



# Promoting good governance

European Social Fund thematic paper



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# 1. EU SUPPORT TO GOOD GOVERNANCE AND EFFICIENT PUBLIC ADMINISTRATION

## 1.1. Why should the EU support good governance?

The quality of public administration is important for economic competitiveness and societal well-being. At a time when Member States are facing increasing pressures on public budgets, the challenge of ensuring high-quality public services requires technological and organizational innovation to boost efficiency. This applies both in public administration and in delivering public services and quality public investment. At the same time, good governance and legal certainty are necessary for a stable business environment. It is essential that the institutions that govern economic and social interactions within a country fulfill a number of key criteria. These criteria include the absence of corruption, a workable approach to competition and procurement policy, an effective legal environment, and an independent and efficient judicial system. Moreover, strengthening institutional and administrative capacity, reducing the administrative burden and improving the quality of legislation underpins structural adjustments and fosters economic growth and employment.

The quality of public administration has a direct impact on the economic environment and is thus crucial to stimulating productivity, competitiveness and growth<sup>(1)</sup>. Apart from its key role as an economic regulator, the public sector also stands out as a service provider and employer. It accounts for more than 25% of total employment and a significant share of economic activity in the EU28 Member States. Additionally, an efficient and productive public sector can be a strong driver of economic growth through its support for and governance of the private sector<sup>(2)</sup>. An effective public administration is a key element of the competitiveness of the EU economy, supporting measures

to reduce the administrative burden on individuals and SMEs<sup>(3)</sup>. The modernisation of public administration was identified as one of the five priorities of the Commission's last three Annual Growth Surveys<sup>(4)</sup>. Reform of public procurement, digitisation of public administration, reduction of administrative burden, and increased transparency are all growth enablers<sup>(5)</sup>.

In the same tone, the European Commission<sup>(6)</sup> argues that "high-quality, reliable public services and legal certainty were historically a major precondition for the economic success of today's front-runner countries". It further argues that "... weak administrative and judicial capacity as well as legal uncertainty constitute key impediments in addressing economic development challenges."

## 1.2. What support did Cohesion Policy provide to administrative capacity in the period 2007-13?

The 2006 Community Strategic Guidelines for Cohesion identify good governance and capacity building as key issues to address. Though the share of overall funding volumes is rel-

<sup>(1)</sup> The World Economic Forum's Global Competitiveness report has "quality of institutions" as the first pillar of assessment

<sup>(2)</sup> European Commission (2013) European Public Sector Innovation Scoreboard 2013 – A pilot exercise.

<sup>(3)</sup> Businesses need to be able to start up a company at a low cost and quickly. The Competitiveness Council of May 2011 stipulated that Member States should ensure that companies can be set up in three days at a maximum cost of € 100. While progress has been made, this target has not been reached. For example, in Belgium, Portugal, the Netherlands and Hungary it takes less than five days to start your own company. But in Malta, Poland, Spain, and Austria it takes more than 20 days. On average it still takes 5.4 days at a cost of € 372. Source: World Bank – Doing Business (2013).

<sup>(4)</sup> The Annual Growth Survey and, where applicable, the Economic Adjustment Programmes, highlighted that link and clearly recognised the need for Member States to increase efficiency and effectiveness when delivering public services and improve transparency and the quality of public administration and the judiciary. Modernisation of public administrations was thus listed as one of the key priorities of the EU for a successful implementation of the EU2020 Strategy.

<sup>(5)</sup> Communication COM(2013) 453 final "End-to-end e-procurement to modernize public administration".

<sup>(6)</sup> European Commission (2010) "Member States competitiveness performance and policies", An integrated Industrial Policy for the Globalisation Era Putting Competitiveness and Sustainability at Front Stage, Commission Staff Working Document, Accompanying document to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, SEC(2010) 1272.

atively small (1.1% of decided allocations), administrative capacity building (ACB) is important in view of the expected benefits for governance.

