New Public Management reforms: an increase in accountability?
The case of the European Commission after the Kinnock-Reforms.

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Abstract

In 1999 a scandal involving corruption and nepotism swept the European Commission showing the flaws of its mechanisms of supervision of its Commissioners and administration. During the next five years, the Vice-President Neil Kinnock was in charge of bringing the Commission’s administration into the 21st century and its base on the Traditional Model of Public Administration by applying ideas of the New Public Management school of thought. These transformations were aimed at improving efficiency and accountability. This thesis concerns itself with the relation between the New Public Management styled reforms and the changes in accountability by applying an analytical framework. The results of the analysis of the qualitative data after 9 interviews with Commission staff show that in its vast majority the reforms achieved their goals by increasing accountability both in an inward and outward manner.
Acknowledgments

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List of Abbreviations and/or Acronyms

**ABM** — Activity-Based Management

**CIE** — Committee of Independent Experts

**CDR** — Career Development Review

**DG** — Directorate-General

**EUCO** — European Commission

**EU** — European Union

**EP** — European Parliament

**FCU** — Financial Control Unit

**IA** — Impact Assessment

**PM** — Public Management

**NPM** — New Public Management

**NPG** — New Public Governance

**SPP** — Strategic Planning and Programming

**TMPA** — Traditional Model of Public Administration

**OLAF** — European Anti-Fraud Office
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1. Introduction

“The Kinnock-Prodi reforms shared many features of new public management approach. Attempting to bring the Commission into line with prevailing standards of public management, they sought to make it a more efficient and accountable administration through improved performance-management systems.” (Kassim, 2012: 221)

The late 20th century saw massive changes in the way Public Management (PM) was thought and practiced since the late 19th century. After a wave of administrative reform, this new approach has spread and rooted itself as the predominant set of ideas that influence how public administrations throughout the world are run and what outcomes are to be expected. New Public Management (NPM) is the ‘theme’ (Pollit and Bouckaert, 2011) that has come to, mostly, end the long reign of the Traditional Model of Public Administration (TMPA) in Public Management.

The first chapter of this thesis will first concern itself with the general with an overview of the events that lead to the Kinnock-reforms in 1999 (section 1.1.1) to understand how they relate to the core problem this thesis faces (section 1.1.2). This will open the way to the main Research Question we aim to answer (section 1.2) followed by its Social and Academic Relevancies (sections 1.3.1 and 1.3.2, respectively).

1.1 Background and Problem Statement

1.1.1 The European Commission in 1999

“(…) since it falls within the Committee’s mandate to examine the way in which the Commission detects and deals with fraud, mismanagement and nepotism which, clearly, also includes reprehensible acts committed by the Commission’s Administrative services, the Committee will have to take account of the conduct of the Administration and its officials in the cases under review.” - Committee of Independent Experts (CIE, 1999: 10).
In early 1999, an anonymous Commission official shared incriminating internal documents with journalists (Kassim, 2008: 655) and thus the darkest period of the European Commission (EUCO) begun. The documents revealed several examples of malpractice that could be described as fraud, mismanagement and nepotism, in what apparently was part of the working culture of the European Commission, in its administration (i.e., Directorates-General) and executive (i.e., the Commissioners). The European Parliament (EP) then decided to investigate these allegations by organizing a Committee of Independent Experts (CIE) ‘to examine the way in which the Commission detects and deals with fraud, mismanagement and nepotism’ (Kassim, 2008: 649).

The CIE’s investigation took place in the early months of 1999 and before its conclusions were finalized and made public, the 9th European Commission, led by the Luxembourgish former Prime-Minister Jacques Santer, resigned en masse leaving one of the Commissioners, Manuel Marin, as a caretaker President until the elections for the EP later that year. The evidence of nepotism seemed strong in regard to the Directorate-General (DG) XXII (Education, Training, and Youth) under the responsibility of Commissioner Edith Cresson, but most other Commissioners investigated by the CIE where exonerated or blamed for failing to properly oversee their DGs activities and projects finances (CIE, 1999: 11).

"I stand on my record of work which has not been criticized by this committee or anybody else, I accept collective responsibility, although obviously I don't accept collective guilt." – Neil Kinnock, at the time Commissioner for Transport (Walker, 1999)

Later that same year after the EP elections, Romano Prodi, a former Italian prime-minister, was appointed by the European Council and the Parliament President of the 10th European Commission with a mandate to reform the inner workings of the institution (Kassim, 2013: 210). These reforms were long due as several previous attempts to even partially reform had failed (Kassim, 2008: 683). The person in charge of the reforms was Neil Kinnock, a former British Labour leader that had arisen to Vice-President of Prodi’s Commission. Pressured by all sides, Prodi and his team took the initiative to introduce changes in order to bring modern ideas, concepts and tools of management into it as to prevent the flaws pointed out by the CIE’s report. Kinnock
introduced principles of New Public Management at the time the mainstream way of thinking about Public Management, in order to reshape the inner functioning of the EUCO’s internal bureaucracy. This process made the style of management within the EUCO switch between a more Continental/Napoleonic approach to civil service into a more Anglo-Saxon/Nordic model (The Economist, 2001; Balint et al, 2008; Kassim 2008).

At the same time, and because of the CIE’s investigation, the European Anti-Fraud Office (OLAF) was created to conduct administrative anti-fraud investigations into the European Institutions with a special status to preserve its independence (EuroparlTV.europa.eu, 2010). These powers became permanent and to this day OLAF is a fundamental piece in the accountability system involving the EUCO.

1.1.2 Problem Statement

New Public Management (NPM) and the public-sector reforms that it entails are seen by some authors as an evolution from the Traditional Model of Public Administration (TMPA) towards a next step in managing public resources (Hughes, 2012: 85). This thesis will concern itself with public sector reform applied to the European Commission’s (EUCO) civil service in order to better understand the impacts on accountability after the NPM-inspired Kinnock-reforms of 1999 to 2004. As NPM has a focus on accountability – which was central for the EUCO to regain institutional trust and avoid past mistakes – this thesis aims to dig deeper into the available literature and data in order to understand if indeed there was long-term change in accountability in the EUCO’s public administration.

1.2 Research Question

In order to find the answers to the previous section the fundamental question that will help solve it reads as follow:

*What are the effects of New Public Management, introduced during the Kinnock reforms, on accountability in the European Commission’s bureaucracy?*
1.3 Relevance

1.3.1 Societal Relevance

“(…) Why should the public ‘care to know (and pay for knowing) what we have to say about politics?’” (Lenhert, Miller and Wonka, 2007: 25)

The answer to this question is part of the classical definition of societal relevance according to Lenhert, Miller and Wonka (2007: 25). This simple and commonsensical question keeps on being pertinent as these authors expand the definition of societal relevance to include an unambiguous standard by which the impact of research on people might be measured.

The European Commission, as one of the main bodies of the European Union’s institutional framework, has some fundamental functions that differ from a ‘normal’ government and administrative system in which NPM is usually applied. The EUCO has the right to initiate legislation and “safeguarding of the Treaties”, meaning that it has to keep the Single Market functioning and to safeguard democracy in Member States, amongst other responsibilities (Sieberson, 2008: 450). This means that the outcomes of its internal works partly shape the lives of approximately 500 million people and affect the biggest free-trade area in the world. It is therefore obvious that its management style, either formal or informal, and its accountability are under daily scrutiny on the world stage and transform the political, economic and social environments both at a European and global level. Administrative reform and accountability are therefore extremely important in order to set an example in troubled times for Europe, as well as for the Commission to maintain itself as an example for peoples and countries desiring peace, economic prosperity and democracy. The study of the changes after one of its lowest points due to internally made mistakes crystalizes into an unavoidable matter and this thesis will not only reassess previous studies on this subject, but it will also try to build some practical advice for the institution’s future – a welcome step to increase its societal relevance (Lenhert, Miller and Wonka, 2007: 27).
1.3.2 Theoretical Relevance

Lenhert, Miller and Wonka define theoretical relevance as “analytical value a research adds to the scientific discourse of a subdiscipline it addresses” (2007: 22). This means that if a research question is well directed, the following research will contribute to the “advancement of the knowledge produced” (Lenhert, Miller and Wonka, 2007: 25). As International Public Management is a very wide area of studies, this thesis will mix the specific case of reforms in the EUCO with two typically under-researched sectors: public-sector reform in an International Organization\(^1\), plus a broader concept of accountability - which involves more than the outcome-oriented NPM view of accountability since Bovens et al (2010) constructed a concept of accountability with some fundamental political features to it and that can therefore build bridges between different disciplines.

As one of the main goals of NPM is to improve public-sector accountability (Hughes, 2012: 86), research has been done about the European institutions in this area (Andrews et al 2016), but almost none has used a wider definition of accountability to inquire if NPM’s idea of accountability had impacts in the EUCO. This gains even more importance due to the mix of executive and administrative powers held by the EUCO (Sieberson, 2008; Hix and Høyland, 2011) as the NPM-styled Kinnock reform effects are still felt to this day (Balint et al, 2008; Kassim 2008; Kassim 2012) and actively shape policy-making within the EU. As such, two of several possible additions to the theoretical discourse mentioned by Lenhert, Miller and Wonka (2007, 24-25) are covered by this thesis. First, it will empirically test a theoretical hypothesis by juxtaposing NPM principles on administrative reform to the post-reforms EUCO which might lead to “theoretical refinement or empirical rejection” (Lenhert, Miller and Wonka, 2007: 24). Lastly, it will apply theories to a new empirical domain (Lenhert, Miller and Wonka, 2007: 25) as Bovens’ et al work (2010) Accountability Regime will be used to build our interviews.

\(^1\) Has it will be argued in chapter 4, due to its special characteristics the EUCO is not a ‘regular’ International Organization and Public Management theories apply to it more effectively because of that.
2. Literature Review

This chapter has the purpose of exploring the two variables set on the main Research Question: public-sector reforms under New Public Management (NPM) and accountability. As the European Commission is a very specific study-case in this field of studies chapter 4 will provide a more appropriate context to later analyse these variables.

Section 2.1 will deal with NPM’s the changes in Public Management Theories in the 20th century. Is will be followed by the relationship between New Public Management and public sector reform (section 2.2), which starts with general views on NPM public-sector reform (section 2.2.1) and criticism to NPM reforms (section 2.2.2). This is followed by section 2.3 which in turn will further explain accountability by first providing several ways of how accountability changed in Public Management and some definitions of accountability used in the literature - with a focus on NPM - (section 2.3.1) and finally how can definitions of accountability comprise variables that are not strictly from NPM (section 2.3.2).

2.1 International Public Administration Movements

The transition between the 19th century and the 20th century saw the introduction of new ways on how to think and practice Public Management\(^2\) throughout the world, from all level of the State’s administration to International Organizations, broadening this field of studies. During this period, the first unified vision of PM came forward and crystallised itself into most Western countries’ bureaucracies: the Traditional Model of Public Administration.

The most influential author in this area was Max Weber as he put forth his ‘theory of bureaucracy’ setting the tone for most of how bureaucracies were organised

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\(^2\) Most of the literature until the late 20th century calls this field of studies Public Administration. The denomination has become synonymous with Public Management and this thesis uses this wording instead when referring to the area of studies. Nevertheless, the usage of the expression ‘public administration’ throughout this thesis will be interchangeable with the words ‘bureaucracy’ and in many cases ‘public-sector’.
during the rest of the century. Based on the State’s rational-legal authority (Hughes, 2012: 48) which legitimised it and its administration, Weber laid down six guiding principles for any bureaucracy. Hughes (2012) sets out to describe these principles. First, and deriving directly from the State’s rational-legal authority, the principle of following an uniquely law-based approach of administration meant for officials to follow laws and rules decided by the political power; this meant that not only administration was subordinated to politicians in office, but that inside the bureaucracy itself the hierarchy had to be followed and respected, creating a sense of clear authority and impersonality; thirdly, the bureaucracy had to keep record of all its activities through written documents in order to maintain a coherency in the application of rules; in next point had to do with the bureaucrats themselves which were meant to be experts in the areas they worked on, being hired due to their specific set of skills; this also meant that officials were full-time employees of the State, without secondary jobs or sources of income (Peters and Wright, 1996: 636); finally, public administration, due to its written rules based on law, can be learnt by anyone holding a public office.

Around the same time, in the United States, Woodrow Wilson (Professor in Princeton University before he came to be President of the United States) saw the separation of politics and administration as the best way to combat nepotism and corruption. The goal of his principles for bureaucracy was a reaction to the interference of business and politics during the second half of the 19th century that translated into oligopolistic empires of his time – like the Rockefellers – with deep ties to the political system (Hughes, 2012; 52). This meant that politicians would decide policies and public servants would ‘simply’ carry them out, making them accountable to the political hierarchy above them.

The last author worthy of mention – and experimental practitioner – was Frederik Taylor who put forward ‘scientific management’ in order to standardize work (Hughes, 2012; 55). Taylor saw management as a science that could have precise, impersonal laws which would also help against ‘political interference’ (Pollitt, 1990) in order to managers be able to ‘plan’ and then ‘do’. This involved studies to determine how to more efficiently do a precise action and incentive workers trough wages in order to improve efficiency (Hughes, 2012: 55).
This model of management lasted until the late 1970’s, the so-called ‘Golden Age of Public Administration’ (Hughes, 2012; 58), when a new business-styled model of management was introduced to the public-sector, according to Jan-Erik Lane it “contains insights from game theory and from the discipline of law and economics” (2000: 3). The United Kingdom and the United States under Margaret Thatcher and Ronald Reagan, respectively, took the lead (Lane, 2000; Andrews et al 2016: 6) and slowly, but consistently, it spread to most public sectors and international organizations all over the world. Christopher Hood coined the term New Public Management (NPM) to describe this private sector approach to PM whilst putting forward some of its features (1991). In this same article, Hood reasons that the most likely explanation for the emergence of NPM has to do with a new ‘tax-conscious’ electorate that shifted from ‘blue-collar’ base into ‘white-collar’ one, whilst technological advances fundamentally changed economics and politics, closing gaps between private and public-sector job as well political strategies (1991: 7). Pollitt and Bouckaert mention an example of Al Gore in 1993 - at the time United States Vice-President - burning a federal personnel manual while introducing the new ‘National Performance Review’ (2011: 43) that symbolizes the break with the past and, therefore, with the Traditional Model of Public Administration. The Clinton’s administration ‘National Performance Review’ is a good example of how New Public Management principles ripped through traditional left-right divides and became a global phenomenon (Lane, 2000; Pollit and Bouckaert, 2011: 43). Measuring performance in the public-sector is an important part of the new managerial ideas set forth by NPM, and it will be further developed in chapter 2, as accountability – one of its variables – will be at core of this thesis.

New Public Management’s main points might be summarized as: having high-grade public servants become managers concerned with results and with leadership responsibilities (‘free to manage’); as to results, they become something to be measured; pay started being linked to performance as performance became measurable; public organizations having to be seen as independent output-focused ‘units’ (Lane, 2000; Hughes 2012). Pollitt (2001) added two more to this ‘revolutionary’ mix: the use of market-like mechanisms on the delivery of public services and the use of public-private partnerships by the State. Although no one country adopted every
single one of the aforementioned components in the whole of its public-sector, NPM became a loose guideline for successive reforms. By drawing on business management theories and practices NPM’s components, strategies and tools came to crystalize into some generally accepted points or ‘theme’ (Pollitt and Brouckaert, 2011), but not a ‘program’ or ‘agenda’, as, according to Hughes, “no two authors list exactly the same points for NPM” (2012: 87).

Adding to the points summarized by Hughes, Peters and Wright (1996: 630-638) put forth six ways NPM changed the TMPA by doing the exact opposite of what was the norm until then:

- Policies in the public-sector can and should use the resources and tools from the private sector, may it be by subcontracting to implement policies using public-private partnerships, privatizing poorly performing parts of the State or by introducing competition between public services. This means the end of self-sufficiency in the public administration.
- NPM means to ‘empower’ lower echelon public servants and ‘clients’. This gives public servants more decision power but also increases their responsibilities and therefore their accountability. This leads to the end of the old hierarchical structures in the TMPA.
- NPM puts into question the old organization of government and its bodies defending that these should be decentralized and fragmented to be able to provide better services to the citizens, making it a ‘bottom up approach’. In other words, ‘street-level bureaucrats’ increase their saying in the policy-making that concerns them as they are the ones holding the ‘tools’, or real-world application. In a broader sense it also means that political institutions – i.e. regions or municipalities – should have a bigger say on the policies that matter to them. In other words, the state should be less uniform and more adaptable.

3 The term ‘client’ and ‘customer’ are used synonymously in the NPM jargon meaning ‘users of public services’, which are largely the country’s citizens.
- As in NPM top public servants have more tools to manage and responsibilities over their agencies, there is an accountability transfer from the political actors overseeing them onto managers. The authors also point out that this might be a way of politicians in charge of these agencies, usually ministers, to escape responsibility.

- For public servants’ careers, NPM means the introduction of ‘pay for performance’ instead of the traditional way of career evolution due to age.

- Contrary to Woodrow Wilson’s principle, NPM assumes that administration and politics are connected by seeing public servants also as political actors. In turn, this increases their hierarchical accountability\(^4\) and embeds the public servants’ views on policymaking and affects their practice of the implemented policies.

Finally, one the main goals of New Public Management, which also follows market rules, is the focus on efficiency (Lane, 2000: 14; Hughes, 2012: 87) in the construction, process and delivery of public services and is indirectly pointed out by every single proposal of this way of managing which can be translated in either ‘value for money’ or ‘more with less’. It is also worthy being referred that “terms such as ‘efficiency’ and ‘effectiveness’ are given fairly specific meanings (...) efficiency is the ratio between inputs and outputs, whereas effectiveness is the degree to which the desired outcomes result from the outputs.” (Pollitt and Bouckeart, 2011: 15).

\(^4\) Hierarchical accountability will be further developed on its own right on section 3.1 of this thesis.
<table>
<thead>
<tr>
<th>Traditional Model of Public Administration</th>
<th>New Public Management</th>
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<tbody>
<tr>
<td>Law-based approach to Administration (Weber)</td>
<td>Based in Economics</td>
</tr>
<tr>
<td>Administration subordinated to politics with a clear hierarchy (Weber)</td>
<td>‘Free to manage’</td>
</tr>
<tr>
<td>Recordkeeping for the application of rules (Weber)</td>
<td>Result oriented</td>
</tr>
<tr>
<td>Employment of experts/ professionalization of the public administration (Weber)</td>
<td>Workers pay linked to performance</td>
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<tr>
<td>Full-time, lifelong employment (Weber)</td>
<td>Administration divided into independent ‘units’/‘bottom up’ decentralization</td>
</tr>
<tr>
<td>Standardization of functions (Weber)</td>
<td>Market mechanisms for public services</td>
</tr>
<tr>
<td>Administration separated from political appointments (Wilson)</td>
<td>Administration and politics connected</td>
</tr>
<tr>
<td>Standardization of tasks (Taylor)</td>
<td>Focus on efficiency</td>
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<td>Competition between public services</td>
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<td>Intensification of Public-Private Partnerships</td>
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Table 1. Summarised main characteristics of the two PM movements.

2.2 New Public Management and Public-sector Reforms

2.2.1 Characteristics of New Public Management reforms

As it was seen in Section 2.1, New Public Management impacted substantially how Public Management was perceived and changed substantially its practices. In the specific cases of NPM public-sector reforms the break from the Traditional Model of
Public Administration asserts itself as a transition between these two ways of managing. Nonetheless, many academics point out that no two reforms are exactly the same (Hughes, 2012: 90), Boston et al (1996: 39) give the example of 1980’s New Zealand public reform that was heavily influenced by “public choice theory, agency theory, and transaction cost economics”, as most NPM reforms are. Nevertheless, characteristics such as a focus on productivity and efficiency, marketization, decentralization and fragmentation of public services or more accountability seem to be common to all of them, as well as the will to mould the public sector into a more business-like organization.

Peters and Wright (1996) describe three changes that must be accounted when looking at NPM: ‘new managerialism’, ‘new patrimonialism’ and ‘new fragmentation’ (p.629-631). ‘New Fragmentation’ is the division of governmental organizations into ‘units’ (Pollit and Bouckaert, 2011: 45) with more autonomy and ‘new patrimonialism’ has to do with a greater freedom for political leaders to appoint top civil servants. In this case ‘new managerialism’ has to do with the conversion of public servants from policy practitioners into managers, which is one of the most important changes brought in by New Public Management (Peters and Wright, 1996: 629). However, the term ‘new managerialism’ can also be synonym of NPM according to Nolan (2001: xx) and Pollitt (1990). Regardless of semantic differences, in this thesis ‘New managerialism’ (or ‘hands-on management’) shall be regarded as the purpose of giving civil servants more responsibilities than the traditional strictly policy implementation job. As it will be seen throughout this section, each of these changes have rippling effects on other areas of reform that don’t seem to be directly connected. For example, turning public servants into public managers has meant that employment flexibility and staff appraisals have become linked to performance, but at the same time their accountability towards their superior has grown in importance, parallely accountability is a performance indicator and makes part of manager’s new set of responsibilities.

A ‘unit’ usually translates into a specific independent agency or some other sort of administrative division within the public services.
When it comes to staff, besides the linguistic conversion of top public servants into ‘managers’ (Peters and Wright, 1996: 636), these officials are also supposed to change their attitude towards the citizens to whom they provide services to. This change is, yet again, semantic and comes directly from the field of economics as the receivers of public services have become in the eyes of NPM practitioners ‘clients’ and therefore managers should pay attention to their needs, which in turn entails a cultural change in public services and the public servants themselves. Besides this newfound responsibility, managers (and their ‘units’) are also supposed to be achieving results which in turn have become measurable while also counting as part of their evaluation whilst being “encouraged, rewarded and required” (Hughes, 2012: 91). This newly found obsession with results, clearly deriving from the private sector, will be further explored in section 2.3 as accountability is perceived by NPM as part of performance.

Another development has to do with leadership and top civil servants’ attitude towards it, not only as a skill, but as a mandatory characteristic of an official, relating to their individual success and unit’s results alike as, for the most part, heads of units stopped being technical specialists and became full-time managers involved in policy-making (Hughes, 2012: 90). Leadership also calls for managers to be seen as individuals that have to make decisions (as opposed to just following orders as in the TMPA), educate the people working under them and motivate them. Staff regulations have also evolved into a more complex system that comes with much more flexibility. Although the life-time employment defended by Webber didn’t stop existing, NPM created the possibility for temporary hiring – especially for people coming from the private sector – and aims at facilitating firing, according to the individual’s performance evaluations. Lastly, managers have gained more power to manage their own financial resources instead of depending on an established budget or budget changes approval by other sectors of government - i.e. the finance ministry.

As to its relationship with politics, Hughes refers to a fundamental change from the TMPA in which public servants have a ‘master-servant’ relation with their political superiors (2012: 93) as they were only supposed to carry out policies already decided at a political level. The empowerment of managers and lower echelons of the public service intended by NPM is supposed to give them more control of the policy-making
which in turn means that the public officials become a stakeholder. NPM transformed their roles from followers into policy participants, acknowledging that even if theoretically a separation between the two is needed, in practice the opposite has always happened and its part of the job.

Alongside these changes, privatization and ‘contractualism’ – the use of private companies by the public-sector to provide public services – have become one of the most recognizable banners of NPM. And even if these instruments, especially contractualism, had been widely used before (Jones and Kettl, 2015: 463), the shift of the theory’s attention concerned itself with the focus on competitive bids from the private-sector in order to win public contracts (Hughes, 2012: 93). On its own, privatization has had a single purpose: to reduce the size of the public-sector (Boston et al, 1996: 40). This comes back, once again, to the core economic base of NPM in ‘public-choice’ theorists that maintained that the public administration was too big, too costly and too inefficient (Pollitt, 1990: 11).

As it was previously mentioned, the fragmentation of units of public services was amplified by NPM as each organization within the public-sector was empowered. By increasing its responsibilities, the units had to establish their own networks in matters of inter-organizational communication and task choice (Hughes, 2012: 45). In theory, the liberty to conduct its business was a clear increase in autonomy. This move toward ‘empowerment’ is transversal on NPM literature and practice since both managers and lower echelons of the public service should have more freedom to manage, just like their agencies (Peters and Wright, 1996: 632). Simultaneously, all levels should see an increase in accountability towards stakeholders and other external parties (Hughes, 2012: 94).

One of the most important new features introduced by NPM that has wide implications is the introduction of performance measurements with the emphasis on the measurement of outputs (Pollitt and Bouckaert, 2011: 10). These explicit standards and measures of performance affect the general management of public organizations as they are inherently connected to the greater staffing flexibility and staff appraisals, meaning that hiring, firing, promotions and demotions became dependent on how each employee is evaluated and the kind of goals he or she has come to fulfil (Hughes, 2012: 92). As expected, from a managerial perspective, this new focus is linked to
rewards in order to increase the overall unit’s performance. Boston et al (1996: 38) give the example of “Management by Objectives” that was generically adopted throughout the world as one of the techniques to measure performance. Another fundamental of performance has to do with resource allocation for a unit, this means that the whole of the units will be rewarded in the next year’s budget if they achieve their goals (Pollitt and Bouckaert, 2011: 107). From this point, how to measure the accomplishment (or not) of goals has also changed as performance indicators had to be created in a neutral and technical way for each different part of the public sector, as hospitals, schools and or immigration services have very different targets (Pollitt, 1990: 13). And although performance measurement was not in existent before, NPM did introduce many more levels of evaluation with purposes, as it has been described previously. Accountability, the last variable of New Public Management’s focus on performance, will be further discussed in Section 2.3.

2.2.2 Critiques of NPM Reforms

Since its first applications New Public Management has been under plenty of academic and practical scrutiny, from its core values (Pollitt, 1990: 138) to its functional, daily implications in public administrations all over the world6. Some have even taken a next step and proposed a new model of Public Management to substitute NPM: New Public Governance (NPG).

As New Public Management is deeply rooted on economic theories, the ideological economics biases that have prevailed around the world since the 1980’s - most commonly known as neoliberalism - misses the fundamental point that humans don’t always follow rational behaviour, making the economic models in which neoliberalism stands difficult to apply (Hughes, 2012: 94). Furthermore, the NPM proponents lack a clear distinction between what is economics, politics and public management. This makes the NPM-reforms hard to transpose from one of these areas

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6 A few examples are: Parry’s criticism of higher education reforms in the United Kingdom (2001), Rieder and Lehman’s review of NPM reforms in Switzerland (2015) or Pollitt and Bouckaert’s perennial book Public Management Reform (2011, 3rd edition) that reviews individual country cases.
to another, making its application unclear, which then leads to a failure of implementation. One solution to counter these flaws is the field of behavioural economics as basis model for public management reforms (Hughes, 2012: 94). Using the same line of thought about the difficulties of translating economic models into public management, both Pollitt (1990: 119) and Hughes (2012: 95) point out that public services aren’t the same as private services since consumers are also citizens with inherent rights. This complexifies a problem that NPM itself created: the notion that public services users are ‘consumers’. Although some of the main NPM goals concern themselves with providing more efficient public services so that tax-payers get their ‘value for money’, the private management ideas on its core make it harder to determine objectives and setting goals in the public sphere since the two sectors have different inherent purposes (Hughes, 2012: 96). This limits the transfer of knowledge since the different environments are not accounted for.

The break with the Traditional Model of Public Administration was supposed to have solved problems like corruption with measurable performance standards and proven accountability, nonetheless the private-sector also has problems on its own with regards to unethical behaviour, which might lead to a generalization that nothing has changed on these matter (Hughes, 2012: 100). Conversely, as NPM is rooted on individualism and efficiency, the entrepreneurial attitude that managers are supposed to show can lead to their own exploration of gaps for self-benefit through the ignorance of the ‘customers’ (Pollitt, 1990: 140). The same applies to the working culture in public agencies as previous ideas and practices are not entirely dismantled, but built-upon (Pollitt and Bouckaert, 2011: 12). Furthermore, Pollitt (1990: 24) disputes this idea of a cultural shift in public management practices since in the TMPA there was a profound gap between the reality of practical exchanges between administrative staff and client and its theoretical ideas. Therefore, when compared to NPM’s post-reform supposed makeover of the relationship between staff and client into a new triangular relationship between managers, clients and results, it seems not to have been such an extreme change as claimed (Pollitt, 1990: 24).

The performance measurements thought by Taylor, that have comeback in NPM in the form of Neo-Taylorism, were a way to provide information to the public-sector on its own results and not on a way of establishing procedures of evaluation
Academics are also sceptical on the implementation of these measurements and their effect on workers morale: the top-down reform approach might have led to a negative reaction from the lower echelons if the changes didn’t entail proper training for staff. At the same time, the new generations, partly shaped by NPM and a different era, have very different views and future prospects than the older staff (Hughes, 2012: 101). On top of all of that, the profound difference between public and private ways of providing services means that the staff’s reaction to NPM’s business-approach to public administration, with a focus on efficiency rather than on effectiveness, has alienated the ‘street-level bureaucrats’ draining their morale (Pollitt, 1990: 130). A relevant question is asked by Behn (1998: 221), if Public Management can learn from the private sector why is there no interest in learning from the knowledge already obtained by decades or centuries of practice from the public-sector itself?

