



Public administration characteristics and performance in EU28: Belgium

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SIZE OF GOVERNMENT

The size of the Belgian public sector is on the high end in the EU28 with expenditures that account for 53, 86% of the GDP. The share remains relatively stable over time, also due to the fact that the Belgian economy has weathered out the banking crisis relatively well. As a result, GDP, the denominator in the ratio, has also been relatively stable. Economically, the Belgian economy is strongly intertwined with neighbouring economies of Germany, the Netherlands and France. Belgium has a decentralised fiscal system. Around half of the expenditures are done at regional and local levels.

Table 1: General government budget data

BELGIUM	2010	EU 28 Rank	2015	EU 28 Rank	Δ Value	Δ Rank
Total expenditures (in % GDP)	53.29	5	53.86	5	+0.57	0
Central government share (%)	54.90	24	51.16	24	-3.74	0
State government share (%)	29.03		36.10		+7.07	
Local government share (%)	13.51		13.33		-0.18	
Public investment (in % GDP)	2.30	27	2.36	23	+0.06	+4
Debt in % GDP	99.71	24	105.76	26	+6.05	-2
Deficit in % GDP	-4.0	8	-2.5	17	+1.5	-9

Sources: AMECO, Eurostat

The Belgian government had to bail out several large banks during the financial crisis. This has had a considerable impact on the debt/GDP ratio, which increased by more than 12,5% between 2008 and 2009 after having constantly decreased from 130% in 1995 to 87% in 2006. The banking crisis was clearly a break in a decade long reduction of public debt. The sovereign debt crisis of 2010 and the cautious cutback policies of the Belgian governments led to an increase towards 105% in 2015. Meanwhile, the deficit improved and the relative position of Belgium in the Eurozone improved slightly. After hitting a record high in 2011 (10y - 5%), Belgian government bonds regained trust of the financial markets. Government bond yields (10Y - 0, 7% on 12/2/2017) are between those of the Netherlands (0, 4%) and France (0, 9%). Overall, Belgium remains on the bottom rungs of the Euro28's fiscal performance.

Public investment also is relatively low. With the current high levels of debts, it is difficult to finance public investment projects with respect for the criteria of the stability pact. Moreover, Eurostat is increasingly critical for off-budget investments in public private partnerships.

Government employment in 2015 was 1,06 million. The regional level employs most staff, but 75% of regional staff is employed in education. If we exclude education, local governments employ most civil servants working in public administration. Local government only spend around 10% of public expenditures, but are by far the most important public employers. Local governments have considerable policy autonomy to make policies and hire staff. In recent years, levels of public employment are decreasing. At the federal and regional level, only a certain percentage of staff leaving the administration is replaced. In local government, the situation depends on the particular context of the municipality. Overall, the number of staff of local governments is not reduced in recent years.

Table 2: Public sector employment in Belgium

BELGIUM	2015
(1) General government employment*	1,064,057
thereby share of central government (%)	19.5%
thereby share of state/regional government (%)	44%
thereby share of local government (%)	34%
(2) Public employment in social security functions (million)	NA
(3) Public employment in the army (million)	0,031 (fte)
(4) Public employment in police (million.)	0,04
(5) Public employment in employment services (million)	NA
(6) Public employment in schools (million)	0,36 (heads)
(7) Public employment in universities (million)	NA, included in schools
(8) Public employment in hospitals (million)	NA
(9) Public employment in core public administration (in million) calculated (1) minus (2)-(9)	NA
(10) Core public administration employment in % of general government employment (10)/(1)	NA

Source: rijksdienst voor sociale zekerheid, statistieken. 2016/02

1.1 Public sector employment*

Public employment in Belgium is important share of the labour market. More than one in three employees work for an organisation with a public legal person. In addition, half a million employees (one in eight) work in the subsidized social profit sector. In return, the Belgian public receives extensive services. Kindergarten and nursery schools before the age of 6 for instance are provided by the state through public provision or subsidised service delivery.

Notably, the numbers of the OECD show substantially different numbers than those of the Belgian social security agency. The difference cannot be accounted for by the inclusion of public corporations in government employment. When excluding schools, police and the military, however, the percentage is 20% (which comes close to the OECD number)

Table 3: Public sector employment in Belgium

BELGIUM	2015
(1) employment in the public sector (public legal personality)*	1,064,057
thereby share of central government (%)**	19.5%
thereby share of state/regional government (%)***	44%
thereby share of local government (%)	34%
(2) private sector employment	2,772,474

Source: rijksdienst voor sociale zekerheid, statistieken. 2016/2

**in addition, 535 674 people are employed in the social profit sector, which is mostly subsidised **including 75000 employees in public corporations*

BELGIUM	2005	OECD EU21 rank	2011	OECD EU19 rank	Δ Value
General government employment in % of total labour force	17.20	9	17.30	8	+0.10
			2011	OECD EU17 rank	
Central government share of general government employment			16.17	16	

Sources: OECD- *Government at a glance*

**According to the OECD, general government employment does not include public corporations.*

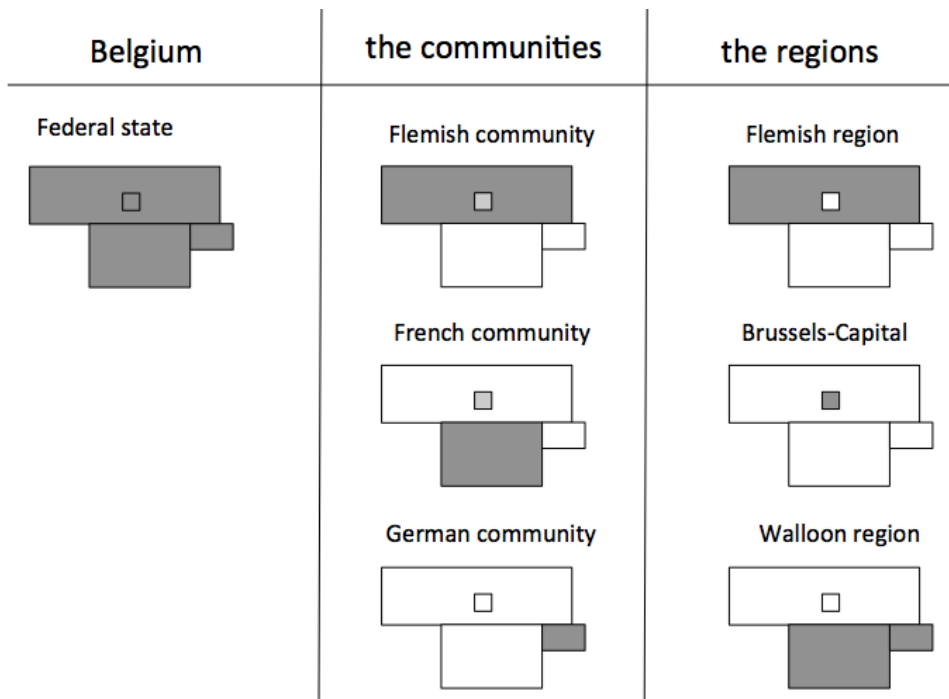
SCOPE AND STRUCTURE OF GOVERNMENT

1.2 State system and multi-level governance

1.2.1 Key features of the state/government system

Belgium is a federal state, with five elected tiers of government. The *federal level* works for the whole territory of Belgium, including most of its international relations. The second tier of government is more complicated (see figure). There is a distinction between communities (*gemeenschappen*) en regions (*gewesten*). There are *3 regions*, based on territory foundation: the Flemish region, the Walloon region and the Brussels-Capital region. The regional governments have territorial competences; i.e. competences that can be linked to a particular place.