The following 2 headings/categories are reported<sup>(7)</sup>:

- Promoting partnerships, pacts and initiatives through the networking of relevant stakeholders;
- Mechanisms for improving good policy and programme design, monitoring and evaluation at national regional and local level, and capacity building in the delivery of policies and programmes.

The strengthening of institutional capacity and the efficiency of public administrations and public services at national, regional and local level and, where relevant, social partners and non-governmental organisations, were a major ESF priority for the 2007-2013 period (Article 3.2(b) – Regulation EC 1081/2006). This new priority was introduced for Convergence regions and Cohesion Member States as a key element for promoting structural adjustments, growth and jobs, and economic development. It is seen as a means which will contribute to reforms, better regulation and good governance, especially in the economic, employment, education, social, environmental and judicial fields.

### 1.2.1. Present funding allocation (Country, sub-sector)

For the 2007-2013 programming period, Member States approved, indicatively, €3.7 billion being invested in ACB actions<sup>(8)</sup>. Institutional Capacity Building is funded mainly by the ESF (two thirds) and ERDF/CF. ESF-supported ACB is implemented as a separate operational programme (with one or more priority axes) in four Member States (BG, RO, HU and EL). Ten Member States have chosen to implement ACB as one priority axis in other programmes, especially in regional programmes (CZ, EE, IT, LV, LT, MT, PL, SK, SI, UK Wales).

### Bulgaria: Operational Programme for Administrative Capacity (OPAC)

In Bulgaria, the administrative capacity priority is horizontal in scope, its strategic objective being to improve the functioning of state administration. It aims to improve the implementation of policies and the quality of service delivery to citizens and businesses, and create the conditions for sustainable economic growth and employment. Another objective is to enhance the professionalism, transparency and accountability of the judiciary. In this respect, the OPAC has the following specific objectives:

- Effective functioning of the administration and the judiciary;
- Improving human resources management and enhancing the qualification of employees in state administration, judiciary and civil society structures;
- Modern service delivery provided by the administration and the judiciary.

The ESF amount devoted to administrative capacity interventions is 153.7 m€ (excluding match funding), which represents 13% of the ESF allocation to Bulgaria.

### 1.2.2. Achievements, results, impact: Supporting Public Administration Reform and Stakeholder Capacity

The most important considerations when assessing the effectiveness of interventions are strategic planning (or the lack of it), the follow-up of interventions, ongoing political support (the extent to which EU legislation acts as a driver) and the strategic involvement of all stakeholders. Other contextual issues are also considered, notably culture<sup>(9)</sup> and, above all, presumably the effectiveness of the measures implemented and how overall funding is used.

The remit for allocating ESF resources to this area is in the first place external: the focus here is on the contribution of good governance: administrative capacity building is intrinsically interlinked with broader society, including competitiveness and socio-economic development.

<sup>(7)</sup> European Commission (2013) Cohesion Policy: Strategic Report 2013. Factsheet: Institutional capacity building.

<sup>(8)</sup> European Commission (2013) Cohesion Policy: Strategic Report 2013. Factsheet: Institutional capacity building.

<sup>(9)</sup> Ecorys (2011) Assessment of administrative and institutional capacity building interventions and future needs in the context of the European Social Fund (VC/2009/066 - 009).

According to the Ecorys study, ESF interventions do rather well in addressing the administrative capacity issues identified, such as structures, human resources, and systems and tools. Interventions predominantly relating to systems and tools tend to be effective only if embedded in a wider organisational change process and when adopted by the staff working within them.

Several success factors for an effective ESF intervention for ACB have been identified<sup>(10)</sup>:

- Cultural and organizational change process;
- Involvement of civil society;
- Clear methodological and technical approach;
- Political commitment;
- Clear definition of responsibilities;
- Exchange of best practices at EU level;
- Monitoring and evaluation techniques;
- Continuity and stability of the reforms.

