



Public administration characteristics and performance in EU28:

France

Written by
Fabrice Larat (with the support of Robin
Maillard)
CERA, ENA
April - 2018



Social
Europe

EUROPEAN COMMISSION

*Directorate-General for Employment, Social Affairs and Inclusion
Directorate F – Investment Unit F1 – ESF and FEAD: policy and legislation*

Contact: EMPL-F1-UNIT@ec.europa.eu

*European Commission
B-1049 Brussels*

**Public administration
characteristics and performance
in EU28:
France**

***Europe Direct is a service to help you find answers
to your questions about the European Union.***

Freephone number (*):

00 800 6 7 8 9 10 11

(*) The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

LEGAL NOTICE

This country chapter is part of the full report "**The Public Administration in the EU 28**".

This publication has been developed for the European Commission with the technical assistance of the European Institute of Public Administration (EIPA), the Hertie School of Governance and Ramboll Management Consulting. It reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

More information on the European Union is available on the Internet (<http://www.europa.eu>).

Editors: Nick Thijs and Gerhard Hammerschmid

Manuscript completed in August 2017

Luxembourg: Publications Office of the European Union, 2018

ISBN: 978-92-79-90897-2
doi:10.2767/254193

© European Union, 2018

Reproduction is authorised provided the source is acknowledged.

TABLE OF CONTENTS

| | | |
|------------|--|------------|
| 1 | SIZE OF GOVERNMENT | 324 |
| 2 | SCOPE AND STRUCTURE OF GOVERNMENT | 325 |
| 2.1 | State system and multi-level governance | 325 |
| 2.1.1 | State/government system: organization of government levels and their constitutional status | 325 |
| 2.1.2 | Distribution of power | 326 |
| 2.1.3 | Competences at the different levels of government | 327 |
| 2.1.4 | Intergovernmental cooperation | 328 |
| 2.1.5 | Multilevel governance and public sector reform | 329 |
| 2.2 | Structure of executive government (central government level)..... | 329 |
| 2.2.1 | Machinery of government..... | 329 |
| 2.2.2 | Centre of government coordination..... | 330 |
| 2.2.3 | Agencies..... | 331 |
| 2.2.4 | Budgeting and monitoring mechanisms | 332 |
| 2.2.5 | Auditing and enforcing accountability | 332 |
| 2.2.6 | Coordination of administrative reforms..... | 333 |
| 3 | KEY FEATURES OF THE CIVIL SERVICE SYSTEM | 334 |
| 3.1 | Status and categories of public employees | 334 |
| 3.2 | Civil service regulation at central government level | 335 |
| 3.3 | Key characteristics of the central government HR System | 337 |
| 3.3.1 | The management of HR..... | 337 |
| 3.3.2 | Recruitment and selection, promotion, appraisal, development and training | 337 |
| 3.3.3 | Senior executive system | 338 |
| 3.3.4 | Degree of patronage and politicization..... | 339 |
| 3.3.5 | Degree of centralization/decentralization..... | 339 |
| 3.3.6 | Social dialogue and role of trade unions..... | 340 |
| 3.3.7 | Remuneration | 340 |
| 4 | POLITICAL ADMINISTRATIVE SYSTEM AND POLITICAL ECONOMY | 341 |
| 4.1 | Policy-making, coordination and implementation | 341 |
| 4.1.1 | State system | 341 |
| 4.1.2 | Executive government (majoritarian/consensual), minister-mandarin relations..... | 342 |
| 4.1.3 | Consultation for decision making | 343 |

| | |
|--|------------|
| 4.2 Administrative tradition and culture | 343 |
| 4.2.1 Administrative tradition | 344 |
| 4.2.2 Hofstede´s analysis / Administrative culture..... | 345 |
| 5 GOVERNMENT CAPACITY AND PERFORMANCE | 346 |
| 5.1 Transparency and accountability | 349 |
| 5.2 Civil service system and HRM..... | 350 |
| 5.3 Service delivery and digitalization | 350 |
| 5.4 Organization and management of government | 351 |
| 5.5 Policy-making, coordination and regulation..... | 351 |
| 5.6 Overall government performance | 352 |

1 SIZE OF GOVERNMENT¹

The size of the French public sector is one of the highest in the EU28, with total expenditures amounting to 56.98% of the GDP in 2015. This share has stagnated over the past years. In terms of public expenditure, central government expenditure represents 40.31% which is a rather low average in comparison to most of the EU member states².

Table 1: General government budget data

| FRANCE | 2010 | EU 28 Rank | 2015 | EU 28 Rank | Δ Value | Δ Rank |
|--------------------------------------|-------|------------|-------|------------|---------|--------|
| Total expenditures (in % GDP) | 56.44 | 3 | 56.98 | 2 | +0.54 | +1 |
| Central government share (%) | 44.78 | 27 | 40.31 | 27 | -4.47 | +0 |
| State government share (%) | | | | | | |
| Local government share (%) | 20.37 | | 20.05 | | | |
| Public investment (in % GDP) | 4.15 | 14 | 3.45 | 18 | -0.70 | -4 |
| Debt in % GDP | 81.70 | 22 | 96.17 | 21 | +14.47 | +1 |
| Deficit in % GDP | -6.8 | 17 | -3.5 | 23 | +3.3 | -6 |

Sources: AMECO, Eurostat

Table 2: Public sector employment*

| FRANCE | 2005 | OECD EU18 rank | 2011 | OECD EU12 rank | Δ Value |
|--|-------|----------------|-------|----------------|---------|
| Total public sector employment in % of total labour force | 24.40 | 5 | 24.40 | 4 | 0.00 |
| | 2005 | OECD EU21 rank | 2011 | OECD EU19 rank | Δ Value |
| General government employment in % of total labour force | 21.90 | 4 | 21.90 | 3 | 0.00 |
| | | | 2011 | OECD EU17 rank | |
| Central government share of general government employment | | | 45.18 | 9 | |

Sources: OECD- *Government at a glance*

*According to the OECD, public sector employment includes public corporations, while general government employment excludes public corporations.

Public sector employment as percentage of the labour force with 24.40% is one of the highest in OECD EU 18. In addition, even when excluding public corporations, France still

¹ The information and analysis presented in this report do not express the official point of view of the French government nor of the French national school of public administration. The author is the only person responsible for the opinions and views it contains.

² This can be explained by the delimitation between different kinds of public expenditures in France. Social security expenditures are not taken into account in the State budget (i.e. "central government") but are part of a specific one.

lies in the highest of the OECD EU 18 countries for the years 2005 until 2011. Concerning the Central government share of general government employment, France is ranked 9th in OECD EU17 rank. This shows the high level of local government employment in France more than 35% (see the table below).

Government employment in 2015 was 5.29 million public agents (both civil servants (*fonctionnaires*) and public employees (*contractuels*)). Staff distribution clearly shows the organisation of the French polity: the historically strong centralised administrative systems and its numerous deconcentrated authorities spread across the entire country. However in 2015, the share of central government in general government employment is under 50%, which mirrors the wave of decentralisation over the last 30 years (share of public agents working for local and regional authorities represents 35% of general government employment).

| FRANCE | End 2013 |
|--|------------------------------|
| (1) General government employment (Total administrations publiques)* | 6 169 700³ |
| thereby share of central government (<i>Fonction publique d'état</i>)(%) | 38,7% |
| thereby share of territorial government (total <i>Fonction publique territoriale</i>) | 30,5% |
| From which of regional government (<i>Regions</i>) (%) | 1,3% |
| thereby share of <i>Départments</i> government | 5,9% |
| thereby share of local government (municipalities or <i>communes</i>) (%) | 23.3% |
| | |
| (2) Public employment in social security functions | 174 000 |
| (3) Public employment in the army | 270 849 (2014) |
| (4) Public employment in police | 244 835 ⁴ (2014) |
| (5) Public employment in employment services | 53 000 (2015) |
| (6) Public employment in schools and daycare | 946 516 (2014) |
| (7) Public employment in universities | 155 000 ⁵ |
| (8) Public employment in hospitals (<i>Fonction publique hospitalière</i>) | 1 152 000 |
| (9) Public employment in core public administration | 3 173 500 |
| (10) Core public administration employment in % of general government employment | 51,5% |

Sources: National statistics, INSEE, SIASP and DGFAP.

*According to the OECD, general government employment excludes public corporations.

2 SCOPE AND STRUCTURE OF GOVERNMENT

2.1 State system and multi-level governance

2.1.1 State/government system: organization of government levels and their constitutional status

The French polity is a decentralized unitary state. The organization of the administration in France is a direct legacy of the French Revolution and the Second Empire⁶ which together enshrined the principle of administrative centralization around a strong and unitary State, until a movement of deconcentration and decentralization was set in

³ The last 30,8% are the *fonction publique hospitalière* (18,7%) and the other public administrations (10,7%).

⁴ Including *gendarmerie nationale*: 97 215.

⁵ Including 91 000 teaching staff.

⁶ OCDE, Public Employment and Management Working Party, November 2008.

motion under the 3rd Republic and reached its apogee in the two successive waves of decentralization of 1982-1983^{7 8 9} and 2003¹⁰.

There are three territorial authorities, under the constitutional amendment of 28 March 2003: regions, *départements* and municipalities. They are distinct from the central administration and are endowed with a legal personality, which allows them to employ their own staff, administer their own budget and to conduct public policies and deliver public services. Local self-government has a constitutionally codified institutional guarantee in Articles 34 and 72 of the French Constitution. The constitutional status of territorial authorities is defined by the principle of free administration (Art.34), which corresponds to the notion of local autonomy in the European Charter of Local Self-Government. The Republic's principle of indivisibility sets the limits of decentralization: it excludes territorial authorities from exercising legislative powers. The Constitutional Council oversees the balance between these two principles. The State representative is in charge of "issues of national interest, administrative control and ensuring the law is observed" (Art. 72).

2.1.2 Distribution of power

The *Regions* have been introduced by the law passed on 5 July 1972¹¹ as a new administrative level and have, as a component of the decentralization reform of 1982, been recognized as a 'fully-fledged' local self-government level — with an elected regional council (*conseil régional*) and a (council-elected) executive (*président du conseil régional*).

