

Safeguarding resources*: Providing sufficient budgets to advisory bodies to boost the quality of advice and the independence of the bodies*

Sufficient funding is key to enable quality advice. Most countries finance advisory bodies on the basis of separate assignments. That is, each advice is an assignment of a particular governmental actor and is also financed by this actor. In other cases advisory bodies have a fixed (e.g. annual) budget, which implies that they do not depend on the assignments and results in enhanced independence from government. It is important for governments to consider in which way the available resources may influence the quality and independence of the advice.

Ensuring proper governance for policy advisory systems

Balancing autonomy and control*: Regulations can help create a proper balance between autonomy and control for advisory bodies*

Regulations can help assure the autonomy of advisory bodies. Regulations equip policy advisory bodies with a mandate, distinguish their role from government and recognise their position in decision- and policy making processes. However, regulations also have the potential to restrict the autonomy of the bodies, for example by giving instructions or requirements for the appointment of new members or by regulating the

advisory process. Governments need to find a proper balance between providing space to advisory bodies to perform their work autonomously and controlling their work. in the primary processes of performing the research the autonomous position of advisory bodies is especially important.

Strategic challenges

Setting up and properly governing working policy advisory systems entails complex choices. These are set out below and summarised in Table 6.1 at the end of this chapter.

Creating a balance between ad hoc and permanent advisory bodies

The first challenge is to find a strategic balance between the number of permanent and ad hoc advisory bodies. Permanent advisory bodies exist for extended periods of time. Ad hoc advisory bodies, on the other hand, normally only exist for a predetermined period of time. Countries are challenged to ensure a proper division of tasks between permanent and ad hoc bodies, to meet both the long term and short term needs of government.

Timing is a crucial element. Advice that arrives too early can surprise governments; while advice that is given too late often has already become irrelevant. This creates challenges, as the time horizon of governments often differs from the horizon of researchers and advisors. Solid research often needs a certain period of time `to be developed, which may not be available under constrained political circumstances. Ad hoc advisory bodies tend to be mandated to answer to very specific policy challenges, with much of their advice timed along the needs of government, and are thus placed well to provide timely advice. Advisory bodies can also be helpful for governments that seek to prepare for the unexpected with foresight analysis.

Ensuring a whole of government approach: integral policy advice on issues that cover multiple policy domains

Advisory bodies often cover particular policy issues or policy domains. However, governments nowadays are more and more often confronted with "wicked issues". These are issues that do not only cover one policy domain, but ask for a whole of government approach. It can be challenging for governments to examine which policy advisory body is suitable to answer to such questions. In recent years, in the Netherlands there have been examples of permanent advisory bodies working together to combine their expertise to best answer the questions of government. Several countries have installed

more general advisory bodies that have a broad mandate and are able to address complex and "wicked issues".

It can be challenging to create a policy advisory system in which the various advisory bodies also interact with each other in a positive way. By creating synergies the advice becomes more robust and can contain the necessary information to deal with future policy issues. Therefore, the communication between the different advisory bodies matters. In the Netherlands, all permanent advisory bodies meet on a bi-annual basis to discuss their advisory agendas and to exchange new ideas. This contributes to a whole-of-government approach in which advisory bodies create synergies among themselves. These meetings also create opportunities for permanent policy advisory bodies to propose collaborations on certain topics and to prevent overlaps or duplication of efforts.

Creating a clear line between the work of advisors and politicians

Well-functioning policy advisory systems rely on clear demarcations between the respective functions of policy advice, and policy making, thus between the role of advisory bodies versus the role of political decision makers. Advisory bodies can underpin different policy options and argue in favour of certain policy options, but in the end politicians have to decide which policy option is chosen. It is - of course - also possible that politicians choose an option that is not even included in the advice given by advisory bodies or that advisory bodies have advised against. In most cases the government is not obliged to adhere and implement the advice proposed, although some advisory bodies, such as the Mexican Productivity Committee, can give binding advice to their government. . In some countries government is obliged to respond to the advice given by advisory bodies, but governments are free to decide in the end.

Public institutions face the challenge of how to value the input of policy advisory, while not giving up on democratic values in which elected politicians have final the final say on policy matters. Therefore, it is important to create fixed end dates, i.e. a sunset clause, for advisory assignments of permanent and ad hoc advisory bodies to clarify the line between the work of policy advisors and the work of politicians.

