Evaluation of the test-phase of enhanced informal Social Dialogue for central public administration

Final evaluation
The Swedish Presidency has entrusted the task of managing Sweden’s EUPAN activities to the Swedish Agency for Public Management, in close cooperation with the Swedish Agency for Government Employers.

During the Swedish Presidency of EUPAN, between 1 July and 31 December 2009, a number of publications have been developed and commissioned. These publications are presented by the Swedish Presidency.

The report *Evaluation of the test-phase of enhanced informal Social Dialogue for central public administration* is hereby presented.

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EVALUATION OF THE TEST-PHASE OF ENHANCED INFORMAL SOCIAL DIALOGUE FOR CENTRAL PUBLIC ADMINISTRATION

FINAL EVALUATION
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<tr>
<td>CAF</td>
<td>Common Assessment Framework</td>
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<tr>
<td>CEEP</td>
<td>European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest</td>
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<tr>
<td>CEMR</td>
<td>Council of European Municipalities and Regions</td>
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<tr>
<td>CESI</td>
<td>European Confederation of Independent Trade Unions</td>
</tr>
<tr>
<td>DG</td>
<td>Director(s) General</td>
</tr>
<tr>
<td>DISPA</td>
<td>Directors of Institutes and Schools of Public Administration</td>
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<tr>
<td>eGov</td>
<td>e-Government</td>
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<tr>
<td>EIPA</td>
<td>European Institute of Public Administration</td>
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<td>EISD</td>
<td>Enhanced Informal Social Dialogue</td>
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<tr>
<td>EPSU</td>
<td>European Federation of Public Service Unions</td>
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<td>EU</td>
<td>European Union</td>
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<td>EUPAN</td>
<td>European Public Administration Network</td>
</tr>
<tr>
<td>DG AFP</td>
<td>French Directorate-General of Administration and the Public Service</td>
</tr>
<tr>
<td>DG Troika</td>
<td>Directors-General of the present as well as the two previous and the two upcoming Presidencies</td>
</tr>
<tr>
<td>HR WG</td>
<td>Human Resource Working Group</td>
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<tr>
<td>IPSG</td>
<td>Innovative Public Services Group</td>
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<tr>
<td>SD</td>
<td>Social Dialogue</td>
</tr>
<tr>
<td>SD Steering Group</td>
<td>Group comprising Troika Secretariat, TUNED and two wise men</td>
</tr>
<tr>
<td>SD Working Group</td>
<td>Social Dialogue meetings of EUPAN and TUNED</td>
</tr>
<tr>
<td>TEC</td>
<td>Treaty Establishing the European Community</td>
</tr>
<tr>
<td>Troika Secretariat</td>
<td>Working group-level delegates of present as well as the two previous and the two upcoming Presidencies</td>
</tr>
<tr>
<td>TUNED</td>
<td>Trade Unions’ National and European Administration Delegation</td>
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EXECUTIVE SUMMARY

Ramböll Management Consulting (hereafter referred to as Ramböll) was commissioned by the Swedish Agency for Government Employers (SAGE) to carry out the final evaluation of the test-phase of enhanced informal Social Dialogue for central public administration. The evaluation was carried out between January and October 2009. Data for the analysis and evaluation was collected with a variety of methods: in-depth interviews with representatives from EUPAN and TUNED and a representative for the European Commission; survey among the Director General’s within EUPAN and working-groups within EUPAN, field-based study i.e. attendance at meetings for deeper understanding and insight in the dialogue process; desk-based studies of relevant documents i.e. the mid-term evaluation and documents produced by the parties within the test-phase; bench-marking of four sectors with interviews and document studies. The forthcoming report is the concluding report of the final evaluation.

On a general level, the evaluators conclude that the test-phase of enhanced informal Social Dialogue for Central public administration has been very successful in the sense of promoting and improving the European Social Dialogue for central government administrations. A strengthened and structured informal Social Dialogue has been promoted by rules of procedure and a joint work programme specifying specific work themes and topics similar to those of formal Social Dialogue. The cooperation between the parties have led to outputs, including a joint position on work-related stress, statements and events such as a workshop within the framework agreement on harassment and violence as well as a joint conference "Improving trust in central government administrations through effective Social Dialogue”.

The work forms and work programme has not only strengthened the structure between the parties, but also improved the relations between EUPAN and TUNED in terms of increased mutual trust and understanding. According to the benchmark-sectors, structured cooperation and mutual trust are two vital prerequisites for partners in a Social Dialogue. Work forms similar to a formal Social Dialogue have not been tested fully. Some argue that topics in a formal Social Dialogue are more directly connected to the consultation process on EC proposals than the themes discussed during the test-phase. Moreover, the test-phase has not involved any consultation with the EC. The absence of a consultation process is a general limitation to the test-phase and not within the sphere of influence for the partners. Thus, it is impossible to test the consultation process beyond a formal Social Dialogue. The more structured forms of Social Dialogue that have been introduced do however have similarities with formal Social Dialogue work forms which from the perspective of most EUPAN and TUNED members is seen as important for the future of the Social Dialogue.

The test-phase is assessed as highly relevant in terms of the expectations and priorities of the stakeholders and to a quite high extent in terms of the possibility to test what the test-phase wanted to test. The test-phase has corresponded well to the expectations as the focus to a great extent has been on the exchange of ideas and experiences. The effectiveness of the test-phase could be described as high. Most respondents agree that the test-phase has achieved the objectives in the joint work programme. This means that (1) the relations between EUPAN and TUNED have improved in terms of increased trust and mutual understanding. It also means that (2) a majority of the representatives of EUPAN have noticed an impact on the network in the sense that EUPAN experience new organisational structure, change in mandate or more results inclined work forms. Most of the DGs find the changes positive. An impression is that the network benefit from more structured relations with trade unions and other partners such as the European Commission. Representatives of EUPAN find the changes both negative and positive. The test-phase’s effectiveness is also good in relation to (3) implications in the member states where many EUPAN and TUNED members find some impact. The impact comes down to inter-personal levels such as more frequent contacts between representatives, better relations on a national level and a changed mind-set in terms of the view and value of a Social Dialogue on a national level. This is positive given the short time span of the test-phase, but also given the fact that the leverage on the national level has not been central. Neither was a formal contact with the Commission a central part of the test-phase. Thus, the test-phase has had slight impact on the (4) partners relations to the European Commission. To some, the existing relation – prior to the test-phase – is very good and sufficient. The efficiency of the test-phase is high. A majority of EUPAN and TUNED members would say that the needed resources during the test-face can be justified by the results. A majority of the representatives of EUPAN and TUNED as well as the DGs are of the opinion that the extra workload and the extra resources was worth it.
The evaluator’s assessment is that the work within the test-phase has been very efficient in terms of producing formal statements in relation to the very short timeframe and compared to the bench-mark sectors. The test-phase has also been efficient in relation to the organisation of its work. Most members of EUPAN and TUNED see an added value of the test-phase as a forum for a Social Dialogue for the central public administration for the opportunity to exchange experience and share knowledge between the member states. The added value lies in the possibility to discuss issues both on a national and an international level, both on the European level and within the sector specifically. TUNED especially, see an added value in the possibility to jointly draw framework agreements. EUPAN dissent from the idea of joint agreements to a higher extent and adds value to the exchange of experience through discussions. EUPAN members outside CEEP value Social Dialogue forums to a higher extent as they lack alternative opportunities to meet with the trade unions.

TUNED members have pointed out obstacles to a well-functioning dialogue between the parties concerning the loose structures of EUPAN and lack of mandate among EUPAN representatives. TUNED believe that is a suitable partner in a formal Social Dialogue if EUPAN make changes in the organisation’s structure. The internal work that EUPAN would require could simultaneously serve the purpose to influence more cautious or negative views on a formal Social Dialogue. The negative or more cautious optimistic views of a formal Social Dialogue as a desirable future development are more frequent within EUPAN. In relation to the future development and the evaluators recommendations there are a few major trends that influence the recommendations given. These are:

- EUPAN members are not agreeing on one adequate development of the Social Dialogue within the central public administration sector on a European level.
- TUNED members are all agreeing on the main path forward being a formal sectoral Social Dialogue even though we can find several different ideas about the pathway there.
- Several EUPAN and some of the TUNED members point at the need to further investigate the effects of a formal sectoral Social Dialogue at an EU level.
- A majority of the DGs see problems with the EUPAN network as such in a future formal sectoral Social Dialogue.

The recommendations depart from the evaluation of the test-phase and evolve around four possible future scenarios:

- **Informal Social Dialogue**
  The evaluator’s assessment is that this is not a realistic option. The relations and levels of trust between the two parties have deepened and increased. To reduce the dialogue between EUPAN and TUNED to occasional meetings would most certainly drain the legitimacy of the Social Dialogue and make further relations between EUPAN and TUNED difficult.

- **Permanent structure of the test-phase**
  The evaluators assessment is that this scenario bears the risk of a decreased trust between the members as a disappointment among mainly TUNED members would halter the ability for a functioning dialogue between the partners. The evaluators stress the differences to the actual test-phase: nothing is tested and no support is given from the EC. It involves joint work programme and rules of procedures but no consultation process with the European Commission.

- **New or continued test-phase**
  The assessment of the evaluator is that the test-phase has contributed to create good conditions for further steps towards formalisation. However, there is no commonly agreed idea of what issues and topics to discuss in a potential formal social dialogue. Moreover, the loose structures within the EUPAN network add to the argument for further testing. A continued or new test-phase could be a way to further strengthen and increase the needed requirements for a formalisation.

- **Formal Social Dialogue**
  The evaluator’s assessment is that this scenario can only be realistic if it involves gradual steps forward. Thus, this scenario involves formalisation within a given timeframe and not a right now. All of the TUNED and some of the EUPAN respondents argue that this alternative constitutes the most adequate development within the Social Dialogue between EUPAN and TUNED.
1. INTRODUCTION

Within the central public administration sector, employers and workers have cooperated through
an informal Social Dialogue since the early 1990s. During the Portuguese presidency in 2007,
EUPAN agreed upon the forms for a test-phase on an enhanced informal Social Dialogue (EISD),
introducing some elements of a formal sectoral dialogue. The design of the social relations was
jointly put down by EUPAN and trade union representatives from TUNED, and approved by the
Director-Generals (DGs) responsible for public administration in the EU Member States in the end
of 2007. This blueprint included rules of procedure, a joint work programme for 2008-2009 and
evaluation indicators for the test-phase.

In order to evaluate the development of Social Dialogue during the test-phase, EUPAN agreed on
the need to continuous assessment over the two-year period. The result of this commitment was
the commissioning of two different evaluations, one Mid-term evaluation and one final evaluation.
The European Institute of Public Administration (EIPA), based in Maastricht, was commissioned to
conduct the first one-year evaluation (so-called Mid-term evaluation) during the Slovenian and
French Presidencies. Ramböll Management Consulting, based in Sweden, was commissioned to
carry out the final evaluation during the Czech and Swedish Presidencies.

This report represents the work of the final evaluation, a work that has been carried out during
the period March 2009 – December 2009. During this time, Ramböll has carried out several
interviews with stakeholders, sent out surveys to stakeholders, interviewed some bench mark
sectors and studied the outcomes of the EISD. The work has been completed in dialogue with the
evaluation steering group and the analysis is based on sound theories of evaluation. Besides the
evaluation of the test-phase, Ramböll has also been commissioned to carry out
recommendations, based on the findings in the evaluation. These are also found in this report.

1.1 Social Dialogue

In order to get a clear idea of the scope of a Social Dialogue in general and Social Dialogues
within the European context in specific, we find it important to define them a bit more in detail.

In ILOs definition, a Social Dialogue is to include all types of negotiation, consultation or simply
exchange of information between, or among, representatives of governments, employers and
workers, on issues of common interest relating to economic and social policy. ILO also states the
main goal of a Social Dialogue is to promote consensus building and democratic involvement
among the main stakeholders in the world of work. ILO further states that a well-functioning
Social Dialogue has the potential to resolve important economic and social issues, encourage
good governance, advance social and industrial peace and stability and boost economic progress.
According to ILO, there are some important circumstances that must be considered in order to
realise the potentials of a Social Dialogue and, in some sense, to be able to establish it at all.
These are:

- Strong, independent workers' and employers' organisations with the technical capacity and
  the access to relevant information to participate in Social Dialogue;
- Political will and commitment to engage in Social Dialogue on the part of all the partners;
- Respect for the fundamental rights of freedom of association and collective bargaining;
- Appropriate institutional support

1.1.1 European Social Dialogue

A European Social Dialogue refers to discussions, consultations, negotiations and joint actions
involving organisations representing the two sides of industry (employers and workers). The
European Commission promotes such Social Dialogue between the representatives of the
European trade unions and employers' organisations i.e. the Social Partners. The institutional

basis for a Social Dialogue can be found in the EC Treaty. Community financial support is given to Social Dialogue initiatives especially in the area of capacity building.

The European Social Dialogue basically takes two main forms, namely a tripartite dialogue involving the public authorities, and a bipartite dialogue between the European employers and trade union organisations\(^2\). The bipartite dialogue takes place at cross-industry level and within sectoral Social Dialogue committees. As a result of their representativeness, European Social Partners have the right to be consulted by the Commission, and may decide to negotiate binding agreements.

In 1998, the Social Dialogue underwent an important development at a sectoral level when the Commission decided to establish sectoral dialogue committees promoting the dialogue between the Social Partners in the sectors at European level (Commission decision of 20 May 1998 – 98/500/EC). The intention with the committees was to establish central bodies for consultation, joint initiatives and negotiation. The precise provisions concerning the establishment, representativeness and operation of new sectoral committees are described in the Commission decision document.

According to the Commission’s decision the Social Partner organisations must apply jointly to the European Commission in order to take part in a Social Dialogue at European level. The European organisations representing employers and workers must, when submitting this application, meet a number of criteria. They must:

- Relate to specific sectors or categories, and be organised at European level
- Consist of organisations which are themselves an integral and recognised part of Member State’s Social Partner structures, and
- Have the capacity to negotiate agreements, and which are representative of several Member States
- Have adequate structures to ensure their effective participation in the work of the committees

The commission furthermore decided that the sectoral Social Dialogue committees should consist of a maximum of 54 representatives (equal number of employers and workers) chaired either by a representative of the Social Partners or, at their request, representative of the commission. The commission will provide the secretariat for the committees. The Rules of Procedures are set by each committee and they hold at least one plenary meeting per year. One of the more important activities for a committee on a European level is the consultation process, where the Social Partner organisations are consulted on a range of issues concerning employment and social affairs. This consultation is set out in Article 138 of the EC Treaty and the issues are defined in article 137. The box below further describes the content of these articles, adding article 139.

\(^{2}\) This definition of a European Social Dialogue is the definition used by the European Commission
Figure 1. Article 137, 138 and 139 of the EC Treaty

ARTICLE 137
Regulates in what areas the Community shall support and complement the activities of the member states:

- Working environment (worker's health and safety)
- Working conditions
- Social security and social protection of workers
- Protection of workers where their employment contract is terminated
- The information and consultation of workers
- Representation and collective defence of the interests of workers and employers
- Conditions of employment for third-country nationals
- The integration of persons excluded from the labour market
- Equality between men and women in labour market opportunities and treatment at work
- The combating of social exclusion
- The modernisation of social protection systems

ARTICLE 138
The Commission shall promote consultation of management and labour at Community level and shall facilitate their dialogue by ensuring balanced support for partners
Consultation in two steps:

- Before submitting proposals in social policy field:
  Consultation on possible direction of Community action
- If action is advisable:
  Consultation on content of the envisaged proposal

Management and labour shall forward to the Commission an opinion or, where appropriate, a recommendation

ARTICLE 139
If partners desire – the dialogue may lead to contractual relations (agreements)

These articles also regulate the role of the European Commission in a formal Social Dialogue. According to Article 138 of the EC Treaty, the European Commission is responsible for promoting the consultation of social partners at Community level. This means that under EU law, the Commission should consult social partners, not only ensuring balanced support for both sides, but also and with relevant measures facilitate an effective dialogue between them. According to the interview during the final evaluation with the representative from the European Commission DG Employment and Social affairs these measures could be to reimburse participants for 5-6 meetings every year, provide support of different kind ranging from translators, meeting places and logistics to chairmanship and information about the upcoming agenda. The EC do not take part directly but facilitate and act proactively. The role of the Commission is to consult the social partners on their views before submitting a proposal in the social policy field regarding the general direction of a possible new EU-wide initiative or piece of legislation that covers any of the topics put forth by Article 137. Thus, the first phase of the consultation process focuses on the partners’ general opinion about EU legislation on a certain issue. The partners are asked to react within a six week time frame but there is no obligation to do so. If they do decide to react and if the Commission still wants to propose this Community initiative, it has to consult the social partners a second time on the actual content of this initiative3 in a second phase of the consultation.

During the second phase of consultation, the social partners can jointly declare that they would prefer negotiations between the social partners (Article 139 procedure) as an alternative to legislation proposed by the Commission. Article 139 stipulates that Community level Social Dialogue between the social partners can lead to contractual relations, including agreements, if the parties desire. Agreements are to be implemented either in accordance with the procedures and practices of the social partners and the Member States (so-called “autonomous agreements”), or by a Council of Ministers’ Decision. In the latter case, the agreement is transposed into EU legislation and applies to the entire industry or sector4.

3 Mid-term evaluation, Appendix A.1: The European Social Dialogue in the Treaty
4 Ibid.
1.1.2 Informal Social Dialogue and Formal Social Dialogue

In order to clarify the use of important and in many aspects value inflicted terminology, we find it necessary at this stage of the report, to stipulate the use of informal, formal and sectoral Social Dialogue in more detail. With regard to the use of informal Social Dialogue, this refers to all Social Dialogue activities that take place outside of a sectoral dialogue committee. The formal Social Dialogue refers to all activities that take place within such an established committee. The sectoral Social Dialogue is, in line with these definitions a formal Social Dialogue, due to the fact that this is the basis for a formal Social Dialogue.

Even though we can only talk about a sectoral Social Dialogue in terms of a formal Social Dialogue, we can for example talk about sector specific issues within an informal Social Dialogue. When talking about the specific economical sector in relation to informal Social Dialogue, it is therefore important to keep in mind that this does not imply a sectoral Social Dialogue. We can for example talk about the informal Social Dialogue within the central public administration sector (informal) and on the other hand talk about the sectoral Social Dialogue within the central public administration sector (formal).

