



# Public administration characteristics and performance in EU28:

## Spain

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**Public administration  
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## 1 SIZE OF GOVERNMENT

The size of the Spanish public sector is middle ranked in the EU28 with a share of 43.8% of total expenditure as a percentage of the GDP. This share has declined over the years with peaks in the past around 46%. In terms of public expenditure, Spain is one of the most decentralized polities of the EU with only 45.1% of central government expenditure. In the last 30 years, the state government has grown from 0 to 38.1% of total public expenditure while local government has maintained its share at around 13 to 15%.

**Table 1: General government budget data**

SPAIN	2010	EU 28 Rank	2015	EU 28 Rank	Δ Value	Δ Rank
<b>Total expenditures (in % GDP)</b>	45.62	18	43.76	16	-1.86	+2
<b>Central government share (%)</b>	45.15	26	47.03	26	+1.88	0
<b>State government share (%)</b>	38.15		36.32			
<b>Local government share (%)</b>	15.54		13.75			
<b>Public investment (in % GDP)</b>	4.69	10	2.51	22	-2.18	-12
<b>Debt in % GDP</b>	60.07	23	99.77	17	+39.70	+6
<b>Deficit in % GDP</b>	-9.4	24	-5.1	27	+4.3	-3

**Sources:** AMECO, Eurostat

The period (2010-2015) under examination shows that the Spanish public budget has not improved as expected. Since 2011, several austerity measures have cut the costs of public sector borrowing with the goal of avoiding a bailout. However, the public deficit could not go below 3% of the GDP as intended and Spain became the country with the second-highest deficit of the EU. Also the public debt as a percentage of the GDP grew considerably up to almost 100% (unprecedented in the Spanish economy). Spanish budgetary policy has not achieved the avowed fiscal sustainability by the time of writing.

Public sector employment as a percentage of the labour force with less than 15% is one of the lowest in OECD EU 18. In addition, when excluding public corporations, Spain still lies in the lowest tercile of the OECD EU 18 countries for the years 2005 until 2011. Eurostat data show that this share has further decreased since 2011 as public sector employment has decreased in absolute terms. In fact, successful freezing and dismissal measures have reduced public sector size considerably after 2011 (Parrado 2017). According to Eurostat employment data, Spain had the fifth largest decrease of public sector employment in the period 2011-2015: -6.4% compared to an EU28 average of -1.3% and well above the total employment decrease of -3.0%.

Government employment in 2015 was 2.49 million. Staff distribution clearly shows the strong decentralization of the Spanish polity. The share of the regional government is 58% compared to around 20% for the central and local government each (see Table). This reflects the fact that most service delivery functions are the responsibility of the Autonomous Communities. In particular, health and education employees work for the regional government.

**Table 2: Public sector employment in Spain**

<b>SPAIN</b>	<b>2015</b>
<b>(1) General government employment (in million)*</b>	<b>2487701</b>
thereby share of central government (%)	19.9%
thereby share of state/regional government (%)	58,0%
thereby share of local government (%)	22.1%
(2) Public employment in social security functions (in million)	26859
(3) Public employment in the army (in million)	121610
(4) Public employment in police (in million) **	167161
(5) Public employment in employment services (in million)	n.i.
(6) Public employment in schools (in million)	546119
(7) Public employment in universities (in million)	147770
(8) Public employment in hospitals (in million)	550028
<b>(9) Public employment in core public administration (in million)</b>	<b>928154</b>
(10) Core public administration employment in % of general government employment (10)/(1)	37.3 %

**Sources:** For most data, *Registro Central de Personal* (2016) Boletín Estadístico del personal al servicio de las Administraciones Públicas January. Only for hospitals (8) Ministerio de Sanidad, Servicios Sociales e Igualdad (2015) Estadísticas de centros sanitarios de atención especializada, hospitales y centros sin internamiento año 2014. \*According to the OECD, general government employment excludes public corporations.

\*\* Local police officers (around 60000 in the whole country) are not included for lack of reliability in the figures. However, state police forces from three Autonomous Communities are added.

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

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

#### **2.1.1 The state/government system**

The Spanish polity is a quasi-federal system with high level of decentralization. Apart from central government, the regional level corresponds to the Autonomous Communities and the local level encompasses provinces, municipalities and the Balearic and Canary island authorities. Each level has self-government powers and the members of their legislative bodies are elected every four years. While the administration of the local level is quite homogeneous with minor administrative differences related to the size of the city, in regional Administration there are some asymmetries.

The decentralization of powers was recognized in the 1978 Constitution, which introduced flexible principles to grant political autonomy to some regions. By 1983, however, 17 autonomous communities covering the whole territory achieved autonomy. The Autonomous Communities have their own unicameral parliamentary systems with proportional representation and 13 of them have fix elections every four years. Four



regions enjoy an open election system, in principle also of four-year terms, but the government can decide when to call for elections. All these regions are governed by the Spanish Constitution and their own Statute, approved as an organic Law by central Parliament. The regions have asymmetrical powers. The major asymmetry refers to the financial regime that applies to the Basque Country and Navarra as compared to the rest of the Autonomous Communities. While all regions can autonomously manage their finances, Navarra and Basque Country levy and collect all taxes paid in their territory and transfer to the central ministry of Finance the required resources to pay for central government services (for instance, armed forces) in these two regions. However, in the rest of the territory, central government levy and collect all taxes and redistribute them among the Autonomous Communities.

### **2.1.2 The distribution of powers between different levels of government**

The Spanish intergovernmental system has been shaped by the overlapping authority model, where different powers on State functions are intertwined among different levels of government, particularly the national and the regional level.

Three features characterize the system. First, several policy areas require the involvement of national and regional governments according to the distribution of powers: powers exclusive to central government, shared powers, and powers exclusive to the Autonomous Communities. The Spanish Constitution states that international relations, defence, administration of justice, commercial, criminal, civil, and labour legislation, customs, general finances and state debt, public health, basic legislation, and general coordination are exclusive powers of central government. All autonomous communities have almost the exclusive power to manage their own finances, education, health and social services. However, in these areas, the central government has the power to issue basic legislation. Furthermore, there are other differences in the regional powers according to their own Statutes and illustrated by the following examples: regional security forces in three autonomous communities, a co-official language in six communities and a distinct civil code in six communities.

Second, the different jurisdictions have limited autonomy and discretion, as the combination of exclusive and concurrent legislative powers shows. Finally, agreements and negotiations have to be carried out by different levels of government in order to achieve common goals, as central government cannot impose its policies and the regions have the 'right to make the final decision' regarding their powers. The Spanish system, being institutionally designed for enhancing cooperation has experienced an initial phase of conflict at the political level with involvement of the Constitutional Tribunal at the same time that cooperation and problem-solving strategies have been applied by national and regional civil servants (Colino, 2008).