There are also *3 communities*, based on language: the Dutch-speaking Flemish community, the French community and the German community. Flanders is Dutch-speaking, Wallonia is French and Brussels is bilingual (but a large majority speaks French). The community governments have person-based competences; i.e. competences that can be attributed to individual citizens. The Flemish community and region are integrated in one parliament, government and administration. The other regions and communities have separate institutions. The third tier of government is the province. There are *10 provinces* in Belgium. The Brussels-capital region takes over the responsibilities of the province in Brussels. The fourth tier of government is the *municipality*. There are 589 municipalities in Belgium, with a considerable variation in size from a few thousand inhabitants to several hundred thousand (Antwerp, Brussels, Ghent, Charleroi, and Liège). The fifth tier of government is the *city district*. Only Antwerp has elected district governments.



The tiers of government have electoral cycles of four, five and six years. The federal government is elected every four years. The Regional elections take place every five years, together with the European elections. The local, provincial and district elections have a six-year cycle. The different timing of the electoral cycles has two consequences for the state system. First, it introduces political asymmetry in the political system. Different coalitions exist at different levels of government and at the same tier of government. Political asymmetries are not always supportive for intergovernmental cooperation. Second, the different electoral cycles lead to a quasi-permanent electoral climate in governance. Political parties are still learning to juggle the demands of governing and to seeking compromise at one tier of government, while campaigning and seeking confrontation at other tiers of government.

1.2.2 Distribution of powers between different levels of government

The distribution of competences is represented in table below. The federal government holds the defining functions of the state: i.e. the use of violence (police and defence), the justice systems, foreign affairs and diplomacy. The fiscal administration and fiscal policies are also largely a federal responsibility. Social security is another big part of the federal portfolio. Social benefits are managed in a public insurance system for amongst others health, unemployment, pensions and vacation. Child allowances have been transferred to the regions in the last state reform. Public companies such as the railroad companies and the postal system, with networks across the territory, remain federal, as well as aspects of economic and labour regulation. A number of large national scientific and cultural institutions, many of them located in Brussels, are federal.

The regions/communities have a wide array of person and place bound responsibilities. In terms of budget and staff, education and welfare are the most important ones. Regions obtain most of their funds from the federal government, based on a complicated set of distribution criteria. Yet, they also have taxing powers in property and road taxes and they can levy a regional surtax to the federal tax.

Local governments have an open task setting. They can do anything the local councils assume to be in the local interest. They cannot perform tasks that have been attributed to higher tiers of government, but they can complement them. A city for instance cannot develop its own public transport system, but it can develop a bike sharing system to complement the services of the Flemish public transport agency and the federal railroads company. Due to the high variation in size and due to the high variation in local policy needs, governance capacity and policy ambitions of local governments are also very diverse.

Provincial governments also have a diverse set of competences, which mainly complements the tasks of smaller municipalities. They have responsibilities in spatial planning and permitting, water policies, rural policies, tourism, culture and education. Several provinces also attempt to develop area-based policies with groups of municipalities. In Flanders, the role of the provinces has been put into question. Flemish funding has been reduced and the task setting has been narrowed down to area-based competences (excluding person-based competences). Museums and other institutions need to be transferred to municipalities or the Flemish government.

Wallonia has no similar reform of the provinces, which leads to institutional asymmetry in Belgium.

Table 4: Distribution of competences

Government level:		Legislation	Regulation	Funding	Provision
Central government					
Defining functions of the state	Defence, Justice, Foreign affairs, Police				
Social Security	Healthcare, social security funds, pensions, unemployment, ...				
Fiscal policy	Fiscal administration (VAT, persons, companies, inspection), public debt				
Public companies	Railroads infrastructure and exploitation, BPost, Telecom				
Economic policy and work	Economic regulation and trade union agreements				
Scientific institutions	National library, museums, met office				
Regional/community government					
Education	Compulsory education, higher education,				
Economic policy and work	Economic development, green energy,				

	tourism, labour reintegration,		
Welfare services (care)	Social housing, integration, handicapped, youth care, elderly care, nurseries		
Local governments	Regulation and inspection, administration, municipal funds		
Environment planning &	Zoning, spatial planning, nature protection, waste and water treatment		
Public Works & mobility	Highways, larger thoroughfares, public transport,		
Culture and Media	Cultural institutions, public broadcaster, media regulator		
Fiscal policy	Road tax, property tax		
Local government			
Open setting of tasks	Constitutional right to do anything of local interest.		
Local police and fire-fighters	Organised in police and aid zones of several municipalities	federal	federal
Local welfare	Local welfare agencies: in Flanders increasingly integrated in the municipality	Federal and regional	Federal and regional
Public companies	Inter-municipal corporations in network infrastructure for utilities and regional development	Federal regional	Federal regional

Like all constitutional democracies, Belgium follows the superiority principle in the hierarchy of laws. When lower legislation is in conflict with higher legislation, the latter prevails. The highest norms are the constitution and the international treaties. After the constitution, there are special laws that need majorities in both language groups. These special laws determine the institutional structure of the country. At the third level, we find laws from the federal parliament, decrees from the regional and community parliaments and ordinances of the Brussels capital region. There is however no hierarchy between these legal acts. A federal law does not overrule a regional decree.

In theory, no hierarchy is needed. Competences are generally distributed based on the exclusivity principle (Cantillon, Popelier, & Mussche, 2011). A competence is the responsibility of either the federal government or a regional/community and therefore, conflicts between tiers of government would be rare. There are some exceptions to the exclusivity principle in the division of competences. For economic policy, the federal government has framework competences. For the purposes of maintaining a monetary and economic union in the country, the federal government can establish general principles, which the regions can supplement. In fiscal matters, the regions and the federal level have competing competences: every tier can introduce taxes but not both. In that case, the federal initiative takes precedence and some hierarchy is introduced. Yet, there is no general rule similar to the German rule that the federation prevails (*Bundesrecht bricht Landesrecht*).

