

Republic of Lebanon
Office of the Minister of State for Administrative Reform
Center for Public Sector Projects and Studies
(C.P.S.P.S.)

Fact-Finding Survey

The Central Inspection

OMSAR / PMC / CI

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A. The Existing Situation

1. Mandate and Mission:

The Central Inspection, according to Legislative Decree No. 115/59 (The Establishment of the CI), is responsible for:

- Controlling the administrations, public agencies and municipalities;
- Seeking to improve administrative work procedures;
- Providing advice to the administrative authorities either spontaneously, or upon their request;
- Coordinating work among many administrations;
- Conducting studies and investigations, as requested by the authorities

The scope of work: includes the civil service, public autonomous agencies (with the exception of the Council for Development and Reconstruction, the National Social Security Fund and the Central Bank) and the municipalities (with the exception of the decision-making and executive authorities).

The judiciary, army, interior security forces, general security, the Lebanese delegations abroad and the Lebanese University are only subject to financial inspection.

The Tobacco Public Authority and the Agricultural Industrial and Real-Estate Credit Bank are only subject to the partial control of the CI. The latter controls the work of the Government Commissioner and the Financial Controller located in the former agencies.

Problems:

- LD 115 starts immediately by stating the activities of the CI without defining the objectives of this central body.

- LD 115 overemphasizes the legalistic aspect of the inspection function. The major role of the inspectors focuses on chasing violations of rules and regulations made by employees. The policing role overrules the performance improvement role.

2. Organizational Structure:

The CI is composed of the following units:

- The Board
- The CI Administration which includes:
 - The **General Administrative Inspectorate**: it supervises the work of administrations, especially with regard to performance and discipline of employees as well as the legality of their work. It follows up the complaints of citizens.

 - The **General Engineering Inspectorate** which is divided into:
 - *Civil and Transportation Engineering Branch: inspects the work of administrations in the fields of roads, water, minerals, land-survey and transportation.
 - *Electrical, Mechanical and Communication Engineering Branch which inspects the work of administrations in these fields.

-The **General Educational Inspectorate**: it inspects all public educational institutes at all levels and in the various fields, mainly the flow of work, competence and conduct of teachers, application of educational regulations and curricula, application of official exams regulations. The General Educational Inspectorate also controls the work of Educational Guides.

-The **General Health, Social and Agricultural Inspectorate**: inspects the work of administrations involved in social and health activities, hospitals and social institutions. The agriculture and veterinary medicine branch inspects the administrations and institutions involved in such activities.

-the **General Financial Inspectorate**: it audits the implementation of financial laws and regulations (setting and collection of taxes, fees and other revenues; expenditures and management of public financial resources); the maintenance of public financial resources and accounts; the conformity of the work of employees involved in financial management and execution of the budget in compliance with laws and regulations.

The prerogatives of the General Financial Inspectorate include the judiciary, the army, interior security forces in addition to public administrations, agencies and municipalities. This general inspectorate controls the proper implementation of agreements concluded with health and social institutions, and inspects everything that bears financial consequences.

In addition to the above general inspectorates, the CI has 3 General Inspectors with no portfolios.

Each general inspectorate is headed by a grade one civil servant who supervises inspectors who are either grade two, or grade three civil servants.

The CI is also composed of the Research and Guidance Administration and the Procurement Administration. The former will be transferred to the Civil Service Board.

The following is an organizational chart of the CI:

Problems:

-The general structure of the CI lacks coherence. Three distinct functions are located in one central body:

- *Inspection (controlling function)
- *Research and Guidance (organizational function)
- *Procurement (executive function)

The Research and Guidance Administration will be transferred to the Civil Service Board. The Law has been passed, but the RGA is still waiting for the issuance of the organizational decree.

-The structure lacks some specializations that are required by the CI (eg. pharmacy, environment, topography, the new educational curriculum).

-The big volume of work generated by the General Inspectorate overburdens the CI Board which has to study and decide on all the reports submitted by the inspectors through the General Inspectors concerned.

-There is a wide span of control. For instance, the General Educational Inspector supervises the work of 80 inspectors. The General Inspectors, in general, are overburdened with reports and follow-up activities.

-The Educational Inspectors are interfering in the administrative and financial issues of the public schools. They neither have the qualifications to exercise such control, nor are supposed to exercise it according to the mandate.

-Three distinct types of inspection are grouped in one General Inspectorate which is the "General Health, Educational and Agricultural Inspectorate".

3. Planning, Monitoring and Evaluation Systems:

The CI Board develops an annual inspection program. In October the Secretary General of the CI Board sends letters to the parties subject to inspection asking them to propose the issues and programs to be inspected. The answers must be provided before December, the month in which the CI Board develops the annual program.

The annual program is interrupted by the special inspection requests issued by the Head of the CI Board, or the Head of the Civil Service Board, or the Head of the Court of Audit, or the Public Prosecutor at the Court of Audit, or the Minister, or the Director General. The Council of Ministers can also ask the CI to conduct specific inspection investigations.