The general assessment of the strategic intervention logic is encouraging as it shows that ESF interventions are possible within virtually all domains of administrative capacity building. However, a number of points deserve attention. First, Public Administration Reform requires clear leadership for all the components to be orchestrated. Second, it is important to recognise that ESF interventions cannot fully support staffing (where only some ESF intervention is possible as funds are not to be used directly for salaries), which is one of the root problems identified. Furthermore, administrative capacity building depends strongly on political support, which also lies outside the realm of the ESF<sup>(11)</sup>.

## EU financial input

At the operational level, ESF action in Operational Programmes (or Priority Axes) dedicated to ICB during the 2007-2013 programming period showed higher absorption rates of European Funds than other areas. The projects selected so far amount to €2.3 billion, representing an implementation rate of 60.5% (average 71.2%). The most important Heading/Category within the ICB Theme is “Mechanisms for improving good policy and programme design, monitoring and evaluation”, with 68% of the overall decided amount. A number of Member States have already selected projects with a value close to (LV, BE) or over (PT, SK) the decided amounts (SK even reaching 300%). For instance, HU, LT, PT and UK all have rates above 100% for “Promoting the partnerships, pacts and initiatives through the networking of relevant stakeholders” but lower rates for the other Heading/Category.

During the 2007-2013 programming period, the ESF supported actions to promote partnerships, pacts and initiatives through the networking of relevant stakeholders. The total amount of ESF investment allocated by Member States for these actions during the 2007-2013 programming period was €815.6 million of which €432.7 million had already been committed by the end of 2012.

In addition to the public institutions, and for the 2014-2020 programming period, the ESF will finance measures aimed at increasing the capacity of social partners and NGOs in delivering employment and education. It will also support social policies and sectoral and territorial pacts to mobilise for reform at national, regional and local level. Such assistance will cover a variety of actions that are expected to increase the capacity of such organisations to engage in efficient cooperation and to interact with the administration for the development of good policies. As in the 2007-2013 programming period, joint actions of the social partners and the administration will fall under the ESF investment priorities in the respective policy areas.

<sup>(10)</sup> A caveat must be borne in mind: contextual differences among Member States in the field of PAR are decisive for the outcomes of an ESF intervention in ACB.

<sup>(11)</sup> Ecorys (2011).

The term “social and territorial pacts” refers to formalised partnerships between public and private organisations. Such partnerships aim at introducing innovations and mobilising for reforms in employment, education and social inclusion. These pacts may be at different territorial levels and may concern one or several sectors.

Actions should focus on building capacity and enhanced participation of stakeholders in policy making and delivery. Emphasis should be placed on strengthening their position for co-design, co-decision, co-production and co-evaluation vis-à-vis government and public administration. With a view to efficiency and effectiveness, and public sector innovation, the aim is to increase stakeholders’ efforts in partnership with the government and administration to deliver services to citizens and business.

### 1.2.3. EU value added through networking and good practice dissemination

The European Commission facilitates mutual learning programmes and projects in order to disseminate good practices in Public Administration Reform (PAR) and spur creative thinking, leading to effective solutions to common problems across the EU.

At a political level, the European Public Administration Network (EUPAN) is an informal network of the Directors General responsible for Public Administration in the Member States of the European Union, the European Commission and observer countries.

Its mission consists in improving the performance, competitiveness and quality of European public administrations. It does so by developing new tools and methods in the field of public administration, based on exchanges of views, experiences and good practices among EU Member States, the European Commission, observer countries and other organisations.

At the practitioner level, the European Commission set up the Community of Practice on Results Based Management<sup>(12)</sup> (COP-RBM). This Community is oriented towards policy-makers and programme managers involved in the preparation, management, monitoring and evaluation of ESF programmes. A major output of the network is a sourcebook on results based management, which guides practitioners in developing their systems to support such management.