In short, the term sectoral implies a formal Social Dialogue, whereas the term sector does not. The former refers to a commission decision and the latter refers to a specific economical sector.

1.2 Social Dialogue within the public administration sector at a European level

Within the central public administration sector, employers and workers have cooperated through an informal, more information exchange based, Social Dialogue since the early 1990s. This collaboration has been characterised by meetings between the EUPAN\(^5\) Directors General and representatives of the European federation of trade unions - at the time, EPSU, CESI and EUROFEDEP\(^6\), including a first joint seminar in 1994.

Under the French EU Presidency in 2000, the EU Ministers for public administration adopted a resolution on Social Dialogue calling upon the DGs to develop a Social Dialogue with representative trade unions in order to deepen the question of the employers’ representativeness on the basis of a list of Social Dialogue subjects. Partly due to internal trade unions divisions, the potential of this resolution was not maximized. In February 2005, a cooperation agreement between EPSU and CESI led to the establishment of a single trade union delegation, TUNED. It led to an improved dialogue with EUPAN under the Luxembourg Presidency. According to their own statements, TUNED has been ready to formalise the Social Dialogue since their establishment in 2005.

The issue of a formalisation of the Social Dialogue has also been on the EUPAN agenda for some time and accelerated in 2007, with a ministerial resolution under the German presidency that approved the so-called “Action Plan on Social Dialogue”. This resolution encouraged EUPAN to test, within an enhanced informal Social Dialogue (EISD), topics and work forms of a formal Social Dialogue. As stated above, according to Article 138 and 139 of the EC Treaty, a formal Social Dialogue on the European level refers to the discussions, consultations, negotiations and joint actions undertaken by the Social Partner organisations.

1.3 The test-phase of enhanced informal Social Dialogue (EISD)

The initiative to explore topics and work forms of a formal Social Dialogue was further developed during the Portuguese presidency in 2007. EUPAN agreed upon the forms for a test-phase on an EISD, introducing the elements of a formal sectoral dialogue. The design of the social relations

\(^5\) EUPAN is an informal network of the Directors General responsible for public administration in the Member States of the European Union and the European Commission

\(^6\) EPSU is the European Federation of Public Services Unions, member of the ETUC. CESI is the European confederation of independent trade unions. Eurofedop became a member of CESI in 2008. TUNED has members in all EU member states’ central administrations except Slovenia and Poland.
was jointly put down by EUPAN and trade union representatives from TUNED, and approved by the Director-Generals (DGs) responsible for public administration in the EU Member States in the end of 2007. This blueprint included rules of procedure, a joint work programme for 2008-2009 and evaluation indicators for the test-phase.

The test-phase for the EISD runs for two years beginning the 1st of January 2008. Work forms and operational structures are carried out within the existing structure of EUPAN. This organisation does, nevertheless, differ from a formal sectoral committee. The test-phase is undertaken on an informal level, implying that the only forms of action are: discussions, debates, joint seminars, joint statements etc. This means that within the EISD-programme, the Social Partners cannot influence Commission directives or reach formal agreements for implementation at the local level.

The joint work programme states that the overall aim of the test-phase is to create a framework for EUPAN and TUNED that will:

- Support, within a strengthened and structured informal Social Dialogue, the testing of topics and work forms of formal Social Dialogue,
- Lead to practical results and output, including joint position statements and events
- Provide the necessary flexibility for cooperation by presenting a list, from which specific work themes may be chosen while allowing, if necessary, for the introduction of other themes, and
- Contribute to the mid-term and final evaluation of the test-phase.

The work programme further stipulates that the cooperation during the test-phase should, as far as possible, use a range of different work methods and instruments (e.g. joint statements, comparative surveys, joint reactions to European initiatives, joint events etc). The appropriate work method(s) and instrument(s) will be determined in connection with the joint preparation of each theme.

The themes for the work programme are defined as:

- Sustaining efficient administration
- Effective contribution of central government administrations to the implementation and unforeseen revision of the Lisbon Strategy
- Violence and harassment at work

Each theme is then divided into different sub activities with a specific timetable and outcome, including a report on third-party violence at work, a common position on stress at work and an EU-funded Trust project.

According to the Rules of Procedures, the objectives of the test-phase are to promote and improve the European Social Dialogue for central government administrations and to test topics and work forms of formal Social Dialogue.

In order to evaluate the development of Social Dialogue during the test-phase, EUPAN agreed on the need to continuous assessment over the two-year period. The result of this commitment was the commissioning of two different evaluations, one Mid-term evaluation and one final evaluation. The European Institute of Public Administration (EIPA), based in Maastricht, was commissioned to conduct the first one-year evaluation (so-called Mid-term evaluation) during the Slovenian and French Presidencies. Ramböll Management Consulting, based in Sweden, was commissioned to carry out the final evaluation.

In accordance with the Terms of Reference, the objective of the Mid-term evaluation was to conduct a simultaneous evaluation of the first twelve months of the two-year Test-phase with a view to determining what changes have been brought about, whether the quality of relationships between stakeholders has improved, and whether the outputs and outcomes were consistent with the objectives set.

The final evaluation, commissioned after the deliverance of the Mid-term evaluation, shall in accordance to the Terms of Reference specifically assess the following areas:
1.4 Purpose and scope of the final evaluation

As mentioned in the Term of Reference, the purpose of the commissioned final evaluation is to establish a reasoned analysis of positive and negative developments connected to the more structured informal dialogue and draw lessons for the future in form of recommendations to EUPAN on the continuation of the Social Dialogue.

Furthermore, the Terms of Reference states that the final evaluation should “depart” from the findings in the Mid-term evaluation and let them form the bases for formulating new questions. In order to meet these requirements and to present an evaluation that encapsulates the complex relations and questions to be answered, Rambøll decided to divide the evaluation into three distinct phases. First, the evaluation began with an inception phase where the analytical framework of the evaluation was set. Second, the evaluation proceeded with an implementation phase where the evaluator conducted the data collection and presented preliminary findings in a draft final report. Thirdly, a finalisation phase consisting of further analysis with recommendations concludes the evaluation in a final report. The figure below illustrates the evaluation process.

Figure 2. The overall design of the evaluation

As shown in the figure above, the more specific scope of the evaluation was established during the inception phase and presented to the evaluation steering committee in an inception report in May 2009. The specified scope as presented to the evaluation steering committee is presented in the sections below.

1.4.1 The specified scope of the final evaluation

From the Terms of Reference as well as from the explorative interviews we concluded that the key focus of the evaluation is the relation between EUPAN and TUNED and the Social Dialogue during the test-phase.
The appropriateness of the test-phase and its structure, the quality of discussions during the test-phase, the relation between resources and output, and the implications on the relation between the two partners are all areas of great interest. These areas have been categorised with the help of four evaluation criteria which we will discuss more thoroughly in chapter 2.

Furthermore, the implication on the EUPAN organisation as such has been examined. This aspect concerns whether the new more formalised structures have had any impact, positive or negative, on other parts of the informal network. New structures have arisen within the network during the test-phase and the evaluation examines possible effects on other working groups, the relation between the members etc.

Finally, the evaluation also comprises perceived effects on home base relations. This last aspect relates to whether an enhanced dialogue on the European level could have any effect on the national level within the member states.

All three topics are covered and illustrated in the figure below. Nevertheless, there is a main emphasis on the first topic. The value judgements concerning the relation between the partners in the Social Dialogue will be more important than the others when making future recommendations. Also, most evaluation questions concern the first topic as will be clear from the evaluation questions that are presented in chapter 2 (2.1.1-2.1.4). The effects on Social Dialogue at the national level are difficult to assess accurately. Consequently, this is not the key focus of the evaluation and only perceived effects will be examined.

The above mentioned priorities and focus areas for the evaluation need to be understood in light of two general remarks and imperatives that are important to keep in mind, namely:

- There is a clear distinction between evaluation and recommendations
- There are different perceptions of the objectives with the Social Dialogue

The meaning and content of them are presented below.

- **A clear distinction between evaluation and recommendations**
  As mentioned above, this evaluation consists of both an evaluation of the test-phase and recommendations for future strategies. In this regard, the evaluators would like to comment on the importance of keeping a clear distinction between these two analyses.

  The enhanced informal dialogue should be perceived as structurally differentiated from both a formal and an informal Social Dialogue and it is consequently plausible to argue that it prevails a
discrepancy between the phenomena that is to be evaluated (the test-phase of the EISD) and the subject which it seeks recommendations about (future development). This implies a methodological challenge where it, to exemplify, is possible that stakeholders find the test-phase successful and at the same time are unwilling to proceed to a formal sectoral Social Dialogue, or vice versa that they want to proceed to a formal Social Dialogue despite shortcomings during the test-phase. Bottom line is that the stakeholders’ opinions about the test-phase do not necessarily and in itself give an answer to the future and how to proceed after the test-phase.

One solution to this methodological, as well as pedagogical, problem is to try to be as transparent as possible in the separation of the two analyses. The analysis of the test-phase is the evaluation component of this assignment and it has to be clear that it is the structure and the outcomes of the test-phase which is being evaluated and not other possible scenarios of the dialogue. The immediate implication of this is that the analysis of the test-phase does not automatically give adequate recommendations on the future development. However, despite this clear distinction the evaluation will give valuable input to the elaboration of future scenarios and serve as an important basis for the future recommendations.

- Different perceptions of the objectives

The second remark that Ramboll would like to shed light on is the lack of common goals and objectives amongst the members of EUPAN concerning the Social Dialogue. The objective of the Social Dialogue is needed in order to properly value the test-phase with regards to its relevance and effectiveness as well as to give valuable recommendations.

In the Report of the Ad-hoc Group on Social Dialogue from the German presidency the background to the test-phase is outlined with pros and cons of the two basic options to develop Social Dialogue in EUPAN, namely to improve the existing informal dialogue and introduce a formal Social Dialogue. The report clearly states the diverging positions of the members of the Ad-hoc group and the underlying reasons why a test-phase was needed.

Due to the fact that different members of the organisation have different attitudes with regard to a Social Dialogue at a European level and with regard to a future development of the dialogue between EUPAN and TUNED, there is in some aspects not a unanimous view on what the desired results of the test-phase would be. However, globally there is a consensus among the members that the main aim of test-phase is to bring up elements to identify the possible choices and their consequences. The evaluations assessment of achieved results during the test-phase has thus focused on whether it, according to the members, was possible to test and identify important aspects to be able to make a decision on the future development. In this the outcome of the test-phase has been studied and with a more descriptive approach the evaluators have been able to clarify the members’ attitudes regarding the test-phase and the future strategies. By a mere descriptive approach interesting material concerning the barriers and success criteria in the structures of the test-phase have arisen. In order to be able to provide in-depth judgements and recommendations, it is, however, crucial that the evaluation take into account the stakeholders intentions of a sectoral Social Dialogue as well.

Nonetheless, Ramboll believe that it is of great importance to tackle the question of the lack of more specific common objectives of a Social Dialogue in order to give proper recommendations on the future strategies for the network. As will be apparent in the following chapters the evaluation has tackled this problem by taking contextual factors into account.

1.5 Disposition of report

Following this introductory chapter, the next chapter presents the methodology applied in the evaluation process. Thus, Chapter 2 describes the analytical framework of the evaluation process. Chapter 3-5 describes the results and effects of the test-phase. Chapter 3 presents outcome and results relating to the relevance of the test-phase. Chapter 4 focuses on Effectiveness and Efficiency of the test-phase and contains descriptions on the extent to which the different objectives (outputs etc.) of the test-phase have been achieved. Chapter 5 delves into the Added Value of a forum for formal sectoral Social Dialogue for central public administration on the European level. Chapter 6 summarises the conclusions from the evaluation part. Chapter 7 presents the second part of the assignment, namely the recommendations.
2. METHODOLOGY AND LIMITS OF THE EVALUATION PROCESS

Chapter 2 presents the methodology underpinning the evaluation process. By providing the framework of our analysis, Rambøll aims at making it clear on what we base our judgements and recommendations. Thus, the purpose of the chapter is to make the evaluation process transparent and accessible.

The first section presents the analytical framework of the evaluation by describing the four evaluation criteria which on the one hand lend structure to the evaluation report and on the other hand guide the evaluator in the process to approach the evaluation subject from different perspectives. Different perspectives lead to different types of evaluation questions which in turn require different kinds of data collection tools. Hence, the data collection methods for the Final evaluation are presented thoroughly in section 2.2. Section 2.3 concludes the chapter by putting on display the analysis methods applied on to the collected material.

2.1 Analytical framework – the framework for the design

The analytical framework is based on a set of criteria which were presented already in the tender and then developed further in the inception report. Rambøll’s framework is based on an evaluation methodology used by the EU Commission as well as the OECD and is derived from different evaluation criteria. The criteria can be described as viewpoints or perspectives categorising the questions to be answered in the evaluation. Together these general criteria can help to cover explanations of most processes of change. The use of the evaluation criteria ensure that essential viewpoints are not forgotten and they help structure the line of thought throughout the evaluation.

During the inception phase the evaluators categorised a set of evaluation questions into four criteria. The evaluation questions, and consequently, which criteria to be used stem from the Terms of Reference as well as discussions with the Evaluation Steering Group. In the following we will give a short introduction to each criterion that we have applied together with an elaboration of what they signify in this particular evaluation.

A more detailed outline on how Rambøll have used the criteria – were one can follow the logic from overall question to more specific questions and the norm being attached to it – is attached in the annex to this report.

2.1.1 Relevance

The first evaluation criterion is relevance. Relevance is an evaluation criterion used to estimate if a given project or programme corresponds to current problems and needs. In retrospect, the relevance perspective often becomes subject to the question of whether a specific intervention still is adequate when taking changed societal circumstances into consideration.

A key element of the relevance criterion is to identify and pinpoint the needs of the target group and subsequently scrutinise this in the light of the objectives. As we have highlighted earlier in this report the needs of the target group as well as their views on the objectives will most likely be rather diverse in this evaluation. Due to contextual background factors as well as different political standpoints it will be difficult to find one, easy, explanation to this. In order to value the relevance of the test-phase it will, however, be of great importance that we strive to shed light on this problem and map the different objectives as thoroughly as possible. In this evaluation the relevance criterion is represented by the following general evaluation questions:

- What is the stakeholder’s perception and expectation of a Social Dialogue on a European level in general?
- What is the stakeholder’s perception of the test-phase as a tool for measuring the development of a Social Dialogue for the central government administration sector?
2.1.2 Effectiveness

The second evaluation criterion is effectiveness. Effectiveness is a viewpoint highlighting goal achievement of a project or programme. A value judgment is made with the help of evaluation questions in line with this criterion on the extent to which the intervention’s objectives were achieved, or are expected to be achieved.

As for the relevance criterion the absence of a clear cut objective makes the evaluation of the test-phase’s effectiveness more difficult. As highlighted earlier in the report we have, however, strived to value both the goal attainment of the test-phase (whether it has tested what was supposed to be tested) and the goal attainment in relation to the objectives of the members. Effectiveness is one of the most important criteria in the evaluation. The results as well as the impact of the Social Dialogue during the test-phase have been examined in order to assess the effectiveness. The general evaluations questions regarding the effectiveness criteria are:

- Has the test-phase achieved its objectives according to the stakeholders?
- What impacts of the test-phase can the stakeholders perceive?

2.1.3 Efficiency

Efficiency is the third evaluation criterion in focus of this evaluation. The efficiency criterion aims at investigating to what degree the resources within a given project (economic capabilities, competences, time etc.), have been transformed into adequate results. Efficiency can be measured in the short-term through studies of the number of performed activities and their outcome. It can also be analysed within a longer time horizon and in these cases, the achieved effects among the target groups are of vital importance.

In this evaluation we have examined what extra resources have been needed for the Social Dialogue during the test-phase. Resources, in terms of for example time and administrative costs have been assessed by the stakeholders with regards to the outcome and the experienced benefits of the test-phase. Our main source of information in this regard have been the interviews with representatives from EUPAN and TUNED. The two general evaluation questions regarding this criterion are:

- Can the resources needed during the test-phase be justified by the results, according to the stakeholders?
- Could the same results have been achieved with less resource, according to the stakeholders?

2.1.4 Added-value

The final criterion used in the evaluation of the test-phase is something we refer to as added-value. Added-value is an expression we use as a substitute for the EC evaluation criteria Coherence/complementarity and Community value added. Concerning the added-value criterion the evaluation has examined the perceived added-value of a sectoral Social Dialogue for the central public administration at the European level according to the stakeholders. The particularity of the central public administration sector has been one aspect of interest concerning this type of added-value. In short the general evaluation question concerning added-value is:

- What is according to the stakeholders the perceived added-value of a sectoral Social Dialogue for the central public administration at the European level?

2.2 Data collection

In order to gather data/material that enable us to answer the questions put forward by the criteria above, we needed a wide range of data collection tools. Some of the criteria needed several different tools and some only a few. By using several sources of information to collect
data on the same criteria we try to triangulate the issue at hand, an exercise that is very much needed in an evaluation such as this. Hence, we do not have a quantifiable goal (ex. when the test is finalised x reports should be written), we need to look into more less-tangible and qualitative indicators.

Below we have listed the data collection tools we have used. Each tool is further described and specified in what extent we have used them in the evaluation in the sections following. The tools used are:

- In-depth interviews
- Survey
- Field-based study
- Further desk-based studies
- Mid-term evaluation
- Bench-marking (interviews and document studies)

**In-depth interviews** have been conducted with representatives from EUPAN, TUNED and the European Commission. Our intention was to conduct interviews with one representative for EUPAN and TUNED from each member state respectively. The interviews have been semi-structured and followed a questionnaire based on the evaluation matrix (see annex) Interviews have been conducted both face-to-face and by telephone.

During the implementation phase\(^7\) of the evaluation a total of 40 interviews were carried out with representatives from EUPAN, TUNED and the European Commission. The interviews with EUPAN and TUNED representatives were transcribed and sent back to the respondent for review. A couple of the interviews with TUNED and EUPAN representatives were not possible to carry out by telephone and the respondent had to fill out the questionnaires online.

At the outset of the implementation phase, Ramböll had the intention to interview a representative from each country, amounting to 27 interviews each for the partners. The names and contact information was delivered by EUPAN and representative from TUNED. In several cases the information had to be updated during the implementation phase.

