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## Contracted government: Unveiling the European Commission's contracted staff

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Contracted Staff**

**Discussion Paper**

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## Abstract

### **Contracted Government: Unveiling the European Commission's Contracted Staff**

Zuzana Murdoch and Jarle Trondal\*

Over the past two decades, reliance on short-term contracted staff has increased in government institutions across the Western world. This tendency towards 'contracted government' may be strengthened during periods of economic and financial stress. This article therefore poses the following questions: First, does 'contracted government' lead to civil servants less loyal and attentive to the concerns of 'their' government institutions? Secondly, and more generally, what factors shape the behavioural perceptions of contracted government staff? Benefiting from a new, full-scale survey among seconded national experts in the European Commission, this study shows that contracted Commission staff are largely integrated and committed to the Commission and its administrative sub-units. The general lesson learned is that when under contract, contracted personnel seem mainly loyal and attentive to the concerns of the government institution under which they formally serve. This finding dispels fears that contracted government officials may serve several masters. Theoretically, the behavioural perceptions of contracted Commission officials are explained with reference to their primary organisational affiliation towards the Commission and its sub-units, as well as by the internal organisational composition of the Commission services.

*Keywords: Contracted government, executive order, European Commission, seconded national expert, transformation*

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## 1. Introduction<sup>1</sup>

The current economic and financial crisis has hit the European economies and their national public finances hard. In their efforts towards budget consolidation, many European Union (EU) member-states are trying to cut administrative expenditures. Like in earlier times of substantial (financial) strain, government institutions facing fiscal austerity may tend to initiate budget cuts thereby down-sizing permanent staff and up-sizing short-term contracted staff (Hall 2002). This tendency – referred to in this article as a shift towards ‘contracted government’ – follows one of the curative prescriptions of the New Public Management (NPM) reform wave, and is designed to promote greater flexibility in, and performance of, public services (Lægreid and Wise 2007). Although this trend has been extensively studied for national-level bureaucracies (e.g., Hall 2002; Lægreid and Wise 2007), contracted government *above* the state has thus far escaped comprehensive analysis. Moreover, whereas NPM-inspired reforms mainly concerned outsourcing government capacities towards private sector, ‘contracted government’ involves outsourcing public servants that already are ‘good bureaucrats’ from one government institution to another. Based on novel survey data, this article offers a comprehensive analysis of contracted government at actor-level – that is, among seconded national experts (SNEs) - within the European Commission (Commission).

The article poses one general and one more specific research question:

- First, will contracted government lead to officials less loyal and attentive to the concerns of government institutions (as compared to permanent officials)?
- As our empirical data addresses this question on contracted Commission staff, our second question is both more specific and two-folded:
  - o First, are contracted civil servants in the Commission mainly loyal and attentive to the concerns of the Commission – in which they are employed -, to national governments who pays their salary, or to both? This question directly addresses whether the ambiguous organisational embedment of contracted Commission staff is accompanied by ambiguous behavioural perceptions among these. Particularly, will contracted Commission civil servants in practice serve two masters – domestic governments and the Commission?
  - o Second, what can explain the relative (in)dependence of contracted Commission staff vis-à-vis national governments?

This study shows that contracted civil servants in the Commission – and, more particularly the SNEs – are largely integrated and committed to the concerns of the government under which they formally serve. Our data indeed illustrate that SNEs are strongly embedded into the Commission apparatus and do not serve several masters. In effect, the (self-perceived) behavioural patterns among contracted Commission officials can be explained with reference to their primary *organisational affiliation* towards the Commission and its sub-units as well as by the *internal organisational composition* of the Commission services. Hence, SNEs do not seem to act as ‘Trojan horses’ for national governments. The oft-invoked fear that “purposeful and strategic use of seconding may lead to situations where a (small) national state can have substantial impact on decision-making and agenda setting” (Geuijen *et al.* 2008, 67) therefore seems unwarranted. The empirical results benefits from a new full-scale survey on the role of contracted officials in the Commission administered to all 1098 currently active SNEs. The survey, fielded between January and April 2011 received 667 responses, which represents a response rate of just over 60 per cent.

SNEs serve as a valuable case in two regards; both as a case of contracted government and as a laboratory for studying the transformation of executive order in Europe. SNEs have a double allegiance between their home organisation (to whom they retain their long-term organisational affiliation and which continues to pay their salaries)<sup>2</sup> and the Commission under which they have to serve loyally and “behave solely with the interest of the Commission in mind” (European Commission 2008 Art. 7:1a; see also Trondal 2006, 2008). They are recruited to AD-level posts on short-term and time-limited contracts (maximum six years) outside the Commission’s normal open competition procedure (Bauer and Ege 2011), and are generally assumed to return to their home organisation after the termination of their secondment contract (Trondal 2004; Trondal et al. 2008). Nonetheless, during their secondment, most SNEs are integrated as ordinary members of staff, albeit with some restrictions on their responsibilities.<sup>3</sup>

The article proceeds as follows. The next section outlines an organisational approach that specifies two independent variables invoked to explain behavioural perceptions among SNEs: First, the organisational affiliations of SNEs (primary and secondary organisational structures) and, secondly, the organisational composition of primary structures (the Commission and its sub-units). After having outlined the survey data and methodology applied for data collection, the subsequent section presents the survey’s main results. These are presented in two stages. The first stage reports on SNEs’ career tracks, both as regards past, present and future career patterns. Stage two brings us to an analysis of the (self-perceived) behavioural, role and identity patterns evoked by SNEs while working in the Commission.

## **2. An organisational approach**

According to an organisational approach, organisational structures may serve to systematically buffer the information and role expectations relevant for actors, thereby simplifying their search for alternatives, their preference formation and, ultimately, their choice of decision-making behaviour (Egeberg 1999; Thelen and Steinmo 1992). The local rationality of actors is systematically aggregated by this buffer function into organisational rationality (Gulick 1937; Simon 1957). The organisational selection of relevant information, of premises for decision-making and of role enactment, might systematically affect how actors think, feel and act. Subsequently, administrative behaviour is expected to systematically reflect organisational structures (Stinchcombe 2001).

