

# **Guidelines for the cooperation of political and administrative officials**



Valsts kanceleja

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## Introduction

*Political and administrative institutions and officials are both essential parts of the executive. Their work is complementary and they pursue the same goal – develop their sector and country as a whole and enhance well-being of the society, working with integrity and being accountable for their decisions.*

*Successful cooperation of political and administrative officials enables better results of the executive. It is in the interest of both sides to take sound and reliable decisions, that would facilitate growth of our society and country also in the long-term.*

*Only working together, we can respond to changes in the world and in our society and jointly look for the best solutions. The knowledge, broader view and impartiality of the public administration in synergy with political will and vision will help to steer the reforms needed for our society.*



*The Cabinet Structure Law sets out the close connexion of administrative and political institutions: “The Cabinet shall be a collegial authority that exercises executive power through its subordinate State administration institutions.”*

*The aim of these guidelines is to raise awareness about the role of administrative and political officials and provide guidance on legal basis of their cooperation, as well as suggest some models of co-operation for day-to-day interactions.*

*Both administrative and political officials are public officials and carry out official duties, therefore, their daily cooperation is of key importance. We hope, these guidelines will provide more clarity and help to act effectively.*

Jānis Citskovskis

Director of the State Chancellery  
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## Political and administrative officials – status and role

"There is a clear need to recognize and respect the boundaries between political advisors and civil servants, however it is a line, not a wall. A ministry can only function effectively if both groups work together."<sup>1</sup>

Section 1(9) and 1(10) of the State Administration Structure Law provides that:

- **a political official** is an official who is elected or appointed on the basis of political criteria;
- **an administrative official** is an official who is a civil servant or an employee of an institution and who is appointed to an office or hired on the basis of professional criteria.

**Political officials in executive power** are:

- Members of the Cabinet (Prime Minister, Ministers, as well as Deputy Prime Minister and Minister for Special Assignments);
- Parliamentary Secretary;
- Head of the Prime Minister's Office and heads of Minister's Offices;
- Advisors, consultants and assistants to members of the Cabinet of Ministers.

### Member of the Cabinet of Ministers

The Prime Minister leads the work of the Cabinet and determines its major political directions, as well as ensures that the Declaration Regarding the Intended Activities of the Cabinet and the Action plan for its implementation are developed and implemented.

The minister is responsible for shaping the policy of the of the sector and overall government policy, as well as implementation and coordination of government policy in the area of his competence. The minister manages the work of the ministry, determines the sectoral priorities and adopts strategic decisions, where political decisions play important role.

### Parliamentary Secretary

A member of the Cabinet may appoint a Parliamentary Secretary for their term of office in accordance with Section 24(1) of the Cabinet Structure Law.

The Parliamentary Secretary, in accordance with the competence of the relevant member of the Cabinet, liaises with the Saeima and committees thereof, represents the relevant member of the Cabinet in the legislative process in the Saeima, participates in the drawing up and examination of draft laws, as well as carries out other tasks given by the member of the Cabinet, and performs the duties laid down in laws and regulations.

### Advisory officials and employees

According to Section 24(1) of the State Administration Structure Law, in order to ensure his or her activities, a member of the Cabinet may hire advisory officials and employees for the time period of their term of office, and establish an office – the Prime Minister's Office or a Ministers' Office.

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<sup>1</sup> OECD SIGMA. *Sigma Papers. No. 38. Political Advisors and Civil Servants in European Countries.*

The office of a minister is administratively part of the ministry (its employees are statutory staff of the ministry). The Prime Minister's Office is a structural unit of the State Chancellery, and its employees are employees of the State Chancellery. Meanwhile, the Prime Minister's Office is subject to direct control of the Prime Minister and the offices of ministers are subject to the direct control of the ministers, hence they are outside the usual subordination structure of the ministry (or of the State Chancellery - in the case of the Prime Minister's Office).

Advisory officials and office employees are subject to the internal staff rules and other internal rules and regulations of the institution (Ministry or State Chancellery), as well as to country laws and regulations applicable to the employees of the institution, including the Law On Prevention of Conflict of Interest in Activities of Public Officials (the persons referred to therein and, where applicable by law).

