



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

## The Netherlands

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**Public administration  
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## TABLE OF CONTENTS

<b>1</b>	<b>SIZE OF GOVERNMENT</b>	<b>759</b>
<b>2</b>	<b>SCOPE AND STRUCTURE OF GOVERNMENT</b>	<b>762</b>
2.1	State system and multi-level governance	762
2.1.1	<i>The state and /government system: organisation of government levels and their constitutional status</i>	762
2.1.2	<i>Powers of different levels of government in the Dutch system of multi-level governance and reform capacity</i>	763
2.2	Structure of executive government (central government level)	767
<b>3</b>	<b>KEY FEATURES OF THE CIVIL SERVICE SYSTEM</b>	<b>768</b>
3.1	Status and categories of public employees	768
3.2	Civil service regulation at central government level	769
3.3	Key characteristics of the central government HR System	770
3.4	Public sector remuneration and rewards	771
<b>4</b>	<b>POLICY-MAKING, COORDINATION, IMPLEMENTATION AND POLITICAL-ADMINISTRATIVE RELATIONS</b>	<b>771</b>
4.1	Policy-making, coordination and implementation	771
4.2	Administrative tradition and culture	773
<b>5</b>	<b>GOVERNMENT CAPACITY AND PERFORMANCE</b>	<b>774</b>
5.1	Transparency and accountability	774
5.2	Civil service system and HRM	776
5.3	Service delivery and digitalization	776
5.4	Organization and management of government	777
5.5	Policy-making, coordination and regulation	778
5.6	Overall government performance	778
<b>6</b>	<b>REFERENCES</b>	<b>780</b>

## 1 SIZE OF GOVERNMENT

Examining the relative ranking of the Dutch public sector in regard to the size of general government expenditure, we find that Dutch public sector expenditure is positioned right in the middle of EU member states according to the OECD figures presented in the table below. This ranking within the EU 28 member states stayed almost unchanged between 2010 and 2015. There is however a downward tendency to be observed: from 48.16% of GDP to 45.14 in 2015. This downward movement has been a consequence of the austerity programs issued and implemented by the liberal party and social democratic coalition Rutte II. This austerity program involved a capping and in some areas a reduction of government expenditure in various policy fields in the social domain and an efficient drive in the public sector combined with a downsizing of the civil service and a public sector salary ceiling. This fall in expenditure has been reinforced by an accelerating rate of economic growth in more recent years. This combination of developments resulted in a rapid decline of the deficit starting in 2010 (5.0) up to 2015 (1.9) and a slight surplus from 2016 (Ministry of Finance based on preliminary CBS statistics). A surplus for 2017 is predicted by the Ministry of Finance and the Central Planning Bureau (CPB policy briefs 2016: 15). An important point to be made here is that within public expenditures, health care has almost doubled in the last decade as % GDP (<https://www.cpb.nl/cijfer/lange-tijdreeksen-overheidsfinancien>). The growth of this expenditure level has been halted amongst others though the austerity and health care reform plans. Gross public sector investment has decreased in the 2010s in particular due to this cutback program since 2009; the situation regarding net public investment is even more negative (SEO 2016; CBS statline).<sup>1</sup>

The increase in Dutch government debt (% GDP) for the years presented in the table below can be understood by taking a growing (till 2010) deficit in consideration. The increase in the deficit was caused by an expressed need to tackle the social and financial consequences of the economic crisis and in addition, to rescue financial institutions; banks and insurance companies considered vital to a proper functioning of Dutch economy and society. This rescue took the form of a (temporary) nationalisation of these institutions. According to the Central Bureau of Statistics (CBS Statline) the national debt in the last quarter of 2016 has decreased to 61.9 % of GDP coming down from 65.12 (see table 1). Thus the national debt is coming down close to the EU norm of maximum 60% of GDP (see also debt forecast in AMECO database for 2018). That decline in the public debt can be explained by an increasing growth rate of GDP in the last couple of years and the recent (partial) selling of system banks and insurers nationalised after the 2008 crises. A future reduction of government debt is expected given the intended selling off the last government shares in the nationalised financial institutions and from the predicted prospect of the budget surplus mentioned above from 2017 onwards.

**Table 1: General Government budget data**

NETHERLANDS	2010	EU 28 Rank	2015	EU 28 Rank	Δ Value	Δ Rank
<b>Total expenditures (in % GDP)</b>	48.16	13	45.14	14	-3.02	-1
<b>Central government share (%)</b>	61.60	19	59.98	20	-1.62	-1
<b>State government share (%)</b>						
<b>Local government share (%)</b>	33.54		32.06			
<b>Public investment (in % GDP)</b>	4.15	15	3.53	17	-0.62	-2
<b>Debt in % GDP</b>	59.01	14	65.12	16	+6.11	-2
<b>Deficit in % GDP</b>	-5.0	15	-1.9	8	+3.1	+7

<sup>1</sup> The important difference is that in the net public investment figure replacement costs of previous investments are discarded.

**Sources:** AMECO, Eurostat

Central government takes care for the largest share in public expenditure. In addition, the Dutch tax system is fairly centralized with a limited local tax area<sup>2</sup> and local government funding mainly relies on local and provincial funds and special grants. But this portrayal is mainly accurate from a rather strict formal legal view. As defence, law and security agencies and currently also the police service provision are integral components of central government, these expenditures are also part of central government. Also central government payments to the health care system have doubled in the last decades. In addition, tasks decentralized to local government as education and tasks in the social domain etc. are financed through specific and block grants.

**Public sector employment\***

NETHERLANDS	2005	OECD EU18 rank	2011	OECD EU12 rank	Δ Value
<b>Total public sector employment in % of total labour force</b>	21.30	9			
	2005	OECD EU21 rank	2011	OECD EU19 rank	Δ Value
<b>General government employment in % of total labour force</b>	12.60	16	12.40	14	-0.20
			2011	OECD EU17 rank	
<b>Central government share of general government employment</b>			23.43	12	

**Sources:** OECD- *Government at a glance*

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

Looking at the table above, the general government employment figures in OECD sources, we find that the percentage of general public employment in 2006 is comparable to 2011 and in the middle of the EU 28 ranking<sup>3</sup> For a comparison with the 2006 situation we use the detailed and official statistics as provided in government statistics by the Ministry of the Interior. These statistics can be found in the database Kennisbank Openbaar bestuur (Knowledge bank Public Administration) were 868.104 fte or 13.2% of total employment (6.583.000 fte). In 2015 that figure did amount to 844.208 or 12.1% (BZK 2016). The general employment figure includes central government, provincial and regional governments, municipalities, inter-municipal bodies, courts, police and defence, academic hospitals and public and denominational education institutions. The last sector (denominational education) is included in public sector employment for reasons of collective wage agreement for the whole educational sectors. Health care institutions of a private law basis (mainly foundations) but financed by collective means (government budgets and public health insurance schemes) are not included and considered not public employment in the Dutch view. Schools can be public (part of government organizations) or denominational (catholic or for instance protestant) All are financed by government. The same applies to a lesser extent to health care institutions. Academic hospitals are public (government) institutions, so are

<sup>2</sup> A separate category of local government income is found in specific levies to citizens and companies, such for refuse collection and sewer maintenance and fees for local government permits and from other proceeds, as for instance land sales in construction of housing projects, dividends on shares, European subsidy and interest.