The evaluation of the work of the CI during a specific year and the obstacles impeding its smooth functioning is included in the annual report. The report highlights the number of inspection missions conducted by each general inspectorate, the number and type of proposed penalties (range between reprimand, salary reduction, delay of progression,

transfer to the Higher Disciplinary Board, or to the Court of Audit and end of contract) and recommendations. Most of the inspection missions are based on complaints received from the citizens.

The following is a sample of the evaluation of the work of the General Administrative Inspectorate, as included in the 1999 annual report:

The General Administrative Inspectorate has conducted inspection in 24 ministries and in the autonomous agencies, provinces, districts and regional units. The General Administrative Inspectorate has participated in the administrative reform activities with regard to the reorganization of the Ministry of Information, and the preparation of the legal texts of the Ministry of Industry. It has also participated in the committees on investigation of urgent complaints transferred by the Presidential Palace according to Decision No 3/99 dated 28 January 1999, as well as in an investigation committee in the Ministry of Social Affairs and Ministry of Post and Telecommunications.

The General Administrative Inspectorate has received 379 complaints in addition to 61 complaints accruing from the last year. It has completed 309 reports, audited 639 minutes of meetings of boards of directors, implemented 63 Board decisions, audited thousands of decisions on sick leaves and administrative vacations, and gave their opinion on illegal decisions.

The following table indicates the activities of the General Administrative Inspectorate in 1999:

<i>Type</i>	<i>Number Received</i>	<i>Completed</i>	<i>Incomplete</i>
<i>Complaints included in the annual program</i>	<i>55</i>	<i>55</i>	
<i>Annual program reports</i>	<i>52</i>	<i>52</i>	
<i>Special authorizations</i>	<i>161</i>	<i>88</i>	<i>73</i>
<i>Investigation of information</i>	<i>163</i>	<i>82</i>	<i>81</i>
<i>Execution of the decisions of the CI Board</i>	<i>63</i>	<i>63</i>	
<i>Auditing the minutes of meetings of the boards of directors</i>	<i>639</i>	<i>639</i>	
<i>TOTAL</i>	<i>1133</i>	<i>979</i>	<i>154</i>

As a result of its work, the General Administrative Inspectorate has made 292 administrative recommendations. It has also proposed penalties according to the following:

***Behavioral Punishments:**

Type of Discipline	Grade Two	Grade Three	Grade Four	Grade Five	Laborers	Contractuals		Agents	Employees(Public Agencies)		
						Gr3 Level	Gr4 Level		Gr. 2	Gr. 3	Gr. 4
Reprimand	2	9	9		5	5		1			
Salary Reduction	5	13	49	4	20	20	1	6	1	1	2
Delay of Progression		9	17		3						
Transfer to the HDB		1	2								
Transfer to the COA	2	4				1					
End of Contract						2					
TOTAL	9	36	77	4	28	28	1	7	1	1	2

***Transfer to the Cassation Public Prosecution:**

-Recommendation to transfer 4 civil servants and the files of Bourj Hammoud landfill and the execution of reconstruction of an intermediate school to the Cassation Public Prosecution.

***Transfer to the Military Public Prosecution**

***Violations of Ministers**

Some ministers issued illegal decisions and memos among them are:

-Decision 111 dated 26/7/1999 made by the Minister of Information asking the heads of the administrative units to give administrative vacations to employee. This type of decisions should be taken by the Director General. Accordingly, the Minister has delegated authority to the heads of units that should not have been delegated.

-Decision taken by the Minister of Labor to transfer employees in grade three without taking the opinion of the CSB and without the signature of the Director General.

-Decision taken by the Minister of Labor to deputize an employee to do the work of another one without the signature of the Director General, nor the approval of the direct superior of the absent employee.

****Recommendations (examples):**

- Strictly emphasize the official working hours;
- Fill vacancies and modernize some of the cadres;
- Provide office equipment to some administrations;
- Provide medical equipment to public hospitals in the provinces and districts;
- Abide by the administrative hierarchy and the practice of superior-subordinate relationship;
- Keep records according to official regulations;
- Completion of the employees' regulations in the public autonomous agencies.

Problems:

-It is very difficult for the CI to fulfill its annual program. Special requests for investigation interrupt the full implementation of the program. Complaints and special investigations' authorizations have priority. Most of the complaints investigated are filed by the citizens. Most of them are anonymous and charged against employees.

-The main concern of the Central Inspection is to deal with mistakes and violations made by civil servants and employees rather than satisfy the citizen's demands, or speed up transactions' processing.

-The superior-subordinate hierarchical authority is not exercised effectively in the administrations. Disciplinary authority is not practiced fully by the superiors. In order to avoid embarrassment, superiors transfer the violation cases to the Central Inspection for investigation.