The **advisory officials and employees** perform the following tasks:

- Political analysis of issues affecting the sector;
- Identifying problems, preparing proposals to address them;
- Inform the public of the activities of the member of the Cabinet and the sector they lead;
- perform other tasks in accordance with the instructions of the respective member of the Cabinet.

(Section 25(1) of the Cabinet Structure Law)

The Prime Minister's Office is a structural unit of the State Chancellery and, in accordance with the Regulations of the State Chancellery, the **Prime Minister's Office**, in addition to the aforementioned, has the following **tasks**:

- expressing their opinion on any policy issue of interest to the Prime Minister;
- analyzing government policy and contributing to its implementation in line with the Declaration of the intended activities of the Cabinet;
- providing information needed for the visits and negotiations of the Prime Minister, and timely communication of the information or tasks received during the meetings to the addressees, etc.

In addition, the duties (competencies) of each advisory official are indicated in the employment contract and job description of the official.

### **Supernumerary advisory employees**

The member of the Cabinet may have **supernumerary advisory employees** (non-staff advisors). Although these persons are regarded as neither political, nor administrative officials in accordance with the State Administration Structure Law, the analysis of the status and role of these officials is necessary within the scope of the guidelines because – like advisory officials – they are close to a member of the Cabinet, and their duties include the consultation of the Cabinet member in the relevant field.

The status and competence of supernumerary advisory employees are laid down in Cabinet 18 May 2004 Regulation No. 495 “On the Status and Competence of a Supernumerary Advisory Employees of A Member of the Cabinet” (hereafter - Cabinet Regulation No. 495).

Supernumerary advisory employees do not receive remuneration and are not statutory staff members of the institution. They are therefore not subject to the requirements imposed on staff by the internal regulations.

A supernumerary advisory employee is responsible for:

- consulting the member of the Cabinet on the development and implementation of State **policy** in the **sector** managed by the member of the Cabinet;
- ensuring the **relationship of the member of the Cabinet with the public**.

Cabinet Regulations No. 495 includes the following tasks of supernumerary advisory employees:

- providing **proposals** to the member of the Cabinet on **official policy** development and implementation in a specific sector;
- advising the member of the Cabinet on the specific sector;
- **by a special authorization** of the respective member of the Cabinet, **representing the views** of the member of the Cabinet in other State institutions, working groups, consultative councils and meetings where views are coordinated;
- **participating in the work of public institutions** in accordance with the tasks laid down by the member of the Cabinet;
- by authorization of the respective member of the Cabinet, expressing the opinion of the member of the Cabinet in the media.

The member of the Cabinet and the supernumerary advisory employee **agree in writing** on the scope of the specific **obligations of the supernumerary advisory employee**. The competence of the supernumerary advisory employee is indicated in the **order**, by which the employee is appointed by the member of the Cabinet.

Supernumerary advisory employees are experienced experts in their field of activities, and the position of a supernumerary advisory employees is considered an **honorary responsibility**. Supernumerary advisory employees consult the Prime Minister or member of the Cabinet on the current issues of the sector. They may also represent the Prime Minister or minister upon receipt of appropriate instructions.

Supernumerary advisory employees are not employees of the respective institution, and have a different main job. To ensure transparency, this information should be indicated on the website of the ministry. Supernumerary advisory employees are not public officials within the scope of the “Law On Prevention of Conflict of Interest in Activities of Public Officials” if they do not receive remuneration or other financial benefit in accordance with Section 25(5) of the State Administration Structure Law.

### **Political and public officials - the differences**

The OECD SIGMA study named three major differences between political advisors and civil servants:

- advisors of the minister are appointed by the minister personally and they are not subject to the **general requirements for taking up office of a civil servant**;
- advisors of the minister are **outside the usual hierarchy of the ministry**;
- advisors of the minister are not subject to the **political neutrality** requirements.