<sup>3</sup> We have to take 2006 as starting point because only from this year reliable statistics for Independent Public Agencies are available. In national and international reports covering previous years they were discounted.

government public health care services (GGD). Excluding educational institutions, academic hospital and universities from these figures, the personnel size of public administration totals 451.768 fte. As a percentage of total employment this amounts to 6.8% or 2.6% of the population. Across the board, there has been a decline in (general) public employment (fte); see Eurostat (-10.9%) and personnel statistics (Ministry of the Interior Trends & Cijfers 2016) from the ministry of the Interior (9.2%) between 2011 and 2015. The explanation is a strict personnel cutback program that has been implemented in the aftermath of the economic crisis of 2008. For local government decentralization programs had an additional downward effect as funds were not transferred from central government in equal measure.<sup>4</sup>

The increase of central governments share in the data can be explained by the creation of the national police centralizing a previous mainly local and regional service. Excluding the effects of this centralization, the share of central government has decreased over the years; see the limited strength of ministerial departments in total central government and public administration employment since 2006.

NETHERLANDS	2015
(1) General government employment	844.208 fte
Thereby share of central government including police and defence (%)	26.9%
Thereby share of state/regional government: provinces and water boards (%)	2.3%
Thereby share of local government: municipalities and inter-municipal arrangements (%)	19.4%
Thereby share Independent decentralized agencies *	4.6%
Thereby share personnel courts (only judges)	0.4%
(2) Public employment in social security functions	n/a*
(3) Public employment in the army	56.805 fte
(4) Public employment in police	60.880 fte
(5) Public employment in employment services	n/a
(6) Public employment in schools	288.821 fte
(7) Public employment in universities	44.681 fte
(8) Public employment in public hospitals )	56.354 fte
(9) Public employment in core public administration (excluding defence and military) but including independent public agencies fte	334.083 fte
(10) Core public administration employment in % of general government employment	39.6

**Source:** Personnel statistics in database Kennisbank Openbaar bestuur

In core government, total employment including independent agencies, and excluding police and defence, the fte figures amount to 334.083 fte or 39.6% of total public sector employment and 4.8% of total employment. Almost half of core government employment is employed at the local level (municipal government and inter-municipal cooperation bodies (48.9%). Regional government in core public employment is fairly limited and small with 5.8%. Interdependent agencies (a vast array of different implementation, supervisory and quasi-judicial units) in core public employment amount to 11.7 and the numbers have been declining over the last ten years. Other institutions

<sup>4</sup> The basic idea is that local government could perform these decentralized tasks more efficiently.



mainly pertain to judges who have a separate legal position and personnel system and amounts to 1.0% of core public employment. The public prosecution and court administrative staff belongs to central government. The percentage of central government within core government employment is currently 32.7%. The absolute majority (around 70% of this figure) is employed by law and order institutions as court support units, public prosecuting office, prisons and other penal institutions, immigration service belonging to the Safety and Justice department, the Inland Revenue part of the ministry of Finance and the public works office which is a part of the department of Infrastructure and Environmental affair. Excluding these units the remaining central government bureaucracy adds up to around 30.000 fte or 10% of core government fte of whom less than a third works in political executive support functions and policy making (see for more information below).

## **2 SCOPE AND STRUCTURE OF GOVERNMENT**

### **2.1 State system and multi-level governance**

#### ***2.1.1 The state and /government system: organisation of government levels and their constitutional status***

The Netherlands is a constitutional democracy with an institutional design dating to the middle of the 19th century. Looking at the this system from a perspective of a (comparative) state systems perspective, it is difficult to categorize under a single class (see the variations in Kuhlman & Wohlmann, Painter & Peters 2010, Kickert 2011, Kuhlmann & Bouckaert 2016 and Van der Meer, Raadschelders & Toonen 2008) The Dutch system has undergone various influences from neighbouring countries but also at the same time kept its basic tenets originating in its original historical political-administrative institutional experiences, that have had a long-lived influence (see the feature of institutional conservatism Andeweg 1989). From the early 19th century a Rechtsstaat construction came into existence built on an amalgam of a French Napoleonic and a pre-revolutionary federalist system. This uneasy amalgam evolved in a decentralized unitary state system with an infusion of (Germanic) Rechtsstaat principles adapted to Dutch needs by the liberal statesman Thorbecke.<sup>5</sup> A crucial feature in this decentralized unitary state is a basic division between territorial and functional decentralized forms of government. Both were present in the pre-Thorbeckian situation but they were rationalized and standardized. That high level of legal standardization and unification has remained an important feature to the present-day and an element inhibiting real reform. The main reason to go into this longer term historical context is that the main structure of decentralization is still a territorial one consisting of three levels of government: central state, provinces and municipalities. They find their origins in the relevant constitutional provisions. This constitutional anchoring requires the drafting of so-called organic laws dealing with the organization and (general) powers of the provincial and municipal bodies. Within this legislation the different levels of government are accredited with their particular level of autonomy and initiative within the framework of the sovereign unitary state. Functional decentralized bodies are more of a varied nature with on the one hand constitutional based bodies<sup>6</sup> as Water boards, Public Occupational Organizations and until recently Statutory Industrial Organization on the other hand there are sui generis bodies as the ZBO or independent boards with their own accountability and responsibility structures. Apart from the decentralized institutions

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<sup>5</sup> Also some English influence early on regarding self-government could be see and more in recent decades in terms of Anglo-Saxon oriented management reform

<sup>6</sup> These were abolished in 2016 on basis of a political exchange deal in the coalition formation of Rutte II though they were somewhat lingering this was a rather major reform given that previously no constitutional enshrined institutions were abolished before

mentioned above many intergovernmental cooperation bodies based on the Law of Joint Provisions are in existence. These intergovernmental bodies are not politically autonomous and thus levels of government but operate under the responsibility of cooperating governments. This intergovernmental cooperation has become increasingly important over the last decades given the scale enlargement of public service delivery. This intergovernmental cooperation can be both (integrated) territorial or functional by nature.