In reality, it is difficult to avoid interference of policies of one government on the other. A highly mediatised example concerns the noise norms for aircraft, which is a regional competence. The government of the Brussels Capital has set more strict norms than the Flemish region. The airport of Brussels is located in Flanders, but close to Brussels. As a result, the burden of the airport is shifted towards Flanders. This episode is the last one in a long struggle between the regions to redistribute the benefits and costs of the airport. Other policy issues, such as mobility, economic development, water policies, zoning decisions and retail development all have impacts across administrative boundaries. The need for cooperation and coordination is high.

There are some mechanisms to solve conflicts between legal acts of tiers of government. There is a distinction between conflicts of competences and conflicts of interest. When a legal act infringes on the distribution of competences, the constitutional court will deal with the case. When a legal act is within the competences of a government but has an impact on other government's interest, the case will be transferred to a committee for consultation in which leaders of the different governments of Belgium have a seat. This committee can also convene to prevent potential conflicts of competences and to avoid lengthy procedures for the constitutional court. While it is useful to have procedures to settle conflicts, the main limitation of the Belgian mechanisms is their reactive nature. Only after the fact and only when an issue is politicized, the mechanisms come into play. Collaborative coordination of (joint) interest in the planning phase of policies is not strongly developed. Coordination of routine, non-political issues is difficult as well.

1.2.3 Intergovernmental cooperation

Intergovernmental cooperation is difficult in the Belgian federation. Some reasons have been dealt with already. There is a lack of coordination mechanisms that integrate policies; regions develop their administrative systems and institutional landscape (provinces and municipalities), which leads to institutional asymmetry; and electoral cycles of government tiers are not adjusted, which leads to political asymmetry in the coalitions. Two barriers can be added to this list. First, in contrast to most federal countries, the Belgian federation only exists of two major entities. The room for negotiation and coalition formation is therefore narrow. Discussions between Flanders and the French speaking community are easily framed as win-lose issues. Secondly, in the 1970s, the Belgian political parties were separated in French and Flemish parties. The electoral districts are also separated, with lists for the Flemish parties in Flanders and French-speaking parties in Wallonia. In Brussels, both parties present themselves to the voter. This setup creates a deficit of democratic accountability. A federal minister who was elected on a French-speaking list cannot be held to account in elections by the Flemish voter (and vice versa). Even the party of that minister cannot be held to

account. As a result, there is no strong incentive for parties to seek cooperation across the language barrier. Political scientists have therefore proposed to introduce a federal electoral district for a number of seats in federal parliament. Yet, the proposal did not get much political support.

1.2.4 Multilevel governance

Multilevel governance is a key challenge in the Belgian political and administrative system. The increase in regional/community government competences has led to an increasing need for integrated governance. The ties that bind governance across tiers of government are weak. Collaboration only works when there are concrete challenges such as the introduction of e-government applications for client-oriented service delivery (cf. task 2). The introduction of a kilometer tax for trucks was another instructive case. A special purpose vehicle (Viapass, a Public Private Partnership) was created to develop and implement the tax. The whole country now uses the same technology, but the level and scope of the tariffs differ. Flanders and Wallonia only tax the highways and main thoroughfares. Brussels levies a tax on all roads. Overall, it seems that better processes of multilevel collaboration should be one of the first priorities in Belgian governance.

State structure (federal - unitary) (coordinated - fragmented)	Executive government (consensus - intermediate - majoritarian)	Minister- mandarin relations (separate - shared) (politicized - depoliticized)	Implementation (centralized - decentralized)
Federal, fragmented	consensus	Separate, politicized	Decentralized

1.3 Structure of executive government (central government level)

1.3.1 The ministerial machinery

The federal government has a maximum of 15 ministers. Besides the prime minister, there should be an even number of Dutch and French speaking ministers. Each minister has a portfolio of policy domains. The prime minister presides over the government. Every political party of the coalition also have a vice-prime minister. The assembly of the prime minister and the vice-prime ministers is also known as the core cabinet. This is an informal meeting to prepare the council of ministers and to sort out the most contentious and politically sensitive issues. The government can also appoint state secretaries who have a precise responsibility and only join the council of ministers when their policy field is discussed. In the recent past, state secretaries have been appointed for asylum and migration, for social and fiscal fraud or for digitization. The current Michel-government has 14 ministers including the prime minister (7 from Flemish parties and 7 from French speaking parties) and 4 secretaries of state (4 from Flemish parties).

A typical feature of Belgian governance is the high numbers of personal political advisors of ministers (political cabinet). Each minister has 30 to 50 personal political advisors, whom the minister can personally appoint when taking office. The political cabinets have a high impact on decision-making. Policies are prepared and negotiated between political cabinets. The size of the political cabinets also has negative effects. The role of the bureaucracy in policy preparation is insufficiently recognized, which often leads to implementation problems downstream. Moreover, the size and impact of the cabinets leads to distrust in the politico-administrative system. Top political advisors often seek

and get top jobs in the bureaucracy at the end of the term. Often, these top advisors are capable applicants who know the inner workings of policy making. When a minister of a different political party comes into office however, he or she has to collaborate with former political advisors of political competitors. This creates distrust. Finally, decision making in the political cabinets is not as transparent as it should be. The processes of political deal making often leave insufficient room for evidence-informed policymaking.

The core public administrations are the federal public services. Two services are horizontal and supportive of general administrative functioning. The Chancellery of the prime ministers provides support for general policy and is the contact point for International organisations, Europe and other Belgian governments. As of 1 March 2017, the new public service Policy and Support (BoSa) integrates the federal public services of budgeting and management control, Personnel and Organisation, the federal recruitment office *SELOR*, the national school for public administration and the federal ICT service provider *FEDICT*. The other Federal public services are vertical, with a specific role in a policy sector; fiscal administration, mobility and transport, labour and social consultation, social security, public health an environment, justice, economy and SME's, and defence. The federal bureaucracy has two programmatic public services that deal with transversal themes. There is a programmatic service for integration, poverty, social economy and urban policy and a service for scientific policy.

The federal government has many of autonomous public bodies. Seventeen are public corporations, including the Belgian Post, the rail company NMBS, the federal holding company, and the National Bank of Belgium. Five are agencies having direct supervision of the government. Fifteen are scientific institutions with a management contract with a federal public service. Twelve are autonomous agencies with separate management structures (e.g. a board). Fourteen agencies are involved in managing the social security system. In the board of these agencies, several civil society organisations and interest groups are involved. Together with six sui generis institutions, a total of 70 autonomous bodies can be found in the federal government¹.

1.3.2 The Centre of Government capacity for coordination

Formally, the Chancellery of the Prime minister is the Centre of Government in Belgium (OECD, 2015a). The centre fulfils most tasks that can be expected from a CoG: Preparing Cabinet meetings, communicating government messages, strategic planning, risk management/ strategic foresight, preparing the Government Programme, policy analysis, policy co-ordination, monitoring policy implementation, relations with sub-national government, relations with the Legislature, and supranational co-ordination/policy. HR policies, regulatory quality and public administration reform are taken up in the recently integrated horizontal federal service Policy and Support. The influence of the CoG over the line ministries is estimated to be moderate in the OECD government at a glance report. The head of the chancellery in Belgium is a civil servant.

