

EXECUTIVE SUMMARY

1. Over the last two decades the Member States have invested considerable resources in setting ethical standards, as evidenced by the proliferation of ethics codes.
2. However, neither instruments nor methodologies are available to measure the development of ethical behaviour over long periods of time. There are reasons to believe that, by historical comparisons, civil servants have become more ethically sensitive than before, in such fields as awareness of anti-discrimination, mobbing, gift-taking, political patronage, transparency and accountability.
3. On the other hand, there are many more rules and standards to be broken. Moreover, expectations have risen and standards are becoming ever stricter. New public management reforms also pose new challenges and threats.
4. Overall, ethics policies have become more important. This can be seen in the high level of regulatory activity, growing number of rules and standards, expansion of the meaning of ethics, adoption of more codes of ethics, introduction of more complex accountability mechanisms, growing institutionalisation of ethics (e.g. through the establishment of ethics committees, monitoring bodies, disclosure policies etc.), and more training.
5. The trend has been towards an increase in the number of rules and standards, as well as the number of issues that are recognised as unethical behaviour. Still, more rules are needed, especially in Eastern Europe while the Nordic countries do not share the same requirement. This is remarkable, as many Eastern European countries already have more rules in place than the Nordic countries. This suggests that more rules are needed in a given political, economic, legal and institutional context characterised by low levels of public trust.
6. Overall, deregulation of ethics rules seems to be politically impossible and also seems to be lacking support of the general public. However, some countries offer extremely detailed provisions in the field of disclosure of financial interests, which could be simplified. Furthermore, the quality of disclosure legislation could be improved as well.
7. In the meantime, we realise that the trend towards more ethics rules is slowing down. However, our findings do not suggest a shift towards a stronger emphasis on better implementation, enforcement and institutionalisation of ethics policies and rules.
8. The Member States have invested very little in the evaluation of ethics policies' effectiveness as regards the development of ethical behaviour, costs, bureaucracy and side effects. However, more Member States are investing in ethics surveys which measure the perception of the ethical climate.

9. In many countries ethics policies operate in a climate of increasing levels of distrust (higher distrust towards politicians than civil servants). Therefore, the Member States are under pressure to intensify their efforts in the field of ethics to improve public trust. Many other issues, however, which may impact the trust levels. It is clear is that doing less would probably decrease the trust levels even further, but doing more, on the other hand, would not necessarily improve public trust.
10. Ethics policies are mostly scandal-driven. They emerge, flourish, are reformed and expanded as a result of scandals and media attention. Hence, some issues such as corruption and fraud attract a lot of media and political interest, whereas others are not discussed publically to the same extent (e.g., mobbing and disrespect for core values).
11. The fact that ethics policies are often scandal-driven results in the conception of symbolic policies, which at best lead to the adoption of new regulations. Therefore, the focus is on the adoption of new policies, not on the implementation and enforcement of policies. This is confirmed by the fact that ethics are often not taken seriously.
12. The fact that many Member States often do not take ethics seriously contradicts the opinion that civil servants are well aware of ethics rules. Some countries reported also that there was a lack of ethics-related training and awareness. Moreover, ethics training is considered to be as an effective instrument.
13. As far as the effectiveness of ethics instruments is concerned, leadership and openness are deemed the most effective instruments, followed closely by ethics legislation and ethics training. On the other hand, poor leadership is one of the greatest obstacles in rendering ethics policies effective. Moreover, the findings show that the financial crisis may contribute to a decline in the level of trust placed in leadership.
14. In the view of the present state of implementation, post-employment rules are considered to be the least effective ethics instrument. Strict gift policies, integrity officers, registration of financial interests, protection of whistle-blowers and ethics codes are considered less effective as well.
15. An extensive ethics bureaucracy, as can be observed in use in the US and Canada, is not likely to emerge in the near future. However, exceptions exist in the still evolving system of disclosure policies (registers of interests) and in the fight against corruption.
16. Most institutional structures are still weak and enforcement and monitoring of ethics policies continues to be an obstacle hindering the establishment of an effective ethics policy.
17. The Member States are much more active in the institutionalisation of anti-corruption policies and conflicts of interest policies than in other ethics-related policies. Overall,

institutional structures differ a lot and are highly fragmented. As regards corruption and conflicts of interests policies, one can observe a trend towards the creation of specialised bodies tasked with investigating conflicts of interest and corruption in the national public services. Ideally, these bodies should be independent.

18. Only a few Member States provide for centralised and integrated institutional structures in the field of ethics (e.g., BIOS in the Netherlands, KNAB in Latvia and the Committee on Standards of Public Life in the UK).
19. Still, there are more questions than answers concerning effective institutionalisation of ethics policies. What are the experiences so far in monitoring and managing disclosure policies? Have the Member States ever evaluated whether the existing institutional structures existing in the field of ethics are efficient and effective? Are certain coordinating bodies needed? Could advisory bodies such as the Dutch BIOS develop good practices and act as role models? Should all ethics bodies enjoy an institutional and financial autonomy?
20. The fact that ethics bureaucracies are still limited can be implicitly seen from the fact that the Member States do not consider the costs a problem. More specifically, almost all Member States have no evidence concerning ethics-related spending. This results mainly from the fact that any professional and credible cost evaluation requires a horizontal and integrated approach to cost development. Ethics-related costs are dispersed today amongst many authorities.
21. Another specificity of ethics policies is that the Member States do not perform cost-benefit analyses. Opinions are still prevailing that increasing costs can be justified by the avoidance of ethical scandals.
22. According to the Member States, the HR reforms that are most vulnerable to integrity violations include recruitment policies, pay reforms, promotion policies and mobility policies.
23. So far, the development of the new ICT is not considered a vulnerable reform trend in relation to ethics. However, the continuing emergence of more diverse ways of communication will raise more ethical challenges in the future. The new ICT also means that individual public servants are going to have access to an ever growing range of communication instruments. On the other hand, opportunities to control the use of ICT and to interfere with privacy issues will be more frequent as well. This means that the public sector will become exponentially more challenging and difficult to manage.
24. Overall, the impact that the financial crisis has on ethics is neither well researched nor easy to analyse, and most Member States are only beginning to monitor this link. The findings of the study indicate a link between higher budget deficits and higher levels of public distrust. Furthermore, the financial crisis exerts the strongest impact on work

place commitment and job satisfaction. Because of the importance of this issue, we recommend it to be monitored more thoroughly in the future.

25. Other findings suggest that specific attention should be paid to post-employment. Because of the blurring of the boundaries between the public and private sectors, the regulation and management of post-employment will gain in importance in the near future. In addition, the trend towards more flexible forms of employment contracts makes it more difficult to design effective post-employment strategies for the ever more diverse workforce. On the other hand, the Member States have so far been critical as to the effectiveness of post-employment measures. In fact, post-employment is considered as the least effective ethics instrument. Consequently, the Member States should design better instruments in this field.
26. Finally, we conclude that the emphasis in the field of ethics has been excessively placed on scandals and on preventing wrongdoing. We argue that this regulatory top-down approach to integrity in government must advance beyond the bad person model of law and policy. Instead, we should look at the social psychology of organisational life and at the ability of individuals and leaders to understand and to be critical of their own behaviour.