In the case of TUNED, there was only representation in 25 countries. During the period from May 2009 until September 2009 there have been several e-mail reminders sent and several telephone calls made to be able to reach all the 25 TUNED and 27 EUPAN representatives. At the end we did manage to conduct 17 interviews with TUNED and 22 interviews with EUPAN (representing a response rate of 68 percent resp. 82 percent).

We also carried out one interview with a representative for the European Commission, DG Employment, Social Affairs and Equal Opportunities.

A web-based **survey** was sent out in late May/beginning of June 2009. The survey focused on the effects on the EUPAN network as such. Hence, it was sent out to participants in other working groups within EUPAN (other working groups than the SDWG), as well as to DG’s.

The survey that was sent out to the other **working groups** was sent to a total of 128 respondents, divided between the groups (HRWG 29, IPSG 63, E-GOV 36). As in the case of contact information for the interviews EUPAN supplied us with the contact information for the WGs. Two reminders were sent out.

The response rate of the survey sent to the WGs is very low (40 percent). Besides this, we have indications that some of the questionnaires have been answered by another person than the one intended. The purpose of this survey was to establish a picture of the impact in the EUPAN network as such. If we do not know if the respondent is representing other (other than the Social Dialogue) WGs the result is very difficult to use. Still we find some of the argumentation and discussions in the survey interesting and light shedding. Therefore, we will use the survey as

\(^7\) Some explorative interviews were conducted early on during the inception phase, where 8 stakeholder´s were interviewed.
source of reasoning and discussing, but we cannot rely on this source to supply us with quantifiable information.

The response rate of the survey sent out to the DG is higher (62 percent). The survey was sent out to 28 respondents including one respondent from the European Commission. Two reminders were sent out. The information from this survey will mainly be used in connection to the question of the test-phase impact on the EUPAN network as such, as perceived by the DG. We will present both qualitative data in order to shed some light on the argumentation and quantitative data in order to get an overall picture of the DGs perspective on impact of the test-phase.

During the implementation phase we have conduct several **field-based studies**. Representatives from the evaluation team have been present at meetings in order to get a deeper understanding and insight in the dialogue process. The evaluators have been present at Social Dialogue meetings in Prague, Stockholm and have also participated at the DG meeting in Prague in June.

During the field-based studies the evaluators have been able to closely follow the discussions and have due to this been able to map the logic of reasoning within EUPAN and TUNED as well as between the partners. The data collected by this tool is qualitative and serve mainly as a support for the analysis and for the evaluators to get a deeper understanding of the role of Social Dialogue within the central public administration. Furthermore, the field-based studies have been a vital tool for the evaluators in connection to being able to deliver valid recommendations. This is due to the fact that at meetings, seminars and in discussions, the negation infrastructure of the dialogue is set and presented. With a god understanding of this infrastructure the evaluators will be able to deliver more usable and valid recommendations.

Much of the **desk-based studies** were completed during the inception phase. It has however, continued to be an important source of information in the implementation phase. During our desk-based studies material of extra interest has been prioritized and current notes from meetings, joint statements, reports, agendas, DG resolutions, as well as other studies in the field such as the report by David Tarren and the recent study of Christoph Demmke was consulted. We have also made use of several different documents and studies in relation to the mapping of contextual factors. All the material that we have collected and studied serve the purpose to provide different perspectives, shed new light on already collected information (interviews or surveys), sharpen our recommendations and above all contribute to our understanding of the Social Dialogue as such and the Social Dialogue within the central public administration.

The **mid-term evaluation** was completed rather recently and it would be unwise if this final evaluation did not take the data collection and the findings from EIPA into account. However, due to the short time span between the two evaluations it has not been relevant to follow up quantitatively on certain survey questions to examine changes in attitudes over time. Instead, the evaluators have used the thorough and detailed material from the midterm report as valuable input to our analysis of the test-phase. It has also served as a point of reference for a qualitative follow up on certain important aspects of the dialogue. Generally speaking, the data collection of the final evaluation has been of more qualitative character whereas there were many quantitative, detailed results from surveys in the EIPA-report.

Finally, a **bench-marking** study has been conducted by interviews with employers and trade union representatives in other sectoral dialogues. One of the aims with our evaluation is to, beside from investigating EISD, provide guidance about the future cooperation between EUPAN and TUNED.

In order to deliver more valid recommendations about the implications of a formal Social Dialogue for EUPAN and TUNED, Ramböll Management has used a benchmarking method to study other networks, which has introduced the structures of a formal Social Dialogue. Our expectation is that these cases will provide valuable, empirical insights into the processes that are related to the development of formalised working forms. We do not expect to get insights into the question of formalisation or not, this bench-marking is to get some perspectives from other sectors. The figure below illustrates how the benchmarking is used in this evaluation:
The green boxes in the figure represent evaluation questions that we stipulated during the inception phase, and that are part of the evaluation matrix. They also represent questions that could shed some light on possible future development and outcomes if answered. In order to provide perspectives on these questions and involve external views, we use the bench-mark sectors as a point of reference. The white boxes in the middle represent areas of discussion with bench-mark sectors. Each of these areas has been connected to the questions in the green boxes.

Three criteria have guided our case selection. First, we have included sectors that are/were state-owned and therefore represent policy areas with a similar institutional heritage as the public administration sector. Second, sectors that experienced periods of a “less formalised” Social Dialogue before entering a “fully formalised” European Social Dialogue have been considered. Third, sectors with different levels of experience of a formalised Social Dialogue (old vs. new) have been selected.

With these criteria at hand, Rambøll has conducted desk research and semi-structured interviews aimed at the following sectors:

- Local and regional government
- Railway
- Electricity
- Hospital

### 2.3 Data analysis

The analysis of the collected data has in some sense already been decided upon in the tender as well as developed in the inception report. We rely on the analytical matrix (see annex) were all the questions are put forward and the indicators set as well as the appraisal norm being defined.
After the data collection phase, we apply the analytical matrix as a mean to seek the answer to the main questions of the evaluation.

In the analysis we focus on the questions in the analytical matrix but we also use two horizontal themes, which enable us to make a more focused analysis. These themes are recommendations and lessons learned and contextual factors.

2.3.1 Recommendations and lessons learned

The analytical framework presented above, with the four evaluation criteria, is the backbone of the evaluation of the test-phase. The recommendations on the future development have stemmed from the value judgements of the test-phase as well as the members’ opinions on future development and assumptions based on other data sources. One other important data source, especially for the recommendations, has been the bench-mark of other sectors which will give input to the forward-looking analysis. In order to give proper and valuable future recommendations the evaluators have also outlined what main questions need to be addressed apart from the judgement of the test-phase. The main questions to address are:

- What are the lessons learned from the test-phase with regard to a Social Dialogue at the European level for the central public administration?
- What are the possible and eligible long time scenarios for the Social Dialogue within the sector?

2.3.2 Contextual factors

According to Ramböll’s opinion, the contextual background factors can be utilised in two preliminary ways:

- (a) explanatory variables for the perceptions and experiences of the test-phase and
- (b) as an instrument for delivering more valid recommendations about the future development of the Social Dialogue.

The evaluators have used the contextual factors in both ways. To begin with we have strived to have a more thorough, in-depth, understanding of the opinions displayed in the data collection. Moreover, we have in a more systematic fashion investigated the possibilities for a further formalisation of the Social Dialogue for the central public administration sector. Our understanding of this assignment can be expressed through the following basic equation: \((z) + (x) = (y)\), where \((z)\) represents contextual background variables, \((x)\) equals the implementation of the test-phase and \((y)\) illustrates preferences towards the future development of the Social Dialogue. In more specific terms, the evaluators want to emphasize the necessity of not only describing the attitudes of various respondents, but to also analyse why they display certain opinions about the possibilities for the sectoral Social Dialogue. Otherwise, constructive and relevant recommendations for the road ahead are difficult to make.

There are a large amount of contextual background factors, which are relevant to consider within the test-phase of the EISD. During the inception phase, the explorative interviews served as a relevant source for information and important perspectives to take with us in the forthcoming investigation. Through desk research we have also been able to come to terms with differences in public administration systems and other relevant factors which might be important in the analysis. The evaluators would, however, like to stress that opinions about further formalisation constitute a complex phenomena.

Some contextual background factors which might be of interest when analysing the material are:

- Structure of the public administration system
- Prior experience of dialogue within the public sector
- Access to other forums where these issues are discussed (for example CEEP)
3. RELEVANCE OF THE ENHANCED SOCIAL DIALOGUE

In the following section of the report the evaluators consider the relevance of the test-phase of the enhanced informal Social Dialogue for the central public administration sector in relation to the stakeholders’ expectations and priorities of a Social Dialogue on this level and in relation to the test-phase’s appropriateness as a tool for testing a formal Social Dialogue.

3.1 Expectations and priorities of a Social Dialogue on European level

The expectations and the aim of having a Social Dialogue within a specific sector and on the European level, is according to a majority of both EUPAN and TUNED representatives to build a common ground and establish common knowledge and perspectives on issues across the country boundaries. As figure 5 below shows, for both EUPAN and TUNED members mutual learning seems to be the most important purpose. For EUPAN members other important aspects are shared values and also to some respect the possibility to influence European social policies. Another purpose that was mentioned by several EUPAN members is to get a deeper relation and cooperation with trade unions and to contribute to an increased understanding about the importance of a constructive dialogue between employers and trade unions. Also among TUNED members the strongest emphasis is on mutual learning, shared values and the possibility to influence on European social policy. The differences between TUNED and EUPAN is foremost that TUNED members put more emphasis on the possibility to contribute to enhanced Social Dialogue on national level and on the possibility to negotiate on European level. Also the information and the consultation from the European Commission seems to be more important for TUNED than for EUPAN, which probably to some extent can be explained by the fact that the employers in the central government administration sector often already have functioning channels and connections to the European Commission.

Figure 5. Purpose of a Social Dialogue

One recurring issue regards different member states views on what appropriate topics there are to discuss in a formal Social Dialogue on a European level. The evaluation shows that there are no specific issues that all members find especially important to discuss on the European level and within a Social Dialogue for the public administration sector. Issues that have been mentioned though are in a broader sense working conditions, diversity and equal opportunity issues as well as issues concerning leadership, education and training as well as issues dealing with public service reforms and how this affects working conditions and social issues and the benefits of the public administration for the citizens in the member states. Both EUPAN and TUNED members seem to agree on that there is no need or relevance in discussing specific regulations on working conditions and wages for example, as the structures and conditions are too differentiated in the different member states. In many cases the Social Dialogue on a national, regional and local level is more suited to find concrete solutions on specific topics and problems, whereas the international level rather gains as an arena where issues can be discussed on a policy level and where the added value is to get new perspectives and views of how to handle for example ethic
issues and conflicts in objectives and goals. In the interviews with EUPAN and TUNED representatives, it has been made quite clear that almost every issue can be discussed, but that neither party is interested in discussing detailed guidelines for each member state and how to implement changes on a national level. Rather the discussions on EU-level should provide common frameworks and maybe more importantly an exchange of ideas and experience on how to handle important issues on a national level. From a TUNED perspective it has been argued that the Social Dialogue on European level can be used as an instrument to set out some social standards in Europe, whereas EUPAN members have been more careful in expressing purposes like that. The Social Dialogue at a European level is rather ascribed an informational purpose where information on how matters are being dealt with in other countries is spread to other nations as inspiration. The following quotation from an interview with a EUPAN member illustrates this:

*There are some conditions that are similar in all countries, but these are not necessarily issues for a Social Dialogue, at least not issues that we should agree on a European level. These are rather issues to discuss and to gain knowledge about from each other.*

The focus on exchange of ideas and experiences between the member states and the parties can also be found in the interview answers concerning the type of dialogue that the respondents expect and priorities in a Social Dialogue on the European level. Figure 6 below illustrates that both EUPAN and TUNED respondents on an overall level tend to put emphasis on the process and exchange in itself rather than binding agreements and alike.

Figure 6. Type of Dialogue

An important difference between EUPAN and TUNED respondents is that a clear majority of the TUNED respondents find an output oriented dialogue equally important as a process oriented dialogue, whereas on the EUPAN side there are more respondents who think that the process oriented dialogue is the most important. The interviews show that EUPAN members, who put more emphasis on the process than on the output, see the discussions, exchanges of ideas and learning of each other's positions in itself as an important purpose of the Social Dialogue on a European level. Some EUPAN respondents also clearly stress that they are willing to share knowledge and experience with other member states but that they are not prepared or willing to reach joint agreements or decisions on issues that would influence the national level.

TUNED on the other hand, more clearly puts emphasis on the establishment of a legitimate platform and possibilities of joint agreements in which the process plays a vital part. Several of the TUNED interviewees stress that some issues always will be only about exchange of experience whereas other issues are suitable for binding resolutions if both parties can agree and negotiate. The main point made by quite a few TUNED members is that a Social Dialogue does not have to reach any joint agreements at all, if this is not possible, but that a formal Social Dialogue would give the opportunity and possibility, and thereby increase the possibility to influence European policy. It is also stressed that an orientation towards joint outputs can in itself
strengthen the process and informal exchange between the parties. The respondents that find an output oriented dialogue more important than a process oriented (4 EUPAN and 1 TUNED), all stress that the process is also important, but that output is needed to be able to influence European policy and to legitimate the Social Dialogue as such. The process is from this perspective rather seen as an important and necessary mean to be able to get an output.

To sum up, the expectations of a Social Dialogue on the European level is according to a vast majority of both EUPAN and TUNED members to strengthen the relations between the member states and between the social partners to be able to exchange experiences and ideas and thereby learn from each other and on some issues even influence each other, the European policy and/or the national level on issues that can affect the central public administration sector.

With this said, the next section will discuss the correspondence of the test-phase to the expectations of a Social Dialogue on European level, according to the members of EUPAN and TUNED, as well as the appropriateness of the test-phase to test a more formalised Social Dialogue.

### 3.2 Relevance of the test-phase

Both EUPAN and TUNED members seems to be committed to the test-phase, overall agreeing that it has been an appropriate tool for sharing information and discussing issues of common concern. In the Mid-term evaluation more than 80 percent of EUPAN and TUNED members say they have increased their knowledge about – and interest in – European Social Dialogue throughout the test-phase (Mid-term evaluation, 2008: 14).

When looking at the result from our interviews and surveys in this final evaluation we find that most respondents find that the test-phase has corresponded to the expectations of a Social Dialogue on European level, as the figure below shows.

**Figure 7. Test-phase correspondence to the expectation of a Social Dialogue**

According to the vast majority of both EUPAN and TUNED members, the test-phase has given opportunities to build relations and to exchange ideas and experiences. The respondents have for example argued that the parties have come closer to each other due to the fact that work forms and documents have been developed jointly. Although it was not always easy to agree on Rules of Procedures and work programme they have been an important framework for the work and cooperation during the test-phase. Mentioned as positive results are that agreements have been reached and that the parties have been able to jointly organise and realize for example the Trust conference in Prague in April 2009 or the joint work on stress. It shows to some extent that it is possible for the social parties within this sector to cooperate. Several interviewees expected the cooperation to be more difficult than it actually, according to them, turned out to be.
Quite a number of the respondents state that they did not have very high expectations on the test-phase, of which most have been positively surprised, whereas a few mean that their low expectations proved to be well-founded. Respondents who have not been positively surprised argue for example that the issues discussed where of no relevance for the national level agenda or that the topics where not innovative enough and that there was a lack of substance in the discussions, with too much focus on work forms. So whereas some, as described above, have mentioned the structures and formalised work forms as an important framework for cooperation and exchange, there have also been voices raised in the opposite direction, i.e. that the formalised work forms have been a too big part of the test-phase and that the more informal exchange of ideas and deeper discussions on the issues has fallen short due to that. Some EUPAN respondents also argue that more controversial and difficult issues have not been discussed during the test-phase, something that is considered as a failure of the testing as it is expected that the parties would be forced to discuss such issues if formalised. Notwithstanding a majority of the respondents find that the test-phase corresponded to or exceeded their expectations.

Turning to the bench-mark in order to put the above issues in another perspective we see that a prerequisite for deeper discussions, exchanges and alike are the structure and formalised work forms for some of the studied sectors. One of the sectors point out that both parties have agreed on the process and together set the agenda for the issues to discuss in the collaboration. After having established formalised work forms and structures for interaction there were opportunities for deeper discussions. Benchmark studies also show that the formal Social Dialogue requires less time for administration and, thus, has enabled a focus on discussions on the sector specific issues, i.e. less focus on work forms. Turning to the relevance of issues discussed, all benchmark sectors point to the flexibility of what issues to be discussed. On the question whether it has been possible to discuss all issues they want or if Article 137 of the EC Treaty is limiting the scope, all benchmark sectors say that they can discuss what they want. They appear to be able to influence to a high extent and discuss the issues they need to discuss. Issues vary from exchange of information on horizontal issues such as gender equality or spreading of best practices about i.e. training and recruitment to joint agreements on working hours or discussions on general issues such as migration influencing the sector at an EU level.

Furthermore we find that most EUPAN and TUNED members find the test-phase (in some or high degree) a relevant measure for investigating the possibilities of establishing a formal sectoral Social Dialogue. Somewhat less than 40 percent of both EUPAN and TUNED members state this in a high degree and almost 50 percent in some degree. The difference between EUPANs and TUNEDs grading in this aspect is almost non-existent. The reasoning behind the overall positive judgments of the test-phase as a relevant measure for investigating the possibilities of a formal Social Dialogue is said to be that the test-phase offers a more structured way of Social Dialogue, due to work programme and rules of procedures, which most perceive as similar as the structures would be in a formal Social Dialogue.

Consulting the bench-mark studies on whether the structures and works forms of a formal Social Dialogue are similar to the ones tested in the test-phase, the work programme and rules of procedures actually seems to be similar to structures within the benchmark sectors. A success factor for the railway sector e.g. has been the common, established agenda similar to the joint work programme of the test-phase. Many benchmark studies recurrently also emphasize the value of shared understanding of the objectives, clearly defined boundaries about what to discuss and not to discuss as well as specified sector specific topics in such a common agenda. Turning to the rules of procedure, a success factor for the electricity sector has been e.g. the mutual agreement on how the process should be like, i.e. similar to the rules of procedures in the test-phase.