Beyond the formal coordination through the CoG, Belgium has a strong, informal mechanism of coordination at the level of the political cabinets. Arguably, the coordination of policy and the impact on the line ministries primarily emanates from the meetings between political advisors of different ministers. The role of the chief of staff in the prime ministers political cabinet is also vital for coordinating policies.

¹https://fedweb.belgium.be/nl/over_de_organisatie/over_de_federale_overheid/overzicht_federale_diensten

1.3.3 Budgeting and monitoring mechanisms

Belgium has a program budget, which is basically input oriented. The budget is online, but not easily accessible for laypersons. The budgetary tables are in pdf on the website. There is a general explanation of the main trends in income and expenditures, which is also mainly written for specialists. In addition, some synoptic tables that aggregate income and expenditures are available.

During the political crisis of 2010, when it took the political parties over 500 days to form a government, the key administrative actors have installed a monitoring committee that reports on the execution of the budget and the fiscal income. Members include the top civil servants of the budget department, the fiscal administration, the financial inspectorate, and the largest actors in the social security system. Today, the administrative monitoring committee is still operational in advising politicians on the budget. The forecasts and assumptions for the preparation of the budget have always been subjected to criticism. Experts have however argued that quality of the budget preparation is deteriorating².

1.3.4 Auditing and accountability

Audit and control mechanisms typically build on each other. The management of the organisation is responsible for organising control. Processes in an organisation need to be organised in such a way that there can be reasonable assurance of correct and purposeful actions. The internal audit checks these processes of control and reports to the audit committee, which in turn advises the board or the functional minister. The external auditors build on the work of the internal audit and are independent of the organisation.

Managers in the autonomous bodies have always had substantial freedom to organise management and control. A management contract between the agencies and the government was introduced to structure the relation. In particular in the large institutions of the social security, some managers used their autonomy to reform their services in very innovative ways. Starting from 2016, the federal and programmatic public services also have to agree on management contracts with their ministers. The management contracts describe the context and the values of the organisation, the objectives, the main projects, the resources and the mechanisms of accountability³.

The federal government has only recently (15/01/2016) decided to introduce a system of internal auditing. The foundation of the federal internal audit service is currently in progress. Since 2010, the federal government however did have an audit committee.

The Supreme Audit Office (SAI)- Rekenhof – Cour des Comtes - acts as an external auditor for the federal government, the regional/community government and the provinces. The municipalities are not the responsibility of the SAI. The SAI is an institution of the parliaments and not of the executive. It is one of the oldest institutions in Belgium, erected in 1830 when Belgium became an independent nation. The SAI advises on the budget, checks the accounts, and monitors the legality of public expenses. The SAI also engages in performance audits that report on economy, efficiency, and effectiveness of the implementation of public programmes. These so called thematic audits are an important force in administrative accountability in Belgium.

² <http://www.demorgen.be/plus/-regering-improviseert-bij-opmaak-begroting-b-1489798809882/>

³ https://fedweb.belgium.be/nl/over_de_organisatie/ontwikkeling_en_ondersteuning/strategie/managementplan/bestuurovereenkomst

Overall, the arrangements for audit and control are complex. This is partly due to the hybridity of the Belgian public administration, with characteristics of a managerial system (and ex post control) and characteristics of a bureaucratic system (with ex ante control). The SAI has taken initiatives to build a network of control actors inside and outside government (e.g. institute for commercial auditors) in order to coordinate the control activities. The ultimate goal is to develop a system of Single Audit, where each level of control builds on a lower level, without jeopardizing the independence of auditors.

The federal ombudsperson functions as a second-line complaints handler of federal public services. Since 2014, the ombudsperson also functions as forum for whistle-blowers from within the bureaucracy. The annual report of the ombudsperson analyses the trends in complaints and is a good barometer of the citizen-state interactions. There are other ombudsmen and women in regional governments, city governments and for large organisations such as the railroads and the pension system.

1.3.5 Coordination of administrative reform

The minister of public affairs has to coordinate administrative reform. The digital agenda and ICT reforms are usually the responsibility of another minister of state secretary. The newly founded federal service for Policy and Support (BoSa) is main responsible for the administrative coordination.

KEY FEATURES OF THE CIVIL SERVICE SYSTEM

1.4 Status and categories of public employees

1.4.1 Definition of the civil service

In the Belgian public sector there are basically two broad categories of public sector employees: civil servants and employees with a labour contract. Civil servants are appointed for life. The individual labour relations are established in *regulations on the legal position* of the employees. The federal, regional and local governments make their own regulations on the legal position, including remuneration, hiring, promotion, vacation, and pensions. The collective labour relations are established in trade union regulation. Overall, statutory employees have better social protection than contractual employees, but also more chances for promotion, for staff mobility, and substantially better pension arrangements. Employees under contract are regulated by the private labour law. Collective labour relations in the private sector are agreed upon in negotiations between private sector federations and the trade unions (so called CAO's). For the employees under contract in the public sector, however, no CAO's exist. Therefore, contractual employees do not have the protection of the civil servant's statute or the extra benefits of the CAO's.

Legally, contractual employment in the public sector is supposed to be an exception. The law describes some precise reasons for which hiring contractual employees are allowed: exceptional and temporary needs, replacement of employees, tasks with exceptional experience or expertise, or activities in competition with other market providers. Since hiring under civil servant's statute takes longer, is more expensive and is in principle for life, the exceptions do make sense.

In practice, however, contractual employment has become a significant share of public sector employment (Janvier & De Wilde, 2012). The exception has become the rule (see table). There are more contractual employees than civil servants. Often, civil servants and contractual employees do exactly the same jobs, with the same responsibilities. The reasons for the contractualisation of public employment are financial and managerial.

Financially, contractual employment is cheaper because the employer has to pay lower contributions for the pensions compared to civil servants. In addition, contractual employment offers more flexibility in hiring, promoting or firing employees.

	Statutory employment	Contractual employment
Federal government	76% (army and police: 96%)	24%
Flemish community/region	60%	40%
Walloon region	32%	68%
Brussels Capital	15%	85%
French community	62%	38%
German community	57%	43%
Local government	36%	64%

1.4.2 Configuration of the civil service system

A career-based system has competitive selection early in public servants' careers, with further promotion mainly based on tenure. In contrast, in a position-based system, candidates apply directly to a specific post and most posts are open to both internal and external applicants.⁴ At the central government, Belgium mainly has a career-based system. There are elements of position-based systems however. Top civil servants have mandate systems and top jobs are in theory open to lateral entry. In 2007, the OECD therefore described the Belgian civil service as career-based system with a position-based overlay. Today, the contractualisation of the employment regimes is pushing towards a position-based system. Most contractual vacancies are announced for open competition, similar to the private sector. Once inside the administration, tenure plays an important role for promotion to the mid-management. For top management positions, experience as a political advisor at a political cabinet is an important asset.