This article evaluates how such organisational variables regulate, constitute and construct the decision-making behaviour that emerges within political institutions such as the Commission (Skowronek 1982). As regards explaining decision-making behaviour among governance actors, formal organisations offer codified and normative structures for incumbents. In order to understand the process whereby actors adopt particular patterns of behaviour and roles, organisation theory specifies the normative structures embedded in these organisational principles and the logic of action underneath. The mechanism supporting an organisational approach is the bounded rationality and computational limitations of actors (Simon 1957). Formal organisations provide cognitive and normative shortcuts and categories that simplify and guide actors’ choice of behaviour and roles (Simon 1957). They provide frames for storing experiences, cognitive maps categorising complex information, procedures for reducing transaction costs, regulative norms that add cues for appropriate behaviour, and physical boundaries and temporal rhythms that guide actors’ perceptions of relevance with

respect to administrative behaviour (Barnett and Finnemore 1999; March 2010; March and Olsen 1998). Organisations also discriminate between what conflicts should be attended to and what conflicts should be de-emphasised (Egeberg 2003). By organising civil servants into permanent bureaucracies above the state, a system of ‘rule followers and role players’ is established relatively independently of the domestic branch of executive government (March and Olsen 1998: 952).

Two sets of organisational variables can be derived from this line of argument:

#### **a) Organisational affiliations**

The first independent variable considered represents the characteristics of the relationships that may develop *between* organisations. Commission SNEs typically have dual organisational affiliations – both national and international – that may pose a double set of cognitive frames, incentives, and norms of appropriate conduct. However, the bounded rationality of humans reduces their capacity to attend to more than one organisation at a time (Simon 1957). Hence, there might be a hierarchy of organisational affiliations present in the mind of actors. A logic of primacy implies that *primary* organisational affiliations of civil servants are likely to affect behavioural patterns more extensively than *secondary* affiliations (Ashford and Mael 2004: 141; Egeberg 2006).

The SNE contracts prescribe that SNEs have their primary organisational affiliation inside the Commission. They are expected to transfer their organisational affiliation from the domestic government to the Commission for a relatively short period of time (i.e., maximum six years). Assuming that the behavioural perceptions of SNEs conform to this prescription, they are likely to be more supranationally than intergovernmentally oriented while seconded to the Commission. It would then also be more likely that SNEs attend to concerns of the Commission and its sub-units than to those of member-state governments and ministries.

#### **b) The organisational composition of the Commission**

The second independent variable is the organisational composition of primary structures – i.e., the Commission and its sub-units. Organisations tend to accumulate conflicting organisational principles through horizontal and vertical specialisation (Olsen 2010). First, formal organisations may be specialised by the major *purpose* served – like research, health, food safety, etc (Gulick 1937). This principle of organisation tends to activate patterns of co-operation and conflicts along sectoral cleavages (Ansell 2004: 237; Egeberg 2006). Arguably, organisation by major purpose served is likely to guide decision-making dynamics within portfolio logic where preferences, contact patterns, roles and loyalties are directed towards task portfolios, DGs and sub-units, rather than between them. The Commission DG and unit structure is a prominent example of this horizontal principle of specialisation (Egeberg and Trondal 1999). The Commission is a horizontally pillarised system of government specialised by purpose and with fairly weak organisational capabilities for horizontal co-ordination at the top through Presidential command (Trondal 2010).

A second principle of horizontal specialisation present within the Commission is the principle of the major *process* utilised – like administration, legal service, personnel services, etc. (Gulick 1937). This horizontal principle encourages the horizontal integration of functional departments and the disintegration of the major purposes served. Within the Commission, the internal services like Legal Service and the DG for Translation illustrate the process principle.

Still, the Commission is primarily organised horizontally by purpose, and its organisation by function is secondary (Egeberg and Trondal 1999).

Finally, the Commission also embodies a territorial principle of organisation as well as a party political component. First, territorial concerns are embedded into the Commission services by the recruitment of *de facto* national officials (which is especially evident in the case of SNEs), notably among Administrators (ADs), Cabinets and Commissioners. Secondly, a party political component is organised into the College, particularly because Commissioners often tend to be political (but also technocratic) heavyweights and because of the creeping parliamentarisation of the College (Nugent 2006).<sup>4</sup> However, “territorial components in the organisation have continuously been weakened” (Egeberg 2006: 36), and the party political component is virtually irrelevant at the level of SNEs.

In sum, the Commission is a ‘multi-organisation’ organisation specialised primarily according to two conventional principles of organisation (Christiansen 1997), contributing to “sending ambivalent signals to Commission officials” (Hooghe 1997: 105). During the contract period, the Commission serves as their primary organisational affiliation, rendering them particularly sensitive to the organisational signals and selections provided by the Commission organisation. It can thus be expected that the horizontal specialisation of the Commission administration by purpose and process is conducive to autonomisation of the behavioural perceptions of SNEs, making them less sensitive to the concerns of member-state government(s) and ministries.

### 3. Data and methods

Member-state officials may be organisationally integrated into the Commission in at least two ways. The first is by inviting member-state officials into permanent and temporary *committees* (Egeberg et al. 2003). The second – and the central concern of our article – is by appointing them outside the regular recruitment procedures on short-term *secondment contracts* (Trondal 2004). While such SNEs exist both bilaterally among EU member-states and between the different EU institutions, the Commission has particularly used the SNE system for complementing its permanent staff. In fact, the High Authority of 1952 had a large number of SNEs from member-state governments among its staff, and the intention of its first President (Jean Monnet) was that the High Authority should rely on a seconded, flexible staff of top experts (Duchêne 1994: 240). Although SNEs never actually dominated the Commission staff, their number steadily increased – especially during the 1990s, when the rapid task expansion under the Delors Commission created a need for additional staff outside regular posts (CLENAD 2003; Trondal 2004: 71). Even now, the main rationales for the Commission to incorporate SNEs are the need to have a flexible workforce at the disposal of its permanent staff, to quickly expand the Commission during times of enlargement, and to obtain the ability to exploit outside expertise absent in the permanent staff. From a more strategic perspective, SNEs can also be seen as “key resources for the European Commission to sound out the acceptability of a particular proposal for a given Member State” (Geuijen et al. 2008: 104). Finally, hiring SNEs is also a way for the Commission to compensate for the rather rigid and slow recruitment processes for permanent AD positions.

