

## Summary

*Local integrity systems in the Netherlands, Germany and Flanders:  
What there is and what to learn from it*  
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with the cooperation of Christoph Demmke and Jeroen Maesschalck

### ***The background and design of the research project***

Integrity is an important theme in public administration. This applies to politicians, with the recent Dutch political integrity index with 44 affairs in 2020, but also to civil servants, with, for example, more than 100 reports of possible integrity violations in the municipality of Amsterdam every year.

What can municipalities do to protect the integrity of their civil servants and to prevent integrity violations? And when will municipalities have their 'integrity system' in order and what about in the Netherlands, Germany and Flanders? These kinds of questions have been answered by the Dutch public administration scholars Alain Hoekstra, Leo Huberts, and André van Montfort, with support from the German research Christoph Demmke and the Belgian researcher Jeroen Maesschalck.

This has been done in a recent research project by Vrije Universiteit Amsterdam, commissioned by the House of Representatives Committee on the Interior and Kingdom Relations. The theme 'integrity' is part of the committee's knowledge agenda. The research project provides input for the discussion within the House of Representatives about political-administrative integrity, before and after the upcoming elections.<sup>1</sup>

The research project focused on municipal integrity systems for *civil servants*. The rules and provisions for representatives (i.e. city councilors) and administrators (i.e. mayor and aldermen) have not been taken into account. Research has been done in Germany, Flanders, and the Netherlands. The central research question was:

*What characterizes the local integrity policies and systems in Germany, Flanders, and the Netherlands, to what extent do these characteristics correspond to the requirements from existing knowledge and research, and what can be learnt from the comparison with Germany and Flanders and from the confrontation with scientific insights for the Dutch (national and local) policies and systems concerning public servants' integrity?*

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<sup>1</sup> The Dutch-language research report can be consulted via <https://www.tweedekamer.nl/kamerleden-en-commissies/commissies/binnenlandse-zaken/onderzoek>.

### ***Assessment framework for municipal integrity systems***

As a theoretical background for answering the above question, a conceptual framework for the assessment of a municipal integrity system has been developed. This assessment framework covers six categories of elements: 1) attention to integrity; 2) clarity on the concept of 'integrity'; 3) ethical leadership; 4) balanced and coherent integrity strategy; 5) appropriate integrity instruments and organisational arrangements; and 6) critical reflection on the system and its operation. The figure below is a visual representation of the six categories of elements constituting a complete municipal integrity system for civil servants.

*Figure 1: Visualization of the integrity system assessment framework*



The table below provides an overall explanation of the six constituent parts of the assessment framework.

Table 1: *Assessment framework quality integrity systems: headlines*

1. Attention: attention is paid to integrity within all sections and at all levels of the organisation, integrated into HRM policy, externally communicated and provided with sufficient resources.
2. Clarity: the concept of integrity and the local integrity policy are clearly defined, (socially) motivated and operationalised in a coherent way.
3. Ethical leadership: managers set a good example, are open to employees and support and maintain the integrity policy.
4. Balanced strategy: attention is paid to a balanced and coherent integrity strategy that is both values-oriented (training and moral awareness) as well as rule-oriented (rules, supervision, and sanctions).
5. Instruments and organisational arrangements: civil service is provided with sufficient integrity measures and tools, such as: codes of conduct, specific regulations, a notification procedure, integration into HRM policy, integrity training programs, confidential counselors, contact units, a research protocol, registration and reporting, risk analyses, and an integrity office or integrity officers.
6. Reflection: critical reflection takes place on a regular base, including periodical monitoring and evaluation of policy and system in terms of their implementation and operation, learning from the monitoring and evaluation results, and external accountability.

This assessment framework has been applied to the integrity systems of the municipalities of Munich, Antwerp, and Amsterdam. Prior to this, however, the national (and possible regional) institutional context of municipal integrity systems was outlined for Germany, Flanders and the Netherlands.

### ***National institutional context of municipal integrity systems***

The national (and possible regional) institutional context of the integrity systems appears to be quite different for the three countries. A first difference concerns the use of the term 'integrity'. Unlike in the Netherlands, the term 'integrity (policy)' is hardly common in Germany. In Flanders, the term is gradually used more often. A second difference is that, contrary to the Netherlands, in Germany and Belgium there is hardly any steering from the national or regional authorities on municipal integrity policies. A third difference pertains to the amount of scientific research on the state of municipal integrity policies. In comparison with Germany and Belgium, in the Netherlands more research is done into this issue.

### ***Comparison of integrity systems in Munich, Antwerp and Amsterdam***

Using the assessment framework developed for this research project, the integrity systems in the cities of Munich, Antwerp and Amsterdam can be outlined. We follow the six categories of system elements presented above in Table 1 and Figure 1.