In this institutional design a constitutional court is lacking. There is no single institution to give an authoritative interpretation of constitutional issues and perform a constitutional conflict resolution. To a certain extent other (administrative) courts (including supreme courts in administrative<sup>7</sup> and general law) as primarily the administrative law branch of Council of The State, Centrale Raad van Beroep, College van Beroep voor het Bedrijfsleven and the Hoge Raad (supreme court) fulfil part of this function but given their specific jurisdiction this is limited. In addition according article 80 of the constitution a formal law (statutory act of parliament and cabinet) cannot be checked to provision within the constitution. A formal law can be reviewed from provisions of international for instance EU community law or treaties like the EVRM. As the general courts are very reluctant to be drawn into political issues this constitutional check is widely considered problematic. New legislation to introduce a constitutional court in the form of a private member bill of Parliament has been proposed but the constitutional requirement of a two-third majority in the Second Chamber of Parliament is still out of reach given a fear of a juridicalization of the political process in some political party quarters.<sup>8</sup>

In some political and administrative science analyses, questions have been raised concerning the appropriateness of this 19<sup>th</sup> century construct though with current Dutch politics there is no majority to be found for a major overhaul of the system. Others (for instance Toonen 1987) argue the flexibility and adaptability of the present system to present and developing societal and political and administrative needs. What does occur is incremental change with the parameters of this Thorbeckian design as is shown in steady amalgamation of municipalities.

### ***2.1.2 Powers of different levels of government in the Dutch system of multi-level governance and reform capacity***

The idea of a hierarchically ordered and centrally directed system of governance has been advanced in academia and political-administrative reform quarters to illustrate the centralizing development of the system of government in that direction and more particularly to point at its negative consequences in particular after World War 2. That presentation is rather a simplification of the past and the current system of intergovernmental relations (Toonen 1987).

In the Netherlands, we encounter a compound system of multi-level governance as many task areas are shared by various governments with different responsibilities according to scale of service delivery. Exceptions are defence, foreign affairs, the court support, public prosecuting and prison system which are part of central government.

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<sup>7</sup> Though many plans have been made to unify the supreme administrative courts, these initiatives have been unsuccessful. There are many (political and parliamentary) reasons given for this failure but it is also caused by bureau political tensions between the Council of State and de Hoge Raad. The later is usually considered as the regular Supreme Court.

<sup>8</sup> That fear has recently been fuelled recently by a judgement (Urgenda case 2015) of a lower court in The Hague. This court stated that the Dutch government had to reduce CO2 emissions given the signing by the Dutch government of environmental treaties which were not directly binding and based on findings in international reports from instance the IPPC. Government has gone in appeal.

Although there is a national police, maintaining public order and safety is a local mayoral task and at the local level system there is a local government city watch fulfilling supervision tasks in the public space. Regulation and supervision on education is divided among central, municipal government and society. Educational institutions have a high level of autonomy and are in its actual operations and management distanced from government. The fact is that there is a division between public and confessional educational establishments, although these organizations are all funded by government and subject to the educational supervisory system. Some areas of public service delivery in fields have been privatized as for instance the greater part of the public utilities and health care with the exception of academic hospitals or contracted out services (public transport or to an extent refuse collection or parking services).

All these decentralized institutions have legislative, administering powers in their given service areas. Within the balanced budget requirements local government can make their own funding decision within the limit of the law and spending conditions attached to co-administration tasks and their related grants. The tendency is to increase spending autonomy. The funding decisions relating to taxation mainly resides with central government. The tax area of local government is fairly limited. Most funds are distributed through a municipal fund system in combination with payment of specific grants. Over the last thirty years or so there has been a movement to do away with special conditions and strings attached to these grants. In addition there has been a shift from preventive to ex post (financial) supervision. Nevertheless, complaints have been made and are still uttered against the limited tax area of subnational government (see pressure and advice from the Raad voor de financiële verhoudingen Local Finance Council (Rfv); Dutch Association of Municipalities VNG). Here a dilemma becomes visible between on the one hand an objective for having substantial decentralization of tasks accompanied by more financial autonomy, and the wide-spread popular wish for equity and equal service levels of public service delivery.

Provinces play a minor role. Provincial tasks mainly concentrate on regional spatial planning and affairs and a restrictive system of local government and supervision. A call for abolishing provinces is heard from time to time in some academic quarters (Peters 2007), the election programs of some parties, and some academic analyses. There is no majority for these ideas currently in Parliament and also in academics (see Toonen op.cit)

What is however important within the current Dutch multi-level governance system is a twofold change process involving an emphasis on decentralization to local government. Local government is to be responsible for managing and regulating public service provisions to citizens, with the exception of policing and the court system.<sup>9</sup> Central government has in addition primarily a strategic and facilitating role and a system responsibility. The second change direction is the development of governments towards an enabling state role supporting and facilitating society to take care of their own and collective interest (Van der Meer 2009, 2012 & 2016). The latter is seen in the emphasis on participative society in for instance the social domain. How to interconnect this enabling state and the participative society is part of reform programs and experiments (decentralization programs, coordinative role municipalities: *regie*<sup>10</sup> *gemeenten* and local participation initiatives). As a consequence central and local governments are very much involved with public administrative reform. Often these reform initiatives are discussed in

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<sup>9</sup> Local government and in particular the mayor has responsibility for maintaining law and order but not for managing the police. Given the emphasis on crime control by the regular (national) police, municipalities have appointed an increasing number of stadswachten (city guards) a modern day city watch for keeping peace and order in the public space .

<sup>10</sup>.Regarding the function and role of local government the Dutch word 'regie' is often used to describe this role but it is difficult to translate as it not includes vertical but also a cooperative and horizontal approach.

intergovernmental setting though a major reform as for instance decentralization programs are initiated by central government. An issue is that some central government reforms- as the recent decentralization projects- brought along some negative (at least short term) consequences for both local government and citizens as these plans were accompanied by cutbacks and had to be realized in a short time span.