The freedom to hire and fire by managers, besides making their subordinates job perspectives more unstable, has also raised questions about the dealings between top-managers and politicians since the first can be appointed by the later. The realization that there is no utopian separation between politics and administration that gives NPM a more realistic approach to this issue doesn’t automatically mean that political appointments due to party affiliation or as a tool to punish non-compliant managers won’t be used (Hughes, 2012: 97). The politicization of top civil servants has been an issue in some countries that had historically apolitical administrators until NPM-styled reforms (Peters and Wright, 1996: 635) increasing the risk of corruption in case politics and PM are mixed as the system becomes more political and personal. (Hughes, 2012: 98). Lastly on this issue, some point out that this strategy also helps ministers and other political players out of the ‘firing-line’ in case of a problem or scandal, making managers responsible for the mistakes made under their supervision (Peters and Wright, 1996: 635).

On the case of privatization and contractualism, a very simple idea is put forth as its main criticism: does it work on every situation? The answer given by Hughes (2012: 97) is quite simple: it depends on the skills and objectives of whom makes the contracts or sales, how beneficial are the agreements for the State and if they fit the needs of an agency. At this point it becomes obvious that NPM doesn’t have a simple
and foul-proof solution to problems that are inherently human like the possibility of one to be corrupted or to mismanagement.

Units becoming smaller and more disaggregated has led to a bigger distance between policymakers and policy practitioners, i.e. street level bureaucrats, in the cases where the later aren’t involved in the policymaking process (Hughes, 2012: 98). This also means that coordination with stakeholders and other entities can also be permeated to lower linkages in an uncoordinated way (Peters and Wright, 1996: 631).

To provide possible solutions to these problems, the most recent theory to counterbalance NPM is New Public Governance. Stephen Osborne (2006) describes it as an evolution of NPM that is “rooted firmly within organizational sociology and network theory and acknowledges the increasingly fragmented and uncertain nature of public management in the twenty-first century”. NPG’s focus is on processes and inter-organizational relationships aiming to build trust to finally enhance governance (Osborne, 2006; 384). These means that both internal workers and managers should strive toward a symbiotic relation with the environment in which they participate. NPG also sees itself as the next evolutionary step after NPM by criticising many of the proposed goals of NPM and introducing an alternative to it. One concept that NPG borrows is performance with the different aim of providing better governance instead of better results (Pollitt and Bouckaert, 2011: 127).
<table>
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<tr>
<th>NPM Reforms</th>
<th>NPM Reforms Critiques</th>
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<td>Top public servants turned ‘managers’ that become involved in policy-making, with more powers and should act as ‘leaders’</td>
<td>Lack of applicability of neo-liberal economic thinking to politics and PM due to differences between public and private sectors</td>
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<tr>
<td>Performance measurement, indicators and goal/objective setting becomes mandatory for individuals and ‘units’</td>
<td>Citizens have inherent rights that ‘clients’/consumers don’t</td>
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<tr>
<td>Accountability becomes part of performance and is directed towards outside stakeholders</td>
<td>Contractualism and privatization are not fool-proof systems as the private sector also can also be plagued with corruption, performance and accountability issues</td>
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<tr>
<td>Hiring and firing flexibility in the public sector</td>
<td>NPM didn’t completely erase the TMPA as working cultures change slowly</td>
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<tr>
<td>Use of the private sector to provide public services</td>
<td>Staff morale issues from performance measurement and career instability</td>
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<tr>
<td>Units’ budget allocation starts depending on their performance, just like staff’s careers</td>
<td>Possibility of inadequate political appointments</td>
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<tr>
<td>Increase in units and managers autonomy</td>
<td>Unit fragmentation might lead to coordination problems</td>
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<td>Receivers of public services start being treated as ‘clients’</td>
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Table 2. Summarised NPM reforms characteristics and main critiques.
2.3 Accountability in the Public-sector

2.3.1 Accountability in Public Management

To understand the evolution of accountability in Public Management is important to go back to the Traditional Model of Public Administration in order to explain its evolution under New Public Management into a variable of performance that is meant to be measurable.

Starting with Wilson’s separation of politics and administration, one of its main facets had to do with a “clear relationship of accountability and responsibility” (Hugues, 2012: 53) as every single public official was supposedly accountable to the hierarchy and the rule-system that it was supposed to follow. The same applies to Weber: one focus of his principles was on the respect for the hierarchy, which meant that administrators would answer to politicians and within public administration the lower echelons would have to follow and apply the paths laid down by their superiors. Although a ‘master-servant’ relation can be seen in the TMPA between politicians and administrators (Hughes, 2012: 185), the depoliticization that was meant to happen and never fully existed in practice meant that the accountability procedures might not have been as straightforward as they were supposed to.

After the switch to NPM, accountability became part of performance measurement. Staff appraisal processes show the overall performance of the agency and those working in it. In practice, it includes ‘objective setting’, ‘strategies monitoring’, individual, managerial and the agency’s evaluation (Agyemand and Ryan, 2014: 5). This makes accountability two-fold: inward, by bringing transparency within the agency, and outward, towards stakeholders. The supervising authority and the accountable party are then subjected to evaluation interactions that have practical effects on their work-place relation (Romzek, 2015: 29). Kearns (2008: 153) points out that NPM’s performance-based accountability paradox doesn’t erase the TMPA compliance-based hierarchical accountability, but it builds on it by becoming measurable to the whole hierarchy. It is then a systemic and institutionalized part of any public organization’s agenda by defining outcomes, outputs, measurable mechanisms, standards, improvement, responsibility and linking input and outputs and
outputs and outcomes (Peters, 2007: 20). Nevertheless, some of the literature also contradicts these ideas by assuming that private performance measure accountability is inward oriented while the equivalent for the public-sector is outward oriented (Agyemang and Ryan, 2014: 3).

Even if theoretically NPM reforms should improve both accountability within an organization and toward stakeholders, a lot of criticism has arisen as the idea seems ill-devised and incomplete. Some regard it as managerial and purely internal, lacking a truly democratic stakeholder-oriented sort of accountability (Kearns 2008: 154), whilst others think it actually reduces overall accountability as there is merely a transfer of whom to be accountable to from the politicians to the managers (Hughes, 2012: 97). It is also argued that in practice accountability was a very distant third from principles such as ‘value for money’ and efficiency for the Conservative governments in the United Kingdom that were the first to impose NPM principles on their public administration (Flinders, 2001: 10). For instances, in the specific case of United States’ education reforms under Presidents Clinton and George W. Bush, increasing school’s accountability seems to be perceived by law-makers as the main tool to improve results and quality of education (Behn, 2015: 21), a clear performance-based NPM way to approach the subject of education. Yang (2012: 268), in consonance with this line of thought, argues that accountability is not only a structural property of the system – as seen by NPM – but also as an interaction that shapes the behaviour of agents. These interactions also have practical consequences, for instances Wilkinson (2005: 16) points out that the United Kingdom’s National Audit Office found out that between 2001 and 2004 public agencies would mainly focus on achieving their targets on priority and neglecting other areas that weren’t as valuable on their reviews. Lastly, Bovens and Hart (2005: 3) argue that ideas such as benchmarking, monitoring, accreditation, planning or control cycles are not technically accountability but an intention to make policy makers justify themselves about what and how they do.

2.3.2 Defining Accountability

Due to all these different theoretical views and practical confusion when it comes to applying accountability, it becomes clear that as a concept it is a problem in itself.
Bovens et al (2010: 32) explain that the dictionary definition of accountability is quite hard to translate since the English word and the concept behind it often lead to a semantic mix-up, which has moved away from the medieval origin of the word rooted on financial bookkeeping (Bovens, 2005: 183), but it is still seen as a virtue which leads to a normative focus when studying it (Bovens et al, 2010: 33).

Regardless, all characteristics of ‘accountability’ put forth up to now seem to have a common point: the need to hierarchically respond about what was done by an individual or organization to someone else (Peters, 2007: 16). There is then the need to define accountability due academic soundness. Hence, as Yang did (2012: 257), this thesis will follow Bovens et al (2010: 35) definition of accountability as:

“A relationship between an actor and a forum, in which the actor has an obligation to explain and justify his or her conduct, the forum can pose questions or pass judgement, and the actor may face consequences”

This definition pushes through the mere notion of answerability – a formal means of response to an institution (Dubnick and Romzek, 1987: 228) – and involves a plurality of parties, as well as informal means of accountability, by using simple but precise words as ‘a party’ and ‘a forum’, which includes other processes outside of the legalist scope and which, according to Yang (2012: 257), “increases the sense of liability among agents of governance”. This is essential as one of the main and most informal forms of accountability is that of any singular person or institution towards the media. As Dubnick and Romzek (1987: 226) put it, accountability has to do with inner-organizational and outward expectations and relations between managers, employees and the stakeholders. Conversely, several types of accountability emerge from these expectations and interactions as people and organizations face different accountability challenges coming from expected or unexpected parties (Yang, 2012: 258), like a performance review or a committee set up to investigate a scandal, respectively. Lastly, accountability is also different from control, while being a form of control, it does not mean that any form of control is an accountability mechanism (Bovens et al, 2010: 39). As seen in previous section, this concept is fitting to the NPM’s accountability characteristics.
Bovens et al (2010: 35-49) go on to expand their concept of accountability by defining accountability’s elements, building blocks and different types of accountability that can be discerned. It’s based on a ‘principal-agent’ theory which states that a ‘principal’ hands over some of its powers and responsibilities to the ‘agent’ so that the latter can pursue and realise its goals. Unfortunately, agency theory also comprises the fact that the agent tends to not fully apply the behaviours that were imagined by the principal (Mitnick, 1975: 27). When this theory is applied to accountability, it constitutes obligations of the agent towards the forum – not necessarily be the principal – which can be formal or informal and can produce abstract accounting elements. Bovens cycle starts with the explanation and justification of the conduct by the agent to the forum, which is followed by the forum’s investigation of the facts and, finally, the passing of judgement by the forum on the agent’s actions and the consequences that it must accept. It’s crucial to understand that the judgement of the agent’s actions and the consequences can both be positive or negative, accountability is often viewed as a way to pursue and punish mistakes or serious misconduct, but it can also reward good behaviour if that is the case.

Bovens definition can be separated in seven steps, or building blocks, that simplify it even more and make it even more comprehensible:

7 Building blocks of Accountability:

1. There is a relationship between an actor and a forum
2. In which the actor is obliged
3. To explain and justify
4. His or her conduct
5. The forum can pose questions
6. Pass judgement; and
7. The actor may face consequences

Table 3. Seven Building blocks of Accountability.
Source: Bovens et al 2010, Box 3.1, p. 37.
Finally, the authors point out that accountability is a separate concept from control. Although they recognize accountability to be a form of control, they also point out that not every form of control is an accountability mechanism, being the definition of control much more far-reaching (Boven et al, 2010: 39).
3. Theoretical Framework

This chapter will present the relationship between New Public Management reforms and accountability based on each variable’s description developed in the previous chapter in order to create a working conceptual framework and then present this thesis’ hypothesis that shall be tested later on.

In order to do so, Section 3.1 will further advance the in-depth useful characteristics of accountability, Section 3.2 then will focus on the linkages between NPM reforms and accountability in the public-sector, Section 3.3 will present the conceptual framework to evaluate accountability in New Public Management reforms. Finally, the hypothesis presented on Section 3.4 will relate both to the conceptual framework and the choice of a Research Design on chapter 5.

3.1 Defining Accountability’s variables

Before the framework that is supposed to show how to best measure accountability, it is necessary to breakdown accountability to its different levels and relations to the public sphere and only after that can one understand which variables apply to the case study that will be presented in chapter 4 and the findings analysed in chapter 6. This section will mostly follow Bovens et al (2010) analysis of accountability that was used in the book “The Real World of EU Accountability” and it will include Yang’s (2012) proposal of ‘felt accountability’ as an extra factor to take into account, since this thesis will also be based on interviews with people working for the European Commission.

As it was mentioned in the previous chapter, accountability is neither only control nor answerability while these are part of it. In the same manner, accountability has a facet of prevention and participation in it, which can lead actor to adjust their behaviours when they anticipate a negative evaluation making “ex post facto as an influence on ex ante policymaking” (Bovens et al, 2010: 39).

These details mean that there is a need to form an Accountability Regime in which there is a need for a logic and a repetition of explanation and justification
towards fora. Therefore, these repeated interactions are supposed to be interconnected arrangements towards an actor (Bovens et al., 2010: 40).

To make an Accountability Regime work is thus needed, according to Bovens et al. (2010) to ask four questions:

- To whom account to?
- Who is to account?
- What to account for?
- And why account?

In order to answer the all these questions there is need to dissect types of accountability. As for the types of accountability related to the first question “To whom account to?”, we start with Political Accountability which is based on the ‘theory of democratic chain of delegation’. Simply put, it revolves around a series of principal-agent relationships that start with the citizens, whom elect politicians which, with more or less steps in between, appoint public officials and/or are in charge of the administration, the last link of delegated power (Bergman and Strøm, 2004: 90). In the case at hand the chain of delegation starts with the European voters that elect the European Parliament which in turn approves the composition of the College of Commissioners proposed by the European Council and the College of Commissioners takes charge of the European Commission’s civil service. Political Accountability goes the other way around starting with the EUCO’s civil service up until the EP members that answer to the European citizens in the polls (Bovens et al., 2010: 42). This chain answers Dubnick and Romzek’s (1987: 229) question: “Whom does the public administrator represent?” in the EU context.

The next important form of accountability is to Courts. Legal Accountability is one of the most logical and simple forms of accountability since the legal system is an accountability system in itself since anyone person or institution falls under its

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7 This theory only encompasses democratic regimes. And although there are many whom criticize the EU for not being fully democratic, this chain of democratic delegation still applies in a more complex manner due to the EU’s complex institutional framework.
jurisdiction (Dubnick and Romzek, 1987: 229). In the case of the EU Legal Accountability takes the form of the European Court of Justice (Bovens et al, 2010: 43).

Administrative Accountability has to do with the “quasi-legal forums” that the civil service has to answer to. This has to do, in the case of the EUCO, with other parts of the administration like internal Financial Control Unit or externally the European Anti-Fraud Office (OLAF), the European Ombudsman and the Court of Auditors (Bovens et al, 2010: 43).

Professional Accountability comes within the inner workings of organizations and the professions represented within. These are the systems in place put forth by professional associations (i.e.: a Doctors Association) to deal with complex issues regarding a specific type of job (Dubnick and Romzek, 1987: 229) or internal disciplinary committees that include their own codes of conduct and are peer-reviewed (Bovens et al, 2010: 43).

The last type of accountability that helps answer the question of “To whom account to?” is Social Accountability. As it has been mentioned before, there are other parties that are not directly linked to the chain of democratic delegation. These are the stakeholders such as interest groups or charities that have dealings with certain areas of policymaking and are interested in influencing or reviewing policies. In the European arena this last type has greatly developed in the last decades since there is much more information available online such as results, inspections or benchmarks (Bovens et al, 2010: 44).

The second question raised by Bovens et al, “Who is to account?”, is, according to the author, part of the ‘problem of many hands’ which derives from the fact that policies are not created by one individual neither one agency only (2010: 44). As mentioned before accountability is not only negative, so it can become confusing to know whom to reward, credit, blame or punish.

Corporate Accountability is the institutional responsibility for their actions (Bovens et al, 2010: 45). In other words, this is the first instance of determining who is responsible for a certain action, starting with the institution itself. The second level is named by Dubnick and Romzek (1987: 228) as Bureaucratic Accountability, listing it as the mechanisms used to manage expectations within public agencies. It mostly comprises the setting of priorities decided by the top of the hierarchy in policymaking.
This second level is another way of explaining Hierarchical Accountability as put forth by Bovens et al (2010: 45). Both authors relate these two types deeply to Political Accountability since the top bureaucrats are the first ones to answer to their political supervisors due to the chain of democratic delegation. In the EUCO, Commissioners are not fully political neither are they civil servants, which begs the question, do they have administrative, political or hierarchical accountability? At the very least they have Collective Accountability towards the EP (Bovens et al, 2010: 45).

The bottom level is Individual Accountability, probably one of the most problematic types to be analysed since it’s where the ‘problem of many hands’ makes itself more visible. Individual Accountability can be just a reward from the systems in place over good performance or decisive action, but at worst it can be used to determine the extent of someone’s failures, a way for the principal to change an agent’s behaviour or as a scapegoat for organizational failures since there might be other motives like outrage or catharsis behind it (Bovens et al, 2010: 46). And although the main framework to the analysis that will follow in chapter 6 stands mostly on Bovens et al, Yang (2012: 271) adds another type of accountability that relates closely to the Individual one: Felt Accountability. This implies the actors’ own perceptions of accountability and how one answers all the four questions displayed previously. Yang suggests that the process of decision-making within a public organization is heavily influenced by the individuals’ perceptions of their actions and the risks they face by taking them relying on their own moral compass and their perception of how accountability systems work. In his model of felt accountability, Yang (2012: 272) borrows several dimensions – such as intensity, confusion or salience – and puts them into play with the formal accountability system within an organization. In the end he also reckons that the influence of the agent’s effects on the accountability systems mustn’t be disregarded (Yang, 2012: 273).

As to the third question “What to account for?” Bovens et al (2010: 46) make it quite simple: it depends on the forum where one is judged. The two possible answers are the procedures and processes or the product and content, both regarding policy-making and public management.

Finally, “Why account?” can be seen in two opposite ways: by choice or obligation (Bovens et al, 2010: 46). This then leads to two distinct types of
The first is Horizonal Accountability in which there are no formal obligations but in which an actor still feels the need to account to either due to its moral convictions or as a strategy is. On the opposite end stands Vertical Accountability, in which the forum has power over the actor, as in a principal-agent scenario, it is based on laws and regulations and relies on disciplinary committees or equivalent boards (Bovens et al, 2010: 47).

With all of these types of accountability in mind it is now necessary to choose which ones apply to the New Public Management reforms that involve accountability in order to answer the Empirical Research Questions posed earlier without forgetting that in many ways they overlap. For instance, Administrative Accountability and Hierarchical Accountability both relate to the mechanisms put in place to oversee internal checks on the organization’s processes, and they highly correlate to Political Accountability since the administration is under the supervision of the political officials. This does not mean that the types of accountability are the same, but that they work in a closed system in which moving one piece might directly disturb the one next to it.
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<th><strong>Related Issue</strong></th>
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<td>Administrative</td>
<td>Chain of delegation</td>
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<td>Professional</td>
<td>Chain of delegation</td>
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<td>Hierarchical</td>
<td>Problem of Many Hands</td>
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<td>Individual</td>
<td>Problem of Many Hands</td>
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<td>Felt</td>
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<tr>
<td>Procedures and Processes</td>
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<td>Vertical</td>
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<td>Legal</td>
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<td>Collective</td>
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<td>Product and Content</td>
<td>Policymaking and Management</td>
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<td>Horizontal</td>
<td>Moral Choice</td>
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Table 4. Types of Accountability and their related issues.

*Based on the characteristics described by Bovens et al (2010: 46-49) and Yang (2012).*

### 3.2 The Importance of Accountability in Public-sector Reforms

After having defined accountability in the previous chapter, it is now necessary to shine a light on the relationships between accountability and reform. Although this thesis will not concern itself with the reasons why these transformations occur, which processes set them in motion internally or how outside actors can demand change, it cannot ignore a crucial relationship between citizens and their influence on public administration and management. Even if these two seem distant, they can be translated into the theory of ‘chain of democratic delegation’. On the opposite direction, NPM concerns itself with the direct relation between how administration should handle and work directly for ‘customers’.
This theory reflects Bovens’ definition by seeing the principals as the forums and the agents as the actors. It also produces another chain, one which starts in the public administration and goes all the way back to the voting citizens, the consequence of delegated power is the obligation to explain and justify their conducts to their principals, and so on, until the top of the chain. This is the ‘reverse chain of accountability’ which makes the citizens the ‘ultimate principal’ (Bergman and Strøm, 2004: 92). It must also be referenced that in each link of the reverse chain there is a different type of responsibilities that have to be evaluated by the principal since this leads to one of the biggest problems with accountability: the ‘problem of many hands’ (Bovens, 2007a: 455), which makes it quite difficult to sort out who is responsible for what in which situation since each chain has multiple number of links that translate into a plethora of functions and can even lead to a point of confusing who is responsible to pass judgement on which actor.

These theories are the start of a critical framework to understand how to evaluate accountability since, as it has been established in the previous chapter, it doesn’t mean the same for everyone. The problem becomes even more critical during times of administrative reform since there are procedural innovations established, old administrative cultures that don’t vanish with the new rules and a theoretical increase in oversight. Bovens and Hart (2005: 5) point out that the consequences may be distinct, ranging from the ‘accountability trap’, in which the requirements are met more regularly due to organizational adaptation without meaning more efficiency, to the discouragement of innovation due to the new amount of red-tape or the subversion of management to deal with the new criteria.

All of this means that accountability must be divided into several variables in order to be evaluated since any change can have different effect on how an actor justifies itself to one or more forums.

3.3 Framework: how to measure accountability.

The main idea behind accountability evaluation criteria from Bovens et al (2010: 55) on the administrative point of view has to do with how it allows public officials and agencies with the tools to interpret the feedback from their actions and services in
order to improve their efficiency and effectiveness. This begs the question: does controlling accountability enhance or hamper public service and its ability to adapt and create new solutions? To which Bovens et al reply that the level of accountability determines the accomplishment of the best societal outcomes. According to another article by Bovens (2007a: 462), the effects of the various types of accountability described before may lead to accountability deficits that represent a lack of accountability arrangements or to accountability excesses that make the arrangements dysfunctional due to their number and accumulation. Once again, the double edge of accountability is present: too many systems can hamper the work developed and to little might make it less efficient. Nonetheless, it’s important to realize that on a daily level, managers have a clear notion, without the need for formal evaluations, about the performance of the people working under them and they know whom to ask for each kind of work (Romzek, 2015: 31). Bovens (2007a: 2010) presents three perspectives to evaluate accountability: Democratic, Constitutional and Learning. The Democratic Perspective is directly connected to the controls over the executive branch of government by the voters through the democratic chain of delegation (Bovens, 2010: 54). Therefore, the Democratic Perspective falls outside of the scope of this thesis since we will try to evaluate changes in accountability in the administration of the European Commission and not its elected government, which would make the Perspective’s application impossible in the present case. Bovens and Hart (2005: 11-12) provide us with questions that can be helpful in sorting out how to use these tools for a concrete evaluation of accountability as it’s presented on tables 5 and 6.

The first of the two is the Learning Perspective which the author links to “Enhancing Government Effectiveness”, which directly connects with two of the main three focuses of NPM-reforms: effectiveness and efficiency of public services. Accountability is therefore seen as a tool, or a promise, by organizations to deliver high quality public services and policies (Bovens, 2007a: 464). The accountability mechanisms in place should provide feedback to improve the effectiveness and efficiency, stimulating public officials and agencies to get the best possible outcomes (Bovens et al, 2010: 55). In the EUCO context, this perspective is useful to understand if the output-based approaches like Strategic Planning and Programming, Activity-
Based Management and other mechanisms – which will be explained in chapter 4 – can be used as appropriate feedback or not (Wille, 2010: 82).

**Learning Perspective**

a. Does the accountability arrangement produce information about administrative behaviour as well as about its historic, cognitive, normative and organisational foundations?

b. Does the accountability arrangement provide a setting and a set of interaction routines that stimulates reflection among both accountees and accountors?

c. Does the accountability arrangement stimulate the accountability forums and the administrative actors to (supervising) the institutionalisation and dissemination of lessons learned?

Table 5. Learning Perspective concrete evaluation questions.

*Source: Bovens and Hart, 2005, p.12.*

The other factor is the Constitutional Perspective. The nomenclature is misleading as this criterion has to do with accountability as a means to stop abuses of power within the executive branch of government, which is responsible for public administration (Bovens *et al*, 2010: 55). In practice this is no more than the systems of accountability that are imposed by organizational rules such as internal audits in order to prevent unethical or criminal behaviour from happening (Bovens, 2007a: 464). Applied to this analysis of the Commission it means that the European Anti-Fraud Office (OLAF), regular audits (internal and external), codes of conduct and a whistle-blowers’ code may improve accountability.
Constitutional Perspective

<table>
<thead>
<tr>
<th>a.</th>
<th>Does the accountability forum have enough investigative powers and information-processing capacity to reveal corruption or mismanagement?</th>
</tr>
</thead>
<tbody>
<tr>
<td>b.</td>
<td>Does the accountability forum have incentives to engage in proactive and alert account holding?</td>
</tr>
<tr>
<td>c.</td>
<td>Do the relevant public executives and bodies have sufficiently strong incentives to engage in proactive and sincere account giving?</td>
</tr>
<tr>
<td>d.</td>
<td>Are the available sanctions strong enough to have preventive effects?</td>
</tr>
<tr>
<td>e.</td>
<td>Does the accountability arrangement help to discourage corruption and improper administrative conduct?</td>
</tr>
</tbody>
</table>

Table 6. Constitutional Perspective concrete evaluation questions.

*Source: Bovens and Hart, 2005, p.11.*

These questions will be the theoretical basis for the questions made during the interviews and that will be analysed on chapter 6 with EUCO officials and that can be found on Appendix 2.

3.4 Hypothesis

This thesis has chosen one hypothesis to be tested by applying the Framework previously described to EUCO staff. As it was covered before, NPM’s broad definition and use of accountability expanded the need to answer to stakeholders and clients (outward), building on and adding to the purely hierarchical definition of the TMPA (inward) (Agyemand and Ryan, 2014: 3-5). It also means that the wider set of possible outcomes will have practical results on individual and unit performance, work-place relations and stakeholders’ interactions (Romzek, 2015: 29). Moreover, in this thesis’ specific case, the problems facing the EUCO before the Kinnock Reforms such as fraud, mismanagement and nepotism, should - theoretically - disappear with the application of NPM’s solutions.
Therefore, the first part of the hypothesis is associated with the inner organizational workings of the European Commission since, according to the literature, NPM-reforms involving accountability should improve the performance of the civil servants involved in policy-making and the Learning Perspective of the Framework focuses on internal feedback mechanisms that should improve efficiency and efficiency and therefore increase accountability. The second part of the hypothesis has to do with outward changes in accountability in the EUCO as the New Public Management reforms on accountability focus on the policy outcomes for costumers and stakeholders. It also relates to the Constitutional Perspective presented before as it concentrates on stopping unethical behaviour within an organization and abuses of executive power. This way, as the results from the interviews, which are based on these two Perspectives, can directly confirm or deny the following hypothesis:

Hypothesis: If the changes made by the NPM-styled Kinnock reforms were effective, then accountability within the European Commission and accountability towards its stakeholders would have increased.

As it was shown on the first chapter, the Kinnock reforms were made under the assumption that they would improve accountability in the Commission. Although at first it might seem tautological that this hypothesis encapsulates the core of the expectations of those whom brought the reforms into form, it also makes it simpler to answer the main Research Question: “What are the effects of New Public Management, introduced during the Kinnock reforms, on accountability in the European Commission’s bureaucracy?”. 
4. The European Commission in the eve of the Kinnock Reforms

The European Commission (EUCO) is one of the most important institutions within the European Union, it has a double function of being the executive branch of the EU - or the closest it can be to an executive (Moravcsik, 2002: 610) - and its civil administration. Created in 1967 by the Merger Treaty, it was embedded with the powers of “Guardian of the Treaties”, initiation of legislation and the ability to start procedures against Member States or institutions that don’t comply with the treaties (Jones, 1994). Its power, scope and responsibilities grew in time with the consecutive treaties, policies managed commonly and the EU’s expansion from 6 to 28 States. This also means that the civil service that it entailed has also grown, although it remains small at around 32,000 (European Union, 2018), especially when compared to national public administrations in total numbers and as proportion of the total population.

This chapter will purposely disregard the inner workings of the EUCO and theories surrounding since the aim of this thesis is to evaluate the impact of the Kinnock Reforms on the Commission’s accountability. Previously, in Section 1.1, the fraud, mismanagement and nepotism allegations that led to the fall of the Santer Commission in 1999, explained the need for reforms. Now, Section 4.1 will focus on the general points of the reforms implemented by the Prodi Commission between 1999 and 2004, whilst Section 4.1.1 will focus on the changes introduced and Section 4.1.2. will deal with the New Public Management practical points introduced and Section 4.1.2.1 with the innovations in the accountability of the EUCO. Section 4.2 summarises the academic literature’s evaluation of the changes brought by the Kinnock-reforms.

