

ROLE AND ROLE PERCEPTIONS OF SENIOR OFFICIALS IN LATVIA

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Introduction

Role of senior officials in public administration was not a topic for public and academic discussion till the last wave (December 2002 – February 2003) of dismissals initiated by the government replacing almost half of all state secretaries in Latvia.

Already in 2000, Robin Mountfield in his report to the Prime Minister of Latvia emphasised a need to establish Senior Executive Service, which would consist of the higher-level personnel at all ministries and agencies (approximately 250-300 persons) (Mountfield, 2000:9). Senior Executive Service, according to Mountfield, would have single unified and transparent remuneration system, which would allow selecting experienced and well-educated persons. Following the recommendations by Mountfield, the search for the most appropriate models of the senior service started, and later relevant policy documents for establishment of senior service were elaborated. The Mountfield's report and the Civil Service law, approved at September 7, 2000, emphasised a major role of senior officials in Latvian public administration and can be assumed as a starting point for development of senior officials service. However, that was only a good idea on a paper circulated around the ministries, and neither approved, nor prepared for implementation. Moreover, the current government¹ has introduced new behavioural patterns in relation to senior officials not discussed previously.

The objective of this paper is to focus on the formal role and actual role perceptions of the top level of civil servants in Latvia. The definition of the term *senior official* is explored in the Latvian context trying to find the most detailed definitions. All relevant policy documents are analysed. In the further research, the role of state secretaries as the higher civil servants in the ministries and senior officials involved in the EU integration process is considered. The role of state secretaries is analysed from the point of view of policy approval process examining also their functions to be performed.

It was found out that formal role and actual role of senior officials differs. The legislation clearly separate politics from administration, however in reality the discretion of the state secretary depends upon the respective minister and the working environment in the

¹ Current Prime Minister is Mr Einārs Repše (The New Times Party), approved at 07.11.2002.

ministry is influenced by relationships between a minister and a state secretary. In addition, even it is not a task of the minister to supervise purely administrative issues, it was found out that ministers do like to interfere administrative tasks, but state secretaries are often involved in politics.

PART I – FORMAL ROLES

Definition of the senior officials in Latvia

The term *senior official* is not clearly and coherently defined in national legislation in Latvia. Therefore, different approaches can be found regarding this issue. The Civil Service Law gives a definition of a civil servant and following the logic of the law; the same person is also an official. The law *On public administration* defines the term *official* as an employee of public administration who is authorised to take an administrative decision (The law *On public administration*, 2002:2). Following the sense of above-mentioned laws, one can assume that every civil servant is an official and, thus, the civil servants in the higher positions can be considered as senior officials.

As far as national legislation does not provide the obvious definition of the senior officials, the author will refer to the definition by SIGMA, which declares, that senior officials are *...the higher non-political positions (functions of the public managers) in government* (SIGMA Paper No. 1, 1995:9). Senior officials also are *...occupying important management or specialist positions at high levels in ministries or operational or policy agencies* (OECD, 1997:4).

The draft paper *On rotation of the senior officials*, approved at the meeting of state secretaries at February 7, 2002, assumes that there can be five interpretations of the term *senior official*. The term might include the following positions of civil service:

1. State secretaries, heads of secretariats to ministers on special assignment, the director of State chancellery, the director of European Integration Bureau – approximately 16 civil servants;
2. State secretaries, heads of subordinated and supervised institutions – altogether 95 civil servants;

3. State secretaries, deputy state secretaries, heads of subordinated and supervised institutions – 131 civil servants;
4. State secretaries, deputy state secretaries, heads and deputy heads of subordinated and supervised institutions – approximately 241 civil servants;
5. State secretaries, deputy state secretaries, heads of departments in the ministries, heads and deputy heads of subordinated and supervised institutions – altogether 342 civil servants (The draft paper *On rotation of the senior officials*, 2002:2).

Therefore the total number of senior officials in the country involves approximately 300-350 (~1.2%) persons while the total number of civil servants are 25 534 (Informatīvais ziņojums, 2002:2)². Now it is tasks of the government to decide exactly which interpretation of the term would be used in Latvian context in order to avoid any further misinterpretations.

In this paper, the following categories of officials will be understood as senior ones: state secretaries, heads of secretariats to ministers on special assignment, the director of State chancellery, the director of European Integration Bureau, which also refers to the definition by SIGMA.

The policy elaboration and approval process in Latvia

The Regulations No. 111 regulates internal procedures of the Cabinet of Ministers and the way in which documents are approved. The regulations contain detail requirements for new legislative drafts to be submitted for a review in the meeting of state secretaries, the Committee of the Cabinet of Ministers and the Cabinet of Ministers. The functions of state secretaries and ministers in that process are described by the regulations.

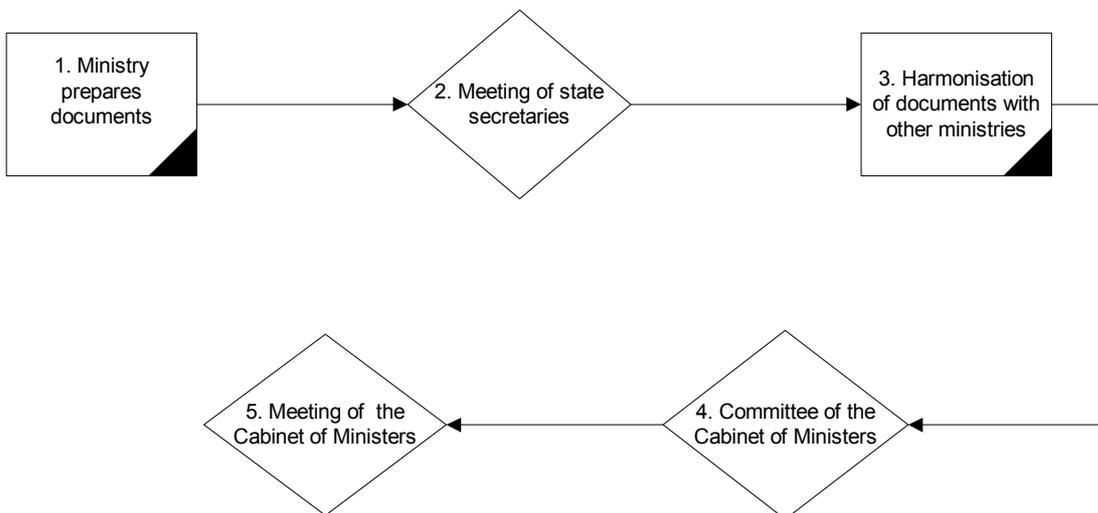
The regulations No. 111 were approved at March 12, 2002 and came into force at June 1, 2002 replacing the old version of the regulations No. 160. The new version provides a number of relevant changes in the process of the elaboration and approval of the legislation and policy documents. It is expected that the quality of documents should improve substantially, optimisation of the State Secretary meetings will be achieved, the Committee