	<b>Political officials</b>	<b>Administrative officials</b>
<b>Requirements</b>	<p>A member of the Cabinet and Parliamentary Secretary meet the requirements laid down for Parliamentary candidates in the Saeima Election Law.</p> <p>A member of the Cabinet chooses the Parliamentary Secretary from among the members of the Saeima or officials of the office of the respective member of the Cabinet.</p> <p>Laws and regulations do not contain requirements for candidates to the position of Head of office or advisor of a member of the Cabinet. It is the discretion of a member of the Cabinet to choose individuals to employ in these positions.</p>	<p>The applicant complies with the requirements laid down in the State Civil Service Law and in the requirements laid down in the job description.</p> <p>The requirements for the employees of the institution are defined by the Head of the institution.</p>
<b>Appointment</b>	<p>The most senior political officials - Prime Minister and ministers - are nominated and appointed based on <b>political criteria</b>. They must receive the <b>political trust</b> of the Saeima.</p> <p>“Advisors of ministers receive the political trust of the minister.”<sup>2</sup> The decision to appoint (or dismiss) a Parliamentary Secretary, in accordance with Section 33(1) of the Cabinet Structure Law, is one of the political decisions that a Prime Minister or minister can take.</p>	<p>In order to become a civil servant, the applicant must comply with the minimum requirements (which the political officials are not subject to) and participate in an open competition to assess the person's skills and competences with respect to other candidates and position requirements – <b>professional criteria</b>. The candidate deemed to be the most appropriate for the vacant position is appointed as a civil servant. A civil servant's career development can be the transfer to any other civil servant position.</p>
<b>Duration of work</b>	<p>Member of the Cabinet recruits advisory officials and employees (Parliamentary Secretary and advisors) <b>for their term of office</b>.</p>	<p>Civil servants are usually appointed <b>for indefinite periods</b>, and only in certain situations - for definite periods, e.g. the replacement of another civil servant or project duration.</p>

<sup>2</sup> Levits E. Valsts pārvaldes iekārtas likuma koncepcija. Available at: [www.vestnesis.lv/ta/id/63685](http://www.vestnesis.lv/ta/id/63685)

<b>Dismissal</b>	<p>A Parliamentary Secretary lose their position if the member of the Cabinet, who appointed them, lose their office.</p> <p>In accordance with Section 25(3) of the State Administration Structure Law, a member of the Cabinet may give notice of termination of the contract with an advisory official or employee at any time, without specifying the reasons for such notice.</p>	<p>An civil servant <b>may be dismissed</b> from their position <b>only in the cases provided for in the State Civil Service Law</b> (e.g. dismissal as a disciplinary sanction for non-compliance with the requirements of the position or a probationary period, etc.).</p> <p>The termination of employment relationships with the employees of the institution is permissible in cases specified in the Labour law. Therefore, the recruitment or appointment or termination of employment or civil service of a professional official is not linked to the personal choice of the head of the institution and the replacement of the head of institution (including the minister) does not affect the position of the civil servant.</p>
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### Integrity as a common requirement

Both administrative and political officials work in public interest and have common goals - shaping national and sectoral policy by carrying out duties of the executive power. Both administrative and political officials, through their actions, can enhance public trust in the work of the public institutions and the decision-making process. Both of these groups of officials are committed to openness and the rule of law in their work, complying with ethical and legal requirements, which are aimed at honest behavior, preventing the influence of conflict of interest on their activities.

The law "On Prevention of Conflict of Interest in Activities of Public Officials" sets out the obligations and limitations of both political officials and officials appointed or elected on the basis of professional criteria, which are equivalent in terms of fair conduct and neither may be influenced by any private interests.

### Complementary roles

The duty of senior political officials in executive power are the management of the government, ministry (political) and sector, setting priorities, taking strategic decisions where political choice is required, approval of decisions prepared by public administration and approval of the budget.

Political officials are characterized by **political responsibility** for their decisions, as well as for the results of the government and sector in general. An important duty of the advisory officials (advisors) is to assist the head of government or minister in shaping their policy, as well as represent the political officials and clarify their opinion to the public.

The work of administrative institutions and civil servants focuses on the implementation of the competencies and tasks of the authority defined in the laws and regulations, and programming documents. Whereas political officials primarily follow the political guidelines of the government or minister, and their goal is to implement the political priorities and state or sector



development priorities set by the government coalition or party of the minister. It is often the political officials that bring up significant problems, the solution to which is developed in cooperation with public officials.

The minister and their office, in cooperation with the State Secretary and officials employed in ministries, can thus ensure that the government and sectoral objectives are reached.