Ensuring the inclusiveness of different perspectives, while preventing conflicts of interests

Good policy advice considers a broad range of perspectives on a policy issue. This increases the chance that the advice is on topic and implementable. In the case of advisory bodies the concept of "inclusiveness"

can be explained in two ways. First, advisory bodies should represent different personal characteristics, such as gender, age, socio-economic background, ethnicity and religious background. Secondly "inclusiveness" can be explained in terms of political interests. Advisory bodies can represent different interest groups in their composition and include for example academics, employee organisations, employer organisations, etc.

However, including different perspectives may run risk to blur the factual analysis. Giving advice on the basis of representativeness alone may create fundamentally different advice than giving advice on the basis of independent expertise. In the Netherlands, in general only independent academics and professions can be policy advisors, and are expected to conduct comprehensive research that takes all perspectives into account.

An over-focus on ensuring the inclusiveness of the composition of advisory bodies rather than focusing on the expertise of advisors may lead to issues concerning conflicts of interests and capture. Advisors chosen solely on the basis of inclusiveness may have less expertise and may become caught up in the specific interests they represent. It can be challenging for governments to strike a balance between representing all interests in society to obtain comprehensive advice and ensuring that advisory bodies provide useful advice.

Involving civil society into policy making processes

Involving citizens in decision- and policy making processes is important for creating legitimate and widely supported policies. Citizens can enrich the advice by adding their perspective. However, involving citizens in these processes can be challenging and requires that the material that advisory bodies produce is accessible and easily understandable. For example, in Latvia there is a consultation period of published green papers in which citizens can comment proposals for substantial legislative changes or new policy initiatives at the early stage of drafting of the regulations.

Evaluating the effects of policy advice and measuring its effectiveness

Although, the actual effect of the policy advice is one of the most important aspects of the value of the advisory system, it is complicated to precisely measure the direct and the indirect effects of policy advice (Bekkers et al., 2004). This creates a challenge for governments when evaluating the cost and benefits of investing in advisory systems. Advice has direct and indirect effects on decision- and policy-making processes. The direct value of the advice can be traced back in governmental documents,

such as policy proposals, policy documents and letters in which the advice is mentioned. Often, policy advice has also indirect effects by, for example, informing and fact checking political debates, the effects of which can be less easily "measured".

Policy advice is mostly focused on decision- and policy-making processes. In this case it influences only a small – yet important – group of policy makers that ultimately has the responsibility to reach and implement decisions. Some advisory bodies do however have a broader scope. They for example have responsibility for creating space for debate and influence perceptions by making use of traditional and social media. In this case the effect of the advice may be larger in the sense that is reaches a wider range of people across society and creates a wide political debate. In addition, there is a difference between "effective" and "efficient" policy advisory systems. Some policy advisory bodies are highly effective in terms of their influences on decision- and policy-making processes, but can, at the same time, be relatively expensive. Other advisory bodies can be cost-efficient, by e.g. relying on advisors, who work for the body on a voluntary, unsalaried basis, but may be less effective in terms of their actual impact on policy decisions and the relevance of the advice offered.

Dealing with social media

The increasing role of social media is a shared challenge. Social media now has the power to shape the policy agenda, and to exert influence on government in unprecedented ways. Policy advisory bodies increasingly use social media as a channel to source citizen inputs and to disseminate advice, giving it more visibility and gathering support. Independent citizens and interest groups comment on the policy issues and advice and may even cause "online trending topics". They often ask for a quick reply from government and even the "fast track option" of government to install ad hoc advisory bodies might in these cases no longer be fast enough. Governments need to think about strategies on how to be informed timely on issues that appear on the political agenda via new channels and in many cases may need to prepare quick responses.