² Data as it was of October 1, 2001.

meetings and meetings of the Cabinet of Ministers. However, it is not apparent what kind of indicators will be used for measuring quality of documents. Since the Cabinet of Ministers decides only on the four types of policy documents – programmes, concept papers, plans and guidelines as well as on all type of legislation, the format and elaboration procedure for each type of policy documents is provided and in details described in the regulations.

In order to portray the system how legislation is being elaborated and approved in Latvia, the following chart would be helpful. The chart also explains to what extent state secretaries are involved in this process and what are their main tasks.

Chart No. 1. The policy approval procedure.



Step 1. The ministry elaborates draft legislation, policy documents, concepts etc. The head of the ministry (a state secretary or his deputy, a head of secretariat) signs the documents. The documents are prepared based on the government tasks and legislation. The ministry sends prepared documents to the State Chancellery that technically organises the meeting of state secretaries. The meeting of State secretaries is the first step when it is decided on further movement of the document. The documents can be approved or rejected at every stage when decision is made – in the meeting of state secretaries, in the Committee of the Cabinet of Ministers, or in the meeting of the Cabinet of Ministers. As far as the state secretaries are meeting each other at least once a week, they should know each other quite well. The good relationship among state secretaries allow at the early stages to resolve

conflicts and to clarify ministerial interest. Thus, already before the document is going to the meeting of state secretaries, they can negotiate and to find out a solution to satisfy all involved parties.

Step 2. According to the Regulations No. 160, the meetings of state secretaries are held every week on Thursdays and the director of the State Chancellery chairs them. At the meeting, the state secretary of each ministry or a representative of the state secretary reports on the draft legislation prepared by the ministry. The representatives of the European Integration Bureau, the Union of the Local self-governments, the Prosecutors general office, State audit office and National Tri-partite co-operation council also attend the meeting. The meeting decides whether it is necessary to publish the draft legislation and to which institutions the draft should be sent for harmonisation of the opinions. Opinions are required obligatory from the Ministry of Finance and Ministry of Justice, and if the draft act is directly related to the EU integration, opinion is required also from European Integration Bureau. Thus, it can be assumed that Ministry of Finance and Ministry of Justice are influential ones, and the officials working in the influential ministry, might have more direct implication on policy process. During the meeting, state secretaries also decide to send the draft act to local municipalities if the law On local self-governments requires it. It should be recognised that all the discussed issues are prepared in the legal format and questions concerning legislation encompass the dominant part in the agenda of meeting in this level. It should be noted, that the meeting of the state secretaries not only formally approve the documents, but also decide to which draft documents should be enclosed annotation. The annotation contains information on expected political and social impact as well as impact on the state budget and relationship with legislation. The practice was to enclose annotation on the impact assessment to the draft laws. In reality it means, the state secretaries might approve and leave without annotation some favourable documents, which might have major social impact in the future. It should also taken into account that state secretaries are quite familiar with each other, so the bargaining process in one or another issue can start already at the ministry level. Finally, the meeting also look through those documents on which agreement were not achieved among ministries, so trying to reach the agreement before issues is going to the governmental discussion.

The regulations No. 111 defines the scope of persons who can participate at the State secretaries meeting. The state secretaries, the heads of the secretariat, a director of European Integration Bureau and the head of the State Chancellery participate at the State secretary meeting with full rights. With advisory rights at the State secretaries meeting participates – the other representatives from State chancellery, State Audit office, parliamentary secretaries, Local self-government union, representative from the NGO centre etc. The scope of the persons who take part at the meeting is being expanded lately. Before only state secretaries attends the meeting and none else. The minutes of the meetings is available at the Internet, but the minutes shows only the decision, not the discussions and arguments. So, one can only wonder what arguments are used by a state secretary for getting approval of the documents.

Therefore, the meeting of state secretaries:

- Approves the list of policy documents and normative acts;
- Reviews the state secretary report on the draft policy documents and if necessary the draft normative act;
- Decides whether public discussion is necessary for the respective draft document;
- Reviews the issues which deals with the implementation of the tasks defined in the laws, regulations of the Cabinet of Ministers and decrees of the Prime Minister;
- Reviews issues, which deals with the public administration as such.

By approving the above-mentioned functions of the meeting of state secretaries, the Cabinet of Ministers justified already performed functions by state secretaries and their meeting as well as their formal role in policy approval process.

Step 3. According to the decision made in the meeting of state secretaries, the ministry sends out the draft documents for harmonisation with other ministries and institutions. The state secretary or his representative signs the supporting letter. Even the opinions is requested from all ministries, the opinions of the Ministry of Finance and the Ministry of Justice are the most relevant ones. The opinions of the ministries outline the position of the ministry in respect to the further progress of the particular document. The proposal concerning the content of the documents is also included in the opinions. It should be noted

that the state secretary signs opinions of the ministry, so the state secretary decides and actually controls what would be opinions of the particular ministry. Before the opinions are sent out, the state secretaries of both ministries (a ministry that prepared document and a ministry that expressed opinion) might possibly have agreed on the content of the opinion. Therefore, on the early stages, a state secretary has tools for providing successful movement of the favourable documents.

Before draft documents are forwarded to the Committee of the Cabinet of Ministers, the State Chancellery checks whether it contains all supporting documents required by the regulations No.111, including the minutes of the state secretaries meeting.

