

# **2010 Annual Report of the Parliamentary Control of the Administration**

## **Appendix to the 2010 Annual Report by the Control Committees and the Control Delegations of the National Council and the Council of States**

of 27 January 2011

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### **The activities of the PCA in 2010 at a glance**

*The present Annual Report provides information about the tasks and the wide range of investigations conducted by the Parliamentary Control of the Administration (PCA). In the course of 2010, the PCA published three reports, was involved in the investigation of the Control Committees (CCs) of the National Council and the Council of States into the conduct of the authorities during the financial crisis, launched four new evaluations and drew up various statements for re-checks by the CCs.*

#### **Completed investigations**

*The investigation into the **Federal Council's management information and the role played by the Federal Chancellery** reveals that the Federal Council's strategic political steering is geared to individual cases and sectors and that this information is primarily relevant to the departmental management of the Federal Administration. The Federal Council tends to attribute a secondary role to strategic political steering. As a consequence of these findings, there is a considerable need for action. The Federal Council can reinforce its strategic political perspective, link up the strategic political steering of tasks and resources and disentangle the annual steering of the Federal Council's and the Departments' annual objectives on the basis of existing statutory terms of reference. At the same time, it can strengthen the role of the Federal Chancellery with a view to reinforcing its governance function.*

*In the evaluation of the **strategic management and the task and resource management of the Federal Customs Administration (FCA)**, the PCA comes to the conclusion that the steering of the FCA fails to satisfy some criteria necessary for output- and outcome-oriented steering, with the lacking linkage between tasks and resources being particularly critical. The PCA further observed that the definition of a minimum staff level for the Swiss Border Guard (BG) in the Federal Decree on Schengen severely limits the FCA's steering possibilities and is in contradiction to the principles of outcome-oriented public management. Basically, cooperation of the FCA and the BG with the cantonal security organs and the Army "in the field" works well. It became apparent, however, that the BG increasingly supports the cantons and their police forces in the latter's own activities without receiving appropriate compensation for this. In addition, the BG increasingly operates behind the borders and thus in the same territory as the cantonal police forces, which makes duplications and demarcation problems likely.*

*The **management audit of the Federal Office for the Environment (FOEN)** provides a summary assessment of the political and operational management of the Office. It pursues the question as to whether the steering instruments are appropriate to the FOEN's fulfilment of its tasks. At the same time, the PCA also looked into the Office's tie-in with superordinate steering by the Federal Council and the Department. The management audit has revealed that the FOEN's internal steering processes work well. The instruments link tasks with resources, which allows for integrated steering. The Board sets specific objectives and monitors their implementation. A majority of the FOEN's partners and target groups are satisfied with the Office's performance. However, the management audit has also disclosed optimisation potentials with regard to implementation at the lower hierarchical levels in the Office. In addition, the formalised steering instruments are limited at a superordinate level. The Department only defines a few targets for the FOEN and hardly monitors them systematically. Departmental steering tends to be reactive.*

*The PCA also participated in the CCs' investigations of the **financial market crisis and the surrender of UBS customer data to the USA**. It prepared the basis for the first part of the report, which investigates the Swiss authorities' behaviour in the financial crisis, and was involved in the related analyses and hearings conducted by the CCs and their secretariat. In addition, it had been instructed to supervise and evaluate the expert study in which the measures taken by the Swiss authorities before and during the financial crisis were compared with those taken by foreign authorities. On conclusion of this inspection, the CCs submitted 19 recommendations to the Federal Council and filed two postulates and five motions.*

### **Current investigations**

*From 18 November 2009 to 11 May 2010, Switzerland **chaired the Committee of Ministers of the Council of Europe**. At the request of the Swiss Delegation to the Parliamentary Assembly of the Council of Europe, the CCs decided in 2009 to evaluate this chairmanship. It has been investigated to what extent Switzerland exploited the scope of action associated with the chairmanship in order to make a contribution to the objectives of the Council of Europe and the objectives of Swiss foreign policy. The PCA has conducted interviews to find out about the expectations and the actors' appraisal of the results, compiled data about the resources that were used and explored further aspects. The report is intended to be submitted to the competent sub-committee in the first quarter of 2011.*

*The Swiss **consultation and hearing procedures** were regulated in a new act in 2005. It was hoped that the new regulations would result in a qualitative improvement of the procedures and focus them on essentials. At the same time, a differentiation was introduced between consultations (important projects, to be initiated by the Federal Council or parliament) and hearings (projects of less import, to be initiated by departments, offices, and committees of authorities). Since in recent years, participants have occasionally complained about excessively tight deadlines and about a lack of transparency in the selection of consultees, as well as the way in which their comments were evaluated and weighted, the CCs have instructed the PCA to evaluate present-day practices, with particular emphasis on the assessment of the newly introduced hearings. The results are expected to be presented to the competent sub-committee in June 2011.*

*In the course of the introduction of the free movement of persons, accompanying measures came into force on 1 June 2004. They were intended to prevent wages and*

*working conditions in Switzerland from deteriorating as a consequence of foreign employees' easier access to the Swiss labour market (prevention of wage and social dumping). At the present point in time, it is not known whether and to what extent the accompanying measures contribute towards the attainment of this objective. Against this background, the CCs have instructed the PCA to conduct an investigation into the **monitoring and effect of the accompanying measures**. One focus is intended to be on the federal authorities' strategies for the implementation of the accompanying measures, another on the realisation of the PCA's own supplementary investigations into how their effect is verified. The report is intended to be presented to the competent sub-committee in June 2011.*

*Although the Swiss Post, the Federal Railways and Swisscom have been separated from the Federal Administration, the Confederation continues to exert an influence on these corporations – both as an owner and as a provider of public services. In the light of these differing roles, the competent sub-committee instructed the PCA to conduct an investigation into **the Confederation's practice with regard to the steering of the Swiss Post, the Federal Railways and Swisscom**. The evaluation deals with the way in which the Confederation steers the fulfilment of political aims in its capacity as owner whilst realising the target of separating political and entrepreneurial responsibilities. Moreover, the PCA examines the extent to which the enterprises' efficiency, effectiveness and competitiveness have been increased. The final report is scheduled to be submitted to the competent sub-committee in June 2011.*

*As a consequence of the fragmentation of the various insurance schemes and the need for harmonisation with the cantons and municipalities, the **steering of the social insurance systems** is a matter of high complexity. The CCs instructed the PCA to conduct an evaluation of the Federal Council's steering of the social insurance systems. For this purpose, the PCA is conducting case studies in the domains of the Old Age and Survivors' Insurance, Disability Insurance, compulsory health insurance and occupational pension funds. The report is intended to be presented to the competent sub-committee in autumn 2011.*

*The full Annual Report is already available in German and French, and the Italian version should be ready around May 2011: <http://www.parlament.ch>> Kommissionen>Parlamentarische Verwaltungskontrolle.*