In January 2016, following the law "NOTRe"¹², several regions have merged to simplify the regions map of the French metropolitan territory. Instead of 22 regions¹³, France now has 13 regions. Regions are competent in the field of economic development and those mergers should improve the impact of this policy in each new region. This simplification of the local authorities' organization affects the local administration of the state since several regional prefectures disappeared with the 2016 reform.

There are 96 departments in metropolitan France and 5 overseas departments. Each department is administered by an elected body called a departmental council (*conseil départemental*). Local services of the State administration are traditionally organized at departmental level, where the prefect represents the government; however, regions have gained importance in this regard since the 2000s, with some department-level services merged into region-level services.

There are 35 416 communes. This is an enormous territorial fragmentation and small-scale nature. Structure generally reaches back to the Middle Ages because of largely failed municipal amalgamations. 90% municipalities have less than 2000 inhabitants and only 1% more than 20 000 inhabitants. Since 2015, there is a new trend towards fusion of several small municipalities to build larger ones. However, it exists various

⁷ Loi n° 83-8 du 7 janvier 1983 relative à la répartition de compétences entre les communes, les départements, les régions et l'Etat dites loi Defferre.

⁸ Loi n° 83-634 du 13 juillet 1983 portant droits et obligations des fonctionnaires. Loi dite loi Le Pors.

⁹ Loi n° 83-663 du 22 juillet 1983 complétant la loi n° 83-8 du 7 janvier 1983 relative à la répartition de compétences entre les communes, les départements, les régions et l'Etat.

¹⁰ Loi constitutionnelle n° 2003-276 du 28 mars 2003 relative à l'organisation décentralisée de la République.

¹¹ Loi n° 72-619 du 5 juillet 1972 portant création et organisation des régions.

¹² Loi n° 2015-991 du 7 août 2015 portant nouvelle organisation territoriale de la République.

¹³ Not including the overseas territories.

association-type solutions (*intercommunalité*), the number increases since the 1970's new intermediate level below the *départements* and above the municipalities. The task and autonomy of French communes were very limited until the 1980's (*tutelle* by the departmental prefect).¹⁴

The prefect (*préfet*) plays a particularly important role at the local level. Appointed by the government, they represent the state¹⁵ as a whole and simply the minister of the Interior, to whom they answer. They embody the power and authority of the state at the local level and oversee ministries' local branches and field services. Prefects are chief departmental administrative officers and the upper senior civil servants in local administration. They have four main functions:

- Maintenance of law and order and public security, organisation of emergency and disaster relief, maintenance of order during demonstrations, etc.
- Arbitration of economic and labor disputes, talks between trade unions and employees often being held under their auspices.
- Administrative oversight: when the prefect considers that a decision taken by a commune, department or region is unlawful, he can ask the administrative court to overrun it. The administrative court, which is completely independent of any government or prefectural control by virtue of the separation of the judiciary and the executive, has the final say.
- They oldest and last function is to administer policies and legislation emanating from the national government, except for military, judicial, and certain fiscal educational matters.

The prefect of a department in which the regional capital is located is also a regional prefect, and as such coordinates state action at the regional level and oversees regional administration.¹⁶

The administrative constituencies are the region, the department, the district and the municipality. The representatives are the regional prefect, the departmental prefect, the sub-prefect and the mayor.

2.1.3 Competences at the different levels of government

| Government level: | Legislation | Regulation | Funding | Service provision |
|------------------------------------|--------------------|-------------------|--|--------------------------|
| Central government | | | | |
| Defence | | | | |
| External affairs | | | | |
| Internal affairs | | | | |
| Science and research | | | Shared with regional, department and local authorities | |
| Justice (incl. Courts and prisons) | | | | |
| Transportation: railway | | | | |

¹⁴ OCDE, Public Employment and Management Working Party, November 2008.

¹⁵ Article 72, Constitution du 4 octobre 1958.

¹⁶ Institut international d'administration publique, *An introduction to French administration*, La documentation française, Paris, 1996.

| | | | | |
|--|-------------|-------------|---------------------------------------|----------------------------|
| (national lines, including high speed), air transport, | | | | |
| Health | | | Shared with region and municipalities | Shared with municipalities |
| Environment protection | | | Shared with all levels | Shared with all levels |
| Regional government | | | | |
| Economic affairs | State alone | State alone | | |
| Education: Last 3 years of Secondary School (construction and maintenance of buildings , school catering), transportation of school pupils, vocational training. | State alone | State alone | | |
| Transportation: regional railway, transport infrastructure, non-urban transportation | State alone | State alone | | |
| Department government | | | | |
| Social welfare (social service, RMI/guaranteed minimum income) | State alone | State alone | | |
| First 4 years of secondary schools (construction and maintenance of buildings , school catering), | State alone | State alone | | |
| Transportation: departmental road | State alone | State alone | | |
| Local government | | | | |
| Public utilities (water, electricity) | State alone | State alone | | |
| Municipal police | State alone | State alone | | |
| Education (construction of nursery schools, schools and leisure centres) | State alone | State alone | | |
| Transportation: urban transportation, local road | State alone | State alone | | |
| Finance/tax (shared) | State alone | State alone | Local taxes | State alone |

2.1.4 Intergovernmental cooperation

Despite the considerable efforts made under decentralization to increase the power of local government authorities, they cannot be considered as fully fledged partners of the central government. Since they have only limited financial autonomy. Central government is still responsible for setting rates of local tax and the overall appropriations for operating costs devolved by central government to local governments are indexed to inflation, instead of growth. Relations between central government and local government in France are still strongly marked by the supervisory power that central government exercises over local authorities, despite the principles of autonomy and free administration enshrined by decentralization.

Central government is still slow to involve local government when Acts or EU Directives have a direct impact at the local level. Consequently, local authorities are often the

victims of the prescriptive inflation of central government and, as a result, it has been proposed¹⁷ to set up a National Commission on Standards Assessment to study the impact of legislation and directives that would have an impact at the local level. Unlike certain foreign local government authorities (in Germany or Italy), French local governments have no prescriptive powers other than the power to formulate and implement their own public policies on a trial basis. The issue of mobility between the national civil service and the local government civil service as a means of encouraging the development of a partnership-based approach remains highly circumscribed.

The management of public sector employment is heavily influenced by the model adopted by local government authorities, which have been genuinely innovatory in managerial terms. The proximity of elected officials to users encourage the development of coherent, effective and reactive local initiatives formulated by mobile local government employees.¹⁸

2.1.5 Multilevel governance and public sector reform

It was not that long ago that France was a model of full unitary centralized state. In 25 years it has become decentralized and this transformation has been accompanied by a reform of State administration itself with attempts to rationalize the existing layer cake (*millefeuilles administratif*) with the NOTRe law for instance.

According to G. Marcou, there is still a main question to be answered: Should regions and departments be maintained, or should one of the two be removed? What will be the role of inter-municipalities?¹⁹

| State structure (federal - unitary) (coordinated - fragmented) | Executive government (consensus - intermediate - majoritarian) | Minister-mandarin relations (separate - shared) (politicized - depoliticized) | Implementation (centralized - decentralized) |
|--|---|---|--|
| Unitary Coordinated | Intermediate | Separate Fairly politicized ²⁰ | Formerly centralized, decentralization since 1983 |

2.2 Structure of executive government (central government level)

2.2.1 Machinery of government

In France, the number and structure of ministries varies from a government to another. The current government under the presidency of François Hollande and with Bernard Cazeneuve as Prime Minister has 18 ministries²¹. The 18 main areas are:

- Prime Minister
- Ministry of Foreign Affairs and International Development

¹⁷ Lambert Report on the impact of the general review of public policies; *les relations entre l'état et les collectivités locales*, December 2007.

¹⁸ OECD Public Employment and Management Working Party, November 2008.

¹⁹ UGLC Country Profile France, http://www.cities-localgovernments.org/gold/Upload/country_profile/France.pdf

²⁰ As for the *cabinets ministériels*.

²¹ French government website: <http://www.gouvernement.fr/composition-du-gouvernement>

- Ministry of the Environment, Energy and Marine Affairs
- Ministry of National Education, Higher Education and Research
- Ministry of the Economy and Finance
- Ministry of Social Affairs and Health
- Ministry of Defence
- Ministry of Justice
- Ministry of Labour, Employment, Vocational Training and Social Dialogue
- Ministry of Town and Country Planning, Rural Affairs and Local Government
- Ministry of the Interior
- Ministry of Agriculture, Agrifood and Forestry
- Ministry of Housing and Sustainable Homes
- Ministry of Culture and Communication
- Ministry for Families, Children and Women's Rights
- Ministry of the Civil Service
- Ministry of Urban Affairs, Youth and Sport
- Ministry for Overseas France

Regarding the internal structure, a ministry is led by a Minister, and in some cases there is one or several State Secretary or Delegate Minister (*Ministre délégué*) who works under the Minister. The largest ministries have a Secretary General who ensures the coordination of the body of the services and is responsible for its modernization.

The organizational structure of central State administration bodies has in general 3 levels:

- Directorates General or Directorates (Direction générale et Direction)
- Under Directorates (Sous-direction)
- Offices/service (Bureaux)²²

2.2.2 Centre of government coordination

The head of state and head of the executive is the President, elected by universal suffrage. Originally, a president of the Fifth Republic was elected for a 7-year term (*le septennat*), renewable any number of times. Since 2002 the President has been elected for a 5-year term (*le quinquennat*). Since the passing of the 2008 Constitutional reform, the maximum number of terms a president can serve has been limited to two. The President, who is also supreme commander of the military, determines policy with the aid of his Council of Ministers (*Conseil des ministres*).

Appointed by the President of the Republic (Head of State), the Prime Minister is the Head of Government. He "directs the actions of the Government" (article 21 of the Constitution) and in principle sets out the essential political guidelines which, except in the case of cohabitation, are those of the President of the Republic. He must also ensure the coordination of Government action and prevent different ministers from taking contradictory initiatives through his arbitration. He is not the hierarchical superior of the other ministers. He may never force them to take a decision which they are unwilling to take responsibility for, but he may suggest their dismissal to the President in the event of serious misconduct. This role of overseeing Government action is facilitated by certain components: the Prime Minister, in the name of the Government, "shall have at its disposal the civil service" (art. 20), internal services located at the Hôtel Matignon (General Secretariat of the Government, cabinet, etc.) and a large number of services assigned to it.