Step 4. The Committee of the Cabinet of Minister consists of the ministers. The general task of the Committee is to reach a principal agreement for supporting the documents before they are forwarded to the Cabinet of Ministers. The state secretary participates at the committee with advisory rights. At the same time, a state secretary or his representative or the official responsible for the respective document reports to the Committee on the documents prepared. Within the two days period after the Committee, a minister, a state secretary might express their comments on the minutes of the Committee meeting.

Step 5. The Cabinet of Ministers makes the final decision regarding the documents and legislation. State secretaries do not participate at the meeting, only if they are invited to present some particular issues.

The role of state secretaries in the policy approval process can be characterised as a considerable due to the following factors. First, the state secretaries decide on the further movement of the documents at the meeting of the state secretaries. They are present and often report on the documents at the Committee of the Cabinet of Ministers. Second, a state secretary decides on the opinion of the ministry in respect to the particular issues. Finally, the quality of the prepared documents and the quality of the Minister's presentation on the documents depends on the cooperation between a minister and a state secretary.

The regulations No. 111 indirectly emphasise that state secretaries are performing not only managerial functions in the ministry, but also they perform some political functions. The meeting of the state secretaries can make a decision according to which documents might be hidden from the public discussion. In addition, such functions can be described as an attempt to decentralize decision-making process. At the same time, new functions of the meeting of state secretaries provide a tool for government to blame civil servants, if decisions will have negative impact on society.

Functions of state secretaries

The functions of state secretaries are defined in the statutes of the each ministry. Taking into account that the Cabinet of Ministers usually accepts the statutes, the Cabinet determines also competence and functions of state secretaries.

The functions performed by the state secretaries are as follows:

- To provide establishment of the rational administrative structure within a ministry;
- To manage all administrative tasks;
- To provide continuity of the tasks if political leadership is changing;
- To represent the ministry;
- To provide necessary financial, legal and administrative provisions for implementation of the ministerial functions;
- To approve statutes of the ministry units and to approve personnel lists according to the allocated resources;
- To appoint and to dismiss civil servants according to the Civil service law, to appoint and to dismiss personnel as well as to sign agreements in the scope in his competence;
- To reward personnel of the ministry or decide on demerit according to the legislation;
- To coordinate work of the subordinated and supervised institutions;
- To issue orders in the area of ministry's competence, if those questions are not only the minister's competence;

- To be responsible for harmonisation of the legislation with requirements of the Europe Agreement and implementation of the respective legislation, if a minister has not appointed another official for this task;
- To implement other functions according to legislation.

The above-mentioned functions of the state secretaries are general. The functions diversify from the ministry to the ministry. In some ministries a state secretary should prepare and submit to the minister a proposal for the necessary financial resources for the ministry's operations. It should be mentioned that only in a one ministry a state secretary is responsible for the effective operations of the ministry as it is stated in statutes. If the responsibility for effective running of the ministry is not mentioned in the statutes, there are two main explanations. First, it is clear that a state secretary is responsible for the effective operations without additional statements in the statutes of the ministry. Second, it is a responsibility of a minister or both officials – a minister and a state secretary to run a ministry efficiently.

It should be pointed out, that functions for the heads of the secretariats to ministers on special assignment are more or less the same as for state secretaries. Usually, posts of ministers on special assignment and their supporting secretariats are created as compensation for supporting policy of other party or as a result of distribution of ministers posts in the coalition government. Since, secretariats have a short period of life and they are created for specific tasks, their heads are simple administrative managers without huge possibilities to influence policy.

As regards administrative functions of a state secretary, these include not only management, but in some cases also control over substantial processes of the sector. Analysing their performance in the light of political actions, a close cooperation with the minister and constant lobbying for an own ministry becomes evident. For instance, when the document has been prepared by the respective ministry, a state secretary tries to overcome and to avoid all possible problems, which might arise in the harmonisation process, as well as during at the state secretaries meeting.

In conclusion, the scope of the state secretaries functions diversify from *to be responsible for something* till *to control some activities*. Actually, such vague and unclear formulations for the functions to be performed leave a big space for discretionary activities, which is quite hard to control and to require being accountable.

Selection and approval of state secretaries

The state secretaries are civil servants who are selected and appointed for this position according to the norms and procedure prescribed by the Civil service law. When there is a vacant position of the state secretary, the State Civil Service Administration announces open competition in the official newspaper "Latvijas Vestnesis". The Evaluation committee for testing compliance of a respective applicant should be established and approved by the Cabinet of Ministers following the recommendation of the respective minister. The Evaluation committee selects the most appropriate applicant and informs the Minister. The Minister has a right to appoint the state secretary for the five-year period. As one can see in the Table No.1 (below), the most part of state secretaries are or were in their positions since 1997, some even longer. So, five-year period is over or close to that. In order to avoid abuse of that norm, the law provides transition period and five-year period should be counted from the moment when law came in force i.e. January 1, 2001. Six month before the end of the appointment period, a minister takes decision to extend the period for another five years or to terminate the appointment. The State Civil Service Administration should be notified about the decision.

A minister has rights to take the decision on dismissal of a state secretary. Still, it has to be in compliance with the respective decision of the Cabinet of Ministers. The minister is also in the position to decide on suspension of the state secretary and to approve the job description of a state secretary.

A state secretary as all civil servants are assessed by the Evaluation Committee established by the responsible minister according to the procedure established by the Cabinet of Ministers at least once in every two years. The results of the appraisal should be used as a basis for the decision concerning promotion, transfer to another position or awarding for the next seniority step. This norm in the Civil service law is quite confusing. One can ask

is there a sense for this kind of promotion, if a state secretary is already a top civil servant in the ministry.

Table No. 1. Rotation of the state secretaries and ministers.