"Civil servants and political advisors have different, yet complementary roles: they share responsibility for advising on policy implementation, as well as their loyalty to the minister. Political advisors give advice in light of political considerations. The task of the civil service is to administer, enforce and implement policies - but also to advise the minister on possible solutions. Political advisors have to rely on the collaboration of the body of civil servants. Civil servants are aware that they can often learn from political advisors about the political environment in which they operate in."<sup>3</sup>

The responsibilities of civil servants include **shaping and implementing state (sectoral) policy in the long term**, while also respecting the political priorities of the government and assisting in their implementation. Section 3(1) of the State Civil Service Law state that a civil servant in a direct administration institution forms the policy or development strategy of a sector, co-ordinates the activity of a sector, distributes or controls financial resources, formulates regulatory enactments or controls the observance thereof.

In addition, a civil servant has closer daily contact with the public and several of its members, as civil servants issue administrative acts or adopt other **decisions relating to the rights of individuals**, such as the exercise powers and functions of sanction, control or supervision. The work of civil servants, unlike the activities of political officials, is related to the enforcement of laws and the safeguarding the rights of individuals by taking appropriate decisions. "The duty of a civil servant is taking substantive and lawful decisions, and the convincing and reasoned justification thereof."<sup>4</sup>

Political officials have the right to issue orders and certain tasks to administrative officials. The right of political officials to issue orders and certain tasks does not extend to all functions of the administrative officials. The order or task must be within the competence and guidelines of the political official themselves or represented member of the Cabinet.

It is obvious that civil servants cooperate with political officials when developing a sectoral policy or development strategy, by receiving specific orders from the minister or Parliamentary Secretary, and when implementing the measures envisaged by the minister for the development of the sector.

At the same time there must be a clear boundary between the functions and tasks of civil servants and political officials.<sup>5</sup> The involvement of political officials in those functions of administrative officials that are related to, for example, the preparation or issuing of administrative acts or adopting other decisions relating to individual rights, should be inadmissible. Respectively, a political official does not have the rights to determine what decision a civil servant or employee should take in a specific situation, because the administrative official must take lawful and reasoned decisions based on the factual

<sup>3</sup> OECD SIGMA. *Sigma Papers. No. 38. Political Advisors and Civil Servants in European Countries.*

<sup>4</sup> Levits E. Valsts pārvaldes iekārtas likuma koncepcija. Available at: [www.vestnesis.lv/ta/id/63685](http://www.vestnesis.lv/ta/id/63685)

<sup>5</sup> OECD SIGMA. *Sigma Papers. No. 38. Political Advisors and Civil Servants in European Countries.*

circumstances of the specific situation and applicable laws and regulations. If the political officials works as politicians or members of the public<sup>6</sup>, they do not have the right to issue orders to employees or civil servants of the authority to exercise their own interests.

#### Examples

**A political official may not ask a civil servant to initiate infringement proceedings against a particular person without appropriate legal basis and no information about a possible violation.**

**A political official may not interfere in the work of an administrative official related to the development of procurement specifications or the tender evaluation process, such as specifying specific criteria that need to be included in the requirements, or specifying the desired tenderer.**

**A political official may not request a civil servant to grant benefits (e.g., pension, allowance) to a particular person if this person does not meet the criteria specified in the laws and regulations that define the right to receive it.**

One of the basic duties of civil servant is to be loyal to the Republic of Latvia, its Constitution and to observe political neutrality, regardless of their political beliefs. In accordance with the principle of political neutrality, a civil servant, in the performance of their duties, is guided only by professional criteria and is not subject to political influence in decision-making. This duty reflects the dual nature of the civil servant, where, on the one hand, the civil servant must be loyal to the State and the government in power at the time, but, on the other hand, political neutrality must be observed in decision-making.<sup>7</sup>

Section 7 of the Administrative Procedure Law regulates the principle of the rule of law, stipulating that the actions of institutions and courts must comply with legal norms. The institution and the court act within the framework of the powers specified in the laws and regulations, and may use their powers only in accordance with the meaning and purpose of the authorization. Thus, the execution of orders of political officials, which would be contrary to the aforementioned legal principle, is not permissible, as one of the official duties of a civil servant is the execution of **lawful orders of the management**.