-The CI does not follow up on the implementation of recommendations .

4. Human Resources:

The cadre of the inspectors:

Job Title	Grades 2 and 3 Established Positions	Occupied	Vacant
Administrative Inspector	30	29	1
Financial Inspector	36	31	5
Educational Inspector	100	79	21
Engineering Inspector	25	17	8
Health Inspector	15	7	8

The total percentage of vacancies in the Central Inspection with all its units is 26.4%. The average age of inspectors is 50.5. No job descriptions exist.

The appointment conditions for the Head of the CI and General Inspectors, as stipulated in Legislative Decree 115, have been abolished by the political authorities during the war. The assistant financial inspectors are appointed from among the graduates of the Finance and Economy Section at the NIAD. The assistant administrative inspectors are appointed from among the graduates of the Public Administration Section at the NIAD. The other assistant inspectors are appointed from among the candidates who passed the entrance exam and were holders of technical degrees specified by the CSB after consulting with the CI Board. Assistant inspectors (grade 3) take exams in order to be eligible for promotion to grade 2 (Inspectors) after at least 3 years of service. Therefore, the system followed in the appointment of inspectors is the closed career-system.

Problems:

-The current cadre, even if totally filled, does not meet anymore the inspection requirements. When the CI was established in 1959, the size and scope of the public administration were smaller. The bureaucracy has been proliferating since then without expanding the cadre of the Central Inspection.

-The abolishment of the appointment conditions for the General Inspectors has negatively affected the effectiveness of the inspection function.

-The inspectors are relatively old (the average age of inspectors is 50 years old). No new blood has been injected. The inspector job is not attractive, neither rewarding despite the additional ranks that the inspectors enjoy.

5. Training and Development:

The inspectors are not provided with regular and continuous training programs that are relevant to the specialized fields of inspection. The training provided by the NIAD is very general and lacks specialization.

6. Budget:

7. Work Processes and Procedures:

The inspectors do their investigations at the administrations according to special authorizations, or annual programs set by the Board. The inspectors examine the documents, records, accounting books and papers in the various administrative units under inspection; consider the responses of the employees; record and analyze facts and statements. At the end of their investigations, the inspectors write reports that are submitted to the general inspectors concerned. The latter gives his opinion and submits the whole file to the Board to take the final decision. In the case of financial inspection,

the Head of the CI submits the reports to the Public Prosecutor at the Court of Audit who in turn prepares a report and sends the whole file to the Head of the CI for discussion and final settlement by the Board members. The Head of the CI Board is responsible for following up the execution of decisions.

Based on the above, the Central Inspection is composed of two main bodies:

1. The investigative body: it includes the inspectors who investigate the violations committed by the employees and propose disciplinary measures and work improvement methods.
2. The decision-making body: it includes the Board that examines the inspection reports and takes the final decision regarding the penalties to be imposed on the violating employees.

The General Inspector can propose specific penalties on grade 2 and below employees (reprimand or salary reduction for up to fifteen days). Inspectors can propose the same penalties on grade 3 and below employees. The CI Board can impose harsher penalties (Level One Penalties as stipulated in the civil service regulations LD 112/59: reprimand, salary reduction up to fifteen days, progression delay up to 6 months; Level Two Penalties: progression delay up to thirteen months, unpaid suspension up to six months). The CI Board cannot impose but Level One Penalties on grade one employees. The CI Board can transfer the employees to the Higher Disciplinary Board, the Court of Audit and the Cassation Public Prosecutor.

The affected employee has the right to appeal the decision before the Board.

Problems:

The current Board is composed of the Head of the CI Administration, the General Educational Inspector and the Head of the Research and Guidance Administration. When the RGA is transferred to the CSB, the General Financial Inspector will replace him because according to LD 115, the most senior general inspector shall be member of the Board. Hence, there is no separation between investigation and judgment. The General inspector who is involved in preparing the inspection reports, based on the report of the inspectors, will participate in taking the final decision at the Board meeting.

8. Information Technology:

A decree has been issued few years ago establishing an IT Bureau. However, it is still vacant waiting for the examinations to be conducted by the CSB. Meanwhile, the available Head of IT Bureau is employed on a contractual-basis. There is also one technician. The cadre recognizes the following IT positions:

- 1 Head of IT Bureau
- 2 Programmers
- 4 Data-Entry
- 1 Technician (maintenance)

The applied programs at the CI are the following:

1. Budget preparation and disbursement
2. Accounting
3. Store Management
4. The Cadre
5. Complaints
6. Decisions
7. Authorizations
8. Circulars since 1960
9. Attendance (Fingerscan)
10. E-mail
11. Maintenance of equipment from a distance
12. Back up files
13. Official Gazette
14. Web page
15. Picture processing
16. Statistical program for the public schools (General Educational Inspectorate)
17. Personnel Information System (under establishment)

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