²² EUPAN, Irish Presidency Survey on the Structure of the Civil and Public Services of the EU Member States and Accession States, 2013.

The Prime Minister ensures the implementation of laws and exercises regulatory power, subject to the signature by the Head of State of ordinances and decrees which have been deliberated upon in the Council of Ministers. He may, in exceptional circumstances, replace the President of the Republic as chairman of the Council of Ministers. He is also responsible for national defence, even though the broad guidelines are often set by the President of the Republic.²³

The Council of Ministers is the collegial body which brings together all ministers. Dedicated Ministers councils gather some selected Ministers when matters which they are responsible for are discussed. The General Secretary of the Government and the General Secretary of the President of the Republic also sit on this body. It is the only government body defined by the Constitution.

The Council of Ministers meets on a weekly basis usually on Wednesdays, under the chairmanship of the President of the Republic, at the Elysée Palace. The agenda is decided jointly by the President and the Prime Minister. The Prime Minister proposes and the President approves the agenda.

The meeting is comprised of three stages:

- the first stage focuses on texts of general interest – bills, ordinances, decrees – for which deliberation by the Council of Ministers is necessary,
- during the second stage, individual decisions are covered mainly relating to the appointment of senior civil servants,
- the third stage is generally devoted to a presentation by a minister on the state of progress of a reform which he/she is in charge of, a speech by the President who may request the participants' opinion on a particular point. The Minister of Foreign Affairs gives a weekly update on the international situation.

At the end of the Council of Ministers, the General Secretary of the Government draws up a statement of decisions which reports and confirms the decisions taken. The General Secretary of the Government also draws up comprehensive meeting minutes.²⁴

The *Secrétariats généraux* are inter-ministerial organs under the Prime Minister. They are responsible for the coordination of Government action and prevent different ministers from taking contradictory initiatives. They are composed of civil servants. There are 4 *Secrétariats généraux*:

- the *Secrétariat général du gouvernement (SGG)* coordinates the government work for administrative matters,
- the *Secrétariat général des affaires européennes (SGAE)* concerning European affairs,
- the *Secrétariat général de la Défense et de la Sécurité nationale (SGDSN)* is in charge of the coordination of national defence and security,
- and the *Secrétariat général de la mer (SGMer)* involving sea matters.

2.2.3 Agencies

The recent existence of independent administrative authorities is a innovation with regard to the traditional French administration scheme which places all State administrations under the authority and control of the Minister, or at least the Government. Independent administrative authorities participate in a new way of sharing and exercising State power, in particular in sensitive areas related to the exercise of civil liberties and in regulating certain sectors or markets. They are thus an exception to Article 20 of the Constitution which stipulates that the administration is at the Government's disposition as they are not subject to the hierarchic authority of a Minister. There is no single model for independent administrative authorities. Their members are

²³ French government website: <http://www.gouvernement.fr/en/how-government-works>

²⁴ French government website: <http://www.gouvernement.fr/en/how-government-works>

appointed in a fairly wide range of ways (appointment by the Executive or other authorities, election) so as to avoid too much political influence. Their term and conditions of office are not uniform. They have a President who exercises authority over departments and may have specific powers. Although "independent", independent administrative authorities depend on a Ministry for the budget standpoint. Their budget is entered in the general budget of the Ministry with the competency closest of their area of involvement. This is not the case for independent administrative authorities which, like the financial market authority ("Autorité des marchés financiers" - AMF), have themselves been recognised as having a legal personality and so enjoy financial independence. There are about fifty independent administrative authorities.²⁵

2.2.4 Budgeting and monitoring mechanisms

The budget directorate (*Direction du Budget*) is attached to the *Ministère de l'économie et des finances*. It is in charge of preparing the State's annual budget, presented to the Parliament in fall. This directorate coordinates the parliamentary debate and the budget proposal of the government (ministries).

The *Loi organique relative aux lois des finances* (LOLF) which came into effect on August 2001 introduced new rules for preparing and implementing the budget. The objective of the new approach is to move from a resource-based to a result-based approach. The aim is to concentrate the debate on budget on the objectives and on the cost-effectiveness of public policies thus avoiding, as it happened in the past, to focus on quantitative variations in appropriation amounts without systematically linking said variations to expected results and actual revenues.²⁶ The Budget Directorate plays a central role in the above-mentioned "performance framework" provided for in the Budget Act, but all ministries are involved.²⁷

The LOLF provided in-depth reform of State administration. It came into force in stages and has applied to the entire administration since 1st January 2006. It consists in a new architecture of the General Budget, no longer defined by ministry but by mission, programme and action. A mission may concern one or more ministries. A programme is a grouping of means in a public policy: it is run by a ministry in accordance with a defined strategy. An action identifies the means and modes of action of the protagonists of a programme. Drawn up according to this architecture, the budget reflects the key choices in public policy relating to employment, education, security, housing, etc.²⁸

State reform in the sense of a more effective and efficient State is one of the LOLF's main objectives. The LOLF represents a complete rewriting of budgetary law, and has brought about deep changes in the budgetary system of the state.²⁹

2.2.5 Auditing and enforcing accountability

The Court of auditors (*Cour des comptes*) is the body responsible for monitoring the legality of public accounts and checking the correct use of public funds. In accordance with article 47-2 of the Constitution, the Court of auditors "assists Parliament in monitoring Government action"; it "assists Parliament and the Government in monitoring the implementation of Finance Acts and Social Security Financing Acts as well as in assessing public policies".

²⁵ Panorama of public action in France, CNFPT, 2016.

²⁶ Mazzotta Biagio, Mocavini Fabrizio, Budgeting in EU Member States, 2007.

²⁷ EUPAN, Lithuanian presidency, HR thematic paper, 2014.

²⁸ INSEE website: <https://www.insee.fr/en/metadonnees/definition/c1563>

²⁹ Le Clainche, Michel, Réforme budgétaire et réformes de l'état, *Revue française d'administration publique*, n°117, 2006.

The Court of auditors of France stands above and heads 13 regional inferior financial courts referred to in French as *Chambres régionales des comptes*, or regional audit courts.

The Inspectorate General of Finances or *Inspection générale des finances* (IGF) is an interdepartmental auditing and supervisory body in [France](#). Its general mission is to provide oversight, audit, analysis, consulting, and evaluation services in administrative, economic, and financial matters. In the recent years, the IGF has been at the head of the movement of modernization of the state (in particular through its leading role in the [General Review of Public Policies - RGPP](#)).

L'Inspection générale des affaires sociales (IGAS) is a [French](#) government body which is responsible for a variety of fields, including [social affairs](#), [health](#), social protection ('solidarité'), [employment](#), work, [community politics](#), professional structures and modernization of the state. The inspectors lead audits and inspections, conduct evaluations, offer consulting and interim management. IGAS has [jurisdiction](#) over public institutions - government, regional and local authorities, agencies - as well as private companies, NGOs or charities if they receive public funding or sponsoring.

Inspection générale de l'administration (IGA) is the body in charge of the evaluation of the public policies, service auditing and consulting. It is also the inspection unit of the Ministers of the interior.

The French [Ombudsman](#) is named *Défenseur des droits*³⁰. It is an independent authority in charge of improving, by its actions, relations between citizens and administration. He intervenes within disputes that oppose parties by suggesting to both of them solutions of friendly settlement of their disputes. Citizen can directly bring a case before him. It was not the case with the first Ombudsman ("Mediator of Republic"), cases could only be referred to him by a Member of Parliament.

2.2.6 Coordination of administrative reforms

Created with the decree no. 2012-1198 of October 2012³¹, the General Secretary for Government modernisation (SGMAP) is placed under the authority of the Prime Minister.

The SGMAP has a dual role. On the one hand, it has an advisory role to the Government in the development, implementation and monitoring of the overall public sector reform program. On the other hand, it has the role of a "strategic partner" for public organizations implementing their reform plans, proving impulse, support and expertise in several areas of reform.³² After the reorganization of the decree number 2015-1165³³, it now comprises two directorates:

- the inter-ministerial Directorate for public transformations (DIAT or *direction interministérielle pour l'accompagnement des transformations publiques*);
- DISIC (Inter-ministerial directorate of information and communication systems) is in charge of piloting the transformation of the public administration information systems and improving the quality, effectiveness, efficiency and reliability of government ICT services.

³⁰ Loi organique n° 2011-333 du 29 mars 2011 relative au Défenseur des droits.

³¹ Décret n° 2012-1198 du 30 octobre 2012 portant création du secrétariat général pour la modernisation de l'action publique.

³² European Commission, eGovernment in France, February 2016, Edition 18.0.

³³ Décret n° 2015-1165 du 21 Septembre 2015.

3 KEY FEATURES OF THE CIVIL SERVICE SYSTEM

3.1 Status and categories of public employees

France has three branches of the civil service³⁴ (central government, territorial authorities and hospitals). Together, these branches employ 5.2 million people. Nearly half are employed by the central government civil service, 31% by the local government civil service and 20% by the hospital civil service branch.

Each branch is governed by a specific set of provisions, which are applied nationwide. The General Regulations for all three branches (called the *statut général de la fonction publique*) were unified by the Law of 13 July 1983 (Title I – General Regulations), which, however, defined and maintained the specificities of each branch. Judges and members of the military are governed by special regulations.

The French civil service is a career-based system. Although civil servants can be recruited on a contractual basis, the principal path to the three civil service branches is via competitive examination.³⁵ The recruitment procedure remains essentially centralised. Civil servants are mainly recruited at the beginning of their careers, through competitive examinations and then get pre-service training in special institutes (*écoles d'application*)³⁶.

Civil servants are recruited by competitive examinations³⁷. There are three types of competitive entrance examination to the civil service: external competition open to candidates with a given qualification or level of education; internal competitions open to civil servants meeting certain conditions in terms of length of service; and a “third competition” open to elected officials, managers of associations and the private sector.

Unlike the central government civil service, successful candidates for territorial authority civil service branch competition are not automatically assigned to a post; instead, they are allowed to conduct job searches, based on a list of skills, for posts that may be located anywhere in France. Public employees are employed under public or private law, depending on the post. Civil servants are employed on life-long tenure, whereas no such guarantees are in place for other public employees. Fixed-term contracts with similar conditions as open-term contracts are used in their case.³⁸ Public employees represent 17,2% of the civil service (15,5% for the central government, 19,3% for territorial government and 17,2% for employment in hospitals).