#### Accountability for decisions taken

Both political and administrative officials are responsible for their actions and the lawful execution of their functions. Article 4 of the Cabinet Structure Law provides for both the responsibility of the entire Cabinet of Ministers for the policy implemented by the government, and for the political responsibility of each member of the Cabinet for their actions. A civil servant is also responsible for the lawfulness of their actions and failure to act in accordance with Section 16(1) of the State Civil Service Law. Therefore, both groups of officials are responsible for their decisions.

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<sup>6</sup> Royal Norwegian ministry of Local Government and Modernisation. *Guidelines. About the Relationship between Political Leadership and the Civil Service. Seven Duties for the Civil Service.* p. 13. Available at: [www.regjeringen.no/contentassets/8145632385cb477cba018d4a8dfaf6f8/about\\_the\\_relationship\\_between\\_political\\_leadership\\_and\\_the\\_civil\\_service.pdf](http://www.regjeringen.no/contentassets/8145632385cb477cba018d4a8dfaf6f8/about_the_relationship_between_political_leadership_and_the_civil_service.pdf)

<sup>7</sup> See previous reference. p. 16.

As mentioned previously, there must be clear separation between the responsibilities of political officials and administrative officials, thus also clearly separating responsibilities for decisions taken in relation to those tasks of public administration in which these two groups of officials cooperate. For example, both political and administrative officials participate in the development of a sectoral development strategy. Politicians put forward a vision on how they intend to address a particular issue. In this situation, the task of the civil servant, based on previous experience and professional knowledge, is to substantiate the positive and negative aspects of the proposed solution, as well as the possibilities for implementation. If the intentions of politicians fail to be implemented, responsibility must be assumed by both involved parties - political and administrative, in accordance with their competences.

Such a division of responsibility is necessary to build public trust in public administration as a whole. This can be done by simultaneously strengthening the image of both political and administrative officials in the eyes of the public, and without trying to blame another group of officials, so as not to undermine public confidence in politicians, civil servants or public administration in general.

## **The right of political officials to issue orders and tasks to civil servants**

Political officials have the right to issue orders and tasks to various administrative officials in accordance with their competence and regulatory provisions.

### **The right of a member of the Cabinet of Ministers to issue orders**

**Pursuant to Section 19 of the State Administration Structure Law, a Minister may issue orders to the State Secretary, as well as to administrative officials and employees of the Ministry, who inform a higher official thereof.**

**A member of the Cabinet in a public administration institution directly subordinated to them has the same competence as in a ministry, thus the Minister has the right to issue orders to the heads of institutions directly subordinated to him and employees thereof.**

Pursuant to Section 19 of the State Administration Structure Law, the minister manages the work of the ministry, whereas the State Secretary is considered the administrative manager of the institution.

Section 9 of the Cabinet Structure Law states the competencies of the member of the Cabinet, inter alia, that they fulfil the tasks laid down in laws and regulations and the tasks resulting from their office duties. The member of the Cabinet exercises their competence by taking into account the Declaration, the major political guidelines determined by the Prime Minister, as well as ensure that the action plan for implementation of the Declaration is developed and implemented.

The minister represents the relevant sector both politically and publicly. The minister speaks with the press and public, both reporting on the decisions taken and accepting criticism. The minister is a key person in the sector, who is responsible to the public for the decisions made and processes in the sector.

## **Task and Instruction of a Member of the Cabinet of Ministers**

An order (task or instruction) of a member of the Cabinet may be expressed in writing or orally, or may follow from a written document, e.g., it may follow from the job description of an advisor (advisory official) approved by the member of the Cabinet, a Government Declaration or Action Plan, from laws and regulations and political guidelines of the member of the Cabinet.

### **Rights of the Parliamentary Secretary to issue orders**

Section 22 of the State Administration Structure Law provides for the **rights of the Parliamentary Secretary**, in order to perform their duties and the functions laid down in law, within the competence determined by the member of the Cabinet, to **issue orders to the State Secretary or other State administrative officials (employees), who inform a higher official thereof.**


The Parliamentary Secretary may issue orders to the head of the institution subject to control of the member of the Cabinet and - in specific cases - to other administrative officials (employees), who inform a higher official thereof.