4.1 The Kinnock Reforms

One of the structural problems that affected the EUCO until 1999 was its administration. It was considered by scholars an ‘unmovable object’: from its inception
to 1999 nothing seemed to have truly changed in the way it was managed (Cini, 2000; Balint, Bauer and Knill, 2008; Kassim, 2008; Kassim, 2012; Can, 2015; Connoly, Murdoch and Kassim, 2017). This was especially alarming taking into account that as the EU grew in scope and number of Member States, and so did the Commission but without adapting to modern ideas of management and the reality that it was supposed to administer (Kassim, 2008: 648). As it was pointed out before, the Commission’s civil service was modelled-out from the French and German’s public administration from the 1960’s (Ban, 2015: 4) which made it fit into the Continental/Napoleonic-styled public administration, and therefore part of the TMPA. But unlike its original counterparts that were affected by the wave of New Public Management reforms starting in the late 70’s, staff regulations, financial management or planning systems remained rigid (Kassim, 2008: 650; Ban, 2015: 5). Ballint et al (2008: 683) give the example of the recruitment and selection process that was “heavily influenced by individual Commissioners, cabinets and member states”, this high level of discretion was one of the factors that lead to the downfall of the Santer Commission as Commissioner Cresson used her authority to hire a long-time political ally that was in no form competent for the post he got (CIE, 1999: 138).

Although many viewed the EUCO as arrogant and unaware of its internal problems until then (Kassim, 2008: 650), the truth is that there had been previous attempts to reform by President Santer during the beginning of his term that faced a lot of internal opposition, especially from the worker’s union (Ban, 2015: 5). With a renewed mandate for reform, the other Europeans Institutions and public opinion on his side, Commissioner Kinnock took the chance to reform to its last consequences. Its main goals were to modernize and change the internal culture of the EUCO in order to reduce corruption and improve oversight (Ban, 2015: 2). In order to achieve these goals, Romano Prodi instructed Neil Kinnock to follow the recommendations from the CIE’s second report (Kassim, 2012: 215) and so Kinnock started his work based on the following principles: Independence, Responsibility, Accountability, Efficiency and Transparency (Kassim, 2012: 216).
4.1.1 What changed?

Three general areas were affected by the Kinnock reforms: ethics, financial management and personnel regulations. As it had been mentioned by the first CIE’s report, the weaknesses in these areas were what lead to the possibility of criminal acts that later provoked the downfall of the Santer Commission.

When it came to a more ethical behaviour, new codes of conduct for Commissioners and how they deal with their departments were implemented as well as rules for senior official’s appointments. At the same time, Director-Generals were only allowed to stay five years in the same post and the Commissioner’s cabinet had to become smaller and more multinational (Kassim, 2012: 216).

On the topic of financial management several new tools were created. The Strategic Planning and Programming (SPP) cycle was introduced with the aim of controlling multiannual objectives (Kassim, 2012: 216). SPP created its own methodology for the making of Impact Assessments in the hopes of improving governance and then became central to the development of new policies by the EUCO by strengthening the patterns of work of the Commission and increasing outward transparency by keeping track of the objectives set and making the EUCO engage more systematically with stakeholders (Tholoniat, 2009: 228-232). Another tool that was implemented was Activity-Based Management (ABM) which was created to link the allocation of financial, personnel and informatics resources to priority areas, while the less important areas would be out-sourced (Kassim, 2012: 217). The creation of the SPP was also established in connection with the Secretariat-General of the Commission so that it could support the College of Commissioners into taking sounder and more coherent policy positions whilst facilitating dialogue with the other European Institutions (Barzelay and Jacobsen, 2009: 323). Conversely, Financial Control Units were created inside each DG, the overall Financial Control Unit was separated from the Financial Audit Unit, which mean that each Director-General became responsible for their departments. This also implied the creation of Central Financial Service to oversee these individual Units (Kassim, 2012: 217).
Lastly, on staff changes, one anecdotal example of how complicated it was to fire EUCO’s civil servant before the Kinnock reforms, was the fact that only one employee had been sacked for bad performance until 1999 and that process prolonged itself for 9 years until a final judicial decision (Kassim, 2012: 217). Changes were introduced on professional development in the form of training, strengthening equal opportunities and an internal code for whistle-blowers was put forth. Nevertheless, the biggest change was the new career structure that created only two types of employees: Administrators and Assistants. This new career structure included ways to switch areas inside the Commission easier and laid the ground rules for more motivation dependent on career advances. These advances were made by a new point system of appraisals named Career Development Review (CDR)\(^8\) (Kassim, 2012: 217). So that the CDR could work in a comparable manner, job descriptions were also introduced (Ban, 2015: 8). Recruitment also changed into a merit-based approach to avoid political criteria of selection and suiting the future needs of the Commission, also with a secondary aim of diversifying the nationalities working in the EUCO\(^9\) (Ballint, 2008: 678-681).

4.1.2 NPM in the “new” Commission

As mentioned on section 2.2, it’s fairly straightforward to identify some immediate connections between New Public Management and the principles for reform provided by Commissioner Kinnock: efficiency and accountability are two major changes brought by NPM to administrative reform. These new tools are the embodiment of the NPM-reforms into the administrative workings of the EUCO. Prior to the reforms, there was a separation between budget and policy-making in the EUCO (Kassim, 2012: 213) which SPP and ABM helped link by using strategic planning and resource allocation to improve efficiency, increase ‘value-for-money’ and bringing contractualism into the EUCO, all prescribed by NPM. And even if NPM practices vary from organization to

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\(^8\) The CDR became so contentious that it was re-reformed in 2007 and then terminated in 2012 (Kassim, 2012: 218).

\(^9\) It’s also important to note that these reforms came during the preparation for the 2004 and 2007 enlargements that meant twelve new nationalities would be able to apply for jobs at the EUCO.
organization, the values behind them remain and make them easy to spot (Ban, 2015: 6). CDR - the system of appraisals - is another textbook example of NPM as it introduces performance management and internal accountability to the Commission’s staff. Simultaneously, the reforms had the purpose of changing how the Commission was managed and its working culture with modern tools - as it was seen as a monolith up until that moment (Ban, 2015: 6). The work flexibility brought in by the overhaul of the Staff Regulations is another example of the reach of NPM thinking. The impact of NPM-styled change is made clear in Ballint’s (2008: 685) statement “[The Commission] has moved somewhere in between the positions of the Continental and Anglo-Saxon/Scandinavian models”, which is confirmed by Kassim’s calculations in the following figure:
Figure 1. Human resource management in Commission and selected EU countries.

Source: Kassim, 2012, p. 223.
4.1.2.1 Post-reform NPM Accountability

The “Report from the Commission on European Governance”, also known as the “White Paper on European Governance”, by the European Commission (2003a) only approaches accountability ‘after the fact’, as a retrospective according to Bovens et al. (2010: 38). The authors argue that the increase in consultation, participation and deliberation from different stakeholder is quite dissimilar from more accountability since it came with no justification, judgement nor consequences, which contradicts the definition of accountability and the need for a forum to pass judgement. It is also important to point out that the use of the word ‘accountability’ by the people in charge of the reforms was quite loose. According to Bovens (2007b: 105) it was a “synonym for ‘clarity’, ‘transparency’, and ‘responsibility’, but it is also equated with much broader concepts such as ‘involvement, ‘deliberation’, and ‘participation’”. Regardless, changes in accountability were produced along the lines of the three main concepts: ethical behaviour, financial management and staff.

As it was previously explained, the transfer of powers and discretion to manage to the Director-Generals is a fundamentally NPM-based approach to PM. This also meant that the supervision of the lower echelons now depended much more on the hierarchical processes of internal audit and performance review. This focus on Administrative and Hierarchical Accountability was meant to improve the working-methods and increase internal transparency was well as performance and financial controls (Bovens, 2007b: 112). Adding to this, the SPP and ABM systems were designed to improve both internal performance and external transparency by making the decision-making processes within the Commission more predictable and readier to receive stakeholder-oriented input.

The new career and system of appraisals were also supposed to offer a more merit-based approach to hiring, firing and promoting civil servants, whilst motivating them to achieve better results (Ballint, 2008: 686).

The decentralization of financial audits, responsibilities and controls to DGs gave Director-Generals more autonomy and flexibility but also more responsibilities. This led to a watered-down collective accountability and an increased individual accountability, leading officials to complain that the changes brought a lot more red
tape and seeing it has counter-productive from the managerial point of view (Wille, 2010: 80). In the same study by Wille, interviews with top-level officials made clear that the accountability systems in place also tend to decrease initiative from managers as they can be later punished if it doesn’t work well enough.

4.2 Generic Administrative Reform Conclusion

The most important points of Kassim’s survey and interviews that concerned the Kinnock-reforms (2012: 225) come in three groups: negative, mostly neutral and positive. It’s important to note that Kassim’s study deals with testing changes in bureaucratic behaviour towards change, not accountability (2012: 10), and for this reason we only look at his retrieved data and analysis of said data when it is about the staff’s reaction to the Kinnock-reforms. Firstly, the participating officials point out an increase in red tape and a very formalistic approach as the most negative consequences. As to the mostly neutral one, it seems to be a general agreement that the reforms were balanced when it came to its benefits and disadvantages. In between neutrality and benefits is the increase in efficiency, that is seen either as none or slightly better. Finally, there is an agreement that resources are better managed and that there is less waste when it comes to the management of personnel.

Kassim (2012: 227) then points out that middle and senior managers, not only in his research but also in previous studies, have a more negative view of the changes that happened during the Kinnock reforms. The opposite should have happened since the reforms were supposed to give then more tools to make their positions more effective. Two aspects are also highlighted by Kassim’s findings that are directly related to accountability in NPM: the fact that senior managers expressed a high satisfaction with the new financial management tools (2012: 228; 233) and that the Career Development Review was seen by all has a complete failure (2012: 231-233). The second issue is important since around the time of the publication of Kassim’s book the CDR was completely scrapped by the EUCO. For this reason, CDR is the only tool from the six that will be analysed that points to expectable analysis results, they should be in line with the history of the tool (Yin, 2014: 143).
From the accountability point of view Bovens et al (2010: 85) consider that the Kinnock Reforms were ‘vital to increasing performance measurement, transparency and accountability’, both in its inner working as for other European Institutions. Nevertheless, the authors also point out that the public still views the EUCO as an opaque organization.

Lastly, the real-life changes of the reforms on the bureaucracy will be the subject of a deeper inquiry during the analysis in Chapter 6. So that can be achieved, the new management tools introduced will be the subject matter of the interview questions presented in section 5.2.2.2. The six tools to be measured were already described extensively during section 4.1, some are specific to one area and others overlap in between NPM priorities. Section 4.1.2 addresses this point: Activity-Based Management focused on resource allocation; Strategic Planning and Programming in planning cycles and stakeholder interaction; Financial Control Units in financial supervision; Career Development Review was a new system of career evolution; the Staff Regulation was made more flexible. The sixth tool, the Whistle-blower’s Guidelines, were only published in 2012 as official Guidelines but the whistle-blowing provisions were already in the new Staff Regulations brought in by the Kinnock-reforms. This thesis treats these two separately: the Staff Regulations as a code of conduct for general behaviour and the Whistle-blower’s Guidelines as another set of rules for a specific situation. Even if the second is part of the first, this makes for a more detailed analysis on the impacts in accountability as it will show a more detailed account of the Staff’s workplace ethical knowledge.

Finally, these NPM tools are the operationalization of the NPM-reforms (see Operationalization Table in section 5.2.1), the independent variable on this thesis. Therefore, these six tools are the core of the empirical research that will investigate the effects on accountability on Chapter 6
5. Research design and methods

This chapter will start by concerning itself with an overview of the use of Case Studies and then explain its specific application that will best test the changes in accountability after the Kinnock Reforms. Section 5.1 will describe the strengths and appropriateness of a Case Study design to our case. Section 5.2 will explain how the data collection was prepared and accomplished and includes an Operationalization Table. Section 5.3 will elaborate on how the data was analysed in chapter 6. And finally, Section 5.4 will provide the arguments for the academic soundness of the methodology used.

5.1 Case Studies as a Research methodology

"Testing theories in a context where they have been developed, e.g. theories related to new public management, may not have a large impact on theory development, testing them for less likely cases ("hard" cases) may be more instructive as it better helps to delineate the scope of the theory" (Haverland and Veer, 2018: 11)

Following this reasoning, this thesis has the goal of explore further the impacts on accountability after New Public Management-oriented administrative reform. This means that our research can be classified as a descriptive type of experiment as it will also add more information to the study of the topics at hand (Haverland and Veer, 2018: 11).

Research methods can be generically separated into the categories of “large-Numbers” and “small-Numbers” (Rohlfing, 2012: 27). Since this thesis covers a very specific organization, the European Commission, one must start by pointing out that it falls under the scope of a case study research design - and therefore a “small-N” research design - immediately ruling out several types of research designs that don’t cover case studies. The value of this experiment being made as a case study shall be argued for in this section.

As Haverland and Veer (2018: 1) put it “case studies do not necessarily operate in a “one-shot” setting or a very short time frame, they are well-equipped to take
process and time characteristics into account”, which conforms to the characteristics of the case at hand: the consequences of administrative reform in an organization over more than a decade. The same authors, plus Yin, point out that macro-level theories, and their impacts, in Public Management settings often have too small systemic effects that can only be analysed under the scrutiny of small-N research methods that effectively bring consequential results making them appropriate for this area of studies as well as Political Science (Haverland and Veer, 2018: 4; Yin, 2014: 7).

Single case studies also allow for more in-depth research as they account for time and processes (Haverland and Veer, 2018: 11) of the contemporary phenomenon (the case) and the understanding of the contextual conditions (Yin, 2014: 16), which amounts to the analysis of a complex social phenomenon (Yin, 2014: 4). As such, case studies are an adequate methodology to look into contemporary events that can’t be manipulated, such as the Kinnock-reforms, but that can be studied as staff members that felt the changes can still be interviewed (Yin, 2014: 12).

“A case study (…) tries to illuminate a decision or set of decisions: why they were taken, how they were implemented, and with what results” (Scharam, 1971 in Yin, 2014: 15)

Applied to our case, NPM-reforms can be the theoretical phenomenon, the need for more accountability in the EUCO can be seen as its context. To move forward from this, it’s important to define our unit of analysis: the EUCO bureaucracy after the Kinnock-reforms were fully implemented in 2004 until they were definitively abandoned or overhauled. To help narrow research about NPM reform in the EUCO accountability as a variable was chosen as it was never specifically studied in this scenario (Yin, 2014: 31).

When did corruption and nepotism in the EUCO start? When will the Kinnock-reforms stop having any effect on its bureaucracy? These questions can’t be answered by this thesis nor it is its point, but a timeframe can be set between 2004 up till the present in order to increase the feasibility of this study case as it defines its beginning and end (Yin, 2014: 31) since the totally of the reforms came into action in 2004 and most of them are still part the EUCO’s bureaucracy. The only variation within this study
case is the Kinnock introduced Career Development Review that functioned until 2012. Defining a timeframe for the case also helps to bound it by also defining temporally the data collection possibilities. Plus, it distinguishes between the case study (phenomenon) and the data external to it (context) (Yin, 2014: 34).

The last important point about study cases is about the findings. Yin writes that “Most researchers will want to compare their findings with previous research” and so the unit of analysis should be comparable and “not idiosyncratic” (2014: 34). Our research is innovative as it uses Bovens et al Accountability Framework (2010), turning into a Accountability Regime that, tailored to the EUCO to analyse the changes brought by the Kinnock-reforms can present its own findings while, in some of the aspects, maintaining the ability to be compared with the parallel findings about administrative change presented in Kassim’s study (2012). This also exemplifies the data triangulation used during the analysis of the findings (Yin, 2014: 17).

5.2 Designing the Case Study

A research design is a plan that starts with a research question and ends with conclusions (Yin, 2014: 27). According to the same author, it should also have 5 components: a research question, study proposition(s), unit(s) of analysis, a linkage between data and proposition(s) and criteria to interpret the findings (Yin, 2014: 29). The first three are meant to help identify the data to be collect and the second set is meant to anticipate the analysis after the data collection (Yin, 2014: 36-37).

5.2.1 Operationalization Table

The following table presents the Operationalization Table that will be used to analyse the results from the interviews in order to forward its pattern matching analysis (Yin, 2014: 143). In Appendix 2 the full results of the interviews can be found in easy to read tables tool by tool.

As seen below, some tools are indicators for different concepts of the previously mentioned Accountability Regime from section 3.3 when it comes to the dependent variable. This means that tools that are mostly representative of one
Perspective should show a more positive attitude from the interviewees towards the questions that were built to get their opinion about said Perspective. An overall mixed or negative opinion would then show that the changes made during the Kinnock-reforms would not have accomplished their objectives of improving inward and outward accountability in the EUCO.
<table>
<thead>
<tr>
<th>Variable</th>
<th>Concept</th>
<th>Definition</th>
<th>Indicators</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NPM Reforms (independent variable)</strong></td>
<td>Freedom to manage</td>
<td>Increase in power of top officials</td>
<td></td>
<td>Staff Regulations, CDR</td>
</tr>
<tr>
<td>Accountability</td>
<td>Increased dialogue with stakeholders</td>
<td></td>
<td>SPP</td>
<td></td>
</tr>
<tr>
<td>Performance Management</td>
<td>Review of Unit and Staff’s efficiency</td>
<td></td>
<td>ABM, SPP, CDR, FCUs</td>
<td></td>
</tr>
<tr>
<td>Flexibility</td>
<td>Increase freedom to hire of fire staff</td>
<td></td>
<td>Staff Regulations, CDR</td>
<td></td>
</tr>
<tr>
<td>Contractualism</td>
<td>Use of the private sector in public sector affairs</td>
<td></td>
<td>ABM, SPP</td>
<td></td>
</tr>
<tr>
<td>Fragmentation</td>
<td>Division of departments into independent Units</td>
<td></td>
<td>FCUs</td>
<td></td>
</tr>
<tr>
<td><strong>Accountability Regime (dependent variable)</strong></td>
<td>Learning Perspective</td>
<td>Tools that use feedback mechanisms to improve the effectiveness and efficiency of an organization</td>
<td>More oriented towards SPP, ABM, FCU, CDR</td>
<td>Replies to the interview questions 1 and 7 to 9</td>
</tr>
<tr>
<td>Constitutional Perspective</td>
<td>Tools used to stop or prevent power abuse from the executive branch/a public administration</td>
<td>More oriented towards Whistle-blower’s code, Staff Regulations</td>
<td>Replies to the interview questions 2 to 6</td>
<td>Table 8. Operationalization Table.</td>
</tr>
</tbody>
</table>
5.2.2 Collecting Data

Regarding the research question in Chapter 1 “What are the effects of New Public Management, introduced during the Kinnock reforms, on accountability in the European Commission’s bureaucracy?”, albeit it starts with the word ‘what’, this research question works as a ‘how’ type of research question since it deals with the impacts (Yin, 2014: 10-11), strengthening the case for a study case as an appropriate experiment type. About study propositions, each directs attention to something that should be examined within the scope of the study (Yin, 2014: 30), which in this case are the accountability changes brought by NPM. When it comes to linking data to proposition the analysis must be a direct reflection of the propositions (Yin, 2014: 36). In practical terms in meant that first we choose NPM and its influence on public sector reforms as the theory. Then, we narrowed into a theoretical review of accountability (in NPM and per se) so that a connection to the empirical world could be found. Lastly, the Kinnock-reforms and the 1999 scandals at the EUCO were the practical application of the two previous points. This design of narrowing from theory onto an empirical contemporary case study is followed by chapters 2, 3 and 4 according to Yin’s best advices for case studies research designs (2014: 55).

This translates into Bovens’ et al Accountability Framework using interviews to collect data about accountability changes. For such a strong theoretical background to stand the empirical test well defined rules for the interviews’ conduction, coding, elaboration of the questions and selection of interviewees are a necessity (Yin, 2014: 38).

5.2.2.1 Interview conduction and coding

According to Vogt (2014, 41-49) there are several rules to codify and conduct interviews. Firstly, the research question should shape the main orientation of the interviews’ questions and to keep congruency within the conduction of the research interviews there is need to use precoding in the form of a glossary, which this thesis will as presented in Appendix 2. Adding to that, Rubin and Rubin (2005: 10) explain that the concepts and themes already identified by the researcher can suggest new,
related concepts and themes. As the interviewees will provide explanations in the form of narratives, the goals that come from the research question must direct the focus, which can be the narrator, the phenomenon or the nature of the questions (Vogt, 2014: 43-45). Rohlfing (2012: 170) tells us that while interviewing is important to assess if the interviewee has some sort of vested interest in their answer, they might hold out some information or choose to lead the discussion in a certain direction. This also means that sub questions that were previously prepared should be precoded into categories, depending on their goals and the direction of the interviews (Vogt, 2014: 46). As to the interviewer, there is need for improvisation since there might be unexpected answers and need to take different attitudes depending on the interviewee's positions and disposition. In this case, this is even more important since the interviews will be semi-structured to ensure that there is freedom for the interviewees to explain their opinions further without drifting too much off-topic.

Therefore, the interviewer must make an effort to be faithful to the content of the replies, even if they are complex, to maintain objectivity. To make sure this happens, Appendix 3 contains the transcripts of the interviews. Vogt (2014: 49) also indicates that reading the transcripts and coding the answers after the interviews should be done stage by stage using a grid to index the data collected. Accordingly, the coding grids should be numbered by question and interviewee, which benefits both the researcher and the reader’s analysis of them. As differences in the narratives can vary, it might also be revealing of themes post-interview. If two interviewees repeat the same story but take different lessons from them, it may suggest different themes to be developed. As a researcher, the complete narrative can be difficult to have an overview of, but by crossing the information of the replies on the coding grids one can infer what has been left out, possibly leading to new insights (Rubin and Rubin, 2005: 14).

5.2.2.2 Interview Questions

As it was mentioned on section 3.3, the following questions that were used in the interviews conducted with EUCO staff are based on the Learning and Constitutional Perspectives that helped formulate the hypothesis this thesis is set to verify. In some
occasions during the course of the interviews it was necessary to explain and ask these questions in a less formal manner as many of the interviewees were not acquainted with the vocabulary surrounding academic accountability studies, supporting the need for semi-structured interviews. This freedom seemed invaluable for the results as the researcher improved the conduction of the interviews after the first few ones (Yin, 2014: 74) reformulating and explaining the questions in a less academic vocabulary to the interviewees without losing its precision.

| 1. Is X\(^{10}\) a standard procedure? (LP) |
| 2. Does X have enough powers to uncover any wrongdoing\(^{11}\)? (CP) |
| 3. Does X have enough power to sanction any people involved in wrongdoing? (CP) |
| 4. Are X’s findings strong enough to discourage future wrongdoing? (CP) |
| 5. Do the results from X’s findings represent a strong and sincere picture of the process(es)/event(s) being reviewed? (CP) |
| 6. Is the knowledge produced by X useful in the future to prevent any wrongdoing? (CP) |
| 7. Can the knowledge produced by X be used in the future to improve your Unit’s work? (LP) |
| 8. Does X stimulate useful interactions between the person/institution looking into your Unit and the person in cause/the whole of the Unit? (LP) |
| 9. Is X a valuable supervision tool/arrangement/system? (LP) |

Table 7. Generic Questions used on the interviews. (CP – Constitutional Perspective; LP – Learning Perspective).

\(^{10}\) “X” represents the NPM tools introduced by the Kinnock reforms: Activity-Based Management, Strategic Planning and Programming, Financial Control Units, Career Development Review, Staff Regulations and Whistle-blowers Guidelines.

\(^{11}\) “Wrongdoing” means, in a wide sense, corruption and/or mismanagement as used on Tables 6 and 7.
5.2.2.3 Interviewee Selection

This thesis tried to find 10 to 12 interviewees for the empirical data collection. The minimum requirement was that they would have worked directly for the EUCO civil service for at least six months after 2004 in order not to exclude one-time trainees and reach more experienced staff. These requirements do not include the EUCO’s agencies as they tend to work in a separate way. In the case of the European External Action Service (EEAS), which can be called a *de facto* agency, we choose the respondents eligibility according to their job descriptions, only staff members which job descriptions were impacted to the changes made by the Kinnock-reforms were relevant.

A number of factors complicated the possibility of contact with EUCO staff and only 9 interviews were possible. Thought the period between May and the end of August 2019 approximately 80 EUCO staff were contacted via email or social media. From this total, the final contacts that acceded being interviewed were made through formal (2 interviewees, numbers 4 and 9) and informal channels (7 interviews), the first by being directly contacted through the EUCO publicly available contact lists and second were made through friends and former co-workers that know staff members or are staff members. As it can be seen from the much higher number of people who were contacted many didn’t find this subject worthy of their attention: many didn’t reply to the emails, formal and informal requests to answer or claimed permanently conflicting schedules. During the period in which the contacts were being done (early May to end of August 2019), almost two months were the assigned holidays for the EU institutions. For these reasons, 4 interviews were made face to face in several EUCO buildings in Brussels from the 23rd to the 25th of July 2019 and the rest were conducted via Skype from the 10th of June to the 21st of August.

The interviewees range from having worked for the EUCO from 6 months to 16 years and represent five different nationalities. As one might expect, the more time one has worked for the EUCO the more detailed are the answers and the opinions. Some have worked in Commissioner’s Cabinets, one or more DGs, the Secretariat-General and some have been posted temporarily on agencies of the EUCO like the European External Action Service or the European Environment Agency. This diversity
of posts is also reflected on the types of contracts that they have: three were officials – of which two were Heads of Unit; four contract agents; one is part of the first ever Junior Professionals Programme; one an Interine (temporary staff); and three of them were trainees before moving onto other contract types. This also means that the interviewees experiences are varied, which also has a negative impact as not every job description is the same and all of them have not worked with all the tools that this thesis has proposed itself to analyse.

As to incentivise participation and avoid any sort of workplace retaliation, the anonymity of the interviewees was guaranteed: their names and specific positions do not show. Some references to specific situations and Commissioners were also redacted as they would make the tracking of the interviewee fairly easy. Appendix 3, which contains the interview transcripts, contains some information about each respondent before the start of each interview.

5.3 Analysing Data

Four basic types of case study research design exist depending on the number of cases (one or multiples) and the number of units of analysis (one or multiple) (Yin, 2014: 50). Our case is a single-case holistic design – one case and one unit of analysis. Opposingly, Multiple or embed research designs wouldn’t be possible as: the EUCO is a unique institution that is difficult to make useful comparisons with and for more units of analysis a bigger research team would be necessary, respectively (Yin, 2014: 55-57).

From the analytic strategies presented by Yin only one was appropriate as the data was only collected after the initial research question and there were no rival explanations to the changes in accountability (2014: 136). This left us with the strategy of working the date from the “ground up” (Yin, 2014: 136). This meant that we went through the data during the data collection and the revelation of patterns. Yin presents two relevant reasons for the strength of this strategy (2014: 138). The first has to do with the uncovering of relevant behaviours or events trying to be explained by the data and the second way is that data may be imbibed to the unit of analysis. Which in this case is equivalent to the changes in administration and accountability, as theorised.
by Yang’s idea of Felt Accountability (2012), which would be central to verify our hypothesis (Yin, 2014: 138).

The analytic strategy put in place is displayed in the form of the answer grids on Appendix 2 and the notes of the interview transcriptions. They were designed but they were also altered after the first few interviews: some questions didn’t apply to all tools; the colours were changed to facilitate the visualisation of the results that displays the collected data (Yin, 2014: 135). Conversely, after each transcription notes were taken on every interview pointing how valuable, insightful or lacking in substance they were (Yin, 2014: 135). This last point lead to the early realisation about one of the tools analysed, the Whistle-blower’s Guidelines, that influenced the conduction of the next interviews in order to understand better the interviewees knowledge of the tool.

5.4 Internal validity, external validity and reliability

To established trustworthiness in this empirical social research, we present arguments about this thesis to reinforce the quality of this study case.

First, construct validity is strengthened in a twofold manner: we describe how we collected evidence in precise way over section 5.2.2 (Yin, 2014: 47) and we identified correct operational measures through the creation of the Operationalization Table in section 5.2.1 in order to decrease chances of subjectivity (Yin, 2014: 46).

Second, due to the nature of our case study internal validity exists by the making of inferences (Yin, 2014: 47). As the events cannot be directly observed our research uses interviews to infer their existence (Yin, 2014: 47). Additionally, as it was mentioned in section 5.2.1, we use pattern matching as a technique to analyse the results in order to make sure that the evidence is convergent.

Thirdly, external validity has to do with the generalization of the findings (Yin, 2014: 46). Our research question was settled before the following sections were developed, leaving our research free and unbiased to settle on the proper literature to answer the research question (Yin, 2014: 48). Chapters 2 to 4 follow this logic by explaining NPM and accountability from a sound academic point of view, forming an accountability framework based in these theories and latter examining the EUCO and
the Kinnock-reforms. This leads to a potential corroboration, modification, rejection or advancement of theoretical concepts (Yin, 2014: 42).

Lastly, reliability concerns itself with the possibility of reusing the instruments used by this thesis (Yin, 2014: 46). In this case, they are given in the form of the interview questions that enable other researchers to repeat the analysis, which are presented on thorough section 5.2. This availability of the methods and clear linkage between theory and analytic tools helps greatly to improve the quality of our research as future researchers can try to replicate it with ease (Yin, 2014: 49).
6. Interviews’ Analysis and Results

The following chapter begins with the explanation of the Operationalization Table in section 5.2.1 that will be used to analyse the results in section 6.1 accountability tool by accountability tool. The final section, 6.2, will give a general overview of the interview results obtained after being analysed.