**Table: Division of responsibilities and tasks<sup>11</sup>**

Government level:	Legislation	Regulation	Funding	Provision
Central government				
Defence (exclusive)	Yes	Yes	Yes	Yes
National Police (exclusive)	Yes	Yes	Yes	Yes
Court support & Prisons	Yes	Yes	Yes	Yes
Education	Yes	Yes with local government	Yes	Only public universities
Health	Yes	Yes	Partial with publicly regulated /private insurance scheme	No, only academic hospital
National Public Works	Yes	Yes	Yes	Yes sometimes through PPS constructions
All other strategic and public sector system relevant enabling state duties	Yes	Yes	Yes	Others
Regional (provincial government)				
Provincial public works/water maintenance	Yes	Yes (cooperation with other national, local governments and water boards)	Yes (often finance from central government grants)	Yes
Regional spatial planning	Yes	Decentralized regulations	Administrative task. See above	Yes (in administrative terms)
Local government administrative (re)	Yes	On basis of constitutional,		Yes in administ

<sup>11</sup> Though presenting a comprehensive overview, the classification it remains a bit artificial as the overlapping nature of the systems get a bit less emphasis than needed.

organizations and supervisory tasks	Yes	provincial, municipal laws and specific legislation	Limited on basis of central government grants	rative terms)  No, contacting out responsibilities
Regional transport public		On basis of national legislation		
Local Government				
Public Transport (local))	Shared with other (local governments) on basis of central government legislation	On basis of national legislation performed in local transport authorities based on inter-municipal cooperation	Mainly on basis of central government grants	Contracted out
Education	Yes within the confines of national laws	Yes within the con-fines of national laws	Mainly on basis of central government grants	Done by public and special (denomi national schools. Public schools are not directly operated by local governm ent
Welfare	Yes within the con-fines of national laws	Yes within the con-fines of national laws	Mainly on basis of central government grants	Part of the coordina tive tasks in bringing together societal and private actors in that part of the public domain (regiefun ctie)
Employment	Yes within the con-fines of national laws	Yes within the con-fines of national laws	Mainly on basis of central government grants	Part of the coordina tive tasks in bringing together societal

				and private actors in that part of the public domain (regiefunctie)
Water (Drainage)	Yes within the confines of national laws	Yes within the confines of national laws	Mainly on basis of central government grants	Part of the coordinative tasks in bringing together societal and private actors in that part of the public domain (regiefunctie)
Social Welfare	Yes within the confines of national laws	Yes within the confines of national laws	Mainly on basis of central government grants	Part of the coordinative tasks in bringing together societal and private actors in that part of the public domain (regiefunctie)
Others Water boards	Yes with intergovernmental framework	Yes	Yes own tax area	Yes

## 2.2 Structure of executive government (central government level)

Traditionally, central government bureaucracy was seen as a confederation of more or less independent ministerial departments integrating policymaking, inspection, and implementation. This had to do with the coalition structure of central government. Only after the Second World War a formal prime minister and a prime minister office came into existence. This weak interdepartmental coordination structure and system was seen as the main weakness of central government that gave rise to many reform plans and proposals. In the past decades a move both on the political and administrative side towards more coordination and cohesion has been made. Currently there are 11 ministries with 13 ministers. That number shifts over time according to the need of the day or the salience of a policy issue or the size of a new political coalition. There is a tendency to limit the number of departments and the number of political officeholders.

Concerning the place and position of centres of government coordination, specific coordinative bodies, coordination mechanisms and arrangements are in existence. Nevertheless from these structures little overriding powers do emanate and much emphasis is put on conjoint modification of points of views and positions. As such the prime minister office is fairly limited and meant to stimulate this form of cooperation. Staff numbers to 347 fte (2015) or around 3% of total central government employment and the absolute majority of them work for the Central Government information Office (RVD) and the Scientific Policy Council (WRR). The Prime Minister cabinet unit consisting of (council) advisors and the bureau to the Council of Ministers plays a supportive coordinative role. In addition to the Prime Minister Office, the ministries of the Interior, Finance and Safety and Justice function as centres of government. Nevertheless with the exception of the ministry of Finance coercive powers are to a large extent absent. Interesting though is that with creation of shared service centres the coordinative powers of the minister of the Interior the power has increased.

A fundamental change to the ministerial bureaucracies since the 1980s has been that many implementation tasks have been decentralized to local governments or independent (functional decentralized) agencies, or devolved to arm-length-departmental agencies. The latter are still under the ministerial responsibility. Exceptions have been the Ministry of Safety and Justice, Finance and Infrastructure and Environment. The prison service, courts administrative units, the public prosecuting office and the police are part of the ministry of Safety and Justice but organized as arm length agencies. To a degree the same applies to the Tax Office (ministry of Finance) and the Public Works agency (ministry of Infrastructure and Environment I&M). Interesting enough the administrative support units have been centralized to a large degree in shared service centres (Interior).

The autonomy of independent agencies is again under discussion given implementation and management problems and scandals and the perceived need to include independent agencies in central government rationalization (efficiency) programs as the shared service centres. For the accountability and audit structure see below 5.1.

<b>State structure</b> (federal - unitary) (coordinated - fragmented)	<b>Executive government</b> (consensus - intermediate - majoritarian)	<b>Minister-mandarin relations</b> (separate - shared) (politicized - depoliticized)	<b>Implementation</b> (centralized - decentralized)
Decentralized unitary state	consensus	Shared (with separate elements)	decentralized

### **3 KEY FEATURES OF THE CIVIL SERVICE SYSTEM**

#### **3.1 Status and categories of public employees**

When examining the various status positions and categories of public employees in the Netherlands little variation is found in core public government. Almost all officials working for central government, police, the courts, the provinces, the municipalities (and related inter-municipal organizations), public education, academic hospitals and the water boards are under employed under the Civil Service Act 1929 (Ambtenarenwet 1929). For the military there is a separate (military) civil service act 1931 (Militaire Ambtenarenwet 1931). In the past, staff members in core public government could also be employed on a private law labour contract. With some exceptions as temporary and contracted, payroll staff members and most persons employed by ZBO's the number of contracts has been reduced. The introduction of the new (so-called normalized) civil service act (see below) will introduce contracts as a standard Staff employed by subsidized education institutions and people working for most independent agencies and

publicly owned enterprises and foundations are not covered by the Civil service Act 1929 and appointed on a private law contract. People working in (private) health care organizations are likewise not considered as public servants nor as (public law) civil servants though their institutions are also financed through collective means.

The majority of public employment functions in Dutch government are position based. Nevertheless, career systems in central government exists which mirror the traditional French corps system. Examples are the military, police, courts and the diplomatic service. Currently we do not find these corps structures in other levels of government. In 1994s a managerial top career system in central government has been created: the Senior Public Service or in Dutch Algemene Bestuursdienst or ABD. The same movement towards career elements in the employment system is to be seen in a management trainee program directed at young high potentials. This change towards including career system elements in the Dutch employment system at central level originates in a wish to decrease the level of central government fragmentation. In the past from the 1960s onwards, ideas have been formulated in order to extend these career elements to the employment system of all senior levels of the central government civil service thus far without much practical effects.