-- Table 1 about here --

In Table 1, we summarise the number and distribution of SNEs across the different DGs (and policy areas) in the Commission, reflecting the situation in May 2011 (when our survey among SNEs ended – see below). In columns (1) and (2), we provide information regarding the size of each DG in terms of, respectively, its 2011 budget and its number of permanent AD-level staff.<sup>5</sup> Column (3) gives the number of SNEs working per DG. All remaining columns provide information regarding the distribution of SNEs across the various DGs. Column (4), for instance indicates that DG MARKT has one SNE for every 5 permanent AD staff, while Column (5) shows that SNEs make up 14 percent of AD-level staff (SNEs + permanent AD staff) in DG MOVE. Finally, Column (6) reflects the share of all SNEs that is located in a particular DG. While SNEs are a rare presence in purely administrative and translation services (see the bottom rows of Table 1), they make up more than 15 percent of AD-level staff in DGs ECFIN, MARKT, CLIMA, TAXUD and ESTAT (i.e., Eurostat). Interestingly, DG AGRI is the only policy DG with a very low presence of SNEs (i.e., one SNE per 35 permanent AD staff). Its budget size – DG AGRI administers over half of the Commission’s budget – cannot be the only explanation for this observation, as SNEs make up roughly 10 percent of AD-level staff in DG REGIO, which administers 30 percent of the Commission’s budget. The difference probably attests to the politically highly sensitive nature of agricultural policy, where SNEs might be seen as a potential threat to a fragile balancing exercise. Reversely, however, their background constitutes a unique source of crucial information about the regions in question, which is vital to the working of DG REGIO.

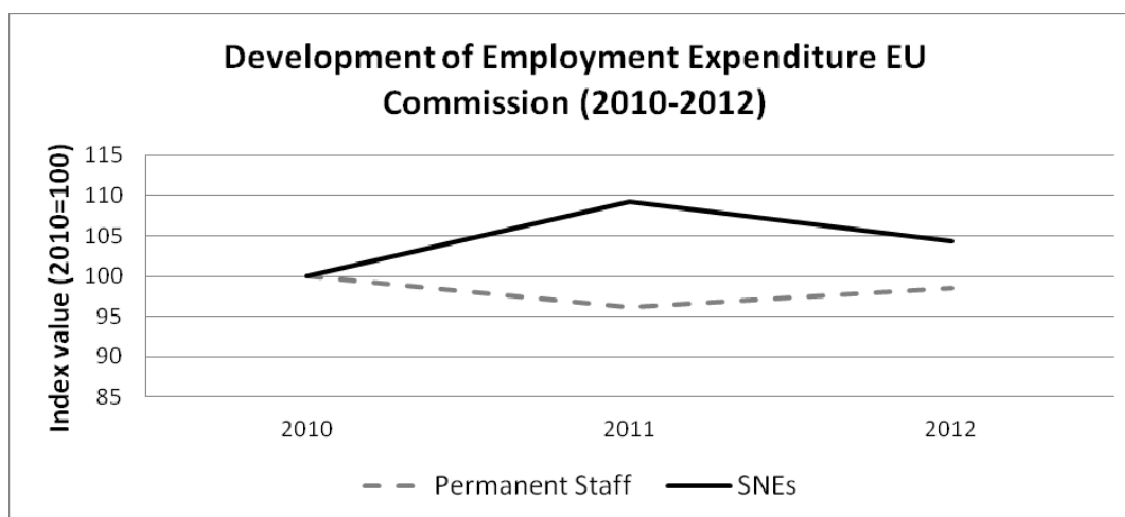
The dataset for the analysis below derives from a web-based survey administered between January and April 2011 to all 1098 currently active SNEs in the Commission. We received 667 responses, representing a response rate of just over 60 percent. As not all SNEs answered all questions, the final sample varies between 450 and 550 respondents depending on the question.<sup>6</sup> Although background characteristics for all SNEs were not made available to us, our sample appears quite representative. For example, respondents show a wide variety of institutional backgrounds as they derive from 25 different DGs and 12 additional services. Their distribution across DGs compares to that observed in Table 1 for all current SNEs: i.e., we have more respondents from policy-intensive areas (such as Eurostat, taxation and climate action) compared to purely administrative areas (such as human resources and language services). The dataset also covers 32 nationalities (with France, Italy and Germany each representing 6 to 7 percent of the sample).<sup>7</sup> There is also a reasonable gender (40 percent female) and age distribution (no age group represents more than 7 percent of the sample, and about 55 percent is between 33 and 47 years old). These numbers fairly closely match the distribution of Commission permanent staff at the AD level with respect to age (53 percent between the age of 33 and 47), gender (40 percent female) and nationality (e.g., Italy, France and Germany represent 5 percent, 6 percent and 6 percent, respectively, of Commission AD-level staff). As there is no reason to assume that SNEs are substantially different from permanent Commission staff in these respects, this suggests our sample is reasonably representative of the overall SNE population. Finally, our respondents are fairly evenly spread across the 4-year SNE-term (34 percent of our SNEs were in their first year, while 18 percent, 27 percent and 21 percent of the SNEs were in years two, three and four, respectively).

## 4. Results

One core ingredient of the transformation of the European executive order lies in its increasing integration of government institutions and staff across levels through the use of temporary staff (e.g., Thatcher 2005; Hofmann 2008; Trondal, 2010; Murdoch and Geys,

2011). The Commission, for instance, is increasingly integrating member-state administrations into the fabric of day-to-day decision-making, contributing to a “de-bordering” of executive governance in Europe (Kohler-Koch 2005: 12). Its White Paper on Governance (issued by the Commission in 2001) particularly stresses the benefits of an “exchange of staff and joint training between administrations at various levels” (European Commission 2001: 13). Moreover, the need for more staff to address its growing number of tasks and the accession of new member-states has led the Commission to “increasingly resort to external assistance through temporary employment arrangements, partly due to budgetary stringency and partly to changing agendas that require expertise” (Suvrierol *et al.*, 2008: 106; see also Guijen *et al.* 2008). One particularly striking example is related to Croatia’s upcoming accession in 2012. While tasks related to the preparation of new member-states have traditionally been the domain of permanent AD officials, no fewer than 42 out of 46 additional (full-time equivalent) staff members requested by the Commission in its 2012 budget to help prepare Croatia’s accession were to be contract agents (European Commission 2011a). Moreover, “appropriations for 117 other agents (contracted agents and seconded national experts) are requested until full membership of Croatia in July 1, 2013” (Amending Letter No2 to the Draft general Budget 2012: 16).