6.1 Comparative Research Results

Each of the following six sub-sections will explain the results by showing if the interviewed staff knew each of the six NPM tools introduced during the Kinnock-reforms; analysing their answers according to the Learning and Constitutional Perspectives of the accountability Framework – in some cases questions or Perspectives don’t apply, the reason for that non-applicability shall also be explained. The typology of the analysis of the answers as seen on Appendix 2 – ranging from ‘positive’ to ‘negative’ – is also inspired on the survey methodology of Kassim’s (2012: 211). A more visual way to look at the results can be found on appendixes 2.2 to 2.7 on the same order as the next sections.

6.1.1 Activity-Based Management (ABM) Results

ABM tools such as Strategic Plans or Annual Performance Reports were used by 5 out of the 9 interviewees. From these, all of them knew they were a standard tool in their work. This doesn’t mean that other interviewees didn’t know they were standard, they were actually aware of some sort of ABM management tools, but they didn’t have any contact with them in their daily work. From the 5 interviewees that did have contact, numbers 3 and 6 only had a marginal work experience, making the number of questions with no answer slightly higher.

Nevertheless, from the Learning Perspective, the main objective of this tool, the answers are mostly positive to very positive. All did point out that it brings stability and predictability to the work ahead, improving the knowledge for the next cycle. As it
was predictable due to Kassim’s survey results (2012: 227), some pointed out the increase in bureaucracy that came along with ABM tools.

From the Constitutional Perspective, the results are mostly positive, which is less relevant since it’s not its main focus. Especially in question 6, to which most declined to answer, the connection between wrongdoing and the tool wasn’t clear. This also points back to the difficulty of the definition of Accountability mentioned in the earlier parts of this thesis and the words associated with it. Mismanagement and its reverse as responsible and predictable management are not seen as part of a wider problem of Accountability by the staff itself.

It’s important to point out that ABM didn’t involve any sort of investigation, it is supposed to improve internal performance and external transparency *per se*, making questions 3 and 8 not applicable to this tool.

6.1.2 Strategic Planning and Programming (SPP) Results

From the 9 interviewees, only 5 had had some sort of experience with the SPP tools such as IAs or other forms of controlling multiannual objectives and all of them knew they were standard tools. Questions 3, 4, 5 and 8 didn’t apply in this case as SPP tools weren’t designed to sanction (question 3) nor review events (questions 4, 5 and 8). Moreover, as ABM, they were built to improve the EUCO’s work predictability, especially in policymaking, by setting objectives and bring the stakeholders to the table, making the objectives clear and improving external engagement. On the internal front, SPP tools should increase links between DGs through the Secretariat-General. About this Interviewee 9 summarises the main points in a precise fashion:

“(...) I think that the whole procedure of IAs in interservice consultations, interservice work, then the IAs, at the end, reduces the risks of undue influence because there are so many people who will critically check legislative proposals, or draft proposals, that it makes it very unlikely that one individual can for bad reasons influence a EUCO proposal.”
Looking at the Constitutional Perspective, the interviewees had mostly positive opinions when it came to the tool’s ability to stop wrongdoing. The results also show less willingness to answer as the concept of wrongdoing applied to these tools seems less obvious, especially in question 6. Nevertheless, the Learning Perspective shows very positive opinions from the interviewees as all of them are aware of some sort of form of SPP and find it managerially useful. As an example of stakeholder engagement and improve in predictability, concerning policymaking Interviewee 8 explained the following:

“(…) just to give you an example now, there is a number of NGO’s, but also other stakeholders, think-tanks and the like, produce their own assessment of those draft plans and just for the mere fact of putting the assessments out. Typically, before the EUCO comes out [with its own assessments], [they] would either try to influence or put some issues on the agenda already for that EUCO assessment. The good thing in that process is that those Draft Plans are, again, clearly defined template and also the assessment has already a clearly defined scope by the EUCO.”

6.1.3 Financial Control Units (FCU) Results

This is the only tool to which all the questions applied. Unfortunately, most of the respondents only had a lateral contact with the FCUs and because of that are the least representative results. Regardless, even the ones who didn’t have any sort of contact with their FCU did know that they existed all over the EUCO, meaning that the staff is aware of financial control. From the interviewees that did have some sort of contact (five out of nine), their general idea is positive, viewing not only as necessary but also as well functioning, contributing for a sound financial management within the EUCO. Interviewee 9 reflects this positiveness:

“As more experienced colleagues at the time told me, the EUCO in the 70’s, 80’s, 90’s was an administration producing legislation and then in the 90’s the whole budget grew, the tasks grew and suddenly the EUCO had to manage budgets, spend money
and there was a lack of experience, a lack of rules, procedures which lead them to some... Well, 'artistic' procedures sometimes."

From the Learning Perspective these are maybe the most disappointing results since the Learning Perspective was supposed to be the main goal of this tool. Questions 1, 7, 8 and 9 do have mostly positive answers but the scope of the interviewees contact was limited, casting doubt about the improvement in efficiency of the FCUs. From the Constitutional perspective, questions 2 to 6 are more positive, but especially on question 3, the interviewees mostly decided not to answer as they never had contact with irregularities uncovered by their FCU. Finally, Interviewee 3 had an interesting perspective on the auditing process on external contracts:

“Above all, I ask myself what is the cost-benefit of this machinery because this machinery has a cost, obviously. Not only in terms of time, human resources, but also financially, because we have external experts, auditors, frame-work contracts, all of these costs that [amount to] a relevant amount of money. I don’t have statistics with me but, say, what we get back from recovered money is more than what we spent to recover it [...] we explain clearly to our contractors that they are subject to verifications, missions, observations and audits until seven years after the contract. They know they have to keep track of everything for a long time after the end of the project”

This also gives us an insight on the contractualism used by the EUCO as part of the Kinnock-reforms.

6.1.4 Career Development Review (CDR) Results

In CDR’s case, as expected, most of the interviewee’s (seven out of nine) didn’t work for the EUCO before 2012, the year it was completely abolished. Nevertheless, the two officials that went through it – one of them even working in the Unit that received the complaints about the obtained scores – had a very negative impression on it. Unlike predicted by NPM theory, the performance reviews score system only motivated those who had high grades, all other felt left out since there was only a finite number of
points to be distributed per Unit. The questions covering the Learning Perspective (1, 7 and 9) had a negative reply from both respondents, meaning that the purpose of this feedback mechanism and efficiency booster was the opposite of the intended effect, interviewee 4 put it in the following way:

“There were the categories when I came in, there was a performance level. The reason that they changed it was de demotivation that came along with it. It was also difficult to reporting officers to explain why they gave someone a good mark and someone else a different one”.

These results are especially disappointing for the Kinnock-reform as the perceived benefits of the changes in the Career were overwhelmingly negative as it didn’t improve any sort of feedback systems to improve the staff’s performance and motivation. This is in line with Kassim’s findings that pointed to an increase in paperwork for the Officials and decrease in motivation for the rest of the staff (2012: 231-233). There is a caveat: as it was radically changed, or even totally scrapped, the following changes were very much positive and, after questioning both the Officials that went through it and the staff that wasn’t involved, the overall opinion of the current system of appraisals is very positive.

6.1.5 Staff Regulations Results

As it was learned during the interviews, all staff has to go through at least one day of training about the Staff Regulations when they start working for the EUCO. This issue seems to be approached in a serious manner by the institution as a whole since, as two interviewees put it: it’s “like the Bible” for the staff. This also means that is the only category that all interviewees were aware of. This should be the case as it is transversal to job descriptions or contract type and length. Nevertheless, one of the interviewees admitted to never having read the Staff Regulations but still generally knowing its most important provisions.

Questions 5 to 8 don’t apply in this case since the Staff Regulations, per se, isn’t a report on any sort of wrongdoing. Instead, it has legal instruments that are used to
trigger various types of internal investigations according to the situation, as explained by Interviewee 4. It is also curious that this is the only instrument that applies even after a staff member stops working for the EUCO or retires, this having to do with the sensitive information that one has dealt with and revolving door situations where one goes to work for a lobby that tries to influence the EUCO.

From the Learning Perspective, questions 1 and 9, one can clearly infer that the tool makes the work clear and more efficient since it clearly states the employees’ rights and obligations. Adding to the very positive replies, it seems to exist an institutional focus on upholding the ethics that involve the Staff Regulations as two interviewees put it:

“We have this tool which is "You Learn" and you can follow plenty of trainings. And you have, quite often, these trainings on ethics.” — Interviewee 5.

“We have something called the “Outreach Programme” with which we try to raise awareness of staff members about these issues. Together with the Ethics Unit, we tailor our approach according to the cases of wrongdoing we receive each year. If ignorance exits in a specific area, we work on it.” — Interviewee 4.

On the Constitutional Perspective, questions 2 to 4, the interviewees’ responses are also very positive. Although on question 3 more than half had a difficulty to connect the Staff Regulation to the question, the overall view of this section is that it does stop abuse from the staff on their daily work. Only the respondents that worked directly with the sanctioning of staff members and ethics were aware of any cases, as per their job description. This shows the effectiveness of the Staff Regulation as a tool to prevent wrongdoing amongst staff.

6.1.6 Whistle-blower’s Results

As the rules for whistleblowing are included in the Staff Regulation, theoretically, by knowing it the staff would also know the whistleblowing procedures. This doesn’t
occur. The EUCO itself decided to clarify them in 2012 by publishing Whistle-blowing Guidelines.

The caveat to this tool is that reporting wrongdoing within the organization usually follows normal hierarchical procedures, but the possibility of whistleblowing as a parallel option that deals with OLAF and shelters the whistle-blower’s identity from possible workplace retaliation and hierarchical cover-ups. As interviewee 4 pointed out: “The idea about whistle-blowing is so that the people aren’t afraid to report wrongdoing. It also gives them protection from higher levels of the administration”. If EUCO staff knows their rights and obligations provided in the Staff Regulation but don’t know or vaguely know the whistle-blowing provisions, that means that they aren’t aware of an important tool to prevent possible wrongdoing that was built to protect them. Unfortunately, the results point exactly to that: only 3 out of the 9 interviewees were aware of the Whistle-blowers Guidelines. Even so, there was some sort of knowledge about the Guidelines and OLAF shown by all the interviewees, which in itself doesn’t make up or redeem the lack of knowledge but shows awareness.

Question 7 doesn’t apply to this tool as the Guidelines don’t apply to a specific DG’s or Unit’s work but to individuals’ cases. On the Learning perspective, questions 1, 8 and 9, show the interviewee’s trust in the system. The exact same applies to the Constitutional Perspective: those who are aware of the Guidelines had a very positive view of the system, which should be the case since they were put in place to help prevent and discourage wrongdoing. Nevertheless, it’s more necessary to point out that the lack of knowledge of most of the interviewees is a bigger failing than the positiveness of those that know the Guidelines as knowing them might be necessary to, at any point, report and protect oneself against workplace retaliation.

6.2 Results overview

Looking into the most important aspects of each tool, the overall results of the changes introduced by the Kinnock-reforms were positive, with the expected exception of CDR. The interviewees all shared a sense of improvements in efficiency in their daily work and confidence in the long-term systems in place to prevent corruption. Analysing the most important Perspective of each tool, the opinions are,
again, supportive of the positive impacts of the changes. As mentioned, the results of
CDR were deeply negative as the changes in the career system seemed to create less
motivation among the staff. The only encouraging point was that the system was
overhauled within a few years, which also shows that the EUCO became an
administration more prone to change and to fix itself. The same applies to the updates
on the Staff Regulation and Whistle-blowing Guidelines so that these tools are in line
with modern standards of accountability.
7. Conclusions and Recommendations

7.1 Results and their relation to the Research Question

The Kinnock-reforms came as hurricane that swept the EUCO inner workings in the beginning of the century. These changes have had time to settle and parts of them have already been updated: a sign of the managerial freedom expected to be displayed by an administration that was subjected to NPM-styled reforms. According to the data collected by the present research, through the measurement outlined on the Operationalization Table on section 5.2.1, the hypothesis “If the changes made by the NPM-styled Kinnock reforms were effective, then accountability within the European Commission and accountability towards its stakeholders would have increased” is confirmed.

The increase in inward and outward accountability in the EUCO are reflected by the mostly very positive results in the Learning and Constitutional Perspectives, respectively. The encouraging results on SPP and ABM mean that the goals of stakeholder engagement and accountability have increased, supporting Yang’s claim of accountability as shaping agent’s behaviour (2012: 268) and increasing Units policy-making stability with planning cycles (Hughes, 2012: 98). The checks built into place by the FCUs have discouraged wrongdoing and increased ‘value-for-money’ in the administration and kept outside interactions under financial supervision. As for the Learning Perspective and inward accountability, the changes in the Staff Regulations, including Whistleblowing, have created a sense of ethical correctness at work enjoyed by all the interviewees. In the event of not knowing parts of the Staff Regulations such as the Whistle-blower’s Guidelines, the staff feels like there are easy and effective ways to learn how to correct their own ignorance over the issues. Although we weren’t able to trace the date of creation of the EUCO’s intranet, this informatic service was praised by all, especially has a way to shed some light on work-related doubts. Only the very negative results that this research produced on CDR seem to tarnish the effectiveness of the reforms as predicted by some of NPM’s criticism (Hughes, 2012: 101). However, the fact that this specific tool was completely changed, whilst keeping
the basis of an appraisal system, is a half-victory for NPM. The ability of the EUCO of adapting and replacing it in less than eight years of, without outside interference such as a scandal, actually shows the ripple effects of the NPM characteristics of ‘freedom to manage’ (Peters and Wright, 1996: 632).

All these sets of results hints at the answer of the Research Question “What are the effects of New Public Management, introduced during the Kinnock reforms, on accountability in the European Commission’s bureaucracy?”. The idea of Yang’s ‘felt accountability’ (2012: 272) allied to the accountability Regime provided by Boven and Hart (2005: 11-12) have shown the deep transformations brought by the Kinnock-reforms and NPM thought on the institution’s accountability. Without them the EUCO’s inner workings would be less transparent both to their own staff and to outside stakeholders. In a way, interviewee 9 summarises it: “Yeah. I think, as I said, it’s linked to the experience of bad experience [that] there were in past. Plus, we still are under very, very close scrutiny by journalists, by the EP, the Ombudsman, the Data Protection Supervisor (...) Because everyone pays attention [they want] to have the same degree of attention to have their arguments and points of view heard. I think that there are always exceptions, but I think nearly everyone is very much aware of the sensitive and prudence which they need to apply in their daily work.”. Flinders (2001: 10) explains that accountability is the less important of the three goals of NPM-reforms, which also include ‘value-for-money’ and efficiency. In this case, the Kinnock-reforms have put accountability on the same level as the other two NPM priorities and the changes in all of them were successful. The direct break with the past and the TMPA did transform the EUCO into a more accountable administration and, therefore, a more accountable institution.

7.2 Limitations

As a small-scale research work into a huge institution, it is important to highlight the limitations of this thesis both at theoretical and practical levels.

For stronger results, rival explanation for the same subject improve the reliability of the findings (Yin, 2014: 36). In our research this can’t be done: the Kinnock-reforms were directly influenced by NPM and no other theory; Bovens’ et al
Accountability Framework was the only one developed specifically for the EU institutions; and Kassim’s study were aimed at testing changes in bureaucratic behaviour towards change, not accountability. This means that during the analysis of the results there was no possibility of analysing them in light of other possible theories that would explain the same results, helping to prove or disprove our hypothesis.

On the practical side, two main problems arose. Firstly, there was a severe difficulty to contact EUCO staff that was permanently working there during the time CDR was implemented (and until it was abolished). This led to a scarcity of information on this specific tool that was complemented by the previous literature on the issue, as per assumed on data triangulation. EUCO officials are both hard to reach due to their workload and schedule and to the reliance on part of the Commission on Contract Agents instead of officials, which are not part of the any sort of career within the EUCO. Sadly, but ironically, Contract Agents were brought in by the Kinnock-reforms, making the subject of the thesis more difficult to study due its content. Lastly, during the interviews we’ve become aware that the terms used in the scientific literature, used on EUCO documents and used by the staff to refer to the tools asked about in the interviews create some confusion as different authors and institutions use different words to refer to the same subject. Associated with this, primary sources such as the Whistle-blowing Guidelines are harder to find for an outsider than for a member of the EUCO staff as the EUCO’s intranet seems to be adequately built for this but not the available documents to the public.

7.3 Recommendations

This thesis also proposes two main recommendations regarding accountability to build up on the changes brought by the Kinnock-reforms.

Even if stakeholder engagement was found to have increased after the reforms by this thesis, the academic perception on the EUCO’s transparency seems to have still be quite underwhelming (Wille, 2010: 81). Even if the doors were opened to Kassim’s ground-breaking study (2012), the EUCO should use academic research to engage with the public and show off its strong points, as an example towards EU national administrations and the citizens. The ability to change showed by the institution after
the Kinnock-reforms could be better publicised towards those researching it and to the general public such as the programmes put in place to expand ethics trainings mentioned by the interviewees 4 and 9.

On a more grim note, the recent developments on the appointment of the Secretary-General, that happened during the writing of this thesis and were heavily criticised by the European Ombudsman (Dallison, 2019) seem to reflect the downing of barriers between administration and politics forwarded by NPM (Hughes, 2012: 93). The appointment of Martin Selmayir, a close aide of President Juncker, to the highest post of the EUCO’s administration was swiftly reversed after the PE elections and the new President of the Commission for the period of 2019-2024 (King, 2019). The appointment was in no way a scandal of the same proportions as the one in 1999 but clearly highlights flaws in the system of political appointments, career and appraisals in the EUCO administration. Not only a seasoned official should have taken the job, but it unnecessarily exposed the EUCO to criticism in a system that generally works to promote institutional talent. This can be closely related to something written by the CIE during its investigation of the 1999 scandal: “The Committee found instances where no irregularity, let alone fraud, could be discovered, in the sense that no law and/or regulation had been infringed, but where Commissioners allowed, or even encouraged, conduct which, although not illegal per se, was not acceptable.” (CIE: 140).

7.4 Conclusions

“9.3.3. The principles of openness, transparency and accountability, (...) are at the heart of democracy and are the very instruments allowing it to function properly. Openness and transparency imply that the decision-making process, at all levels, is as accessible and accountable as possible to the general public. It means that the reasons for decisions taken, or not taken, are known and that those decisions assume responsibility for them and are ready to accept the personal consequences when such decisions are subsequently shown to have been wrong.” (CIE: 140)
The transformation from the Traditional Model of Public Administration into a mostly New Public Management ruled world in Public Management came and swept public administrations changing their faces and work models in one generation. Even if caused by a singular event before the turn of the century, the European Commission modernised and adopted new ways of functioning with massive impacts for its policymaking, world stands and staff. The improvement in accountability was impossible to overlook, even if the way of deconstructing the concept can vary from one scholar to the next, depending on background and objective. Through a carefully crafted analytical Framework and in-depth interviews with a diversity of staff, this thesis has confirmed the positive impact on accountability and daily work of the staff, connecting theoretical vague range of New Public Management ideas with the reforms put in place by Neil Kinnock.
References


### Appendix 1. Interview Questions

<table>
<thead>
<tr>
<th>Question</th>
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<tbody>
<tr>
<td>1. Is X a standard procedure? (LP)</td>
<td></td>
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<tr>
<td>2. Does X have enough powers to uncover any wrongdoing(^\text{12})? (CP)</td>
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<tr>
<td>3. Does X have enough power to sanction any people involved in wrongdoing? (CP)</td>
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<tr>
<td>4. Are X’s findings strong enough to discourage future wrongdoing? (CP)</td>
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<td>5. Do the results from X’s findings represent a strong and sincere picture of the process(es)/event(s) being reviewed? (CP)</td>
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<td>6. Is the knowledge produced by X useful in the future to prevent any wrongdoing? (CP)</td>
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<td>7. Can the knowledge produced by X be used in the future to improve your Unit’s work? (LP)</td>
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<td>8. Does X stimulate useful interactions between the person/institution looking into your Unit and the person in cause/the whole of the Unit? (LP)</td>
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<td>9. Is X a valuable supervision tool/arrangement/system? (LP)</td>
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</table>

\(^{12}\) “Wrongdoing” means, in a wide sense, corruption and/or mismanagement as used on Tables 6 and 7.
Appendix 2. Interview Answer Grids

1. Answer’s Coding

<table>
<thead>
<tr>
<th>Codes</th>
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<tr>
<td>Y - Yes *</td>
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</tr>
<tr>
<td>P - Positive opinion about the tool</td>
<td></td>
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<tr>
<td>MP - Mostly Positive opinion about the tool</td>
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<td>IND - Indifferent to the tools workings</td>
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<td>M - Mixed</td>
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<tr>
<td>DK - Doesn't Know or didn't answer</td>
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<tr>
<td>MN - Mostly Negative opinion about the tool</td>
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<td>N - Negative or No* opinion about the tool's functioning</td>
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<tr>
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* - Only applies to questions 1,
## 2. Activity-Based Management Results

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Control Unit is used to improve the interviewee’s unit’s work in the future

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### 7. Whistle-blower’s Guidelines

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8. The Whistle-blower’s Guidelines stimulates useful interactions between the auditors looking into the interviewee’s unit and the interviewee or his/hers co-workers.

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9. The Whistle-blower’s Guidelines are a valuable supervision tool.

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Appendix 3. Interview Transcripts

Interview 1

10th of June 2019
Directorate General: Research and Innovation.
Time worked of the Commission: Six months.
Contract type: Contract Agent.
Nationality: Portuguese.

We will start with the interview questions. As this is a semi-structured interview, I’ll also pose some questions if there is something relevant that you say [and] we should dig a bit further. I’ve already sent you the tools that I’m trying to observe, and I’ll start with the Activity Based Management (ABM) tools. Just to give you a small summary: they work in the allocation of financial, personnel and informatic resources and they are usually in the Annual Management [and Performance] report, as an example of ABM. Taking this into consideration, have you ever heard of ABM?

No, I have not.

Are you familiar with procedures in your Directorate General (DG) as the Annual Management [and Performance] Report?

I mean, I know that we have a financial Unit that reports to a broader financial team within our DG and I know that all these teams together they have audits to DG Budget [to] whom they report and they have to justify the budget allocation, the tasks, where it’s coming from. And from both [the] administrative budget and operational budget, but that’s pretty much all I know.

I’ll then skip these questions since you are not aware. Connected to [what you said], each DG has a Financial Control Unit (FCU), which is different from the
Financial Audit Unit that I think you just mentioned before. Are you aware of your DGs FCU?

Yes, I am.

Could you tell me if your FCU has any powers to uncover any wrongdoing? And by “wrongdoing”, I mean corruption or mismanagement.

They don’t work alone, they have auditors that also help, both internal and external. So, I guess, alone it would not be sufficient. Still, as it is, I’m sure there is more that can be done to it. You have the European Court of Auditors, besides de internal ones from the European Commission (EUCO), etc. I think that all together they are quite efficient. There is a lot more to be done, no doubt about that.

Do you think that the FCU has enough powers to prevent wrongdoing?

This I don’t know.

Do you think it is strong enough to discourage any future wrongdoing?

I’d say that they are very efficient in that sense, as far as I know people are very aware of them and conscious that there is accountability and that there is someone watching and that they have to be careful. So, in that sense, I’d say that yes, even thou I haven’t been in that situation of any corruption or wrongdoing. I’ve been in situation of difficult choices within budget management because sometimes is not as obvious as one would think. And, in those cases, I see that people are committed to following the rules and be very struct about it, very careful because of the controlling. So, yes, I’d say it’s quite efficient.

As you’ve said, you haven’t been really around it, but this is just your opinion, so do you think that the results from the process represent a strong and sincere picture of the events being reviewed?
I’ve never seen it, I’ve never heard [of] it. I don’t know.

Do you think that the knowledge produced by FCU is useful to prevent any future wrongdoing?

I’m sure it is, but again, I’m not aware of it, so it’s difficult for me to comment on it.

[In that case,] I guess that the next question also doesn’t apply. Do you think that the work from the FCU stimulates any useful interactions between the person or institution looking into your Unit and the person in cause or the whole Unit? so, the relation between the FCU, the person being investigated or the Unit in general. Do you think these interactions are useful?

Super useful. But I have no idea if they exist, how they exist. In my opinion, they must be very useful. And I don’t know what causes. I think that “CAUSE” is the entity that regulates the fiscal the “CAUSE” from Member States, but I don’t know.

Do you think that FCU is a valuable supervision tool?

I guess, yes.

We will now change to the Strategic Planning and Programming (SPP) and the SPP is used to control multiannual objectives. The most obvious form of it is the Impact Assessments (IA). Do you work in the making of IAs?

I do not.

What about your DG’s Strategic Plans? Are you in any way involved in that? Is your opinion taken [into consideration] when making this Strategic Plans for the year or the next five years?
Yes, absolutely. I work at the Communication Unit. My input for these strategies is taken into consideration.

In this case the SPP applies. When making these strategies, is it a standard procedure?

This is not policy strategy, so there are differences. I'm not a policy officer, I don’t do policy at all.

Let’s revisit this later. Let’s jump onto the Code of Conduct. Are you aware of the Commission's staff Code of Conduct?

Yes.

Then my questions apply. Getting to know the Code of Conduct, is it a standard procedure?

It’s a standard requirement.

Do you think the Code of Conduct has any powers to prevent any wrongdoing?

No, because it’s just a Code. It’s still there if people read it then it can avoid any wrongdoing. It can’t uncover anything because, I mean, it’s a passive object.

Would you also agree that it doesn’t have any power to sanction any wrongdoing, correct? Can I assume that?

It doesn’t have any powers at all. It has the power to inform.

Do you think that it discourages any wrongdoing in the future?
I think so, yes. Mostly because it clarifies. There are a lot of things that are not obvious that are unethical. At the beginning, when you start working for the EUCO, you have an introductory course of one day, a full day. They really insist on ethics and go through the whole Ethics Code. And there are many things I would have done, like send some email from my work email to my personal email and things like this that are against the rules. One just wouldn’t know if it weren’t for that introduction and Ethics Code.

Does it also involve “Good Administrative Behaviour” for the staff?

Yes, I think so. I’m not really sure what you mean by that.

In the sense of daily actions that you either talk to people outside of the EUCO or even your personal life, [in order] to separate your work or professional relations from your daily work.

Yes, yes. This guidelines to staff that we receive for many different subjects. It’s not just the Ethics Code. That is just the first one. For example, [on how] to talk about Brexit, [on how to] talk on social media, all these different things.

Then the next question doesn’t apply. [And the next ones] don’t apply [either]. DO you think [that], in the end, it’s a valuable supervision arrangement? Or those it really leave it to the person, to each individual[’s judgement]?

The political correct answer is that, in the end, each individual will find the creativity and flexibility necessary to do any wrongdoing that he or she wants to, but the overall framework, the repetition, the points of contact, the [overall] culture of guidelines, following procedures, of understanding the rules of [the organization] I think it’s quite efficient. It works overall. Of course, there is always exceptions and people manage to escape this.
The next subject that I’d like to ask you about, is if you are aware of the Whistle-blower’s Code?

No.

In the introduction day that you had before, do you remember if there was any mention [about] it? Or maybe further on, some contact by the European Ombudsman or OLAF, the European Anti-Fraud Office?

OLAF is the organization that I mentioned before, that I was confusing with something that you said “CAUSE”. I do know the Ombudsman, I know [the head of it] is Irish, currently and I know OLAF as well. I know they are very important. But I didn’t even know the EUCO had a Whistle-blower’s Code.

So, you don’t know the internal procedures for whistle-blowing, to report some sort of misconduct or corruption? You are not aware.

No. However, we have a tool called “My Intra Com”, which is an intranet for EUCO staff. There I can find any information that exists. It’s impossible to understand, to know all the resource available to me as part of the EUCO staff but I have that one central directory to search key-words. So, if I were to report any wrongdoing, I’d type “wrongdoing” and I’m sure it would pop-up. It’s a very practical, very useful tool to search information.

The last subject is the career. If I’m not wrong, you are a contract agent, correct?

Yes.

I think there is no need to go back to the SPP since your DG is Communication.
No, no. My Unit is Communication and I am aware of my DG’s Strategic Planning and Programming, I’m actually working with them [on it] quite a lot.

Oh, so you are aware of it?

I work in the Communication Unit, but this year the Strategic Planning and Programming [by my DG] is going to be done quite differently, in an innovative way, and I’m the one who’s managing this process and is doing the communication around this. So, I know it quite well actually.

In that case, without giving any [sensitive information] away, could you tell what’s the difference from the usual [procedure]. Because if I’m not wrong - and please do correct me at any time – there [are] cycles of 1 year and 5 years of planning depending on the political actions that the EUCO wants to put forward. In this case, how different from those [procedures] would this be?