<b>Government level:</b>	<b>Legislation</b>	<b>Regulation</b>	<b>Funding</b>	<b>Provision</b>
Central government				
Defence (exclusive)	Basic legislation			
National Police (exclusive)				
Education				
Science & Research (1)	Basic legislation			
Health				
Regional government				
Universities				

Science & Research (1)				
Transport (Rail, Airports)	Shared with central government	Shared with central government	Shared with central government	Shared with central government
Regional Police (2)				
Health	Development legislation			
Education	Development legislation			
Courts (Civil & Administrative Law)	Basic legislation for central government except for some regions			
Water (Drainage)				
Social Welfare				
Local government				
Local Police				



*Competence of a particular level of government*

*(1) Science & Research can be performed independently by the central and regional government.*

*(2) There is regional police only in some Autonomous Communities: Catalonia, Basque Country, and Navarra.*

More than half of the policies are subject to concurrent powers (Argullol, 2004; Agranoff, 2007) and the constitutional mandates of guaranteeing 'equality of all Spanish citizens' or 'coordination of the general planning of economic activity' allow central government to potentially encroach on exclusive regional powers in policy fields such as education, social services, health, agriculture, industry or trade (Colino, 2008). The actual exercise of these concurrent powers has not been without conflict. Around 1300 conflicts have reached the Constitutional Tribunal, of which two-thirds were initiated by the regions against the central government. The number is high compared to the two to four annual conflicts in Germany. The number of conflicts has recently decreased as a consequence of some settling of the system and the use of the extra-judiciary solution of conflicts. Many of those judiciary demands have been withdrawn.

**2.1.3 Intergovernmental cooperation**

The Spanish polity has suffered from centrifugal and centripetal forces. On the one hand, there is a centrifugal separatist push from the Basque Country and Catalonia. On the other hand, a centripetal strategy of the central government has devolved the same powers to all regions. With the economic crisis, some regions even considered returning some competences to the central government. However, Catalonians got enraged by the fiscal deficit, their higher net financial contributions to the system, and not finding satisfactory the perspective of central government as regards to the position of Catalonia in the system. This conflictual relationship has led to the celebration of an unlawful referendum, a unilateral declaration of independence and the suspension of the

autonomy by central government until new elections take place on December 21<sup>st</sup> 2017. This has undoubtedly tainted the intergovernmental cooperation patterns.

The second chamber, the Senate, is not an adequate instrument in the Spanish system to introduce territorial demands and to solve intergovernmental conflicts. Therefore, intergovernmental relations are channelled through alternative mechanisms. In general, regional interests are represented through the executives in intergovernmental bodies with two implications. On the one hand, intergovernmental relations are dominated by the executives, with a secondary role from regional parliaments. Sector national and regional ministries are relatively autonomous in their relations with their counterparts. On the other hand, numerous vertical multilateral and bilateral intergovernmental bodies (more than 30 live sector conferences) give an account of the intensity of the relations among the centre and the regions through more than 65 annual meetings on average in the 2000s, compared to 45 maximum in the 1980s and 1990s. Multilateral bodies are mainly used for agreements (at around 200-250 yearly) on sectoral policies while bilateral bodies are preferred for the transfer of competences, and, recently, the extra-judiciary solutions of intergovernmental conflicts. Additionally, the conference of all Prime ministers (*Conference of Presidents*) convenes for cross-cutting events of a particular relevance, like environmental issues or terrorism. All these conferences are supported by several thousand commissions in which civil servants develop the intergovernmental agenda.

#### **2.1.4 Multilevel governance and public sector reform**

In addition to the tensions identified in the previous section, the system of overlapping powers among the regions and the central government has been tested in recent times by the encompassing administrative reforms launched by the central government.

The commission responsible for the reforms between 2013 and 2016 (CORA) proposed initiatives that involved the regions, particularly in two areas. On the one hand, one sub-commission of CORA dealt with redundant services. Although redundancies could happen within the same level of government, most overlaps affected services provided by central government and some or several regions. On the other hand, many initiatives that involved e-government implied the necessary cooperation of central and regional authorities. Some reforms that have not been implemented are related to these two areas. The Basque Country and Catalonia reacted to the CORA report stating that central State was encroaching on their powers.

Overall, the Spanish system has evolved from a unitary polity to a quasi-federal system in which the different constituent parts have a reasonable degree of cooperation and coordination in the different policy sectors at the civil service level, although the recent attempts of the Catalanian government to secede from Spain have considerably strained the system. Up until now, the political discourse has shown less solving-problem and coordination prone attitude but hundreds of multilateral and bilateral technical commissions have worked on a regular basis to solve coordination issues.

<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)
Federal (in practice) & coordinated	Majoritarian	Shared Politicized	Decentralized

The executive power of central government has been majoritarian in recent democratic times.. Political appointees and senior civil servants have a shared background since many appointments from the government have the status of civil servant. This entails a politicisation of the system since those civil servants are politically tainted when returning to their civil service positions. While the minister-mandarin relations are shared, the implementation of policies is centralized at the departmental level without any strong oversight from the centre of government unless the prime minister has a special interest on the matter.

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

### **2.2.1 The ministerial machinery**

The ministerial departments are headed by political appointees, 80% of which have civil service status although not permanence right in the top positions. The three upper layers of the Department contained executive politically appointed positions, whose in-holders normally change with a change of government. Subordinated to the minister, there is also a myriad of semi-autonomous bodies that in practical terms behave like directorates-general. This bureaucracy has marked hierarchical lines, headed by political appointees with some organizational attempts to escape the ministerial bureaucratic rigidity.

The ministerial apex consists of three groups of political appointees with executive functions. First, ministers constitute the government and take joint decisions in the sessions of the Council of Ministers. Second, the current 13 ministries are divided into state secretariats, entrusted to administer specific departmental areas. Within each state secretariat one or more directorates-general (or general-secretariats grouping also several directors-general) constitute the line administration. Third, a departmental under-secretary and a technical secretary-general are responsible to administer the common services of the ministry: budgeting, economic management, staff, legal advice, service inspections, and technological resources among others. The technical secretary-general is responsible for drafting regulations, giving legal advice and filtering the formal decision-making process that ends up in the Council of Ministers. These political appointees have the status of high office (Law 40/2015, article 55) and are therefore appointed by a Royal Decree of the Council of Ministers, at the proposal of the Minister.

As of 2017, the typology of the State institutional administration has the following categories: autonomous public bodies dependent on central ministries (autonomous bodies and business public entities), independent administrative authorities, State trading companies, public foundations, consortia, agencies and funds without legal personality. Most autonomous public bodies have some functional autonomy, but they do not act fully independently from the minister, who appoints the head. These entities have distinct public legal personality, their own assets and treasury, as well as management autonomy. They have administrative powers, but they cannot expropriate private properties.

Each category has some distinctive features. A) *Autonomous bodies* ('organismos autónomos') appeared in 1958 to deliver public services with more flexibility than the ministries. B) *Independent administrative authorities*, created with Law 40/2015, have regulatory or supervisory functions over a particular sector or economic or social activity. For the correct implementation of these functions, these entities are endowed with a special autonomy from the ministries. The creation of these entities requires a Law

(other bodies are created through a government decree). C) *Public foundations*, created in 1999, were originally intended for the health sector. Subsequently, they have proliferated in the Spanish organizational landscape. These organizations are designed to use private sector mechanisms in order to be more efficient. D) *State trading companies* are engaged in a commercial activity and operate under the commercial law. The central government has a direct or indirect majority or even all of the shares (Law 33/2003). When the central government owns 100% of the shares, administrative law is applied in budgetary, accounting, patrimonial, financial and contracting matters. E) State agencies until 2017 (when they were abolished) were formally subject to a performance contract with output indicators.