**Figure 1. Development of administrative expenditure in the Commission (2010-2012)**



Source: Own calculations based on European Commission (2011), Draft General Budget 2012/Section 3 European Commission/ Appropriations Payments for 2011.

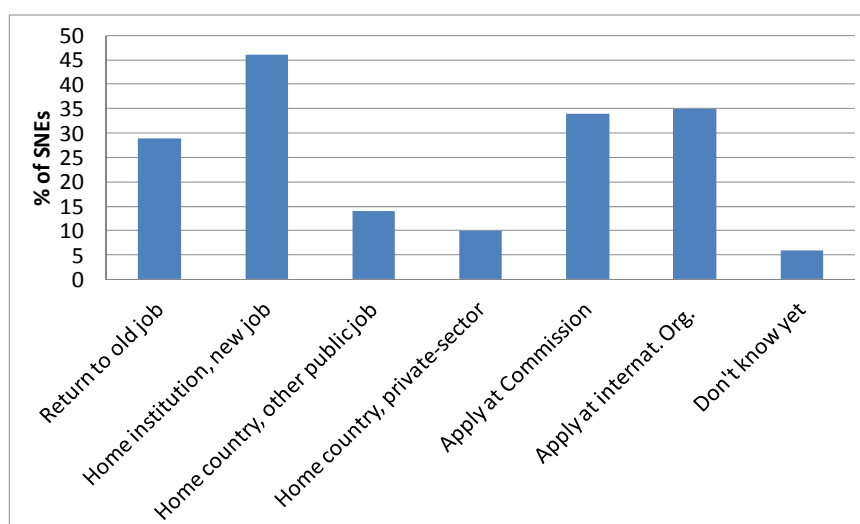
The current austerity environment has further highlighted the potential benefits of such contracted government to the Commission. Indeed, reflecting these “challenges of today” and the zero-growth policy (in permanent posts) initiated by the Commission in 2007 (see SEC(2007)530), the Commissioner for Interinstitutional Relations and Administration recently proposed the Commission should strive to *i)* meet new political priorities through internal redeployment of staff; *ii)* implement a five percent reduction of staff in all categories in all institutions at the 2012 levels (by exploiting normal turnover rates); *iii)* fulfil secretarial and clerical tasks by contractual staff rather than officials with lifetime appointments; and *iv)* raise the maximum duration of contracts of other contract agents in the institutions from three years to five years (Šefčovič, 2011: 1-3). In fact, spending on permanent staff declined with roughly 1.5 percent over the 2010-2012 period, while expenditures on contracted SNEs increased with 4.3 percent.<sup>8</sup>

A considerable part of the Commission's output is initiated, drafted, and put on the agenda at the administrative level. To understand Commission decision-making, one thus has to unpack the behaviour also of contracted personnel. To this end, our survey results are presented in two stages. The first stage reports on SNEs' career tracks, both as regards past, present and future career patterns. It is important to understand SNEs' motivational and professional backgrounds as they can have an important bearing on their decision-making behaviour. Stage two brings us to an analysis of the (self-perceived) behavioural role and identity patterns evoked by SNEs while working in the Commission. This analysis intends to elucidate how these patterns systematically reflect the organisational affiliations of SNEs inside the Commission, but also their organisational embedment within the different Commission units and sub-units.

### Stage I: Career tracks outside and inside the Commission

SNEs are recruited to the Commission on short term contracts and Figure 2 (below) suggests that a majority foresees a return to (old or new) positions in their home institution when their contract comes to an end. This temporal proximity of their expected 'return home', as well as SNEs' continuous financial connection to their home institution (which continues to pay their salary during secondment, see above) would seem to give SNEs very strong ties to their home institution. In an attempt to overcome this, SNEs have to swear an oath of neutrality and loyalty to the Commission, which effectively transfer their *primary* organisational affiliation temporarily from member-state administrations to the Commission. Even so, however, they appear granted a B-status compared to ordinary Commission officials. Indeed, while SNEs until recently could make decisions within the Commission on *almost* the same footing as permanent AD-officials because "national experts have the same rights and obligations as EU officials" (European Commission 2002: 50), Article 6 of the new Commission rules claims that an "SNE shall take part in missions or external meetings only if accompanying a Commission official or temporary agent, or acting alone as an observer or for information purposes" (European Commission 2004). Interestingly, however, SNEs do not appear to perceive their position in the Commission as secondary. Indeed, as shown in Table 2, a very large majority feels they are treated in much the same way as permanent Commission officials. This perception is much stronger as regards their own DGs, units and other DGs than relative to the Commission as a whole.<sup>9</sup>

**Figure 2. SNEs' intention after secondment (N = 461)**



**Table 2. “In your opinion, are you in general treated the same as permanent Commission officials?” (percent)**

	<i>“Always”</i>				<i>“Never”</i>	<i>“don’t know”</i>	<i>Total</i>
By your unit/DG	44	34	13	6	2	1	100 (493)
By other DGs	42	29	11	2	2	15	100 (477)
By the Commission as a whole	22	34	20	10	4	11	100 (476)

Table 3 reports the main professional affiliations of SNES prior to their current secondment. Not surprisingly, most SNEs arrive from domestic government institutions, most notably from domestic ministries and much less from domestic agencies and directorates. Interestingly, while the aim of the secondment is to attract expertise and knowledge not available in the Commission’s permanent staff, a surprisingly small share of SNEs derives from universities or research institutes. Moreover, the large majority of such ‘academic’ SNEs in our sample works either in Eurostat or the Joint Research Council (JRC), while they remain largely absent in substantive ‘economic’ DGs such as DG Trade, DG Ecfin and DG Taxud.