Most of the benchmark sectors have a formalised work form with Social Dialogue committee meetings once or twice a year where each country is represented by both sides of the industry, a steering committee preparing and coordinating the work (three out of four sectors), one or more working groups or ad hoc-groups and an EC supported/financed secretariat. The secretariat i.e., is the main administrative body adding value as the administrative burden decreases with this supporting structure. It gives stability to the presidency since it is taking care of practicalities and preparations of meetings, coordination of projects as well as translations in some cases. In some cases, extra work parties are organised for which they get extra funding from the EC. These structures are considered sufficient. No more support or structure is needed for the daily workload.
Agreements are most often reached in consensus. Subjects and standpoint are either prepared/discussed/negotiated by e-mail correspondence, during committee meetings or in some cases during extra sessions in between the committee meetings. Since the decision structures most often are consensus oriented the outcome of the benchmark sector dialogues are varied. They have the possibility to reach joint opinions, declarations and tools as well as agreements, positions and recommendations – each serving different purposes. Whether they do this or not and the frequency with which they produce common outputs differs from 6 non-procedural documents over the course of five years to 14-16 non-procedural documents over the course of nine years. Thus, the joint work programme or commonly established agenda need not imply a professionalized dialogue in terms of issues discussed or in terms of raised expectations on increased outcomes. It is up to the parties to decide what issues to jointly discuss and what joint outcomes to produce.

Figure 8. The degree to which the test-phase is a relevant measure to investigate the possibilities to establish a formal Social Dialogue in relation to different aspects

Both EUPAN and TUNED representatives also argue that the test-phase has made it easier to formalise the dialogue, if the partners choose to. This is mainly due to the fact that the partners got to know each other better during the test-phase and that more formalised work forms have been tested successfully. What has mainly been tested is the dialogue, the cooperation, discussions and exchange of experiences to some extent but there have according to some interviewees been limited opportunities to discuss issues and definitions of problems more thoroughly. Some interviewees also raise the point that it has not been tested what influence a formalised Social Dialogue would have on the national level.

All DG’s that have responded to the survey in the final evaluation concur with the fact that the test-phase has dealt with issues that are not only interesting to the organisation they represent, but also relevant for the EUPAN network and the member states. Even though the partners view on different matters may not have changed dramatically, the issues discussed are seen as relevant as they concern all parties even though they approach them from different perspectives.

A general weakness of the test-phase raised by both EUPAN and TUNED representatives is that it has not been possible to test a formal Social Dialogue in terms of the consultation process with the EC, a process that is considered to be an important ingredient in the formal Social Dialogue.
Thus, in this aspect the test-phase has not been a relevant measure. That it has not been possible to test this everyone agrees on. Where it differs is the perception of the importance of this. While some mean that this is a fundamental problem which makes the test-phase irrelevant in terms of testing a formal Social Dialogue, others don’t see this as a fundamental problem as the test-phase has been a decent help in building the structures and the trust between the partners needed for a continuation and a legal framework, which in itself is seen as a basis to be able to continue with a more formalised Social Dialogue. As some argue, the consultation process can only be tested in an actual formal Social Dialogue, which has been clear from the beginning. The test-phase has from this point of view tested as much as was possible to test. In this sense the test-phase has been effective in showing the limits of an informal Social Dialogue as the consultation process never can become part of an informal Social Dialogue. The consultation process can therefore, institutional and legally speaking, only be tested in a formal Social Dialogue. According to the interview with the representative from the European Commission (EC), the EC first launch the consultation by sending a consultative document that they have worked on to the (formal) Social Dialogues. During the process the EC offer information and support to the parties in the Social Dialogue as the role of the EC also is to avoid bad interpretations and to give information where and when needed.

Turning to the benchmark experience of the consultation process and the relation to the EC one added value mentioned is just exactly the increased information and enhanced engagement from the EC. It is considered a positive relation in the sense that it is either a useful and fruitful contact or a more important support that sometimes occur on a day to day basis in order to prepare meetings and alike. For some sectors, the relation is less frequent, yet sufficient in relation to the needs. The consultation process on EC proposals is most often consensus oriented and executed through either face-to-face negotiation where the EC can act as facilitator if needed or through email correspondence. In some bench-mark sectors the orientation on consensus has lead to the fact that not many formal agreements have been met, as it was not always possible to reach consensus, which however is not considered as problematic or as a failure.

3.3 Main findings on relevance

The test-phase is assessed as highly relevant in terms of the expectations and priorities of the stakeholders and to a quite high extent in terms of the possibility to test what the test-phase wanted to test. The test-phase has corresponded well to the expectations as the focus to a great extent has been on the exchange of ideas and experiences. At the same time more formal structures and work forms have been tested, which from the perspective of most EUPAN and TUNED members is seen as important for the future of the Social Dialogue.

The test-phase has thereby been able to test a more formalised dialogue on some specific issues between the partners. The test-phase was on the other hand not relevant in terms of testing the consultation process with the European Commission, which is an important aspect of the discussion of the future development for quite a few members of especially EUPAN. At the same time this cannot be assessed as a failure of the implementation of the test-phase, as the full consultation process is not possible to test within an informal Social Dialogue. This means on the other hand that the test-phase as such has not been (and could not have been) a relevant measure in terms of testing a formal Social Dialogue for the central government sector, as there are vital elements in a formal Social Dialogue which are not possible to accomplish without being formal. As pointed out above, the test-phase has however been a relevant measure in terms of testing work-forms and cooperation, similar to those in a formal Social Dialogue.
4. EFFECTIVENESS AND EFFICIENCY OF THE TEST-PHASE

The results as well as the impact of the Social Dialogue during the test-phase have been examined in order to assess the effectiveness criteria described in section 2.1.2. The general evaluations questions regarding the effectiveness criteria are:

- Has the test-phase achieved its objectives according to the stakeholders?
- What impacts of the test-phase can the stakeholders perceive?

4.1 Main objectives of the test-phase

The aim of the test-phase is to strengthen the exchanges between EUPAN and TUNED by informally experimenting new forms of relations between them, similar to those in sectoral Social Dialogue Committees. According to the mid-term evaluation (p. 60), this objective was generally achieved during the first year of the test-phase. Expressed in different terms and according to the Rules of Procedure the main objective is to promote and improve the European Social Dialogue for central government administrations and to test topics and work forms of formal Social Dialogue.

Departing from the mid-term evaluation and the objective as expressed in the Rules of Procedures, in the final evaluation we can find that different agendas are being played out and "new" objectives are introduced as argument for opinions on future paths, meaning that the judgments about the test-phase is not separated from the stakeholders intentions and thoughts about a future Social Dialogue. Thus, the distinction between the evaluation of the test-phase and recommendations on future strategies is not separated among the respondents leading to "new" objectives based on different agendas i.e. the approach and view to the future development (an important distinction discussed in section 1.4.1). The term "new" refers to objectives such as: testing a formal sectoral status, being able to test consultation with the EC, testing new issues etc. None of these objectives are explicit in the joint work programme but could be derived from the same with some elaboration. This being said, we do find that most respondents agree on the issue that the perceived main objectives have been achieved.

Figure 9. Perceptions on whether the objectives of the test-phase have been achieved

In the figure above the result from the interviews is apparent. Among the EUPAN representatives above 70 percent state that the objectives have been achieved or achieved partially. The same number for the TUNED representatives is above 90 percent. When categorising the comments on the question of perceived objectives we find that TUNED representatives more often relate the objective to the testing of the possibilities of a formal Social Dialogue. EUPAN representatives do
not use this reference. They more often relate comments to processes of the actual test-phase and not the future development. In our opinion both of these comments are valid in relation to the objectives and they are not in contrast to the stipulated objective, only interpretations in line of the more broad definition.

To go a bit deeper into the question of effects and in the long run, the question of achievement of the objectives, we need to look closer at the actual output and the impact on specific issues (as specified in the analytical matrix – see annexes).

4.2 Outputs during the test-phase

In this section we describe and analyse what have been generated in terms of outputs during the test-phase between EUPAN and TUNED. Here we intend to review the actual output, in terms of official documents as well as review the content in workshops and meetings.

4.2.1 Multi-sectoral workshop on third party violence

The European Social Partners BUSINESSEUROPE-UEAPME, CEEP and ETUC signed a cross-sectoral framework agreement on harassment and violence at work on 26 April 2007. The agreement condemns violence and harassment at work and reminds employers of their duty to protect workers in line with EU and national legislation.

As a part of this agreement, a workshop was organised on 14 March 2008 with the support of the European Commission. Within the framework of the test-phase on Social Dialogue, EUPAN and TUNED agreed to participate as observers in the workshop.

In a joint report, EUPAN and TUNED responded to the activity by acknowledging the important role that Social Dialogue plays in efforts to eliminate violence and harassment at work as part of an overall commitment to improving safety and well-being in the workplace. EUPAN and TUNED, moreover, recognised that parts of public administrations are amongst the risk sectors. The social partners therefore recommended that the subject should be kept on the Social Dialogue agenda.

4.2.2 Joint position on work related stress

Within the framework of their joint work programme 2008-2009, EUPAN and TUNED have recognised that work-related stress is a serious occupational health and safety hazard with important human, organisational and financial implications. The aim of the joint position was to increase the awareness and understanding of work-related stress within central government administrations to identify, prevent and manage problems of work related stress.

On the basis of this common position, EUPAN and TUNED have stated that different measures may be put in place or reinforced by the Social Partners in cooperation with health and safety structures. Examples of such measures are:

- take into account physical and psycho-social risks in the context of risk prevention
- training of managers, workers and their representatives
- management and communication measures
- individual and team support
- information, consultation and participation of workers in change processes
- improvement of working conditions
- take into account gender equality and diversity

In terms of implementation and follow-up of the joint position, EUPAN and TUNED agreed on launching appropriate measures to promote the joint position (Jan-Feb 2009), identifying interesting practices and good policies (June 2009) and to evaluate the results and study the perspectives in December 2009. Adding to that, the meeting in Stockholm in September 2009
followed up on the stress-project with discussions in workshops focusing on developing *lessons learned* from national examples.

### 4.2.3 Improving trust in central government

In a report compiled for EUPAN and TUNED in April 2009, the author (David Tarren) states that reforms are taking place within central government administrations across Europe. Tarren also emphasises that change within central governments – given its size, role and its relationship to a government’s political agenda – can be difficult, as well as controversial.

A central theme running through the report is that a good quality Social Dialogue between social partners is a prerequisite for the implementation of reforms within the central public administration sector. A well-functioning Social Dialogue establishes trust between employees and employers and as an effect, the right conditions for improving citizens' trust in their central governments are developed.

Thus, without an adequate Social Dialogue, any reform will undermine the employment relationship, resulting in outcomes such as total opposition by the workforce, severe delays of implementation and a weakening of the trust between the Social Partners with long term consequences for future reforms.

The work within the network on this issue resulted in a joint conference "Improving trust in central government administrations through effective Social Dialogue". 29-30 April 2009: TUNED/EUPAN, Czech Republic. The main objective of the conference was to discuss the project research findings on the role of Social Dialogue in anticipating and managing change as a critical factor to improve trust between employees and employers. The conference conclusions provided the basis for a joint statement that was submitted to the attention of EU Directors General for Public Administration and TUNED on 19 June 2009. With regard to the Trust study and following on from the Trust conference in Prague in April 2009, EUPAN and TUNED have jointly drawn a number of conclusions.

Already before the launch of the test-phase, the issue of improving trust has been discussed between the parties. In order to understand the present status, we find it necessary to shed some light on these discussions as well. The issue of equality and diversity was discussed between EUPAN and TUNED Delegates in October 2007 at the Copenhagen conference. The Copenhagen conference showed good examples on how public administrations take up the issue of equal opportunities and equal treatment. It also showed that work remains to be done in order to attract employees from a diversified ethnic background to top positions in central governments. The commitment to recruit people with disabilities remained a challenge. The ageing workforce was a concern in a number of countries. The conference was organised jointly by EUPAN and TUNED with the financial support of Danish government. One of the outcomes of the conference was the publication of a booklet in French and English of good practices covering all grounds of discrimination as recognized by the EU. The first time this issue was discussed was in 2005 which led to the adoption of a joint statement. Thereafter, the partners have discussed the issue in a workshop at the TUNED/EUPAN Trust conference, 29-30 April 2009, Prague.

### 4.2.4 Main findings on outputs

In the following, Rambøll intends to briefly analyse the described outputs. The discussion is based on our interviews and it focuses upon two questions:

- Is the production of joint, official documents dependent upon the work forms and structures, which have been explored by EUPAN and TUNED during the test-phase?
- Do the respondents consider formalised outputs to be desirable?

To begin with, it should be mentioned that the observed outputs are evident results of the test-phase and the joint work programme defined by EUPAN and TUNED. In the work programme we can find timetable and output aims in relation to these areas. **In this sense, the test-phase has achieved important and stipulated objectives, present in the work programme.**
Bearing in mind the discussion on relevance in chapter 3, but also the issue of general objectives in this chapter, Rambøll finds that many of the respondents, especially from the EUPAN members, stress the process, rather than the outcome in form of joint statements, as the most relevant objective (see Figure 6 in Chapter 3). TUNED, as opposed to EUPAN, did find both types of outputs equally important. One respondent puts it:

- *Both is important, an exchange of information and good practice. But it has to lead to clear concrete output. We want to make a difference. This does not mean that it should be limited to outputs, but it should be output oriented. We have to build trust. Joint agreements can be a good way.*

According to some EUPAN members a too strong focus on formalised outputs limit the possibilities of a process of exchange, and risk to lose the content in favour of more formalised output. Thus, even though the production of some textual documents is connected to the testing of more formalised work forms, such structures do not, according to several interviewees, automatically lead to a better process of exchange of ideas and experiences. It also implies that even though the output is not in focus it seems to be a result of a more structured dialogue (see Chapter 3 on relevance for further discussion).

This argument can be exemplified with a short look at our benchmark sectors. The electricity sector has generated 16 non-procedural documents since 2000. The same figures for the railway and local/regional government sectors are 14 and 6 respectively. Finally, the hospital sector has produced three consultation responses since 2006. To clarify, many of the benchmark respondents have downplayed the importance of generating formalised outputs. Some respondents have argued that there is no reason as such to produce joint, official documents and that binding decisions only should be developed on subjects, which are characterised by a high degree of consensus in the first place. The main focus though, should still be on the process, the discussions and the possibility to exchange ideas and experiences.

Other respondents, both EUPAN and TUNED, have stated that formalised outputs, not necessarily are the best – and certainly not the only – way of making progress on a certain issue. More important management tools in this regard, and within the Social Dialogue, are the dissemination of information, experience and best practices.

In order to summarize, there is a marked distribution in relation to formalised outputs, also among comparable sectors with a Social Dialogue. This implicates that other aspects than the possibility to formulate joint agreements, positions etc. have motivated the involved actors in the bench-mark sectors to introduce a sectoral dialogue. Examples of such incentives are: economic support from the European Commission, solidarity towards new member states and a more profound influence on the EU-level.

The test-phase clearly shows the effect of a more structured Social Dialogue in the sense that the focus of the work is clearer defined and that this results in several formal outputs. The evaluation also shows that some find the focus on formal outputs has weakening the more process oriented dialogue during the test-phase, while some on the other hand find that a focus on joint outputs can strengthen the process oriented dialogue.

### 4.3 Implications of the test-phase

In this section we look at the implications of the test-phase on four different areas; the relations between EUPAN and TUNED; the EUPAN network as such; the national Social Dialogue; the relations to the EC.

#### 4.3.1 Implications on relations between EUPAN and TUNED

Employers and trade union representatives have according to the mid-term evaluation succeeded in implementing an increasingly constructive dialogue. In total, 81 percent of the stakeholders have stated that the quality of relations between EUPAN and TUNED has improved between
2007-2008. This development can, according to the mid-term evaluation, be attributed to three factors:

- The intensification of contacts between EUPAN and TUNED (> 60 percent)
- The improvement in the level of trust (> 80 percent)
- The adoption of joint decision by consensus

Looking at the same question some time later, we find in the final evaluation that 100 percent of the TUNED representatives and above 70 percent of the EUPAN representatives in the interviews are stating that the relations have improved.

*Figure 10. Perceptions of whether the test-phase has helped improve the relations between EUPAN and TUNED*

Consulting the comments from the interviews in the final evaluation in order to discern what constitute the improved relations between the parties there are certain recurring comments, namely that the parties now know of each other better than before and that the relations is characterized by mutual respect to another extent than before. That leads to more intense and more fluent relations. To sit together and know each other better enable debates and discussions on different issues. It increases the respect and understanding for each other. The partners speak more open and free, including issues and future concerns.

Thus, a major change in the improved relations between the parties is the increased trust and mutual understanding between the partners, a change that is brought forward due to the test-phase. Some point at the absence of this change on a national level, but they do recognise it on EU-level. The figure below further describes in what aspects the relations have been improved.
From the figure, it is clear that increased mutual understanding between the social partners, but also the quality of discussion, enhanced engagement and trust between EUPAN and TUNED are the areas in which the respondents experience that the relations have improved the most as a result of the test-phase. Increased mutual understanding between the member states has also improved, but to a lesser degree. From a Social Dialogue perspective it is most interesting that the test-phase has helped to improve the relations between EUPAN and TUNED. A couple of comments further discern the lines of reasoning behind the figures above and summarise the majority of aspects put forth in the interviews:

*Discussions are more fruitful now than they were before... Just by seeing each other at conferences and meetings makes the dialogue more constructive and interesting. Understanding is key to quality.*

*There have been a high number of meetings, which has generated trust between the partners.*

Among the DG’s that have responded to the survey in the final evaluation a majority of the respondents present positive views regarding the impact of the test-phase on the relationship between EUPAN and TUNED. The respondents mean that the test-phase has helped to improve the mutual relations. Nearly all respondents conclude that the test-phase to a high degree or some degree has had a positive effect on the relationship in terms of increased trust and better atmosphere between the partners.
If we turn our attention to the results from the interviews with the EUPAN and TUNED representatives we find that some of the interviewed, from both parties see the current unconditional cooperation between EUPAN and TUNED as dependent on the informal dialogue. A formalised dialogue that requires binding agreements could shatter this relation. These interviewees mean that the cooperation between EUPAN and TUNED improved during the test-phase but that a formalisation could pose a risk to deteriorate that. The current form makes the trade unions more relaxed and EUPAN more willing to cooperate. A formalised dialogue would change the point of departures for the involved partners and, thus, possibly dash the conditions for fruitful discussions and dialogue. On the other hand, other interviews in the final evaluation are of opposite opinion arguing that a formal dialogue would increase the trust between the partners as more long-term and sustainable structures would be in effect. The fear of sudden defection or withdrawal would decrease. From our data collection we do find that most of the respondents pointing at the risk of shattering the good relations between the partners if a formalised Social Dialogue would be launched are members of EUPAN. Almost all the members of TUNED stress that formalisation would increase trust and lead to even better relations between the partners.