In the last 60 years, numerous reforms have addressed these quasi-autonomous bodies following two different patterns. On the one hand, ministries have tried to increase the number of autonomous bodies with various degrees of autonomy and legal forms in order to deliver services more flexibly. On the other hand, the ministry of finance has attempted to improve the accountability of these bodies by reducing their numbers and simplifying their legal status. A process to create agencies managed through a performance contract started in 2006, but after 10 years, the 10 created agencies had to be abolished and the agencification process did not really take root in the Spanish central bureaucracy (Law 40/2015). In autumn 2016, a new control system on this group of semi-autonomous executive bodies has been launched accompanied by some measures implemented since 2012: absorption of some entities by their parent ministries, setting a comprehensive register of autonomous bodies, merging several bodies and abolishing some public companies. The new control system will try to regularly test the effectiveness of these bodies. Furthermore, the General Audit's Office has to prevent the creation of unnecessary autonomous entities. Similar measures in the past were bypassed by many ministries.

### **2.2.2 The Centre of Government capacity for coordination**

The work at the Centre of Government is shared by a formal and informal network of actors that participate in the decision-making process and offer different logics to the final decisions. The formal actors of the network are the *line* officials and political appointees while the ministerial cabinets of policy advisors constitute the informal network.

The Council of Ministers is the collegial body of government that takes the relevant decisions of the executive and it is composed of the president of the government, the vice presidents and the ministers. State secretaries may attend the weekly governmental sessions when summoned. Government decisions are adopted according to the principle of departmentalism and collegiality (normally through consensus) and ministers are jointly responsible for the governmental decisions.

The decisions of the Council are prepared by governmental commissions and the commission of state secretaries and under-secretaries. The government commissions are composed of ministers and secretaries of state with a direct interest in the subject in question. The most regular and permanent commission, the commission of Economic Affairs, is chaired by the prime minister since 2011 and supported by his Economic Office. In 2016, the government commissions were six (Economic Affairs, National Security, Intelligence Affairs, Science and Technology Policy, Equality Policy, and Cultural Affairs). The commission of state secretaries and under-secretaries filters the decisions submitted to the Council of Ministers. This commission is composed of the State Secretaries and the Undersecretaries of all ministries and it is chaired by the (political) Vice-President of the Government that also holds the ministerial portfolio of the Government Office (Ministry of the Presidency).

This formal system is supported by a network of policy advisers that are appointed by each minister and work in ministerial cabinets. The secretaries of the states also have their own advisory cabinets. Although policy advisors cannot take part in the official decision-making process, they informally shape very often the decisions to be discussed by the Commission, prior to the Council of Ministers' sessions (Parrado 2017).

In general, this double network of executive political appointees and policy advisors offers a certain degree of coherence to policy-making. On top of the informal network, the advisors of the Prime Minister ensure that ministerial policies are aligned with the political priorities of the prime minister. Civil servants prepare the documentation of policy decisions, but they are placed away from the decision-making core.

Therefore, the formal and informal networks brief respectively the Government Office (*Ministerio de la Presidencia*) and the Prime Minister's Office (PMO) on the preparation of departmental policy proposals. In this process, the formal autonomy of line ministers is lost in favour of a quasi-presidential system dominated by the prime minister. The formal networks of civil servants and political appointees reporting to the Government Office focus on the technical and legal issues while the informal network deals with wider political issues. The existence of a parallel informal network does not mean that they are able to focus on all ministerial areas since the number of policy advisers, although big in comparative perspective (Parrado 2017), cannot outnumber line managers.

### **2.2.3 Budgeting and monitoring mechanisms**

The approval of the budget follows the script of the budgetary process in parliamentary democracies dominated by the executive and by the Ministry of Finance. The final proposal is approved or rejected in block by the parliament, where the government political party has traditionally had the majority until 2015. Marginal changes are also carried out during the parliamentary proceedings but these amendments do not influence the main logic of the system.

Several commissions take part in the budgetary process. The *Commission on Spending Policies* sets the guidelines to allocate expenditure among the spending units and also establishes the guidelines for the departmental spending proposals. The Commission, chaired by the Minister of Finance and Public Administration, includes all ministers. The bilateral *Commissions on Program Analysis* between the ministry of Finance and each ministry, assesses the adequacy of the spending proposals and their objectives. Furthermore, each ministerial *Budgetary Commission* coordinates the departmental budgetary proposal. The budgetary document mixes program and line-item budgeting within each spending unit. The document rarely incorporates performance information on outputs and outcomes to monitor the execution of the budget. The traditional control mechanisms tend to focus on the legality of the expenses and the effective execution of the budget. The general director for Budgeting coordinates the budgetary proposal to be sent to the Parliament.

In the period from 2011-2015, the budgetary process was dominated by the austerity measures. According to Molina, Homs and Colino (2016), these measures left little room to implement a more strategic budgetary process. The most relevant reforms were: restructuring of saving banks, reform of the labour market and public spending cuts in several areas. The austerity packages aimed to reduce the long-term public-sector borrowing costs to avoid a bailout. At the time of writing, fiscal sustainability has not been achieved (see data above).

However, the budgetary policy has regained credibility in the financial markets and in Europe (Molina, Homs and Colino 2016) thanks to the Organic Law 2/2012 on Budgetary Stability and Financial Sustainability of Public Administrations. Apart from being the Spanish government committed to a balanced budget, an Independent Authority for Fiscal Responsibility was created in 2013 and the risk premium reached in 2015 its lowest level since 2010. This has helped the Commission to grant some flexibility in order to obtain the 3% deficit objective of the GDP until the end of 2017. The major

problem for reaching this target comes from the limited economic growth and increase of income, rather than the spending fiscal rules and procedures.

#### **2.2.4 Auditing and accountability**

The audit system is rather traditional and focuses on the legality of public expenditure instead of assessing the level of achievement of result-oriented objectives related to outputs and outcomes. This is a common critique of the instruments available to audit the public sector.

The Audit Office (*Tribunal de Cuentas*) and the ministerial service inspectors audit and monitor the system. These inspecting bodies carry out different control systems but mainly focus on formal aspects, even though their remit should be wider. Performance of policies and services is not really subject to control. Service inspections, for instance, monitor formally the implementation of quality management instruments. Nonetheless, many ministries and agencies delivering direct services to citizens assess the quality of their services through customer surveys.

The Audit Office supervises the economic management of the whole public sector from all territorial levels of government, including also political parties. If a city council, for instance, does not perform well in economic terms when executing the budget, its accounts can be intervened by central government (for example, Madrid city council in 2017). The members of the Audit Office are elected by the political parties of the Parliament according to their weight in the Chamber. This selection procedure taints its function of auditing political parties' accounts, which have been subject to recent scandals. Furthermore, the number of political appointees of this body is high compared to the low number of career inspectors and experts (European Court of Auditors and the Portuguese Audit Office, 2015).