Table 6.1. **Strategic challenges and coping strategies**

Strategic challenges	Coping strategies	Examples of good practices
1. A proper balance between the number of ad hoc and permanent advisory bodies	Creating clear distinctions between the role of permanent and ad hoc advisory bodies.	The United Kingdom has "consultation principles" in which they identified in which situation and time frame in-house knowledge, ad hoc or permanent advisory bodies should be consulted. This clearly demarcates the division of tasks between the different sources of advice.
2. Whole of government: integral policy advice on issues that cover multiple policy domains	Creating advisory bodies that cover several policy domains. Organise interactions between advisory bodies and on a structural basis on (upcoming) policy issues.	In Peru CEPLAN covers a wide set of policy issues and therefore can collect inputs for providing integrative advice. In the Netherlands all advisory bodies meet on a half-annual meeting to discuss their research agendas.
3. Creating a clear line between the work of advisors and politicians	Setting clear end dates for policy advisory processes.	Ad hoc commissions in Norway receive a retailed task description in which the research question and the end date for the advisory processes are indicated.
4. Inclusiveness of different perspectives, yet preventing conflicts of interests	Having regulations to ensure the inclusiveness of different perspectives. Setting rules to prevent conflicts of interests.	Many ministries in Iceland check the composition of ad hoc advisory bodies to ensure the inclusiveness of different perspectives.
5. Tracing the effects of policy advice: measuring its effectiveness	Determining clear the task description of advisory bodies make a review possible.	In the Netherlands most permanent advisory bodies are being reviewed each four years. In this qualitative review not only government, but also the advisory body itself, other advisory bodies and external experts are involved.
6. Dealing with social media	Explore new and evolving policy issues to be prepared when they appear on the public agenda. Give citizens a chance to respond directly to advice.	- Several important advisory bodies have very active social media strategies (e.g. France Stratégie in France).

Source: OECD Survey on Policy Advisory Systems; United Kingdom Government Office for Science (2011), "Code of Practice for Scientific Advisory Committees, CoPSAC 2011", www.gov.uk/government/publications/scientific-advisory-committees-code-of-practice.

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United Kingdom Government Office for Science (2011), "Code of Practice for Scientific Advisory Committees, CoPSAC 2011", www.gov.uk/government/publications/scientific-advisory-committees-code-of-practice.

Chapter 7

Optimising policy advisory systems: Conclusions

This chapter provides conclusions along the analysed dimensions. It finds that adaptability of the system is important to enable advice that addresses new and wicked questions. Second, transparency is crucial to maintain trust in the bodies' capacity to deliver solid and evidence-based advice and in the government's capacity to take well-informed and well-considered policy decisions. Third, the autonomy of policy advisory bodies is crucial to deliver unbiased, objective advice. Fourth, including different perspectives is highly important to create representative and relevant advice. Finally, advice needs to be topical, on time and in the right format to have impact.

Countries are more and more confronted with wicked policy issues that require solutions that need broad institutional approaches and interdisciplinary and comprehensive expertise. To confront these problems, countries have access to a variety of different options to obtain advice and build up advisory systems, as highlighted in this study.

The 17 countries that responded to the study show a wide set of advisory bodies at arm's length of government that provide them with advice. Examples are advisory commissions, research institutes, think tanks, planning and assessment institutes. The analysis helped to identify five key dimensions concerning the set-up and governance of the policy advisory system. These concern the *adaptability*, the *transparency*, the *autonomy*, the *inclusiveness* and *effectiveness* of these systems.

The adaptability of the system is important to respond to new and wicked questions that come up in government. Countries have set-up policy advisory bodies that differ in their duration, structure, position, focus and functions depending on their role along the phases of the policy cycle. Although a large selection of advisory bodies can be helpful in providing vast expertise, information and advice on a wide range of topics along different phases of the policy cycle, it is also necessary to keep a balance and prevent an overload of advice. Scrutiny of ad hoc advisory bodies should especially take place at early stages in order to allow for complements and resubmission to the oversight body. Some countries strongly rely on ad hoc bodies to quickly respond to new and rapidly evolving policy issues, while others rely more on a permanent advisory system that systematically collects data and information on policy issues and trends. On top of this, in some countries cross-topic advisory bodies that cover several policy issues and are therefore better equipped to deal with complex cross-sectoral issues have been created.