<b>HR system</b> (Career vs. position based)	<b>Employment status</b> (civil servant as standard; dual; employee as standard)	<b>Differences between civil servants and public employees</b> (high, medium, low)	<b>Turnover</b> (high, medium, low)
Position based with some career systems at central government (police, defence, courts, and Foreign Service and senior public servant	Civil Servant as standard on public law.	low	low

### 3.2 Civil service regulation at central government level

The civil service act has the nature of a framework law that has to be made specific through more detailed byelaws. So in accordance with and based on the Civil Service Act 1929 a more detailed personnel regulation in the form of byelaw named the ARAR (Algemeen Rijksambtenaren Reglement) is in force. In addition specific regulations regarding for instance salary and integrity and ethics have been issued.

A long-lasting feature from the 1990s and even earlier on has been a discussion on the normalization of the legal position of civil servants. Normalization in this context means changing that legal position from a public law based into a private law one. A private member initiative in the Senate has been adopted by the Second Chamber in 2015 and the Senate in September 2016 to change the legal position of civil servants with respect to appointment, dismissal and collective wage agreements in a private law one, except for the military, police and courts who will keep their public law status. The new legal position is supposed to be implemented at earliest in 2020 given the large amount of secondary and other legislation that has to be altered. The military (also civilians), police and courts amount to around 30% of total civil servants working for Public Administration (without education) and more than half of central government employment when including police and defence. Thus, a dual system of public and private law public employment will remain. There is much criticism on both the criteria to decide which groups will have a public and private law positions as criteria have been unclear and contradictory and the legal quality of the proposed legislation debatable, as has been stated in the comments on this piece of legislation by the Council of State (Van der Meer, Van den Berg and Dijkstra 2012). Complicating matters, the civil service act will be amended in this way but it will remain in force and the civil service status involving integrity regulations etc. will continue to be on a public law basis. Given the definition of civil servant used in this law also staff members of ZBO's will be covered by



this law. Though part of to the same wage negotiations and subject to the same educational legislation the difference between public and denominational institution will remain unchanged. The latter category remains excluded from the new civil service act. In short the normalization will not standardize the legal status being used in public sector employment. A dual nature public and private legally based civil service system will continue and in fact the duality becomes even stronger for the reasons given above. Depending on the implementation process that has been set in motion the expectations are that it will be become a most arduous process and the issue of the legal position will remain on the political agenda in the coming years.

### **3.3 Key characteristics of the central government HR System**

There are multiple institutions and bodies involved in central government HR policies and practises. Thus the system is rather fragmented. A first division to be made in central government is between the departmental, military and (national) police HRM systems. The Foreign Service, military and the police have, as said before, a career and a corresponding HRM system. For the ministries, strategic policymaking is with the ministry of the Interior and Kingdom relations. In this HRM field this ministry has a coordinative task without having the sole decision power; much is decided upon after interdepartmental consultation and negotiations. Sensitive political policy issues are decided at cabinet level. This ministry also serves as the public sector negotiator in the central government division of the sectoral employment system (see report task 2a). Within the sectoral system this ministry is responsible at the employer side for departmental wage and labour negotiations. With respect to the labour negotiations under the current system there are negotiations between unions admitted to the negotiations and the central government employer. A majority of unions must approve a settlement regardless the size of the unions. In practise this implies that three of the four unions must agree. This collective agreement has to be translated in public regulations. Collective agreements are reached with much difficulty and delay given the powerful position of government. Given the political primacy of government and Parliament, the relationship can be rather one-sided in the end. Although much is unclear, the normalization is supposed by some to create a more equal playing field, but again some doubt that the primacy of politics will be eroded by this normalization of labour relation. The role and position of trade unions will change as under the private law scheme no majority of trade union (membership) consent is needed.

Currently, HRM support activities (as P direct: the salary payment system) have been centralized in a shared service system managed by the ministry of the Interior. The actual recruitment and selection, promotion, appraisal, development and training decision below the senior (ABD levels) is decentralized to the individual ministries and the relevant departmental units. There is a growing movement to harmonize HRM standards and practices central government-wide in order to establish a so-called "concern approach" to central government. The main purpose is to deal with departmental compartmentalization and promote a common approach to effective and efficient HRM policies.

In addition to the regular departmental system there is a senior public service (ABD). The ABD was created back in 1994 and the basic idea behind it was to stimulate interdepartmental coordination, enhance management capacity and skills, increase interdepartmental mobility and create a top civil service esprit de corps. It was based on a proposal made by the Vonhoff committee on central government reform in the early 1980s and it was floated earlier in academic circles in Public Administration. The ABD has 494 members (2016) of which 29% are women. In 2000 a special category within the ABD was created for top civil servants comprising the directors-general, inspectors-general and secretaries-general and the director of the Secret Service. This is called the top Management Group (TMG). The TMG counted 58 members in 2016. These TMG members are appointed for a maximum seven-year term to a particular position and then have to change jobs. Other ABD members are also expected to change positions -

though it is not as compulsory as in case of the TMG- but it has a positive effect on their career. Although not compulsory, mobility in the remainder of central government civil service is encouraged as the level of interdepartmental, intergovernmental mobility and the exchange with the private sector has been considered unsatisfactory since times immemorial. ABD/TMG members are formally in the employment of the ministry of the Interior. In addition to 494 ABD/TMG members 62 top level managers belong to the ABD target group (ABD 2016). At that department also the personnel office of the ABD is located. This office though relatively small it might be is headed by a director-general.

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

### 3.4 Public sector remuneration and rewards

The attractiveness of government as an employer is still generally good; with the exception of high level specialist functions as market pay is much higher. Regulating rewards at the top in the civil service and the semi-public sector have been considered important reform issues given public debates on the level of remuneration. This topic had and has a high salience and resonance both in politics and society partially because of what has been considered excessive payment but also distrust against government. Although the main perceived problems played mainly in semi-government and subsidized institutions, it also extended to ministers and top civil servants. The latter had to do with bonuses and severance pay. These payments should be restricted given that they depend on public resources. Policymaking in this area involved a larger degree of transparency in which public institution had to publish their yearly salary, bonuses and additional payments. The law regulating the remuneration of top public officials (Wet normering bezoldiging topfunctionarissen publieke en semi-publieke sector or WNT) has been operational since 2013 and it has been amended in 2015, making a minister salary the payment ceiling. This law thus caps income and severance payments of top level management and supervisors in the Government and semi-public institutions (C. Turchetti & Van den Berg, Kenter J, F.M. van der Meer & Theo A.J. Toonen 2012). The overall assessment of HR capacity and the performance of the system will be in chapter 5.