The Ombudsperson (*Defensor del Pueblo*) is elected by a qualified majority of both legislative chambers for five years compared to the four-year mandate of the parliament. This institution deals with administrative arbitrariness against citizens and has focused recently on complaints related to minimum income, care aid, taxation and judicial delays. According to its latest report (Defensor del Pueblo 2016, p. 33), 75% of the 842 recommendations and suggestions, for which there has been a clear positioning, have been accepted by the public sector organizations. According to Molina, Homs and Colino (2016), the advocacy role of this Office is limited due to three reasons: 1) a decline of their limited resources since 2009 (Defensor del Pueblo 2016, p. 36); 2) limited collaboration with public sector organizations during the investigation stage since the implementation of its recommendations by the target institution takes too long, and 3) some potential self-restraint by the current ombudswoman, ex-member of the Popular Party, that supports the government since 2011.

#### **2.2.5 Coordination of administrative reform**

The government set the Office for the Implementation of Administrative Reform (OPERA) under the Deputy (political) Prime Minister to ensure compliance with the CORA report and to formulate new proposals (RD 479/2013). This Office was abolished and replaced by the General Direction of Public Governance in 2014. Apart from bringing together representatives of all ministries, OPERA had access to high-level decision-making bodies, as a representative of the OPERA office attended all the weekly meetings of the General Commission of Secretaries of State and Undersecretaries. Thus, reform initiatives and information could be directly channelled to the Council of Ministers. Furthermore, OPERA benefitted from having rooted all the reform initiatives in a ministry that joins the responsibility of finance and public administration, which links the budgetary to the reform process. Finally, the coordination of the office corresponded to the "political" deputy prime minister, who controls the agenda of the Council of Ministers.

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

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

##### **3.1.1 Definition of the civil service**

In the Spanish public sector there are basically two broad categories of public sector employees: civil servants and employees with a labour contract. Civil Servants are appointed for life and their employment relation is regulated by Administrative Law. Civil servants may hold most positions and the posts related to the safeguarding of public powers and the State general interest are reserved to them. Employees under contract are regulated by the Employment Law and do not enjoy tenure. They may only hold certain posts. The distinction between civil servants and contract employees is more difficult in theory than in practice since this strict configuration has been softened by the Constitutional Court (SCT 37/2002) and some administrative regulations are applied to labour contracts: access to a public position through merit, ethical codes, collective bargaining decisions, some individual duties and rights as well as a similar disciplinary regime. In any case, the Constitution and the Constitutional Court since 1987 (SCT 99/1987) favours a predominant civil service system, although this has not materialized at all levels of governments. The proportion of civil servants is higher in the State (81.6% in 2016) than in other territorial levels: the regions (64.8%) and the local authorities (37.9%) (Boletín del Registro Central de Personal, 2016).

##### **3.1.2 Configuration of the civil service system**

Public employment in Spain is a mixed model that combines the logic of a career and a position system. The *corps*, shaped after the French career model, are the gateway for entry into public administration and positions are not open to lateral entry. The access to a corp determines the set of positions that a civil servant is entitled to apply after having passed the public competition exams. As a member of a *corp*, a feature that is held for life, all positions except for those at the level 30 are subject to an internal competition. If so decided, civil servants from the regions or the local authorities may apply.

The Civil Service Basic Statute defines the rights and obligations of civil servants. Individual rights include the right to privacy, non-dismissal, to participate in political activities, of association, to belong a political party and to strike. The main obligations are to perform the public functions with objectivity, integrity and neutrality, following the (legal) orders of the superior.

#### **3.2 Civil service regulation**

The 7/2007 Civil Service Statute replaced the 1984 Act on the civil service and established a homogeneous model for all public employees (civil servants and labour contracts) for all territorial levels and sectors. Regional and local authorities may adapt the basic principles and regulations of this model to their specific conditions.

The 7/2007 Act was approved due to two centripetal trends related to the territorial decentralization and the proliferation of special civil service regimes. On the one hand, the continuous transfers of functions and personnel to the Autonomous Communities led to surpluses (or deficits) of personnel in the ministries. In addition, decentralization left central administration with mixed competences but the gradual emphasis of state activities on planning, regulation and supervision. This shift has not been accompanied by legislative changes that allow the central administration to adapt its human



resources. On the other hand, the proliferation of special schemes for certain groups (health, education, research, armed forces, security forces and the like) is a departure from the common basic legislation, but also from common rights and guarantees. In addition, a dual model of public employment law and labour law has coexisted, but with a growing legislative and jurisprudential merge of the two systems.

The 7/2007 Act raises three criticisms. First, it is incomplete because not all public authorities have launched the development legislation. Given that there is no specific deadline for its development, few authorities feel compelled to do so. Second, it promotes the individual appraisal of all civil servants with impact in the promotion, provision and maintenance (or removal) in a specific job and the salary bonuses related to the employee's performance. The economic crisis is one of the underlying causes for neglecting this aspect, since any performance appraisal regime would be connected to monetary rewards. Third, the development of a management group at the top of the Administration, whose working conditions are established and negotiated separately from the rest of the public employees, has not materialized in most territorial levels of government.

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

#### **3.3.1 The management of HRM**

The authority in charge of defining the HR policy and managing HR at the central level is the Directorate General for the Civil Service, which centralizes the system leaving only a few functions to the ministries and other autonomous bodies. The Directorate is in charge of a broad range of functions like designing the pay system, controlling the payroll, administering the State pension, standardizing recruitment and skills profiles, providing training, setting the post classification system, taking care of the centralized employment offer and organizing most competitions. Ministries are involved in several issues but usually under the control of this central unit.

#### **3.3.2 Internal processes of the civil service**

Competitive recruitment to access a *corp* is carried out using one of the following procedures: competitive examination, the competition of merits (exceptional system in which merits and the curriculum of candidates are assessed) and competition-examination (a combination of exams and merit assessment). All different recruitment procedures apply the constitutional principles of equality and merit. Most vacancies are filled through competition among the successful candidates, according to their exam ranking. Promotions to higher level positions may happen through an internal competition.

A large proportion of successful candidates are first admitted into a specific training school (for instance, tax inspectors, civil administrators or diplomats). This training may last up to ten months and it is more customary at the centre than at the territorial levels of government. During the training, civil servants receive a salary. There is no probation period, after which a 'fresher' civil servant may be confirmed or dismissed from the civil service. Furthermore, public employees are entitled to training after receiving the permission of the head of the unit. However, there is no clear competency framework or performance/competency appraisal that determines the individual training track for each civil servant.

### **3.3.3 Senior civil service**

There is no specific senior executive system. However, there are some specific ethical rules in relation to the conflict of interest that apply to the managers of the highest positions in the civil service. Furthermore, their bonuses, which are theoretically performance-related (but in practice are not clearly linked to performance), are a bit higher in average than for regular staff (Parrado 2012).

### **3.3.4 Social dialogue and role of trade unions**

Public sector trade unions are structured according to different professional groups or sectors and are financed by public funds. By law, unions must be consulted regarding working conditions, the employment framework, the code of conduct and the right to strike as well as the establishment of minimum services in the event of a strike. However, the government does not require the agreement of the unions for their policies. The conditions of employment of the civil servants and labour staff (base salary and the employment framework) are negotiated between the Ministry of Finance and Public Administration and the public sector trade unions. However, bonuses and the conditions for a particular strike are negotiated at the level of the particular ministries or authorities.