### **The rights of advisory officials to issue orders**

**The right of advisory officials to issue orders to administrative officials in accordance with Section 24 (1) of the State Administration Structure Law is determined by the member of the Cabinet.**

Whether an advisory official can issue orders to the employees of the institution will in most cases be inferred from the specific situation and will follow from the instructions, guidelines or the task issued to the particular official by the member of the Cabinet, taking into account the duties of that official.

Thus, in daily work, confusion may be caused by how the specific order is related to the competence of the member of the Cabinet and the tasks assigned to the respective advisor.

 See section “Task and Instruction of a Member of the Cabinet of Ministers” and “How should an administrative official, who has received an order from an office official, act?”

### **Rights of supernumerary advisory employees to issue orders**

The rights of supernumerary advisory employees to issue orders to administrative officials do not follow from the Cabinet Regulation No. 495, moreover, neither the State Administration Structure Law nor the Cabinet Regulation No. 495 provide that a member of the Cabinet may determine the right for supernumerary advisory employees to issue orders to administrative officials.

## **Recommendations for cooperation**

## How to build day-to-day cooperation between administrative officials and political officials

- Cooperation is formed from a common understanding of the common mission and benefits of cooperation - political and administrative officials work together, supporting and complementing each other, and achieve a better result for the development of the sector, state and society.
- Cooperation is based on the clarity of roles, tasks and responsibilities of political and administrative officials, and clear boundaries that are understood and respected by both sides.
- A political official, when issuing an order (task) to an administrative official, if they deem it necessary or if the administrative official so requests, shall provide the justification thereof.
- An administrative official shall always inform a higher official thereof upon receipt of an order (task) from a political official.
- Political and administrative officials shall communicate on a daily basis, share information and meet regarding current sectoral issues that require cooperation or where cooperation is already being implemented.
- Political and administrative officials shall hear each other's views on the matters in which co-operation is taking place, and shall state their reasoned position on the matter.
- Cooperation shall be based on clear, open and respectful communication.
- Successful cooperation shall be facilitated by constructive approach to and mutual understanding of the tasks to be undertaken and achievable results.

## How should an administrative official, who has received an order from an official of the Office of the Members of Cabinet, act?

Section 15 of the State Civil Service Law states the basic duties of a civil servant. One of the duties of a civil servant is to conscientiously, showing personal initiative and acting in the public interest, fulfil the duties of a civil service position, **the lawful orders of supervisors**, to be liable for his or her actions in accordance with the procedures prescribed by regulatory enactments and to observe the principles of conduct for a civil servant prescribed by the Cabinet.

The supervisor of the person can be their direct manager, as well as other senior officials, such as the head of unit, the deputy head of the institution, the head of the institution or other officials, including certain political officials.

The minister and Parliamentary Secretary have the right to issue orders to the administrative officials of the ministry, who shall inform a higher official (their direct manager) about the receipt thereof. The procedure is provided for in the regulations of most ministries.<sup>8</sup> The internal

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<sup>8</sup>See: By-laws of the Ministry of Health. Available at: [www.vsm.gov.lv](http://www.vsm.gov.lv), By-laws of the Ministry of Education and Science. Available at: [www.izm.gov.lv/lv/izglitiba-un-zinatnes-ministrijas-reglaments](http://www.izm.gov.lv/lv/izglitiba-un-zinatnes-ministrijas-reglaments)

regulations of the institution may provide more detailed procedures by which a person must inform their direct manager of the receipt of such tasks, as well as define other persons who need to be informed (for example see “By-laws of the Ministry of Justice”). In turn, the actions of the direct manager of the administrative official upon notification by the civil servant or employee that they have been issued a direct order by a minister or Parliamentary Secretary, is dependent on the internal procedures and approach developed by the Ministry in similar situations.

**Example.** The by-laws of the Ministry of Agriculture provide that "where an official or servant have received a direct order from the minister or Parliamentary Secretary, they shall inform their direct manager thereof. **If the direct manager is the Head of Unit, they shall further inform the head of structural unit (department), who, in turn, informs the State Secretary.**"<sup>9</sup>

In addition, upon receipt of a task from the head of the bureau or advisor (advisory official), the administrative official shall inform a higher official (direct manager) thereof.