#### *1. Attention to integrity*

It is striking that integrity has been on the agenda and in the spotlight in each of the three cities following significant integrity incidents. Violations generate attention and are almost always the reason to initiate or intensify the integrity policy. That attention often gradually subsides until another incident occurs.

#### *2. Clarity on the concept of 'integrity'*

In all three cities, the concept of 'integrity' is not clearly defined. Furthermore, for each city, the motives underlying the integrity policy and integrity system are both extrinsic (because there must be a policy and system; external pressure) and intrinsic (because it is good to have a policy and system; internal conviction) in nature. It has also been established for all three cities that there is no integrity policy plan in which the vision, measures, responsibilities and goals with respect to integrity are clearly and coherently expanded.

#### *3. Ethical leadership*

Several respondents point out that ethical leadership in the three cities surveyed is not optimal. As a result, there is a risk that workers will not feel completely free and confident to discuss ethical or integrity issues with their supervisors.

#### *4. Balanced and coherent integrity strategy*

All three cities follow a *strategy* that involves elements of a rule-oriented approach (with attention to rules, procedures, supervision and enforcement) and elements of a values-oriented approach (with attention to training, awareness, internalization and moral judgment).

#### *5. Integrity instruments and organisational arrangements*

**Integrity rules.** All three cities have the more or less 'usual' set of integrity rules in place. These include, for example, purchasing and procurement rules, rules relating to declarations, rules on the acceptance of gifts, gifts and invitations, and rules on diverse topics such as job rotation, ancillary work, separation of jobs, the four-eyes principle and the handling of confidential information. However, a clear point of difference between Antwerp and Amsterdam on the one hand and Munich on the other is that the first two municipalities have a central code of conduct.

In Munich, the values and standards guiding the civil service are described in various documents.

HRM policy. In the three cities, attention is paid to integrity in a fairly equal way in HRM policy. The theme is reflected in, for example, the selection process, the swearing-in ceremony, the introductory course for new employees, staff interviews, and personnel assessments.

Training programs. In Antwerp and Amsterdam, there are integrity training programs for employees. Although no specific integrity training programs are offered to employees in Munich, they are 'trained' in integrity-related themes. This happens, for instance, during the introduction program for newcomers. We have the impression that the training activities in Munich are more focused on managers than on individual employees.

Confidential counselors and contact units. In each of the three cities, employees can contact several confidential counselors and internal units which can advise them on (dealing with) suspicions of integrity violations.

Registration and reporting. The three cities are fairly reticent about communicating about cases of integrity violations across the whole organization. Privacy reasons play an important role in this, according to the respondents. Unlike in Munich and Antwerp, in Amsterdam notifications of suspicions of integrity violations and the results of the investigations following these notifications are centrally recorded and publicly published.

Risk analyses. Although the risk analysis instrument is used in each of the three cities, there are quite a few differences as to how this is done. In Munich, risk analyses are used in some areas of organisation to identify areas of activity that are extra sensitive to corruption. In Antwerp, risk analyses are also used, but these are general analyses which also include a number of integrity aspects. Amsterdam carries out risk analyses specifically focused on integrity.

Integrity office and/or officials. The three cities differ considerably in terms of organisational arrangements for promoting integrity and combating corruption. Munich does not have a central integrity office and has not designated a number of integrity officials. However, various departments and officials pay attention to topics related to the theme of integrity. Antwerp has an independent, mainly advisory, integrity commission composed of internal and external (part-time) members. Amsterdam is provided with a central integrity office that plays a central and coordinating role in the local integrity system. The Dutch capital plans to appoint decentral integrity officials who can act as 'liaison officers' between the central integrity office and decentral parts of the municipal organisation.

#### *6. Critical reflection on the system and its operation*

Periodic monitoring, evaluation, and reflection on integrity policy can be improved in each of the three cities. The extent to which the integrity system and/or its components need to be adapted is often implicitly assessed on the basis of signals from the organisation. There are little to no in-depth policy analyses and evaluations.

#### *Summarizing*

For all three municipalities, there are opportunities for improvement with regard to the six categories of elements that, according to our assessment framework, should form part of a municipal integrity system for civil servants. This in itself is not surprising because the framework is based on the ideal system.

### ***Recommendations for municipalities***

Given the substantial differences between the three municipalities studied, it is advisable for these municipalities and also for other municipalities to consider the following questions. A first question reads: Is it necessary to have an integrity system, or is it sufficient to implement separate measures (as is done in Munich)? In our view, a systemic approach involving coherence between instruments and cooperation between the actors responsible for them contributes to the effectiveness of the integrity policy.

