

Practice Name:

## Corruption Prevention and Transparency officers (RTPC) and the 3-year plans

Practice category:

Appointment of anti-corruption institutional figure



Contact:

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Country:

Italy

### Fraud risk(s) countered

- Conflict of interest
- Corruption

### Context and objective(s)

The Italian National Anti-Corruption Authority (ANAC) was set up in 2012 following the 'Anti-Corruption Law' (Law No. 190/2012 on preventing and combating corruption and illegal activity in public administration). ANAC started with 30 staff members but now has around 300 staff members following the merger with the Authority of Supervision of Public Contracts in 2014.

The Anti-Corruption Law emphasises the importance of preventing fraudulent behaviour. To this end, ANAC introduced a National Anti-Corruption Plan (NACP) complemented by the 2 following measures at sub-national levels:

- The 3-year Plan for the Prevention of Corruption and Transparency (PPCT)
- The Officer Responsible for Transparency and for the Prevention of Corruption (RTPC)

### Description of the practice

#### 3-Year Plan for the Prevention of Corruption

By law, each public agency/administration/fully controlled State-owned firm must establish a **3-year Plan for the Prevention of Corruption (Piano triennale prevenzione corruzione)**. Each plan identifies, analyses and estimates the specific risks of corruption in the public administration and indicates appropriate preventative measures. Crucially, the plan is to be developed following the *engagement of citizens and other relevant stakeholders*. This means that every administration needs to hold public consultations and seek input on the plan before it is implemented. The plan needs to take into account the administration's specific size, features, and risks following the national guidelines<sup>1</sup>. An example of such a plan of the Managing Authority Agency for Territorial Cohesion:

<sup>1</sup> [https://www.interno.gov.it/sites/default/files/modulistica/nuovo\\_piano\\_2020-2022.pdf](https://www.interno.gov.it/sites/default/files/modulistica/nuovo_piano_2020-2022.pdf)

[Agency for Territorial Cohesion - attachment to the three-year corruption prevention and transparency plan 2019- 2021 https://www.agenziacoesione.gov.it/wp-content/uploads/2019/02/Decreto\\_24\\_2019\\_ALL3.pdf.](https://www.agenziacoesione.gov.it/wp-content/uploads/2019/02/Decreto_24_2019_ALL3.pdf)

### **The Officer Responsible for Transparency and for the Prevention of Corruption (RTPC)**

Each public administration also needs to appoint an officer Responsible for the Transparency and the Prevention of Corruption. The functions of this officer are:

- To coordinate and implement the plan and its measures.
- To revise all internal procedures/IT applications accordingly
- To alert competent authorities if anti-corruption measures are not respected
- To verify that rotation systems are adopted when appointing civil servants for activities, where there is a higher risk of corruption offences
- To ensure compliance with Legislative Decree 39/2013 on incompatibilities situations with public office.

This 2-part practice (plans and officer) undeniably also applies to public administrations that manage ESI Funds. To this end, a Memorandum of Understanding was signed with the Managing Authority (Agency for Territorial Cohesion) of the National Operational Programme 2014-2020 “PON GOV” to develop a set of specific indicators to combat fraud in public administration<sup>2</sup>.

Two examples of applications in national and regional Managing Authorities are:

- At the National level: the plan of the Ministry of Labour for national operational programmes<sup>3</sup>
- At the Regional level: the plan of the Puglia Managing Authority for the ERDF-ESF Regional Operational Programme<sup>4</sup>,

In order to support the sharing of practices, a platform was set up by ANAC in order to collect the plans. Each administration can decide to upload their plan online. In doing so, the plans are publicly available and can offer input for standardised practices across Italian public administrations. In addition, the platform allows ANAC to monitor procedures and identify trends. To date, 3400 public administrations have updated information on the database.

Complementary to this, a database of RTPC officers is now in place. It works on a voluntary basis but now includes almost 5000 officers<sup>5</sup>. Finally, ANAC launched a social cooperation platform called FORUM RPCT to further support the exchange of practices within the RPCT-network<sup>6</sup> as well as a public day for Transparency dedicated to the RTPC officers (in 2020 ANAC hosted the event online, gathering 1000 participants).