**Table 3. “What was your main professional affiliation prior to current secondment?” (percent)**

Domestic ministry	63
Domestic agency/directorate	28
University or research institute	6
Non-governmental organisation	1
International organisation(s)	1
Total	100 (539)

Although not tabulated, our data also suggest that most SNEs serve only one term (i.e., one contract) in the Commission.<sup>10</sup> That is, 94 percent of our respondents report that this is their first secondment to the Commission, while 97 percent report having no prior secondments to other EU institutions (such as the European Parliament, the Union Council, etc.). Hence, the experience or expertise brought to the Commission is largely constrained to that obtained by SNEs in their domestic ministry or agency. As most SNEs also plan to return to this home institution (see Figure 2), being a SNE clearly seems to be regarded as a one-time experience for most national officials.

This, however, rises the question what the initial motivations for national government officials are to become a SNE? Why do national officials choose to leave their home office and apply for short-term contracts in the Commission? Prior to their secondment, SNEs may obtain formal and informal briefings about life and work during and after secondment to the

Commission (Trondal *et al.* 2008). These briefings prepare them for behavioural expectancies from the Commission as well as inform them about secondment's network and career prospects *before* their own posting. Table 4 suggests that most SNEs have a multifaceted set of reasons for becoming contracted to the Commission. There are, however, two particularly recurrent motivations. Most frequently reported is that national officials “need a new challenge” in their career. Almost equally important is the wish to work for the Commission. Thus, a combination of more general work-life ambitions and a targeted goal to work for the Commission seem to be important drivers for recruitment. Comparatively fewer SNEs have chosen their secondment to advance their careers.

**Table 4. “Why did you apply for your current secondment?” (Percent reporting “yes”)**

I was asked to apply	25
I needed a new challenge	57
I wanted to work in the Commission	50
I wanted to work in the European Union's institutions	37
I wanted to work in an international organisation	39
I wanted to advance my career	35
I wanted to contribute to EU integration/EU ‘project’	34
Mean N	544

Partly due to their short tenure in the Commission, most SNEs report having worked in one DG (93 percent) and one unit (85 percent) during their short-term contract. 12 percent report having worked for two units. This low level of inter-service mobility partly reflects a short tenure within the Commission and the fact that SNEs are not obliged to move organisationally within the Commission services (as are permanent Commission officials). It is, however, also driven to a large extent by the fact that SNEs, by definition, bring a very specific expertise to the Commission. Being explicitly hired as experts in a particular field, their knowledge area tends to limit their ‘usefulness’ to one particular unit and/or DG.

## **Stage II: Decision-making behaviour, roles and identity perceptions**

Given the various ambiguities in SNEs’ status, it remains an empirical question what behavioural perceptions SNEs actually evoke during everyday work. This question obtains additional significance from the fact that SNEs do not necessarily work on technical dossiers only. When asked, a vast majority (76 percent) of SNEs in fact report that their issue area is either “very much” or “fairly much” characterised by public debate and political attention. Most SNEs thus agree with earlier observers’ views that these agents operate “in a highly political environment where the stakes for the EC and member states can be very high” (Geuijen *et al.* 2008, 68). While the Commission is dependent on the inflow of the expertise brought by SNEs, their work in politically sensitive areas and on files with substantial policy importance may, however, also pose a risk to the Commission. In fact, it is often thought that any member-state has an incentive to strategically make use of seconding to gain “substantial impact on decision-making and agenda setting” (Geuijen *et al.* 2008, 67), generating a

situation in which SNEs act as ‘Trojan horses’ sneaking member-state opinions into Commission’s policy decisions.

Table 5 takes a first look at the empirical relevance of such concern, and shows a fourfold set of roles that SNEs were asked to consider as relevant for their work in the Commission. The observations reported in Table 5 clearly reflect the organisational specialisation of the Commission and the organisational affiliations of SNEs. As one could expect, the role as unit and/or DG representative is perceived as slightly more important than the role as a Commission representative. The role as an independent expert, however, is also highly regarded. Importantly, and in line with previous studies on SNEs (Trondal 2006 and 2008), Table 5 illustrates that SNEs do *not* perceive their role to be a government representative or a ‘Trojan horse’ into the Commission. Most SNEs indeed perceive themselves to act fairly independently from member-state influence.

**Table 5. “To what extent do you feel you act as an ... .” (percent) \***

Independent expert	70
Representative of your country’s government	17
Representative of the Commission	87
Representative of your unit and/or DG	94
Mean N	481

\* Table 5 combines values 1, 2 and 3 on the following six-point scale: Fully (value 1), very much (value 2), fairly much (value 3), fairly little (value 4), very little (value 5), not at all (value 6).

Similar patterns are reported in Table 6, where we asked SNEs about the emphasis they put on the interests and concerns when working on policy proposals. This again shows that SNEs tend to work fairly independently of the particular interests of their home country. A high degree of behavioural independence among SNEs is also reported in recent research among permanent Commission officials (Trondal 2010). Hence, despite having an ambiguous and dual organisational affiliation (see above), Tables 4 and 5 do not report (perceived) behavioural ambiguities.

**Table 6. “When putting forward a proposal, how much emphasis do you put on the following concerns?” (percent)\***

Professional quality/expertise	99
Best interest of my unit/DG	91
Best interest of my home country	22
Best interest of the Commission/European Union	93
Mean N	459

\* Table 6 combines value 1 and 2 on the following five-point scale: Very much (value 1), fairly much (value 2), fairly little (value 3), very little (value 4), none (value 5).

Direct questions such as the ones reported on in Tables 5 and 6 obviously risk being influenced by socially desirable answers. SNEs know they are supposed to act solely with the interest of the Commission in mind. Hence, when asked about their allegiance and decision-making behaviour directly, many might feel socially obliged to report that they do not give much attention to their home country's best interests, or do not feel they represent their home country during secondment. Taking a more indirect route to the same issue, we also addressed SNEs' contact patterns and information networks. Indeed, the potential strategic value of SNEs – both to member-states hoping to affect Commission policy and to the Commission 'sounding out' member-states about policy proposals (Geuijen et al. 2008) – strongly depends on the existence of a continuous flow of information between the Commission and member-states in which the SNE acts as an information channel.