**Example.** The “By-laws of the Ministry of Justice” state that “where an official (employee) has received a task from the minister, Parliamentary Secretary or **advisory official of the office of the minister**, they shall inform thereof their **direct manager and respective Deputy State Secretary**, to which the official (employee) is subordinate, and the Deputy State Secretary shall inform the State Secretary thereof.”<sup>10</sup>

The rights of the head of minister’s office or advisor (advisory official) to issue orders to those employed at the institution - civil servants and employees - follow from the tasks or instructions given to these officials by a member of the Cabinet.

Depending on the question at hand, the **advisor or Parliamentary Secretary** shall contact the State Secretary or head of institution, requesting to designate the responsible structural unit or administrative official. The head of the institution would thus be informed and will also ensure that suitably qualified specialists and appropriate resources have been involved in resolving the issue.

The advisor or Parliamentary Secretary and administrative official shall discuss and ensure that both the direct manager of the administrative official, as well as State Secretary (head of institution) have been informed of the received order and undertaken cooperation.

Based on the principles of good governance, cooperation and mutual trust, the advisor or Parliamentary Secretary shall explain to the administrative official the reasons for the order and the intended course of cooperation.

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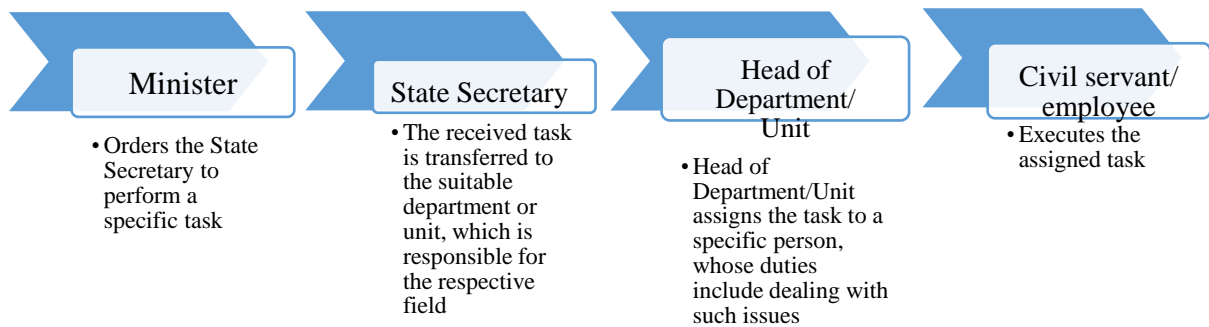
<sup>9</sup>By-laws of the Ministry of Agriculture. Available: [www.zm.gov.lv/zemkopibas-ministrija/statiskas-lapas/par-ministriju/reglaments?nid=926#jump](http://www.zm.gov.lv/zemkopibas-ministrija/statiskas-lapas/par-ministriju/reglaments?nid=926#jump)

<sup>10</sup>By-laws of the Ministry of Justice. Available: [www.tm.gov.lv/files/11\\_MjAxNy8xMi0wOS8xXzJfMTIucGRm/2017/12-09/1\\_2\\_12.pdf](http://www.tm.gov.lv/files/11_MjAxNy8xMi0wOS8xXzJfMTIucGRm/2017/12-09/1_2_12.pdf)

## Delegation of tasks and their execution. Examples

An administrative official generally receives their daily task from their direct manager. At the ministry level, the minister delegates the task to the State Secretary, who delegates it to the department or division responsible for the sector, while the Head of Department or Unit delegates the task to a specific civil servant or employee, whose duties include the performance of such tasks (Figure 1).

