

Less of a burden, more impact

Six principles of sound supervision

Framework Vision on Supervision 2005

MANAGEMENT SUMMARY

This government-wide vision on supervision sets out frameworks for the organisation of supervision at the government. This vision focuses on increased trust in parties other than the government and accepting risks in society. Clear choices about what the government does and does not supervise are of importance in that respect. More than before, supervision also fulfils an additional role in respect of the personal responsibility of citizens, businesses and independent organisations to reach objectives.

Government cannot control all risks. It must have an insight as to which risks it does and does not accept. Regulations and supervision cannot prevent incidents from happening, however distressing the consequences may be. Even after the measures taken as a result of the 1953 floods, there is still a possibility it can happen again. Following an incident, the discussion focuses on the role of government far too quickly. We forget that others bear the responsibility: the landlord putting empty beer barrels in front of the emergency exit, the builder of an unsafe balcony, the supplier of rotten food or the manufacturer of dangerous toys. Those other people must also be addressed when they cause unnecessary risks. Government has a duty to protect citizens against risks they themselves cannot control. Clear and cognizable choices about what the government does and does not supervise and which risks are accepted or not are of importance in that respect.

1. *Motive*

“Less of a burden, more impact”. That is the cabinet’s commitment to supervision within central government. This ambition is based on a new government-wide vision on supervision. The new vision focuses on the points of view of citizens, businesses and organisations in respect of supervision. The new vision on supervision meets the desire of citizens, businesses and organisations to bring supervision in line with their own measures. Six principles of sound supervision manage this new implementation of supervision.

2. *The function of supervision*

Supervision promotes observance of standards laid down in policies and legislation by enforcing rules. In addition, supervision provides information about the quality of the implementation of public tasks carried out by independent organisations. Based

on this information the minister can make corrections if so required. Third, supervision provides the minister, Parliament and society with information about practical developments and the effects of policies. Supervision supports the ministerial responsibility and also has a social function.

3. *Control and supervision*

In policies and legislation, the cabinet lays down what it wishes to achieve in society and whose responsibility that is. One significant condition for realising policy objectives and maintaining sound supervision is clearly defining and recording the responsibilities and authorities. Regulations laid down by the European Union and international developments have a growing influence on policies and legislation in the Netherlands. Permanent attention for and prompt responses to international developments are key tasks for the legislator, policymaker *and* supervisor.

Control and supervision must be in line with each other throughout a policy process. In the case of policy development, supervisors must give an independent opinion which is based on their practical knowledge. In the interim, supervisors inform policymakers, the political bodies and society about the state of affairs in respect of that which the cabinet wishes to achieve in society. Later, when policies are evaluated, the findings of supervisors must be included. The findings of supervisors continue to play a role when drawing up new policies and amending existing ones.

4. *Types of supervision*

The cabinet distinguishes three types of supervision in daily practice: supervision of compliance, supervision of implementation and inter-administrative supervision. Supervision of compliance is the supervision on the compliance by citizens and businesses as regards legislation. The most obvious example of this in society is the supervision exercised by state inspectorates or market supervisors. Supervision of implementation is the supervision on the implementation of public tasks by independent organisations. Inter-administrative supervision is the supervision on the implementation of public tasks by local and regional authorities.

5. *Six principles of sound supervision*

Sound supervision meets six principles. The application of these principles leads to modern supervision, focusing on society's point of view. The cabinet attaches great importance to customised supervision. The six principles of sound supervision are worked out in detail per type of supervision. The six principles are:

a. *Selective supervision*

Selective supervision is the most significant new principle for sound supervision. The fact that the government sets rules and supervises is not a matter of course. If the government takes care of important issues by drawing up policies or setting rules, it has a responsibility to observe them. It is the task of the government to find out to what extent citizens, businesses and institutions themselves can be made responsible for enforcing certain rules.

For each situation, the government customises the form and scope of supervision. It deploys the capacity available as effectively as possible. The government indicates which supervisory tasks it can carry out with the means it has at its disposal. Supervisors make choices based on a consideration of risks and costs and benefits. The government indicates which level of enforcement it pursues. Supervision is in line with other forms of control and responsibility as much as possible. Trust which turns out to be justified leads to less supervision. Betrayed trust means action.

b. *Decisive supervision*

Supervision is lenient where possible and tough when needed. Supervisors stimulate citizens, businesses and independent organisations to achieve the desired result by themselves. Supervisors intervene if the situation so demands. This decisive supervision requires a professional attitude, based on established facts. In some areas it means a change in how we deal with each other, by intervening quicker and more decisively than is currently the case.

c. *Cooperative supervision*

Citizens, businesses and independent organisations complain about the large number of supervisors they see, who then sometimes ask for the same or similar information. The government is to reduce the burden of supervision on citizens and businesses by improving the cooperation between supervisors. Supervisors will make long-term agreements about the form and substance of this cooperation. As a result, different supervisors will not ask for the same information simultaneously or in quick succession, while reducing visits to the bare minimum.

d. *Independent supervision*

Supervisors act within the limits of ministerial responsibility. Their substantive independence mainly shows from the way in which they implement their role and working method within this framework. Society should be able to trust the independent opinions of supervisors. It is a good thing for supervisors to be able to

independently disclose information about misconduct. Supervisors can only do so if they can collect information independently and form their own opinions. In many situations it is also desirable for the supervisor to be able to act independently and end undesirable situations.

e. Transparent supervision

A good supervisor explains the why of his supervisory role and clarifies the choices he makes during the supervision process. Guarantees as to his independence are recorded. The supervisor actively discloses his findings as much as possible. A transparent supervisor accounts for his choices and results in retrospect.

f. Professional supervision

Professionalisation of supervision relates to three levels: the individual supervisor, the supervisory organisation and the occupational group. The individual supervisor is flexible in his working methods and is a person of integrity. The professional supervisory organisation fulfils an independent yet coherent role in the policy process, and has an added value in society. The occupational group continues to develop as a result of initiatives such as the Cooperative Inspectorate for Academies [*Samenwerkende Inspectie Academies*], the professional association VIDE and the actions taken during meetings of the inspectors-general.