## 4 POLICY-MAKING, COORDINATION, IMPLEMENTATION AND POLITICAL-ADMINISTRATIVE RELATIONS

### 4.1 Policy-making, coordination and implementation

Mutuality and cooperation are the key central elements in Dutch policymaking and public service delivery whereas hierarchy is seen as an instrument of last resort. Local and regional governments (and as a consequence their powers and task areas) are accordingly considered not to be a mere product of central government but to be autonomous constituent components bound to and within the framework of the state. Given this context, it is essential to keep in mind that the term *state* is not to be equated with central government though the constitutional and system responsibilities are taken care of by central government and parliament. Till recently majority coalitions have been the standard. Given the coalition nature, the style has been fairly consensual though in the 1970s and 1980s politicized. In the late 1990s and early 2000s, the dominant style

was managerial and depoliticized. More recently there is also a tendency to minority coalitions (either in the Second or First Chamber). These minority coalitions have tried to establish a good working relationship with the so-called loyal segment of the opposition. From issue to issue a deal had to be worked out. This proved to be quite successful. That was the case in cabinet Rutte 2 that ended its term in 2017 - the first cabinet to finish its official term since the early 2000s. In the cabinet Rutte 1 (VVD, CDA and PVV) there was a quasi-minority government because there was a standard coalition agreement with the PVV but that party did not supply officeholders. Given the increasing level of political fragmentation, multi-party and minor coalitions have become more common; implying even more than formally the need for receiving political compromise and dilution of the party program and promises. The latter has reinforced political disenchantment of the voters stimulating the creation of new political parties. This enhanced a level of political volatility and instability uncommon for the Netherlands making new coalition government even more difficult.

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

  

Political economy (liberal – coordinated)	Interest intermediation (corporatist - pluralistic)	Citizen participation (strong – weak)	Policy style
liberal	Pluralistic with some traditional corporatist elements	Still strong	consensual

With respect to political-administrative interaction and relations, though there are questions regarding politicization of nominations, in general there has been no evidence of formal politicization in appointment of senior top civil servants. There is a tendency towards widening the circle of (political) advisors and the politicization of communication directors. From an informal perspective, attention has been focused on affiliation of top civil servants to the main political parties (Raadschelders & Van der Meer 1998, 1999 & 2014). Some political fringe parties have made this an issue as an iron political ring in top positions of central government though no real hard evidence is available. Top civil servants in almost all cases have a low (party) political profile though they might in cases be outspoken on material policy issues. That can in cases be the end of their job given what has been said of political prerogatives. That outspokenness is, whenever emerging, mostly the cases in agencies and office a bit removed from the policymaking units especially in the area of law and order. Relationship between political level and administration are considered generally good and consensual. There are ample internal and external sources and a wide diversity of policy advice (mandarins, external experts, consultants, political advisors and support staff no formal political cabinets). In addition (top) civil servants may have a certain administrative autonomy on less politicized issues but again the top civil servant close to the political officeholders becomes less visible externally. Patronage and politicization (formal and functional) is less noticeable but present and increasingly criticized. The administrative system remains very stable in political changes (no staff changes after elections) and demonstrates overall policy sustainability (the extent to which policy making is influenced by political changes is fairly limited despite some upheavals). Finally, there has been a close connection between policy decision making in government and key actors and influences. The "pillarized"<sup>12</sup> society involved a close link of politics with business, societal organizations

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<sup>12</sup> A "vertical" division of society into several segments or "pillars" according to different religions or ideologies. The best-known examples of this have historically occurred in the Netherlands and Belgium.

and organized interest groups on policy making. Though a degree of "depillarization" occurred there is still a societal consensual system with much importance attached to stakeholder dialogue and citizen participation.

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 (top level) servants Personal and political advisor Advisory Councils	Medium	Low	Agency bargain	High

#### 4.2 Administrative tradition and culture

The administrative tradition has been a Rechtsstaat orientation infused with a public interest culture, the latter from the 1960s. Some argue that the Rechtsstaat has become under pressure in the slipstream of amongst others NPM and "mediacratism". There has been a development from a conservative to a social and a smaller and more liberal welfare state. The latter is also termed 'enabling state'. Public administration is fairly open and the size of public administration is limited where it concerns the core of public administration given the traditional emphasis of citizen participation and coproduction in public service delivery. But again these are under pressure and part of a big and fierce debate. Key elements of the administrative culture and principles of public administration are efficiency and effectiveness combined with a propensity to fairness with an old vice of closed group recruitment for decision making functions. In addition there has since the 1980s been a shift from a procedural to a managerial logic though the extent of the shift is difficult to ascertain beyond official discourse. As a result of new public management practises and monitoring output and public service delivery by external partners in for instance health care and education complaints are made with respect to a high degree of regulatory density/red tape

Hofstede national culture dimensions		
Dimension	Value	Average EU28
Power Distance	38	52
Individualism/Collectivism	80	57
Masculinity/Feminity	14	44
Uncertainty Avoidance	53	70
Long-term Orientation	67	57
Indulgence/Self-restraint	68	44

**Sources:** Geert Hofstede's national culture dimensions, <https://geert-hofstede.com/national-culture.html>.<sup>13</sup>

The Hofstede rendering of Dutch culture of being inclined to equality collectivism, femininity a certain level of risk avoidance, a long term orientation and self-restraint is

<sup>13</sup> Interpretation: power distance (high value = higher acceptance of hierarchy and unequal distribution of power); individualism (high value = stronger individualist culture); masculinity (high value = higher masculinity of society); long-term orientation (high value = stronger long-term orientation); indulgence (high value = indulgence)

currently really a little bit old fashioned and outdated. It is even questionable if it has been ever true and nothing more than a deep rooted Calvinist nostalgia mitigated by liberal ideas of the 1960. In addition this cultural analysis has been rooted in certain modern left wing circles of city life in the west mainly Amsterdam. Each of the elements could be explained also the other way round but certainly the Hofstede approach is a relative comparison but that on its own is a fundamental weakness given that for instance hierarchical and class differences cleavages in the Netherlands are less externally clear but certainly existing through language, behaviour and cultural preferences. Nevertheless some observations can be made using some of the concepts. After 2000s also the cultural dimensions have been changed into the direction of a more individual, less feminine, more uncertainty avoidance, less self-restrained society with a perceived larger degree of power distance.