Moreover, municipalities should consider the question whether it is necessary to formalise the integrity policy and system. One could argue that it is sufficient to have a more informal and loose approach (as is the case in Antwerp). In our opinion, however, a more formalised and directed approach contributes to the content and continuity of the integrity policy.

A last question to be addressed is: Is it necessary to have a large central integrity office (as is the case in Amsterdam), or can integrity also be organised differently? In our view, different organisational forms are possible. It is important that the responsibilities for the policy and system are clearly assigned to the actors involved and that integrity is worked on from a central point of view, with sufficient consistency (between policy and system elements) and enough cooperation (between actors).

### ***Recommendations for the Dutch Ministry of the Interior and Kingdom Relations***

The present study was commissioned by the Dutch House of Representatives Committee on the Interior and Kingdom Relations. In the Netherlands, central government is ultimately responsible for good quality local integrity policies. The research findings lead to a number of recommendations for how Dutch central government, i.e. the Dutch Ministry of the Interior and Kingdom Relations, can fulfil its ultimate responsibility for the quality of local integrity policies.

#### ***Sharper delineation of the concept of 'integrity'***

In the Netherlands, the concept of 'integrity' is widely interpreted and often insufficiently clearly defined. In the case of integrity violations by officials, there is a range of acts that are considered morally unacceptable. These are not only acts that are not legally acceptable (such as corruption, theft, and forgery), but also acts that are otherwise found unacceptable (such as indecent treatment of civilians, laziness or absence at work, and misconduct in the private sphere).

In Germany, a legal approach is dominant, with an emphasis on the fight against corruption and on compliance. In our view, the German approach has the advantage of clearness to civil servants about what is permitted and what is not allowed. Furthermore, it is obvious to local authorities which issues should be focused on in their integrity policies. A disadvantage, however, is that in local integrity policies not sufficient attention is paid to actions and situations that are legally correct, but should still be considered undesirable (i.e. 'it is allowed, but it is not okay').

Given the fact that there does not seem to be sufficient clarity on the meaning and content of the concept of integrity at the local level in the Netherlands, the Dutch Ministry of the Interior and Kingdom Relations could promote an exchange of views on this between municipalities. A sharp definition is desirable. The need for a clear definition is also demonstrated by various integrity investigations in which different investigative bodies came to different judgments on the same integrity issue. The Ministry of the Interior and Kingdom Relations could play a stimulating role in the inter-municipal exchange of views on the precise content of the concept of 'integrity'.

### *Stronger central steering of local integrity policy*

Furthermore, the Dutch Ministry of the Interior and Kingdom Relations should make more intensive use of the possibilities for (central) steering of local integrity policies. In addition to setting standards and rules, the Ministry should also encourage, monitor and intervene at the local level.

In recent years, the Ministry of the Interior and Kingdom Relations seems to have placed less focus on the local integrity policy with respect to municipal civil servants. The Ministry may have done this on the assumption that local integrity policies for civil servants would now be 'ready' or 'finished' and that municipalities are perfectly capable of ensuring mature integrity policies themselves. However, integrity (policy) requires constant attention, not only from municipalities themselves but also from the minister who has a coordinating task and system responsibility in this area.

The Ministry of the Interior and Kingdom Relations can play important role with regard to, for example, agenda setting, encouraging and monitoring in the field of local integrity policies. This role should be cherished, realizing that municipal organisations in particular are susceptible to integrity violations. This is certainly true of small municipalities which, unlike large cities, have considerably less resources and opportunities to ensure their own integrity (policy). In collaboration with the Association of Dutch Municipalities the Ministry could support small municipalities in cooperating and mutual assisting.

Furthermore, we believe that the Ministry should - with some regularity and in an appropriate manner - exert external pressure on municipalities to keep the focus on integrity at local level alive. Municipalities could be encouraged to use the assessment framework developed in the present study for 'self-study' or 'self-evaluation', with the aim of self-reflection: does the municipality have in order what can be expected of an effective integrity policy and system today?

### *Towards a more appropriate national integrity system*

In addition to the foregoing suggestions regarding local integrity policies and systems, consideration for the national system is desirable as well, also to promote and support local initiatives. Dutch municipalities (especially the small and medium-sized ones) are usually dependent on expensive private consultancies, which regularly use different assessment frameworks and standards, the quality of which is often unclear. Based on the research findings, it can be suggested that an institute like Audit Flanders could be of added value to the Dutch situation. Such an institute could support municipalities in including integrity in general audits, carrying out periodic integrity audits and performing forensic investigations.