

Long-term development and future prospects of civil-service ethics in Finland

Trajectory of civil-service ethics

The Finnish public governance model and its administrative culture have long historical roots. In fact, principles of good administration, regulation of conflicts of interest and merit-based civil service go back as far as to the period of the Swedish rule and still constitute an integral part of Finland's legal order and administrative culture¹.

Many key principles of civil-service ethics are embedded in legislation. Legal norms, which are essential from the ethical perspective, can be found in numerous laws, including Constitution, Civil Servants' Act (CSA), Administrative Procedure Act, Act on the Openness of Government Activities and Criminal Code. For example, acceptance of secondary occupation, acceptance of gifts and other benefits, and senior management's duty to disclose private interests are laid down in CSA.

During the last decades, activities in the field of civil-service ethics have been deeply influenced by the emergence of the so-called *integrity approach*. According to this paradigm, it is neither possible nor reasonable to try to impose regulation on every imaginable situation. In practice, civil servants and political decision makers would inevitably exercise their discretion. In many cases, ethical deliberations begin where legal rules end. The key materials in fostering the integrity-based approach have been the Government's Decision in Principle on State's Personnel Policy and its definition of core values in the State administration², the recommendations made in the Values for Daily Life project³ and the Values in the Daily Job handbook⁴. Also the Committee on Ethics of State Civil Servants stressed the importance of the integrity approach and considered it essential for increasing awareness of civil-service ethics.⁵

According to the Government's Decision in Principle, the core values of the State administration comprise effec-

tiveness, quality and expertise, the service principle, transparency, trust, equality, impartiality, independence and responsibility. These core values and the ethical standards set by the CSA are described and explained in the Values in the Daily Job handbook.

In addition to the values-based ethics work, a lot of attention has been paid to drafting various instructions and directives (secondary occupations⁶, hospitality, gifts and benefits⁷, trips offered by outsiders⁸, waiting period contract⁹). The introduction of a new independent body, Advisory Board on Civil Service Ethics, in 2015 is an important step towards institutionalising professional ethics management.

In addition to the activities to strengthen integrity of the civil service, several measures have been taken to prevent and combat corruption. Over the last years, bribery legislation has become more comprehensive. More research has been conducted on corruption, and civil servants' ability to recognise various forms of corruption has improved. Ministry of Justice has appointed a broad-based Anti-corruption Cooperation Network. Whistle-blower protection and regulation of lobbying activities are increasingly under the public spotlight.

ADVISORY BOARD ON CIVIL-SERVICE ETHICS IN CENTRAL GOVERNMENT¹⁰

- an independent body under the auspices of the Ministry of Finance aiming to improve management and consistency of ethical standards in central government
- established in 2014, currently on second term 1.3.2018 – 31.12.2020
- chair and nine members from different societal sectors, two secretaries (MoF and PMO)
- provides general recommendations on civil servants' professional ethics

ANTI-CORRUPTION COOPERATION NETWORK¹¹

- Ministry of Justice appoints the cooperation network, which supports the fight against corruption in Finland
- established in 2002, based on a GRECO recommendation to improve cooperation between public authorities; present term 16.2.2016–31.12.2018
- chair and 23 members from different governmental and non-governmental organisations
- prepares national anti-corruption strategy and action plan, disseminates information and makes proposals

Fight against corruption and work to strengthen integrity of civil service are interlinked. For instance, the Open Government Partnership programme has actively promoted openness and transparency of public administration. It is clear that the more transparent administration we have, the less room there is for corruption and unethical behaviour.

Strong legal framework, clear core values and good management provide fruitful preconditions for efficient, effective and ethical administration. Finland's central government's ethical standards are considered high in international comparisons, and Finland has a recognised position as a country utilising the values-based ethics work.¹²