1.4.3 Civil service regulation

The statute Camu of 1937 laid the foundation of post-war civil service. Entry into the public service, as well as rights and duties of civil servants were standardised for the whole public service. The general principle was a career based on merit, although in practice, a lot of political interference persisted (de Broux, 2005). The statute Camu has been changed numerous times, but is still the regulatory framework that determines the legal position of the federal civil service. The regions/communities, provinces and municipalities can and do make their own regulation to determine the legal position of their staff (Peeters, Janvier, & Van Dooren, 2009). This divergence of regulatory frameworks is normal practice in federal countries, but has the negative effect of making staff mobility across tiers of government increasingly difficult (OECD, 2007).

HR system (Career vs. position)	Employment status	Differences between civil	Turnover (high, medium, low)
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⁴ <https://www.oecd.org/qov/pem/acquiringcapacity.htm>

based)	(civil servant as standard; dual; employee as standard)	servants and public employees (high, medium, low)	
career	dual	medium	low

1.5 Key characteristics of the central government HR System

1.5.1 The management of HRM

Overall, management of HRM is to a considerable extent constrained by regulation. The OECD (2007) speaks of governance by statutes, implying that many of the basic rules governing management decisions are pre-determined – either by a superior level or by the organization itself. As a result, legal procedures in administrative court are possible for many administrative decisions involving the management of individuals. While these regulatory constraints may have a negative impact on managerial flexibility, it may also contribute to equity and fairness in hiring and promotions. In recent years, blended HR systems increasingly combine managerial and statutory approaches in recruitment processes and evaluation cycles.

1.5.2 Internal processes of the civil service

Recruitment is managed by SELOR: a service of the Federal Service for Administrative Policy and Support (BoSA). There used to be two recruitment processes for the federal public service. The contractual employees were hired after a procedure similar to private sector practice (CV-screening, competitive tests, interview). The statutory employees were recruited from a ranking obtained after generalist exams. Today, the two procedures are integrated in one process, with a generalist pre-screening that is valid for 2 years and function-specific job screening. The service where the vacancy needs to be filled can also do an additional interview. The integration of the procedure for contract and statutory employment is further evidence of the uniformity of the employment regimes.

Workforce planning in the Federal Government is largely delegated to senior management. Yet, in the last years, this mainly boils down to reducing the workforce. There is not much leeway for genuine planning, in particular because workforce reduction is done by only replacing part of the people that leave the federal public service. Services with an older workforce hence disproportionately bear the consequences of staff reductions. Overall, long-term, strategic workforce planning is lacking (OECD, 2007).

Evaluation of employees is the responsibility of the direct supervisors and the senior management. The Federal Service for Administrative Policy and Support (BoSA) provides templates and methodologies. In principle, monetary promotion is based on seniority, but the trajectory can be faster for employees that are positively evaluated. Negative evaluations can lead to a dismissal, although this rarely occurs.

1.5.3 Senior civil service

There is no senior civil service system in Belgium. There is no network of top managers comparable to for instance the *Algemene Bestuursdienst* in the Netherlands. Arguably, the predominance of political cabinets stands in the way of the development of a senior civil service system.

1.5.4 Social dialogue and role of trade unions

Trade unions in the Belgian private sector negotiate collective trade agreements (CTA) that have legal power. The legal framework for the collective trade agreements has been developed in the early 20th century. It has been described as an armistice between employers and workers (Humblet, De Wilde, & Verhulst, 2015). In the public sector, no such CTA's exist. The founding father of the statute, Louis Camu, did not see it fit for civil servants, who are supposed to be one with the state, to engage in union actions or negotiation with the state. They were supposed to be civic soldiers in service of the nation (Humblet e.a., 2015). Only in 1974, social dialogue in the public sector was regulated. Since then, the government and the trade unions negotiate a convention every two years, which contrary to the private sector CTA is not binding. The law of 1974 also laid the foundation of a trade union organization in the public services, with protection of delegates and resources for organizing activities. The government only negotiates with representative trade unions. In the private sector, representativeness is established in social elections. In the public sector, there are no elections. Representativeness is established based on other criteria.

Trade unions in Belgium seem to be particularly strong in large service providers such as the railroads, bus companies and in public schools. Since 2010, the federal government also has a social mediator who can intervene in conflicts between public organizations and the employees.

1.5.5 Remuneration

The civil service salary system is based on fixed amounts for different levels of employment (A to D, based on schooling levels), responsibility and seniority. There is no system of performance pay in the federal government. Yet, when evaluated positively, seniority premiums may follow faster than in a standard trajectory. The wages of the top managers with mandates are calculated based on a formula with 13 criteria measuring the load of the responsibilities.

Compared to other countries, the public sector pay premium is relatively small in Belgium (Giordano e.a., 2011). One possible reason is that the pension benefits – sometimes considered as a delayed remuneration – for similar careers are much higher in the public than in the private sector. A focus on leadership positions reveals that senior managers are paid 3,4 times the average salary of a tertiary educated employee (OECD average). Senior professionals (1,8 times the average), lower (2), middle (2,2) and upper (2,7) management earn substantially more than their OECD counterparts⁵.

1.5.6 Degree of patronage and politicization

Historically, political interference in the bureaucracy has been quite strong in history and occurred at all levels (Dewachter, 1995). Today, the situation is better. For most entry-level appointments, no political support or intervention is required. Also middle management positions are increasingly freed from political interventions. For promotion to the senior management, a political decision is still made by the government, but only after a professional assessment of the candidates. Candidates that are not capable should be excluded at this step.

The political interference in the appointment however is not optimal, mainly because the

⁵ <http://oecdinsights.org/2014/07/28/just-the-numbers-how-much-are-public-servants-paid/>

system is not transparent. In a HR review of 2007, the OECD (2007) notes “among OECD member countries, Belgian governments stand out regarding the lack of clarity in the political/administrative interface, resulting in (...) unclear accountability of senior management. (p.23)” This analysis still holds today. Politicisation of the senior management is only acceptable, according to OECD, when there is absolute transparency about the positions that are subject to the spoilage system. This is presently not the case in Belgium.

The main driver of politicisation is the extensive use of personal advisors in political cabinets. The OECD writes: “Cabinets are indeed used for more than the usual purpose of providing politically sensitive advice to ministers as they ensure the political oversight of executive bodies. This practice bypasses the usual HRM regulations, undermines the attempts made at increasing individual accountability of senior managers, blurs career paths for staff who would like to be able to reach senior managerial positions, and negates efforts to implement performance management (p.23)

Coherence among different government levels (high, medium, low)	compensation level vs. private sector (much higher, higher, same, lower, much lower)	Formal politicization through appointments (high, medium, low)	Functional politicization (high, medium, low)
low	comparable	low	medium

POLITICAL ADMINISTRATIVE SYSTEM AND POLITICAL ECONOMY

1.6 Policy-making, coordination and implementation

1.6.1 State system

Overall, the quality of democracy in Belgium is good (Castanheira, Rihoux, & Bandelow, 2016). Candidacy procedures are feasible and media access is good for all parties, except those with a discriminatory agenda. Political parties are financed by the state, with caps on their expenditure. The public funds are meant to insulate the parties from private interests. Editorial offices of media outlets, both public and private, work largely independent from political or commercial interests. One of the main challenges is the financial stress on the print market, which restricts the ability of newspapers to pursue in depth investigations. Access to government information is a constitutional right and is regulated since 1994. Yet, the complex structure of the government makes it sometimes difficult to identify information.