If we turn our eyes to the bench-mark sectors we get a perspective on the issue pointing at trust as a pre-requisite for formalising rather than an effect of formalisation. The relations between the partners are in several of the bench-mark interviews seen as more structured but not necessarily changed due to the formalisation. One perspective that almost all the bench-mark studies put forward is that the representativeness in the dialogue tend to change when formalised, with regard to the mandate that the individual representative taking part in the dialogue have in their organisations, i.e. due to a formalisation persons with more mandate take part in the dialogue than prior the formalisation. Even though trust is seen as a pre-request for formalising, it has though been mentioned in the bench-mark interviews that the level of trust can further increase within a formalised Social Dialogue, due to the knowledge that there is a political will from both partners to negotiate and cooperate on issues that concern the sector.

### 4.3.2 Implications on the EUPAN network as such

The main changes of the test-phase have, according to the mid-term evaluation, concerned work forms and organisational arrangements within the informal EUPAN network structure (Mid-term evaluation, 2008: 11f). This is with some slight difference also the case when looking at the result from the final evaluation. Mainly we can find that the perception also is that the test-phase has had an impact on the networks direction and in some sense the identity of the network. We will discuss this below.
If we look at the implications in terms of work forms and organisational arrangements the following has changed the work forms of the network; first, a number of important documents were adopted by EUPAN and TUNED, clarifying the rules of the game and the topics to be addressed during the two-year test-phase. To exemplify, rules of procedure and a joint 2008-2009 work programme were decided upon at the beginning of the Portuguese Presidency in summer 2007.

Second, four new entities were created: the DG plenary on Social Dialogue, the Social Dialogue Steering Group, the Social Dialogue Working Group and Ad-hoc Working Groups. Finally, two projects - financed by the European Commission - were adopted: work-related stress and trust.

These two changes, both a new instruction on what to focus on during the upcoming two-year period and the introduction of a new organisational structure to handle these tasks, did affect the network on a formal basis. To be able to answer more non-objectively measurable changes we need to focus on the interviews and the perception of the DGs.

In the DG survey we find that slightly over the majority of the DG's in the final evaluation indicate that the test-phase has implied changes in the priorities of input to the network. Changes in priorities have derived from i.e. the timetable of works within EUPAN and the fact that the SDWG has intensified its activities along with the development of the test-phase. About 40 percent of the responding DG's mean that the test-phase is an added separate task, and thus, has not changed the overall priorities of the network.

At the outset, when launching the test-phase, there was no intention of creating new structures for the EISD test-phase. The aim was rather to develop within the existing structures. Even if this was not the intention, the effect of the test-phase has been the development of new structures in some sense, as has been presented above.

The table below shows the average degree to which the DG's in the final evaluation consider that the structure of EUPAN has been affected by the test-phase in different respects i.e. change in mandate or more results inclined work forms. In the figure below, the appraised influence on the EUPAN network in different respects is related to the value (positive or negative) that the DG's ascribe this particular development.
The majority of the DG’s in the final evaluation are either indifferent or positive to the ways in which the test-phase has had an impact on the network. Barley no respondent is negative to the development of EUPAN as such. The increased knowledge of European Social Dialogue is the regard in which the degree of impact of the test-phase has been the highest according to the DG’s. More structured working forms, result oriented work forms and change in role vis-a-vis other stakeholders have affected to network to some degree. DG’s are indifferent to the more structured working forms and indifferent or cautiously positive to the network’s changed role vis-a-vis stakeholders. A majority of the DG’s are positive to more result oriented work, as well as to the change in direction of the overall work in the network and the fact that the network to some or high degree is more renowned.

Whereas a few of the respondents from the WG’s in the final evaluation indicates that the test-phase of the Social Dialogue between EUPAN and TUNED has affected their own working group significantly, about half of these respondents mean that the EUPAN network on the whole has been affected by the test-phase. Some respondents describe the impact in terms of changed conditions for the HRWG under which the working group for the Social Dialogue is organised. These changed conditions imply both organisational changes and changes in the workload: less focus on HR issues and more work related to new issues in a new working group.

Comments from the survey among DG’s in the final evaluation relating to the impact on the overall structure of EUPAN caused by the test-phase are i.e. that the network benefit from more structured relations with trade unions and other partners as the European Commission. Moreover, the informal structure at European level allows the members of EUPAN and TUNED to discuss matters of mutual interest. Another positive result is that the test-phase of the enhanced Social Dialogue has resulted in involving more human resources in the network. However, some mean that the impact is confined to the members of the HRWG and the DGs. If we turn to the information we gathered from our interviews with the representatives from EUPAN we find that a majority of the respondents recognise an impact on the network as such.
The figure above shows that the opinions on both sides of yes and no, differ on the issue. Looking at the diagram below we get a picture of the more precise impact among those meaning that the test-phase has affected the EUPAN network.

Under the category "Other impact" we can notice comments like: "less time for other issues and working groups (HRWG)", "Social Dialogue more visible and present in the network" "Has only affected those involved, not other WG:s".

We also find a few comments on the overall effect on the network as such pointing at the fact that EUPAN due to the test-phase has become visible on the EU map. But several comments also
points to the negative impact the test-phase have had on the network. Some of the comments in this regard points at the time this work takes from other important issues and that the atmosphere has become formal and hence less exchange oriented.

The perspective that is offered from the benchmark studies is that a more structured Social Dialogue has a profound impact on the partaking partners. Mainly the formalisation leads to more support from the Commission and some of the administrative work is placed with the Commission. This change in working procedures leads to new organisational structures, which in themselves change the work process for the involved partners. At the same time the formalisation can lead to more structured and, hence, less flexible work programme, where some issues might be hard to deal with within the Social Dialogue and might be necessary to deal with in other forums in the network.

4.3.3 Implications on national Social Dialogue in Member states

The Social Dialogue test-phase on the European level has according to the mid-term evaluation in some instances led to increased or new contacts with social partners at the national level, both among EUPAN and TUNED members. On the other hand – and based on EIPAS's comparative study on the 'Diversity of Social Dialogue Structures' – it is necessary to question whether stronger social partnerships at the EU level automatically brings similar developments domestically (Mid-term evaluation, 2008: 13ff).

The view among the DG's in the final evaluation on the extent to which the relations between social partners at the national level in each member state has improved is not unanimous. 43 percent of the respondents indicate that the test-phase has not at all contributed to improve the relations between employer and trade unions in terms of social partners at the national level. Among the 57 percent who believe that it has helped improve the relations to some or high extent mean that the will of cooperation between representatives for the employees as well as the employers can lead to agreements on certain issues which possibly could bring positive results to a Social Dialogue on the national level.

If we turn our attention to the interviews in the final evaluation with representatives from EUPAN and TUNED we can find that about half of the respondents from both EUPAN and TUNED see an impact, at least to some degree, on the relations between the parties on a national level.

Figure 16. The opinions to what degree the test-phase has affected the relations at the national level

It is worth noticing, however, that no TUNED respondent have implied that the test-phase has affected the relations to a high degree on a general national level. Also a quite high degree of both EUPAN and TUNED members tend to indicate that the relations have not at all been affected on a national level. A possible reason for this can be found in the comments on the impact on relations on national level. We can notice that some see the impact in "inter-personal" levels.
rather than on institutional level, were the test-phase, with a more frequent meeting schedule, have led to more frequent contacts between representatives and, hence, better relations even on a national level. It has also been mentioned in the interviews that the test-phase has contributed to a changed mind-set among several members and member states in terms of the way to perceive a Social Dialogue and what it can contribute to on a national level, which in a longer perspective also can have an effect on the work on national level.

According to some interviews in the final evaluation the Social Dialogue could open opportunities on the national level, especially for countries that has no history of a Social Dialogue on the national level. To them, possible implications of a formalised dialogue are that the sharing of experiences and transfer of knowledge can contribute to step up a level. A formalised Social Dialogue is perceived as a shift of balance towards a more output orientated dialogue and, thus, considered as a valuable chance to learn more. The formal character is considered to improve the content of the dialogue and make it easier to share knowledge.

This argumentation is more visible in relation to the impact on the type of issues raised on the national level (relating to the specific themes being discussed with in the Social Dialogue on European level – trust, stress at work etc.). In the diagram below we can see how this differs slightly from the former impact on relations.

Figure 17. The opinions about the degree to which the test-phase has affected the types of issues raised at the national level

From our interviews it is clear that prior political history and current political context is influencing the impact the test-phase has had on Social Dialogue on a national level. But this being put aside, we can still find several remarks in the interviews pointing at the impact on national level in terms of interpersonal relations. This is more in the sense of "knowing more people", "expanding one's network" where the test-phase has led to a broader understanding of one's positions and thereby opened up for new contacts on a national level. Considering the relatively short time span of the two years test-phase, the expectations of a strong impact on national level should not be too high, also due to the fact that the issue of how to get an impact on national level has not been central during the test-phase. Nevertheless, many EUPAN and TUNED members find some impact, which is positive from this perspective.

4.4 Implications on relations with the European Commission

Contacts with the European Commission had according to the mid-term evaluation, increased both among EUPAN and TUNED members (> 30 percent). The Commission had, furthermore, become more active in informing EUPAN and TUNED members about relevant developments on European Social Dialogue topics according to the same evaluation.
In the final evaluation and from the interviews we have carried out in there, it is not evident that the relation to the EC has changed\(^8\). When asked to elaborate on the issue of perceived impact of the test-phase on the relations with the European Commission, most respondents argued that there was not any change to talk about. Some said they already had a very good and sufficient dialogue with the Commission, through other networks and organisations, and that this relation had been unaffected during the test-phase. Other reasoned that there was no outspoken aim for us to be in formal contact with the Commission, this would only have been possible in a formalised social dialogue.

This being said, there are some representatives that do recognise a change in the relation to the EC. As seen in the diagram below, both EUPAN and TUNED can notice a change and it is worth noticing that the share of those who think that the relations with the EC have increased is even higher now than at the time of the mid-term evaluation. The ones stating that they do not know, belongs to the former discussed who says that the relations is unchanged or that they cannot see any change. Those stating there has been a better cooperation as a result of the test-phase, points at the presence of the EC at meetings, the increased information and communication with the EC and the increased support (financial).

\textbf{Figure 18. The opinions about whether the test-phase has resulted in more cooperation/consultation with the European Commission}

Some interviewees mean that a formalised dialogue probably would facilitate the relation to the EC further and that they could have an important role for consultation in this specific sector. The value of an enhanced collaboration and closer connection to the EC is also important from a financial perspective. The role of the European Commission as a financier is important especially for TUNED members. The reason why is twofold. Firstly, the lack of finance under the current informal dialogue indirectly causes inequality of treatment. Not all TUNED member states afford the expenses associated with the informal meetings. Without financial support from the European Commission these member states do not have the same opportunity to participate. Secondly, financial support from the Commission would, according to especially TUNED members, facilitate the cooperation and discussions between all participating states as it would enable translation services and break current language barriers that in a way creates unequal opportunities in the dialogue.

\(^8\) The question of implications on the relations with the European Commission refers to the relation with the DG Employment, as they represent the Commission in the process of consultation and support to social partners. The DG Administration has also been involved but as an employers representative for the Commission.
4.5 **Main findings on effectiveness**

To summarise the effectiveness of the test-phase could be described as high. This statement is based on the findings described above and we can see this more clearly if we turn to the specific questions and their norm as defined in the analytical framework (see annexes).

On the question of the main objectives according to the members and have they been achieved, we find that most respondents perceive that the objectives have been reached. We do detect a variation in relation to what the respondents see as the main objective, but this is basically only variations on the same theme – testing a more structured informal Social Dialogue.

On the question of implications of the test-phase on the relations between EUPAN and TUNED we can conclude that almost all of the respondents in the interview perceive an improved relation due to the test-phase. The improvement is stressed in terms of improved mutual understanding, improved trust and a clearer framework for relations between the Social Partners. The improved relations are also detected in the survey to the DGs, where a majority of the respondents concur with this statement in some or high degree.

On the question of implications of the test-phase on the EUPAN network as such we find that several new organisational structures have been introduced as well as some new documents marking the path for the upcoming years (during the test-phase). These changes have changed the working procedures of the network in some sense. The DGs concur with this in the interviews. A majority notice a change in priorities due to the test-phase. Most of the DGs find the changes positive and that the test-phase has led to more structured relations between the partners. A majority of the respondents in the interviews with the representatives of EUPAN have noticed an impact on the network. The impact is stressed both as negative and positive.

On the question of implications on home base relations/Social Dialogue we find a split picture. Among the DGs there are those (40 percent) who don’t see any impact on national level and those (57 percent) who see the test-phase as contributing to the improved relations on national level. If we turn to the interviews with the representatives of EUPAN and TUNED, slightly over half of them perceive some impact on relations on national level as well as the type of issues raised in national level. When looking a bit more in detail on these remarks we find very different opinions on what the impact actually is. Some stress interpersonal relations, some stress the overall view on Social Dialogue being changed, etc.

On the question of implications on the relation with the European Commission a majority of the respondents do not perceive or do not know if the relation to the EC has been affected. When asked to elaborate on the issue of perceived impact of the test-phase on the relations with the European Commission, most respondents argued that there was not any change to talk about. Some said they already had a very good and sufficient dialogue with the Commission, trough other networks and organisations, and that this relation had been unaffected during the test-phase.

The Social Dialogue test-phase has led to several research findings which shed light on the working conditions and Social Dialogue practices of the participating member states. A particular focus has been work-related stress. Discussions on this issue have led to a joint position of EUPAN and TUNED on work-related stress in central government administrations. The Social Dialogue test-phase has also led EUPAN and TUNED to jointly draw a number of recommendations aimed at improving trust in central government administration through effective Social Dialogue. Furthermore, different resolutions were passed at DG level to strengthen the European Social Dialogue for the central government administrations sector. Some of these resolutions included the Resolution for the Social Dialogue group and the Future of EUPAN.

4.6 **Efficiency of the test-phase**

According to the mid-term evaluation the Social Dialogue test-phase for central public administrations has proven to be productive and efficient. Especially when compared to the
output generated before the test-phase and to other sectoral Social Dialogues (mid-term evaluation, 2008: 68f).

To exemplify, the test-phase produced, within a limited period of time (2007- August 2009):

- EUPAN/TUNED Joint report on multi-sectoral workshop on third party violence
- EUPAN /TUNED Joint position on work-related stress in central government administrations
- EUPAN/TUNED Joint conclusions on improving trust in central government administrations through effective Social Dialogue

Moreover, the Trio presidential work programme, which in itself was not a part of the test-phase, has however helped to increased efficiency in two regards:

(1) Forward planning. The 2008-2009 Trio work programme has facilitated for EUPAN to engage in a long-term strategic and operational planning together with trade unions – beyond the six month duration of an EU presidency.

(2) Continuity. The programme does not substitute the work forms of the Social Dialogue test-phase. It rather facilitates a closer cooperation between employers and trade union representatives, providing a complementary work form, which guarantees continuity over the next three presidencies.

On the other hand, the organisational changes (covered in section 4.3.2 on implications on the EUPAN network as such) have led to an increased workload. Five additional meetings are convened during each presidency: one DG meeting on Social Dialogue, two Social Dialogue steering group meetings and two Social Dialogue Working Group meetings. The increased workload has not, however, affected the attendance rate negatively. The workload has especially increased for the Troika countries, as they additionally have met in the evaluation steering group meetings. According to some of the interviewees in the final evaluation the workload has not increased during the test-phase. An increased work load is thus closely connected to the degree of involvement of each member state and each representative.

About half of the DG’s in the final evaluation are of the opinion that the test-phase has implied a change in the national resources demanded for the EUPAN network. For the other half the changes have been insignificant. 80 percent of the responding DG’s mean that the needed resources can be justified to some or a high degree. These resources involve human and financial resources, i.e. additional persons that have been involved for the test-phase in the works of EUPAN and/or the costs for travel expenses and interpretation currently assumed by the Presidency and by the member states.

There is a consensus among all interviewed EUPAN and TUNED representatives that the resources have been used in an efficient way as meetings where coordinated when possible and as it has been possible to follow the agenda all through the test-phase. In that sense the stakeholders’ perception is that the same results could not have been achieved with fewer resources. In our interviews it is apparent, from respondent belonging to both parties (EUPAN and TUNED), that the question of efficiency and more specifically, if the resources needed for the test-phase was justifiable, is a question to be connected to the result. For the respondents the extra resources that are needed are justifiable if the perceived objectives are reached. For those of the respondents who seek a development that leads to formalisation we detect a judgment on the issue of efficiency that is correlated to future developments, that is, if the test-phase result in formalisation the increased workload was worth the effort. As illustrated in the figure below a majority of EUPAN and TUNED members would say that the needed resources during the test-phase can be justified by the results.
There are also several respondents arguing that the question of efficiency is a question of democracy and equality. The extra workload is connected to the issue of strengthening the ties and the relations between the employers and the workers. This work is in itself an important task which therefore is worth the extra workload. Several respondents argue that extra workload in this perspective is positive as it means that work has been done and that the workload in itself is not an issue, but rather the results of it.

This also means for example that the increased workload or resources demanded has implications on the opinion about the future development of the dialogue. An argument that is singled out among some EUPAN members in the interviews in the final evaluation is the added workload and resources needed if a formal Social Dialogue would become reality. It is argued that if a sector committee and employer association would be required, this would add to the workload which would be time-consuming. Within this line of reasoning the alternative is a structured and organised informal exchange with joint work forms and projects without the formal restrictions and obligations that a formal binding would bring along. This perspectives is not shared by EC and many TUNED members.