Table 7 reports on the contact patterns evoked by SNEs during their everyday work. The multifaceted set of contacts reported by SNEs is systematically patterned by the vertical and horizontal organisation of the Commission. Contacts are clearly concentrated within ones own DG and unit, both in terms of ones direct colleagues and the DG and unit leadership. Relevant colleagues in other DGs are rated third. Interestingly, Commissioners seems to be outside the course of most SNEs personal contact sphere. This holds particularly for Commissioners of other DGs, but to a very large extent also for SNEs' 'own' Commissioner. A very similar pattern arises when asking SNEs about their main sources of information. Particularly, SNEs main source of information is inversely related to the hierarchical level of the information source: i.e., colleagues are more important than – in that order – Heads of Unit, Directors and Commissioners.<sup>11</sup>

Although SNEs do not work to the benefit of particular national interests, Table 7 illustrates that they do seem to have fairly frequent contacts with domestic ministries and/or agencies generally. Yet, such contacts are not more frequent than those with ministries and/or agencies in other member-states, or with other international organisations, industry, universities and research institutes. In fact, slightly more SNE report frequent contacts with any of the latter rather than domestic ministries/agencies. This provides at least suggestive evidence against the idea that SNEs are merely a channel for particular national interests.

**Table 7. “How frequently do you have contacts and meetings with the following during a typical work week?” (percent)\***

Colleagues in your unit	97
Your head of unit and/or director	79
Your Commissioner	7
Colleagues within other DGs	42
Head of unit and/or directors in other DGs	13
Other Commissioner(s)	0
International organisation(s)	32
Domestic ministries and/or agencies in 'own' country	31
Domestic ministries and/or agencies in other countries	35
Industry, universities and/or research institutes	33

Mean N	468
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\* Table 7 combines values 1 and 2 on the following five-point scale: *Very often* (value 1), *fairly often* (value 2), *fairly seldom* (value 3), *very seldom* (value 4), *never* (value 5).

A similar observation can be made when asking in more detail about the frequency and nature of SNEs' contacts with their home institution. This is reported in Table 8. It shows that a majority of SNEs (57 percent) has "fairly infrequent" or fewer contacts with their own home institution. When asked about who generally initiates the contacts reported on in Table 8, 43 percent reports that these contacts are initiated by themselves ("always" or "mostly"), whereas only 8 percent reports that these contacts are initiated solely by their home institutions ("always" or "mostly") (the remaining 49 percent reports a "50/50" share between themselves and the home institution). Moreover, these contacts are conceived of as mostly of an informal nature (86 percent) and are characterised by a lack of institutionalised communication channels (e.g. conference call, written reports, etc.; reported by 79 percent of SNEs). Overall, therefore, despite the fact that SNEs do have contacts with their home institution, this contact pattern seems to be frail due to its informal and non-institutionalised character. This appears to substantiate that such contacts are not conceived of, or exploited, as a transmission mechanism for member-state influence.

**Table 8. "While on secondment, how often do you have contacts with your home institution?" (percent)**

<i>Very often</i>	<i>Fairly often</i>	<i>Fairly seldom</i>	<i>Very seldom</i>	<i>Never</i>	<i>Total</i>
11	32	32	19	6	100 (486)

Table 9 reveals how much importance SNEs attach to proposals, concerns and arguments from different institutions and sub-units. As with our findings above, Table 9 clearly shows the effect of the Commission's primary structures on the (self-perceived) decision-making behaviour of SNEs. In this case, however, our observations also reflect the organisational composition of the Commission services. Intra-unit and intra-DG proposals, concerns and arguments are indeed considered more important than those from outside ones own organisational turf. Table 9 also shows that the Commission (as reported by SNEs) is reasonably attentive to the concerns of external institutions such as international organisations, domestic ministries and agencies, industry, university and research institutes. Interestingly, these 'external' concerns are mentioned more often than those of 'other Commissioners' (which are mentioned least of all options provided). Overall, it is interesting to observe the strong overlap between the importance attached to proposals, concerns and arguments voiced by certain actors, and the role these actors play in the SNEs' contact pattern or his/her information network (see Table 7). A higher contact frequency, or more central placement in the SNEs' information tree, is reflected in higher importance attached to the concerns and arguments raised by this agent. This provides a possible explanation also for the observation that the administrative leadership (i.e., Heads of unit, Directors) receives substantially more importance than the political leadership (i.e., Commissioners) in SNEs' policy activity.

**Table 9. “When working as a national expert, seconded to the Commission, how much importance do you attach to the proposals, concerns and arguments from the following?” (percent)\***

Colleagues in your unit	99
Your head of unit and/or director	98
Your Commissioner	74
Colleagues within other DGs	70
Head of unit and/or directors in other DGs	61
Other Commissioner(s)	42
International organisation(s)	54
Domestic ministries and/or agencies	56
Industry, universities and/or research institutes	53
Mean N	454

\* Table 9 combines values 1 and 2 on the following five-point scale: very much (value 1), fairly much (value 2), fairly little (value 3), very little (value 4), none (value 5).

**Table 10. “Where do you perceive such conflicts occurring?” (percent)\***

Horizontally within your unit	16
Horizontally between different units of your DG	43
Horizontally between different DGs	69
Vertically between heads of unit and directors	18
Vertically between the Commissioner and the directors/head of unit of your DG	27
Between permanent and seconded officials	4
With member-state governments/ministries	37
Mean N	344

\* Table 10 combines values 1 and 2 on the following five-point scale: Very often (value 1), fairly often (value 2), fairly seldom (value 3), very seldom (value 4), never (value 5).

Finally, patterns of conflict and cooperation are an important proxy of decision-making dynamics within and between government institutions. A majority of SNEs report that ‘turf wars’ arise within the Commission (57 percent reporting “very often” or “fairly often”). Table 10 shows the distribution of conflict patterns within the Commission as well as vis-à-vis member-state governments and ministries. Reflecting the organisational composition of the Commission administration, conflicts tend to occur more frequently across than within organisational boundaries. Secondly, Table 10 shows that conflicts tend to be horizontal (especially between different DGs) rather than vertical within the Commission. Hence, patterns of cooperation and conflict are largely facilitated by the Commission structure. Still,

one third of SNEs perceive that conflicts also occur with member-state governments and/or ministries. Interestingly, conflict perceptions are substantially higher for SNEs working in DG REGIO, DG MARE and DG AGRI. This holds across all areas of conflict, but especially for conflicts perceived with member-states and horizontally across units within these DGs. Given the highly divisive nature of the policies involved (especially agriculture and regional policy) and size of the stakes involved (these three DGs jointly administer the majority of the Commission's budget; see Table 1), this is not surprising. Finally, conflicts do not arise between permanent and seconded officials, at least as perceived by SNEs. This observation supports the above finding of Table 2.