### **3.3.5 Remuneration**

The civil service salary system has five components: a) the *basic salary* depends on the educational level of entry; b) a seniority allowance is paid every three years; c) the *rank allowance* is based on the personal grade of the civil servant; d) the *post allowance* depends on the particular features of the job and e) *bonuses* rely on performance-related payment. Basic salary, seniority and rank allowance are established in the Annual Budgetary Law, whilst post allowance and bonuses are determined by each ministry in negotiations with the Ministry of Finance and Public Administration. The higher the hierarchical level, the less relevance is assigned to the three basic components (basic salary, seniority and rank), and more to complementary rewards that are not used for working out the pension scheme. For instance, the basic components of the remuneration represent from 35-37% (higher levels of civil servants) to 66% (lower levels of civil servants).

The Ministry of Finance and Public Administration and the most representative public sector unions negotiate salary measures. However, for wage increases, the annual inflation forecast is used and each year's budget law proposes the maximum allowed increase. In general, the Ministry of Finance and Public Administration has always connected the remuneration level and the general economic policy by disconnecting the salaries of officials from the cost of living in the past before converging with the Eurozone, or by freezing salary increases from 2010 during the economic crisis. In periods of high economic growth, wage increases remained at a distance from the consumer price index (an average of 1.14% below). Overall, from 1990 to 2015, the percentage change in the Consumer Price Index has always been higher than the overall increase allowed for public officials except for five occasions: 1991, 1996, 1998, 2008, and 2009 (Parrado 2017).

The general wage loss has prompted senior officials to develop at least two alternative strategies to attract allowances less transparent than centralized negotiations: the improvement of two remuneration supplements (the post allowance and the performance bonus), and the "automatization" of some agencies with better

remuneration policies since the early 1990s. Traditionally, the salaries of high civil servants are lower than in the private sector (see Parrado 2012); unfortunately, there are no recent data to compare these salaries.

### 3.3.6 Degree of patronage and politicization

In general, the access to the civil service is merit-based for the central and regional government. However, there are certain political interferences at the local level (Cuenca 2013). Promotion is also formally based on a competitive procedure. In practice, however, this internal competition hardly takes place and the preselected candidate is given an advantage in the process. In any case, party patronage does not necessarily play a role in this process (Parrado 2017).

The internal competition produces at least two types of anomalies according to Fuentetaja (2013): the design of the vacancy is adapted to the profile of the preferred potential candidate and the degradation of the assessment of merits. On the one hand, the profile of the vacancy can be “adapted” to the desired result by including requirements that only a particular candidate may fulfil. Furthermore, that vacancy may be first filled by an “acting” civil servant, who will have in the future better chances to obtain finally the position. On the other hand, the degradation of the merit-based process takes place when assessing the generic and specific merits of each candidate, in particular in the regional authorities, where the use of interviews is customary. Most civil servants have little trust in this open system that leaves room for the interference in the process. Moreover, there is a group of positions within the civil service that is open to the discretionary appointment of the superior. This happens for positions of level 30 in central administration. In some regional administrations, discretionary appointments start at level 26.

In sum, this is a typical career and close system with some minimal elements of the position system for remuneration and promotion. Constitutionally, the civil service is the standard employment status but in practice, this only happens at central administration with a higher proportion of labour contracts at the other levels of government. Except for some functions that only civil servants can perform, there are no great differences between civil servants and public employees. After elections, civil service turnover is low.

<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)
Career	Civil servant as standard	Low	Low

Recent legislative measures have ensured high coherence of civil service systems among levels of government. These HR systems share similar features: lower compensation level than in the public sector for high civil servants (vice versa for civil service lower levels); higher compensation level in the autonomous communities than in central administration; a higher level of formal politicization at the regional level (see Table).

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)
High	Much lower for high levels; higher for low levels	High	Medium

## 4 POLITICAL ADMINISTRATIVE SYSTEM AND POLITICAL ECONOMY

### 4.1 Policy-making, coordination and implementation

#### 4.1.1 State system

The Spanish polity is a quasi-federal system although it is formally known as a decentralized unitary State, whose regions have considerable power and autonomy to decide and deliver their own policies. Spain has a parliamentary regime with a majoritarian government. The government is customarily formed by the president (with slight more powers than a prime minister or *primus inter pares*), the vice-presidents (typically one for economic affairs who is the minister of finance and another one for political affairs (the minister of the Presidency) and the ministers. In general, recent democratic governments have been quite stable in Spain. For instance, between 1977 and 2005 the average mandate of the president was 6.7 years and 9 years for the governing political party (Rodríguez Teruel 2006). In recent democratic times there have been 4 majoritarian governments and 9 minority governments. In spite of the fragmented results in the two consecutive elections of 2016, the central government has not experienced yet a coalition government. The consensual culture was part of the transition to the democracy in the late 1970s but this culture seems to have disappeared and it is currently challenged by the separatist Catalanian pulse.

The apex of the ministries is quite politicised since it is controlled by political executive appointees (state secretaries, under-secretaries and directors general) and policy advisors. All these positions are appointed by the government. Underneath, deputy directors general are civil servants that are also appointed without competition at the proposal of the director general. At the same time, most of the positions (including policy advisers) are filled by civil servants, who normally return to their previous position once they are dismissed. This revolving door process between political appointments and the civil service taints the neutrality of civil servants. At the same time, circumstantial evidence from interviews with senior civil servants shows that civil servants carrying out the functions of a political appointment normally display high professionalism and neutrality. Further research is needed to support this claim. In general, civil servants display a mix of agent and trustee role according to the categorization of Hood and Lodge (2006).

Distribution of powers	Coordination quality (high, medium, low)	Fragmentation (high, medium, low)
Shared	High at high levels; medium to low at lower levels of the ministerial hierarchy	High

#### 4.1.2 Consultation for decision making

In general, there is little consultation in public administration. According to Molina, Homs and Colino (2016), the government of Partido Popular has hardly consulted social actors (like trade unions) since 2011, and in particular for relevant reforms related to the labour market, public spending cuts or other structural reforms. In the period up to 2016, the government has signed only one social pact on long-term unemployment with the two most important trade unions and the main employers' association.

In general, line ministries have their own consultation bodies in order to get support for their policies. The frequency, institutionalization and substance of this support vary considerably among areas. There have been issues of straining relationships with NGOs involved in international aid because of the budgetary cuts. Think tanks are starting to shape the public discourse on economic issues through different foundations from the employers (*Círculo de Empresarios*, *Círculo de Economía*, COAG (Coordination of Farmers), ASAJA (Association of Young Farmers) or the trade unions (Fundación Largo Caballero) or even consumer associations.