Civil rights are well protected (Castanheira e.a., 2016). The courts largely operate independent from political influence. The justice sector however is underfunded, which hampers the ability to pursue investigations and leads to delays in procedures. IT governance has also been problematic. While the courts protect civil rights adequately, discrimination of minorities is still an issue in practice.

The Executive is the main powerhouse of Belgian governance. The impact of parliament on the executive is relatively weak. The electoral system explains this imbalance. Belgium has coalition governments that rely very strongly on the party system. Party discipline is strong and most proposals are accepted in a majority versus opposition vote. Legal initiatives that pass are predominantly originating from the government. The dominance of the executive is found on all tiers of government, from local to federal.

1.6.2 Consultation for decision making

There is a strong tradition of consultation with civil society. Along confessional lines, civil society organisations are involved in preparation and execution of policies. This system of what is called pillarization, has been developed together with the growth of the welfare state (Lijphart, 1999). Trade union and employer's organisations (the so called social partners) are involved in socio-economic policy making; health insurers, associations of hospitals and doctors are involved in health policy and management; farmer's organisations and environmentalists are involved in environmental policy making. All policy sectors have extensive consultation structures where established civil society organisations gain access. The current government has partially broken with this tradition, and has attempted to impose reforms in the areas of pensions, taxes, unemployment and other such matters without the support of trade unions (Castanheira e.a., 2016).

The consultation arrangements of the welfare state are not only challenged by the centrum right government of the day. There is also a challenge of demands for new, more intense participation in government. The traditional consultation of the welfare state is allegedly insufficiently flexible and responsive to the fast-changing demands of the citizenry. Increasingly more politicians and opinion makers contend that the elections and traditional consultation alone are insufficient to involve citizens in the polity. Both government-initiated participation trajectories (e.g. citizen panels) and citizen-initiated participation are on the rise. Citizens also take legal action against the state. A high profile case is the *Klimaatzaak*; a legal case against the government for not fulfilling their promises to combat climate change.

Consultation with the bureaucracy is strongly dependent on the governing style of the minister, the levels of trust between the minister and his/her political advisors on the one hand and the top managers on the other. Sometimes, administrations are consulted intensely on implementation of policies. On other occasions, they are completely bypassed. Distrust between the top managers and the ministers is often higher when the political background of the top manager is incongruent with the minister in power. Since top political advisors often find their way to the top rungs of the bureaucracy and have mandates that span elections, incongruence of political colours of the minister and the top managers occurs regularly.

1.6.3 Policy advice

The political cabinets of the ministers are the nexus of policy making. They also dominate policy advice (Vancoppenolle, 2006). Political advisors have to screen, select, and translate knowledge in society to policy proposals. In some cases, cabinets are bottlenecks in decision-making. Although political cabinets are already large, they often are not up to the task of managing open consultation processes, seek the best available knowledge and use this knowledge in negotiations. A better cooperation with policy departments in the bureaucracy could alleviate the pressure on political cabinets and allow political advisors focussing on their core task of providing political advice.

Belgium invests substantial amounts into policy-oriented research. The federal government (BELSPO) has a programme. Flanders supports policy research centres for most of their competences. Compared to the Netherlands, where policy advice is often entrusted to professional public organisations, policy research in Belgium is mainly done at universities (besides exceptions such as the economic planning bureau and the knowledge centre of health care). The impact of policy research is limited in politicized

policy processes. Yet, the impact of research is much higher in agenda setting and the pre-political phase of policy formulation.

Distribution of powers	Coordination quality (high, medium, low)	Fragmentation (high, medium, low)
shared	low	high

Political economy (liberal – coordinated)	Interest intermediation (corporatist - pluralistic)	Citizen participation (strong – weak)	Policy style
coordinated	Late Corporatist	Weak, increasing	incrementalist

Sources of policy advice (mandarins, cabinets, external experts)	Administrative autonomy (high – medium – low)	Patronage & politicization (formal, functional) (merit – patronage) (high – medium – low)	Public Service Bargains (Agency – Trustee)	Stability (high – low – no turnover after elections)
Cabinets	medium	Merit medium	Mixed, case specific	high

1.7 Administrative tradition and culture

The tradition of the Belgian bureaucracy is based on the *Rechtsstaat* approach (Pollitt & Bouckaert, 2011). The state is the driving force in society. Furthermore, the Belgian public bureaucracy has inherited the Napoleonic tradition from the French. Centralisation and uniform application of the law are key. Other features of the *Rechtsstaat* tradition are present as well. Many senior civil servants and MP's have a law degree and administrative law regulates the bureaucracy. In general, a procedural logic dominates over a managerial logic. The *Rechtsstaat* culture is however diluted in recent decade. The adoption of NPM in both the Copernic reform at the federal level and the BBB reform in Flanders, has led to a stronger awareness for goal oriented (rather than process oriented) administration. In particular in Flanders, governments are looking at the Netherlands and Scandinavia for inspiration for policy and governance. Yet, the Latin *Rechtsstaat* remains the cultural bedrock of Belgian governance.

Hofstede national culture dimensions		
Dimension	Value	Average EU28
Power Distance	65	52
Individualism/Collectivism	75	57
Masculinity/Feminity	54	44
Uncertainty Avoidance	94	70
Long-term Orientation	82	57
Indulgence/Self-restraint	57	44

Source: Hofstede's national culture dimensions.⁶

The broader national culture in Belgium is can be assessed based on the Hofstede dimensions (Hofstede, 2005). *Power distance* (the acceptance of hierarchy) is below the mean of the EU28 but above the median. Hierarchy is generally easily accepted. The number is much closer to the French score than the Dutch or Scandinavian scores. *Individualism scores* are slightly higher than the European average, between the Netherlands (higher) and France (lower). Hofstede's text on Belgium notes that Belgian culture (together with the French culture) seems contradictory: although highly Individualist, the Belgians need a hierarchy. This contradiction creates tensions. In terms of culture, however, Belgium is closer to Paris than to Amsterdam. *Long term orientation* is high in Belgian culture (second after Germany). Societies that score high are more open for societal change and are not bound by traditions and norms. They are also described as pragmatic societies. This pragmatic orientation implies that people believe that truth depends on place and time. Pragmatists can adapt traditions to changed conditions. Pragmatism is also very strong in governance and, in all probability, driven by the complex structure of the country. Long term planning and forecasting however is limited, maybe also because policy planning reduces the bandwidth for pragmatic decision-making when issues arise. Uncertainty avoidance is high in Belgian culture. In management, rules and security are requested. Arguably, there is a second paradox here. In order to avoid uncertainty, extensive regulatory frameworks are devised. However, when issues arise, the pragmatic attitude helps to bend the rules to find a way out. As a result, regulations risk becoming a casuistic patchwork rather than roadmap for society. *Masculinity* is above average. A high score on masculinity implies that a society is driven by competition, achievement and success rather than taking care for others and quality of life. This is not entirely reflected in the public sector employment, with a strong focus on equality, the absence of performance pay and the importance of seniority.