The European Public Sector Award<sup>(13)</sup> (EPSA) aims at creating a platform in which European public administrations can excel and become an example for the rest of the world. The award categories have raised awareness of key dimensions of public value. In doing so, EPSA has encouraged and will encourage governments to modernise their administrative structures and practices and address the main challenges of administrative reform in Europe. EPSA is more than an award. By systematically collecting and structuring examples of good practices, EPSA has been building a knowledge base of how European administrations get better organized and provide better services. In total, EPSA has collected and assessed more than 800 such practices over the last six years.

<sup>(12)</sup> For the purpose of the COP, the operational definition of RBM is: “Results Based Management (RBM) is the way an organization applies processes and resources to achieve targeted results.” For more information: <http://www.coprmb.eu/?q=node/1>

<sup>(13)</sup> <http://epsa2013.eu/>

## 2. OUTLOOK FOR THE 2014-2020 PERIOD

In 2014-2020, the ESI Funds will increase their support to the enhancement of institutional capacity building and reforms. The objective of this support is to create institutions which are stable and predictable in their relations with the citizen. However, the institutions should also be flexible enough to react to the many societal challenges, open for dialogue with the public, and able to introduce new policies and deliver better

services. The investment in the structures, human capital, and systems and tools of the public sector is oriented towards more efficient organisational processes, modern management, and motivated and skilled civil servants. The programming of the new funding period guarantees that Member States will tackle the issues highlighted in the Country-Specific Recommendations as a priority.

### Member States that received Country-Specific Recommendations in 2013 related to quality of public administration and good governance:

(Sub-)sector CSR	Member State	Number of MS
Improving the effectiveness and efficiency of the public administration	BG, CY, CZ, ES, EL, HR, IT, RO, SK	9
Judiciary reform	BG, EL, ES, HU, LV, MT, RO, SI, SK	9
Improve the business environment	BG, EL, ES, HU, IT, PL, RO	7
Anti-corruption	BG, CZ, EL, HR, HU, IT	6
Public procurement	BG, EL, HU, HR	4
Absorption of ESI funds	BG, RO, SK	3

### 2.1. A strategic approach to Public Administration Reforms

Institutional capacity is not just a technical matter of training civil servants, it relates to how public authorities interact with and deliver services to business and citizens. “*Good governance*<sup>(14)</sup>” is the basis and ultimate objective of institutional capacity building. Good governance builds trust and social capital. States with a high level of social capital tend to perform better economically.

Once again, context factors remain key for the design of a comprehensive strategic approach to public administration reform. Context factors include: institutional stability, stakeholder involvement, alignment of goals and effectiveness of cooperation between actors involved<sup>(15)</sup>.

Building on these factors, the following conditions of success can be highlighted: the existence of a customised, country-specific approach that clearly identifies the main weaknesses of administrations as well as the main policy areas that require administrative support (diagnosis level); sufficient focus on the regional and local dimension; and the need for the institutional and administrative capacity building process to follow a framework of coherent reforms, as opposed to ad hoc actions<sup>(16)</sup>.

<sup>(14)</sup> This term can be defined as “the manner in which power is exercised in the management of a country’s economic and social resources for development”.

<sup>(15)</sup> SEOR (2006): Evaluation of the ESF support to Capacity Building, Rotterdam, the Netherlands.

<sup>(16)</sup> European Commission, DG Employment and Social Affairs (2005), Working Note “Strengthening institutional capacity and efficiency of public administrations and public services in the next programming period (2007-2013)”.

The EU encourages Member States to approach modernisation of public administration from a strategic point of view, with a focus on “principles of excellence<sup>(17)</sup>”, as illustrated below:



These principles of excellence underline the spirit of the Common Provisions Regulation on the ESI Funds, namely taking a *strategic and results-oriented approach* to administrative reform.