Ministry	State Secretary from 1997	Minister from 1997
Ministry of Education and science	A.Sarnovičs (to 14.02.2003.) A.Priekulis	J.Celmiņš, J.Gaigals S.Golde, M.Vītols K.Greiškals K.Šadurskis
Ministry of Environmental protection and regional development	G.Puķītis	A.Gorbunovs V.Balodis V.Makarovs R.Vējonis
Ministry of Agriculture	J.Lapše L.Straujuma	R. Dīlba A.Rāviņš, V.Krištopāns V.Balodis, P.Salkazanovs A.Kalvītis, A.Slakteris M.Roze
Ministry of Defence	E.Rinkevičs	A.Krastiņš; T.Jundzis Ģ.Kristovskis,
Ministry of Foreign affairs	M.Riekstiņš	V.Birkavs; I.Bērziņš S.Kalniete
Ministry of Economy	K.Gerhards	G.Krasts, V.Makarovs, A.Sausnītis; L.Strujevičš, A.Šlesers, I.Ūdre, A.Kalvītis J.Lujāns
Ministry of Interior	A.Staris (to 01.01.2003.) J.Rekšņa	D.Turlais, Z.Čevers A.Krastiņš, R.Jurdžs M.Segliņš, M.Gulbis
Ministry of Transport	U.Pētersons (to year 2001) V.Legzdiņš	V.Krištopāns A.Gorbunovs R.Zīle
Ministry of Welfare	M.Poršņova (to 18.02.2003.)	R.Jurdžs, V.Makarovs A.Požarnovs D.Staķe
Ministry of Justice	A.Maldups (to 11.02.2003.)	D.Rasnačs, V.Birkavs I.Labucka A.Aksenoks
Ministry of Finance	V.Andrejeva	E.Krastiņš, R.Zīle I.Godmanis; G.Bērziņš V.Dombrovskis
Ministry of Culture	A.Gailis (to 02.01.2003.) D.Pavļuta	R.Pīks, R.Umblija K.Pētersone I.Rībena

Ministry	State Secretary from 1997	Minister from 1997
Minister on special assignment for cooperation with international financial agencies (16.07.1999 – 01.01.2002.)	I.Kalniņa	R.Zīle
Minister on special assignment on public administration (16.07.1999 - 07.11.2002)	J.Ruško	J. Bunkšs J.Krūmiņš
Ministry of regional development and local self-government (since 07.11.2002.) ³		I.Gaters
Ministry of Health (since 07.11.2002.)	U.Līkops	A.Auders
Minister on special assignment on family and children (since 07.11.2002.)		A.Baštiks
Minister on special assignment on integration of society (since 07.11.2002.)		N. Muižnieks

The table No.1 shows that during the last five years the government has been changed for a six times (13.02.1997.; 07.08.1997.; 26.11.1998.; 16.07.1999.; 05.05.2000.; 07.11.2002.), while the state secretaries have stayed the same for a period of five different coalition governments. Exceptions are the state secretary of the Ministry of Agriculture, who have retired, and state secretary of Ministry of Transport, who left his position due to the personnel reason.

The last government (from 07.11.2002.) has introduced new tradition in formal roles of senior officials. The disciplinary cases were initiated against the Director General of State Revenue Service, against the state secretary of the Ministry of Culture, against the state secretary of the Ministry of Education and Science for dereliction of duty on required quality. At January 14, 2003 the decision on disciplinary penalty for the state secretary of the Ministry of Education and Science was made and the state secretary was dismissed⁴. The state secretary of Ministry of Interior has left his post a few days after approval of the new government becoming an adviser for the new minister of interior, and by end of

³ Ministry of regional development and local self-government, Ministry of Health, Minister on special assignment on family and children, Minister on special assignment on integration of society were created by the end of 2002, therefore the state secretaries for those ministries and secretariats are not appointed yet (as it is at February 2003.)

January 2003 he also left this position⁵. By the end of January 2003, the director general of State Revenue Service was dismissed according to the decision of the State Civil Service Administration⁶. Finally, the state secretary of the Ministry of Welfare has left position at February 18, 2003⁷. The disciplinary case against the state secretary of the Ministry of Economy was opened, but due to the lack of evidence, it was closed and the state secretary stayed at his current position. Therefore, very interesting coincidence should be pointed. The state secretaries left their positions or were dismissed in the ministries where ministers are members of political party “Jaunais Laiks” (The New Time). The Prime Minister is a member and the chairmen of the same party.

The other relevant tendency regarding state secretaries role can be noted. If the particular ministry employs the state secretaries for a long time, so they are experts in the sector and their specific knowledge provides them with some kind of power that makes it difficult to establish the system of personnel rotation from a ministry to a ministry. One can only wonder what will happen to Ministry of Finance, if its state secretary will be appointed to other ministry. Several scenarios can be found. First, the ministry might lose its dominant status in the public administration. Second, if the new state secretary is coming from another ministry, it might take quite long time, to become an expert in financing. Finally, the previous state secretary of Ministry of Finance may have an inevitable impact on further activities of the new ministry.

The Implementation plan for Public Administration reform strategy highlights several tasks to be fulfilled in order to provide for development of senior official service and leadership in public administration. The following tasks are mentioned in the Implementation plan (Implementation plan, 2001:26,27):

1. To elaborate description of competencies for senior officials which would serve as a basis for approval, performance evaluation, remuneration and career development for senior officials.

⁴ State Civil Service Administration, www.vcp.gov.lv (17.01.2003.)

⁵ News server *Latnet*, www.latnet.lv (27.01.2003.)

⁶ News by Latvian Television, www.ltv.lv/panorama_index.html (28.01.2003.)

⁷ News server *Latnet*, www.latnet.lv/new_latvia/index.php?id=1506079 (12.02.2003.)

2. To elaborate the system of senior officials selection, performance evaluation and remuneration;
3. To elaborate and to implement mobility mechanism of senior officials.

In conclusion, the Implementation plan requires establishment of management for senior officials, which main characteristic is the rotation of senior officials. The creation of the rotation system of senior officials would resolve several problems. First, it will provide exchange of experience among ministries. Second, rotation of senior officials will provide deeper view for officials on the public administration problems, not only from the perspective of one particular ministry or sector. However it is doubtful whether a person with agricultural education will be accepted as a state secretary at welfare sector. Latvian senior officials are more experts in the respective issues, not bureaucrats as generalists. Third, rotation of senior officials will provide at least some kind of equality among ministries, however Ministry of Finance will always be one step ahead than other ministries because of its functions in the country. At the same time, it might create other problems. The new state secretary might not be able to manage the ministry as his ascendant did. There might be difficulties to establish good working environment. Finally, there is no data available how change of the state secretary will influence general performance of the ministry. The original idea of rotation by Mountfield is still idea expressed in the draft paper, some features of that idea were included in the Civil Service law at the very end of 2002. The point no.37 of the Civil Service law establishes a system of secondment for civil servants. Since, this point does not mention whether state secretaries are to be a subject for secondment, it creates a free space for interpretation.