State of Civil-service Ethics in Finland

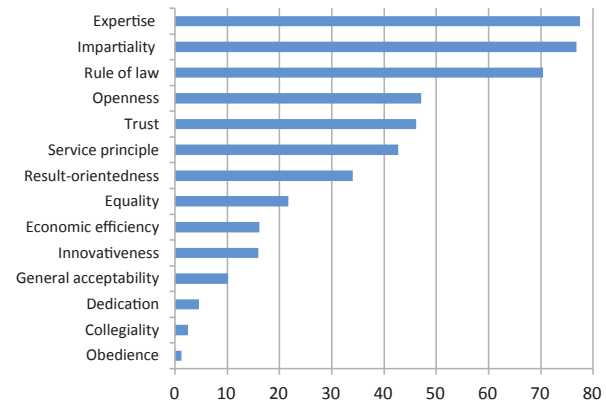
In 2015, Ministry of Finance conducted an extensive survey, which explored central government employees' views on ethical values and principles. Ministry also commissioned a second survey in 2016, which analysed how citizens viewed civil-service ethics. The civil servant survey and the citizen survey received 939 and 981 responses respectively. The findings of both surveys have been published in English¹³. Below we will review some of the key findings of these surveys.

CORE ADMINISTRATIVE VALUES

As can be discerned from Figure 1, civil servants considered expertise, impartiality and the rule of law as core values in central government, followed by openness, trust and service principle. A similar trend was also observed in previous surveys carried out in 1999¹⁴ and 2007¹⁵, so it is fairly safe to regard these as permanent core values. Civil servants themselves were of the opinion that the core values were realised quite well with the exception of openness, which was deemed to be realised relatively poorly. Citizens' views were quite similar (impartiality, the rule of law and expertise), but they held trust as the most important value. Compared to civil servants, citizens were more critical as regards realisation of the values: they expressed that the rule of law and expertise were realised quite well, but impartiality, trust and especially openness should be improved. Based on these two surveys, it can be stated that the opinions expressed by

the civil servants and citizens are quite similar in nature and they both emphasise traditional administrative values.

Figure 1. Core values in central government in Finland, % of respondents (n=939)



Awareness of values and principles, i.e. ethical sensitivity, cannot take root in the absence of a discussion on values and principles within a work community or more widely in public. According to civil servants, values are usually discussed at informal encounters, internal meetings and training events. Specific events focusing on values discussions, such as the Ethics Day, are less frequent. It is alarming to note that many experts, especially those working in ministries, stated that discussion on values was completely lacking (26%).

Half of the respondents stated that they had dealt with Values in the Daily Job handbook in some way. The book was widely circulated in central government when it was published ten years ago but familiarity with the book has diminished in the course of time. Currently, the handbook is given to the newcomers in government who attend the joint induction course known as the Government Passport.

ETHICAL PRINCIPLES

Civil servants deemed regulation on general ethical matters mostly sufficiently clear. Regulation refers to legal provisions, executive orders and administrative instructions pertaining to the matter. For example, the acceptance of a secondary occupation is laid down in the Civil Servants' Act (section 18), the Civil Servants' Decree (sections 18 and 19), the Ministry of Finance's instruction on civil servants' secondary occupations (VM/1591/00.00.00/2010) as well as in agency-specific orders and instructions. The topics that raised the most questions amongst the respondents were the waiting period related to an exit from State employ in certain situations, and the waiting period associated with an entry into State employ. However, respondents held that the real challenge is the fact that regulation is fragmented and civil servants may not necessarily be aware of all regulations. Respondents considered discussion and training, which increase awareness of the subject, as key methods for improving the situation. Compiling existing regulation into one document was also stated to be useful.

More than half of all respondents (58%) saw that training on civil-service ethics is needed in their agency. Majority of the respondents favoured general training on civil-service ethics, which means practice of basic issues, review of the principles of good administration, discussion on the Openness Act, Civil Servants' Act and the Administrative Procedure Act, and paying attention to new amendments. The single most often mentioned issue was the question of disqualification. Ethics training was considered crucial for those civil servants who enter the state employ outside public administration.

UNETHICAL CONDUCT

Corruption can be seen as the opposite of integrity i.e. upholding high ethical standards. While bribery is a paradigmatic example of corruption, the term is often used to refer to broader phenomena including, for example, situations with conflicts of interest and trading in influence. Civil servants saw bribery as clearly the single most serious unethical practice that should be kept outside public administration. According to the respondents' observations, bribery does not occur in administrative practice. The most common unethical practices were insufficient resources in relation to the scope of the duties and an excessively hectic pace of work, which deteriorate the quality of work and public services.