The work of civil servants is organized by grade and by area of activity. Civil servants are recruited into *corps* and job families in which they will subsequently work in several different posts. Each job family is divided into grades which distinguish between officials according to their experience, seniority, qualifications or responsibilities. Each grade is in turn divided into steps corresponding to level of pay and representing different stages in the progression within a grade.

Job families and grades are divided into three categories corresponding to the level of education of civil servants and their responsibilities (A, B, C). Grade A posts correspond to management and policy-making functions and typically include senior managers, engineers and administrators; grade B posts correspond to implementation and management functions and typically include middle managers and technicians; and lastly

³⁴ NB: the civil service stricto sensu is less than the general government, it doesn't include people working for social security nor for public companies.

³⁵ Ministère du budget, des comptes publics et de la fonction publique, « Administration and the Civil Service in the EU 27 Member States 27 country profiles », 2008.

³⁶ Such as for the central civil service branch ENA preparing for top civil servants positions, IRA for middle range management positions, INET for the Territorial authorities and EHESP for the hospital directors.

³⁷ Section 16 of the Act of 13 July 1983 on the rights and duties of civil servants.

³⁸ OECD, Public employment and Management Working Party, 2008.

grade C posts correspond to work execution functions (administrative assistants, maintenance staff, manual workers).³⁹

Procedures of individual assessment have been implemented for all State civil servants in France. Annually individual interviews are made – a civil servant has a discussion with his manager on professional results, annual goals to reach, and the individual career perspective.⁴⁰ The civil servant assessment procedure is set out in decree⁴¹, on the classification and promotion of civil servants in administrative scales. Assessment is carried out by the direct hierarchical superior and is based on performance as well as professional development prospects. The civil servant is informed of the result of the assessment. It is carried out in each Ministry, in accordance with the functions and corps to be managed, whereby it may adopt its own classification system in agreement with trade unions. Classification is the responsibility of the Head of Service. The Decree provides a regulation defining the procedure to follow, classifications, notes, etc. for the specific characteristics of each Ministry. The assessment may be annual or twice yearly and is based on the rules established for each administration. It may be reviewed on the civil servant's request, who is also entitled to appeal to the administrative jurisdiction. The importance of seniority in career development has been reduced in favor of merit. The result of the assessment serves for career advancement by means of a change in level or grade. Each grade is divided into levels and it is possible to go up a level in the same grade. There are 3 types of grade advancement: by authority appointment, by examination or by competition.⁴²

3.2 Civil service regulation at central government level

The main civil service regulation at central government level is the Act of 13 July 1983 on the rights and duties of civil servants. It provides a single status for all civil servants while distinguishing between those employed by central government, local government and hospital authorities. There are the same regulations and so rights and obligation for all public employees. However, some reforms have been adopted in the last years.

In 2009, the Law on mobility and professional path⁴³ -which incentivizes mobility- came into force. It promotes geographical and occupational mobility in the civil service by consolidating possibilities of secondment, outplacement and integration of civil servants in jobs unrelated to their previous position. It increases possibilities to combine part-time jobs, use temporary agency staff and recruit staff under private law employment contracts. Moreover, the law extends the recruitment of temporary agency staff to the national civil service and local authorities – this option was previously only possible in public service hospitals.⁴⁴ ⁴⁵ As to 2013, only 1,9% of public employees from central government changed job or their statute during the last 12 months (4,2% for territorial government).

In 2010⁴⁶ the reform of the pension's scheme has changed the rules to calculate the pension amount for civil servants, as the average age of civil servants in France has increased (because, like in many countries in Europe, the French population is growing older).

³⁹ OECD, Public employment and Management Working Party, 2008.

⁴⁰ EUPAN, Lithuanian presidency, HR thematic paper, 2014.

⁴¹ Décret n° 2010-888 du 28 juillet 2010 relatif aux conditions générales de l'appréciation de la valeur professionnelle des fonctionnaires de l'Etat.

⁴² EUPAN, Spanish presidency, Public_Employment_European Union Member States, 2010.

⁴³ LOI n° 2009-972 du 3 août 2009 relative à la mobilité et aux parcours professionnels dans la fonction publique

⁴⁴ EUPAN, Lithuanian presidency, HR thematic paper, 2014.

⁴⁵ OECD (2011), *Public Servants as Partners for Growth: Toward a Stronger, Leaner and More Equitable Workforce*, OECD Publishing, <http://dx.doi.org/10.1787/9789264166707-en>

⁴⁶ LOI n° 2010-1330 du 9 novembre 2010 portant réforme des retraites.

Table: Average age of civil servants (2013)

| | |
|--|------|
| Central government (<i>fonction publique d'état</i>) | 42,2 |
| Territorial government (<i>fonction publique territoriale</i>) | 44,3 |
| Public employment in hospitals (<i>fonction publique hospitalière</i>) | 44,4 |

The reform has postponed the age of retirement for French civil servants. It has also set a longer period of insurance needed to get the maximum amount of pension at the moment of retirement.

Since the pensions' scheme reform in 2010, the measures below have been implemented:

- Raising of the retirement age from 60 years to 62 years in 2018, progressively with a rhythm of 4 additional months every year ;
- Raising of the social contribution for retirement from 7.85% to 10,55% during 10 years. The rate will progressively increase. The goal is to align the rate for the civil servants with the rate for the private sector.⁴⁷

After negotiation between the government and civil service unions (in 2008), a law about the renewal of labour-management dialogue was passed in 2010. This law:

- strengthens the impact of negotiations with the civil servants unions: negotiations could only deal with remuneration before. They now can concern work conditions, career, integration of the disabled, gender equality issues, etc.
- introduces an official rule of majority for recognizing an agreement (the Government and the Parliament remain free to regulate or legislate);
- includes mandatory consultations of staff representation bodies.

In 2012, a major law on civil service introduced a more competency-based selection in the recruitment of civil servants⁴⁸. In addition, this law gave opportunities to public employees having an employment contract (*contractuels*) with the administration to become statutory. Specific competitive examinations dedicated to this target groups were organized. Because of the distinction between statutory staff (*fonctionnaires*), who is employed for the whole career in public service, and contract staff (*contractuels*), the latter only gets temporary contracts to work in the public administration. The European obligation to offer a permanent contract to temporary contracts staff who worked 6 years in a company or a public administration created a third category of staff, permanent contract staff, which could be seen as an infringement of the recruitment rules of officials (competitive examination) whose main feature is to be permanently employed. Thus, those specific competitive examinations for contract staff were created for few years by this law in order to avoid the development of too many public agents with permanent contract.

This law, also called "*Sauvadet Law*" (name of the minister who prepared the draft law), also created minimum quotas for each gender (40%) among some senior civil servants appointments, within management boards of public establishments and within selection panels for civil servants competition. This measure has been progressively implemented with quotas of 20% from 2013 and 30 % from 2015. The 40-percent quota will be fully implemented in 2018. Financial penalties for non-compliance with the "*Sauvadet Law*"

⁴⁷ EUPAN, Irish presidency, Survey on the Structure of the Civil and Public Services of the EU Member States and Accession States, 2013.

⁴⁸ LOI n 2012-347 du 12 mars 2012 relative à l'accès à l'emploi titulaire et à l'amélioration des conditions d'emploi des agents contractuels dans la fonction publique, à la lutte contre les discriminations et portant diverses dispositions relatives à la fonction publique.

quotas were also introduced: each illegal appointment will be penalized (the penalty, which currently amount 30.000 euros, will amount to 90.000 euros in 2018).

In 2016, a major law⁴⁹ on civil servants ethics was passed. This law enshrines civil service values (established by case law) such as dignity, probity, neutrality, integrity. A prevention system against conflicts of interests has been set up. Whistle-blowers are protected by this law. Mobility conditions are even more simplified.⁵⁰

The main rights of civil servants are: the right to strike, join a union, ongoing training, participation, remuneration, protection and freedom of opinion (whether political, trade-union-related, philosophical or religious). Their main obligations are: professional confidentiality, professional discretion, performing the tasks entrusted to them, loyalty and following orders from superiors, etc.⁵¹

Since 2009, several reform projects have been initiated. They are also part of the wider General Review of Public Policies, specifically in relation to human resources. The main goals were mostly reducing public spending and simplifying procedures while increasing the efficiency and quality of public service.

3.3 Key characteristics of the central government HR System

3.3.1 The management of HR

The authority in charge of defining the HR policy and managing HR at central level is the Directorate General for Administration and Public Employment (*Direction Générale de l'Administration et de la Fonction Publique* DGAFP)⁵² which is part of the Ministry of the civil service. Its responsibilities are:

- conceive and modify the general status of the State Civil Service, including wage policy, by drafting all legal texts,
- lead social dialogue,
- and conceive the Human Resources policies of the State for all public agents.

Each ministry has an HR Directorate, which manages its own staff. The role of the DGAFP is to set the State's framework and general rules of the HR management, but every ministry is then responsible for the implementation of these rules, with a certain amount of flexibility.⁵³

The DGAFP has also the administrative supervision authority over the National School of Administration (ENA) and of the five Regional Institutes of Administration (IRA). ENA and the five IRA are involved in recruitment and initial training of the middle management (IRA) and high civil service (ENA) of the state civil service.

3.3.2 Recruitment and selection, promotion, appraisal, development and training

Individuals, who want to become civil servants in France, must pass a competitive examination. The success in this examination will allow them to follow a pre-service training program in a public school for administration and public service, in a period from one to three years. They will be definitively recruited as civil servant at the end of this

⁴⁹ LOI n 2016-483 du 20 avril 2016 relative à la déontologie et aux droits et obligations des fonctionnaires.

⁵⁰ See Task 2.

⁵¹ http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

⁵² Décret n° 2016-1804 du 22 décembre 2016 relatif à la direction générale de l'administration et de la fonction publique et à la politique de ressources humaines dans la fonction publique.

⁵³ EUPAN, Irish presidency, Survey on the Structure of the Civil and Public Services of the EU Member States and Accession States, 2013.

training. Candidates which participate to competitive examinations in order to enter the civil service already possess different levels of graduation (depending on the competitive examination) from basic education to high education. School for public administration and public service are therefore a cornerstone in the French civil service. There are more than 50 schools for administration and public service spread on the French territory, each with a specific field of competence and activity⁵⁴.