<b>Administrative culture</b> Rechtsstaat, Public Interest	<b>Welfare state</b> (liberal, conservative, social-democratic)	<b>Public Sector openness</b> (open, medium, closed)
Rechtsstaat infused in recent years by a public interest angle	Towards a limited welfare state and a liberal form	Medium

<b>Key PA Values</b>	<b>Managerial vs Procedural</b> (Managerial, Mixed, Procedural)	<b>Red Tape (regulatory density)</b> (very high to very low)	<b>Discretion/autonomy</b> (high, low, medium)
Effectiveness, efficiency fairness	Managerial	Medium	Medium

## 5 GOVERNMENT CAPACITY AND PERFORMANCE

### 5.1 Transparency and accountability

The access to government information between 2014 and 2016 has remained on the same value (7 on a ten point scale; see figure below) though the relative ranking has dropped one place and thus is remaining just below the middle of the 28 EU member states. Although the time frame is rather limited and comparisons are difficult to make, in recent years the access in the Netherlands to government information through integrated website and portal at central and local government levels (for instance overheids.nl), open access databanks with statistics, reports etc. concerning the system of governance, government and public administration (for instance Kennisbank Openbaar bestuur) and legislation towards increasing open government has increased considerably. Also the increasing use by the media of the Freedom of Information Act has improved the level of scrutiny of government, politicians and civil servants. The effects of the latter can be seen in the increase of the level of transparency from 51.29 to 67.00, leading to a rise of three places in the EU 28 rank.

Transparency is considered an important issue given a perceived critical attitude of citizens towards government and government institution. That is one of the reasons for initiatives as an open government initiative by central government and a private member initiative in Parliament (Wet Open overheid; Law open Government) to encourage opening up government (information, data and plans) and increasing citizen participation and voice. In addition, in the most recent years more attention has been focused on open government and transparency. In addition to the government proposals there is an

even more far reaching private member initiative. There are discussions regarding to what degree and how the need for transparency can be combined with maintaining and securing the effective and efficient operation of government. In addition, thoughts are uttered regarding the extent to which more transparency also in the early stage of policymaking and implantation can lead to the demise of appraisal and loyal opposition towards political and bureaucratic leadership thus diminishing the level and quality of voice within the organization itself. This dilemma is not yet solved.

Currently accountability in the Dutch government system is very well institutionalized and progress towards improving this has been made in the last decade(s), In the figures below in table 6, voice and accountability has risen and the Netherlands have reached the second position in the EU 28 ranking (See also above under chapter 2.2), through a well-developed external (audit chambers at the central and local levels) and internal audit institutions with corresponding tasks and powers, the expanded Ombudsman system and whistle blowers schemes and institutions in addition to an effective (administrative) court scrutiny. In the internal auditing of central government the central audit service (Audit Dienst Rijk) located at the ministry of Finance has a central place. In this ADR all former independent ministerial audit units have been centralized. The ADR is responsible for the yearly audit control, and special audit reports commissioned by individual ministries.

**Table 6**

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Access to government information (1-10)</b>	7.00	15	7.00	16	0.00	-1
	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Transparency of government (0-100)</b>	51.29	13	67.00	10	+15.71	+3
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Voice and accountability (-2.5,+2.5)</b>	1.49	5	1.57	2	+0.08	+3
<b>Control of corruption (-2.5,+2.5)</b>	2.18	4	1.89	5	-0.29	-1
<b>TI perception of corruption (0-100)</b>	88.00	4	87.00	4	-1.00	0
	Value 2010	EU28 rank	Value 2014	EU28 rank	Δ Value	Δ Rank
<b>Gallup perception of corruption (%)</b>	31.00	4	40.00	6	+9.00	-2

**Sources:** Bertelsmann Stiftung, European Commission, World Bank, Transparency International, Gallup World Poll. *Note: The ranking of the Gallup perception of corruption is based on 27 countries, and on the 2009 values for Estonia and Latvia.*

Corruption is not considered widespread in the Dutch system; though there are cases political and administrative incidents have been reported. These have received much attention given the fact that it is considered not endemic to the system and that public perception of government officeholders and civil servants has become more critical. This relatively low level of perception of corruption has remained the same for the last years in the TI research. Nevertheless it is important to note that Transparency International monitors only perception which thus in the best case is a by proxy indicator. Areas where incidents are reported are police services and other areas where the interface between public and private interaction has been rather intense, for instance public procurement, public private cooperation and building especially at the local level. Very rarely issues of nepotism are reported resulting in the resignation of the officeholder of civil servant. Since the 1990s intensive emphasis has been paid to it by issuing regulations, institutionalizing integrity policies and practises into the organizational units and through appointing officers and watchdogs and by creating supportive and supervisory institutions agencies and training schemes in this area. In addition a whistle-blower's institute (Huis van de Klokkenuider) structured as an independent public agency has been formed (2016) in order to assist these whistle-blowers.

## 5.2 Civil service system and HRM

**Table 7**

Indicator	Value 2012	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Impartiality (1-7)	1.98	3	1.82	6	-0.16	-3
	Value 2012	EU26 rank	Value 2015	EU26 rank	Δ Value	Δ Rank
Professionalism (1-7)	5.29	5	5.29	5	0.00	0
Closedness (1-7)	4.17	23	4.26	18	+0.09	+5

**Sources:** *Quality of Government Institute Gothenburg.*

The quality and performance of the civil service system is generally considered to be very good and of a very high standard (see table above) though the absolute impartiality record has decreased from 1.98 to 1.82 on a seven point scale the relative ranking drop is due to a relatively better improvement in other countries. Despite this change, the impartiality of the Dutch civil service is scoring relatively high in the EU 28 ranking. Regarding professionalism, one must understand that especially after the 1990s civil service employment became limited to generally white collar up segment work. Other activities have been privatized or contracted out, which results in civil service employment being very much characterized by high level employment based on professional qualities. The extensive HRM, training and Civil service system attention in the past have ingrained a tradition of highly trained and experienced, neutral and impartial civil service. The civil service is in a transition to adapt to a new digital age and the enabling state function. In addition there is a tension between managerialism/NPM in the recent past and the need for a more compassionate and committed service. The civil service system is still merit based.

Of old civil service has been rather closed, not in a formal but certainly in an informal way (Raadschelders & Van der Meer 1999 & Dijkstra & Van der Meer 2011. This partly has to do with the special nature of government work, as the professionalization of the civil service and civil service work has left some traces. As civil service employment is nowadays mainly higher level, this element is reinforced. Furthermore there is a salary discrepancy between the public and private sectors. Nevertheless governments try to enhance the level of diversity in the civil service and also aim to open the higher rank positions in the general civil service, but also in the defence and police career systems to outsiders; thus far with limited enduring results. As argued above, there is little mobility between the public and private sectors and even between levels of government or within central government, though the latter is on the increase and it is also stimulated by government policies.