## 2.2. Fostering public sector innovation

The current socio-economic and financial context the EU is facing poses a challenge. However, the situation is also a driver for public administrations to mobilise their full innovative potential in order to meet citizens' needs more efficiently and effectively. These drivers for innovation are, generally: pressure on government budgets; rising public expectations of more accessible and flexible services and greater participation in service and policy development and review; and complex social, environmental and economic challenges<sup>(18)</sup>. We can find all these elements together in the current political, economic and social circumstances across all EU Member States.

The term 'innovation' is a heterogeneous concept. The Publin project<sup>(19)</sup> provides the following examples of innovation in the public sector: new or improved services; process innovation; administrative innovation; system innovation; conceptual innovation; radical (or paradigmatic) changes of belief systems or rationalities.

<sup>(17)</sup> Principles of Excellence. Source: European Institute of Public Administration.

<sup>(18)</sup> Don Scott-Kemmis (2009), Promoting Innovation in the Public Sector: International Case Studies.

<sup>(19)</sup> Koch, P., Cunningham, P. and Schwabsky, N., Innovation in the Public Sector: Summary and Policy Recommendations, PUBLIN Report No. D24. NIFU STEP, Oslo, Norway, 2005.

The process of building an innovative public organization is better addressed in strategic terms, given the dynamic nature of innovative action. The process can be seen as a journey<sup>(20)</sup> of four dimensions:

- Creating consciousness about the goals the organization intends to achieve;
- Building capacity;
- Mastering co-creation (involving stakeholders from policy design to implementation and evaluation; policy-making not *for* them, but *with* them);
- Displaying courage and audacity to *champion* innovative ideas<sup>(21)</sup>.

The objective of administrative capacity development, with regard to public sector innovation, is to systematically embed innovation into the operation of the public sector and thus harness innovation when it happens. Public organisations' purpose, capabilities and cultural impact on how innovation occurs should all be taken into account. The translation of a good idea into a successful outcome needs the appropriate institutional framework: conditions to unlock the innovation potential. For innovation to happen, there is a need to establish an environment conducive to systemic innovation and an innovation culture. If innovation is not a strategic priority, public sector organisations are unlikely to focus on and measure their innovative practices: *Unleashing this potential [ ] will require a holistic, systemic policy approach which involves the institutional features and considers the underlying framework conditions (the "innovation eco-system")*<sup>(22)</sup>.

The preconditions of an environment capable of generating innovative policies in a sustainable manner must be supported by ESI Funds through investments in ACB in the 2014-2020 programming period.

<sup>(20)</sup> Leading innovation: A journey, not a destination. Christian Bason October 27th 2010 - See more at: <http://mindblog.dk/en/2010/10/27/leading-innovation-a-journey-not-a-destination/#sthash.4ehevYxx.dpuf>

<sup>(21)</sup> Especially given the risk-averse nature of public sector organizations: "Public organizations are very visible in what they do and when they fail [ ]. The public sector is accountable [ ] and so it does not like to be seen to fail. As a result, the visibility of failure is the reason for avoiding innovations". In European Commission (2012): Policies Supporting Innovation in Public Service Provision. An INNO-Grips policy brief by the ICEG European Center. Author: Olivér Kovács. Budapest.

<sup>(22)</sup> Ibid.

### Example of ACB supporting innovation in the Public Sector: NOMAD project: Policy Formulation and Validation through non-moderated Crowd Sourcing (Austria)

The NOMAD project “Policy Formulation and Validation through non-moderated Crowd Sourcing” applies to fields such as the environment, health, social services, etc. NOMAD’s vision is to provide decision-makers with fully-automated solutions for searching, acquiring, categorising and visualising content. The solutions should be suitable for collaborative work in policy-making processes. NOMAD’s approach involves four steps:

*Listen:* Listening to and monitoring what people say and what their needs, opinions and proposals are. The NOMAD Crawler program is used for this. It searches the web and visits possible relevant sources of information.