### **Unique features**

These two practices are innovative for the following reasons.

- Stakeholders engagement and public consultations. All plans are subject to public scrutiny. The public administrations need to actively seek citizens’ and stakeholders’ input. There are two ways in which Italian administrations hold public consultations. They publish the plan online and include a form which users can use to provide input. As an alternative, the administrations identify key stakeholders and hold consultations.

<sup>2</sup><https://www.anticorruzione.it/portal/rest/jcr/repository/collaboration/Digital%20Assets/anacdocs/Attivita/ProtocolliIntesa/2017/prot.Anac.20.11.2017.indicatori.corruzione.pdf>.

<sup>3</sup><https://www.lavoro.gov.it/Amministrazione-Trasparente/Altri-connuti/Documents/PTPCT-2020-2022.pdf>

<sup>4</sup><https://por.regione.puglia.it/documents/43777/165442/Policy+Antifrode+POR+Puglia+20142020.pdf/fb99adc5-4278-5e81-3c44-7e02bc86b6d8?t=1564393298806>

<sup>5</sup><http://dati.anticorruzione.it/#/rpct>

<sup>6</sup>[https://www.anticorruzione.it/portal/rest/jcr/repository/collaboration/Digital%20Assets/anacdocs/Comunicazione/Eventi/lettera%20RPCT%202020\\_VS\\_2.pdf](https://www.anticorruzione.it/portal/rest/jcr/repository/collaboration/Digital%20Assets/anacdocs/Comunicazione/Eventi/lettera%20RPCT%202020_VS_2.pdf)

- Transparency and Accountability. When proposing the plans, the relevant authority needs to accompany the publication of the plan with an explanatory note of how the plan has been put together. This is in compliance with Law Decree 33/2013 on Transparency.
- The measures overseen by the RTPC officer concern both the administration as a whole as well as the behaviour of each individual.

## Outcomes and results

Improved public management performance: a benchmarking study carried out in 2015 and based on structured interviews with RPCT-officers from large municipalities shows a positive correlation between the implementation of the plans and the performance cycle of each municipality<sup>7</sup>.

The United Nation UNODC's country report for the review cycle 2016-2021<sup>8</sup> noted the success of the RPCT officers and highlighted the project as a good practice on page 23 of the report. The introduction of a dedicated anti-corruption officer in every state agency has led to a greater implementation of corrective measures.

## Key success factors

- Guaranteeing the autonomy of RPCT officers and shielding them from undue pressure of politicians.
- The profile of RPCT officers needs to be of high level, have proper authority in the administration, and gather the right skills/competences
- Targeted/focused plans which identify risks which are specific and relevant to the administration

## Challenges encountered & lessons learned

The highest levels of administrations do not always give the proper attention to the fight against corruption. There needs to be more **awareness of anti-corruption at the highest levels** and a clear culture promoting anti-corruption across the administrations. As an example, there is still a low level of the **rotation of executive officers** operating in areas at a higher risk of corruption. Rotation is needed to prevent inappropriate power relations that could lead to fraudulent behaviours. Evidence, however, shows that rotation is only adopted by 40% of administrations.

## Potential for transferability

This practice was shared with other countries throughout EU twinning projects (Serbia, Turkey, Montenegro) and other governments are looking into introducing anti-corruption and transparency officers into local administrations.

The model was applied in the context of EXPO 2015 Milano and was therefore taken as an example by OSCE (Organisation for Security and Cooperation in Europe) in its technical workshops on corruption prevention.

<sup>7</sup> <http://qualitapa.gov.it/sitoarcheologico/risorse/focus/focus-detail/article/benchmarking-sullimpatto-organizzativo-dei-piani-triennali-di-prevenzione-della-corruzione-tra-i-co/index.html>

<sup>8</sup> [http://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2019\\_11\\_22\\_Italy\\_Final\\_Country\\_Report.pdf](http://www.unodc.org/documents/treaties/UNCAC/CountryVisitFinalReports/2019_11_22_Italy_Final_Country_Report.pdf)