Government and policy advisors interact. For instance, governments often determine the exact research question that needs to be answered and determine the deadline by which the advice has to be finished. A transparent political-administrative interface can help to create a system that can be trusted for delivering solid and true information and advice and to show citizens that government makes well-informed and well-considered decisions. Countries have made regulations with regard to the political administrative interface. Some, such as Sweden and Norway, have a high level of transparency in their policy advisory system by publishing all advice and giving room for all relevant organisations to comment on the advice generated. Other countries, such as France, keep the interface more closed.

The autonomy of policy advisory bodies is crucial to deliver trustable and "true" information and advice. Most countries have conditions in place that provide for the autonomous position of their advisory bodies. For example, they create a clear mandate and clearly define the roles between advisors, government and politicians. Where terms of reference underpin the working relationship between advisory bodies and government, they should be clear in what the Government wants to achieve, while leaving room for an open assessment of the policy challenge and the policy options. However, in most countries advisory bodies are financed by ministries. Since the budget and the staff are important dimension, careful consideration needs to be given so that they ensure some autonomy and level of independence for conducting the analysis and formulating the advice, in ways that are similar to the issues faced with independent regulators (OECD, 2016).

Ensuring the inclusiveness of different perspectives is highly important to assure that advice is relevant and implementable. With regard to the personnel of the permanent advisory bodies, the analysis showed that many permanent advisory bodies are staffed with government officials. Academics also often have a seat in these bodies. Inclusiveness matters in terms of socio economic and ethnic groups as well as in terms of including a range of political interests to ensure legitimacy of the advice. The survey showed that in many countries ad hoc advisory bodies are particularly strong in terms of securing inclusiveness in the policy process. However, it is equally important to prevent conflict of interest and capture.

In addition, the advice that is produced by advisory bodies needs to be effective, that is have an impact on actual decision- and policy making processes. To achieve this, advice should be on time, on topic and in the right format for governments to use. Governments have formulated a range of regulations and task descriptions that enable effective and relevant advice that meets the needs of government.

Setting-up and governing a proper working policy advisory system can be difficult. For example, countries find it challenging to establish the right number of permanent and ad hoc policy or to demarcate a clear line with regard to the work of advisors, government and politicians. In addition, countries face challenges in dealing with multi-level or wicked issues that go beyond the scope of one single ministry or the national government and require involving sub-national governments and actors. In some cases, the provision of sufficient financial resources and staff time may be challenging. Governments also indicated to face challenges when measuring the effectiveness of their policy advisory systems.

There is still much scope for cross country learning in this area to further enhance strategic state capacity. While the word "system" does

suggests the existence of a logical and rational design, in many countries, the institutional set up is as much the result of history and the accumulation of micro as well as macro decisions. Policy advisory systems are products of institutional developments that often took decades to develop into what they are today. They can also be influenced by crises which create tipping points. These advisory systems today are often influenced by international processes, such as European frameworks, or international analysis such as coming from the OECD, for example with the setting up of independent fiscal institutions in a number of countries in recent years as a follow up of the economic and financial crisis. Some of them have been redesigned and reformed often; others have seen almost autonomous development into a deliberately chosen path. Therefore, the improvements of policy advisory systems may appear to be path dependent. Some countries have to consider adjustments on a "system" level, where other countries will need to formulate regulations for each of their separate advisory bodies that belong to different ministries. Still, the comparative perspective offered by the current report can provide food for thought that could usefully inform policy choices in the future when countries need or wish to adapt such systems.

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Annex A

Methodology

This cross-country comparative study was carried out in 15 OECD member countries - Australia, Austria, Czech Republic, Finland, France, Greece, Iceland, Ireland, Latvia, Lithuania, Mexico, the Netherlands, Norway, Peru, Portugal, Spain and Sweden - and Lithuania as well as Peru. The main national counterparts consulted in all 17 countries were the delegates to the Public Governance Committee.

The research focused on policy advisory systems at arm's length from government. The study sought to document and analyse countries' practices with view to identifying a range of good practices that can help improve the effectiveness of policy advisory systems.

The data underpinning this report were collected through the 2016 OECD Survey on Advisory Systems and complemented by qualitative interviews held with delegates to the Public Governance Committee and senior representatives from advisory bodies[1], who provided information from the view of the central/federal level of government (with the exception of Austria, the Czech Republic, Greece and Ireland). Additional information was gathered through extensive desk research.