From the bench-mark, we can notice that interviewed representatives from different sectors argue that a formalised Social Dialogue requires less work in administrative terms, since the EC are responsible to provide the partners with meeting places, administer meeting invitations and alike. More time is thus spent on the issues since the Secretariat is responsible for administrative issues. Consulting the benchmark experiences about the added workload in relation to the consultation process we see that it appears to be somewhat optional to what extent the workload increase. It depends on what the ambitions are. An experience from one of the sectors is that there is added workload if the ambition is to be consulted and have high leverage. The added workload also appears to be related to the degree of expertise involved in the particular field. Access to expertise in the member organisations tends to decrease the workload. Another sector report that added workload and extra resources is a natural development however, not problematic as the structured work forms enable efficient management of the same. At the end of the day, the added workload is not considered a burden or problematic. It is a fact related to the consensus orientation of the decision-making process, common agenda and shared understanding of the objectives with the formal Social Dialogue between the parties, making all parties prepared for whatever workload that will be required. The degree to which the workload increase is thus dependent on what the parties set out to do and agree upon to achieve. Thus, the added workload varies and naturally increases in times of negotiations or implementation of a position or agreement.
4.7 Main findings of efficiency

To summarize, compared to other sectors and in relation to the very short timeframe, the evaluators assessment is that the work within the test-phase has been very efficient in terms of producing formal statements. The test-phase has also been efficient in relation to the organisation of its work, where a work programme was developed and coupled with an organisational model. Above all a majority of the representatives of EUPAN and TUNED as well as the DGs are of the opinion that the extra workload and the extra resources was worth it.
5. ADDED VALUE

In this chapter the perceived added-value of a sectoral Social Dialogue for the central public administration at the European level is examined. The focus here is by that not on the added value of the test-phase, as the perceived advantages and disadvantages of the enhanced informal social dialogue within the test-phase has been examined earlier on in the relevance and effectiveness chapters. The key question here is instead to what extent the stakeholders perceive an added value of a forum for a social dialogue on European level for the central public administration in general and of a forum for a formal sectoral social dialogue in particular. To be able to answer these questions the evaluators have drawn up the following more specific questions:

- If the sector in itself has a particularity compared to other sectors
- If there are issues especially important to discuss separately from other sector or if they just as well can be discussed in a cross sectoral social dialogue
- If there is an added value to discuss the issues on a European level or if they are more suited to be discussed on a national level
- If EUPAN as a network is a suitable forum to be a partner in a social dialogue or if there are other forums that are more suitable

5.1 Overall assessment of the members

Before discussing each of the above questions we start with the overall assessment of the members of EUPAN and TUNED according the added value of a forum for a social dialogue for the central public administration. As the figure illustrates all TUNED members see an added value and approximately 75 percent of EUPAN members perceive an added value. It is important to note that this question does not refer to a formal sectoral Social Dialogue, but to a forum for Social Dialogue for the central public administration in general. However, some of the interviewees have stressed that the added value especially comes with a formal social dialogue while some of the interviewees argue that it is valuable to have a forum on European level where social dialogue issues can be discussed, but that it should not be within a formal structure.

Several members of both EUPAN and TUNED stress the importance and added value of being able to exchange ideas and experiences on a European level and thereby learn from each other and inspire each other when it comes to problems on a national level that are similar in different
member states. While EUPAN members put more emphasis on informal mutual learning, as the following quote is an example of:

There is an added value of an informal social dialogue, as it is important to exchange information and experiences. It can be of great value to hear about what solutions others have found to different problems and challenges. An exchange with TUNED can be important and fruitful in this context, but it should take place when there is a need, not within formal structures.

Some (especially TUNED members) put special emphasis on the more formal cooperation, as the following quote from a TUNED member illustrates:

The need for social dialogue on European level will probably increase over the following years. The member states become more like each other. The pressure of reaching joint solutions will increase. This has an influence on the central public sector, so it will be important to find forms for cooperation. We are dependent on other member states to take steps forward in terms of issues like the transfer of labour between member states and other common issues. There is a wish that the member states become more equivalent and the central public administration plays an important role in that development.

In terms of an added value of a formal Social Dialogue for sector, the support of the European Commission on a regular and recurring basis is also pointed out as an important added-value by several members, including some EUPAN members. The EUPAN members who don’t see an added value point at the diversity of the member states which obstruct a forum for a social dialogue between the parties. This is an argument that is also stressed by EUPAN members that see an added value of an informal social dialogue but not of a formal one. This is also discussed further below.

5.2 The particularity of the sector

The interviews with EUPAN and TUNED members show that there is no clear consensus among the representatives about what the particularity of the central public administration would be compared to other sectors. From both EUPAN and TUNED side it has been argued that there is a need to more clearly define what the parties mean with central public administration, as there on the one hand are differences between the member states and on the other hand the definitions within each member state, on a national level is not always easy to make. Some EUPAN members argue that there is no particularity for the central public administration due to the diversity between the member states, as the next quote is an example of:

It’s not at all obvious that the central public administration is a sector. I can’t see what would be specific for this sector in all member states. There are some conditions that are similar in all countries, but these are not necessarily issues for a social dialogue. We can discuss issues from a public employee and employer’s perspective, but the central public administration is not a sector on its own, it can include so many different issues.

Still are some aspects that have been mentioned as particular for central public administration. For example there are both EUPAN and TUNED members who raise the subject of the public administration being a big employer and a bureaucratic machine that is at the same time constantly changing. An important issue would therefore be to discuss how to make processes smoother and at the same time take into account the working conditions for employers in central public administration. Another aspect that has been raised is that the central public administration in a high extent is influenced by political/ideological considerations which make it different from other sectors. What has also been mentioned is the issue of how to deal with the financial crisis and the reforms that the central public administration has to undergo due to this while at the same time handle it differently than the private sector. This is however an issue that plays an important role for the entire public sector, not only for central public administration, as are most of the issues mentioned by EUPAN and TUNED members as important to discuss, such as safety working conditions, social guarantees, health issues, training, the aging work force,
pension plans as well as performance and change management. While some interviewees argue that the difficulty to find issues specific for the central public administration means that there is no particularity for this sector, others however argue that although the issues are not specific, the approaches and answers to the problems can be different compared to the rest of the public sector. This leads us to the discussion whether there is an added value of a sectoral Social Dialogue compared to a cross-sectoral Social Dialogue.

5.3 Sectoral versus cross-sectoral

As discussed above most members of both EUPAN and TUNED find that issues that are relevant to discuss within the central public administration are also relevant in other parts of the public sector. This is an argument for some EUPAN members that a cross-sectoral Social Dialogue is sufficient when it comes to influence European policy and to discuss and agree on public sector issues on a European level, and with that, that there is no added value with a sectoral Social Dialogue compared to a cross-sectoral one. At the same time there are both EUPAN and TUNED members, and especially TUNED members, who argue that there is an added value to be involved in both a Social Dialogue for a specific sector and in a cross-sectoral Social Dialogue, which is well illustrated by the quote below from a TUNED representative:

*There is an added value of having both sectoral and cross-sectoral Social Dialogues. Most issues are relevant both on a cross-sector level and on a sector level. But the sector level can have a specific view on some issues, and therefore it’s important to have a sector social dialogue as well.*

When it comes to members of EUPAN, it is interesting to note that all representatives from member states not members of CEEP perceive an added value of a forum for a Social Dialogue for the central public administration sector (informal or formal) while half of the representatives from member states that also are members of CEEP perceive an added value, as the figure below illustrates.

**Figure 21. Opinions on added-value correlated with member of CEEP or not**

![Figure 21. Opinions on added-value correlated with member of CEEP or not](image)

Some representatives of EUPAN who also are members of CEEP for example argue that the added value with the EUPAN network is the possibility to discuss with other representatives from the central public administration in Europe for example leadership issues, management challenges and other issues that are important for the employers but that not necessarily have to include the trade unions. When it comes to social dialogue issues it is from this perspective argued that CEEP is enough. Others imply that there is no will to negotiate and that CEEP is adequate enough to discuss public sector issues with the trade unions. As one of the EUPAN members also in CEEP put it:
I don’t see an added value. A sector Social Dialogue implies more negotiation where it’s not up to the European level to negotiate. National levels make political decisions. Cross-sector dialogue is enough. We can get the influence we want there. We have no collective aims.

As those member states who are not in CEEP possibly don’t have this additional opportunity to meet with the trade unions in another forum, a Social Dialogue for this specific sector is seen as an important forum, even if it is just for discussions and exchange. This implies that in some way or another, the possibility to discuss issues with the trade unions and for some to influence European policy is important for most member states, though some find that CEEP is sufficient. As mentioned above though (and illustrated in the figure), also some EUPAN members perceive an added value of a Social Dialogue for the central public administration, despite their membership in CEEP. This is illustrated in the following quote:

I see an added value as we can discuss issues that are specific for this sector. I also believe that CEEP and a sectoral social dialogue can work well side by side. The sectoral social dialogue is more specific than CEEP. To also have a sectoral formal social dialogue means that we will have two possible ways to influence on EU level policy.

5.4 European versus national level

Some issues that might be especially important to discuss on a European level and within this sector, according to the interviewees, are transnational issues such as the transfer and working conditions of immigrants, the transfer of pension rights, double taxation between member states, harmonization of academic degrees between the member states and the Lisbon Treaty. A forum for a Social Dialogue on the European level also gives an opportunity to discuss new initiatives on the European level that in some way or another affect central public administration in the member states. The added value of discussing issues on a European level compared to a national level is according to the interviewed members of EUPAN and TUNED foremost to be able to gain knowledge and experience from other member states on how to handle and solve different national issues. Several interviewees have stated that there are few issues, if any, which are more important or only relevant to discuss on a European level. Instead the added value lays in the possibility to discuss issues both on a national and an international level, as the focus and scope on the same issues differ depending on what level the discussions is on. This is expressed by the following quote from a TUNED member:

It makes sense to discuss issues on different levels. We can’t go in to details on EU level, but we can provide a framework. The more local the more detailed guidelines. In EU we try to set a common framework and understanding. Thereafter we can adapt it and go in greater depths on local level. By discussing certain issues on EU level, you will add a deeper dimension and significance to them.

So, as for the question of the particularity of the sector and the question of whether a sectoral Social Dialogue has an added value compared to a cross-sectoral Social Dialogue, the added value of a Social Dialogue on the European level is mostly that it gives new perspectives, dimension and answers to issues also discussed on a national level, even though there are some issues that are especially suited to discuss in an international forum. Added to this, some members, and especially TUNED members, see an added value in the possibility to jointly draw up framework agreements on European level for common social standards within Europe, while others and especially EUPAN members rather see an added value in discussions on a European level but are against joint agreements, even if they are framework agreements.

5.5 EUPAN as a partner in a Social Dialogue

On an overall level TUNED members see EUPAN as a suitable partner in a European Social Dialogue, even though some have argued that CEEP could also become a suitable platform if all member states would be represented there. The main reason mentioned for EUPAN being a suitable partner is that the network represents the state sector, the target area for the Social
Dialogue. Thus on some aspects several TUNED members have pointed at obstacles that have to be handled if a Social Dialogue between the EUPAN and TUNED is going to function well. These can be summarized in issues concerning the structures of EUPAN as a network and issues concerning the mandate of EUPAN members.

In terms of the structures several TUNED members have argued that the main obstacles have been on the one hand the shifting presidency, which has in some ways obstructed the cooperation as the main responsibility and contact persons have shifted every six month. On the other hand it has also been mentioned in the interviews with TUNED that EUPANs internal coordination before meetings has been insufficient which has resulted in difficulties for EUPAN to speak with one voice and negotiate or discuss certain issues with TUNED. All in all the loose organisation of EUPAN has been raised by a majority of TUNED members as an issue that has to be handled in some way or another at the prospect of the development of the Social Dialogue between the parties. One of the TUNED members expressed this in the following way:

*It would be nice with a more structured counterpart. The loose nature of today is difficult to cooperate with since it is difficult to know what they really want. More structures would also give more relevant and qualitative discussions. On a more practical basis it would be good with a permanent secretary of EUPAN to make it less presidency-dependant.*

Several TUNED members have though expressed confidence about that EUPAN will be able to organise and structure the network in a way that would facilitate a Social Dialogue, if the will to do this is there among the members. However, not all TUNED members perceive the structures of EUPAN as a problem, but rather as mentioned above the lack of mandate of the EUPAN members in the Social Dialogue Working Group. The following quote is an example of this argumentation:

*The representatives in EUPAN in the Social Dialogue have no real mandate. They can only report and discuss but they cannot take any decisions. It should be people with mandate. EUPAN must improve the status of being a representative in the Social Dialogue. The Commission should put some pressure on this.*

The representative issue is also raised by some EUPAN members who are uncertain about whether EUPAN is the right partner for TUNED in a Social Dialogue due to the fact that several of the representatives in the Social Dialogue Working Group are not representing the employers on a national level and thereby don’t have the mandate to take decisions on employers questions. Also the diverse functions of the DGs is raised as a potential problem, in terms of some DGs representing the whole public sector while others represent the public administration and most of them are moreover not representing the employers. Some EUPAN members argue that it is not an employer’s network, but rather a governing, central public administration network, something that is for example expressed in the quote below:

*EUPAN may not be the right counterpart for TUNED in a Social Dialogue. There is a lack of mandate in EUPAN. TUNED has mandate, they can represent the unions in the member state but EUPAN does not have this mandate as the members in EUPAN do not represent the employers in the Member states, which never has been the intention of EUPAN. The aim of EUPAN is to exchange ideas and experiences between the Member states but not to negotiate and take joint decisions.*

Some members of EUPAN have also stressed that the informal structure of EUPAN could imply some limits in the dialogue with TUNED, but not everybody interviewed, thinks that it necessarily have to preclude a dialogue. Most members though are of the opinion that it is not possible or desirable to formalise the structures to much within EUPAN. For some members the informal structure of EUPAN though means that the network is more suited to engage in informal meetings and discussions rather than formalised structures and dialogues.

It is however important to note that despite the mentioned difficulties there are several EUPAN members who perceive EUPAN to be a suitable partner to TUNED in a Social Dialogue. The arguments put forward regarding this view are foremost that there is no other organisation at the present date that would be more suitable. The issues about mandate and structures are from this
point of view seen as areas to be developed, but not as obstacles that are insurmountable. What
has been mentioned by some members as important though is that issues regarded as difficulties
among members must be raised, discussed and if possible solved so that all member states in
EUPAN can see their interest in a Social Dialogue if this should be the future development.

5.6 Main findings on added value

The evaluator’s assessment is that most members of EUPAN and TUNED see an added value of a
forum for a Social Dialogue for the central public administration. Especially when it comes to the
opportunity it provides to exchange experience, and to increase and share knowledge between
the member states. It gives new perspectives, dimension and answers to issues discussed on a
national level. There is however not a clear consensus about what type of forum is most suitable.
Whereas some find an informal Social Dialogue as suitable to exchange with the other party,
others see that a formal Social Dialogue is more suitable to influence European policy and to
have a well functioning dialogue between the social partners. Some EUPAN members also find
that a cross-sectoral Social Dialogue is sufficient when it comes to more structured forms of a
Social Dialogue, whereas several TUNED members rather argue that there is an added value to
be involved in both a Social Dialogue for a specific sector and in a cross-sectoral Social Dialogue.

Out of the evaluator’s assessment few issues are especially important to discuss separately from
other sectors. Rather, the few issues put forth are relevant to the public sector in general.
However, approaches to and answers to these general problems could differ within the public
sector. Moreover, few or no issues appear to be relevant to discuss only on a European level. The
added value lays in the possibility to discuss issues both on a national and an international level,
both on the European level and within the sector specifically. The evaluators notice that TUNED
especially, see an added value in the possibility to jointly draw framework agreements whereas
EUPAN rather adds value to the discussions and to a higher extent dissent from the idea of joint
agreements, such as framework agreements. The evaluators notice that all EUPAN members not
members of CEEP adds value to an additional forum for a Social Dialogue (informal or formal for
discussions and exchange) whereas EUPAN members that are members of CEEP tend to argue
that CEEP is enough. Members outside CEEP value Social Dialogue forums as they lack alternative
opportunities to meet with the trade unions.

The evaluators find that TUNED members tend to see EUPAN as a suitable partner in a Social
Dialogue. However, TUNED members have pointed at obstacles to a well-functioning dialogue
between the parties concerning the loose structures of EUPAN and lack of mandate among EUPAN
representatives. Having said that, the evaluators find that if EUPAN wants to discuss and solve
issues within the network in order to organise and structure the network to make it adequate as
a Social Dialogue partner, TUNED is confident about EUPANs ability to do so. This would possibly
also enhance the overall interest within EUPAN for a Social Dialogue if desirable as the future
development.
6. CONCLUSIONS

In this chapter we will look back at the result presented in the previous chapters to summarise and present a more focused conclusion based on the result

6.1 Overall assessment - conclusions from the evaluation of the test-phase

In the joint work programme the overall aim of the test-phase is said to be to create a framework for EUPAN and TUNED that will:

- Support, within a strengthened and structured informal Social Dialogue, the testing of topics and work forms of formal Social Dialogue,
- Lead to practical results and output, including joint position statements and events
- Provide the necessary flexibility for cooperation by presenting a list, from which specific work themes may be chosen while allowing, if necessary, for the introduction of other themes, and
- Contribute to the interim and final evaluation of the test-phase.

According to the rules of procedures, the objectives of the test-phase is to promote and improve the European Social Dialogue for central government administrations and to test topics and work forms of formal Social Dialogue.

To conclude the final evaluation of the enhanced Informal Social Dialogue, this section will look at the different evaluation criteria’s one by one as well as conclude the findings as a whole.

Relevance
The test-phase is assessed as highly relevant in terms of the expectations and priorities of the stakeholders and to be relevant to a quite high extent in terms of the possibility to test what the test-phase wanted to test. The test-phase has corresponded well to the expectations as the focus to a great extent has been on the exchange of ideas and experiences. At the same time more enhanced structures and work forms have been tested, which from the point of view of most EUPAN and TUNED members is seen as important in a potential formalisation process.

Effectiveness
The effectiveness of the test-phase could be described as high. The Social Dialogue test-phase has led to several new findings which shed light on the working conditions and Social Dialogue practices of the participating Member States. A particular focus has been work-related stress. Discussions on this issue have led to a joint position of EUPAN and TUNED on work-related stress in central government administrations. The test-phase has also had an clear impact on the relations between the partners, where the trust has improved and a more structured dialogue developed and mutual understanding been established. The test-phase has further been changing the EUPAN network as such, with new priorities being introduced and new procedures adopted. Some find this impact desirable others not.

Efficiency
To summarize, compared to other sectors and in relation to the very short time frame, the evaluators assessment is that the work within the test-phase has been very efficient in terms of producing formal statements. The test-phase has also been efficient in relation to the organisation of its work, where a work programme was developed and coupled with an organisational model. Above all a majority of the representatives of EUPAN and TUNED as well as the DGs are of the opinion that the extra workload and the extra resources was worth it.