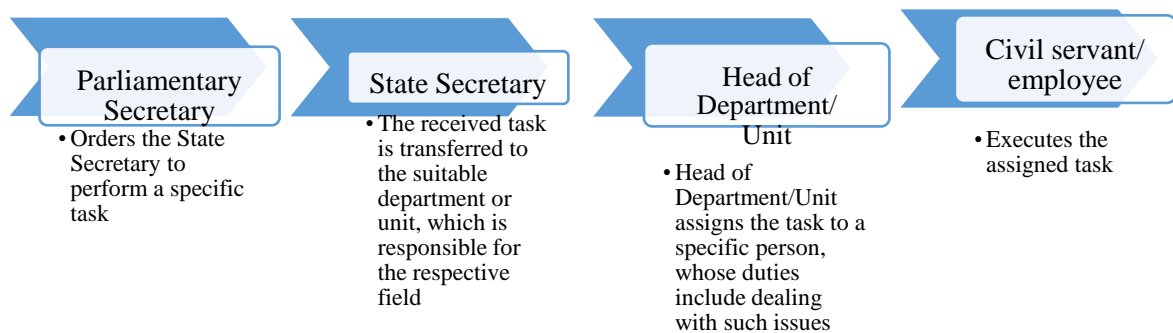
### The task is given by the minister (Figure 1)



#### Example.

A ministry is tasked to develop a draft regulation in a specific sector. The minister assigns the task to the State Secretary, who, in turn, assigns it to the suitable department. If the department is subdivided into several units, the Head of Department assigns the respective task to the responsible unit, and the Head of Unit assigns the task to the official, whose duties include the drafting of regulations.

### The task is given by the Parliamentary Secretary (Figure 2)



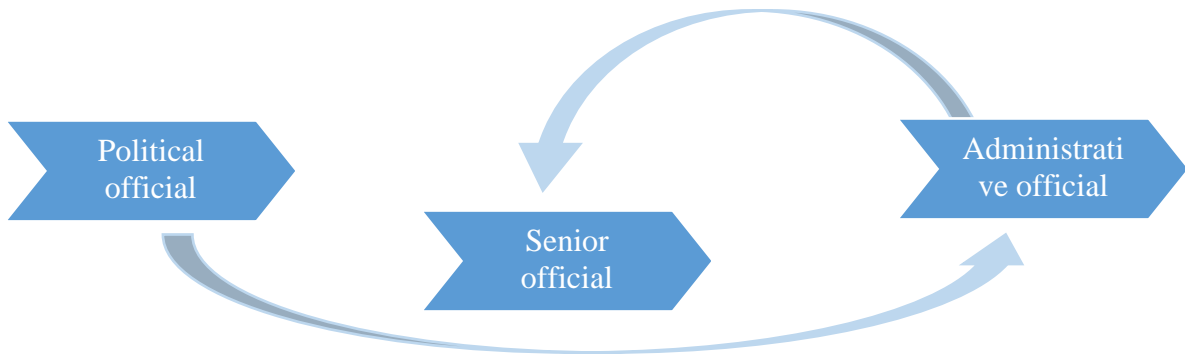
#### Example.

One of the tasks of the Parliamentary Secretary is to maintain contact with the Saeima and its commissions in accordance with the competence of the respective member of the Cabinet. The Saeima may assign a task to a specific Parliamentary Secretary, the performance of which must be ensured by the specific ministry. In such cases, the Parliamentary Secretary delegate the task received to the State Secretary, who delegates it to the department or unit in accordance with their competence. The Head of Department or Unit entrusts the task to a specific civil servant or employee, whose duties include the performance of such tasks.

There may be cases where the task is assigned to an administrative official not by their direct manager, but by a political official - a member of the Cabinet, their advisory official or

Parliamentary Secretary. In accordance with the laws and regulations, upon receipt of such an order, the administrative official informs a higher official thereof (Figure 3). Regardless of which political official issues the order to the administrative official, the most appropriate action in all cases is informing a higher official thereof. As noted previously, this behaviour pattern is contained in the regulations of several Ministries.

**The task is received directly by the administrative official (Figure 3)**



In some cases, situations may arise where a political official has issued an order to an administrative official, but after the administrative official inform a higher official, it is concluded that the execution of the order will be better ensured by another person, whose skills and competencies are better suited to the task, or whose responsibilities include the execution of such orders. Therefore informing a higher official of the task received is essential to ensure the effective execution of the political official's order.

**Example.**

A political official directly issues an order to an administrative official of a ministry. In this case, the person informs a higher official (direct manager) thereof. Which specific officials needs to be informed may be determined in the by-laws of the institution or other internal regulations, which is binding to the employees of the institution.





Valsts kanceleja  
(the State Chancellery)

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