## 5. Conclusions

As part of a substantial transformation of the European executive order, the past few years have witnessed the increasing integration of government institutions and staff across levels (e.g., Thatcher 2005; Hofmann 2008; Trondal, 2010). As a consequence, "Europe's administrative bodies [are] filled with European and member-state bureaucrats, experts and politicians" (Murdoch and Geys, 2012: 2). Concomitantly, given a constrained budgetary environment and the Commission's zero-growth policy of permanent staff, the Commission's reliance on contracted personnel has increased over the past years – and is likely to increase in the years to come.

Both elements represent instances of policy-making at the European level being 'contracted-in', rather than remain performed by permanent administrative staff of the relevant institutions. Nonetheless, although such 'contracted government' is clearly gaining prominence at supranational levels, little systematic analysis into this phenomenon exists. This article provided a first step to bridge this gap by studying the behavioural and role perceptions of temporary officials in a supranational civil service. These serve as a particularly valuable case due to their double allegiance to their home organisation and to the Commission.

This study shows that contracted civil servants are largely integrated and committed to contracting government institutions. When under contract, such personnel seem to be mainly loyal and attentive to the concerns of the government under which they formally serve. Concomitantly, contracted government *does not* lead to civil servants less loyal and attentive to the concerns of government. Above the state level, our data show that contracted Commission personnel are largely integrated into the Commission apparatus and do not serve several masters. SNEs become strongly embedded into the Commission while under contract, and their (perceived) behavioural patterns are explained primarily with reference to their *primary organisational affiliation* towards the Commission and its sub-units as well as by the *internal organisational composition* of the Commission services. Hence, an early suspicion voiced by Coombes (1970) that SNEs are highly conscious of their national background is challenged by this study. A long lived assumption in the literature has been that the "secondment system would tend to produce an unmanageable cacophony" of officials loyal to the national civil service (Cox 1969: 208). For example, the Spierenburg Report argued that, "...[t]he Commission should ensure that the use made of national experts does not rise significantly above its present level, or again the risk is run of distorting the European character of the administration". This article severely challenges such claims. This conclusion also substantiates the finding in recent work that a portfolio logic is essential both at the level of Commissioners (Egeberg 2006) and among permanent Commission staff (Hooghe 2005;

Suvarierol 2007; Trondal 2010). The empirical observations presented in this study *suggest* that the behavioural and role perceptions of contracted staff are indeed equally affected by primary organisational structures. Contact patterns, perceptions of power relationships, and patterns of cooperation and conflict among contracted officials echo primary organisational structures rather than their paymasters in home governments.

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**Table 1. Seconded National Experts in the Commission, by DG (situation as of May 2011)**

POLICY AREA	DG	2011 Budget (Payments in mio €) (1)	PERM. ADs (2)	SNEs (3)	PERM. ADs per SNE (4) = (2)/(3)	SNEs in DG (% of all AD- staff) (5) = (3)/[(2)+(3)]	SNEs in DG (% of total SNEs) (6) = (3)/Σ(3)
Market oriented	COMP	93	476	51	9,33	9,68 %	4,64 %
	ECFIN	341	335	57	5,88	14,54 %	5,19 %
	ENTR	1209	472	52	9,08	9,92 %	4,74 %
	MARKT	<u>93</u>	<u>309</u>	<u>57</u>	<u>5,42</u>	<u>15,57 %</u>	<u>5,19 %</u>
	<b>Total</b>	<b>1736</b>	<b>1592</b>	<b>217</b>	<b>7,34</b>	<b>12,00 %</b>	<b>19,76 %</b>
External relations	ELARG	1013	176	22	8,00	11,11 %	2,00 %
	DEVCO	1393	762	67	11,37	8,08 %	6,10 %
	FPI	153	34	5	6,80	12,82 %	0,46 %
	ECHO	839	99	16	6,19	13,91 %	1,46 %
	TRADE	<u>104</u>	<u>342</u>	<u>47</u>	<u>7,28</u>	<u>12,08 %</u>	<u>4,28 %</u>
	<b>Total</b>	<b>3502</b>	<b>1413</b>	<b>157</b>	<b>9,00</b>	<b>10,00 %</b>	<b>14,30 %</b>
Social regulation	CLIMA	389 <sup>a</sup>	108	20	5,40	15,63 %	1,82 %
	EAC	1996	258	33	7,82	11,34 %	3,01 %
	EMPL	9126	333	51	6,53	13,28 %	4,64 %
	ENV	389 <sup>a</sup>	281	43	6,53	13,27 %	3,92 %
	SANCO	597	477	50	9,54	9,49 %	4,55 %
	HOME	724	174	29	6,00	14,29 %	2,64 %
	JUST	185	<u>186</u>	<u>24</u>	<u>7,75</u>	<u>11,43 %</u>	<u>2,19 %</u>
	<b>Total</b>	<b>13017</b>	<b>1817</b>	<b>250</b>	<b>7,27</b>	<b>12,09 %</b>	<b>22,77 %</b>
Supply Side	ENER	1536	247	26	9,50	9,52 %	2,37 %
	INFSO	1334	457	46	9,93	9,15 %	4,19 %
	MOVE	1142	244	41	5,95	14,39 %	3,73 %
	RTD	4117	751	50	15,02	6,24 %	4,55 %
	TAXUD	<u>115</u>	<u>240</u>	<u>56</u>	<u>4,29</u>	<u>18,92 %</u>	<u>5,10 %</u>
	<b>Total</b>	<b>8244</b>	<b>1939</b>	<b>219</b>	<b>8,85</b>	<b>10,15 %</b>	<b>19,95 %</b>
Provision	AGRI	55269	521	15	34,73	2,80 %	1,37 %
	MARE	719	174	16	10,88	8,42 %	1,46 %
	REGIO	<u>33519</u>	<u>331</u>	<u>35</u>	<u>9,46</u>	<u>9,56 %</u>	<u>3,19 %</u>
	<b>Total</b>	<b>89507</b>	<b>1026</b>	<b>66</b>	<b>15,55</b>	<b>6,04 %</b>	<b>6,01 %</b>
Research	ESTAT	124	307	58	5,29	15,89 %	5,28 %
	JRC	<u>396</u>	<u>887</u>	<u>42</u>	<u>21,12</u>	<u>4,52 %</u>	<u>3,83 %</u>
	<b>Total</b>	<b>520</b>	<b>1194</b>	<b>100</b>	<b>11,94</b>	<b>7,73 %</b>	<b>9,11 %</b>