## 5.3 Service delivery and digitalization

**Table 8**



Indicator	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
E-government users (%)	56.73	2	52.88	4	-3.85	-2
Pre-filled forms (%)	67.50	7	76.00	6	+8.50	+1
Online service completion (%)	81.86	10	91.14	8	+9.28	+2
	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Online services (0-1)	0.68	3	0.93	4	+0.25	-1
	Value 2013	EU27 rank				
Barriers to public sector innovation (%)	20.21	21				
			Value 2015	EU28 rank		
Services to businesses (%)			55.00	9		
	Value 2011	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Ease of Doing business (0-100)	75.88	10	76.38	14	+0.50	-4

**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.

Making public service delivery more effective and efficient through e-government and digitalization of public service delivery has been a major priority at the core of recent government reform programs. This can be read in table 8 -though somewhat confusing and contradictory to other indicators in the same table 8- both the percentage of e-government users and the EU 28 ranking dropped from 2013 to 2015. Online service completion and prefilled form both absolute and in the EU ranking did improve. In 2010, the collective Dutch government authorities produced a government-wide vision of integrated ICT driven public service delivery by the name of Dienstverlening: samen doen (Service provision: do it together). Similar to the Vision 2010, this Digital 2017 program has stated that services should be formulated from the citizens' perspective (a point already mentioned in the PAO program). Citizens should be able to interconnect and connect with government as one whole, regardless of the government or government units that are involved. For doing so a single system of the current twelve basic registrations is being developed. The main responsibility for this lies with the department of the Interior.

#### 5.4 Organization and management of government

**Table 9**

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Strategic planning capacity (1-10)	6.00	10	6.00	11	0.00	-1
Interministerial coordination (1-10)	7.00	13	6.83	15	-0.17	-2
SGL Implementation capacity (1-10)	5.57	20	5.14	21	-0.43	-1
	Value 2012	EU26 rank	Value 2015	EU27 rank	Δ Value	Δ Rank
QOG Implementation capacity (1-7)	5.93	1	5.83	2	-0.10	-1

**Sources:** Bertelsmann Stiftung, Quality of Government Institute Gothenburg.

Though the number of policy advisory civil servants working at the core policy units and staff units in departments, (including staff s working for advisory councils and knowledge centres in central government, amounts to around 10.000fte or 11% there is an issue that around a 1000 are involved with strategic policymaking. The remainder is involved in political-administrative supporting/advisory functions, intergovernmental and interdepartmental relations and monitoring. The latter on the other hand can assist also government/administration capacity and performance with regard to providing clear direction, to professionally managing resources, staff and programs and to assuring implementation also across different government organizations. All should be made relative given the structure of central government, intergovernmental relations and the role of society. This leads to a compound system that works not so much by issuing directives and monitoring and enforcing these from the centre but by a negotiating/



accommodating style. Hence after the demise of pillarization in the 1990s up to present day an enabling state concept became popular. The idea behind the enabling state concept is that governments should concentrate on creating and supplying necessary good conditions for citizens, civil society and market parties to take care of their own and communal interests. Actual service delivery (with exception to law and order issues) is taken care of either directly in the context of citizens in participative society, intermediary private organizations in the public domain. Within government sector there is a special (regiefunctie) role for local government in coordinating service delivery by the private and public actors in the multilevel governance system. In the recent decentralization policies the aim is to reinforce the central role of local government in direct relationships to the citizens. This leaves central government with a system responsibility, strategic policy role and a care for law and order tasks. Complicating matters is that by putting implementation and service delivery at a distance, actual field knowledge is being lost and as a consequence the system responsibility can be under threat.

## 5.5 Policy-making, coordination and regulation

**Table 10**

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Societal consultation (1-10)	9.00	2	9.00	1	0.00	+1
Use of evidence based instruments (1-10)	8.33	4	8.00	5	-0.33	-1
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Regulatory quality (-2.5,+2.5)	1.74	3	1.77	5	+0.03	-2
Rule of law (-2.5,+2.5)	1.81	5	1.93	4	+0.12	+1

**Sources:** Bertelsmann Stiftung, World Bank.

As mentioned previously, the traditional mould of Dutch society and as a result politics and government has been determined by a high degree of societal and political fragmentation. Though the system of societal concertation within the so-called "pillarized society" has virtually disappeared (with the major exception of the education system) the main features of a fragmented society and political system with no majority groups or parties remains the same, so societal consultation is still considered important as can be read in table 10 compiled from the Bertelmanns Stiftung. Remaining at a nine point level on a scale of ten and in 2016 now Dutch government has attained a number one position in the EU28 ranking. Regarding the use of evidence based instrument, the Dutch government is in the top of the EU 28 ranking. The same applies to the regulatory quality and the rule of law. Nevertheless relating to the latter two points there are concerns from the legal community, some political quarters that recent cutbacks and NPM management programs have the danger of eroding the regulatory quality and the rule of law. In addition, the Council of State has voiced concerns regarding the rule of law. The same is true with respect to concerns being voiced by the judges and their organizations and the legal profession. Though the Bertelsmann ratings presented above are still valid concerns are uttered that this high standard might be in peril in future years. In order to increase the legal quality of civil servants an academy for legal civil servants and an academy for civil servants specialized in law making have been created.

## 5.6 Overall government performance

**Table 11**

Indicator	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Trust in government (%)</b>	47.00	7	54.00	2	+7.00	+5
	Value 2011	EU27 rank				
<b>Improvement of PA over last 5 years (%)</b>	9.00	10				
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Public sector performance (1-7)</b>	5.57	5	5.53	3	-0.04	+2
<b>Government effectiveness (-2.5,+2.5)</b>	1.73	5	1.84	2	+0.11	+3

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

Trust in government has risen from 47 to 54 % from 2010 to 2016. This may be considered high from a relative position in the EU28 ranking. Here a 7<sup>th</sup> position has improved to a 2<sup>nd</sup> position in 2016. This is the more remarkable as in the media and politics the low level of trust in government has been marked as a serious problem confronting government, politics and the civil service alike. It should be marked that the trust figures diverge relating to for instance income, educational background, age. In addition, the levels of trust are much higher towards specific services as the police and courts and their workforce than in general government and staff (Ringeling 2004, Van der Meer, Steen & Wille 2015). This is not specific to the Netherlands (Goodsell 2015). Though in the table above no information is presented regarding the development of the improvement of PA since 2011, at central government level major initiatives have been taken to increase and improve the performance, efficiency and effectiveness of public sector performance. The table above the Dutch government is among the top performers. The level of absolute public sector performance has remained stable since 2010 and the government effectiveness has slightly improved.

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