Added-Value
The evaluator’s assessment is that most members of EUPAN and TUNED see an added value of a forum for a Social Dialogue for the central public administration. Especially when it comes to the opportunity it provides to exchange experience, increase and share knowledge between the member states. Out of the evaluator’s assessment few issues are especially important to discuss separately from other sectors. Rather, the few issues put forth are relevant to the public sector in
general. The added value lays in the possibility to discuss issues both on a national and an international level, both on the European level and within the sector specifically.

Taking the main aim and objective into consideration when summarising the result from the data collection, we conclude that the test-phase has been very successful in the sense of achieving these objectives. The test-phase has been producing a framework that in many aspects strengthened the relations and structured the work forms of the Social Dialogue between the parties.

Within this framework issues/topics that were decided upon in the work programme have been addressed. The opinions of the stakeholders in this evaluation differ on the question if these issues/topics are to be seen as issues/topics that would be discussed in a formal Social Dialogue. Some argue that within a formal Social Dialogue, the topics would have been more directly connected to the consultation of EC proposals. This has not been the case during the test-phase, why the question of testing the work forms of formal Social Dialogue cannot be said to be tested in full.

Even though, the formal Social Dialogue work forms (and/or topics) have not been tested fully, we argue that parts have been tested. The more structured forms of Social Dialogue that have been introduced do have similarities with formal Social Dialogue work forms (largest difference being the absence of the consultation process and the administrative support). During the test-phase these new work forms have resulted in improved relations and trust between the parties. It has also meant that the output of the dialogue has come into focus. The focus on the output has further meant that several formal reports and statements have been produced.

The difference from a formal (or sectoral) Social Dialogue that we acknowledged is important to bear in mind when assessing the results of the test-phase. It is hard for us, as evaluators of the test-phase, to assess if there could have been other results if the test-phase had included a consultation process with the EC. What we can assess however is the likelihood of changed impact if there had been such a process involved. This assessment is then based on findings both from the evaluation of the test-phase and from the bench-mark. In this case we ask the bench-mark; what impact does the consultations process have on your organisation and on the work forms as well as content of your Social Dialogue.

When doing so, we can conclude that the benchmark sectors organisations of the Social Dialogue most often involve plenary sessions for the committee twice a year. Between these sessions there are steering groups, working groups and/or ad hoc groups preparing and coordinating the work with administrative support from the Secretariat. This – or variations of the same – are considered relevant and sufficient for the workload, and positively received. The sector committees decide themselves how and what to do. The content is decided within the dialogue and all benchmark sectors return to the flexibility and freedom to choose what to discuss and not. Of course, this agenda and the content of the dialogue, is influenced if the parties decide to react to EC proposals in the consultative process. However, the evaluator’s impression is that the parties set their agenda jointly and in relation to issues they find relevant. In terms of work forms, the consultation process imply added workload over a period of time but since it is a joint decision among the parties to react and respond to EC proposals there is preparedness and awareness of this temporary added workload. Beyond that, the work forms are facilitated as supporting structures and functions such as the Secretariat are in effect. Some benchmark sectors mention that this joint decision structure – consensus oriented – also impact the frequency of binding agreement: they appear not to be too common and, moreover, preceded by a long negotiation process.

When taking into account the perspectives from other sectors in the bench mark, we find that one of the most important steps for a well-functioning Social Dialogue is the establishment of mutual trust and understanding. We do not know if the trust was very low or high prior to the test-phase, but we do know that the respondents in our interviews have stated that the trust and mutual understanding has improved. All the activities that have been introduced and carried out during the test-phase have been contributing to the building of trust and understanding. Some of these activities might not have been in perfect line with plausible activities of a formal Social Dialogue, but they lead to the building of a platform of mutual trust and understanding. Today, at the end of the test-phase we can conclude that there is a good ground established for future
developments, no matter what these developments might be the ground for development with mutual understanding and trust is set.

6.2 Contextual analysis

When looking back at the result of the test-phase, we conclude that the goal achievement has been high. This is not to say that all the stakeholders have the same opinion on what can be learned from the test-phase or even that they all have the same perspective on the achievement. We can find several diverging opinions on some issues.

When analysing the material from a contextual perspective, to be able to find commonalities as well as divergences between different stakeholders, we find several explanatory factors. From the material collected we find that there are differences between stakeholders from EUPAN respectively TUNED especially in relation to perspectives on future developments. When asked about the test-phase and the impact of this, TUNED representatives rates the impact in more positive arguments and they tend to stress several parallel developments that have all contributed to the good relations visible today. We can detect, mainly from the interview material, that some of the statements of the representatives about the test-phase are biased by the views on future development.

As we can detect these biased opinions, just by looking at the logic of reasoning, we find it necessary to in some sense “clean” the material from biased data. By correlating the answers on questions of opinions on the test-phase with opinions on the future, we can shed some light on the issue. From the correlation we can find that almost all of the respondents arguing for a formal sectoral Social Dialogue, also view the test-phase as improving the relation between the parties. Those not perceiving an improvement at all argue for an informal Social Dialogue in the future. Those arguing for an informal Social Dialogue also find the test-phase less effective in relation to their expectations of a Social Dialogue on a European level.

Besides the impact of perspectives of future development we have also been looking at national contextual factors, where we have tried to detect if there is any correlation to be found in regard to views on Social Dialogue in general or in regard to views on result of the test-phase.

Our analysis of purpose of a Social Dialogue (generally speaking) shows that representatives from the EU15 tend to differ slightly in their opinions from those not belonging to this group. The main difference seems to be on the issue of “influencing EU social policies”, where the non EU15 stress this less. Mutual learning on the other hand is stressed by a higher percentage of the same group as well as contributing to the dialogue at national level.

At the outset of the evaluation, we argued in the inception report, that there could be large differences in the opinions on the purpose of Social Dialogue as such as well as on the need for more structured work forms. We argued that the divide was most likely to be found between new members and old members of the EU were the new members represented members with a shorter history of a functioning Social Dialogue. From our evaluation we do not find any large support for this hypothesis. We can find some slight difference in certain individual lines of reasoning, but on the overall rating we do not.

Another contextual background factor that we set out to assess was the question of differences in member states structure of public administration system. When analysing the stakeholders reasoning, we can detect that this context has a large impact on the arguments used. The issue is most commonly used in relation to pointing at the hardship of developing a formal sectoral Social Dialogue. Several representatives that oppose or see large problems with such a development argue that the differences between the structures of the public administration systems are too large. Some of these argue that the main difference is that some need the political level to have a mandate on social issues within this sector and others do not. We find these arguments on the EUPAN side only. TUNED representatives do not argue that there are large country differences inflicting on the possibilities of a formal sectoral Social Dialogue.

When summarising the contextual factors that might influence the stakeholders perception on the result of the test-phase as well as views on future development, we find that the main divide is
not to be found between countries but rather between the parties (EUPAN-TUNED). EUPAN representatives are more ambiguous seen as a group whereas TUNED representatives are more unambiguous. According to the evaluators, the main explanatory background factor behind this is the differences in organisational structure and aim. TUNED is an organisation with the aim of structuring the Social Dialogue within the central public administration sector, EUPAN, on the other hand, does not have the Social Dialogue as its main objective. EUPAN is a network for several issues not all explicitly dealing with Social Dialogue.

Going through all the material gathered during the final evaluation of the test-phase, we can see a couple of major trends:

1. EUPAN members are not agreeing on one adequate development of the Social Dialogue within the central public administration sector on a European level

2. TUNED members are all agreeing on the main path forward being a formal sectoral Social Dialogue even though we can find several different arguments for this.

3. Both EUPAN and TUNED find the test-phase contributing to more fruitful relations and mutual trust between the parties.

4. Several EUPAN and some of the TUNED members point at the need to further investigate the effects of a formal sectoral Social Dialogue at a EU level (arguing that no such test has been done in the full sense).

5. A majority of the DGs see problems with the EUPAN network as such in a future formal sectoral Social Dialogue.

6. Country differences are less than organisational differences, but we can detect different argumentation with a correlation to country contextual factors.

7. EUPAN members tend to say that a cross-sectoral Social Dialogue is sufficient whereas TUNED members rather argue that there is an added value to be involved in both a Social Dialogue for a specific sector and in a cross-sectoral Social Dialogue.
7. RECOMMENDATIONS

In this chapter we turn our attention to future developments. What we will do is to point at different scenarios based on the evaluation of the test-phase. The recommendations are structured around four different scenarios. The scenarios described here are 1) an informal Social Dialogue, 2) a permanent structure of the test-phase, 3) a new or continued test-phase and 4) a formal Social Dialogue.

7.1 Scenario 1: Informal Social Dialogue (no formal structures at all)

The assessment of the evaluator is that a totally informal Social Dialogue would be no realistic option for the future of a dialogue between EUPAN and TUNED. The interviews or results from the evaluation do not give any support for such a development either. Due to the test-phase and also to the development some years before the test-phase the relations and level of trust between the two parties have deepened and increased. To reduce the dialogue between EUPAN and TUNED to a level where the parties only meet occasionally and ad-hoc would certainly drain the legitimacy of the Social Dialogue and make further relations between EUPAN and TUNED difficult.

7.2 Scenario 2: Permanent structure of the test-phase

Some members of EUPAN have argued for a permanent structure of the test-phase in the sense that there would be a joint work programme and joint rules of procedures but without a formal relation to the European commission, as during the test-phase. As the test-phase has proven to have been quite successful, this can look like a tempting option in terms of keeping a dialogue between EUPAN and TUNED while at the same time not having to go a step further towards formalisation. However, the evaluators want to stress the importance of being aware of the differences that such a solution would have compared to the actual test-phase:

- Would not be as the test-phase as there would be nothing to test
  This can seem as an obvious point to make, but the fact that test-phase had a clear aim in testing the work forms of an enhanced and more structured informal Social Dialogue on account of being able to take a decision on the future development of the Social Dialogue between EUPAN and TUNED has characterized both the work and the relations between the parties. As the evaluation of the test-phase has showed the driving force and motivation of many, especially TUNED members, has been to find forms for a dialogue that can at the best lead up to a future formalisation. Also for many EUPAN members the test-phase has been important in terms of examine possible future scenarios. A permanent structure of the test-phase, or rather of an enhanced informal Social Dialogue, would not include this aspiration and thus would need a new purpose and aim.

- The European Commission would not financially support the dialogue
  The support for from the Commission for the Trust project has according to both EUPAN and TUNED members been an important aspect in the work during the test-phase. Due to the financial support for example translation was financed and thereby possible to a greater extent than it would have been without the EC financing and the participation rate among TUNED members has never been as high as during the Trust conference. In a permanent enhanced Social Dialogue there would not be any financial support of this kind.

- There would be no other support from the European Commission
  Although the results of the evaluation show that the role of the Commission has not been of crucial importance during the test-phase, several members of both EUPAN and TUNED have raised that the Commission to however to some extent has played a supporting role as a supervisor and facilitator at meetings and in some issues as an important competence support. Several EUPAN and TUNED members have in the interviews argued that they would have liked more information about relevant European initiatives and issues. As the Commission is only obliged to support formal Social Dialogues at the European level, the
support during the test-phase would not continue if the parties decide upon continuing with an informal Social Dialogue.

The assessment of the evaluator is that this scenario bears the risk of a decreased trust between the members, and especially among TUNED members towards EUPAN as a partner for a Social Dialogue. This is mainly for the same reason as mentioned in the first scenario. That is, due to the possibility that it would raise a disappointment among TUNED members as the aim of the test-phase for TUNED has been to come closer to a formalised Social Dialogue. The bench-mark study indicates that trust is a vital part in a functioning dialogue between the partners and this is probably also true for a non formal dialogue.

Another risk with this scenario would probably also be that the social partners would get longer away from the issues on European level that the Social Dialogue want to influence upon. As was discussed in the relevance chapter more than 50 percent of TUNED and almost 40 percent of EUPAN members mean that the purpose of a Social Dialogue is to influence on European social policy. Additionally a third of the TUNED members and some EUPAN members find the information from the Commission an important purpose. These possibilities of influence and information would get lost in a permanent enhanced informal Social Dialogue, which of course does not mean that the members cannot use other channels and ways to get the information or to influence on European policy. If the partners decide to permanent an enhanced informal Social Dialogue the evaluators recommend the following:

- The parties need to draw up clear aims and rules of procedures for the dialogue that everyone agrees upon and that defines the scope and the course of the dialogue. It is thus important not to just continue the way it is now during the test-phase, as the conditions will change.
- There needs to be a common and joint will to choose this path, as dissatisfaction among some members can lead to a lack of motivation among members and thereby shatter the development of the dialogue.
- The parties need to thoroughly discuss the reason for this choice. Are discussions and exchange of ideas enough for the members? Is there a will to be able to take joint agreements?

### 7.3 Scenario 3: Continued or new test-phase (transition period)

Several EUPAN members and also some TUNED members have stressed the possibility to continue the test-phase, or if preferred start a new test-phase. The reason for this is mainly to further test some aspects that have not been possible to test during this ongoing test-phase and to some extent to have an opportunity to explore the possibilities of a future development that all members can agree on.

From the bench-mark study we can tell that it can be valuable to take the time to build relations and trust between the parties and to find joint standpoints and positions before formalising. In the Hospital sector for example the process to become a formal Social Dialogue took five-six years. The first step was to build relations and trust between the parties and only after that was it possible to start the discussions on what issues to work with and how the work should be organised. When the formalisation was realised it was seen as a natural step for everybody involved, even though it had not been seen as a natural step in the beginning of the process. The fact that there was a trust and confidence in each other before the formalisation in the Hospital sector has been an important prerequisite for a functioning process and dialogue.

The assessment of the evaluator is that the test-phase has strongly contributed to the level of trust between the parties and that this brings good conditions for a step towards formalisation. As the evaluation also has showed though, the question of what issues to focus on and discuss in a potential formal Social Dialogue is not quite clear for all members and there is no joint agreement on this. Neither is the question of how to organise the work in terms of structures especially within the EUPAN network. A continued or new test-phase could therefore be a way to further strengthen and increase the needed requirements for a formalisation. Several issues point in favour of this, for example:
• More time gives the social partners the possibility to discuss more difficult and controversial questions, where not everybody agrees per default. In this sense, more evidence can be collected before big decisions are made.
• Several respondents have stressed that they do not have a clear view of what a formal Social Dialogue really means. A continued test-phase could help clarifying this question for all parties involved. This also raises the question about how it is possible to, in the future, organise the sharing of information in a more efficient way.
• A possibility for the social partners to discuss what issues to work with and what the aim of a potential Social Dialogue should be within this sector.
• A possibility for EUPAN to internally discuss different options of how to structure and organise the network in terms of being able to be a partner in a formal Social Dialogue.

A second test-phase could also serve as a platform for EUPAN to address its issue of mandate. The Mid-term evaluation (p.16) has stated that EUPAN and TUNED operate differently. While TUNED operates in a so-called negotiation mode, the informal EUPAN network follows a discussion model, where members exchange experiences and thoughts on specific issues. To clarify: due to its informal character, EUPAN lacks a mechanism for defining clear mandates before meeting TUNED delegates. Thus, if EUPAN intends to test a formalised dialogue in a strict sense, it will have to address the issue of mandate. One solution to this problem could, finally, be the implementation of a second Test-Phase, where e.g. smaller preparatory meetings between EUPAN delegates are institutionalised.

What has to be taken into account though is that a prolonged test-phase could also involve some drawbacks, as for example:
• A continued test-phase risk to drain the legitimacy of the Social Dialogue
• A continued test-phase gives no financial support from the European Commission
• A continued test-phase can by members of TUNED and to some extent EUPAN be perceived as a way to prolong the decision rather than actually wanting to test the dialogue more thoroughly, as the evaluation has already shown that the test-phase according to the majority of the members has been a relevant measure for investigating the possibilities of establishing a formal sectoral Social Dialogue.

By that, a continued test-phase could lead to disappointment and less commitment from the parties. If the partners decide to continue the testing, it is thus vital that a second testing round should:
• Have clear aims and clearly defined goals and agreement to test whether to formalise or not have a dialogue – not indefinite “testing” for the test-phase are set up. It is important not only to prolong the test-phase in order to postpone the decision. There has to be a clear will to further examine possibilities and ways of finding a joint solution with TUNED on this.
• Involve discussions about more sensitive political issues and issues raised by the European Commission to come closer of testing the consultation process in some sense even though the Commission can’t be involved in the way it is in a formal Social Dialogue
• Investigate if and how the Commission could play a more active role in the dialogue, for example as a “motor” of discussions
• Be organised in smaller, more interactive working groups
• Entail a higher coordination between members before meeting the other party
• Have a clear date for taking a decision about whether to formalise or dissolve the cooperation

7.4 Scenario 4: Formal Social Dialogue for Central Public Administration

All of the TUNED and some of the EUPAN respondents in our semi-structured interviews argue that this alternative constitutes the most adequate development within the Social Dialogue between EUPAN and TUNED. This being stated many of the representatives arguing this path forward also stress the need for this to be a development. The evaluator would like to stress this even more and we argue that the only way of realising this path is by gradually moving forward. This scenario is then to be seen as a decision to formalise within a given time frame and not formalisation right now. One might say that the first step in this development is the establishment of political will to formalise. From the bench-mark studies it is clear that the
process to become formal has not always been evident for everybody or easy. All bench-mark sectors though state that there has been a will to find solutions suitable for both parties.

Moving towards a formal dialogue, our evaluation data suggests that a number of questions should be raised and discussed as early as possible. One of the most fundamental one is according to the evaluator; if there are any specific measures that need to be undertaken before EUPAN and TUNED fulfill the criteria stated in article 98/500/EC? From the interviews with members of both parties it is also apparent that several respondents are uncertain about the actual design of a formal dialogue and how this would change their part in the Social Dialogue. The uncertainty is most commonly expressed in questions as:

- How will it be organised and implemented?
- Will decisions be taken unanimously?
- Will it be possible to not carry out decisions at the national level, as in CEEP?

These are all uncertainties that have to be addressed and discussed during a formalisation process. Many of them relates to the suitability of EUPAN to be a partner in a formal Social Dialogue. There must be a functioning structure and this includes a secretariat. According to some other sectors from the bench-mark there is a need for a secretariat with full time staff (one or two at least). As one of the bench-mark sectors have stated; we had to double the speed when we become formal, due to the consultancies from the EC. We made the mistake, not to have a secretary from the beginning.