Not different in that sense, it continues to be strategic planning for five years. It’s more to think about the first 4 years of implementation of “Horizon Europe” and the difference is that this is usually done by a public consultation process online. Then there are different groups, different phases, then there is a consultation with Member States, etc. Now this year, it’s been done differently for several reasons. On one hand, because there are a lot of differences in the structure of “Horizon Europe” compared to “Horizon 2020” and so the policy-makers decided that it would [be] important to hit the ground running so that when the programmed is launched it can implemented straight away. Then it’s owned by the stakeholders that will be working with it so that the idea is to have even more civil society engagement even before the programme is launched. The way they decided to do this was through a co-design model where stakeholders are invited to be physically present at the table with policymaker and will be co-designing the strategic future of “Horizon Europe” for the first 4 years.

Would you say that you have this opportunity because it’s a very specific programme?
Personally, I have this opportunity by chance because I’m the person in the team that is working on it. But the stakeholders have this opportunity to work on it because it’s a new thing. Also because there is no EUCO President, so the goal is to give more political weight to this document because otherwise a new EUCO President would come and would say “it’s crap, let’s do this again” and the technical staff that is working on it would be wasting their time. This was a strategy to make the new EUCO, the new Administration, more bound to follow whatever we are working on before they come.

The purpose it to get the stakeholders on the table, but do you think it will bring some added value to their contribution?

Yes, I think so.

Does it make it also more plural and transparent?

Yes, yes, yes. That is precisely the goal. If you search “European Search and Innovation Days”, on the “About” section, you have some paragraphs dedicated to Strategic Planning where this is mentioned. But more information is to come.

Lastly, I just need to ask: what is your DG?

[DG] RTD [- DG for Research and Innovation].

And how long have you been working for the EUCO?

Since January 2019.

Thank you so much Interviewee 1.
Interview 2

11th of June 2019

Directorate General: Research and Innovation.

Time worked of the Commission: Two years.

Contract type: Contract Agent.

Nationality: Portuguese.

First thing I want to ask you is: which DG (Directorate General) do you work for and how long have you worked there?

I’m currently working in [the] DG Research and Innovation and I’ve been working [for the European Commission (EUCO)] since May 2017.

I’d like to remind you that you can ask me anything if you have any doubts and that the questions I’ll pose are all based on your opinions. Let’s start with something easy and down to earth, I’d like to ask you if you ever heard about the Code of Conduct?

I did.

Do you know if it’s a standard procedure?

Yes. I think that every person that start in the EUCO has an information session about the Code of Conduct.

I’ll ask you about “wrongdoing”. When I say “wrongdoing” I mean “corruption and/or mismanagement”. I’d like you to keep this in mind. Do you think that the Code of Conduct has any powers to prevent any wrongdoing?

Yes.
Do you think it also has enough powers to sanction people involved in any wrongdoing?

Yes. For example, the person can be fired.

Do you think that the findings of the Code of Conduct are strong enough to discourage any future wrongdoing?

I think so, yes.

In this case is not a rule, so you have to keep in mind that. In the end, do you think it will influence a person’s actions while working for the EUCO?

I think it will influence the actions, yes.

In this case, do you think that results of the Code of Conduct will represent a sincere picture of the events being reviewed in case there is any wrongdoing? Do you have any examples that you might give me?

Yes (to the first question). I don’t think I know any examples at the moment.

That’s good actually. Do you think that the knowledge produced by the Code of Conduct is useful to prevent any wrongdoing in the future?

Yes, yes.

Does it also improve your unit’s work, in the future?

Yes.
Does it also stimulate useful interactions between the person looking into your unit and the person that might have done some wrongdoing or the whole of the DG, how they think about [the Code of conduct], how to conduct themselves?

Yes, yes.

Do you also think it is a valuable supervision tool?

Could you formulate an example?

Would you keep it in mind in case you were put on the spot, if something went wrong with your work? Do you think you’d look at this tool, would it help guide you through your work?

Yes, yes.

I’ll now ask you about the Whistle-blower’s Code. Have you ever heard of it?

Yes.

Do you know if it’s a standard procedure?

I have no idea.

Did you get any information on the Whistle-blower’s Code or any steps that you can take in case you see some wrongdoing being made by other people?

Yes, in the beginning of my work. Yes.

Do you think it has any powers to uncover any wrongdoing?

Yes.
Do you think it also has enough powers to sanction people involved in any wrongdoing? Do you remember any specifics about that?

I don’t remember, I guess.

Do you think that, after a Whistle-blower’s process, the findings strong enough to discourage any future wrongdoing?

Yes.

In this case you don’t know any investigations cause by the Whistle-blower’s Code, right?

No, no, no.

If it would exist, and you’d be present, do you think the findings would represent a sincere picture of the events being reviewed? Do you think it would be an accurate mechanism?

Yes, I think so.

Do you think that the knowledge produced by such a review would be useful, in the future, to prevent any wrongdoing?

Yes, yes.

Do you think this knowledge would improve your Unit’s work, if this were to happen?

Yes, yes.
Does it stimulate any useful interactions between the institution looking into the person, or the whole Unit, do you think that would create an environment with positive outcomes?

I don’t know if it would make positive [outcomes]. Maybe not. If it was a negative situation, I don’t know if they would look in a positive [manner] into the Unit. But maybe it would make it more... They would monitor [the Unit] a bit better.

And, lastly, do you think the Whistle-blower’s Code would be a valuable supervision system?

Yes, yes.

Thank you. The next thing I want to ask you [about] is the career, but in this case, if I’m not wrong, you are not part of the formal career of the EUCO, correct?

No.

Could you clarify what’s your status?

I’m a contract agent. So, it’s a temporary contract.

The next thing I want to ask you about is the Financial Control Units (FCU). Each DG has one. I’d also like to clarify that these are different from the Financial Audit Units, which it’s its own Unit within the EUCO [structure]. Do you know if the work of the FCU within your DG is a standard procedure?

Yes, yes.

Do you think they have enough powers to uncover any wrongdoing?

Yes.
Do you also think that it has enough powers to sanction people involved in any wrongdoing?

No. Maybe not power. They could just send the information to the more powerful people, let’s say.

Do you have any idea on how that process would [be like]?

I’d assume they would send the information to the DG that is in charge of the other DGs. Let’s say... Directorate Gene... Secretari[at] General.

Still about the FCU, do you think its findings, in a case of wrongdoing, would present a strong and sincere picture of the events being reviewed?

Yes.

So, you have a lot of trust in the systems in place?

Yes, I do, I do.

Is the knowledge produced by the FCU [used] to prevent any wrongdoing, in your DG?

Yes, yes.

Are they also involved in planning or financial allocation of you DG? Did you ever interact with them? Have you ever worked [alongside] them?

Not directly. But I know they are in charge of the allocation of the money.
Can the knowledge produced by the FCU improve your Unit’s work in the future?

Yes.

Do you think that the FCU stimulates useful interactions between it and your Unit? As I said before, do you think it has any positive impacts on the way that you work?

Yes.

Do you think the FCU is a valuable supervision tool?

Yes, definitely.

Now we are going to talk about two tools that were introduced when it comes to planning. I’m going to ask you about the Strategic Planning and Programming (SPP) that usually has to do with Impact Assessments (IA). Are you involved in the making of IAs?

Not directly, no.

Are you involved in the Annual Management Performance Reports of your DG? As each DG has one per year.

No, I wasn’t.

Do you have any contact with the stakeholders when they give their inputs for the legislation [presented by the EUCO]?

Could you reformulate?
Sure. When DGs or Units are preparing some sort of legislation, in the EUCO, they also have to contact the parties interested. They can be public [institutions], private, Member States. These stakeholders, are you in contact with them? Do you talk to them? Receive information? Getting to know what they think? And then translating into policy-making.

Yes, yes, yes.

Do you think that in this last matter – of the stakeholders – listening to them is it a standard procedure?

I wouldn’t say standard. I think it depends on the topic. [When] the legislation impacts the civil society and the companies I think it’s normal to contact them to know their opinion, the way it will affect them in the future.

Do you think this has, in any way, [to do] with any wrongdoing? [Does] it impact the EUCO, in something being done in a not ethical way?

No, no. Not that I’m aware of.

In that case we can [disregard] these questions. The last thing I want to talk to you about is Activity-Based Management (ABM). In this case it has to do you the allocation of resource: financial resources and personnel. Two decades ago, it also had to do with informatic resources, has there was a big [technological] change in the early 2000’s. ABM also has to do with Strategic Plans and, a little bit, with the Annual Management Performance Reports. Are you aware of any of this thing that I just told you about in your daily work?

Yes, I think so. Yeah.

Could you remember any specific example that you might give me?
I don’t know if it is related, but I have the appraisal report. I don’t know if it is related to the same thing.

In the appraisals [review] what would be the case? Would they look into your performance?

Yeah.

Would they look into the overall performance of your Unit and compare it to yours? How would that process occur?

No. They will ask me questions about what I did and about what I’d like to do in the future; how I will make my self-evaluation. But I’ll also receive an evaluation of from my hierarchy. So, it’s done both ways.

So, even if you are a contract agent, there is still an appraisal system?

Yes. Because when we start, we have 9 months of... what’s the word in English? Probation! Probation period. And after these 9 months we have an appraisal report which, I mean, which should lead to the prolongation of the contract. Or, at least, the contract is not finished after these 9 months and [you can] stay one year. I don’t know any case of a person that had a bad performance or was fired after that period. And I know that I also need to do an appraisal every time I change my grade. So, not every year as is usual [for] a fonctionnaire, as a usual official, but every time I need to change a grade.

I see. Do you know if it is a usual system? Do you have any other reviews, opinions from co-workers that went through the same process? Do you think it’s fair?
I think it’s fair. It’s a very usual procedure, so everyone is obliged to do it. It’s also the only way that you can progress in the career inside the EUCO by using this appraisal reports. Everyone does the same one, so I think it’s a fair system.

Do you think that, during these appraisals, is there any way to uncover any wrongdoing? Are they looking thoroughly into your work and how you’ve behaved?

Yes, I’d way so. I know that there are rules. Usually there are private conversations between the person in the hierarchy and the person’s performance: what they can improve, what more can they do. It’s also a way to avoid that a person gets bored at work or if [the person] wants to go into a different direction, it’s also a way to understand that and profit from the wishes of the person and, let’s say, their skills.

Would you also say that this is useful in learning how the people in your Unit are working and how they could improve their work in the future? Is there any feedback given to you?

Yes, yes. I mean, I know that there are people that if you want to show that you want to go more in this direction, I think they look into that and it allows you to improve in that direction or another. So, I think it’s a good, yeah, it’s a positive outcome.

In that case, would you say that it’s something useful? Can I assume that?

Yes, yes, definitely. It’s an open environment. Of course, you can always talk to the hierarchy and can always try to change in this system. It’s also possible. It’s a more formal system, a more formal way.

Before we end, someone that I interviewed mentioned the Intranet from the EUCO, called “MyIntraCom”.
Yes?

These things that I asked you about – if you needed to look further into them – do you think you could easily find them there?

Oh yes.

Is there any other system that you could use instead of [this one], any people you could talk to instead of using this Intranet?

I mean... I assume so. I mean, I never really looked into that. There was never a situation that I needed to do it. I know where the information is located and, usually, they also provide the contacts of the people in charge of this, or the DG in charge of this. So, it’s easy to find information about the people that you need to talk to.

Ok, my questions are done. I want to thank you so much Interviewee 2 for your collaboration.
Interview 3

4th of July 2019


Time worked for the Commission: 13 years.

Type of Contract: Contract Agent.

Nationality: Italian.

Thank you, Interviewee 3, for participating. Could you state when you worked directly for the Commission - as staff – and [for] which DG, please?

I started working for the EUCO in July or August 2006 in DG Enlargement, which now became DG NEAR (European Neighborhood Policy and Enlargement Negotiations). Basically, I’ve worked in the same “family” ever since. My first assignment was in the [incomprehensible] Unit and I was dealing with the Northern part Cyprus – the Turkish Cypriot community – after that I moved to a delegation, within DG Enlargement, in Macedonia for five year, then [DG Enlargement] became DG NEAR, and now this is my fifth year on the Delegation of the EU in Albania. But still I remain EUCO staff, DG NEAR staff.

Thank you. The question I’ll pose to you, they follow a sort of a pattern, but before each topic I’ll explain it in broad terms. I’d like to start with an easy one which is the Code of Conduct. Do you, by any chance, remember if you had some sort of explanation of the Code of Conduct when you arrived at the EUCO? [This question was repeated due to technical difficulties with the call]

Yes, in the beginning of my assignment, on the preparatory training to become staff of the EUCO and then regularly, every year, we have staff in the Delegation who gives a session, at least once a year.
Can I assume that the Code of Conduct is a standard procedure then?

Yeah, we are reminded regularly by colleagues of the existence of the Code of Conduct.

Do you think the Code of Conduct has any powers to prevent any wrongdoing? And by wrongdoing, I mean mismanagement or corruption.

I think the Code of Conduct has sufficient information to inform the staff about itself but also the risks that one can incur if he doesn’t respect the Code of Conduct. I think it’s quite self-explanatory and people tend to abide by the rules of the Code of Conduct. There are obviously cases of... I mean, not that I’ve experience them directly, but I know of cases of corruption in EU institutions in the past which means that some people can fall out of this, but I think the Code of Conduct is quite clear.

Do you also think it has enough powers to prevent any wrongdoing?

The Code of Conduct in itself is a code, so I don’t think there is any sanction linked directly to the Code of Conduct, but we have other institutions that look into corruption and fraud like OLAF. So, I think this is where we have to look to when we speak about the power to... The power is with OLAF, OLAF and the auditors rather than the Code itself.

Do you think that as a supervision tool it’s a valuable one? And I mean supervision, as you said, it is informative, people are aware about it. So, do you think it would be a valuable supervision tool?

I don’t think there is any supervision on the Code of Conduct. I mean, there is nobody assigned to supervise the work of colleagues [because of it] as far as I know.

I meant it as a broader term.
Then, yes. Yes, absolutely.

The next thing I’d like to ask you about is the Whistle-blower’s Code. Have you ever heard about it?

To be honest, no, I haven’t been exposed to this, no. Maybe I’ve heard of it, but I really don’t know what it is about.

You told me that you’ve heard about previous situations where corruption or mismanagement was involved, do you have any idea if those cases started because someone spoke out? If someone was a whistle-blower?

I don’t know. The only thing I remember clearly was an old case – probably ten, fifteen years ago – of corruption regarding the EUCO buildings. Something related to procurement and works related to EUCO buildings. But I don’t know how this came out, honestly. Certainly, [it is] what happens when OLAF get involved in the investigation of corruption or fraud is because people are whistle-blowers. These [whistle-blowers] are from the EUCO or the outside and inform OLAF anonymously, most of the times, about these cases.

Just to remind you that, in this case, you don’t know the Whistle-blowers Code and it’s okay for m[y research]. If you don’t know something, it’s not a problem. I forgot to say it at the beginning.

About the Whistle-blower’s [Code], I’ve never been explained by anybody about the existence of this Whistle-blower’s Code. But indirectly I know, that we are told, when we speak with OLAF about corruption and fraud, that we have the right to, anonymously, alert OLAF, providing the explanation of our case or the case we think is related to corruption. So, I consider this a whistle-blower.

Would you call it “guidelines” [instead] of Code?
No. I mean, I just don’t know about the existence of it, I know about the possibility of informing the relevant authorities anonymously about cases of corruption. I don’t know if there is a Code. First time I hear [about it].

My next question will be about the FCUs at exist in each DG and this is not to be confused with the Financial [Audit] Unit at a separate DG that oversees all others. Did you work with the FCU inside DG ENLARGEMENT before?

No, not directly, no. Because the work I was doing was a bit different from what I’m doing now. Now I manage projects, I manage funds, so I’m in constant contact with colleagues of the finance and contract section in the Delegation which oversees the implementation of the financial resources. But in DG ENLARGEMENT, [when] I was in the Headquarters, I was not in contact with them.

Now you said that you are in contact within the Delegation. Do you know if your colleagues are part FCU within the DG or are they…?

I don’t know. In the organigram… I don’t know if they are structurally linked to them.

[Interviewee’s office phone rings]

They certainly do financial control. They guide processes of monitoring, all the spot checks, audits, evaluations, result-oriented monitoring, activities. They are part of the process for sure.

Do you think this FCU might they be in the DG ENLARGEMENT or the people that you work with, do you think they have enough powers to prevent any wrongdoing, any mismanagement of the funds?

Oh, they do, yes. They do because they are part of the decision-making when we sign a contract, part of the decision-making when we pay the contracts in various
instalments of contracts. They are involved because when they launch an audit in a sample of contracts. So, certainly they have the power to limit, at least, the cases of wrongdoing.

**Do you also think they have power to sanction if something goes wrong?**

Yeah, yeah. They have the power to sanction because they can recall the money that was wrongly spent. We can ask the contract us to refund us some expensive if they are not eligible. With this, we decide on the basis of expenses verification reports, audit reports. It’s a machinery that looks into the spending of the taxpayer’s money. I think we are quite strong in this.

**That’s interesting. Do you think that these processes, that you were just explaining, discourage any wrongdoing?**

Yes, definitely. Also, because we explain clearly to our contractors that they are subject to verifications, missions, observations and audits until seven years after the contract. They know they have to keep track of everything for a long time after the end of the project.

**So, would you say that, when the results are presented, they represent a sincere picture of the processes? Do you have trust in this system?**

I think the system is well structured and, yeah, I have trust in the system. Of course, not everything can be detected by the system, because it’s impossible to review everything, but it’s quite strong and I think we recall a lot of money at the end of every year from these verifications.

I guess that in Albania those subjects must be a bit more complicated. Especially because it’s not really well-known for its transparency.
Yeah, here there are some more difficulties; mentality, different way of working, a different way of considering public money. Yeah, it can be difficult.

**Do you think that the FCUs are useful to prevent future wrongdoing?**

In which sense?

A bit of all the things I've asked you before. Since you told me they can sanction, they have good systems in process. It will also serve as, in a way, as a preventive action knowing that those systems are in place.

Yeah, yeah. As I said, to inform them that they are under constant control so, these limits... the risk that people try to do some wrongdoing... yeah, I think it can help to prevent some future [wrongdoing]. At the same time, I think it trains, also, the beneficiaries of EU funds about transparency, about sound financial management and so forth.

**Do you have some examples of positive outcomes of the people that are in contact with these policies?**

Nothing particular that comes to my mind now. I have to say I've been quite lucky with my projects and whatever I've done in the EUCO because I've never had any serious issue. You know, all the issues I've had [were] small amounts, but not related to wrongdoing or corruption, but just eligibility of funds because of different interpretation of rules, but nothing with a criminal mindset behind.

I see. **Do you think that the interactions with the FCUs improve people’s work in the future? In the sense that they are more efficient and more aware on how the money is spent.**

Outside or Commission staff?
Within the Commission staff.

This is... well, yes. I think it improves the way, the efficiency of our spending, definitely. But if you interview a good number of people, you will realise that is an administrative, bureaucratic burden that nobody [incomprehensible] because it’s a lot of additional tasks and verifications, missions, checks and check-lists to fill in and reports to read. So, from the workload point of view it’s very heavy but it’s necessary, you know.

So, would you say the amount of red tape balances the benefits of that [kind] of management and the efficiency?

Sorry, the amount of...?

The amount of red tape: of bureaucracy involved.

I cannot answer this question. Above all, I ask myself what is the cost-benefit of this machinery because this machinery has a cost, obviously. Not only in terms of time, human resources, but also financially, because we have external experts, auditors, frame-work contracts, all of these costs that [amount to] a relevant amount of money. I don’t have statistics with me but, say, what we get back from recovered money is more than what we spent to recover it. So, this I don’t know.

That’s an interesting angle.

Yeah. Most of the contracts that we have, we have to pay an extra for spending verification, and then another one to do an audit, and then another one for evaluation at the end. So, the cost-benefit for me is not clear, but, absolutely, this is a necessary thing to do. We cannot avoid to have a system in place to verify expenditure and financial management. I leave this question open because I cannot reply.
That’s already a quite nice reply. It puts things in a new light. Finally, about the FCUs, do you think it’s a valuable supervision tool?

It is, it is essential. I wouldn’t be able to work without the colleagues that do this part of the work.

I’m now going to switch to something which is called ABM. Probably you were more aware of this before, while you worked for DG ENLARGEMENT. This translates into, for example, the Annual Policy Strategy, the Strategic Plans or the Annual Performance Management reports and it also has to do with the allocation of financial resources. Are you familiar with any of the terms that I’ve just mentioned?

No so familiar, not with everything because I’m not exposed full-time to all of them, but let’s go one by one.

Which one popped up into your mind? That you knew before.

With the strategic documents we work regularly. Allocation of funds, preparation of the action documents, definition of priorities, all of this is daily work.

And that’s all part of your daily work?

Yeah.

That’s what I was hoping to hear. As it’s part of your daily work, do you think it’s possible to be connected to some wrongdoing? I know these are strategic documents. When I say “wrongdoing” here it’s a broader way, about influencing these strategic documents by other parties which are not within the EEAS or the Commission.

Yeah, but theoretically it is possible, yeah. But it requires multiple people agreeing with that wrongdoing if it is only one side, it doesn’t work. Because if it is all
the strategic decisions and priorities and financial allocations and documents, we put in place are discussed at various levels and agreed at various levels: [Headquarters], delegations, beneficiaries, the country, civil society organizations. It’s very difficult to manipulate these documents unless there is more than one.

In another way, if something goes wrong, the people that might have done something wrong – doesn’t necessarily have to be with the purpose of doing something wrong – but if something goes wrong, [in] the way these policies are made, is there a system to sanction the people that have made a mistake?

No, no. Because once these documents are agreed by all parties, then they are signed at the highest level. So, it’s Commission signing it, countries signing it. So, if you’ve had to sanction someone it would have to be the Commissioner or the Director-general or Prime-Ministers. But this is not a case that I’ve experienced in real life. It’s a bit of a theoretical case.

And, in your perspective, is it a system that works in preventing problems from arising?

From the perspective of wrongdoing, I don’t think it prevents because I don’t see the link between the definition of priorities and strategy and wrongdoing. The way I see wrongdoing – and correct me if I’m wrong – is corruption during the procurement phase, something like this. You are not referring [to] political implications?

Not in this case, no.

Okay, okay. I don’t think there is a link, to be very honest. Theoretically, in the preparation of a national document or a strategic document one could insert, theoretically, a need that is not a real need which is linked to a service and procurement and purchase of equipment that is not really needed. I mean, this could happen, but not in a macro level. Maybe in details that might not be seen while
reading a strategic document but I hardly find this is a real experience, in a real life experience.

Do you think that this making of policy strategies improves your Unit’s work? So, while all of you – I guess it’s something done in a group – it makes you learn and not do mistakes that were done in the past for example? So, if there is a learning aspect when you do these new policy strategies every year?

Yes, there is a learning path in defining... I mean, when we reach the final strategic documents for our engagement – for example now in Albania – we have to go through consultation within the institutions, with beneficiaries, with the civil society. We collect a lot of input, information, often what happens is that the strategic document is designed in a way and then, over time, it becomes something else because of the input received by the various parties and we realise we were heading the wrong way and we could have done [it differently] and we change directions.

So, there is a reviewing system.

This is very helpful. I mean, the consultation process in itself it’s a learning process because you get various points of view, various angles, which then are put together in a final document, Strategic Action Plan, whatever. So, it is useful to have a long-term perspective to give ourselves objectives, to establish indicators and then meet them. In this sense it’s a very useful process.

My last set of questions is about the CDR, the appraisals system that was in place until 2012, and you were working for the EUCO then, correct?

Yeah.

Were you part of the permanent staff?

No. Contractual staff.
In that case it doesn’t apply. Only if you were permanent.

Only for officials, fonctionnaires.

Exactly. Well then, Interviewee 3, these were all my questions. I’d like to thank you again for your participation.
Interview 4

23rd of July 2019

Directorate General: Human Resources and Security (presently)

Time worked for the Commission: 12 years

Type of Contract: Official

Nationality: Romanian

Note: The interviewee didn’t agree to being recorded. The following transcript was heavily edited by my part as for the handwritten notes to be as fluent as the conversation.

Thank you so much for agreeing to this interview Interviewee 4. Could you please state your DG, the amount of years you spent working for the EUCO, your contract type and your nationality?

I started to work for the EUCO in 2007 when Romania joined the EU. I am [redacted] at the DG Human Resources and Security and therefore an official.

I know that due to your position and specific job description some of the points on might not apply. Now, I’d like to start talking about the FCU. Do you have any experience of working with the one on your DG and do you know if it is a standard procedure?

Each Unit has to centrally report with who takes care of the budget. In my case, I don’t handle any money directly. Actually, I deal with mission allocations, but they are very little compared to procedure.

Before the next question, I’d like to clarify the meaning of the word ‘wrongdoing’ in this context. By it, I mean corruption or mismanagement. Would you say that the FCU have powers to prevent any wrongdoing and sanction those behaviours?
I think that they can prevent them. There are mechanisms developed and in place to control from the top-down. A sound financial system of controls is necessary. When it comes to sanctioning, my Unit is the only one that has the power to sanction that sort of behaviour. All investigations are done by the IDOC (Investigation and Disciplinary Office of the Commission). I actually have the 2018 report here if you’d like.

**Oh yes, that is very kind. Then, let’s reframe a bit your work with regarding the FCU. Do you think that their investigations help discourage future wrongdoing?**

The FCU can report if there are any suspicions and they’ll make a report.

**Do you think the findings represent a sincere picture of the process? Do you trust them?**

We don’t trust anyone. We first make our own assessment as we don’t accept anything at prima facie value. If we may wish to investigate, we do the assessment ourselves.

**Taking that into account, and after your assessment, do you interact with OLAF if necessary?**

Well, OLAF is a separate branch but it’s still within the EUCO. Although it supervises all EU institutions, it belongs to the EUCO. It was put in place for cases of financial allegations. If people have any doubts about how they are conducting their work or something else that is happening around them they can turn to OLAF.

**Do you think the work of the FCU is useful to prevent any wrongdoing?**

I cannot say that. I have no experience in that as we never had any cases coming from there, transmitted by the FCU.
In that case some of the next questions don’t apply. Changing subject, can you confirm that your Unit doesn’t deal with IA’s, controlling multiannual objectives, stakeholders’ participation in possible legislation?

Correct. Our DG doesn’t make IA’s and the other things you mentioned.

As I’ve informed you before, this research has to do with the Kinnock Reforms. I’ll now read to you some of their goals. I know that you only started at the EUCO after they were implemented, but I’ll like you to tell me if you agree that they are the way that EUCO conducts things. “Independence, Responsibility, Accountability, Efficiency and Transparency”.

I think so. Yes, I agree. Transparency increased a lot since I started here, especially with the communications between the EUCO and the exterior and within EUCO as well. I think these are basic principles of sound administration. The EUCO is the biggest EU institution and it as to set the example for the rest and for Europe. Personally, I think that the red-tape has increased substantially, but I also understand why: it’s very hard to simplify such complex processes.

It’s funny, the study that I’m trying to recreate points out in its results that officials felt more the increase of red-tape and pointed it out as mostly useless.

I don’t think that happened because of the EUCO, I think it had to do with the increase in size of the Member States and the number of rules, legislation and documents that we have to take care. In our case we felt an enormous increase in our workload due to the increase in scope of Data Protection as the DG also has to do with Security. All these legal obligations become an extra burden to our previous functions, and this happens in the entire world, not only in the EUCO. So, I don’t think that the increase in red-tape is better or worst. The number of Member States increased and it’s harder to implement smoother decisions.
In that case, do you think that there is an improvement when it comes to the relationship with sound management? I mean, does more red-tape mean better spent money?

I cannot say anything about that as in my experience red-tape doesn’t increase in the same proportion as with money. In our case, it increased when our Data Protection responsibilities increased.

Turning now to the Code of Conduct. I know that within the EUCO is called Staff Regulation. Can you confirm that it is a standard procedure? And could you also tell me if it helps prevent wrongdoing?

Well, first I’d like to say that the Rights and Obligations of the EUCO staff are different from the Staff Regulation. The Staff Regulation is sent and explained to everyone when they join the EUCO and all staff has to abide by it. We also provide trainings for staff in that area, even if it’s mandatory when they enter.

Did you notice any sort of evolution in the way that information is passed onto the staff and could you tell me a bit more about the trainings your DG provides?

We have something called the “Outreach Programme” with which we try to raise awareness of staff members about these issues. Together with the Ethics Unit, we tailor our approach according to the cases of wrongdoing we receive each year. If ignorance exits in a specific area, we work on it. We do interactive presentations, for example with voting buttons for real life situations. By doing these presentations we remind the staff what they have to report and why and how they mustn’t forget their obligations. We remind them that no sort of wrongdoing is allowed. We try also to tell people where to whom they should ask a question or how to act in case of doubt. The main thing is: just ask if you are allowed to do something. Just like this, they become more aware.

When did this internal programme come into practice?
A long time ago. Maybe eight years ago or so. Since then we’ve had a sustained growth, with more and more people joining. We publicise a lot. It’s better to try to have between 40 and 100 people, and that’s what we usually do. Having 20 people in a room is usually a waste of our time.

**Do you then think that the Staff Regulation is a valuable tool? And does it have enough power to sanction present wrongdoing and discourage future one?**

Yes, absolutely, it’s valuable. We also have a very well-defined legal framework to deal with these cases and plenty of tools available.