Administrative culture	Welfare state	Public Sector openness
Rechtsstaat, Public Interest	(liberal, conservative, social-democratic)	(open, medium, closed)
Rechtsstaat	Social democratic	medium

⁶ Interpretation: power distance (high value = higher acceptance of hierarchy and unequal distribution of power); individualism (high value = stronger individualist culture); masculinity (high value = higher masculinity of society); long-term orientation (high value = stronger long-term orientation); indulgence (high value = indulgence)

Key PA Values	Managerial vs Procedural (Managerial, Mixed, Procedural)	Red Tape (regulatory density) (very high to very low)	Discretion/autonomy (high, low, medium)
	mixed	medium	medium

GOVERNMENT CAPACITY AND PERFORMANCE

1.8 Transparency and accountability

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Access to government information (1-10)	7.00	15	7.00	16	0.00	-1
	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Transparency of government (0-100)	50.71	14	66.00	11	+15.29	+3
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Voice and accountability (-2.5,+2.5)	1.38	7	1.39	8	+0.01	-1
Control of corruption (-2.5,+2.5)	1.49	10	1.58	9	+0.09	+1
TI perception of corruption (0-100)	71.00	10	77.00	8	+6.00	+2
	Value 2010	EU28 rank	Value 2014	EU28 rank	Δ Value	Δ Rank
Gallup perception of corruption (%)	55.00	9	51.00	12	-4.00	-3

Sources: Bertelsmann Stiftung, European Commission, World Bank, Transparency International, Gallup World Poll

The EU e-government benchmark has data on the transparency of government. The overall score is estimated to be fair, with a substantial improvement between 2013 and 2015. *Transparency of service delivery* is the weakest point. The measure assesses “the extent to which public administrations inform users about the administrative process they have entered, e.g. from the users’ request for a service until the service is delivered (European Commission, 2016, p. 30)”. Transparency helps citizens and entrepreneurs to set expectations on when and how services will be delivered and to plan their interactions with the government. Arguably, this is an issue of process design across governments rather than an e-government issue. *Transparency of public organisations* is better (fair according to the EU). The measure assesses the extent to which governments publish information (e.g. responsibilities, the decision-making process, regulations, and laws). It should enable users to anticipate and respond to Government decisions that affect them and hold policy makers responsible for their decisions and performance. A significant improvement was noted between 2013 and 2015. Yet, improvements can be made in the transparency of agenda’s of decision making. Finally, a good score is obtained for transparency about personal data. This measure assesses the extent to which governments proactively inform users about their personal data and how, when, and by whom it is being processed.

A Gallup world poll (see comparative report) found that fifty percent of the citizens agree to the statement that corruption is widespread throughout the government. With this score, Belgium scores somewhat below the average of EU 28. Similar scores are found in the World Bank data. People moreover say that they encounter little corruption in their

daily lives (Council of Europe, 2014). Transparency international places Belgium at number 8 of the EU28 in terms of perceived control of corruption. Belgium has a number of preventive mechanisms, including a system for the declaration of donations, official appointments, other positions held and assets of elected officials and top managers. The federal administration has a whistle blower arrangement and a code of conduct. The courts and the media work independent from politics and the bureaucracy. While most of the building blocks are in place, some challenges remain (Council of Europe, 2014). The most important is that judicial and prosecuting authorities have to contend with funding and staffing shortages.

1.9 Civil service system and HRM

Indicator	Value 2012	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Impartiality (1-7)	2.32	9	1.58	3	-0.74	+6
	Value 2012	EU26 rank	Value 2015	EU26 rank	Δ Value	Δ Rank
Professionalism (1-7)	4.78	8	4.40	14	-0.38	-6
Closedness (1-7)	5.93	3	6.05	2	+0.12	+1

Source: *Quality of Government Institute Gothenburg.*

An impartial, professional but closed civil service. That is the image of the civil service system that emerges from the Quality of Government Expert Survey of the University of Goteborg⁷. After the financial crisis and through the fiscal crisis, this system is not substantially reformed. Unlike other countries, compensation levels remained intact (OECD, 2015a). Savings were mainly obtained through recruitment freezes. The age of the workforce in Belgium is substantially higher than the OECD average (OECD, 2012), which creates opportunities for savings and the adjustment of the competences to the demands of the day. The downside however is that also valuable experience is leaving the organization.

1.10 Service delivery and digitalization

Indicator	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
E-government users (%)	31.75	6	33.77	9	+2.02	-3
Pre-filled forms (%)	72.50	5	65.29	10	-7.21	-5
Online service completion (%)	74.43	14	84.86	15	+10.43	-1
	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Online services (0-1)	0.63	6	0.71	19	+0.08	-13
	Value 2013	EU27 rank				
Barriers to public sector innovation (%)	57.48	1				
			Value 2015	EU28 rank		
Services to businesses (%)			49.00	14		
	Value 2011	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Ease of Doing business (0-100)	74.04	11	73.00	22	-1.04	-11

Sources: *European Commission Digital Economy and Society Index UN e-government Index, EU Scoreboard Public innovation, Eurobarometer num.417, World Bank Ease of Doing Business.*

⁷ Note however that this score is based on seven respondents.

The indicators on e-government offer a mixed picture. According to the European Commission Digital Economy and Society Index, the percentage of e-government users is 30% of the population between 16 and 74 years old. This is average in Europe, but since top performers have 70% (Estonia, Finland), there is clearly a lot of potential for growth. Take-up of e-government services by businesses is relatively low in Belgium (OECD, 2015a). Sixty-five percent of life events have pre-filled forms. This is slightly above average. Online services are provided for 85% of life events. This is European average, but with the first 18 countries between 80 and 100%, the indicator is plateauing. The World Bank indicators ease of doing business provides a low score for Belgium, but this indicator is also plateauing, with all but three countries of the EU28 scoring between 72 and 85 to 100. From Eurobarometer 417, we learn that satisfaction of business with e-government is average compared to EU28.