*Analyse:* Analysing the content, concerns, sentiments and other information hidden within citizens’ responses. This analysis is tailored to policy-makers’ specific objectives and therefore creates a relevant stream of data to be used in the following phases. NOMAD Crawler goes through a series of automated analysis processes: Language detection; Opinion and Argument Extraction; Sentiment Analysis; Argument Summarisation.

*Receive:* The analysis outcome will include a Position Map, showing the resulting clusters of arguments (which compile similar responses in homogenous groups for easier data processing) based on the relevance, visibility and sentiment (either positive or negative) of the data collected from the web-hosted conversations.

*Act:* With all the data processed in the previous steps, the policy-maker will be able to draft his/her policy agenda and test it against social opinion, embedding the draft policy agenda in social networking websites.

## 2.3. Performance Framework

The performance framework is designed to promote a strong result-orientation among the ESI Fund programmes. It can help to ensure that priorities are implemented as planned and the programme is kept on course to achieve its objectives. Programmes with an evidence-based strategy and smart and efficient allocation of resources are likely to make steady progress towards their targets. This framework uses different types of indicators, including financial and output indicators as well key

implementation steps, which are under the control of the programme management. These indicators are set at the level of priorities, with progress assessed at the end of 2018 and 2023. The achievement of milestones in 2018 will form the basis for releasing the performance reserve to the successful priorities. Priorities which seriously fail to achieve their targets by 2023 may face financial corrections.

## 2.4. Ex-ante conditionalities

*Ex-post* evaluations of the Structural Funds have shown that inefficient policy frameworks and regulatory, administrative and institutional bottlenecks can undermine the effectiveness of any investment. In order to support countries and regions in tackling these problems, which notably affect policy implementation, the mechanism of *ex-ante* conditionalities (EAC) has been proposed.

*Ex-ante* conditionalities aim to ensure that all necessary institutional and strategic policy arrangements are in place when investments are made, in order to improve their effectiveness. These conditions are a combination of an appropriate regulatory framework, effective policies with clear objectives and a sufficient administrative or institutional capacity. Some conditions are directly related to the thematic objective of the policy. This includes a requirement for an overall strategic approach, including: an analysis of reform issues; provision for quality management systems; a focus on cutting red tape and simplifying administrative procedures; modernising human resources management; an emphasis on skills development on all levels of the professional hierarchy; and a sound approach to monitoring and evaluating public service quality.

Other conditions apply horizontally, for instance an effective and transparent system of public procurement. The assessment of *ex-ante* conditionalities follows a sequence of steps, starting with the self-assessment of the Member States (with an action plan in case applicable *ex-ante* conditionalities are not fulfilled), and followed by the assessment of the European Commission. If agreed actions are not implemented within the required time, the Commission can propose to suspend payments to the programme.

# CONCLUSION

Good governance and the quality of public administration is a key aspect in ensuring a country's long-term competitiveness and well-being. Improving the quality of public administration is an important funding objective of the European Structural Investments in several Member States. A key challenge will be to turn these investments into genuine results for citizens and business in terms of better and more cost-effective services. The path towards good governance requires a long-term vision centred on a genuine

consideration of the needs of citizens and business. Building trust should be a priority. Consensus building and a strategic approach are the pre-conditions for successful reform. The active engagement of all stakeholders is needed. The European Commission is a partner in this process, providing funding and guidance, as well as facilitating the exchange of know-how and experience. Together, we will build high-quality public services that meet the needs of citizens and foster business and job creation.



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## PROMOTING GOOD GOVERNANCE - EUROPEAN SOCIAL FUND THEMATIC PAPER

A well run public administration system benefits people and business. The ongoing economic challenges mean less money is available for administrative activities: but good governance and legal certainty is central to economic growth. Through support to organisational and technological innovation via improvement of systems, structures and processes, human resources and service delivery, the European Social Fund is helping administrations across the EU rise to the challenge. This publication is available in electronic format in English.

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