I’d like to switch to the Whistle-blower’s Code. I guess you know it due to your work.

Actually, it’s called Whistle-blower’s Guidelines, not Code.

**Oh, thank you for the correction. Are those the ones adopted in 2012? I found it online a while ago.**

Yes, exactly. They came into force in 2012.

From other people I’ve talked to, there seems to be some confusion around the Guidelines. Either people don’t know they exist, or they have a very vague idea.

Well, the rules for whistle-blowing are actually part of the Staff Regulation, the issue is that on the Staff Regulation the word “whistle-blower/whistle-blowing” doesn’t appear. Because of that, people don’t really understand the difference even if they know that there is an obligation to report serious or financial wrongdoing.

**Do you think the Guidelines have power *per se*?**
They have power as a EUCO decision. That’s because they are contained in the Staff Regulations. These rules are better explained in the Guidelines than in the Staff Regulations, it’s more explanatory and easier to understand. As guidelines, they are not legislation, but they are a mixed with legal provisions.

That answers a few of my questions, actually. Do you think that the Guidelines are enough to discourage future wrongdoing, and, after an inquiry, they lead to an honest review of the facts?

The idea about whistle-blowing is so that the people aren’t afraid to report wrongdoing. It also gives them protection from higher levels of the administration. If you wouldn’t have any fear to report something, then it wouldn’t be a problem. For example, if someone retires and says something, this person is not a whistle-blower because there is no way to having repercussions. Whistle-blowing is very confidential: the name is not revealed. It’s basically an exception for those who fear repercussions. They have three outlets to do so: their superiors, the Secretariat General of the EUCO and OLAF. They can’t come directly to us, for example. We can get the process via OLAF at the end of their investigation as the IDOC is the only part of the EUCO in charge of disciplinary issues. The whistle-blower can’t come directly to us.

Could you tell me if the number of cases of whistle-blowing went up or down in your tenure? And, in the case that you know, what do you think of it?

I can’t really draw such big conclusions. However, this year there was an increase. Personally, I feel that an increase is positive because people are more aware, and they actually report more cases. I think people can argue the other way, seeing a decrease as positive, as ideal, but I don’t think that would mean that everyone behaves correctly. I realise that and people do too. And services too, like the paymaster’s office. They have to report when there is a problem, they cannot close their eyes and hope that someone won’t do it again.
When it comes to firing someone that has been caught in some sort of wrongdoing there was an anecdotal example in the academic literature since only one person was fired due to poor performance before 1999 and that process took 9 years until a final judicial decision. In case of trying to fire someone for some sort of wrongdoing, how does it work, in practice?

Well, I’d say that definitely changed, has you can see in the report, in 2018 we dismissed 3 established officials. When it comes to Contract Agents it’s easier as their contracts, in cases of poor performance, should just not be prolonged.

**Is it hard to dismiss officials?**

Yes, but not because of the EUCO, because of their fundamental rights, the procedures that you have to follow. It works like a trial: people have to be heard; many documents sent. It’s just not possible for it to be a speedy procedure. We always try to be as swift as possible, from our side.

**Is this one of the cases of too much red-tape or is it just a long, but fair, process?**

Mainly, it’s slow. Especially because people abuse their procedural guarantees that they have. They always ask for more time. So, I wouldn’t call it red-tape, it’s just procedures. The obligations of the administration are more and more and there is also an influence of case-law by the ECJ (European Court of Justice).

**Did the ECJ intervention make the process swifter?**

It makes it even more complicated. During the last years it was the ECJ that obligated to add additional burden on us and then we end a process in something like 9 years.
Thank you for those insights. Did you deal with the CDR when you started in the EU CO?

Yes, but then it changed quickly to an appraisal report.

Is that appraisal report annual?

Yes, everyone gets one. Everybody has to report and make an evaluation.

What were the changes between CDR and the new appraisal system?

In the past, there was a mark system and then a it was 15 or 16 possible points. It changed into four different categories like 1, 2, 3 and 4. But neither of those work really well and so now it’s qualitative: either it is “satisfactory” or “not satisfactory”, instead of overall performance. So, not 1 or 2 or marks or points.

When do you have to do these appraisals?

Once a year, from the beginning of January until March.

Does that lower the motivation of the staff?

Oh no, the new system doesn’t lower motivation, on the contrary! It’s really the opposite. There were the categories when I came in, there was a performance level. The reason that they changed it was de demotivation that came along with it. It was also difficult to reporting officers to explain why they gave someone a good mark and someone else a different one.

Because the idea of CDR was so that people would feel like they are to perform better if they didn’t and to make the better performers to keep it going. From what you are telling me, it seems that people didn’t like that.
Not at all. There were many, many complaints. At the time, I was in the Unit that received them. There were so many complaints about people’s grades and marks that we could barely keep up and deal with them.

**Is it better now, compared to CDR?**

Yes, it’s much better. It should be good that every report is positive or negative. The point is that you can read in between the lines to understand which people are better at their jobs or worse. That also means that there is less demotivation in the beginning of the year when people receive their appraisals, that happened when people’s grades were worse than their colleagues.

**I need to go back a bit, could you elaborate a bit about the relationship between the IDOC and the European Ombudsman?**

It goes well with them. The Ombudsman could ask us for an inspection and then issue a report about a case. Then they close the case about some possible wrongdoing and that a final word about it. So, either them or ECJ can decide in some matters, but the cases can’t go parallelly to both. It doesn’t happen very often; I’d say we have contact with them once a year.

**This brings our interview to a close. Thank you so much for your time Interviewee 4, it’s been a pleasure.**
Hello, Interviewee 5. I’d like to start by asking you what DG you work for.

I work in DG for Energy of the EUCO.

I’d like to know your contract type.

I’m a contract agent.

And How long have you been working for the EUCO?

It’s been one year and a half now.

Could you state your nationality, please?

I’m Portuguese.

I’m going to pose several questions about different types of tools that you use in your daily work in the EUCO. If you have any doubts, I’ll explain them further to you. So, the first thing that I’d like to ask is if you have any sort of contact with the making of IA?

No, not really.

Okay. Is there any way that you also work with stakeholders, for example?
So, basically, I work for the Secretariat which means I organise quite often meetings with them but I'm not really participating in these meetings. It happens quite often that I also organise meetings not within the EUCO premises, but outside with externals. But not really content related, so I'm only doing the logistical part and everything.

But, then, would you say that the EUCO tries to extend their reach to the stakeholders from the outside?

Yes, I think so. And, actually, we receive quite frequently lots of requests from the outside to have meetings, to organise events, to participate in conferences. So, lots of my colleagues are constantly going on missions and participate in events where they need to give public speeches. And, also, sometimes there are requested to give interviews which directly implicates, like, ethics. I'd say that we are quite often asked to have contact with the external part[i.e.]s. Sometimes this external part[i.e.]s try to have some influence in the process.

You talked about influence, but do you think that they also [have some] oversight of the EUCO's work? Because influence doesn't mean that something is wrong, it's just to put their agenda forward. Do you think, by influencing, they try to oversee what the EUCO is doing and how it is doing it?

Maybe a bit. Even now, in DG Energy, there was the Energy and Climate National Plans that were launched. And, in the end, the Member States needed to provide a draft plan of what would be their Energy and Climate Plans in the future, their ambitions and everything, and at that time we were receiving meeting requests from NGO's, lobbies, to say: "maybe what we asked Member States is not as ambitious as it was supposed to be". And for it's important because it happens quite frequently that some things appear in magazines, journals, and some information goes out even before we send it out. Yeah, there is always, I would say, quite frequently they try to... It's also a small world. People that work in Energy within the institutions - in this case
I'm saying Energy because it's this DG - they know other actors that are working in the same environment, even if working in different institutions because maybe these people maybe met in other meetings, some were previously working here, other came from the exterior. So, sometimes people know each other, and the way information flows is not very official. It goes back and forward.

And it gets out. I'd like to ask you if you have contact with, for example, Annual Policy Strategy or Strategic Plans or Annual Performance Reports from you DG?

So, what happens is that, I have access to it, in a way because I'm preparing some of the meetings, but it's not like if I'm working directly. I have some colleagues in my team that are doing it. So, my team, in Unit A1, which is the Policy Coordination Unit, has three different teams: the legal team, policy team and planning team. And the planning team is dealing directly with these multiannual frameworks, financial stuff. We have a person responsible for finance within our Unit. But what we do, and we have direct contact with - and I think it's every year - there is a... Not a report, it's like a... The management launches an inquiry and you have plenty of different subjects that are analysed, and different staff needs to provide their opinion about the way our DG is managed.

That's interesting. So, these inquiries, they ask about the management of the DG?

Yes, and plenty of other things. For instance, how do you think policy is being, like, if it's being well coordinated or not. What do you think about management? It goes to different levels. So, for example, they ask you at the level of your Unit how do you feel if you are happy with your job. Plenty of questions that put you in a situation where you actually need to reflect and to think if you have the proper answer to give. In the sense of: “are you happy with the job that you are doing on a daily basis?”, “Is your Head of Unit...?” I'm trying to remember the questions because it was already a while ago. “If your Head of Unit...”. “What do you think about the management of your
Unit?” If it’s like lots of micromanagement or if you think she is into the subject, or if she is doing more... I don't know.

**Like a generic overview of all the work that is going on.**

Yeah, yeah, that has been going on. Then, they ask you to put yourself in the context of the Director General and what do you think about the management, but like high level, like Director General. If you think that some things should happen in a more open way.

**Where does this come from? This inquiry?**

I think this is done in all the EUCO. I think it's on a EUCO level. All the DGs need to provide [it]. Actually, for example, this year the results were then distributed, so we had access to the percentage that our DG... The percentage that our DG scored in each of the main subjects. Because, also, at the beginning they have sent a general overview of all the EUCO, I think. But then, DGs were asking what was happening. I mean, we want to see the results. And then, it also happened that some DGs distributed and others not. So, other were like saying "No, we want to have access to this information because it's important for us". And since it was something that was anonymous, people were really expressing their views. So, they wanted to see these results.

**And do you know if they acted on those results? Were there any changes made by the management?**

I imagine probably in the future, it's their idea because that was also one of the questions, if we think the results of these inquires would have some importance to improve the way of working here. But, yeah, still, for the moment, it's difficult to say. This was some months ago, but I think it's slowly. For example, on of the things that they were asking was about our management to be more open to be a bit more out of the box and receptive to new ideas. For example, colleagues were asking to have feedback for their work. So, like, if you are providing a briefing, at the end you send a
briefing and you never know what happens if maybe they accepted, they made some changes, but you'd like to know exactly what did you do wrong, what we are supposed to change. So, actually I think this is a very good initiative at DGs level. If the results are shared and if it's anonymous, people feel quite comfortable to just express their views. Then, of course, if they were wrong you could really see. And so, I think they don't have a lot of chance. They will need to change something. But, also, our management will now change with the change of the EUCO. They will take it into consideration.

**Do you know if this is in any way related to the appraisal system? Did you do it at the same time as your work was reviewed?**

No, I don't think so.

**Do you have any idea if this inquiry is a new thing? If it comes back a few years?**

I'm not sure.

I understand: you've been here one and a half years. I'm just asking because someone might have commented or said anything like "this is new".

I think that it exists already for some years, but not for long. Colleagues were saying: "I just hope that this time we will have the results". I imagine that is not very long. I'd say that it's quite recent, then maybe I can check. But I'm not really sure since when it exists. Of course, it's a good opportunity to... I think it's the only opportunity that you have to show your views. Because in some DGs they do, for example, mattings with the Director General and Head of Unit were people can actually participate. In our case that doesn't happen. But this was happening because, in our DG... I was trying to see if there was an overview, this organigram... But okay, you have the Director General, then you have four or five different directorates, and A1 is part of directorate A and within directorate A, so our Director, not the Director General, she was doing these. So, once per month we would have a meeting from everybody
from directorate A. And she would ask us directly questions and that was something really nice because you'd have persons that wouldn't even dare to make a question or something, but other yes. They were really asking her, and she was very open and transparent. Sometimes she would say "Yeah, I’ll tell something that maybe I shouldn’t tell". And I think this was helping. Work was done. If then there would have some... It's was, like, clear for us what was happening here. And when it's more at a high level you don't understand very well what was happening.

So, that would be also different managers have different ways.

Yes, completely.

There was also a bit of independence, freedom of choosing on how to run their DGs or Units.

Already at a Head of Unit level, each Head of Unit. Because per Directorate you have, more or less four, Units. You'd have four Units, and [an equal number] of Head of Units, and they work on different ways. Okay, the Units have also different sizes, but then each Director... While I was here, we changed Director, from Directorate A. And they had completely different approaches to the same things. So, one - I think I didn't even meet her... Or I did, but she wouldn't even remember me - and this [new one] she would... Everyone and was so approachable and you could see that the atmosphere changed here because of her way of doings things. It's not that I have lots of experience, it's the only DG I've been working, but I could see. And everybody was saying that there was a change with her coming.

Interesting. Because it's not absolutely related with the questions that I wanted to pose but it is related to the changes that happened almost 20 years ago in the EU CO because one of the things was the ability to have a bit more freedom to manage in each DG or Unit so that top-level managers would have a bit more freedom.
I think that you have [that]. At a level of procedures, they say it always changes when the EUCO changes. They say that this one with Juncker they decided that they have to be more open. So, the way that things happen, if it needs to be validated at a higher level it changes depending on the Commission. But then, internally, there are plenty of things that you can do. Even if at Directorate level, for example, briefing. In my Unit, when we are producing briefings related with infringements, because we have a legal team that deals a lot with infringements, they only need to be validated in my Unit by the Head of Sector, unless it's a very big, important meeting. Then, yes, my Head of Unit wants to check them. But otherwise it's the Head of Sector of the legal team, like, the team leader of the legal team. But in Luxembourg - because DG Energy is split and we have some colleagues in Brussels and other working in Luxembourg, those that work with EURATOM, mainly - their briefings need to be validated at Deputy Director General level. So: they are produced by Unit, then it goes to the team leader of the Unit, then to the head of Unit, Director and then Deputy Director General. And, most of the time, we get things late because it's such a big level of approval, such a big chain for approval, that we have deadlines but sometimes it's difficult to actually have things on time.

It has to go through a lot of people.

Yes. And these bureaucratic things. You see, internally they decided like this, I don't know why. It's the same DG but we work differently. So, imagine, for other DGs you have plenty of differences. So, we have, like, these general rules and even sometimes they are interpreted differently. Things are happening differently in different DGs.

Interesting. I'd like to ask you, changing subjects, if you have any contact or work with the FCU within your DG. Or, at least, if you know what type of work they do.

Honestly, I don't really think so. For example, in my Unit we have a... In my Unit we have a person which is responsible for finance. And he is working directly with the
Annual Management Plan and all these things. And we have a Financial Unit, but I'm not sure if they are actually doing a general check of what's happening, but they are there to help us once we are going to some procedures. For example, sometimes I need to create contracts with externals.

**That's the sort of situations.**

I'm organising a meeting with externals and I need to create a contract to pay a speaker, to rent a room outside. And so, I prepare a template that should be used, we can thing everything in our “Intracom”.

**In the intranet [of the EUCO], yeah.**

So, sometimes you don't need to worry about things because you go there directly, and you can things instructions.

**Some other people have told me that.**

So, you go there, you look [up] how to do things, if you have a doubt you call the financial Unit. In our case, in DG Energy, it's shared with the Resource DG. (It's a pity that I don't have an organigram here.) Why? because before DG Energy was joined with DG Move. They were DG TRAN - the DG responsible for transport - but then they split. But the financial Unit, it's actually a Directorate, is shared by the two DGs. They are now split, but this Directorate we are both using it. So, I need to create this contract with externals, and I'd prepare everything, put it in the system. We have a system where everything is circulating. And then I need to create a visa where I'm the person producing this, but they'll need to validate it at the end. So, they will check.

**So, they always check. Is it a standard procedure then?**

Yeah. When you put this in the system they go after you, even before the Head of Unit, and they'll have someone that will check before the Head of Unit and then
someone after. You cannot just create a contract with an external with them being aware. Oh, and something important that I forgot.

**Go ahead, go ahead.**

We have, for example, once per year, something we create called ‘VGfish’ that are financial “fish”, where we will say what is the budget that we need for the next year. So, [the] budget is allocated for certain activities. So, we are doing some for an event, I've created one where I need to state how much money do, I need to create this event, what is the event, everything. I have in my Unit colleagues that are doing this because we'll need to provide assistance to Member States to develop… Not develop, implement their national Energy and Climate plans and so they needed to create this ‘VGfish’ - which an internal name, I think - that is this financial overview for an activity that we will happen. You need it, for example, to create a platform. They need already to [have] prepared everything. This is produced at a Unit level, even if it's financial, so everybody needs to have a bit of a financial understanding. But then it goes to these shared resources, this financial Directorate and so they check it and are the ones approving.

**Ok, perfect. Then my questions absolutely apply because you have this contact. So, when it goes to this financial Directorate, from your experience... Well, you already told me that they basically check everything. Do you think they have any power to prevent from something going wrong?**

Yes.

**Something like mismanagement of funds, some sort of corruption? Because I'll use the word "wrongdoing" a lot. So, when I say wrongdoing it's mismanagement and that can be a lot of things like poor management or straight up corruption.**

Yes, I would say so. Because actually they have only a certain amount, per budget line, that they can use. So, for example, what is happening now is that all our
Directorate that has sent of this ‘VGfish’ for next year to this Directorate of finance, they are analysing them all and seeing what was the budget line that each person that created a ‘VGfish’ choose for a certain activity. And, for example, now we are receiving some information that says "Listen, you need to cut the budget in 20% of this ‘fish’ because we don't have enough budget for everything". And they check. Sometimes we have this VGfish are refused. Because they say "I don't think we will have enough money to produce this. Are we sure we cannot do this event together with this other event or this activity? Maybe we can use this money and put it all together". I think yes, and they could even go further, yeah. Maybe they could even analyse it more. In the sense, for example, actually I produce this ‘VGfish’ for an event where all Directorates of energy meet - they come from Member States - and it's an external event. I requested for a reservation in a conference centre, like lunch [and] all this. but maybe they should also maybe be asking why am I asking funs to organise outside if we have rooms in the EUCO? Why am I not just booking a room?

But are they...? But in that case that means that they are looking at just sort of the Excel sheet at the Financial Unit.

Yeah, it's a special tool. You create these in tool. So, it's not really Excel.

I mean, Excel in the sense that they are just looking at the numbers of the things that you are asking.

Yes, that's what I was wondering.

Not so much about the content.

They need... Actually, now this becoming more... They, for example, this year we were advised that in the indications about the activity that we need to develop we need to put everything. So, before people were only writing "Yes, this will be a one-day event. I'll need to book this room hotel in this hotel to organise, bla, bla, bla". But they
were not really mentioning "This money goes for this, this and this". And now, for example, this year they say: "You need to put in all the details".

All the expenses sorted out.

Yeah, really in detail.

Itemized?

Yeah, exactly. And before I think they were not really asking this. So, maybe, for now... Which, I mean, it makes sense. It's just that sometimes it’s also difficult to know one year in advance exactly. Either you have experience from a previous event that you organised, but some things are... I don't know, technological. Sometimes it is even a contract set to create with externals, so we need that money for that. And sometimes it's difficult directly. We will create an e-platform for the National Plans and everything. Sometimes planning in advance it's also complicated to directly state all the expenses. But I think that they should have a rule of checking.

Do you think, because you have to do all this financial planning, do you think it discourages any sort of wrongdoing? For example, if people will have to be so thorough there is a bigger chance that the funds are not misspent.

Yes, I'd think so. Also, because also directly for each budget line you only have a certain amount and this financial unit is also checking it. And individually, for each staff member... Even sometimes, for example, when you are doing - what's the name? - you receive some contracts and then you need to analyse them... It’s not the thing of award. You need to analyse and choose what is the winner of something that we have published. Imagine... Call for tenders! Or call for...

Some sort of procurement?
Yes, exactly. And we are looking for some company or whatever to produce a research on something. Usually also the persons which are making these decisions are from different Units and usually they are like five or something in the jury. So, it's quite difficult also to... You know, usually these financial procedures and everything, it's not like you are doing them alone and you can... I think it's quite difficult to just create a group of people that you can make these wrong... yeah, I think it's being checked. The only thing I believe is that if there is something that really wants to be done sometimes by management maybe they find a...

**Some sort of loophole or a way.**

A way to do it. I mean, even if it's something illegal.

And so, would you say that when the financial Unit, when they look at your accounting, your budgets and they give you a reply, do you think it's a strong and sincere picture of the things that you do? Do you think they give you an honest opinion that you can trust that they are doing their job without thinking about other stuff? I mean, it's your opinion.

Yeah, of course. I'd say so. I mean, I don't have lots, lots of experience doing these things. So, maybe people that are working since a long time they might have a different view. But from my side, from what I've been seeing so far, I'd say so, that they tried. Also, there is plenty of documents that they ask you to check sometimes. So, there are written guidelines for each thing. So, usually you need to follow the rules.

And so, do you think it's useful to prevent any future wrongdoing? All these rules, these guidelines, these processes that you have to do.

Yes, yes, yes, for sure. I think it's very important that it's, that you have documents stating them and not just people telling you how to do things, if it's important and you have guidelines and if you can check them.
Would you also say that it improves your work, or your Unit's work, [with] these interactions?

This interaction with the financial Unit, you mean?

Yeah.

Yes, yes, for sure. What happens is that usually we have access to some trainings. So, for example, if now you have a new task and you'll need to analyse these contracts or whatever, to do something about procurement, you'll normally need to follow a training. We have like a tool also for this. Either you follow an online training, or you go for a real one. And so, you are more or less already aware [of] how things are happening because you cannot just start developing something without knowing. But then you have always this person there to help. And, for me, it really helped me already a lot. For example, once I was organising an external event, an away day, and we were constantly having meetings to decide how to go about this. And, of course they were more knowledgeable about the rules because they are doing these things like all the time. So, it's big support for Units to profit of their experience.

You['ve] actually already answered my next two questions, so it's perfect. I'd like to change subjects again. About the Staff Regulations. In academia they call it Code of Conduct and I've understood that in practice its the Staff Regulations. So, could you just confirm that it's a standard procedure to know it?

Yes. To be honest... So, usually when you start working in the EUCO you have a welcome day, where day explain you plenty of things of the Staff Regulations. Unfortunately, I was never able to participate because when I was engaged, I had a problem, so I didn't participate. So, I had some colleagues that told me about the importance of the Staff Regulations. I know that they exist. I've never read them.

Okay, you never read them.
Yeah. Which is actually pretty bad. Because, again, when something happens, I go to our Intranet, I just write it down and then I read about this subject. But I know that lots of colleagues have also never read them, which is also a bad thing. But other know it by heart. But, I mean, we know more or less because sometimes we also have some trainings also on ethics and everything.

I was actually going to ask you about that, because yesterday I was interviewing someone else from [DG] Human Resources. They told me that they do some... They call it “Outreach Programme” and they do some trainings about ethics, about how people are supposed to handle some sorts of situations. Not only internally, but also externally.

Yeah, relations with the public.

Yeah. Did you ever attend any one of these events? Or at least you know if they are regular?

I know that, actually, you can follow them in our tools. We have this tool which is "You Learn" and you can follow plenty of trainings. And you have, quite often, these trainings on ethics. And, not long time ago, there was a lunchtime conference that I wanted to attend, but then I didn't manage to go, unfortunately. But I've already been in contact with some situations where you need to apply rules that are related with ethics, for example. Some colleagues that needed to publish something and they didn't know that they were supposed to previously make a request in the system. because this needs to be analysed at Director General level if you are acting as a staff member of the EUCO and this colleague being ready to publish something, but he didn't know. He is like detached here, not really staff member of the EUCO. He is working for a ministry and sometimes you have these exchanges and people come here. In the end, we explained that these needs to go through a process of validation, to see if there is no conflict of interest. That was an example. Or others that were requested to speak to [the] media and they didn't know that first they would have to speak to the communication Unit of the DG. Because each DG has a communication Unit. So, the
Communication Unit speaks with DG COM and then DG COM - DG Communication - speaks with the spokesperson service to decide how we go about it. Because either he needs to have guidelines, but he cannot just go. Imagine if he says something different than what the EUCO is saying. You never know what a journalist would ask you so... And, actually you need to prior, to check for what you should do for these publications for example, we need to introduce them in the system. But what was the question?

It was about Staff Regulation, but still it was interesting because of all these checks that have to be done. But it's okay. So, what I'd like to ask you is if the Staff Regulation, do you think it prevents people... I know it's just a regulation, but at least a psychological level. Or, then, if something happens, if there is actually some sort of investigation because of that when someone breaks these rules? Do you have any idea if it has any powers to prevent any wrongdoing? If it discourages people from... Or well, in another way, if it improves their management? And, if you know there are some sort of sanctions that come from the Staff regulations? Okay, you haven't read it. I guess you have an idea.

Yes, I know more or less, and I think it actually comes quite often. Like, that people are talking about the Staff Regulations and I think it's essential for our organisation to have it. Because it's the book that guides. People know more or less what is wrong or what is right. But yes, sometimes you also need to have it on writing. But I know that it has the obligations, the rights of the staff and I think they also mention what could happen to you in case you are doing, something wrong attitudes. Because, actually, they are constantly reviewing it and that's why, it was in 2014 or something, that they put this whistle-blowing thing.

Yeah, 2012.

It was 2012? I knew that it was recent. So, you can see that they are also trying to improve it to be sure that when some situations come up, you'd have a way to... A document where you could base yourself to try to solve them and a way of procedure. I think it's a bit mentioned now. I remember this one because we were discussing with
some colleagues, about the one of the whistle-blowing, and that directly they tell that you should talk with your superiors. That you will be protected.

So, about [it]. It's slightly different even if it's part of the Staff Regulations the Whistle-blowers Guidelines, but still I'd like to treat it as a different item. So, do you know about it? Have you been informed about it? What is your overall opinion? So, you just told me that they explained to you how it works.

Yeah, this was just discussing with some colleagues, but to be honest, I think I've never seen anything circulating on an email or something, about this.

Okay.

Colleagues are sometimes talking about things and subjects come up. But, like you mentioned, we actually have quite good access to information. In the sense, for something we received emails, for others is directly in the Intranet. But for that I don't recall that I have seen someone giving dedicated attention. Saying: "Today it has been many years that they published these". Because sometimes they do this kind of things, "Are you aware that...?". But for that I don't remember that they were mentioning it. Ah, and you also asked, so I think that Staff Regulations improves the way that things are managed. I really think so. And also, the other way around. I also think it's a way for some colleagues to make their rights be... To make sure that their rights are being respected. I don't know, sometimes we make some sort of request and then someone tells you no. And then you just don't say anything because you don't know, you [just] accept the ‘no’ from the hierarchy. But actually, if you go to the Staff Regulations and then you'll understand. "Wait, they told me no, but it's my right". There are some things that it's your right. And even Heads of Units sometimes they don't know what it's stated. So, you know, they follow what they think it's more logical or something. But maybe not what's really written down.

It's still interesting. As I've told you before, if you don't know about it or it's an idea, it's still useful.
I think also - sorry for interrupting - the Staff Regulation, I don't know if it was before or what, but it also mentioned the way that you should not act. As a Commission staff and your personal life. You should always pay attention.

**Because you are part of the institution?**

Yes. And that, from what I've understood, that also applies for people that are already retired. I think it's in the Staff Regulation, I need to check that. Someone wrote something in our intranet. Because sometimes people think: "I'm not part of the institution anymore" but there are plenty of things that you were aware. So, access to some information, like, confidential that then you should not talk.

**Of course, you should act in a correct way afterwards. That's quite interesting. I didn't know that. And it makes perfect sense, obviously. So, I'm not going to ask you about the career, but could you just confirm that once a year there is an appraisal: what you are doing, how you are doing it.**

Yes. So, basically, actually, it's different for officials and contract agents. because for contract agents, for example, I've done it once. But now I think I only need to do it again once my contract will be renewed the second time. And officials need to do it every year. And I think that, actually, essential to have that. You can see that sometimes managers are like: "Oh my God, I'll need to have an individual meeting with 30 persons" which is the case of my Unit, which is, like, a lot. And then we need to prepare a report where you need to mention what you've done through the year. You have plenty of different things that you need to write about. If your objectives were accomplished, trainings. Plenty of things. But then, after you send your report for validation, your manager will also need to write a report. So, it's quite difficult because they need to write a report for each person. And sometimes managers are not really directly having meeting with everybody. They have like an overview. But sometimes, I imagine, [it must] be so difficult to really state how good people were during one year.
But I think it's... You need these reports, it's important. you have to analyse what has been done right. Of course, they are official reports. Everything is written there.

**Does it sort of stay in your dossier? Your file?**

Yes, it does.

**Thank you so much, this is the end of my questions.**
Interview 6

24th of July 2019

Directorate General: Commissioner’s Cabinet and European External Action Service (EEAS)

Time worked for the Commission: 7 months
Type of Contract: Bluebook traineeship and Interim Agent
Nationality: Austrian

I’d like to start by asking you in which parts of the EUCO you worked for, just to get an overview.