1.11 Organization and management of government

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Strategic planning capacity (1-10)	7.00	6	7.00	7	0.00	-1
Interministerial coordination (1-10)	8.00	7	8.00	4	0.00	+3
SGI Implementation capacity (1-10)	6.86	10	6.71	11	-0.15	-1
	Value 2012	EU26 rank	Value 2015	EU27 rank	Δ Value	Δ Rank
QOG Implementation capacity (1-7)	5.44	8	5.67	3	+0.23	+5

Sources: Bertelsmann Stiftung, Quality of Government Institute Gothenburg

The strategic capacity of Belgium is assessed to be average by the Bertelsmann SGI’s (7/10)⁸. Strategy is dominated by political advisors in the political cabinets of the ministers. The prime ministers and the vice-prime ministers, one for each political party, have a dedicated group of political advisors that monitor the overall strategy of the government. Yet, even with extensive group of political advisors, the cabinets are a bottleneck in strategy formulation. There is often just too little time for strategic policy making. The Bertelsmann report also notes that top civil servants do not play a significant role – in most cases, they are at best informed of ongoing discussions and are simply asked to deliver data and information (Castanheira e.a., 2016). This is not a general rule. When top managers and political cabinets develop a more trustful relation, the impact of the administration can be significant.

A notable feature of Belgian strategy capacity, or incapacity, is the prominence of the coalition agreement in governance, which is informally referred to as “the bible” (Castanheira e.a., 2016). Coalition agreements are imperfect. They are often written under high pressure during nightly negotiation rounds. Yet, political parties rely heavily on the agreement to keep track of their performance in government. The prominence of the coalition agreement affects the capability of government to develop new policies based on evidence or to adapt policies to changing circumstances. Castanheira et al. (2016) note that it provides an easy justification for the rejection of projects that might be politically difficult to handle; if a project does not directly relate to the coalition agreement, it is likely to be turned down either by the prime minister or through manoeuvres by some other coalition parties in the “core.”

Inter-ministerial coordination gets a score of 8/10 in the Bertelsmann SGI report.

⁸ The basic data is collected by two experts and calibrated with scorings of other country experts

Decision making in government is collegial. All decisions with a sizeable impact need to be made by the council of ministers. Decisions with a financial impact on the budget need to be submitted to the minister of the budget. Yet, while these formal procedures may assure a certain level of coordination of activities, true collaboration towards shared goals is more difficult. The coalition agreement separates out the portfolios of the ministers and the main projects for each party. Inter-ministerial coordination is mainly making sure that no one trespasses his or her portfolio or goes against the coalition agreement. Proper collaboration, where efforts of departments are brought together to obtain a predefined goal, is something we see too little of. This is an issue at all tiers of government.

The implementation capacity is estimated to be very good by the quality of government institute in Goteborg and slightly above average by Bertelsmann. The prime minister does not have strong legal power over his ministers. However, there is an informal hierarchy that is particularly forceful when the presidents of the political parties are backing the government and keep their ministers in line. Control over the bureaucracy is exerted through political cabinets. Agencies are monitored with management contracts and political appointments in the boards of these organizations. The lower score of the Bertelsmann SGI's is mainly due to the challenges that the complex federal structure poses for implementing policies. This is also the reason why, notwithstanding enthusiasm for international cooperation, Belgium is regularly criticized for not fully implementing rules agreed upon at the European Union, United Nations or NATO.

1.12 Policy-making, coordination and regulation

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Societal consultation (1-10)	7.00	8	6.00	13	-1.00	-5
Use of evidence based instruments (1-10)	1.00	28	1.33	27	+0.33	+1
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Regulatory quality (-2.5,+2.5)	1.29	15	1.28	11	-0.01	+4
Rule of law (-2.5,+2.5)	1.37	12	1.42	10	+0.05	+2

Sources: Bertelsmann Stiftung, World Bank

Belgium has an average score on regulatory quality measure of the World Bank's governance indicators. The World Bank documentation⁹ notes that regulatory quality captures perceptions of the ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development. The score on rule of law is also average, but somewhat behind the north-western leading group. Rule of law measures the perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence. While these assessments may not necessarily be wrong, they may be influenced by an overall broader sentiment towards government. A qualitative and survey based-assessment of the OECD finds that regulatory policy in Belgium is improving (OECD, 2015b). Increasingly, the focus is shifting from administrative simplification to better regulation. Consultation with social partners is well developed. Yet, open consultation with the broader public, with truly open consultations and a consultation agenda, can still be improved. Societal consultation is also assessed to be average by the Bertelsmann foundation's SGI.

⁹ <http://info.worldbank.org/governance/wgi/#doc>

The Bertelsmann foundation places Belgium last in the EU28 for the use of evidence-based instruments. There is indeed a frustration in academia that scientific research would not be used at all. A colleague at the University of Antwerp recently tweeted that in Belgium 'policy reports are mostly used to balance out a table'. The cabinet culture is indeed often insusceptible to research, because research findings limit the room for compromise, may slow down decision-making, and simply require a lot of time to read. However, while there is clearly substantial room for improvement, being at the bottom seems a harsh judgment. Investment in policy-relevant research is substantial. Moreover, many research findings do have an impact on agenda setting and the formulation of policies. Yet, overall, a better use of evidence in policy making would have a positive impact on policy capacity.

1.13 Overall government performance

Indicator	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Trust in government (%)	22.00	21	34.00	10	+12.00	+11
	Value 2011	EU27 rank				
Improvement of PA over last 5 years (%)	12.00	4				
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Public sector performance (1-7)	4.84	12	4.97	11	+0.13	+1
Government effectiveness (-2.5,+2.5)	1.58	7	1.44	10	-0.14	-3

Sources: Eurobarometer 85, Eurobarometer 370, World Bank, World Economic Forum.

Several perception-based indicators of government performance are available. Eurobarometer data of 2010 and 2016 show that trust in government improved substantially over the last 6 years. Most other countries saw a decline in trust. It should be noted however that 2010 was an episode of political crisis, where citizens witnessed the longest coalition formation in recent European history. Arguably, the bar was low. A Eurobarometer (2011) poll also probed for the perceptions of improvement of the public administration specifically. Compared to other countries, the Belgian score was rather good. The World Bank aggregates a number of perception-based surveys into a composite indicator of government effectiveness. This indicator is supposed to measure 'perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies'¹⁰. Belgium takes the 10th position in this ranking, with scores similar to Ireland, Austria and France. The business community places Belgium in a 10th spot as well, as reported by the World Economic Forum (Global Competitiveness Index).

The Belgian public sector delivers key services to society in a satisfactory manner. Health and education are good and accessible for most citizens. Public transport is criticized, but still is an adequately functioning system. Road infrastructure is not of the same quality as in neighbouring countries. Yet, in particular in Flanders, investments are being made. The Belgian response to the refugee crisis is not worse than its neighbours. All in all, the country also dealt with the terrorist attacks in Brussels without jeopardizing civil liberties. The Belgian public sector does have its challenges, - the fiscal stress is high, the need for collaboration across governments is pressing, better evidence-based policy-making is needed - but overall, performance is good.

¹⁰ <http://info.worldbank.org/governance/wgi/#doc>

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