According to the procedure established by the Civil Service law, the law secures a state secretary as a civil servant, and a minister does not have direct possibilities to influence a state secretary. A minister should have very good arguments for dismissal of state secretary before the period of his office is finished. However, if really a minister is interested in dismissal of a state secretary, there is a lot of way to find good arguments. Thus, the effectiveness of ministry's work depends on the cooperation between a minister and a state secretary, and of course, the professionalism of the state secretary.

Still, the most crucial question should be put on a discussion – how a state secretary can provide continuity of the tasks in the period when not only ministers are changing, but also state secretaries are in crossroads – to be dismissed by the minister or to be remained at current position. Any kind of mobility mechanism named as rotation or secondment might serve as a very good argument for the government to change state secretaries, even originally those mechanisms were not design to be applied for state secretaries. Formally, the ministers as political officials have a lot of way to get rid of state secretaries, but those opportunities were not used before the current government? Why? Do former politicians have had different political values than current? Or maybe they tried do not intervene bureaucracy for sake of peace in our village? If this is a case, what are the reasons why the current government destroys status quo in the village? This factor could not be explained fully since the government is in power from November of a last year. The party “Latvian Way” actually is a founder of civil service since that party was in power from 1992 and contributed for elaboration of the legislative framework of the civil service. Therefore, between the government and civil service was more or less cooperative relationship based on mutual recognition of distribution of competencies and power. The situation slightly changed after elections at October 2002. “Latvian way” was left outside the parliament, but the newly established party “The New Times Party” won one fourth of the seats and is leading in the current government. The New Times Party run for elections with slogans to eliminate red tape and to make civil service more accountable and transparent. Actually, all parties in their pre-elections campaigns had used such slogans, but they were forgotten after elections. Since the New Times Party has never been in the parliament and in the government, it has a lack of understanding of civil service substance and support inside it. Also, there are rumours that particular ministries are governed or even belong to particular political parties. Thus, right after elections, the civil service took formal neutrality regarding the new government, but the government showed its intention to create control over the civil service.

Senior officials meeting on EU issues

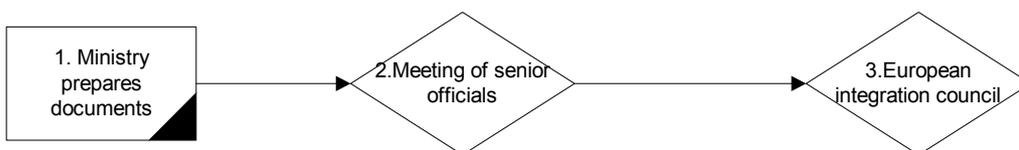
Regulations of the Cabinet of Ministers No. 449 determine the scope of officials who have rights to decide questions concerning national integration into the EU. The same regulations defines organisation of the senior officials meetings. The meeting consists of

the responsible representatives from each of the ministry. The representatives from other institutions – the Latvian Bank, European Integration Bureau, and secretariat to minister on special assignments are members of the meeting.

The meeting was established in order to fulfil the requirements of the Europe agreement as well as to provide the implementation of the National Programme for integration in the EU. The main tasks of the meeting are to coordinate the implementation of the EU integration activities related at the ministries. In case, ministries are not in a capacity to find consensus in some questions regarding integration, the meeting takes this issue within its competence.

As far as, the point 2 of the regulations 449 states that the objective of the meeting is to coordinate inter-ministerial cooperation for implementation of EU policy at all administrative levels. Following that, it can be assumed that officials included in the senior officials meeting as members can be described as senior officials, which means that formally scope of senior officials is expanding. From the minutes of the meeting, one can conclude what officials are exactly attending that meeting - deputy state secretaries or heads of departments, not state secretaries.

Chart no.2. Approval of the EU issues.



Step 1. Ministry prepares the policy documents, legislative drafts for negotiations at the meeting of the senior officials.

Step 2. Discussions are based on documents prepared for the meeting of senior officials. (The discussion on the documents at the meeting takes place.) According to point 14 of the regulations no. 449, the decision has to be made by unanimity. If, some of the members of the meeting has a different position, the head of the meeting or respective institution, whose questions are a point of the arguments, can propose to review the issues at the European Integration Council that mean to put an issue on the ministerial level, since European Integration Council consists of ministers.

There is no doubt that the functions of the senior officials meeting by its substance are necessary, because it promote the communication among ministries. At the same time, the overall role of the senior officials meetings can be described as remote because the meeting as such cannot achieve major changes in the policy substance. The European Integration Council or the Cabinet of Ministers should take the decision, which can be crucial in the EU integration.