Notes

1. Australia (Department of the Prime Minister and Cabinet), Finland (Prime Minister's Office), France (France Stratégie), Iceland (Prime Minister's Office), Latvia (State Chancellery), Lithuania (Office of the Government), Mexico (Economic Productivity Unit at the Ministry of Finance), the Netherlands (Bekker Advies; Ministry of the Interior and Kingdom Relations), Norway (Ministry of Local Government and Modernisation), Peru (National Centre for Strategic Planning, CEPLAN), Portugal (Law Centre, CEJUR), Spain (Finance and Public Function Ministry).

Glossary

For the purpose of this survey, the following terms were used:

- **Ad hoc (policy) advisory bodies**: An advisory body that has been established for a specific reason or with a specific (research) question. The policy advisory bodies are established for special and immediate purpose and dissolved once their purpose has been fulfilled. Unlike committees, ad hoc advisory bodies are not located within government, but at arm's length of it. See also "temporary advisory bodies".
- **Agency**: Semi-autonomous public organisation that operates at arm's length from the government, usually reporting to a ministry and mandated to carry out public tasks (*e.g.* regulation, service delivery, policy implementation) in a relatively autonomous manner (*i.e.* with less hierarchy and political influence in daily operations and with more managerial freedom).
- **Arm's length**: The position "at arm's length of government" denotes a relationship between an advisory body and government whereby the advisory body is not directly situated within the organisational (hierarchical) structure of government. However, the advisory body and its members are still related to, and to a certain extent controlled by, government and must adhere to rules and responsibilities that arise from that relationship. The relationship is established with a mandate to provide knowledge and policy advice to government on specific topics in general without interference from political and private interests.
- **Civil servant**: An employee of the state, either permanent or on a long-term contract, who would remain a state employee if the government changes.
- **Commission**: Are appointed by the government at the time to investigate a particular question or set of interrelated questions, provide government with advice, and then dissolve.

- **Committee**: Refers to a body that is "struck" or created to consider and investigate a range of policy issues, including middle- to long-term issues and narrower topics. Often, committees are subordinate to more senior bodies, such as political institutions, councils, or bureaucratic organisations. Furthermore, their tenure can be permanent or ad hoc.
- **Conflict of interest**: A conflict of interest involves a conflict between the public duty and the private interest of a public official, in which the official's private-capacity interest could improperly influence the performance of their official duties and responsibilities. For example: when a member of a political party is also a member of an advisory body, their own political self-interest can influence the recommendations of the group. It also can refer to a conflict between different public interests that are apparent at the same time, in that instance persons have different types of powers at the same time.
- **Council**: A formal advisory, administrative or research body with members who are often elected or appointed by officials. Councils are often permanent (but can be ad hoc) with a set time limit before requiring re-election or re-appointment. As well, they tend to be more authoritative, addressing both middle- to long-term issues as well as narrower topics. They can also strike committees to investigate various topics.
- **Decision- and policy-making process**: Commonly referred to as the "policy cycle", proposed policy initiatives go through several decision-making stages, from problem identification, to formulation, implementation and evaluation. At each stage, a number of tools and processes inform and enable these policy-making stages (e.g. budget, performance and accountability mechanisms) and must work in tandem for policies to achieve their intended objectives. This process is referred to as a cycle because evaluations are intended to identify new problems and begin a new policy cycle.
- **Foresight advisory bodies**: Policy advisory bodies with the main task of providing strategic foresight analyses to government.
- **Formal regulations**: Any directive from government (decree, law, mandate, motion, principle, rule, etc.) that imposes rules to steer and organise a given system. Regulations are normally backed by penalties and enforced by the government.

