

Evaluation of the nomination procedure to positions of senior management by the Federal Council

Summary of the report of the Parliamentary Control of the Administration for the National Council Control Committee

20 June 2013

Overview

The procedure applied by the Federal Council to select senior managers is the object of frequent criticism. Following an investigation by the Control Committee of the National Council (CC-N) in 2008 regarding the circumstances surrounding the appointment of Roland Nef as head of the armed forces, the CC wished to gain a better understanding of the nomination procedure. In a first attempt in 2009 it encountered problems regarding access to information; in January 2012 the CCs then commissioned the Parliamentary Control of the Administration (PCA) to conduct an assessment of this issue. This involved looking at 37 appointments made during 2012 and comparing these with 44 appointments made between 2009 and 2011. Interviews were conducted in the federal administration and with experts specializing in recruiting senior managers. All the documentation that was available to the Federal Council for those 81 appointments also provided a basis for the analysis.

Main findings

The procedure for selecting senior managers is primarily conducted in the federal departments. The Federal Council generally does not intervene in the process. In most cases, it is responsible for making appointments on a formal level only. With regard to the 81 appointments made by the Federal Council between 2009 and 2012, not one single co-report was drawn up by a department, the Federal Council did not hold a single hearing of a candidate and none of the nominations made was formally rejected by the Federal Council. In one case, opinion was divided in the Federal Council over the candidate proposed by the department, so the proposal was withdrawn.

The quality of the procedures carried out in the departments is therefore extremely important. However, the Federal Council confirms the departments' proposals without ensuring that basic rules (transparency and quality in the selection process, reasons for not carrying out a competitive process, results of security control made known) have been respected during the selection process and without seeking detailed information about the procedure.

Procedures range from excellent to poor

The appointments to senior management positions made by the Federal Council result from procedures which vary greatly in quality, components and transparency.

Some appointments were made on the basis of a good quality procedure (17 incidences), others were of a medium quality (9 incidences) and yet others showed considerable weaknesses (11 incidences).

In some cases the procedures followed by the departments were exemplary: candidates were sought both in a competitive process and were headhunted; both internal and external opinions were considered in the selection procedure. In other cases, practices were of a poorer standard: the range of instruments was incomplete; there was a lack of objectivity and alternative candidatures were not considered.

Military and diplomatic career systems adequate, but implementation not always satisfactory

There are adequate follow-up, evaluation and planning instruments in the military and diplomatic career systems; however, appointments did not rigorously follow all the established procedures. In some cases, succession planning (in the military) or assessments (in the diplomatic service) seemed to have been the main basis for selecting a particular candidate. In others, there was no clear planning, or an assessment was not carried out; on other occasions a candidate was selected even though the results of an assessment were not yet available, or despite the fact that the assessment was unfavourable. For example, in five of the eleven cases of staff officers (military), the person had not been considered at the planning stage; and of the nine new heads of mission in the diplomatic service, only six were recommended to the Federal Council after the assessment had been carried out – a crucial element in the selection process.

It is therefore evident that the procedures within a career system can vary.

Written information frequently incomplete

The proposals made to the Federal Council do not contain detailed information about selection criteria in order to avoid indiscretions. As a result, the Federal Council does not have the complete set of information necessary to deal with those proposals. Additional information is sometimes provided orally during a Federal Council meeting.

Furthermore, the Federal Council sometimes receives incomplete information on personnel security screening.

Security screening not taken seriously enough

The Federal Council makes half of its decisions without knowing the results of the security screening, and the latter is often carried out once a candidate has already been appointed. This indicates that the issue of risk is not taken seriously enough and that the security screening is often carried out merely pro forma.

In this respect, the Federal Department of Defence, Civil Protection and Sport (DDPS) sets itself apart in a positive way: all the selection proposals considered in 2012 were only submitted to the Federal Council once the result of the security screening was known.

Lack of transparency and traceability in procedures

In its statement on the CC-N's investigation of the Nef affair, the Federal Council announced it would take the necessary measures to ensure that the selection procedure would at all times be transparent in terms of the process, selection methods

and decision taken. Notwithstanding this announcement, six of the 37 nominations could not be properly assessed due to a lack of information and traceability in the process.

Information provided to heads of department sometimes incomplete

The Federal Council also announced in its statement on the CC-N's investigation of the Nef affair that the head of the department concerned would receive appropriate information when required to make a decision regarding the appointment of personnel. This information is provided in some cases, but it is not made systematically available.

Authority without control function

The Federal Council plays a very limited role in the senior management selection procedure. It makes its decisions without having any guarantee that the selection process at department level has been conducted with due care.

The information currently made available to the Federal Council tends to meet formal requirements rather than actually providing the necessary in-depth information about candidates. In fact, apart from the name of the nominated person, the most important information (selection criteria, alternative candidates) is not provided to the Federal Council.

Furthermore, the Federal Council reaches a decision without having any guarantee of the quality of the procedure. It affirms the proposal made by the department in question without carrying out any controls and without knowing in detail how the selection was made; the Federal Council does not determine the steps to be taken in the selection procedure, nor does it set minimum criteria.

The Federal Council does not assume a strategic leadership role in the selection process: it is not involved in succession planning, does not consider whether there is potential for synergies (needs analysis) or for exploiting networks (search strategy), and plays no role in the selection procedure (quality assurance).

As it is involved to such a minor extent in the selection procedure, it may be asked why the Federal Council is actually endowed with the power to appoint senior managers in the federal administration. Currently, this authority seems to be primarily of a symbolic nature.

Narrow legal basis

The legal basis regarding the selection procedure for senior managers defines the role played by the Federal Council and stipulates two basic principles in the process, namely that posts should be advertised in a competitive process and security checks carried out. Although these regulations are relatively limited, it may still be asked why the Federal Council has the power of appointment when the majority of appointments are accepted without discussion and do not arouse any interest in the other departments.

The full report is already available in German and French; the Italian version should be ready in April 2014: <http://www.parlament.ch> > Bodies and council members > Committees > Parliamentary Control of the Administration