PART II – REAL ROLES AND ROLE PERCEPTIONS

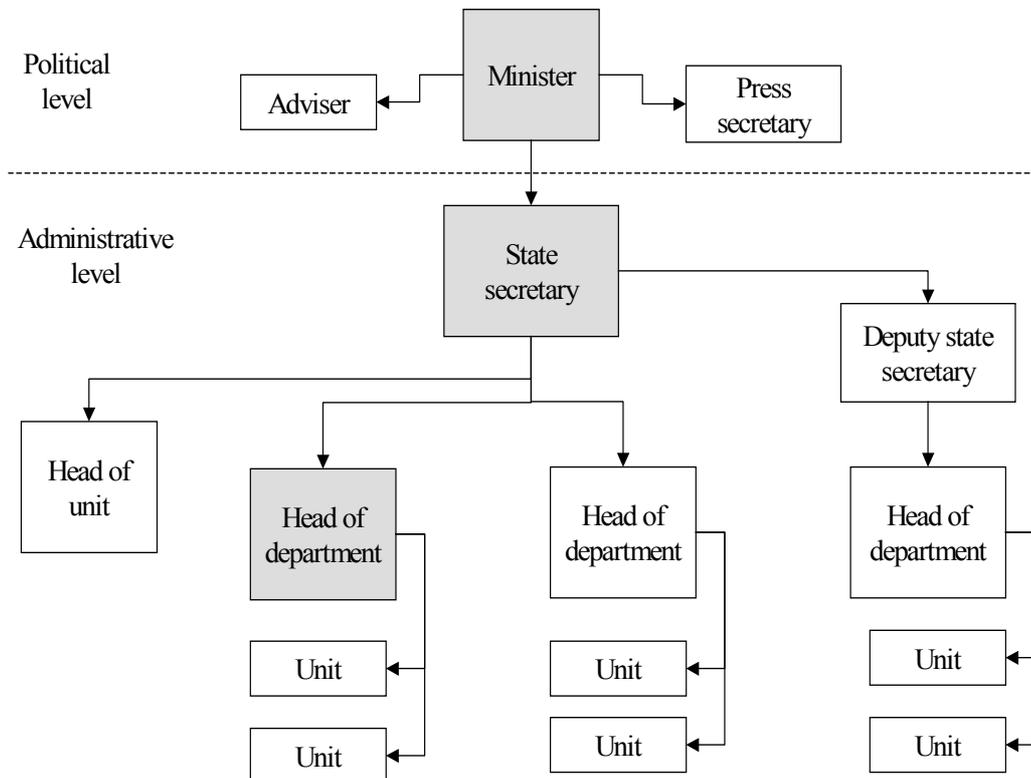
During period October – December 2002, the senior officials from the selected ministries – Ministry of Education and Science, Ministry of Welfare and Ministry of Transport were interviewed. The following officials were – a minister, a state secretary and a head of department in each ministry. To look on role perceptions of senior officials in development process, several persons who were senior officials in 1995 were also interviewed.

In details the list of interviewed persons is as follows:

- 2 persons – who were senior officials at 1994-1995.
- 3 state secretaries at the moment of interviews. One of them was state secretary already since 1993. Two of those state secretaries have been dismissed at January - February 2003.
- 2 ministers. It should be noted that ministers were interviewed in the election period, and this have impact on their answers. The new government was approved at November 7, 2002. Also, the interviewer asked for meeting time with ministers at the middle of September. However, the ministers could offer time in their schedule right after election take place and where already preliminary results of elections were announced.
- 2 heads of the departments.

The chart No. 3 explains hierarchical structure in the ministry. In grey colour, the interviewed persons are showed.

Chart No. 3 Typical structure of hierarchy within the ministry.



State secretaries

The career development of all three state secretaries is inherited in the public administration. The ministry as heads of department has employed two of them before they were appointed to the state secretary post. The third state secretary was employed by the other public administration organisation. On educational background, all three state secretaries have the higher education. State secretary of the Ministry of Transport have degree in engineering sciences (i.e. building of roads) and for a long time have been employed in his speciality. The state secretary of the Ministry of Welfare have degree in law, but again the career development was at the institutions strongly connected with social

welfare. Finally, the state secretary of the Ministry of Education and Science before appointment to the post of the state secretary was a head of department at another public administration organisation at the same level as a ministry. In sum, the experience working in public administration and career development within public administration is precondition to be appointed at the post of the state secretary. In addition, all state secretaries thought that their career as public servants were fulfilling and successful.

None of state secretaries were involved in political parties or even in professional and voluntary organisations. One of them explained it: *“There is no time to be a member.”* Taking a closer look in the schedule of state secretaries, one can found out that approximately 10-15 % of all working time are devoted for consultations with politicians i.e. the minister, ~50 % of time are to be devoted to management of the ministry, ~3-5% to consultations with more influential interest groups in the sector, and finally all other time left, state secretaries are using for resolving questions of a sectoral policy. Reality show that the functions of a state secretary defined by the statutes of the ministry should be perceived as guidelines, because a minister is a one who strongly influences what exactly a state secretary would do.

There were no evidence to prove the direct link between previous experience of senior officials and their relations to politicians, but some facts shows that such a link exists. First, one of them recognised that this is nothing extraordinary if the state secretary presents the ministry on political level. At the same time, the common idea for all state secretaries are that ministers might come with his/her ideas, but civil servants should implement those ideas. However, all state secretaries expressed that division of responsibilities (whether each are responsible for own duties, or both together – a minister and a state secretary- are responsible for overall performance of the ministry) depends on the minister and minister’s vision on its own tasks. One of the state secretaries said: *“My ministers is very correct regarding division between politics and administration”*. It was also recognised by all of them that a state secretary is a guarantee for continuity of the work at the ministry, and the state secretary should warn the minister on possible consequences, if a ministers has in mind new ideas to be implemented.

All of the state secretaries have recognised that they have capacity to exercise the leadership over the management of the organisation. Regarding capacity to exercise leadership over policy, the answers were different. The state secretary X recognised that sometimes he has a feeling that control is *floating out of the hands*. Otherwise all secretaries have all possibilities to influence the policy. The question is whether they are taking an opportunity and influencing the policy?

The relationships between political officials and top civil servants, between parliamentarians and top civil servants, political officials and members of parliament are good according to the evaluation by state secretaries. However, it was recognised that politicians unfairly are blaming civil servants, and this attitude has been adopted by mass media lately. Also, it was recognised that ministers are more professional than in 1995, and if they take part in decision of administrative matters, then just because they are interested in, but the state secretary is responsible for that decision anyway.

The state secretaries confirmed that there have not been significant changes in relationships between politicians and civil servants. They suggested separating functions of a state secretary and a minister in order to improve relationships. In addition, one of the state secretaries emphasised that a government should clearly define political goals to be achieved.

Two another important aspects should be discussed – impact of EU and impact of the coalition government on policy making. Regarding EU, impact differs from a sector to a sector. In education and science, there is no significant impact, but in sectors of welfare and transport impact is huge on policy as such and on capacity of bureaucracy, as noted by state secretaries. What deals with a coalition government, all state secretaries unanimously recognised that a coalition government influences the relationships between politicians and senior officials. Senior officials do not feel that government works as a team, and interest of political parties prevail. In addition, it was recognised that ministries governed by the Prime minister's party has better opportunities in comparison to other ministries. State secretary X has come to a conclusion that *Latvia is not able to think on national interests*.