Most civil servants managers, especially top managers, have also to attend these schools for two or three years, during which they have the opportunity to alternate practical and theoretical training. The training provided in those Schools of public service is designed to teach future civil servants who are specialized in technical matters, as well as future civil servants who are meant to occupy executive functions. These specialised schools also provide courses designed for specific categories of civil servants, such as judges, police officers or top managers. Only civil servants who are recruited at the lowest levels in the civil service hierarchy, do not need to attend these public schools for administration and public service.

In 2013, as for central government public agents (excepted teachers) 1 523 million of euros were spent for training among which 715 for *formation statutaire* (schools of public administration pre-service training) and 813,9 million for *formation professionnelle* (in-service training).

3.3.3 Senior executive system

In France, the “Senior Civil Servants” are called High Level Civil Servants (*hauts fonctionnaires*). They enjoy special conditions that are different from the rest of the civil servants, but they do not have a legally defined status. However, high level officials are subject to special conditions in relation to their recruitment and entry, assignation of posts and benefits⁵⁵.

Table: Senior civil servants⁵⁶

| Functional level | Typical level | Belonging to senior civil service (yes/no) |
|-----------------------|-----------------------------------|--|
| 1 st level | Secretary General of the Ministry | Yes |
| 2 nd level | Director-General | Yes |
| 3 rd level | Director | Yes |
| 4 th level | Deputy director | Yes |
| 5 th level | Head of service | In certain case |
| 6 th level | Deputy head of service | In certain case |

In France there are over 5 000 senior civil servants in the Central Administration (around 16% of which are female).⁵⁷Top Civil service recruitment remains essentially centralised. Civil servants are mainly recruited at the beginning of their careers, through highly competitive examinations and training, through special institutes. The most important schools are: National Administration School (ENA) and the Polytechnic School (EP). The top 20% ENA trainees and the top 25% EP trainees are appointed to the most prestigious *grands corps* (State council, Inspectorate general for finances, Court of Auditors).

⁵⁴ List available at : <http://www.resp-fr.org/>

⁵⁵ http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

⁵⁶ Kuperus Rode, Top Public Managers in Europe, EIPA, 2008.

⁵⁷ http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

ENA is the principal mean for accessing the high-level civil service functions. However, there is also the possibility of becoming a Civil Administrator (*administrateur civil*) through specific recruitment systems open to all civil servants throughout their career (known as *Tour extérieur*). There are also specific examinations for technical corps (Polytechnic School) and specific competitions are organized by Ministries such as Foreign affairs, in order to recruit agents with specific competencies.

Entry Recruitment:

- ENA: At least a higher education diploma (or similar) and an examination. The proportion of posts via external examination is 50%, 40% internally and 10% from a third channel open to candidates from the private sector or those who have an elected mandate.
- EP: Secondary diploma, two years of preparatory classes and a competitive examination.

Leadership training for senior civil servants consists of training in negotiation, communication skills, public governance, etc.

3.3.4 Degree of patronage and politicization

For all public agents, there is a principle of political neutrality in performing their duty (*devoir de réserve*). Certain categories of civil servants face more severe restrictions than the general public service. For example members of the military are not allowed to belong to any association of a political nature⁵⁸.

The highest positions with the state civil service (about 700 people) are subject to discretionary appointments by the Government (Prefects, Directors, General, Ambassadors, etc.) without a fixed term contract and revocable at any time. For other senior civil servants positions, there are appointments with a defined duration (three years, renewable once). For discretionary appointments by the Government, a formalized procedure does not exist; for other appointments, there is a procedure to follow: advertising the position, interview by a jury, nomination, validation by the Prime Minister and the Minister concerned and consultation with the General Directorate for Administration and Civil Service.

3.3.5 Degree of centralization/decentralization

Senior Civil Servants are recruited by a more centralized process than general civil servants. Performance appraisal takes place annually. The Assessment interview is held between the Programme Manager and the Senior Civil Servant, or at the very top level. There are three core elements in the appraisal: Indicator-based objectives; operational quality of the service and the capacity of the Director and the assessment carried out by the hierarchical leaders. The appraisal defines the amount of the performance-based pay, which can be up to a maximum of 20% of the total salary. ⁵⁹

The process is more decentralized for general civil servants. Ministers have transferred a part of their competencies and authority concerning the organization of recruitment to the deconcentrated level. For example, the Ministry of the Interior, Ministry of Social Affairs and the Ministry of Culture have delegated their powers on this matter to the Prefects (*préfets*). Likewise, the Ministry of Education has delegated its powers to the

⁵⁸ Exceptions apply during the period of elections and when a member of the military is a candidate or elected official, such as a Member of the Parliament or city council member.

⁵⁹ http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

'recteurs' (chief education officers) and the Ministry of Defence to directors of ministerial management centres.

3.3.6 Social dialogue and role of trade unions

In theory, trade unions do not have the legal authority to initiate collective bargaining except for salary increases. In reality, the practice of bargaining has grown and deepened over the past ten years. During negotiations, the government is represented by the Ministry for the Civil Service (central government civil service), the Ministry for Health (hospital civil service) and the Ministry for Local Authorities (local government civil service). Employee representatives come from the eight major trade unions. Subjects discussed include working conditions, health, remuneration, etc. Although the agreements reached are not binding, the political weight that they represent is definite. The Government may act unilaterally in the case of failure to reach agreement.

The six most representative trade unions are

- French Democratic Confederation of Labour (CFDT),
- French Confederation of Christian Workers (CFTC),
- Union of Executives (CFE-CGC),
- General Confederation of Labour (CGT),
- General Confederation of Labour - Force Ouvrière (CGT-FO),
- National Union of Autonomous Unions (UNSA)

Compared to other EU-member states, the representativeness of trade unions is low. They have signed the "Bercy Agreements" in 2008 aimed to strengthen the role of bargaining and social dialogue between civil service branches and between ministries, underscore the legitimacy of technical committees and advisory bodies, and reinforce the rights and means for trade union action⁶⁰.

Collective bargaining is centralized on a national level; and includes salary increases within the limits set out in the Budget by the Ministry for Finance. According to the "Bercy Agreement", a deal between trade unions and employers is considered to be valid if 2 trade unions, with a minimum of 20% of the votes of the entire union representation, sign it and it is not rejected by any organization that represents a majority of the votes.⁶¹

3.3.7 Remuneration

Remuneration is based on the employee's grade and the rank of the position occupied, or in other words, for belonging to a corps and the rank within each corps. The rank is linked to a base remuneration according to the civil servant's position on a common scale. In addition to grade, rank and position, remuneration consists of compensation for residence, a family supplement and legal compensation. Therefore, the main remuneration is determined by a civil servant's grade within his/her corps and a rank associated to a gross index or classification index, to which a salary index that varies between 280 and 821 is assigned. Annual salary is calculated by multiplying this salary index by a percentage.

A harmonized, streamlined and more individualized bonus system, known as the "Function and Performance Bonus" is currently being introduced, in which remuneration has a functional part that takes account of the civil servant's responsibilities, and another

⁶⁰ http://www.fonction-publique.gouv.fr/files/files/publications/coll_point_phare/releve_conclusions_dialogue_social.pdf

⁶¹ http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

that covers a person's individual performance, which is evaluated in individual interviews.⁶²

Comparisons between the private and the public sector show that net monthly salaries for executives (*cadres* for the private sector and *catégories A* for the public sector) in 2013 are about 30% higher in the private sector. However, this is not the case for other categories of employees.⁶³

| HR system (Career vs. position based) | Employment status (civil servant as standard; dual; employee as standard) | Differences between civil servants and public employees (high, medium, low) | Turnover (high, medium, low) |
|--|--|--|---|
| Career | Civil servants | Medium | Low for civil servants Medium for public employees |

| 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) |
|--|---|---|--|
| Central government | lower | Low | Low |
| Territorial government | lower | High for senior executives | High for senior executives |

4 POLITICAL ADMINISTRATIVE SYSTEM AND POLITICAL ECONOMY

4.1 Policy-making, coordination and implementation

4.1.1 State system

The French polity is a decentralized unitary state.

France was formerly centralized. It has possessed a strong administrative tradition since at least Napoleonic times. Five main features of the system as it existed in the late 1970's may be noted:

- a tradition of state direction of the economy and society (dirigisme),
- a centralized direction of the state apparatus by two sets of *grands corps*,
- a strong central presence sub-nationally through the presence of *préfet* (prefect) and many local units of central ministries (deconcentrated State service) in each *département* and region,
- division of the civil service into large number of *corps* each with its own educational entry requirement and its own set of hierarchically arranged posts, defined by a general civil service law and its own professional *esprit*,
- the importance of a special body of administrative law in regulating administrative procedures and appointments. The French system is a "legal model" in the sense that it is regulated by legal rules which conceive the state administration as inhabiting an autonomous domain apart from civil society.

⁶² http://ec.europa.eu/eurostat/statistics-explained/index.php/Public_employment_-_France

⁶³ Insee website: <https://www.insee.fr/fr/statistiques/1287895> and <https://www.insee.fr/fr/statistiques/2121609>

However, these features have come under strain with the modernization process during the last thirty years, with a series of separate initiatives by different governments. The two most prominent were, first decentralization and deconcentration and, second, modernization.

The strategic shift towards decentralization came in the mid 1980's when the socialist government under President Mitterand removed the prefects' tutelle and created local collectives as autonomous authorities. Direct elections were established for regional councils, and legislation during 1982 gave local collectives significant new taxing and budget-making powers.

The deconcentration charter of 1992 marked a further step in shifting authority from the centre to the periphery. In the French context: decentralization means transfer of authority from the central state to the regional and local governments. Deconcentration means devolution of competence and managerial authority to the local administrative units of central government as well as the agencies⁶⁴. Autonomy in personnel management, in budget management, and for administrative decisions has been transferred to the deconcentrated states services and the prefects.

The second theme – modernization – came to prominence under Prime Minister Rocard in 1989, although earlier discussions and initiatives had occurred throughout the 1980's. The successive phase of "administrative modernization" has been characterized by a broad continuity of policy rather than by partisan differences between governments of the Left and the Right.