According to citizens' survey, the most common unethical practices were the unnecessarily complicated processing of a matter, the use of unnecessarily difficult official language and the inefficient use of resources.

Government agencies seem to use varying reporting channels for disclosing unethical conduct. Among the channels mentioned included designated officials, feedback boxes and various electronic tools, such as the website to disclose alleged misuse in development cooperation. However, majority of the civil servants were not aware of a method for disclosing abuses (45%) or thought that no method exists (12%). Although there are different ways of reporting abuses, it is obvious that they are not used systematically and disclosing unethical behaviour is not managed as a whole.

OVERALL ASSESSMENT OF THE STATE OF CIVIL-SERVICE ETHICS

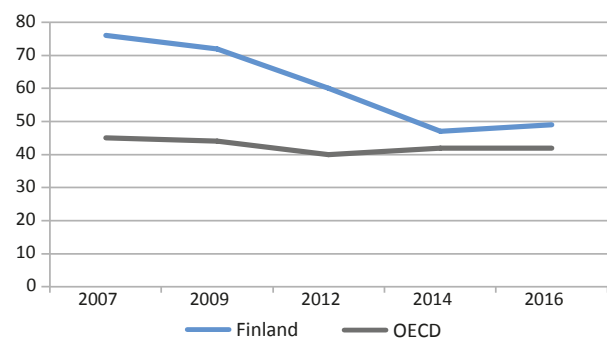
Civil servants held that the state of the civil service ethics had either improved (48%) or remained unchanged (31%) over the last ten years. On the other hand, a fifth of the respondents (20%) considered that civil service ethics had deteriorated. Most of them regarded that deterioration was due to worsening working conditions in central government. Reasons for this poor trend were deemed to be savings in central government finances, a decrease in personnel resources and the tightness of schedules for legal drafting. Experts, in particular, viewed deficient preparations as an ethical problem.

Citizens' views largely corroborated the observations of the civil servants. Most of the citizens found the situa-

tion to be the same as in the early 2000s (44%) or improved (31%), while a quarter (25%) thought that the situation had deteriorated. A predominant majority of citizens deemed that the overall assessment of the state of civil-service ethics was fairly good (48%), very good (6%) or neither good nor poor (27%). Although the overall tone of the result is a positive one, it includes a trace of dissatisfaction, too. A fraction of citizens thought that the state of civil-service ethics was fairly poor (10%) or very poor (3%). Overall, the differences between citizens' and civil servants' views were rather small.

Citizens were also asked whether the central government and the activities of its civil servants are worthy of people's trust. Nine per cent of the respondents completely agreed with the statement, while 52% somewhat agreed. On the other hand, mistrust is expressed by 30% of the respondents: of these, 9% completely disagreed and 21% somewhat disagreed.

Figure 2. Citizens' trust in national government 2007–2016



Survey findings are compatible with the OECD's time series. OECD's public governance reviews have measured trust in national governments¹⁶. Figure 2 illustrates the trust trend in Finland with relation to the OECD average. It is striking to observe that deterioration of trust has been the steepest in Finland: while in 2007 the level of trust was 76%, it had slipped to 49% by 2016, a significant drop of 27 percentage points. As deterioration of trust has been paralleled by a prolonged economic recession, it is difficult to suggest as to what extent it reflects general dissatisfaction with the prevailing socio-economic situation. Some other countries that have encountered severe economic difficulties have also experienced drop in trust level. For example, in Greece, the level of trust has dropped 25 percentage points and in Spain 18 percentage points, whereas in Germany, where economy has seen a significant growth, it has strengthened 20 percentage points over the same period. According to the OECD, trust in government and confidence in institutions are strongly correlated with citizens' approval of their country's leadership and perceived spread of corruption in government.

Notwithstanding this decrease in trust, Finland still ranks above the average¹⁷, and trust in people is particularly high¹⁸.