However, according to Molina, Homs and Colino (2016), think tanks and associations focusing on non-economic topics have been relatively weak in Spain as to exert effective influence on the policy-making process, including the Catholic Church. This weak organised civil society does not encourage the government to enhance their voice. Most relevant groups are the national branches of international organizations like Greenpeace, Amnesty International, and Intermon Oxfam. Some exceptions are the LGBT (Lesbians Gays Bisexuals and Transsexuals) movement that has supported same-sex marriage or CEPES (Spanish Business Confederation of Social Economy) in charge of social economic issues. Perhaps the most successful movement has been the platform created out of the 15-M Movement ('indignados'). Apart from triggering the creation of several platforms in defence of people who lost their house, it created the seeds of *Podemos*, a political party with relevant electoral results in the last elections, as well as other regional political platforms.

In sum, the system has a coordinated and incrementalist policy style with clear traits of a corporatist approach. Citizen participation in policy-making is weak and the impact of recent legislative measures to enhance citizen participation remains to be seen.

Political economy (liberal – coordinated)	Interest intermediation (corporatist - pluralistic)	Citizen participation (strong – weak)	Policy style
coordinated	Fairly corporatist	Weak	Incrementalism

### 4.1.3 Policy advise and changes in human resources

Most policy advice is monopolised by ministerial cabinets in the Spanish bureaucracy. Although external experts are engaged in supporting particular government policies, the bureaucracy relies on the work of political advisers, many of which are also civil servants. In a system with a high number of policy advisers and political executive appointees, the formal role of civil servants is minimized.

Political appointees change at least with every government, although the number of persons that occupy positions at the top tends to remain stable with the increase of mandates from the same prime minister. However, since those positions are subject to discretionary appointments, the instability of political appointments is considerably high, which endangers the sustainability of policies since some projects may not outlast their promoters. There are policy sectors in which a struggle among opposite advocacy coalitions operate and each change of political party in government promotes significant policy change (social services, abortion, the territorial policy or the education system).

Traditionally, the influence of interest groups is not high and corporatist tradition has dominated. Lobbying is rather exerted through business associations and trade unions. The entry in the European Union and the international context have promoted this dialogue among different social actors instead of undermining their capacity to strike enduring deals (Royo 2006, Jordana 2016). Citizens do not play a major role in decision making although they have to be consulted on legislative proposals since 2016.

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 cabinets and mandarins	Medium	Patronage at the top - medium	Agency bargain dominant	Low at high levels; high at lower levels

## 4.2 Administrative tradition and culture

The tradition of the Spanish bureaucracy is based on the *Rechtsstaat* approach in which the State is the driving force of society. Although the Spanish system of the XIXth and XXth century carried the Napoleonic features of centralisation and uniformity, the decentralisation reform of the late 1980s and early 1990s have caused a departure from this Jacobin view. The dominating French prefect, who has been able to reinvent his influence in France, has no longer a similar Spanish counterpart and Madrid as a central vantage point plays a lesser role in a quasi-federal State.

Other features of the administrative tradition are shared broadly also by the countries that belong to the *Rechtsstaat* tradition. Most senior civil servants have a law background and administrative law sets the basis for oversight in a hierarchical court system. In general, a procedural logic dominates over a managerial one for units that do not deliver services directly. In their planning and steering role of the whole system (including their counterparts from the regions), Spanish central government does not display a

managerialist approach except for the area of health where the relationships with the regions are set on an equal foot. However, the few organizations in central Administration that deliver services have adopted a managerialist approach with high penetration of e-government in recent times.

<b>Administrative culture</b> Rechtsstaat, Public Interest	<b>Welfare state</b> (liberal, conservative, social-democratic)	<b>Public Sector openness</b> (open, medium, closed)
Rechtsstaat	Conservative / social democratic depending on the political party dominance over the years in the regions	Closed

<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)
Legality, impartiality, equality	Procedural	High	Medium

This section focuses on the Hofstede’s analysis of the administrative culture by picking some of its elements. The table shows some of the Spanish scores on the Hofstede culture dimensions. The scores do not yield conclusive statements assessing the Spanish culture and the report from Hofstede’s team shows at times an interpretation that is not supported by other anecdotic evidence. Furthermore, it is unclear how these culture dimensions relate to public administration, if at all. Although, this section offers some of the comments from Hofstede’s team on the Spanish scores, there is some scepticism about its value for this text, in particular the dimensions: long-term orientation, masculinity/femininity or indulgence/self-restraint.

The ‘*power distance*’ high score (57) reflects a hierarchical society that permeates organizational structures accordingly, both in the public and in the private sector, as explained by the commentators of the scale<sup>1</sup>. However, this contrasts with other aspects that show how the hierarchy is not so clear. On the other hand, team working is not entirely alien in many public sector organizations (see next paragraph). Therefore, staff are used to this sort of more horizontal relationship. The high hierarchical score should be then taken with caution.

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<sup>1</sup> <https://geert-hofstede.com/spain.html>

The 51 points in the '*individualist/collectivist*' scale show that Spanish society is relatively collectivist and people defend groups rather than the individuals. The explanatory text<sup>2</sup> maintains that teamwork is considered something natural among Spanish employees, which contradicts the idea of the dominance of hierarchism. Indeed, Spanish culture can be considered more collectivist and solidary than individualistic and selfish in the work environment. In fact, the few exceptions of real performance appraisal of the work of public sector employees prefer a more collectivistic approach (rewarding the members of a team or unit rather than individuals).

The 42 score in '*masculinity/femininity*' maintains that success is achieved through consensus rather than competition. In fact, excessive competitiveness is not well considered in the educational system (including university) or at the workplace. The commentator of the score<sup>3</sup> maintains that managers like to consult their subordinates to know their opinions and make decisions accordingly, however, this, if done, is carried out on *ad hoc* basis. Staff surveys are very unlikely in the public sector.

The Spanish society scores high (86) in '*uncertainty avoidance*' and may try to control this uncertainty through planning both in the public and private sphere. However, it is unclear how commentators of the Hofstede scale on Spain link this feature to having the noisiest country in the world (also without any metrics). Job security, (i.e. people wanting to work in the public sector for having a job for life as mentioned above) is an important element of the culture, in which there is a high unemployment rate. By and large, Spanish society can be considered as an abiding rule society and this also applies to the work environment of the public sector.

'*Long-term orientation*', however, scores very low which reflects a way of life where the future is not a big concern, although this might have been changing with the last economic crisis and the impact on the young generations.

## **5 GOVERNMENT CAPACITY AND PERFORMANCE**

### **5.1 Transparency and accountability**

The basket of indicators on transparency and accountability offers a mixed view. On the one hand, the transparency of government is stationary (Spain being sixth of EU countries) or improving slightly in the case of access to government information (from position 26 to 23 in EU countries) (see Table). In any case, the position of Spain in this dimension is below the average. In general, until the launch of the Freedom of Information Act in 2013, most authorities have been rather reluctant to offer information, even for research purposes. The launch of the law and the associated portal might have started to influence public opinion on this matter, although it is too early for having a significant impact. An independent study (Cruz 2015) on the open government policy of the government stated that the transparency portal has some challenges regarding the quality and sufficiency of information as well as some issues regarding the full access to the information. According to Molina, Homs and Colino (2016), low scores on openness of the Spanish government are related to several factors including the absence of some institutions in the Freedom of Information Act, like the legislature or

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<sup>2</sup> <https://geert-hofstede.com/spain.html>

<sup>3</sup> <https://geert-hofstede.com/spain.html>



the royalty, the fact that access to information is not a fundamental right, the limited independence of the Transparency Council, the shortcomings of the website, or the restrictions for stakeholders to access particular relevant documents of the decision-making process.