I worked for the Cabinet of [redacted] as a trainee for five months.

And for the EEAS?

For the EEAS I was an Interine Agent for two months.

Okay, thank you. So, you already told me your contract types, that's alright. And what’s your nationality?

Austrian.

Thanks. This is the only information that will show on the transcript.

Will you call me as a trainee in the exact cabinet?

No, no. Just EEAS trainee.

Okay.

No more details than that.
I was never an EEAS trainee; I was always a EUCO trainee - this is a bit tricky - I was always a trainee at the EUCO and an Interine at the EEAS.

Okay. Then that's what I'll write down. I'm going to ask you different sets of questions. I'll start with some of the easier ones because I already know that everyone that starts to work for the EUCO has to go through this process, which is the Staff Regulation. So, I guess in the first day that you started you had some sort of training and they explained the Staff Regulations, correct?

Yeah, exactly. For the trainees we had an introduction week where we had a lot of events and lectures about all these security measures.

Exactly. The first thing that I'd like to ask is about what did you think about these Staff Regulations, what you could and couldn't do? And, of course, these opinions are yours and yours personally, so no need for an institutional reply. And I'll use sometimes the word "wrongdoing", that means in this case misconduct, mismanagement or corruption. So, it doesn't have to be either one, the other or both, but all these things in general. I hope that's clear.

Well, it's procedures. There are a lot of different dimension. For what you... Just go on and I'll see.

No worries. So, regarding the Staff Regulations, and this training that you received on the introductory week, did you get the idea that it would help prevent some sort of wrongdoing - so, mismanagement or corruption - in the sense that people would think twice not only in their daily job about something they didn't know if it was correct or not.

Yes. I think it was very, very useful. Not only you get the Staff Regulations, which is very theoretical concept, but having an introduction to it was good particularly for the trainees, being quite young and coming from universities. Most of
us were coming directly from universities. Maybe some internships, but not everybody had experience in the public sector. So, it was very necessary, for me personally. I knew I would be held accountable after the introduction and I knew all of that. I was very useful.

Well, by saying that you already replied to the next two questions. Three questions actually. Do you, by any chance, remember anything that struck you as a different sense of responsibility? I mean, something that you were not used to from before: "I really have to act this way" [as] there is this sort of ethical compass.

There were different moments. I mean, there was also the cabinet that I work for was for the [redacted]. So, I received within the cabinet... I was even able to attend a few security meetings that were particularly interesting. What I have heard experts advising the whole Cabinet about security issues, you know. For me that was a new experience as I didn't come from the security part, but I found it very promising to me knowing that. Talking to experts about State security issues, or also within the EUCO when it comes to fishing emails and all of that. So, something that we learned a little bit about in the introductory week.

[Incomprehensible due to the connection]

I stopped listening to you for a second. Could you repeat that last bit?

I felt really enlightened about the potential threats by fishing emails and internal security matters. That was very interesting to be aware of the threat of... Sorry, I'm missing the term now... It's not cyber terrorism, but all of these kinds of things that happen with fishing emails. All the cyber security issues. That was something that I had a strong focus and feeling on. But I also went to a lot of additional seminars on that, for the trainees, about cybersecurity. And also, with NATO. I attended and excursion to the NATO where got an introduction on cybersecurity issues. So, this was not for internal purposes, but some sort of global security developments that will be increasing in importance in the future for the world, the EU
and the NATO countries. And then, of course, internal procedural things, getting an introduction about the badge. Having a badge, never forget your badge. Because I was working in the Berlaymont, when you work in such a level - Cabinet level - that you cannot leave the area of the elevators. So, I basically always had to have someone accompany you because no one would ever borrow you. That was one of the things. You cannot borrow another badge. So, whenever you forgot your badge, you'd have to go back home and get a new one.

Of course, I see. I want to ask now something that is related to the Staff Regulation. It's normal if you didn't hear about it, a lot of people haven't, which are the Whistle-blower's Guidelines, in case someone wants to report secretly or anonymously a case of mismanagement or corruption or some kind of misconduct. Did you get any information on this, on these Guidelines?

No. Was it introduced recently? I didn't check that in your email.

It was introduced in 2012. But people that I've interviewed before, who have been working there longer, didn't know about it.

No, I also didn't receive any... When you say Safety Regulations?

No, Whistle-blower's Guidelines.

Yeah, no.

It's normal. I've encountered some people that have never heard of it or just have a very loose idea about it. So, yeah, I'll skip this part.

Okay.

As you were a trainee, you didn't have any sort of appraisal or renewal of your contract, correct?
Yes.

We can also skip that part, which is not a problem, don't worry. I know that every DG and Agency, in each department exists a FCU for the spending - whatever in may be, in whichever way, for the budget - did you [at] any time have had any contact with someone that would take care of these sort of things while you were at the EUCO?

Well, yes. I mean, all Cabinets had a certain budget. And, for instances, they calculate, for me personally, they calculate for the trainee one mission so that I could attend a mission. It had to be approved by the Head of Cabinet. So, in my case, I think that the Head of Cabinet has to put a signature under everything that has to be spent.

It works a bit differently everywhere. But the general rule sis that. Did you, by any chance, understand if that would lead to a better management of the funds? I mean, in this case, the funds is: you going on a mission, so a very generic term. Do you think it would lead to a better resource allocation?

What exactly would lead to a better resource allocation?

This need of having to check, every time, if it would be possible, it would have to be budgeted and someone would have to give the go ahead for it.

I think it's always important to have one person in charge of giving the last go. But, in this case of the Cabinet - I mean, it's so political - decisions are taken on the same day and this is important because you have to be reactive on the global political scene. I don't know if I answered your question.

That's alright. In this case, do you know if afterwards there would be any sort of review of that kind of spending? Do you have any idea about that?
I have a personal idea, of course.

*Incomprehensible due to the connection*

Sorry, I could barely hear you there. I couldn't understand if you said yes or no.

I think so. But this is just personal. I could imagine that the Secretariat General does these assessments and then looks for how much money and which Cabinets receive, should receive and what is spent for. I'm pretty sure that there is even public documents about it. I could imagine. I think the EU is amazingly accountable to everything that they do so, most of it...

Okay, thank you. As you were in a Cabinet probably you didn't have to have sort of work with IAs, correct?

No, not per se.

But would you deal for example with stakeholders? Different parties that were influencing the decisions being made.

Could you specify this?

The problem is that stakeholders is a loose term exactly because of that. It really depends on each DG or each kind of work that each person is doing. I guess that what I'm saying is that during the process of decision-making there would be external inputs. Not only the Cabinet or the EEAS, but external to the EU.

External to the EU...? I mean... My Cabinet... My supervisor was dealing also with NGOs and international organizations. The partners of the EU that are
Wait, I had a poor connection again. This last part, I couldn’t understand almost anything. You were saying [something] about the NGOs and international organizations.

Yes, that my supervisor was in charge. I was working together with that. Sometimes we talked to... Of course, sometimes the EUCO and the Cabinets talked to NGOs and international organizations because they wanted a direct update from someone who has been on the field to get a clear picture. This is the work of the EEAS is doing, but also because it’s important at this high political level to be critical to some external partners.

Yeah, exactly. Those were the sort of things that I was hoping you had dealt with. So, yes. Definitely. Would you say that these external organizations would in some way - of course, not only - but in some way, give some sort of oversight over EUCO actions?

Sorry, I didn't get what you mean, the international organizations, for instance?

I mean, oversight in a very broad sense of, you know, the sort of to check if the EU was acting as an institutional interest and not as someone's personal interest.

If that is their goal?

No, no. If you would think that they would also check these sorts of things that they would question or intervene in a way to understand the motivations of the EUCO. Maybe it’s a bit of too much...

I understand your question. But it's difficult to say. I have a few examples in mind where the EU or I was, maybe from the EUCO maybe from the EEAS side, directly
cooperating with another organization for something I was working on or working for. Of course, they were asking questions as well as we were asking questions because we did cooperate in a specific project together. There were, for example, other NGOs that were questioning EU policymaking as a whole. And, of course, not about procedures and accountability. But, I mean, in the end... No, I was not directly involved.

That's good enough. Accountability is a very loose definition. These interactions at an academic, theoretical level also work as accountability in a very specific sense. That's why it's still interesting that you had these experiences. The last set of questions I'd like to ask you have to do with the - and just tell me if you have had any sort of contact with this - for example: Strategic Plans or Annual Management Reports, did you have any contact with any of these things?

A little bit, yes.

Okay. And, so, I guess with Strategic Plans, as it would make more sense. Was it normal for the EUCO to make Strategic Plans depending on the issues? Was it a standard thing?

Yes, definitely.

Do you think it would make the processes better to deal with different countries and organizations? Would it streamline this processes and contacts?

In my opinion, within the EU where I worked, I've only seen Strategic Planning involving the different Member States opinions. So...

Interviewee 6?

Yeah?
Oh, sorry. I thought it had stopped working again. Do you think these Strategic Plans that you had contact with, would be a sincere and strong representation of the things being reviewed?

Of the things being reviewed...? How do you mean that? What things?

The Plans themselves, in this case.

If the Plans themselves are being reviewed?

If they would be made in a sincere way that would represent a process truly... I don't want to put a value on it, but that was made in a way that showed integrity.

Yes, yes.

Procedural and from the parties involved.

Yes, I'd say so. With very little experience for comparison, I'd say so, yes.

It's good that you added that. And I think that covers it all. Thank you so much.
Interview 7

25th of July 2019

Directorate General: Energy (previously also Budget and Communication)

Time worked for the Commission: 1 year and 2 months

Type of Contract: Junior Professionals Programme (current) and Bluebook Traineeship

Nationality: Romanian

Thank you Interviewee 7. I'd just like to tell you, because I forgot before [we started], that the interviews are anonymous. So, I'll just change your name to Interviewee number 7. I just need a small information[s] - that I already know - but I need to double check. Which is the DG that you work at?

Now? Now I'm in DG Energy.

Did you pass through other before?

Yes, so I used to be a trainee at DG Budget, did that for five months. Then I was accepted in this Corporate scheme that the EUCO is doing. And as part of the scheme I'm doing several mobilities. So, I've done six months in DG COM, now I'm doing six months in DG Energy and then I'm going back for a year in DG Budget.

That's actually interesting because you'll have more perspectives on how things work in different DGs. Your nationality is Romanian, correct?

Yes.

And how long, in total, have you worked in the EUCO?

So, if I count my traineeship as well, that's five months there, plus six [in DG COM], it's eleven. Plus, another... Wait, May, June, July... About fourteen months.
Fourteen. Thank you. And you said that you are doing... Which programme is it?

It's called Junior Professionals Programme. So, at the moment I'm a temporary official.

Interesting. That's a first! Okay. So, let's sort of start off easy with the Code of Conduct that I've realized it's actually called Staff Regulation.

Yes. To quote somebody from HR: "That is your Bible". As a joke. This is simply a joke.

Actually, I've been told that from DG HR too. So, maybe it's not so much of a joke. First thing, I'll ask the questions - maybe not always repeatedly - but sometimes you'll that the questions are similar in each topic. And I'll mention 'wrongdoing', and when I mention wrongdoing it can be mismanagement, misconduct or corruption. You know, it doesn't have to be specifically one or the three at the same time but, you know, these sort of ideas. So, my first question is if you that if the Staff Regulation is a standard procedure?

Staff Regulation to be a standard procedure?

Yeah.

I mean, I don't know if the Staff regulation is a procedure per se. I mean, it's essentially, at least in my understanding, it's an outline of what's expected and what's not expected from EUCO officials. So, I mean it's standard [because] it applies to everybody. Is it uniformly applied? I should think so. I mean, whenever I ask HR questions, they refer to the Staff Regulations all the time. So, there is a legal framework within the EUCO that, you know. So, yes. It's just when I think of a procedure: the budget is a procedure; steps A, B, C, D according to regulation to pass
the budget as part. As far as staff are concerned about the Staff Regulations it doesn't sound that much of a procedure to me, but it's a standard thing and it applies to everybody.

**Do you know if the Staff Regulation has any powers to prevent any wrongdoing?**

So, you said wrongdoing was?

**Mismanagement and corruption, for example.**

I think so. At least it gives provisions on this. So, for example, you have articles on ethics, articles on what you can accept in terms of gifts, and so on. There are lots of trainings for this that should be mandatory. I saw recently a news article and it was referring to the EUCO and its ethical trainings. That EUCO people, at least in this news article, generally EUCO people are aware of how they should behave from an ethical perspective. So, it provides staff on what you can accept and can't accept. Also, it gives clear indications on how you should behave. So, it says: "The civil servants need to be impartial, objective, loyal to the institution. They should always behave in a way that is proportional". there are several elements there. I do not know them all by heart.

**So, you clearly read it then.**

Yes. I went through it at the beginning. I think it's important to know what's expected and what's not. And then there is also, as I mentioned, I've also done half of the ethics course. there is an ethics course that you have to take. And they detail more elements from the Staff Regulations. It will be, you know, how you apply some of the provisions on the Staff Regulations. Staff Regulations also talks about the amount of money that you are allowed to make outside of work. And what sort of... you are not allowed to be employed in other places. But you can get income out of, I don’t know, like a book. It has first to be approved, and so on and so forth, but you can receive royalties up to a certain amount. I think it really gives a sort of framework as far as
corruption is concerned. When mismanagement is concerned, I know about this whistleblowing thing. And I think it's also covered in article 22 or 20 something from the Staff Regulations, they talk a bit about that. And they say: "If you see mismanagement you go to... You have to inform in writing your direct superior, [then] you Director General, HR or maybe the Ombudsman or somebody else. Or Ombudsperson. So, there are provisions about that. Personally, I've never been affected by this, so I can't tell you from experience. But that's what I remember from the Staff Regulation.

Well, you remember a lot. I'll follow up with the Whistle-blowers Guidelines. They were introduced in 2012. And you clearly read it and have a general idea about it. Do you know what would you have to do? So, you told me talk to your superiors or the Director General. But if for some reasons you'd need to be a whistleblower, and that also has anonymity attached to it, do you know more or less the steps that you'd have to take?

So, my understanding is... I haven't read the Guidelines on whistle-blowing, I've only seen references to it on the Staff Regulations. So, my understanding is this, as a general policy: if you see a case of severe mismanagement, fraud, maybe illegality, then you'd contact your direct superior. If it is the direct superior [involved in wrongdoing] then you go to the Director General or the Ombudsperson. But I don't know what happens after that. My understanding is, that you should come forward - and it's expected of you to do this at least as far as the Staff Regulations are concerned. Now, on the ground, other people would frown upon if you did it or didn't do it. That I do not know. And I do not know what happens pass the written statement to the people I just mentioned.

Would you think - at least what's your impression - in case that something... You'd bump into one of these situations, would you think you'd be able to trust all these systems? All these systems in place? Because at least with the Staff Regulation you seem to pretty much know it, you have a good knowledge of it. Would you think
that all these systems would work in case that you needed to report some sort of wrongdoing?

I mean, I'd like to think so. And now, [whilst] not being confronted with the possible consequences of my actions, I'd say yes. I'd maybe go forward if I thought that there was really something blatantly wrong. If I were to be in the situation, I'd probably be a bit more alert to potential implications on me and my job's future, probably. I think this is a reasonable thing to have. But, maybe thinking about, for example, working in... Other environments that I've worked in the past - not the EUCO - I would be more likely to address this in the EUCO than other environments. That's the best I can give you.

That's pretty much it, it's good. Would you... Do you think the Staff Regulations and the Whistle-blower's Guidelines - which is also sort of in the Staff Regulations - do you think they are valuable tools in case you need to use them? I mean, use them in the application sense.

As far as the Staff Regulations are concerned, for me, whenever I've had... For example, in the small instances when I wasn't sure what to do, I went to the Staff Regulations and generally found an answer. And when I didn't find an answer, I was able to contact HR and they provide[d] me with an answer. So, I felt that whenever I've had questions about my conduct as a civil servant - well, beginning of a civil servant, but nonetheless - I feel that the Staff Regulations worked fine. With whistleblowing as well. I should think that... I mean, it's pretty clear: you send something in writing to some people to tell them "Look, this is the problem that I've seen". And, I'd assume, if I'd contact the Obumsperson's Office they would give me more details and wouldn't tell my boss about it. So, I think that it's pretty clear. Of course, you can always make things clearer.

Now, changing subjects, you told me that you've worked with Strategic Planning in the past. Right?
So, the extent to which I was involved and I can relate to Strategic Planning is: I had to respect [the] Strategic Plan, so I'd look at the DG's Strategic Plan and Annual Management Plan and then at my level make the connections to whatever activity we were doing. So, this is one. And the second, what grabbed my attention, was this one of stakeholders inputs. So, probably this is more linked with stakeholders’ consultations. For me, why I thought I could say something about this it's because I was in DG COM where we implement them. Apart from that activity, we listened to people and to gather idea and to share them with our leaders. So, it's not necessarily a stakeholder consultation, not a formal process that the EUCO has, but it is nonetheless a way to, you know, take on board what people say, share it with the leaders and then at least they are aware of it, in their decision-making. So, these are the two dimensions why I thought I could say something.

Then, let’s see if this can help. For example, with the Strategic Plans, you were not involved in their making.

No, just in the implementation.

In the implementation. And were Strategic Plans always a standard thing in the... I don’t know which DG it was in this case.

So, I’m going to be defer to DG Communication. Because in DG Communication I had more involved in this. I don’t know if strategic Plans were always a thing. Because the one I had to respect in the six months I was there was the 2016-2021. So, it was a four-year Strategic Plan. So, that was the general guideline for what we should do. Then there was a Management Plan as well, which was for the same period - 2016-2019 or 2020, something like that - and there they went on more detail in the individual targets. You are in Unit X and you have target A, B, C, D. And I don’t know if they were a thing before, but they were certainly [a thing] while I was there.

And from the implementation point of view of these Strategic Plans, would you say that the way that they are built prevents any sort of wrongdoing? Or would
you say that it has absolutely nothing to do with that since it's the last leg, the implementation?

I mean, the impression that I got was that I was one of the few people who actually read it and was actually aware of it. Of course, that's not to say that the colleagues didn't know, but as far as I interacted, many people didn't really know the targets and so long and so forth. I don't know to what extend they could have contributed to preventing corruption. I don't that, in our own case, that applies because there was no - as far as I could see - no real benchmarks on spending and that sort of thing. At least I didn't look for them, so I didn't register them. They may be. I think you can find maybe only, maybe have a look. As far as mismanagement is concerned, of course it always depends on how you define mismanagement.

Of course.

If you say mismanagement is not reaching your targets, then I feel that that was not the case. The plans were clear: "This is the number of citizen dialogues that you have to do". And my line manager, so my Head of Unit, and my Deputy Head of Unit, they were aware of the target that you have to reach. So, from that perspective I don't know if it prevented mismanagement, but certainly people knew the targets and the bosses knew the targets.

So, you could easily sort of review the Unit's performance or individual performance based on those targets?

Yes, based on that. If you refer to mismanagement, I don't know.

I mean, that's why it's also a big, abstract concept. I mean, it can be just from absolute incompetence to wrong decisions that will cost a lot of resources and end up in nothing. So, you know, that's also why I use this word, so that it can be broad enough to encompass different situations.
So, from that perspective, as far as allocation of resources and spending of resources, I do not remember. Again, I read them, but I don't remember what was in and what was not. But I don't think it was. You had, you know, for example, auditing benchmark. You have to define your efficiency per person this is the amount of money you can spend per person, per event. So, I don't think it went that deep. So, there's no way to evaluate really. If you send a hundred, [a] thousand or five thousand euros per person on an event - these are not real numbers - nobody could really say, based on the Management Plan that I saw, that that was a lot or not a lot.

Okay. So, it was either not budgeted or you'd budget as it would be necessary.

What I'm saying is that there was no way to see, from the Management Plan, if money, an amount of money, was too much.

Okay.

Because, in the end of the day, we had a target of citizen's dialogues, right? We had an allocated budget and as long as you reached the target it's fine. We went, like, twice over the target. I do not have the information... I think I've said what I meant to say.

Interestingly, exactly because of that, do you remember... Well, also here, [and] all the places that you worked, if you had any interactions with the FCU inside each DG?

No.

Well, you were in DG Budget, that's also a different thing. But, here in Energy or when you were in COM, did you have any interactions? Do you remember if you had some sort of financial planning, provide details from the spending that you and your team made for events or things that you had to organize?
No. So, when I was in Budget, I was doing interinstitutional relations with the Parliament and Council. So, no real connection to financial allocation. In COM I was more involved in events. I was involved in the planning stages, the preparations stages and so on. I had nothing to do you budgets. Other people were handling the operational side of it.

And also, here in Energy you don't deal with it?

Here I'm in a policy Unit, so we are doing policy. No more than that.

Do you also participate in Impact Assessment building?

No.

Okay. So, it's another side of policy.

Yeah, I was in Budget and Communication; these are horizontal services and they don't really do Impact Assessments. Here in Energy I've only been for two months and a half, but the policy files have been largely finished. So, probably there will be new Impact Assessments coming but later.

Also, because there is the change in the new EUCO coming and it's summer now.

I mean, I'm a little familiar with Impact Assessments because I did my thesis on policy development and so on. I was a little interested in all of this, but I could not comment on it from personal experience.

I know. Then I'd find interesting your opinions, but in this case... Not for this specific situation. Okay. Could you just tell me, as I've never talked with someone from the Junior Professionals Programme, do you get some sort of review for your
performance at the end or beginning of the year? Do you have any perspectives...? I guess it's two, three years.

Two years.

Two years and then you can stay as an official. Would it work like that?

So, this is a pilot. I'm a part of the first generation of said pilot, so things are... There are some procedures, but they are likely to change. Because, again, it's a pilot. As far as career development, the way it works for us now is, after each mobility, we get an appraisal. It's a simplified version of the one they use in the yearly career things. A simplified version, it's six months. And that may be taken into account. At the end of two years, depending on passing the concur and you get in, that might be taken into account when you try to get a job. At the end of the two years, there is no guarantee of a permanent position, so the contract is limited to the two years. You are of course, free to apply for any of the public competitions. And, what's a little bit more special because of our status as temporaries, we are also allowed to participate in internal competitions.

And then makes it easier, afterwards, to maybe find a place.

Some people say it's easier, some people say it's harder. I mean, I'll participate when the next one opens, and I'll see for myself.

But at least you have the two possibilities: the outside ones - the people from outside - they cannot participate in the internal competitions. At least, [you have] more options.

I should think. But I've not seen any internal documents from HR or something. But I should imagine that the reason why you'd have such a programme to train people for two years, will be to have them pass the competition to stay.
And, just about the appraisal system, so you said it was a simplified version of the one for officials, usually. And, if I'm not wrong, that works with just "satisfactory" or "not satisfactory" grade. Does your... Well, this is your second DG, did you already get one from the previous one?

Yes. So, the way it worked was my boss got a questionnaire. It was like "What skills did he use?", "How did he perform?" or "What do you think about them?" - that was another question. And they were also given some sub-sections like teamwork, leadership, prioritizing, etc, etc. And then they had to write stuff down. So, it was not... I don't remember if it was the "satisfactory" and "not satisfactory". It was more qualitative, I guess, in that way. So, it was not shared formally with us. And then we had to do something similar for the Unit, a more simplified version of what our bosses got. But then there was no - at least, not yet - any follow up that reached me.

You are still not aware about what your previous boss wrote?

I've seen informally, but not formally. So, nobody from HR told me "After six months in [this] mobility you did good".

That's interesting still. It's also good to know it's a pilot, so things can still change. That brings me to the end of all the things I've wanted to ask.
Thank you for agreeing to meet with me Interviewee 8. First, I’d like to ask you for which DG do you work for; how long you’ve been working for the EUCO – not necessarily in this DG; your nationality; and your contract type.

[The] DG is ENE[rgy]; I’m a fonctionnaire, so, a public official under staff regulations; and I’ve been working with DG ENE since... What is it? Two and a half years, so early 2017. And before that the European Environment Agency (EEA) since 2007, under the staff regulations, but not within the EUCO.

Because it’s an Agency.

It’s an independent Agency, yeah. But they have the same staff regulations.

In this case, I can’t look at Agencies as institutionally they are not the same thing. I’ll start with something that is quite generic, which is the Staff Regulations. So, could you tell me, more or less, how well do you know the staff regulations? And how, I mean, in general, I know that in the first week that people start working for the EUCO there is always an explanation, so [I want to know] if you had any refreshment on the [knowledge] of the Staff Regulation. What’s your generic remembrance of that?

Well, I’d say that I know parts of the Staff Regulation, but mainly, you know, elements either I’ve been concerned by directly or in the context of my work, so the EEA. And, then of course, when coming to the EUCO there is this introduction part...
where some elements are presented. So, for example, elements related to ethics and the like, which maybe goes a bit beyond the Staff Regulation because it’s a legal text. But beyond that, as a broader framework, I’d say [that] in terms of behaviour, for official and the like, but that’s it, basically. So, no training or whatsoever on the Staff Regulation, *per se*.

**So, let’s take it from there. You mentioned ethics: do you think that the Staff Regulation, in some way, gives you a specific framework to know what you should and shouldn’t do? Do you remember that?**

From my personal perspective, I think there are too many grey zones. I mean, there are guiding principles. I can give a very concrete example: gifts. You know, what can be acceptable and what are the steps, etc, etc. I think, by now, there are some more interpretive guidance within the EUCO and some of those elements, but what was never completely clear to me was: why don’t the Staff Regulations make that clear already? And, particularly, not only because it’s relevant for the EUCO but, basically, across EU institutions, Agencies, etc. And I understand there is a certain need for different institutions to have a certain degree of flexibility. However, on such core issues as ethics I think, in principle, it would totally comprehensible to have the same standards across all institutions.

**Do you have any idea if there is some sort of possibility to prevent and, afterwards, if something happens, sanction any sort of wrongdoing? And with “wrongdoing” I mean misconduct, mismanagement, corruption. You know, it’s a bit broad but there is something that is not by the book.**

In terms of prevention, I think that there are a lot of elements already in place. I mentioned the introduction for all newcomers, but there is also more, like the updates being offered in terms of trainings. These are also locally in DGs, [or] at least in this [one]. So, they organise a bit differently in DG HR with the so call account management centres which usually cover several DGs. There are actually people that are in charge of ethics questions. So, when you have a question you can approach them and ask,
specifically, for advice, for guidance. Also, specifically, in terms of interpretation, for example, of the Staff Regulations or the guidance that has been given on top of that. So, I think, in terms of prevention there is quite a lot; of sanctions, yes, of course, there are disciplinary measures available; there is also an annual report, I think DG HR usually publishes and goes, I’d say, in quite some detail already, with quite precise examples. So, it’s also making it actually helpful for us to understand what the issue was. So, I think, in that sense the system seems to be working, at least, where elements are detected. Now, of course, the question is: is the system for detection effective? But then I can’t really tell because that’s really completely out of my domain.

Of course. It’s quite interesting because most people don’t even know the IDOC (Investigation and Disciplinary Office of the Commission) and you referred to the report and everything. I was there [DG HR] two days ago and they actually gave me the report – I had already seen it online – but most people don’t even imagine it exists. So, actually, it’s pretty impressive, I would say. Still, related to the Staff Regulation – and then we will move on onto some other contents – have you ever heard about the Whistle-blower’s Guidelines?

I’ve heard about them, and probably have seen them at some point at Intracom, but I’ve never looked into depth into those.

But, just as a generic idea, do you know what would be the procedures in the case that you would see some sort of wrongdoing, some sort of corruption? How would you be able to become a whistle-blower, do you have any idea about that?

Not really. Also, because I’ve never had the impression that I’ve seen any serious wrongdoing. I guess, if I was considering it, I’d look into it a bit more, but no. I can’t really tell.

Okay.
Of course, there is also always the discussion about the effectiveness of those employed procedures. But that’s more a general point, I think, across public administrations. Up to what extent are whistle-blowers really protected and so on. I mean, I vaguely remember some discussions with the EP about this, but, yeah, I didn’t follow it very closely.

That’s okay, thank you. I’d like to now change subjects completely and talk a bit more about practical part of your job. Maybe let’s start with something a bit more boring, which is the FCUs. Each DG has one. Have you ever had any contact with them?

Not really, because, although I’m working on some contracts, I’m not managing one of those in my current function, in DG Energy. Managed contracts directly in my previous job, but not here. So, in that sense, no contact whatsoever. Mostly legislative work is what I’m doing since I arrived. The one exception which was the set-up of a renewable centre with the energy financing mechanism. Basically, we have a contract there, but it’s another Unit dealing with that contract.

In that case, let’s pass onto the other parts. You said that you work with the co-legislation process. Would you, in any way, also talk to stakeholders, for example?

Yes.

So, could you give me an overview of what you do so that I can, then, direct the questions.

So, basically, the main work was now in relation to the Regulation on the Governance of the Energy Union and Climate Action and Renewable Energy Directive. And in both contexts, both are part of the broader Clean Energy Package – so, clean energy for Europeans – which the EUCO had proposed in the end of 2016, which basically, then, went to the ordinary legislative procedure. In that context, of course,
there are many stakeholders coming expressing interest: either for us to intervene or to talk about specific issues that they may be concerned about.