Analysing opinions of state secretaries regarding contribution made by public servants to policy process, they agreed that public servants bring valuable experience to their jobs, have good leadership abilities and good management skills, view their job as an opportunity to make positive, long-term improvements in government, are comparable to the best talent in the private sector and play an important role in policymaking. State secretaries neither agree nor disagree to the statements that public servants work hard to carry out government initiatives and priorities, as well as they receive adequate training to understand the government's policies and programs. One of the state secretaries commented: *Public servants are writing those governmental programmes!* The author of the paper should recognise that self-confidence and self-appraisal of public servants (as well as state secretaries) are on a high level. This also can be explained by the fact that persons with experience working at public sector are demanded by private sector, and a lot of civil servants are leaving for work at private sector each year.

State secretaries were much more reserved evaluating contribution of politically appointed officials. They agreed that politically appointed officials bring valuable experience to their jobs and most of them have good management skills, and they play an important role in policy making. State secretaries tried to keep neutrality of their opinions regarding leadership abilities of political officials and their comparison to best talents in private sector. Finally, state secretaries neither agreed nor disagreed to the statements that political officials work hard to carry out government initiatives and priorities, receive adequate training in understanding the government's policies and programs or view their job as an opportunity to make positive, long-term improvements in government. The neutral answers by state secretaries can be explained by the coming elections (since the interviews take place in the election period) or as a precaution measures evaluating those who are in hierarchy above them.

As far as state secretaries recognised that policy making process is not effective at the government, they suggested to minimise sectoral interest, to establish continuity of ideas as well as to consider priorities and to provide the finances for priorities. In order to improve the performance of public administration, the state secretaries recommended to change remuneration system and to implement human resource management.

Since information has been recognised precondition for good policy-making, the main information sources are other public servants at the ministry and outside the ministry, the government sources, think tanks, own research and interest groups. The state secretaries were critical regarding relevance of university scholars, mass media, and political parties as information sources. The state secretary Y expressed: *I do not trust to mass media*. However it was expressed by state secretaries, that political parties at power have impact on work of civil servants.

Finally, it would be interesting to see how state secretaries evaluated the way in which government work. The state secretaries agreed or on balance agreed with statements that political parties play an important role in democratic politics that government is responsible for governing and government should be judged by effectiveness of its policy. State secretaries accepted that interest groups may seek to influence elections, but they should not to hinder those who are elected for implementation of their proposals. State secretaries also agreed that programme evaluation leads to decisions based on merit, not politics and in order to evaluate administrative activities, it is necessary to eliminate any political consideration that is not a case in Latvia.

Regarding the role of parliament, state secretaries expressed that parliament do not intervene the work of public administration. At the same time, they considered that efficiency of government is much more relevant than compromises, but on balance situation government mobilise resources for resolving of problems.

The statement that a senior official should limit his activity to the precise application of the law was strongly criticised by the state secretaries arguing that senior civil servant should share responsibility with his minister, and this goes beyond the application of law and activities prescribed by the law.

Summing up responses from senior officials, it is possible to conclude that senior officials perceive themselves as managers or even landlords of the respective ministry. However, elements of role of policy adviser and leader were observed. Role perceptions of managers are to be proved by the following statement expressed by officials:

Senior official Y: *I should do everything so that employers feel safe, they trust to me. Or State secretary are very relevant persons at the ministry. I as a professional should warn the minister if something is going to have negative consequences.*

Senior official X: *I do not need to go in details regarding political issues. The minister never intervene administrative decision-making.*

Senior official Z: *I am responsible for all decision made by the ministry, and I have all chance to influence decisions also made by the minister.*

In opinions of state secretaries, one can find hidden tendency of expanding bureaucratic power which based on professionalism of public servants and belief that politicians come and go, but bureaucracy make the ministry/policy run.

Ministers

From the ministers' point of view, the following issues should be noted:

Minister M: *I have influence over the decision-making in the ministry, but it very strongly depends on cooperation with senior officials. Also, I should recognise that sometimes civil servants have their own interest in the particular decision. It is not good, if civil servants are doing their own business without letting me know.*

Minister N: *I am devoting a lot of time for administrative things, to speed them up. We should educate senior officials, so that they will look on policy development globally, there is too much sectoral vision by senior officials. We (politicians – auth.) should watch after bureaucracy. If they want something to achieve, they will get it anyway.*

Approximately 20-30 % of all time, ministers spent in consultation with civil servants, ~10% -working on policy issues, but other time proportion is devoted to consultation with interest groups and members of a parliament.

The ministers recognised that the practice when political actors are involved in administrative tasks is usual. The main spheres where ministers would like to be involved are personnel and remuneration policy in ministry. This is understandable, because personnel and remuneration policy are keys to establish control over the ministry.

Regarding the relationships between politicians and civil servants, both interviewed ministers admitted that civil servants are those who making policy, and therefore politicians and members of parliament are working on information received from civil service. The minister N was an even more critical evaluating civil servants. He pointed out: *Civil service is very heavy; it would be necessary to make it more mobile.* In order to improve relationships, ministers suggested to train senior civil servants and to establish cooperation between a minister and civil servants based on team building principles.

Ministers evaluated the impact of EU on relationships between politicians and civil servants as positive. But their opinions were different on coalition government. The minister N was sure that coalition government is a inevitable part of democracy, but the minister M thought only parties at power has opportunities to influence politics and parties in opposition tries to block every single idea by the position parties.

The ministers also recognised the policy process being ineffective, and the root of ineffective action is in bureaucracy. The minister N stated: *None does invent laws in the parliament; if bureaucracy wants that law, they will get it.* Since ministers have enough information for policy-making, the basic information sources are public servants in the ministry and outside the ministry, own research and mass media. The minister M recognised information provided by mass media is usually negative, but still it is valuable information.