- **Implementation**: The processes and actions that need to be taken, once a new policy and/or law has been adopted, in order to ensure that the policy or law is given concrete effect. Can also be called operationalisation, reflecting the fact that policies have no effect unless and until they are made operational.
- **Interface between policy advisors, politicians and administrators**: The moments of interactions between policy advisors, politicians and administrators.
- **Legal status**: Is the position held by an advisory body, in reference to the rest of the community of government bodies. For example, an advisory body can be positioned as an agency, as a private identity etc. This status is important because it provides the means for advisory bodies to attract the right talents and perform distinguished research.
- **Mandate**: Is the assignment of responsibility from one person or organisation to another person or organisation.
- **Ministerial advisor**: A person or group of people who help ministers and heads of government make informed strategic decisions, keep up with different stakeholders and accelerate government responses. Unlike senior civil servants who also provide advice to leadership, ministerial advisors are exempt from the requirement of political neutrality.
- **Permanent policy advisory bodies**: An advisory body that has been established to conduct research and provide advice on a question or set of topics with a continued renewal of their mandate. Permanent advisory bodies can study anything from systemic to very narrow issues.
- **Permanent policy advisory bodies with a secretariat**: Many policy advisory bodies are structures as a "council", in which a group of experts are at the top of the organisation and conduct research and formulate advice. This differs from "research institutes" with a board of directors at the top of the organisation. Mostly councils are supported by a large secretariat that supports them in these activities. But there are also permanent policy advisory bodies operating without a secretariat, in which a groups of experts are at the top of the organisation and do the research and formulate the advice.

- **Planning/assessment advisory bodies**: Policy advisory bodies with the main task of monitoring trends and assessing government policies accordingly.
- **Policy**: A term which does not exist in all languages and which in some languages may be synonymous with politics. A public policy defines a consistent course of action designed to meet a goal or objective, respond to an issue or problem identified by the government as requiring action or reform. It is implemented by a public body (ministry, agency, etc.), although elements may be delegated to other bodies. It is given practical effect through a defined course of action, programmes and activities. It is, as necessary, funded from the state budget.
- **Policy advice**: Policy advice can be understood as means by which governments deliberately acquire, and passively receive guidance on decisions and policies. Policy advice can be informative, objective or technical. It "speaks truth to power" and provides "evidence", but also provides strategic foresight, legitimacy and support and counter-vailing power to current policies. "Policy advice" is not only based on scientific knowledge, but can also be a result of the consultation of stakeholders, or may be given by lobbying or interest groups or professionals. Policy advice therefore differs in the way it is produced, its content and its aim.
- **Policy advisory system**: The organisational configuration of policy advisory actors and organisations in a jurisdiction or a policy field. It consists of all advisory actors that provide government with knowledge and advice. It is important to note that the word "system" unjustly suggests a logical relation between the various advisory bodies, making a description as "a network of advisory bodies" that together provide government with advice, more accurate. In line with the body of research on this subject, this study nonetheless uses the word "system" to refer to the cluster or network of advisory bodies in a given country.
- **Political adviser**: A member of staff who is not a civil servant, appointed by the President, Prime Minister or a Minister to assist them, and who usually would leave state employment if the government changes.
- **Public interest**: Is the concern for the wellbeing of the general population.

- **Public Research Institute**: Policy advisory bodies can generally be structured as councils or as public research institutes. Institutes generally have board of directors that manage the activities of the body. These institutes formulate research on public topics. In addition they can use their research and knowledge to inform and advice government on their public policies.
- **(Public) think tank**: A group of experts brought together, usually by a government, to develop ideas on a particular complicated subject and to make suggestions for action. This form of policy advisory bodies is well-known in Anglo-Saxon countries.
- **Requested advice**: This refers to advice which is being researched and produced as part of the advisory body's formal mandate and in response to direct government requests. Often, formal mandates leave room for the advisory body to conduct both requested and unrequested advice.
- **Strategic planning**: A tool for identifying short-, medium-, and long-term priorities and goals (e.g. "improve education" or "achieve energy security") and laying out a set of present and future (collective) actions for achieving them.
- **Temporary advisory bodies**: An advisory body created to examine an issue for a specified period of time or deliver a specified result and then dissolve. See "ad hoc advisory bodies".
- **Transparency**: An environment in which the objectives of policy, policy decisions and their rationale, data and information are openly provided to the public in a comprehensible, accessible, and timely manner.
- **Unrequested advice**: Results from independent research on topics of interest to the advisory body, but not directly requested by government. Often, the mandate for advisory bodies requires that the bodies produce a certain amount of requested advice while leaving room for research on unrequested topics.
- **Quango**: Quango is an abbreviation for quasi-autonomous non-governmental organisation. See also "agency".

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Consult this publication on line at ***http://dx.doi.org/10.1787/9789264283664-en***.

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