In this context, [interacting] with stakeholders, would you feel that the EUCO’s actions, and therefore you, are sort of in check, if they do some supervision on your work?

Yes, absolutely. I mean, one of the processes which is already part of this implementation of the Regulation of the Governance of the Energy Union was that the Member States had to draft National Energy and Climate Plans and, on the basis of those Plans. The EUCO had to produce an assessment. And, just to give you an example now, there is a number of NGO’s, but also other stakeholders, think-tanks and the like, produce their own assessment of those draft plans and just for the mere fact of putting the assessments out. Typically, before the EUCO comes out [with its own assessments], [they] would either try to influence or put some issues on the agenda already for that EUCO assessment. The good thing in that process is that those draft Plans are, again, clearly defined template and also the assessment has already a clearly defined scope by the EUCO. But, I think, it could be neutral, I’d say. I’m not using the term independent, because I don’t believe in political institutions being able to be completely independent.

Yes, especially with a “political Commission” as the last one.

But I think, maybe impartial is the best way to describe.

So, do you feel that at a technical level there is no sort of intervention on the work that you do? Are you able to do it freely in the best way?

I think that to a very large extent, yes. Of course, there are political priorities and the like. We sometimes also raise issues, but, then again, I think we have a relatively large freedom which I think it’s positive. And which, in the end, from the part of the administration is important. Of course, there are priority areas and so on, it
should be possible, especially doing assessments for example, for the desk level to raise certain issues and, of course, at certain point at the political level there is going to be decisions made about the direction and so on, but at least it brings those to the table, so I think we are quite free.

**And these interactions with the co-legislators and other stakeholders, do you think they improve your Unit’s work? I mean, in the sense that there is this exchange of opinions and assessments?**

I think, generally yes, of course, because it’s always good to get the feedback and the good additional input but even more specifically now for the co-decision process on the Governance Regulation I think, actually, that there were elements that were even strengthened. Which we – I’m saying now we, but we haven’t been actually there at the time of drafting the Regulation – but there were certain things that the EUCO hadn’t seen immediately, or considered so much, which have been clarified on the final text but came either from the Parliament or the Council. So, I think that is very useful usually, yes.

**And so, both institutional interactions and other interactions bring some more added value to the work.**

Absolutely, with an administration of a couple of thousands cannot claim to have all the knowledge in the world. So, I think it’s really important to go out and get the feedback. I mean, we have also been doing that quite proactively, for example when this Clean Energy Package came out, we had events and, of course, it’s always a very limited scope, but still we when proactively out to the capitals. I’ve been in Vienna and Berlin presenting the Package and also getting their feedback. The proposals that had been made, I thought it was very, very useful for the process.

**That covers one of the parts, it’s perfect. I’d also like to ask you – and this might be a bit out of your area – have you ever had contact with Strategic Plans,**
Annual Management Performance Reports, Annual Policy Strategy or allocation of resources? I know these are quite a few things.

[I had it] a lot at my previous function at the EEA but not here, with maybe one small exception. So, this financing mechanism we are working on at the moment, there are also discussions going on about the allocation of resources but more in the sense of, you know: we propose legislation, we typically put financial statements with those and then it needs to be proposed. What’s the budgetary implication? What’s the implication in terms of human resources attached to this? So, that’s the scope, I’d say that it’s a very limited scope in that area.

The last thing I’d like to ask you about has to do with what used to be the CDR, which existed until 2012, were you part of that? Did you go through it?

Again, only at the Agency. It was slightly adapted and typically what happens is that the EUCO does one thing: implementing guidelines that are mirrored by the Agency or slightly adapted by the Agency. So, we had a similar thing called Career Development Cycle and basically that was what I went through.

As a fonctionnaire you have once a year an appraisal, correct?

Yeah, correct.

And if I’m not wrong – if I am, please correct me – your grades are “satisfactory” or “not satisfactory” and then there is a qualitative part to it in which your work is reviewed?

Absolutely.

Could you tell me how do you feel about this system; how do you think it work; what are the pros and cons?
I think it’s very important for the managers to take the time to sit down with the staff. I think structure for the forms they have to fill for the qualitative part are, in parts of it, redundant but raise the main issues. And I think that for the managers a key challenge is to set aside the time to do this properly. Because, for us, for example, in a Unit of around 30 people, which is rather a large Unit, just consider the Head of Unit taking one to one and a half hour for each staff member plus the time to write appraisals. Usually how it works is that we provide the first input of what we have done and how we’ve seen the last year and going forward, also. Then the manager comes in a basically gives the appraisals on that basis. And afterwards that plays a role in promotions and so on but that’s basically the first step. And so, it’s extremely time intensive for the manager to have the time because, especially in the beginning of the year, there starts to be the implementation of what is foreseen in the Annual Management Plan, etc, etc, during that time to cover time for appraisals. It’s a bit tricky but they do it to the extent that I can see. Definitely not only on our Unit, but also others I have the impression they do it and it’s a very important feed-back to have.

I just want to go back a bit to your actual work. When you are dealing with legislation, do you also have to deal, in any sort of way, with a lot of bureaucracy, a lot of red-tape in these processes? How do you justify the decisions that you make? Saying “this is the best way to go. We are going to propose this and not that”.

The key administrative parts come from the EUCO proposal, so not so much about the co-decision process. With the exception, of course, of inter-institutional coordination, so there is this support group “Groupe des relations interinstitutionnelles” which basically needs to agree when the EUCO changes their position on the co-decision process. And that, of course, can take a bit of time, but, again, it’s important to get the entire EUCO behind proposals and not just a single DG. So, I see the value of this. And then, when preparing legislation, there is, of course, where previous legislation exists, evaluation requirements and, before the proposal, Impact Assessments requirements that, again, I think only make sense because of the effect of European legislation across all Member States. And we need to have some
kind of [requirements] even if it’s time intensive, takes a lot of resources – financially and human resources – to prepare those. It’s absolutely justified to have those impact assessments.

**Because that also improves the quality of what you are presenting, I assume.**

That’s the aim of it, yes, absolutely. And also, to have some structured consideration of economic effects, environmental effects, social effects and so on. I think it’s really important to have these considerations. So, I wouldn’t say that they aren’t proportional or so. Yes, they are heavy, but I don’t think that we could do... I mean, we could probably do, and it has been done in the past, but I don’t think the legislation would be as good as it is if we didn’t do those IAs.

*I think this covers everything that I wanted to ask you. Thank you.*
Interview 9

21st of August 2019

Directorate General: Secretariat-General (previously also a Commissioner’s Cabinets and DG Human Resources and Security)

Time worked for the Commission: 16 years

Type of Contract: Official

Nationality: German

First of all, I'd like to ask you: for which part of the EUCO do you work [for] and [which others] have you worked before?

Currently, I'm working for the Secretariat-General as Head of Unit. Before that I worked for seven and a half years in two Cabinets. Both times in [the] Cabinets of Vice-President [redacted]. First the Cabinet in charge of Interinstitutional relations and Administration, which are covered by DG Human Resources, the Informatics DG, the Buildings Office, the Paymaster Office, the Personal Selection Office - EPSO - and one Directorate of the Secretary-General. Afterwards, it was a Cabinet in charge of [redacted] including Climate Change and, for specific reasons, a coordination of Space Policy. And before, I worked seven years in the DG Humans Resources and Security, previously DG Personnel and Administration, where I started as a lawyer in the Complaints Unit and then I worked in the Legal Affairs Unit. Afterwards I became Assistant of the Director General from 2004. So, when the reform entered into force - the Staff Regulations reform. And then I became Head of Unit in charge of Legal Affairs and Civil Service Law and other issues.

Could you... In total, how many years have you worked for the EUCO?

Sixteen now.

And I can assume that you are an official, correct?
Yes.

And your nationality is?

German.

Very well. I'd like to start [now]. You just said that you worked with the Staff Regulation reform, correct?

Yeah.

So, that's what I'd like to start [with], because that's one of the things that I need to ask you questions about. So, I'm going to go a bit off script here. Could you tell me, you know, because I've seen it from the academic point of view what the changes were, but could you point out - for you[rself] - what were the biggest changes and what were the impacts that they had?

You speak about the 2004 reform, right?

Yes, exactly.

Only? Because we've had another reform since.

Yes. Because, in this case, has you worked on the 2004 one, it's even more convenient for me.

Well, the text of the reform of the Staff Regulations was adopted in 2003 already - that's when I joined the EUCO. And then, it entered into force on the 1st of May of 2004. So, I was not involved in the legislative process of the reform, simply on the implementation of the reform afterwards. For Staff, the biggest change was the change of the career structure where we had four staff categories; A, B, C and D, before and afterwards we had AT and AST. That lead to some worries of the existing
staff although they were very well treated and no one lost anything, it created an issue for those who were recruited after the reform. Because there was a feeling that they were treated worse than before. Which is correct: that was one of the purposes of the reform, to lower the entry salaries and to stretch the career grids, to give more incentives over the entire career for good performance, to get promotions.

**Why would you say that the CDR was scrapped in 2012, if I'm not wrong?**

It wasn't scrapped, it was changed, and I think this is not very unusual that some evaluation and promotion systems are regularly changed in organizations. The introduction [of the reform] in 2004... The positive elements are still there, I'd say. It is till, staring with a job description for every staff member, with a clear description of tasks and objectives. That was very rigid in the beginning, this is a bit softer now, so you don't have to describe precise objectives. It's more a general description of what is expected of the staff member. That is the starting point. Then, at the end of the year, you have the interview, the conversation, between the manager and the staff member about the past performance, but also about the objectives and the task of the next year. At the same time, you should discuss career wishes, career perspectives with the staff member, and also training needs or training wishes.

**And, so, what would you say that were... I mean... I guess that, with that, you kept the good parts of the CDR, but what would you say that were the failures that it didn't achieve, as it was supposed to?**

It created a lot of problems for the organizations, but also for individual staff members, was the system of points. I think, at the time, we had grids from zero to eighteen points, I think, and then we had an average [that] always had to give a number of points to the members of the team - to the individual members of the team. But we only had a certain amount of points to distribute. And these points were supposed to reflect the performance, but, of course, they had a direct, mathematical link with promotion. So, the points were not only used to reflect performance but also to achieve promotion results. And every staff member his or her own number of points
with the EUCO average, with the amount of points the colleague in the neighbouring office had received. So, this created a lot of frustration, disappointment and trouble, I'd say. But we abandoned this. Today we don't have any points anymore. And, I think, the points were supposed to give perceived objectivity, but everyone knows that you cannot... It's not like in school a mathematics where you can simply count how many exercises are correct and how many are not and then you distribute points. It is much more difficult, even within in a Unit to compare performance of people. So, it's not a mathematical and scientific exercise. I think it was a very wise decision to abandon the points, in the end. This was not the essential part. The essential part was that people had a clear sense of what was expected of them, that there was, at least once a year, a conversation between the manager and all staff members about performance and task - that was not the case before. We still have a lot of pressure from the central services, but also hierarchy, to finalize this annual appraisal exercise within a specific deadline because before this isn't finished, the promotion exercise cannot start. So, I think this is one part of the whole reform to structure processes and to structure the organization better and make it more coherent across the whole organization. We have got the same with the planning cycle, the EUCO work program, the link with resource allocation, things like that. But here it was for the individual staff members and these elements were kept and I think that was a good part of the reform, very healthy and, as I said, [with] the points people felt a little bit like in school and I don't think anyone was more motivated or less... Well, more motivated when they got a good number of points, but I think it frustrated more people than we really created incentives for people to be better because of getting more points. So, this was... I'd say the career structure and the change of the appraisal and promotion system, these were the two impacts which created the most day to day change for individual staff members. Then, of course, we had a lot of other elements in the reform. The modernization of working conditions which was also very important for staff and the organization. Also, for the recruitment side to able to demonstrate that there are modern working conditions. It was started in 2004 and it didn't change from one day to another. I think that there is still room for improvement today, but these is less and issue of rules and more an issue of culture, I'd say. But, at the time, the introduction of flextime, part-time, tailor working possibilities, parental leaves, family leave and all
these issues, I think they have very much appreciated by people. They are a management challenge, of course, because it’s much easier to manage an organization that you know that everyone is there from, at least, 8.30 until 5.30. So, this has become a bit more difficult, but it works. Because, I think in general, people are very motivated, and this is an additional factor to allow them to organize the work in a way that fits also with their other obligations they have in their private life or family life. And, of course, the other element, linked with other parts of the reform, the accountability issue.

Exactly, I wanted to link it. Because as you work in Ethics and I saw that you also take care of the interinstitutional relations with [European] Ombudsman ['s Office]. So, I'd also like to ask you if you were involved in any way with the Whistle-blowing Guidelines that - I think it was in 2012 that they came into action.

Yeah, that was when I was in the Cabinet of Vice-President [redacted].

Exactly. And, I also had the chance to talk to a colleague of yours in the I.D.O.C. (Investigation and Disciplinary Office of the Commission) which also gave me a lot...

IDOC, we call it IDOC.¹³

Also gave me a lot of information about it, but from perspective, since you worked in the interinstitutional relations and it's slightly different, do you think that these Guidelines brought the EUCO a bit more into the future? In the sense that they protect, they really protect, and make it clear the system for whistleblowing.

I think so, yeah. The EUCO, for a long time, was the only EU institution which had such Guidelines. And, therefore, in the reform in 2013, the legislator introduced an obligation into the Staff Regulations that all institutions have to have implementing

¹³ Note: pronunciation correction.
rules or guidelines for the article on whistleblowing. And if... I mean, in 2012 when we prepared these guidelines, we also consulted with three external organizations or two. One was Transparency International, the second one was a British one... What was the name? Ethics at Work or something like that. I can't remember now the name, not so well known. And we got their input as well. I remember, at the time, Transparency International praised also the EUCO guidelines at the time. In general, with the whistleblowing issue is very important because there are very often misunderstandings, I mean, in the outside world. In [the European] Parliament or journalists ask: "How many whistle-blowing cases are there?" and then the number is usually very low because, in reality, most of the reporting of suspicions or irregularities happens simply in the line of hierarchy. When someone detects if there is a problem in a project in a Member State, or a problem inside the [EUCO], of course they will talk to the manager. And then there is a whole cascade of informing. And then the Director General will, usually at the end, inform OLAF (European Anti-Fraud Office). So, I remember in 2004, which is link to reforms and the events which lead, amongst other things to the reform, there was a very, very high sensitivity in the EUCO to report any kind of suspicion, assumption of wrongdoing. Even going a bit over the top, in my view. So that sometimes problems - where I thought it would have been enough to pick up the telephone and call someone and to ask what's wrong there and what's happening there - these things were communicated in a formal procedure to OLAF or IDOC which then, of course, triggers a formal procedure with rights and obligations and makes things much more formal and also more complicated. So, sometimes people report things that are just nitty, gritty, where you think "Well, talk to your staff member, tell him or her to stop this kind of things. It's not an issue for IDOC or OLAF".

**But do you think that overall it discourages wrongdoing in the EUCO?**

Yeah. I think, as I said, it's linked to the experience of bad experience [that] there were in past. Plus, we still are under very, very close scrutiny by journalists, by the EP, the Ombudsman, the Data Protection Supervisor, plus all the - not only NGO's - but also by the economics players around us that, of course, follow, very closely what the EUCO is doing, what the staff is saying. Because everyone pays attention to have
the same degree of attention to have their arguments and points of view heard. I think that there are always exceptions, but I think nearly everyone is very much aware of the sensitive and prudence which they need to apply in their daily work.

And you mentioned before that sometimes it would just be easier to talk directly to the staff if there is a problem. But do you think, for you, is it a bit too over formalised, the system?

It's not over-formalised. I mean, these formal procedures are very important and very sensitive. They have to achieve an outcome which can be used afterwards, if necessary, in court. So, it has to stand the scrutiny of judges. And second, it has, of course, to guarantee certain rights to the people and the investigation. So, this is very important. What I wanted to say is that, in the beginning, there was such a big sensitivity that... I remember one case, just to give you one example: I remember someone had field in a form, dated and didn't sign it; then the signature was done a week later. So, not at the date which was on a paper. It was simple reimbursement request. And I remember high ranking managers sent this to the interdisciplinary office by default. But well, there was no suspicion, there is no entitlement over this. Just because the signature wasn't made on the same day... Okay, that shouldn't be the case, but it wasn't a serious wrongdoing for which you will launch a formal procedure, an inquiry.

Of course, of course.

That's what I meant. Apart from that, of course, we get also a lot of information from the Member States, organizations and companies on the Member States criticizing or alleging wrongdoing in the project management. Normally, if there is the only the slightest hint that this could be substantial, it is usually sent to OLAF and, in less serious cases, to IDOC.

Concerning OLAF, could you tell me what sort of relationship does the EUCO have with OLAF? In the sense that, I know the institutional organization of it all, but
could you tell me how more, in practical terms, there is some sort of case: how would you interact with them? How it would work?

Yes, my Unit if the interface for OLAF. At least for the internal investigations of the EUCO. I mean, we have the OLAF regulation[s] and we have also arrangements with OLAF that then specify more detail[s] about the information flow between EUCO and vice-versa. So, OLAF receives information, as I said, from the services. There is no central point in the services which would communicate information to OLAF, so if a Head of Unit, a Director-General, in one DG is made aware of suspicions - be it internal or external - he or she will inform OLAF. If the suspicions - I mean, they check if the there is enough substance which allows them to open an investigation - if they decide to open an investigation and if a staff member from the EUCO is concerned, OLAF will inform the Secretary-General of the EUCO so that the EUCO is aware there is a suspicion concerning a staff member, to be able to take some precautionary measures if necessary. But this is a very short letter which just says: "OLAF has been informed..." and then there is a very, very abstract description of what this is about, [for example] "financial irregularities in the management of a project and Mr. or Mrs. X has been identified by OLAF as a person concerned by the investigation" and that's it. So, we don't know any details about the case. We don't know who, unless the source comes from the EUCO, nobody. OLAF doesn't tell us. We always struggle to tell OLAF: "Please tell us at least if you got the source from the information from the DG" because [like this] we know the DG is aware of the problem. That's usually what they tell us but, in other cases, they will not tell us who the source of information was. So, during the entire investigation phase, OLAF only communicates only the very basics to us. Of course, they would inform the EUCO when they want to search an office in the EUCO or if they want to have access to the IT servers or things like that. Apart from this, there is very, very little information and OLAF is totally independent with that regard. They are very sensitive in regard to this and rightly so. And then, of course, in the end of the investigation the EUCO will be informed about the recommendations or conclusions which OLAF has drawn and which the EUCO should implement afterwards. Also, for external investigations OLAF works totally independently. But, of course, then if there is no person of the EUCO under suspicion... I mean, they need, of course,
information from the services so they'll contact them and ask information about what is the project; what are the conditions; will we be able to verify if the project management in the Member State corresponds to the criteria or not.

Very well, thank you. It's always good to understand in practical terms what you do instead of just the institutional arrangements you know. Academia can be sometimes a bit loose on the details.

Yes, and OLAF is not easy to understand because formally they are part of the EUCO.

Yeah, exactly.

So, they have one directorate which deals more with the anti-fraud policy issues and there they are like a EUCO DG: they advise the EUCO on fraud-proofing, legislation or the EUCO anti-fraud strategy, OLAF is the lead service for this. But then you've got the other directorates in OLAF which do investigations, and which are very different.

Yeah, exactly. That's one of the things that I had understood. Also, if you'd contact OLAF or not for the thesis because it's a strange arrangement. Then, I'd like to shift the conversation a little bit, probably some of these things won't apply due to your positions and the things that you worked on, but you mentioned before about allocation of personnel resources, financial resources. So, do you deal in any way with Strategic Plans or Annual Management Performance Reports?

In my current function, no. I mean, I contributed, of course, for my Unit to all these different documents but I don't work on it in a general, broader organizational sense.

Okay, I guess, when it comes to IA's, stakeholders for legislation, you also don't have any contact with these sorts of things?
In the past, yes.

Well, then it maybe does apply, but okay... Let's say - thinking about your past experiences - do you think the way that things were built in these situations, do these procedures help prevent wrongdoing in the EUCO? I mean, it can be mismanagement or straight up corruption. But do you think they are built in a way that can help prevent any of these issues? Also, because you have the experience from the other side [DG Human Resources and DG Personnel and Administration].

The Planning Cycle and wrongdoing, [I don't think] it's the main purpose of this.

Let's say better management instead of wrongdoing.

Yeah, to better management definitely. I mean, it makes the whole process more transparent within the organization and also towards the outside world. When you start with the EUCO program people know... I mean, this is more of a political document, but it serves for internal purposes of planning the work. Plus, you have these announcements with roadmaps which inform people what the EUCO is planning so the outside world and the other institutions know that the EUCO is planning an initiative in a certain area. There is an indicative timeline which allows stakeholders to prepare their positions, which is important in the case of European associations which have national member associations and for them it takes time to organize and process to be able to give a position to the EUCO and to give input to the preparation of files. And, internally, it allows the central services, DG Budget, the Secretariat-General, DG HR to see all the different activities which are in the pipeline and consequently to look at the resource implications. And then afterwards to control implementation: "How is the work in an envisaged timeline?", "Are there delays?", "What are the problems?". It's a real working tool.

Also, at the level of the staff that's doing it, did it also improve - let's say sometimes is not only one DG that it's involved in one piece of legislation - would
you say that it also improved the working culture and the connections within the EUCO to get something done in a more collective way?

Hum, hum [positive nod]. The planning is such that it allowed, at least, all other services to see what a certain DG is planning which might have an impact on the work and the responsibilities of another DG. That was certainly the main improvement of the Planning Cycle. The improvement of collaboration between the services... It's true at the time, in 2004/5, they introduced what is called "Upstream Coordination" that the DGs should coordinate already before the formal consultation procedures. These procedures are relatively short: two or three weeks for a service to reply to an intra-service consultation. This was a strong encouragement at the time to do this before the formal procedures. But like in any big organization, this is working across departments is a never-ending issue which you've might seen with the current EUCO with the introduction of Vice-Presidents and project teams. That was another attempt to improve the collaboration between the different departments and Commissioners and Policy areas. But that has certainly improved over the years. Particularly with this EUCO under the project teams that was much more early-on collaboration at the political level and then it trickled also down to the administrative level.

It was the first political Commission. I guess that also makes sense from that perspective.

And plus, you see it with certain examples. We've got the Brexit task force which brought people together from different DGs. We had the task force for Greece, task force from [the] Ukraine. Now we have the structural reform support service which is attached to the EUCO, which is the fruit of this approach to work across departments because there is people from different departments coming together and giving their contacts to different DGs to ensure that, for example in the case of Greece, there is a coordinated approach from the EUCO. Of course, it's not every single DG of the EUCO pursuing their own agenda. Well, intended agenda but sometimes if everyone is well-intended but doesn't talk to each other the outcome cannot be as good as it could be. But maybe, because you've made this link to avoid wrongdoing, I
think that the whole procedure of IAs in interservice consultations, interservice work, then the IAs, at the end, reduces the risks of undue influence because there are so many people who will critically check legislative proposals, or draft proposals, that it makes it very unlikely that one individual can for bad reasons influence a EUCO proposal.

You know, I actually did a traineeship at the Portuguese Permanent Representation, so I was working in the Council, and that was also the idea that I got but in this case I have to be unbiased and ask you that. But it's good to know you have a sort of similar opinion because we, as part of the Council, would also criticize and dig into the EUCO IAs and figure out what came to being in which way. So, from my personal perspective, it seemed quite transparent and I was quite happy about it. It was one of the reasons I decided to do my thesis on this subject. One of the other things I'd like to ask you about, which I don't know if you had contact with, was the FCUs that exist in each DG which are different from the Financial Audit Unit - I always have to make this distinction. Did you have any contact with the FCUs in the DGs that you worked for?

Well, not specifically, I must say. It's true the audit comes afterwards, and they pick specific areas to check. Whereas financial control is, I mean, control of financial transactions. So, that's something different. This whole complex was one of the major areas of the reform at the time, with giving more responsibilities to the authorising officers, meaning the Directors-General or the subdelegated authorizing officers. Plus, the control mechanisms, the audit mechanisms. I think that was a very big organizational change, this whole area. As more experienced colleagues at the time told me, the EUCO in the 70's, 80's, 90's was an administration producing legislation and then in the 90's the whole budget grew, the tasks grew and suddenly the EUCO had to manage budgets, spend money and there was a lack of experience, a lack of rules, procedures which lead them to some... Well, 'artistic' procedures sometimes.

Well, okay. But then, in this sense, you didn't have contact directly, or at least something more substantial?
No, I think there I wouldn't be a good source.

It's okay. The last thing I'd like to ask you is about the Whistle-blowing Guidelines. I know they are part of the Staff Regulation or, at least, the articles for Whistleblowing are in the Staff Regulation and then you made the Guidelines to make it more clear. But I wanted to separate them a little bit and think of the [Whistle-blowing Guidelines] as a whole and then, again, what I want to ask is: if you think by following the Staff Regulation and both the rights and obligations that the staff has, do you think that people, because they follow the instructions clearly and prevent cases of wrongdoing because what is written in the Staff Regulation?

Well, the Staff Regulations are the legal instrument which you need to make it legally binding and people are informed about them when they are recruited. They receive copies of the relevant provisions on rights and obligations, the same when they leave the service. But, of course, [with] today[’s] work, most colleagues won't read the Staff Regulation. Moreover, for many of the articles, same in the national civil services, you have implementing provisions or guidelines which are also legal instruments in the case of implementing rules, which are also not easy to understand for non-lawyers. So, we have a whole set of information on websites, on the intranet, [and] Ethics guide which we just published and summarizes the difference... Mainly the obligations... So, there is a whole set of other easier-to-read texts which are available to staff. Plus, the ethics training which is given to newcomers and the ethics training which is given to staff in general. But there is still work to do. I don't know if you've seen the recent Court of Auditors report on the ethical framework in the Council, the EP and the EUCO. That was published in July, but I can send you the reference.

I have a lot of tabs open, but I think that... Let me check here. I saw something, but I don't think it was that. It was something related to that, but I don't think it was that.
Yeah, because they had the Court of Auditors based on the survey, they did which... Okay, it was a representative survey. [It] identified that many colleagues - although the EUCO was quite good compared to the other institutions, if I may say so - still don't feel sufficiently informed about their obligations. So, that shows that we still have some work to do. Although we started with these ethical trainings for newcomers some years ago, so, I mean, over time, of course the population that got this training will increase.

Yeah, because from everyone I've talked to, only one person missed it due to some other sort of engagement that she had. But, basically, everyone that I've talked to has gone through this training and some of them even attended more than once. I mean, sort of follow-up trainings and your colleague in IDOC also told me there is an "Outreach Program" to keep on updating staff on the changes and for them to, sort of, practice what they would do if 'x' situation would happen and how they should act. So, for you, it's also an evolving, I mean, training for the staff.

Absolutely. It's training and awareness raising in general. So, I mean, we have different tools. You've spoken to the IDOC and DG Human Resources there is also a Unit dealing with ethics for staff and dealing with the day-to-day authorizations, requests and so on. So, they go together with colleagues from IDOC to DGs and provide training to staff to Units, to the management and so on. But this is the ethics part, we also have anti-fraud angle, I mentioned this EUCO anti-fraud strategy prepared by OLAF for the EUCO, where this awareness raising and obligations is, and then, of course, there is a whole list of other issues to prevent fraud. Plus, we have our internal control standards which oblige every DG to ensure awareness of staff, of obligations to prevent frauds which we try to bring together which contributes to the general policy of preventing wrongdoing in a very broad sense.

Just before [we end], because I'm basically done with my questions, could I ask you, in a way your opinion, of what should be the future changes, what should be changed in the future for the better and - I don't know if you can answer this - if
there are already any changes coming that the EUCO is already working on when it comes to staff, wrongdoing and the prevention of all these things?

I think it's a continuous exercise. It's not that there is one initiative, then it's over and then a few years later there is another initiative. I think over the years there has been regular work. I mentioned these implementing provisions to the Staff Regulation which are updated. We had new decisions on the outside activities, professional activities after leaving the EUCO. We are updating again the harassment decision, currently. So, yeah, we adopted a new EUCO anti-fraud strategy this year. We [are] reviewing the OLAF regulation currently. It's a never-ending work, I would say. We published this book and guides which is on the EUCO intranet, but also available as a brochure. So, I'd say it's an ongoing activity and, I think compared to the past, that's what we always say in regard to OLAF: it was something new in 2000, 2004, but all these has entered to the standard procedures somehow. And then, of course, you have to make sure that the standard procedures are updated when necessary, that people are aware of it. I think it's part of the standard operations in the EUCO now. SO, has I said, we continue to work in other elements. The awareness raising is a constant effort. I mean, we have some recommendations from the Court of Auditors of what we should improve. There, as well, many recommendations refer to more guidance, more explanations for staff and, also, how intern administrative Units procedures are handled. I think that is now the next thing we will do to implement the recommendations of the Court of Auditors.

Thank you so much for your time Interviewee 9.