Finally, it should be noted that ministers considered that in order to evaluate administrative activities it is necessary to eliminate political considerations. However in practice both ministers intervenes administrative activities. The ministers agreed that political parties are relevant in the democratic countries and government should be responsible for governing.

As it was expected, the ministers prefers to see the civil servants working within the frameworks of their authority, even ministers recognised that senior civil servants are tended to be involved politics. Ministers also recognised that political parties have impact on civil servants activities.

Concluding, ministers perceived senior officials more as brokers who are using their informal communication with other senior official to get decisions made, sometimes even

avoiding communication with a respective minister. Therefore, one of unwritten tasks of ministers is to create limits for bureaucratic activities. It should be noted that one minister was in post from May 2000 till November 2002, but other from May 2002 till November 2002. At the time, ministers are in a dual situation. From one hand, they invisibly try to involve senior officials in politics, but from the other hand they try to create mechanisms to manipulate with senior officials, which might be used if it would be necessary to push responsibility of negative decisions to the shoulders of state secretaries.

The heads of departments

Their ministries employ both interviewed heads of departments since beginning of 90ties; therefore their answers contain valuable information and opinion on roles of senior officials

The heads of departments evaluates the state secretaries and relations in the ministry as follows:

The heads of department A: *Good cooperation between a ministers and a state secretary, it is stability, and personnel does not changes so much. It is relevant, that they are speaking in one voice.*

The heads of department B: *There is a great deal of micro management in my job from the state secretary.*

It was recognised by the heads of departments that relationship between senior civil servants and political officials are fair, and civil servants are overloaded with urgent tasks required by politicians. Therefore, one of the key elements, which might lead to improvement of relationships, is to improve general management in the ministry.

Both heads of departments were in the similar opinion on positive impact of EU politico-administrative relations, but at the same time they recognised that coalition government erodes relationship, respectively, opposition parties are trying to provoke coalition parties and an opposition attacks government's policy.

It seems that lack of efficiency in policy-making process is a well know problem for Latvian officials. The heads of departments recommended several steps in order to avoid that problem – to conduct impact assessment of all governmental policies, to reach political

decision on main priorities, as well as to provide financial resources for approved priorities. At the same time, heads of departments perceive public servants as those who bring valuable experience to their jobs, have good leadership and management skills. The heads of departments completely agreed that public servants work hard and a lot to carry out governmental policies and they play relevant role in policy making process as well as they receive training which in most cases help to understand policy. Generally speaking, the heads of departments evaluated public servants very positively, but this was not a case for politically nominated officials. Political officials received much less positive evaluations. If political officials can be characterised ones having good management skills, being hard workers and playing significant role in policy process, then they fail in comparison to private sector best talents. In addition, political officials do not receive necessary training, and they have to improve their leadership skills.

The main information sources for the heads of departments are public servants in ministry and outside, teaching staff at universities and interest groups. However, mass media again is scored quite badly.

The heads of departments agreed that in evaluation of administrative activities, there is no place for political considerations, as well as in order to make programme to be effective, it must be supported by interests most affected. Such opinions can be explained because the heads of department are actually those civil servants who very closely work with different interest groups. However, they also noted that political factors play significant role in policy-making.

The heads of departments agreed that government should be evaluated by effectiveness of its policy and political parties are part of the democratic system. At the same time, the heads of departments had dissonant opinions how political influence the civil servants work and whether senior official should strictly follow the instructions and regulations.

Ex-senior officials

Interesting information was received from the persons who were senior officials at 1993-1996. Both of those officials were senior officials at the Ministry of Education and Science.

Ex-senior official K: *Political influence at that time depended on the minister. Theoretically I have a freedom to do my job, but in practice, ministers intervened a lot into purely administrative issues. It was time of radical changes. There were attempts to establish the cooperation mechanisms between a state secretary and a minister, but there were no strict division of competencies.*

Ex-senior official L: *A state secretary was the new post for society and civil servants. The state secretary was a real manager of the ministry, and the minister did his political job, I – administrative one. Now a state secretary implements political desires.*

Even both ex-senior officials were appointed to the ministry to perform administrative management; the minister, and minister's vision on role of the state secretary influenced their activities. Both of ex-senior officials recognised that they managed the ministry and they were responsible for all administrative issues. It is interesting to note, that evaluating current working condition for the state secretaries, ex-senior official L noticed changes in relations between ministers and state secretaries pointing out that current state secretaries more adjust themselves to the political requirements expressed by the ministers.

Since years 1993-1995 could be considered as a stage of establishment of civil service, at that time even if political actors were involved in decision of administrative matters, its was not perceived as breaking in authority of civil servants. Ex-senior officials also noted that relevant changes in relationships between politicians and bureaucrats did not occur over the years. Actually, the degradation of position of state secretary was pointed. In order to improve relationship, it was suggested to train ministers on basic functioning of public administration.

Even years 1993-1995 were the years of development of political and administrative co-existence in the frameworks of the ministry, during interviews were found out that a state secretary was expected to be and he/she actually was a manager of the ministry.

Conclusions

There are a lot of unresolved questions regarding the role of senior officials in the Latvian public administration. Still it is not clear, whether senior officials should be managed centrally for the whole government or each sectoral ministry should manage as considers necessary. The definition of the term *senior official* is not coherent for whole public administration; therefore one can find different interpretation of that term in legislation and strategic documents. It is advised to accept one interpretation of the term.

Currently, the institutions are dependent on the senior officials, especially on state secretaries and their professionalism. The state secretaries from one side are performing the managerial role in their own ministry; from the other side they are involved in decision-making.

The beginning of 90ties (till 1994 or 1995) could be characterised as a period when both – politicians and bureaucrats were enthusiastic for building of the new state. After 1995 relationships between politicians and bureaucrats were more based on the formal procedures and subordination. This is logic development, because at 1994-1995 basic legislative acts on civil service and on the structure of the ministries were approved by the parliament.

All answers received during interviews show Latvian state secretaries as senior officials in civil service are tended to be managers of their ministries, however the influence over the policy issues and a ministry may depend on the respective minister. Bureaucrats accepted shortcomings of coalition type government, but they are still awaiting political decision on governmental priorities and definition of attitude towards civil service that will last more than one government.

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