<b>Central</b>	<b>BUDG</b>	69	172	9	19,11	4,97 %	0,82 %
	<b>COMM</b>	253	297	2	148,50	0,67 %	0,18 %
	<b>IAS</b>	114	67	2	33,50	2,90 %	0,18 %
	<b>BEPA</b>	191 <sup>a</sup>	18	3	6,00	14,29 %	0,27 %
	<b>SJ</b>	191 <sup>a</sup>	256	10	25,60	3,76 %	0,91 %
	<b>OLAF</b>	<u>75</u>	<u>196</u>	<u>18</u>	<u>10,89</u>	<u>8,41 %</u>	<u>1,64 %</u>
	<b>Total</b>	<b>702</b>	<b>1006</b>	<b>44</b>	<b>22,86</b>	<b>4,19 %</b>	<b>4,01 %</b>
<b>Multilingualism</b>	<b>SCIC</b>	393	663	0	0,00	0,00 %	0,00 %
	<b>DGT</b>		<u>1861</u>	<u>9</u>	<u>206,78</u>	<u>0,48 %</u>	<u>0,82 %</u>
	<b>Total</b>	<b>393</b>	<b>2524</b>	<b>9</b>	<b>280,44</b>	<b>0,36 %</b>	<b>0,82 %</b>
<b>Administrative <sup>a</sup></b>	<b>DIGIT</b>		155	3	51,67	1,90 %	0,27 %
	<b>HR</b>		180	15	12,00	7,69 %	1,37 %
	<b>OIB</b>		65	0	0,00	0,00 %	0,00 %
	<b>OIL</b>		27	0	0,00	0,00 %	0,00 %
	<b>SG</b>	1017	224	12	18,67	5,08 %	1,09 %
	<b>PMO</b>		32	0	0,00	0,00 %	0,00 %
	<b>OP</b>		106	0	0,00	0,00 %	0,00 %
	<b>EPSO</b>		<u>27</u>	<u>6</u>	<u>4,50</u>	<u>18,18 %</u>	<u>0,55 %</u>
	<b>Total</b>	<b>1017</b>	<b>816</b>	<b>36</b>	<b>22,67</b>	<b>4,23 %</b>	<b>3,28 %</b>
<b>Total</b>		<b>118638</b>	<b>13327</b>	<b>1098</b>	<b>12,14</b>	<b>7,61 %</b>	<b>100%</b>

Note: <sup>a</sup> The Commission's 2012 draft budget refers to one joint policy area "Environment and Climate Action", one policy area "policy coordination and legal advice" and provides only an aggregate "administrative" budget.

Sources: European Commission (2011), European Commission Human Resource Report 2011; European Commission (2011), Distribution of Staff by Statutory Links and DGs; European Commission (2011), Draft General Budget 2012/Section 3 European Commission/ Appropriations Payments for 2011.

## Notes

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- <sup>2</sup> Additional financial allowances are granted by the Commission. They include a daily allowance for living expenses and either removals costs (at the start and end of the secondment) or an extra monthly allowance.
- <sup>3</sup> E.g., they do not have the authority to represent the Commission externally or to enter into any commitments on behalf of the Commission.
- <sup>4</sup> One might argue that more recent Commission Colleges have been increasingly composed of technocratic rather than political heavyweights. The Barroso I Commission may be seen as considerably lighter on political heavyweights than was the Prodi Commission. Also, the Barroso II Commission is perhaps even more technocratic as regards commissioners’ background.
- <sup>5</sup> The ‘AD’ category refers to individuals at the level of administrators/advisors and higher. This group is most relevant as a comparison group because SNEs’ positions at the Commission are generally equivalent to an AD-level position. It is also the group of bureaucrats most often studied in existing studies of executive bureaucracies (e.g., Bauer 2011; Hooghe 2005; Kassim *et al.* 2008).
- <sup>6</sup> There is an exception for questions regarding turf wars and conflict. This clearly constituted a sensitive area and the number of respondents here dropped to roughly 350.
- <sup>7</sup> This exceeds the current number of 27 EU member-states since SNEs can also come to the Commission from, for instance, EFTA member-countries (such as Norway and Iceland).
- <sup>8</sup> As is clear from Figure 1 – where we depict the evolution of the Commission’s administrative spending on permanent staff (the grey dotted line) and administrative spending related to seconded national experts (SNEs; the full black line) over the period 2010-2012 – this intended further ‘contracting out’ of tasks intensifies the Commission’s current policy.
- <sup>9</sup> Similar pattern are reported when asking SNEs whether they are kept sufficiently informed about what goes on in their unit, DG, other DGs and in the Commission as a whole. Generally, SNEs tend to be better informed about intra-unit and intra-DG affairs than about what goes on within other DGs and the Commission as a whole. These observations show patterned behavioural perceptions that are caused by the organisational structure of the Commission services. This silo-logic is also reported among permanent Commission officials (e.g. Bauer and Ege 2011; Trondal 2011).
- <sup>10</sup> Officials have to wait six years before doing a second term as SNE. This may cause officials to only having one term as SNE in the Commission
- <sup>11</sup> Reversely, the formality of the information flow is directly related to the hierarchical level of the information source. That is, information exchange with colleagues and heads of unit often proceeds on substantially more informal basis than that with directors or, if available, Commissioners.

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