The middle-rank score of executive accountability from SGI Bertelsmann shows that there are institutions that exert monitoring like the Parliament, the Audit Office and the office of the Ombudsperson, still they need more resources to hold the executive to account. Civil society through the media, different civic platforms and social media have been more vigilant on the activities of government. Even the Spanish official TV seems to offer a balanced account of the governmental activities and the evolution of the crisis.

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Access to government information (1-10)</b>	5.00	26	6.00	23	+1.00	+3
	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Transparency of government (0-100)</b>	66.00	6	70.71	6	+4.71	0
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Voice and accountability (-2.5,+2.5)</b>	1.12	13	1.02	17	-0.10	-4
<b>Control of corruption (-2.5,+2.5)</b>	1.01	13	0.49	19	-0.52	-6
<b>TI perception of corruption (0-100)</b>	61.00	15	58.00	18	-3.00	-3
	Value 2010	EU28 rank	Value 2014	EU28 rank	Δ Value	Δ Rank
<b>Gallup perception of corruption (%)</b>	75.00	17	84.00	22	+9.00	-5

**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.

On the other hand, the perception of corruption has increased from 2014 to 2016 measured by any indicator (see Table). Spain is performing below the EU average. Most corruption cases, though, were originated in the period previous to the crisis during the epoch of the housing bubble. Since the housing bubble has disappeared and the government is spending far less in infrastructure, the corruption originated in procurement contracts might have also declined in this period. This objective information does not show up in the corruption perception index of Transparency International. More recent corruption scandals have been linked to political party financing. Furthermore, most of this corruption is related to the local or regional level of public administration. Most cases had an important echo in the media and some of them are of high relevance since they involve a network of people operating in different cities. Corruption at the individual level like paying to be advantaged in health waiting lists, choosing a school or avoiding a traffic fine is unheard of.

The State is developing capacity in several fronts to curb corruption or making it more difficult: The control of high value euro notes, the different pieces of legislation to enhance good practices in procurement and to implement electronic invoicing, the use of central platforms for procurement, the legislative changes on party financing or amendments to the criminal code.

Since objective data on corrupt cases are hard to come by and many cases have probably not been unearthed, it is difficult to gauge the progress of government in really tackling this problem. Furthermore, all indicators are based on perception data and although they help to analyse certain trends in society, it is difficult to assess the improvement or worsening in this area.

## 5.2 Civil service system and HRM

The human resource dimension also offers a mixed view of the capacity of Spanish public administration to deliver results that matter to the citizens. First of all, there is no assessment of the HR capacity based on the workforce size, competence or motivation of civil servants. These assessments have to be understood from indirect measures. For instance, regarding size, Spanish authorities have downsized government considerably by reducing the numbers of employees or freezing overall recruitment between 2011 and 2015. A set of different improvement plans (more than 30 per year) from different public authorities at all territorial levels of government in the last four years show that all organizations (without exceptions) have felt this downsize. At the same time, many authorities have also experienced the ageing of their workforce. However, the impact of this measure has not been negative in all respects since those organizations have fought for their survival by being more strategic, deploying their resources differently and using e-government more intensively. It is difficult to know then whether the size of the workforce is adequate. However, its reduction has triggered the imagination of public sector organizations, at the same time that the service level of some units has declined.

Second, a considerable pitfall of the system is related to the lack of assessment of competencies and performance. Exceptionally, some organizations use performance management and when there are resources available, they pay a performance bonus. These performance management systems have been normally preceded by the training and development of managerial skills. However, by and large, the training of human resources at all levels of government is *ad hoc*. There are no competency frameworks in most Administrations (except for some experiences at the regional level) and there is no performance or competency appraisal on a regular basis. Since public authorities want to link performance appraisal to monetary incentives and there has been a considerable crisis which has forced to cut funds available for productivity bonuses, the performance appraisal methodology has not been really implemented in most authorities.

Third, the table shows that the indicators related to professionalism and impartiality are close to the European average. In general, however, this professionalism and impartiality are not evenly distributed. The level of clientelism in local government recruitment is very high (Cuenca 2013) while the suspicions of the high level of clientelism in some regions have to be backed by evidence. Furthermore, the size of the apex in all administrative levels that is devoted to political appointments (executive positions and also policy advisors) is very high. The filling of vacancies of this closed system (see the value of the scale close to 7 in the Table) is not carried out following real merit-based procedures. Pro-forma, these procedures fulfil all the conditions of due process, but successful candidates are informally approached in advance. Therefore, the professionalism of a handful of civil servants (if one takes into account all levels of government) is not sufficient. Central government employees might have better recruitment procedures but still considerable room for improvement.

Indicator	Value 2012	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Impartiality (1-7)	3.19	15	3.16	18	-0.03	-3
	Value 2012	EU26 rank	Value 2015	EU26 rank	Δ Value	Δ Rank
Professionalism (1-7)	4.39	12	4.51	13	+0.12	-1
Closedness (1-7)	6.29	1	5.68	7	-0.61	-6

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

In general, working in the public sector is very attractive in spite of low salary for higher positions (comparatively higher salaries for lower positions) given the high rates of unemployment. Probably, the public sector is not the employer of the first choice, but most respondents to different surveys (CIS, 2006; Ruano et al. 2014) highlight that employment security makes public sector jobs attractive.

### 5.3 Service delivery and digitalization

The reforms launched since 2013 have relied mainly on new technologies and e-government in order to overcome the austerity measures on public employment. The trend is to have e-government by default for all services. There has been a considerable effort to compel public authorities to offer digital services, citizens have been nudged to opt for electronic services, and business has to do this compulsorily for areas like taxation or invoicing. For instance, the 8 business related services assessed by WIFO (2012) are offered on e-government. In fact, the values and positions of Spain in the ranks of the table (rather in the middle of EU 28, except for the provision of online services masks the extraordinary effort at least of the central government to make digital all phases of service delivery. At the same time, some areas require the cooperation of different public authorities, even levels of government.

Indicator	Value 2013	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>E-government users (%)</b>	23.55	13	29.99	13	+6.44	0
<b>Pre-filled forms (%)</b>	54.50	12	67.83	9	+13.33	+3
<b>Online service completion (%)</b>	90.86	3	91.43	7	+0.57	-4
	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Online services (0-1)</b>	0.77	1	0.91	5	+0.14	-4
	Value 2013	EU27 rank				
<b>Barriers to public sector innovation (%)</b>	29.04	15				
			Value 2015	EU28 rank		
<b>Services to businesses (%)</b>			29.50	23		
	Value 2011	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Ease of Doing business (0-100)</b>	70.13	15	75.73	17	+5.60	-2

**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.

Behind the average values of 'services to business' and the 'ease of doing business' for Spain, a similar critic can be exerted. In general, businesses have to interact with all levels of government for different permits, authorizations and services. This complex licensing process, which is not always solved through one-stop shops for businesses, may be an underlying reason for the time that is needed to start a company, which is higher in Spain (28 days) than EU average (13.7 days) (WIFO 2012). According to WIFO (2012), the time required for public authorities to pay procured services and goods is higher in Spain (80 days average) compared to the EU-average of 28.2 days.