A third theme, characterized by much greater divergence between the parties which held power, was that of privatization.

From about 2000 on three reform movements, initially disconnected, seem to have developed in a converging and mutually strengthening direction. First came the LOLF (2001), which revamped the financial steering control and potential evaluation from a vast number of single line items to a limited number of missions and programs. Second, was the RGPP (2007) which combined a presidentially guided policy review agenda with tough savings, and ultimately also a ministerial restructuring focused on efficiency and productivity. Third has come the territorial reform of the French state, where regions were created and the regional prefect has the leading and coordinating capacity for de-centred, regional, and departmental activities.⁶⁵

4.1.2 Executive government (majoritarian/consensual), minister-mandarin relations

The apex of the ministries (minister and cabinet) is fairly politicized. The French political system is distinctive, belonging neither to the "majoritarian" camp nor to the consensual system. Elections are according to plurality and cabinets are usually one-party or a minimal coalition, but these majoritarian features are offset by the existence of a multi-party system and a strong directly elected presidency.

Since 1980, there has been a fairly alternation of the political parties in office, with these sometimes matching the party identification of the president but sometimes not (the

⁶⁴ Irina Bilouseac and Petronela Zaharia, The distinction between decentralization and deconcentration of public services in The Annals of The "Ștefan cel Mare" University of Suceava. Fascicle of The Faculty of Economics and Public Administration Vol. 9, No. 2(10), 2009.

⁶⁵ Christopher Pollitt and Geert Bouckaert (2011), Public Management Reform: A Comparative Analysis – New public Management, Governance and the Neo-Weberian State. Oxford: Oxford University Press, Third Edition, 352 pp.

periods of cohabitation). Obviously, all things being equal, a President is stronger when his own party also forms the government.⁶⁶

According to Hood⁶⁷, French government is characterized as a hybrid bargain with a range from private secretariat or adviser roles (cabinet), such as the tradition of 'posts of confidence', to more extensive arrangements. Ministers are surrounded by a team of trusted councilors (typically recruited within the central government public service) and work with them on a team basis with temporary contracts.

4.1.3 Consultation for decision making

In France, the intensity and variety of pressure-group activity tends to be moderate. The system belongs to the category of sectoral corporatism rather than active pluralism, it means that governments deals with a small number of peak associations (big employers, big unions), rather than being particularly permeable to a wider range of interest or issue groups. Such deals are facilitated by the frequency with which members of the grands corps move between government and business positions (pantouflage). In respect of public management reforms, the pressure from the citizenry in general appears to be limited.⁶⁸

| Distribution of powers | Coordination quality (high, medium, low) | Fragmentation (high, medium, low) |
|--------------------------|---|--------------------------------------|
| Semi-presidential regime | High | Medium |

| Political economy (liberal – coordinated) | Interest intermediation (corporatist – pluralistic) | Citizen participation (strong – weak) | Policy style |
|--|--|--|--------------|
| coordinated | pluralistic | medium | |

| 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) |
|---|--|--|---|---|
| Mainly civil service Some consultants since 2000 | High | Merit high | hybrid | high |

4.2 Administrative tradition and culture

⁶⁶ Christopher Pollitt and Geert Bouckaert (2011), *Public Management Reform: A Comparative Analysis – New public Management, Governance and the Neo-Weberian State*. Oxford: Oxford University Press, Third Edition, 352 pp.

⁶⁷ Christopher Hood, *Public service bargains and public service reform*, 1999.

⁶⁸ Christopher Pollitt and Geert Bouckaert (2011), *Public Management Reform: A Comparative Analysis – New public Management, Governance and the Neo-Weberian State*. Oxford: Oxford University Press, Third Edition, 352 pp.

4.2.1 Administrative tradition

According to Kuhlmann and Wollmann⁶⁹, France is part of the Continental European Napoleonic rule-of-law (Rechtsstaat) culture and the Roman-French family of legal system.

The continental European rule of law culture is characterized by:

- separation or hierarchisation of state and society (public/private legal sphere),
- the state as an integrating force of society (intérêt général),
- comprehensive codification of legal rules (Roman tradition),
- administrative action as implementation of law by means of legal specification,
- dominant values in administrative action (principle of legality, equal treatment, neutrality of interests).

The continental European Napoleonic model is marked first by the common Roman-French legal tradition and the importance of statutory law. The understanding of state and administration is defined by the principle of legality (principe de légalité), and is reflected in a comprehensive codification of legal norms and an extended administrative judicature.

The Napoleonic tradition is characterized by a strong centralized government, a comprehensive, political culture-rooted acceptance of (centralized) governmental regulatory authority and a powerful centralized bureaucracy. The largely sectorally defined authorities and a powerful centralized bureaucracy usually extend from the central to the local levels while its centralist embodiment and personification can be seen in the central government-appointed prefect (préfet).

The structure of the French welfare state belongs to the conservative type. It is characterized by a guarantee of social security while simultaneously maintaining status differences and a lower effect of redistribution.

On the relationship between state/administration and society/citizens, France is a typical Continental European formalized regulatory culture with a high degree of formalization of administrative action and the formalized direction of administrative activities through regulation and programs.

| Administrative culture (Rechtsstaat, Public Interest) | Welfare state (liberal, conservative, social-democratic) | Public sector openness (open, medium, closed) |
|--|---|--|
| Rechtsstaat | Conservative | Closed |

| Key PA Values | Managerial vs Procedural (Managerial, Mixed, Procedural) | Red Tape (regulatory density) (very high to very low) | Discretion/autonomy (high, low, medium) |
|--|---|--|--|
| General interest Equality of treatment, solidarity, continuity, laicism, neutrality ⁷⁰ | Procedural | high | medium |

⁶⁹ Kuhlmann, S. And Wollmann, H. (2014) Introduction To Comparative Public Administration: Administrative Systems And Reforms In Europe, Cheltenham And Northampton, Ma, Edward Elgar.

⁷⁰ Larat, F. and Chauvigné, C. (2016), *Vivre les valeurs du service public*, Presse de l'école des hautes études en santé publique.

4.2.2 Hofstede's analysis / Administrative culture

According to the data provided, France's culture shows some interesting features, in particular regarding some kinds of dominating behaviours or patterns of relationship between individuals on the one side, and between individuals and institutions on the other.

| Hofstede national culture dimensions | | |
|--------------------------------------|-------|--------------|
| Dimension | Value | Average EU28 |
| Power Distance | 68 | 52 |
| Individualism/Collectivism | 71 | 57 |
| Masculinity/Feminity | 43 | 44 |
| Uncertainty Avoidance | 86 | 70 |
| Long-term Orientation | 63 | 57 |
| Indulgence/Self-restraint | 48 | 44 |

Sources: Geert Hofstede's national culture dimensions

According to Hofstede⁷¹, the French combination of a high score on power distance and a high score on individualism is rather unique. Contrary to formal obedience, the high level of power distance doesn't mean that the authority of individuals or institutions is accepted without discussion: on the contrary, confrontation in the shape of disputes, strikes, or even revolts is a common means for regulating social conflicts. Generally speaking, the French prefer to be dependent on the State and its central government, an impersonal power centre which cannot easily invade their private life. As for uncertainty avoidance, French culture scores high too. There is a strong need for laws, rules and regulations to structure life. France also scores high in long-term orientation, which is a sign of pragmatic orientation and flexibility.

These general characteristics can be equally found in the organizational culture prevailing in French government and public administration. As a result of high level of power distance, hierarchical structures and relationship are rather important and hierarchical decision making (arbitrage) and confrontation are more common than trying to find a consensus. Together with the high level of uncertainty control, this leads to a configuration of administrative organizations with a strong standardization of work processes.⁷² Regarding decision making, France is pretty much used to top down decisions made by individuals rather than in groups through unanimous agreement. The same applies to the management style: status is important, organizational structures are multi-layered and fixed and communication mostly follows set hierarchical lines.⁷³

Among the Western administrative traditions, France belongs to the Napoleonic one, based on a unitary organization of the state, a technocratic orientation towards decision-making. Law is an instrument of the State for intervening in society rather than serving as a means of conflict resolution between different societal actors. Administration is closely bound to the law and there is a complex hierarchy of constitutional law, statute, regulations, administrative notes and circulars that define the scope and content of all administrative action.

⁷¹ <https://geert-hofstede.com/france.html>

⁷² For a detailed description of the French administrative culture, in particular compared to the German one, cf. Fabrice Larat "les cultures administratives française et allemande et la coopération bilatérale", in J. Beck and F. Larat (eds), *Les cultures administratives transnationales en Europe*, Zurich, DIKE, 2015.

⁷³ See Erin Meyer, *The culture map. Decoding how people think, lead and get things done across culture*. New York, Public Affairs, 2014

As for the relationships between public administration and the citizens, the concept of public service “clients” is not very popular in France for two reasons. First, until a recent past because of the legalistic tradition, they were referred to as les administrés (ie. losing their quality of subject and becoming objects of the administration). Today, one mainly speaks about them in a more neutral way as “users” (usagers). The other reason has to do with the high degree of individualism in French culture as pointed out by Hofstede. This explains why the notion of “Customer service” is not so important, but much more the respect for what people do or are, since as citizens all French expect to be treated equally.

5 GOVERNMENT CAPACITY AND PERFORMANCE

Methodological concerns and remarks regarding the assessment of France’s government capacity and performance based on the criteria proposed in this section

Government performance understood as “the potential of public administration to obtain desired results and policy outcomes” (as mentioned in the Section 5 assignment) depends on a wide range of hexogen and endogen variables. Put in a nutshell, what is meant with this potential are the variables than might explain why a public administration is able – or not – to obtain the ‘desired’ results and thus can influence the level of the said performance.

In this context, a key question is to know who defines what are or should be (in terms of level and of importance) the desired results to be obtained by governments and publics administrations: The national PA itself? The national government? Or are they defined externally according to international standards (for instance what is considered to belong to the ‘Good governance’ definition according to the OECD or the EU), which then introduce a normative bias in this international assessment... In this case, what are presented as the ‘desirable’ results for a specific national government is then defined not from the perspective of its own goals and objectives but from international criteria, whose selection (just as the calculation of values used in the comparative tables) might actually have little to do with what is really at stake in this specific country, although they are presented as ‘objective’ indicators of ‘performance’. Moreover, the logic of comparison and of classing through rankings can be criticized as following a performative agenda without having the legitimacy to do it.