Proposals to strengthen high level of civil-service ethics

Finland does not have a unified legislation to regulate matters relevant to civil-service ethics. The essential legal base comprises Civil Servants' Act, Administrative Procedure Act, Openness of Government Activities Act and Criminal Code. During the last decades, the main focus has been on measures encouraging and supporting ethical conduct rather than on prevention of unethical conduct by means of detailed rules and punishments. Focusing on strengthening integrity has been possible because administrative law and adherence to the law stand at high level. Countries suffering from corruption crimes adopt different measures.

It is important to understand that civil-service ethics are not a separate entity. It is deeply interconnected with other things, especially leadership and management practices, training, governance and transparency. For example, activities promoted in the Finnish Open Government Partnership programme, such as enhancing clear official language¹⁹ and citizen engagement, contribute to civil-service ethics. Likewise, the new Explore State Spending website²⁰, made possible by the digitalisation of public procurement process, enhances transparency of central government. The governance model of administration (administrative structure, steering, management) creates the overall framework which indirectly affects ethics, too (e.g., clarity of staff responsibilities and objectives, accountability mechanisms).

Hence, it is crucial that civil-service ethics are not developed as an isolated entity but should be closely linked to other policy areas. This makes it also possible to increase ethical sensitivity, which is a precondition for ethical conduct. In many cases, simply bringing the topic into discussion is in fact enough to trigger ethical conduct. There is no one single measure – a silver bullet – that could be used to improve civil-service ethics. Effective integrity policy requires that multiple mutually reinforcing measures are adopted systematically.

Ministry of Finance has prepared an action plan to enhance civil-service ethics for 2019–2022. The overall objective of the action plan is to strengthen values-based approach to ethics²¹. As the surveys pointed out, there is a demand for ethics training. Ministry of Finance is going to prepare a general model for an Ethics Day, which government agencies can use and tailor according to their needs. Leadership development pays attention to values-based ethical leadership. The need to produce general training materials is assessed in the process of development of civil-service training and in taking the new learning platform eOppiva into use. According to civil servant survey, the Values in the Daily Job handbook needs to be updated. Also, the ethics surveys should be renewed at regular intervals in order to facilitate evidence-informed policy making.

Ministry of Finance aims to gather a small informal expert network to deal with practical questions related to the promotion of civil-service ethics. The purpose is to

integrate the expertise on civil-service ethics by putting together people working on similar issues. The network will consider matters especially related to the development of civil-service training and related materials.

The role of the advisory board on civil-service ethics will be reinforced by enacting respective regulations in the Civil Servants' Act. The use of post-government employment waiting period agreements should be expanded.

Besides various measures taken at the central level, it is imperative that the requirements of civil-service ethics are taken into account in every government agency. The senior management plays a key role: they set the ethical standards for the whole organisation through their own example, and they are in the position to provide the conditions for good administrative behaviour. Leadership, communication, training and discussions are pivotal for making ethics a living subject in the daily work. Ethical responsibility cannot be externalised, it is every civil servants' matter.

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- OECD [Government at a Glance 2017](#), 2015, 2013, 2011, 2009. Term national government refers to politico-administrative system as a whole, including civil service and political leadership, government.
- According to some evaluations, Finns still trust social institutions such as Police, Judiciary and the Social Insurance Institution of Finland, whereas trust in representative democracy's (political parties, parliament) ability to solve social problems is diminishing. Liisa Hyssälä & Jouni Backman (2018) [Kansanvallan peruskorjaus – kaikki voimavarat käyttöön](#). (Renewing democracy – all resources in use) SITRA, työpöytäkirja 23.2.2018.
- A survey on fairness, inequality and intergenerational mobility claims that 85% of Finns were of the opinion that generally most people in their country can be trusted. This is the highest rating in Europe ([Special Eurobarometer 471](#)). Another survey explored trust in institutions. 57% of Finnish respondents tend to trust Parliament, 47% Government, 26% political parties. Administrative institutions get higher ratings, as 93% of Finns tend to trust Police, 83% Judiciary and 73% public administration ([Standard Eurobarometer 89, Annex](#)).
- Citizens did not find the official language used by civil servants clear, appropriate and understandable (MoF 2017, 34), and the use of difficult official language together with unnecessarily complicated processing of a matter were considered to be the most often occurring unethical practices (p. 34).
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