According to the EC interview, the need for two structured partners is not met as of today. A relevant partner implies a secretariat. That is the only obstacle in EUPANs case from the EC point of view and could easily be solved. The circulating presidency makes it impossible to involve EUPAN as a social partner now. A permanent Secretariat in Brussels that coordinate the work, respond to the commission, attend meetings etc. is asked for in order to make this a viable scenario.

Besides an organisational structure, there need to be an established agenda that will guide the work and the priorities. The evaluator’s stress the need of an idea of the work programme for the upcoming year(s) and a common understanding - among the partners - of the objectives of the Social Dialogue. As one of bench-mark sectors have stated: The most important thing to keep in mind, if one wants to succeed, is to define the boundaries for the dialogue i.e. what to discuss and not. It is most vital for the success that this work programme is jointly prepared and decided upon.

If these political, structural and organisational issues are solved the evaluator would like to stress a couple of challenges and possibilities with a sectoral Social Dialogue at a European level.

Challenges
- Withholding the good relations and foster a mutual learning within the framework of a formal dialogue
- Representativeness’ - some member states might decide not to participate
- Handle the issue of country differences
- Binding agreements could shatter the willingness to cooperate
- Fear of added work load and resources needed if a formal Social Dialogue
- More structured, less flexible work programme

Possibilities
- Strengthened ties between the parties
- Well defined purpose
- Positive impact on national relations
- Ability to influence the EU policy making
- More robust financial framework
- Securing the representativeness’ (mandate to act)
- Support from and better relation to and involvement from the EC
- Benchmark shows that a formalised Social Dialogue requires less work in administrative terms
• Improved and more output-oriented content could be a chance to learn more from each other and go into deeper discussion on relevant issues
• Increased level of trust: Long-term structures in effect and knowledge about the mutual political will to negotiate and cooperate on relevant issues

If it is not possible to find common ground or to establish political will that enables all to take the same path there are some plausible sub scenarios to bear in mind:

One possible way to go is that some members of EUPAN start a formal Social Dialogue Committee with TUNED, and that those who don’t want to or don’t feel ready yet can stand beside this. In the Hospital sector this was the way they started. What according to the interviewed Hospeem representative was important though was everyone in the network must agree on a solution like this, also those members choose to stand outside.

• The advantage of such a solution is that no member state has to be forced in to a formalisation, while at the same time members who want to formalise are not restrained from that.
• The disadvantage would be that those members standing outside will lose influence by standing outside. As Hospeem has described in the benchmark study those member states that didn’t join from the beginning lost so much influence that they decided to also join a few years later.

Another possible choice, which also can be combined with the alternative above, is to integrate the sectoral Social Dialogue for central public administration within the system of cross-sectoral Social Dialogue, namely CEEP. The benchmark shows that it can be an advantage that the sectoral Social Dialogue is a member of CEEP, as this gives an indirect influence on the cross-sectoral dialogue on issues that might not be specific for the one sector but that can still be important to have an influence on from the sectors perspective. As a member of CEEP, the sectoral dialogue has the right to get all relevant information from CEEP on a daily basis. From CEEPs perspective it is also important to have links to members in key sectoral dialogues within the public sectors. It can therefore be seen as a mutual benefit to be a sectoral Social Dialogue within a cross-sectoral frame.

**General prerequisites according to Benchmark studies**

From the Benchmark interviews we have discerned some general prerequisites that preferably should be at hand to lay the ground for a fruitful formal Social Dialogue. First of all, the time needs to be ripe. It was considered natural to formalise for a majority of the benchmark sectors when they decided to do so. For different reasons there was a will and a need to formalise the link to the EC:

• a need for resources such as infrastructure for the work
• a need to impact policy decisions, exert influence or lobby on the EC in general
• a natural step in relation to internal processes (i.e. sector specific processes calling for new structures)
• a natural step in relation to external factors (i.e. EC encouragement of sectoral partners or a an increased impact of the EC on the sector that requires counterweight)

In this respect it is however important to mention that the understanding about a Social Dialogue and upcoming changes were not evident to all partners. In certain sectors, there were misgivings attached to the formalisation among members such as a fear of diminished power.

Closely related to the opinion that a formalisation is a natural development is the fact that the sector and the partners deal with issues that are relevant to discuss on an international level i.e. cross-border issues like recruitment, aging work force and migration or horizontal issues like gender issues. Issues that are frequent subject of legislation is yet another example of relevant issues put forth in the benchmark. Country specific issues are not relevant to the same extent. Some benchmark sectors mean that one of the difficulties with a formal Social Dialogue is to balance the different countries agendas and national specific issues. They stress that the Social Dialogue is not a forum to try to solve national problems at community level.
A success criterion for a sectoral Social Dialogue committee is that there is mutual trust between the partners. The climate of trust helps in reaching agreements and compromises. Adding to that, there need to be a willingness among the partners to engage in a formal Social Dialogue. This willingness covers a variety of aspects, namely:

- Partners have a positive approach and outlook
- Partners have a long term political willingness
- Partners have a common understanding of the objectives with the Social Dialogue.
- Partners are prepared to establish a common agenda, set common goals and implement the work done
- Partners are prepared to involve the right people
- Partners are prepared to prioritize the internal work differently, which can mean that other internal issues might have to step aside occasionally
- Partners are willing to negotiate and compromise on the issues that are discussed in order to reach agreements and come to conclusions
- Partners want to establish their sector in the EU structures

Willingness and trust is the vital components on behalf of the partners. Adding to that, a solid structure needs to be established that fulfils two criteria, namely representativeness and facilitation. The former, representativeness, is a question of mandate and to involve people realizing the impact of decisions/non-decisions giving status to and prioritizing work within the Dialogue in order to achieve outcome and results. Some benchmark sectors have experienced difficulties to recruit members to the WGs as a consequence of a low status. If the partner representatives or WG representatives have no mandate there is no need to meet as much of the work is processed in the WG’s and decided in plenary meetings. It is a criterion about recruiting members and involving relevant persons from the organisations, but also to enable the parties to partake on the same terms. The latter criterion, facilitation, is about establishing a proper arrangement of the work forms such as the sector committee WG’s and a secretariat which build stability into the Dialogue. It can be a problem if the parties are not properly organised. The EC production is high and requires focus and structures to deal with issues in an efficient way.

Pros with formal dialogue according to Benchmark studies:

- Easier to raise issues and exert influence if employer and employees are organised
- Influence on workload: what to discuss and what to achieve is decided between the partners
- Influence on structure and content: each committee decides what to do and how
- Information, logistical support and input on content from the EC if desired
- Information flows between members
- Room to exert influence and be listened to (in relation to EC)
- Power component such as lobbying, co-legislation role, binding agreements (according to EC)
- To be recognized as an EU player on the same level as the EC and the parliament (according to EC)

According to the EC interview, the role of the EC in a formal Social Dialogue according to EC is that they facilitate the dialogue through logistics, reimbursement of participants for 5-6 meetings a year, room and translators. They act as a shadow advisor providing information about the European agenda and up-coming issues, legal advices or support in drafting certain text etc. if asked for. The EC do not take part directly, only chairing some meetings for reasons of objectivity. In relation to the two step consultation process, the EC first launch the consultation by sending a consultative document that they have worked on to the Social Dialogues and only them. Thereafter, if the Social Dialogue decides to have opinions on the document and negotiate, the EC stop the process during negotiations. There is no obligation to react. If partners want to be part of EU decisions they should at least want to be consulted and have the opportunity to react.
ANNEX 1: THE BENCHMARK SECTORS

In this chapter, Ramböll presents the insights from the benchmark sectors experiences of a formal Social Dialogue. The introductory section below presents the different sectors and their background process of becoming a sectoral Social Dialogue as well as the involved actors. The rest of the chapter is structured around four more general topics from the benchmark concerning:

- The formalisation process
- The managing of a formal Social Dialogue
- Contents in a formal Social Dialogue
- Added value of a formal Social Dialogue

Introduction to the Benchmark sectors

Ramböll has focused on four sectors for the benchmark study. The four sectors that have been studied are railway, local and regional government, electricity and hospital. The railway sector formed a joint committee already in 1972 and it has been organised as a sectoral Social Dialogue since 1999. At the employer side, the railway sector is represented by: (a) Community of European Railway and Infrastructure Companies (CER), and (b) European Rail Infrastructure Managers (EIM). The employees are organised within the European Transport Workers' Federation (ETF).

The local and regional government sector initiated an informal cooperation in 1996 and it has been formalised since 2004. The employers structure their work within the Council of European municipalities and regions (CEMR). The employees in the local and regional government sector are represented by the European Federation of Public Service Unions (EPSU).

The electricity sector has been made up by an informal working group since 1996 and it formalised the cooperation process in 2000. The employers have gathered within the Union of the Electric Industry (EURELECTRIC). The employees are organised in two federations: (a) European Federation of Public Service Unions (EPSU) and (b) European Mine, Chemical and Energy Workers Federation (EMCEF).

The hospital sector has been formalised since 2006. The employers organise themselves within the European Hospital and Healthcare Employers Association (HOSPEEM). The employees in the hospital sector are represented by the European Federation of Public Service Unions (EPSU).

The formalisation process

To many of the benchmark sectors, the formalisation process was considered a natural next step. The part that was “natural” is different between the sectors. To the railway sector, the natural step was a clear signal from the EU. At the time, the EU promoted and encouraged sectoral partners to work as social partners in a formal Social Dialogue. To the railway sector, the international character of the sector per se, a history of high organisation as well as a strong tradition of union-based work made the step to engage in a formal Social Dialogue natural. There was also a general demand to increase lobby activities on the EU level. To the electricity sector, the natural step was a liberalisation process sweeping over the sector creating a need for a new structure between the partners at an EU level.

To the hospital sector, the duration of the formalisation process was as long as six years. Initially, the employer side was sceptical whereas the trade unions were pushing for a formalised structure of the already ongoing process between the partners involving a joint work programme and meetings generating concrete outcomes such as a series of conferences. Eventually, the trade unions were the catalysts for a formal Social Dialogue. This was a development that coincided with the sector as a whole that noticed an increased interest and impact from the EC on the sector that they wanted to counterbalance or be part of.
According to the **local and regional government sector**, the most important part in the formalisation process is to pay attention to and fulfil the three criteria set up by the commission. These need to be fulfilled in order for the committee not to be scrutinized, but get the support that you are entitled to as a social partner. It is an easy way to prevent time-consuming extra work and administration.

According to the **electricity sector**, a success criterion is to define the boundaries for the dialogue in terms of scope and content as well as having a unanimous view on the goal of the Social Dialogue. The **railway sector** reinforces this argument and means that a success criterion is a common understanding among the partners concerning the objectives of the Social Dialogue. Adding to that, a positive approach and outlook as well as a common and jointly decided agenda facilitates.

According to the **hospitality sector**, representativeness and structure are the two prerequisites for a fruitful sectoral Social Dialogue committee. It is a matter of the right people and or organisation as well as viable instruments and/or adequate resources.

**The managing of a formal Social Dialogue**

The **railway sector** arranges plenary meetings 2 times annually. A chair person and a vice chair person is elected every second year. The railway sector contains of two permanent working groups and a steering committee, which prepare and coordinate the work. The steering committee consists of chairs, presidents and reporters from the working groups. Finally, the Commission services act as a secretariat for the committee and the steering committee. The Secretariat is responsible for general administration tasks such as the organisation of meetings, coordination of projects and the conduction of interpretations. The sector experience difficulties to attract high-level representatives or at least people with mandate to the working groups. To involve high-level representatives is deemed necessary in order to give legitimacy to the dialogue as well as enabling decisions to be made – thus securing output from the cooperation.

Every second year, the **local and regional government sector** appoints chairpersons. The sector has a steering group, with up to six delegates from each side and it is composed by ad hoc working groups. The delegates in the steering group change from time to time and the working groups are kept small. The Commission provides the secretariat for the committee, the ad hoc working groups and the steering group. The secretariat is obliged to inform the partners of documents relating to the sector and to forward texts adopted by the Committee to external partners. The committee meet annually to review that the work is performed in line with the work programme that runs for three years. The steering group prepare the meetings. The agenda is set jointly by the parties secretariats based on discussions with the steering committee and the members. The working groups focus on different issues and report back in plenary. The management structure is deemed sufficient and to correspond well to the work load.

The **electricity sector** selects one chair and two vice chairs on an annual basis. The committee entrusts a selected group, which prepares the work and acts as a secretariat. The committee meets twice a year, the same applies for the working group. The secretariat gives stability to the organisation and provides administrative services and functions.

The **hospitality sector** and HOSPEEM has only 13 members and they are working actively on expansion in order to be more representative. The Social Dialogue Committee is the highest authority consisting of representatives from both sides of industries from each of the member states. Working groups focus on different issues and meet only when there are issues to negotiate on and prepare for plenary meeting. The steering committee consists of 8 persons including the secretary general and vice secretary generals in the organisations as well as a representative from the secretariat. The steering committee plans the work programme and subsequent activities.

In general, apart from plenary and work group meetings a lot of the work and correspondence appear to be dealt with via email. During the consultation process the work is carried out by face to face negotiations that can be facilitated by a representative from the EC if necessary and desirable.
Moreover and in general, each committee decides content and rules of procedure. It appears as if access to in-house expertise or possibility to involve expertise on certain issues makes the work processes more efficient. The time spent on work relating to the Social Dialogue varies from a third of the total work time to more than full-time. It depends on the level of ambition between the parties. The more the involvement in consultation processes, the heavier the workload; the higher the ambitions and joint agenda, the heavier the workload. The extent of management and the work process intensiveness are related to the partners’ goals and ambitions.

A structured cooperation and clear agenda is a prerequisite as the EC production of initiatives, that is to say – the opportunities to engage in consultation processes, are frequent and many. The partners need a proper structure and clear agenda not only in order to know what the most prioritized issues are between the partners, but also to balance proactive work on jointly decided issues with the less controllable EC initiated themes and issues.

How deep and frequent the relation is to the EC, is dependent on the extent to which the Social Dialogue partners decide to participate in the Consultation process. Adding to that, the relation could also involve daily meetings on general issues, objective support in negotiations processes or more invisible relations such as logistical support. All benchmark sectors are positive to the relation no matter what frequency and argue that it corresponds to their needs. The contacts has grown all the more positive over the time as a partner in a Social Dialogue.

Contents in a formal Social Dialogue
Each committee decides the content and rules of procedure – what to do and how. Most often the content is set up in a joint work programme regulating and specifying the general issues that the parties are interested to jointly look at. In the consultation process, the content is dependent on what the parties are asked to react on and, thus, in line with policy level priorities. The general opinion is that the parties can discuss all the matters they want to discuss.

Most often, agreements are reached by consensus. This decision structure is deemed viable and fruitful, not only because it is seldom the case that the opinions between the diverge severely as the climate of trust helps in the process of reaching agreements and compromises, but also because it makes the dialogue process slow which enhance the opportunities for thorough consideration and negotiation between the parties preventing the risk of making decisions that parties then have to defect from. Moreover, apart from making all parties prepared for and aware of upcoming and possible added workload, the consensus structure implies that the parties also are willing to grapple with it. They choose the workload depending on what they want to achieve.

Output from the studied Benchmark sectors
The output of the dialogue process has different target groups which influence the content. Joint opinions and declarations are more often aimed at the EC and the EU level. In contrast, tools and recommendations are more often aimed at members of the organisations and the national level. The extent to which the partners produce joint agreements or contractual agreements differs. For example the electricity sector does not have the willingness to produce them, nor the mandate.

Turning to the output from the different sectors, the Social Dialogue within the railway sector has produced 14 non-procedural documents since 1999. This output has been distributed as follows:

- Exchange of information – joint opinions, declarations, tools etc. – (10)
- Recommendations (2)
- Agreements (2)

The local and regional government sector has generated six, non-procedural documents since 2004. These documents have contained:

- Exchange of information – joint opinions, declarations, tools etc. – (4)
- Recommendations (2)
- Agreements (0)
The dialogue within the electricity sector has produced 16 non-procedural documents since 2000:

- Exchange of information – joint opinions, declarations, tools etc. – (13)
- Recommendations (3)
- Agreements (0)

The Social Dialogue within the hospital sector has produced three consultation responses since 2006.

**Added value of a formal Social Dialogue**

The bench-mark sectors are in general positive to the experience and value of having an established formal cooperation in a Social Dialogue. They value the facilitating structures and support, the optional window of opportunity to influence the policy level, the freedom to set the agenda and content as well as the opportunity to cooperate with the sectoral parties. The cooperation has led to converging interests and the parties well together. The issues put forth as an added value of a formal Social Dialogue are listed below. The added value is:

- To be consulted and have the possibility to influence the legislation/work on the EC/policy level.
- To gain knowledge about priorities on the policy level.
- To get support for the cooperation in terms of infrastructure such as administrative and financial support
- To be able to focus on the issues and not administrative burdens
- The ability to discuss sector specific topics
- To have a formal structure for cooperation and dialogue: both with the sectoral partners and with the EC
- To keep in contact with colleagues from other member states and get new contacts with partners in the own member state
- The formal link to the EC securing information and consultation inquiries.
- The solidarity towards new member states lacking the institutional experience of cooperation between the parties
- The recognition and added legitimacy as a social partner.
- The complementary function of the Social Dialogue as it enables participation in i.e. both multi-sectoral and cross-sectoral work on relevant issues.
- Related to the fact that sectors that are subject to new legislation and/or a prioritized area on the policy level have an important measure/forum to enable influence on the content and outcome

According to some sectors, the formal Social Dialogue gives no reason to question the value – involving the added value. The impact – whether negative or positive – is insignificant to detect as it generally is small in relation to the need of joint action. Instead, the optional participation in EU consultation processes and cooperation on the EU level with sectoral parties in a structured way with facilitation instruments in effect is considered an obvious opportunity and a matter of course.
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<td>Would a formal Social Dialogue correspond with the expectations of the network members?</td>
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Desk study resolution s, reports, strategies and other relevant documents |
Bench mark on other sectoral Social Dialogue on European level |
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What have the implications of the test-phase been on the relation with the European Commission?
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<td>Estimated workload</td>
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<td>Received advantages</td>
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<td>Received disadvantages/risks with binding agreements</td>
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<td>Support from the EC</td>
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<td>Possible solutions/steps to take</td>
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