In addition, some reasons for the results may rely on the decisions made in terms of public action/public policies, for which political decision makers (executive or legislative branch) are mostly responsible⁷⁴, and therefore cannot be related to the situation of the national public administration in question. The same applies to the general economic, legal (importance of the “Rule of law”) and social context (“Trust in government”), as well as to the attitude of the citizens and public service users: they are all independent variables (because located outside the PA sphere) and should not be confused with the depending variables which indeed can explain the PA’s ‘performance’ (i.e. the enabling factors).

When it comes to the indicators suggested in the guidelines to complete this survey, not all of them are relevant, since some of them (such as the following items of category 5.1 “Transparency and accountability” “access to government information” ; items of category 5.3 “Service delivery” : “Barriers to public sector innovation”, “Services to business”, or items of category 5.6 “Overall government performance” such as “Improvement of PA”, and last but not least “Public sector performance”...) are rather expressions of the lack of performance (ie. consequences) and not the reasons for this (i.e. causes).

⁷⁴ This is the case for the “regulatory quality” which very much depends on the executive’s and legislative’s work (eg. the trend to over regulate in France in the sense of too much law making has much to do with political communication).

In addition, there are intrinsic limits in terms of comparability of such heterogeneous indicators whose empirical basis and validity is not clear.⁷⁵ The same applies to the methodological questions raised regarding the way the data were collected. All this makes it difficult to conduct the assessment of the results properly, as asked in the assignment.

General assessment of the relationship between Government capacity and performance in France

Since the 90's, a new doxa of public finances is dominant in France: Public finances are not considered anymore only as administrative operations with an impact on economy that can be used as a steering instrument of macro-economy, but public entities and their activities are a full part of the general economy. Because of international regulations (WTO), EU law, transfers of competences to the EU and privatizations (the full privatization of public enterprises was decided in 1986 for banks, telephone, post, electricity, gas and airports), the State has lost great parts of its direct capacity of intervention in the economy – the formally called "French dirigisme". Simultaneously, for macro-economy regulation monetary policy is more important than State budget policy.

The Constitutional bylaw of 1/8/2001 on budget acts (LOLF) has been a major source of change in terms of performance of governmental action with a strong impact on the work of the French public administration. The budget is now divided into programs in which concrete objectives are coupled with performance indicators, thus establishing a clear linkage between the policies and the means. Systematic evaluations are conducted through annual performance reports and the procedure of budget execution has been modernized as well. The logical framework of the LOLF leads to a better political control by Parliament and the Ministry of Finances thanks to the new nomenclature. Through the new principles of accountability (business like accounting system), an important rewriting is underway. This allows a better knowledge of the costs of policies. The result is a changed distribution of powers and improved controls (efficiency rather than regularity). Generally speaking, attention is now paid to the efficiency of the public system rather than to its capacity to rule market economy.

Having said this, it is important to keep in mind that the French public administration is the product of centuries of history which put it as a key element in the very heart of the State's idea, both as to its reality and as to its representations in the peoples' minds. A well organized, strong and centralized administration is a legacy of the past. As Jean-Marc Sauvé, Vice-President of the Council of state and most senior civil servant in the State apparatus stresses « the French administrative system was built in parallel to the development of the State, according to rules that for a long time seemed to be unchanging and which for many of them are still relevant such as the career system, the recruitment and training of civil servants and the values of the civil service".⁷⁶

Long standing traditions, a vivid administrative culture with a strong identification with what can be called a neo-Weberian model, all this explain many of the French government and public administration's specificities, as they appear in the figures and comparative tables used below.

Regarding the various dimensions, besides the methodological criticisms explained above as to their validity as aggregated variables and their relevance for an objective assessment of both the overall public administration capacity and performance of the EU member states, the figures displayed in the comparative tables must be interpreted with two kinds of restrictions. The first one deals with the degree of priority for a country like France of the items selected for each of the 6 dimensions.

⁷⁵ Among others, the degree of representativeness of the respondents to the different surveys.

⁷⁶ Jean-Marc Sauvé, «Enjeux Et Defis De L'administration Française», *Parole Publique*, 11 Mars 2013.

The second restriction relates to the time discrepancy between ongoing reforms and the image of reality provided by the indicators which often rely on rather old data.⁷⁷ The impact of the government called "*Choc de simplification*" initiated in March 2013 aiming at developing anti-red-tape measures to simplify administrative procedures cannot yet be taken into consideration in the surveys used in the comparative tables (see indicators "Services to business" and "Ease of doing business").

More important than the rankings and the aforementioned given values (whose mode of calculation and representativeness for means of comparison can be questioned), the limits and pitfalls or even the issue of possible contradictions between some objectives or principles related to the assessment of public administration capacities and performance should be raised in connection with what should be described in this section.

For instance, "Access to government information" indeed does contribute to the transparency and accountability of the Government, but the right of access to information can be limited in certain circumstances, like for security reasons, which in times of terrorism may be another priority.⁷⁸ In France, access to government information was strengthened in 1978 through the establishment of an independent agency, CADA (Commission d'Accès aux Documents Administratifs). This body guarantees that any private or public entity is entitled to be delivered any document requested from a public administration or service, regardless of the legal status of the organization (private or public) if the institution maintains a public service. However, some restrictions have been established, mainly in relation with issues regarding the private sphere or the protection of intellectual property or business information in order to safeguard competition between companies. The main and more controversial issue is the refusal to issue documents by citing security or national defence concerns, a concept which can be applied broadly and with a limited capacity for challenging before a court. As a matter of fact, the government 'performance' in relation with one of the selected dimension can be related to a particular context and is sometimes very much a matter of perspective.

Results from the selected indicators highlight interesting paradoxes based on apparent contradictions. A high level of Impartiality and professionalism of civil servants as it is the case in France should contribute to the trust in government, which is apparently not totally the case. Different surveys show indeed a high level of distrust in the French population against a broad range of institutions (government, Parliament, EU), yet not only public ones (low level of trust in media and trade unions), whereas trust in hospitals, the army, the police is high⁷⁹. This is the sign for a societal - and possibly cultural - malaise, which goes far beyond the issue of the public sector performance, and relates with the growing influence of populists political discourses.

Another apparent contradiction can be found in the discrepancy between the rather high level of citizens who declare being satisfied from the quality of public services in France and the fact that only 37 % have a good opinion of the same public services.⁸⁰ While being critical, a large majority of French people (about 70%) express their appreciation for social security system, the public education service or for justice.⁸¹ All in all, this

⁷⁷ For example, for the indicator « Barriers to public sector innovation », the data are taken from the Innobarometer 2010 and from a question related to the situation in January 2008...

⁷⁸ The *Commission nationale informatique et liberté* as an independent agency in charge to protect personal data, support innovation, preserve individual liberties is an important player in the field of transparency and accountability related to the regulation of data protection. <https://www.cnil.fr/en/cnils-missions>

⁷⁹ See the annual "Baromètre de la confiance publique" from CEVIPOF, <http://www.cevipof.com/fr/le-barometre-de-la-confiance-politique-du-cevipof/resultats-1/vague8/>

⁸⁰ Baromètre Institut Paul Delouvrier 2016 <http://www.delouvrier.org/?q=travaux/barometredec2016>

⁸¹ IFOP opinion pool, «Observatoire des politiques publiques : Les Français et les services publics», January 2017, http://www.ifop.fr/?option=com_publication&type=poll&id=3635

reveal strong and partly contradictory expectations towards the State, and the public sector at large.

5.1 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) | 64.43 | 7 | 68.29 | 9 | +3.86 | -2 |
| | Value 2010 | EU28 rank | Value 2015 | EU28 rank | Δ Value | Δ Rank |
| Voice and accountability (-2.5,+2.5) | 1.20 | 11 | 1.18 | 11 | -0.02 | 0 |
| Control of corruption (-2.5,+2.5) | 1.44 | 11 | 1.28 | 11 | -0.16 | 0 |
| TI perception of corruption (0-100) | 68.00 | 11 | 70.00 | 11 | +2.00 | 0 |
| | Value 2010 | EU28 rank | Value 2014 | EU28 rank | Δ Value | Δ Rank |
| Gallup perception of corruption (%) | 56.00 | 10 | 64.00 | 14 | +8.00 | -4 |

The discrepancy between ongoing reforms and the image of reality provided by the indicators – described above - also applies to some items of the dimension “Transparency and accountability”. Major initiatives have been taken in this field over the very last years, such as the law on officials’ ethics, rights and obligations, passed in 2016 (Loi n° 2016-483 du 20 avril 2016 relative à la déontologie et aux droits et obligations des fonctionnaires) the Loi n° 2016-1691 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique, and the Loi organique n° 2016-1690 relative à la compétence du Défenseur des droits pour l'orientation et la protection des lanceurs d'alerte.