Service satisfaction offers a mixed picture of the evolution of public services in the view of citizens. Several AEVAL reports (2010-2016) show that since 2009, the satisfaction of Spaniards with public services at all levels of governments has experienced a zig-zag trend. In 2009, more than 50% of respondents were satisfied or very satisfied with public services. This percentage rose to 63% in 2011 but started to fall since then with 45% approval rate in 2013 and 50% in 2015. This generic view contrasts with the more specific perception regarding the last time that citizens got a public office. Since 2010,

there are no significant changes. More than 70% of the citizens are satisfied or very satisfied with their last governmental transaction they did. In fact, the percentage of people very satisfied rose from 15% in 2010 to 22% in 2015. Therefore, while positive generic perceptions have declined, more specific experiences have remained unchanged or even slightly better. This single experience might be supported by the increasing effort of government to apply e-government and enhance the effectiveness of service delivery.

#### 5.4 Organization and management of government

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Strategic planning capacity (1-10)</b>	7.00	6	7.00	7	0.00	-1
<b>Interministerial coordination (1-10)</b>	7.83	9	7.83	8	0.00	+1
<b>SGI Implementation capacity (1-10)</b>	6.43	15	6.71	11	+0.28	+4
	Value 2012	EU26 rank	Value 2015	EU27 rank	Δ Value	Δ Rank
<b>QOG Implementation capacity (1-7)</b>	4.14	23	5.04	17	+0.90	+6

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

Spain is located in the first quartile of 'strategic planning capacity' in comparative perspective. This might be explained through the need to centralize decision-making power in the Prime Minister's hands during the crisis. For instance, the prime minister started to chair the government commission on economic affairs since 2011 (in the past this was the role of the minister of Economy) with the help of his Economic Office and the deputy prime minister for political affairs, who centralized the overarching reform movement of the public sector. Furthermore, the prime minister created the Department of National Strategies, also under his Office. Strategic planning has also been present in areas like economic policy, public safety, foreign affairs, pension schemes, and development and cooperation aid just to mention some outstanding examples.

The score of 'interministerial coordination' has to be understood at two different levels. On the one hand, high level 'interministerial coordination' is also a strong feature of the executive as explained above. The main figures of the centre of government are the prime minister, the deputy prime minister and a network of policy advisors grouped in cabinets as well as different offices from the entourage of the prime minister like the Economic Office or the Department of National Security. The deputy prime minister is the main gatekeeper of the decisions to be taken in the council of ministers while the minister of Finance and Public Administration filters out budgetary and organizational matters. Although the network of advisers does not have considerable resources as to exert an effective monitoring of the ministerial work, they become key actors in the process. Furthermore, the tradition of single-party executives makes it easier to align preferences of the different ministries with the prime minister.

On the other hand, according to Molina, Homs and Colino (2016), 'interministerial coordination' at the civil service level is less frequent as a consequence of strong departmentalization of ministerial affairs. Interministerial committees' role is restricted to exchange of information or the solution of interdepartmental conflicts. More effective informal coordination mechanisms are achieved through the membership to cross-departmental *corps* (see above), like civil administrators, who work in most ministries. However, single-departmental *corps* tend to be less cooperative and more jealous of their jurisdiction.

Although in 'implementation capacity' Spain has received a middle range score compared to other countries according to the Table, in recent times, it has been very effective in implementing several policies of relevance. In terms of reform capacity, the most relevant hurdle for an effective implementation of some of the reforms is related to the limited coordination with the autonomous communities. The crisis has no doubt opened a window of opportunity that good political entrepreneurship has used. In this regard, public spending cuts, structural reforms of the labour market and the banking system have been successful.

## 5.5 Policy-making, coordination and regulation

Unsurprisingly, Spain scores low in the use of 'societal consultation' and of 'evidence-based policy' making since there is no connection between policy-making and general schemes of consultation or more specific consultation with external experts from consultancy firms, think tanks or the academia (see Table).

Indicator	Value 2014	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
<b>Societal consultation (1-10)</b>	5.00	15	5.00	17	0.00	-2
<b>Use of evidence based instruments (1-10)</b>	3.33	22	3.67	21	+0.34	+1
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
<b>Regulatory quality (-2.5,+2.5)</b>	1.15	16	0.79	20	-0.36	-4
<b>Rule of law (-2.5,+2.5)</b>	1.16	14	0.90	19	-0.26	-5

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

Occasionally, some ministries may create expert groups for a specific topic although those sessions are similar to 'talking shops' and are not backed by research. For instance, a panel of experts was created for the reform of the pension or the university systems. Only in recent years, consultation on law proposals has been made compulsory. It is unclear its impact since there is no independent assessment report on the matter. The ministerial websites have a point of access to the opinion of the public but each ministry is deploying its own distinctive approach and it is unclear how the ministerial authorities are using this feedback from citizens. At the same time, policy advice comes mostly from within the bureaucracy. At the request of political appointees and policy advisers, reports are produced but the use of quantitative data and forecast is restricted to a few policy areas.

There could be some changes in the future regarding the policy-making capacity of the government since a law on administrative procedures (39/2015) passed in 2015 makes compulsory 'smart regulation' and 'better regulation', which entails, when drafting a piece of regulation, the assessment of budgetary consequences, environmental impact, gender concerns, and potential impact on people with disabilities. This suggests that systematic planning and search for evidence will be needed before drafting a law. Although the Regulation Impact Assessment has been already used, its effect has been limited according to Molina, Homs and Colino (2016). These remarks may explain why Spain has achieved low scores in 'regulatory quality' and 'rule of law'. Furthermore, there have been complaints about the unpredictability of the law, especially in areas where it has changed too often. However, it seems that the score is too low for a legalistic culture with reasonable good laws. Furthermore, the executive has made an effort to systematize the legislation of several areas by merging dispersed pieces and updating the legal system.

## 5.6 Overall government performance

Indicator	Value 2010	EU28 rank	Value 2016	EU28 rank	Δ Value	Δ Rank
Trust in government (%)	20.00	23	14.00	26	-6.00	-3
	Value 2011	EU27 rank				
Improvement of PA over last 5 years (%)	4.00	23				
	Value 2010	EU28 rank	Value 2015	EU28 rank	Δ Value	Δ Rank
Public sector performance (1-7)	4.24	17	3.76	19	-0.48	-2
Government effectiveness (-2.5,+2.5)	0.99	17	1.18	14	+0.19	+3

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

The table shows that there is no trust in government, the improvement of public administration over the last 5 years has been limited and the performance of the public sector and government are also low according to the different barometers and international indicators. However, as expressed above, these generic questions mask the fact that citizens value considerably well individual public services when asked about their last interaction with a public authority. Therefore, there is some sort of bias when been prompted with very generic questions that are not necessarily related to the specific performance of particular service deliverers.

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