They have improved the public procurement procedures with regards to anticorruption, introduced stronger conflicts of interest prevention measures, and a protection framework for whistle-blowing cases, providing the highest standards existing in Europe at the moment. If France, considered as a whole, appears not to be greatly affected by corruption according to the various opinion polls conducted in recent years, the situation may vary depending on the categories of institutions considered. Judges and prosecutors are thus well perceived in terms of integrity, whereas the public perception concerning elected officials is clearly more negative in this respect.⁸² The High Authority for transparency in public life was established in January 2014 as an answer to this. It replaced the “Commission on the financial transparency of public life”, whose powers and resources were limited and inadequate to properly verify probity amongst elected and appointed public officials.⁸³

⁸² GRECO, Fourth evaluation round report for France “Prevention of corruption in respect of members of parliament, judges and prosecutor”
<http://www.coe.int/en/web/greco/evaluations/france>

⁸³ The laws of October 2013 on transparency in public life came to fix a perceived problem in the French constitutional architecture: the regulation of public integrity sought to be entrusted to a unique, fully independent, and more effective authority, in charge of enforcing ethical obligations, preventing conflicts of interests, counseling and advising public officials or administrations, and promoting transparency in public life. See <http://www.hatvp.fr/the-high-authority/who-we-are/an-independent-institution/>

5.2 Civil service system and HRM

| Indicator | Value 2012 | EU28 rank | Value 2015 | EU28 rank | Δ Value | Δ Rank |
|------------------------------|------------|-----------|------------|-----------|---------|--------|
| Impartiality (1-7) | 2.52 | 10 | 1.80 | 5 | -0.72 | +5 |
| | Value 2012 | EU26 rank | Value 2015 | EU26 rank | Δ Value | Δ Rank |
| Professionalism (1-7) | 4.83 | 7 | 5.40 | 4 | +0.57 | +3 |
| Closedness (1-7) | 6.17 | 2 | 6.27 | 1 | +0.10 | +1 |

Sources: *Quality of Government Institute Gothenburg.*

Long standing traditions, a vivid administrative culture with a strong identification with what can be called a neo-Weberian model, all this explain many of the French government and public administration's specificities, This particularly holds truth for the indicators related to the "Civil service and HRM" dimension (e.g. "Professionalism", "Impartiality" and "Closedness") which are commonly regarded in France as conditions for a good public administration. Similarly, merit based recruitment as well as dedication to the service of the public and to the general interest are widely considered as very important. Large numbers of candidates to the "concours", the open competition exams for the recruitment in the French civil service show its attractiveness.⁸⁴

5.3 Service delivery and digitalization

| Indicator | Value 2013 | EU28 rank | Value 2015 | EU28 rank | Δ Value | Δ Rank |
|---|------------|-----------|------------|-----------|---------|--------|
| E-government users (%) | 31.57 | 7 | 42.22 | 7 | +10.65 | 0 |
| Pre-filled forms (%) | 27.71 | 22 | 27.00 | 20 | -0.71 | +2 |
| Online service completion (%) | 75.43 | 13 | 86.00 | 12 | +10.57 | +1 |
| | Value 2010 | EU28 rank | Value 2016 | EU28 rank | Δ Value | Δ Rank |
| Online services (0-1) | 0.68 | 3 | 0.94 | 2 | +0.26 | +1 |
| | Value 2013 | EU27 rank | | | | |
| Barriers to public sector innovation (%) | 23.46 | 18 | | | | |
| | | | Value 2015 | EU28 rank | | |
| Services to businesses (%) | | | 29.50 | 23 | | |
| | Value 2011 | EU28 rank | Value 2016 | EU28 rank | Δ Value | Δ Rank |
| Ease of Doing business (0-100) | 70.49 | 14 | 76.27 | 15 | +5.78 | -1 |

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.*

As to "Service delivery and digitalization", the Secrétariat général à la modernization de l'action publique as a central body is working to modernise French administration. It drives innovation through open data and digital opportunities for a better response to user needs. French Government, as a member of the Open Government Partnership (OGP), is working with the Open Government community to foster greater transparency and accountability, improve governance, and increase civic engagement.⁸⁵ Values for the indicators "E-government users" or "Online service" are consequently high. On the other hand, the indicators "Services to business" or "Ease of doing business" aim at making the relationship to public administration 'business friendly', an objective that may conflict with other priorities, for instance the willingness to maintain a high level of regulation in France in the fields of environmental standards, of consumers protection or of labour law.

⁸⁴ Following the 2015 terrorist attacks in Paris, the number of individuals willing enter the police and other services related to security rose dramatically.

⁸⁵ As Lead Chair of the Open Government Partnership (OGP), France hosted its fourth OGP Global Summit 2016 in Paris from December 7 to December 9. According to Open budget index 2015, France provides the public with substantial budget information.

5.4 Organization and management of government

| Indicator | Value 2014 | EU28 rank | Value 2016 | EU28 rank | Δ Value | Δ Rank |
|--------------------------------------|------------|-----------|------------|-----------|---------|--------|
| Strategic planning capacity (1-10) | 5.00 | 15 | 5.00 | 16 | 0.00 | -1 |
| Interministerial coordination (1-10) | 8.50 | 2 | 8.00 | 7 | -0.50 | -5 |
| SGI Implementation capacity (1-10) | 7.14 | 8 | 6.86 | 10 | -0.28 | -2 |
| | Value 2012 | EU26 rank | Value 2015 | EU27 rank | Δ Value | Δ Rank |
| QOG Implementation capacity (1-7) | 5.00 | 13 | 5.27 | 12 | +0.27 | +1 |

Sources: Bertelsmann Stiftung, Quality of Government Institute Gothenburg.

The same points as described in 5.2 applies to the dimension "Organisation and management of government": Centralisation, a strong ministerial bureaucracy, a well-trained senior civil servants class characterized by a strong inter-ministerial focus, as well as some dedicated structures for overall coordination (Secrétariat général du gouvernement) are key assets for items such as "Strategic planning capacity", "Inter-ministerial coordination" or "SGI implementation capacity".⁸⁶ In December 2016, measures were taken to strengthen the role of the General directorate for administration and of the public service (DGAFP) as a general coordination and steering organ to set directions in the field of human resource management for all ministries. This case belongs to the different attempts seeking to develop more coherence and coordination within government and the public administrations.

5.5 Policy-making, coordination and regulation

| Indicator | Value 2014 | EU28 rank | Value 2016 | EU28 rank | Δ Value | Δ Rank |
|--|------------|-----------|------------|-----------|---------|--------|
| Societal consultation (1-10) | 6.00 | 14 | 5.00 | 17 | -1.00 | -3 |
| Use of evidence based instruments (1-10) | 3.67 | 20 | 3.33 | 22 | -0.34 | -2 |
| | Value 2010 | EU28 rank | Value 2015 | EU28 rank | Δ Value | Δ Rank |
| Regulatory quality (-2.5,+2.5) | 1.31 | 13 | 1.15 | 14 | -0.16 | -1 |
| Rule of law (-2.5,+2.5) | 1.51 | 10 | 1.41 | 11 | -0.10 | -1 |

Sources: Bertelsmann Stiftung, World Bank.

As for the dimension "Policy-making, coordination and regulation", the issue of regulatory quality is restricted to the "ability of the government to formulate and implement sound policies and regulations that permit and promote private sector development", which doesn't totally match the other priority of the French legalistic understanding of "Regulatory quality" which is the legal consistency of laws and by-laws. Even if there is an obligation in France to conduct regulatory impact assessments and ex-ante evaluations on many policy issues, this often remains a formal exercise because of the lack of time or of appropriate tools. This however cannot be interpreted as a reluctant attitude to "evidence based instruments".

⁸⁶ The values presented in the Table 5.4 as well the resulting rankings do not fully correspond to the reality as for the French situation. For inter-ministerial coordination, the two first items (out of 6) taken into consideration are not relevant at all in the French case. As to the coordination of European affairs, the French system is widely considered, together with the British system as the most performant (See "Coordonner les affaires Européennes", special issue, *Revue française d'administration publique*, Nr. 158, 2016).

5.6 Overall government performance

| Indicator | Value 2010 | EU28 rank | Value 2016 | EU28 rank | Δ Value | Δ Rank |
|---|------------|-----------|------------|-----------|---------|--------|
| Trust in government (%) | 25.00 | 18 | 14.00 | 26 | -11.00 | -8 |
| | Value 2011 | EU27 rank | | | | |
| Improvement of PA over last 5 years (%) | 6.00 | 17 | | | | |
| Indicator | Value 2010 | EU28 rank | Value 2015 | EU28 rank | Δ Value | Δ Rank |
| Public sector performance (1-7) | 4.84 | 11 | 4.58 | 12 | -0.26 | -1 |
| Government effectiveness (-2.5,+2.5) | 1.45 | 11 | 1.44 | 10 | -0.01 | +1 |

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

As for the "Overall government performance", it should be mentioned that as presented in the Task 2 report, a wide range of reforms impacting the management of public administration and the general organisation of the French State have been initiated during the last 10 years. In terms of distribution of competences, number of available staff, organisation and management, this will considerably impact the capacities of the French public administration and the overall performance of the policy making process in general and of public services delivery in particular in the next years, but the exact outcome of these reforms remains open.

The French government and the French public administration in general offer a good level of transparency and of accountability. Management based on objectives generalized within the framework of the LOLF triggers new forms of accountability of ministries towards Parliament and of state executive agencies towards their parent ministries.

Civil Service system and HRM: the civil service is highly professional and civil servants have a high level of impartiality, motivation and dedication to their tasks. As for HRM, there is still room for improvement (ongoing reform for State civil service, some deficiencies regarded the Territorial civil service) and the statute (legal framework protecting civil servants) can be seen as an obstacle to flexibility.

Service delivery and digitalization belong to the priorities of the government and major improvements are ongoing in that domain are happening in this field.

Organization and management of government: As a result of successive important reforms over the last years (RGPP, REATE, MAP, Loi NOTRE), governmental bodies and the overall structure of the state public administration have undergone an extensive reorganisation and modernization.

Policy-making, coordination and regulation: whereas government coordination is well organised, implementing transversal policies remains a challenge in terms of efficient coordination. Despite substantial efforts undertaken to simplify public action and relationship between citizens and public administrations, there are still progress to be made in the sense of better law making, as underlined in a recent report by the Council of state.

Overall performance: French citizens are used to benefit from high standards as to public services and also have a high level of expectations. Limited public funding combined with numerous economic and social challenges make necessary to better set priorities and to enhance efficiency.

Getting in touch with the EU

In person

All over the European Union there are hundreds of Europe Direct Information Centres. You can find the address of the centre nearest you at: <http://europa.eu/contact>

On the phone or by e-mail

Europe Direct is a service that answers your questions about the European Union. You can contact this service

- by freephone: 00 800 6 7 8 9 10 11 (certain operators may charge for these calls),
- at the following standard number: +32 22999696 or
- by electronic mail via: <http://europa.eu/contact>

Finding information about the EU

Online

Information about the European Union in all the official languages of the EU is available on the Europa website at: <http://europa.eu>

EU Publications

You can download or order free and priced EU publications from EU Bookshop at: <http://bookshop.europa.eu>. Multiple copies of free publications may be obtained by contacting Europe Direct or your local information centre (see <http://europa.eu/contact>)

EU law and related documents

For access to legal information from the EU, including all EU law since 1951 in all the official language versions, go to EUR-Lex at: <http://eur-lex.europa.eu>

Open data from the EU

The EU Open Data Portal (<http://data.europa.eu/euodp/en/data>) provides access to datasets from the EU. Data can be downloaded and reused for free, both for commercial and non-commercial purposes.

