The Ethical Foundations of the state
– professional values for good governance
A sound administrative culture

The Swedish Agency for Public Management contributes to and coordinates the state authorities’ work towards a sound administrative culture. A sound administrative culture deals with the professional ethical foundations that must characterise the work of all state employees. The focus of our work is on the importance of leadership and management and on the special role of being a state employee.
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Professional ethical foundations for all state employees

A sound administrative culture deals with the professional ethical foundations that must characterise the work of all state employees. This includes being aware of and complying with the laws, together with working to prevent corruption. It also deals with developing an ethical compass and the ability to handle difficult situations and dilemmas. All this helps to establish, maintain and strengthen confidence in national government.

Six basic principles

This publication describes the professional ethical foundations that are to govern the actions of all state employees, irrespective of where you are working, including in the Swedish Armed Forces, in a university, or at a court.

The fundamental values of Swedish society, as expressed in our constitution and laws, form the basis of the ethical foundations of national government. The ethical foundations consist of six principles that form the basis for a professional platform for all state employees and make it clear what it means to work for the state authorities.
These ethical foundations must be concretised and discussed

The ethical foundations of national government are formulated at a general framework level. It is, therefore, important that the state authorities concretise and define in more specific detail what the principles mean to them, so that you receive guidance on how to act.

As a state employee, you are working in a state authority with important, interesting and complex missions for society. Often, you have a high degree of autonomy and independence in your work. Questions surrounding professional ethical foundations do not always have easy answers.

It often happens that the various principles end up in conflict with each other. For instance, what is an appropriate balance between the rule of law and efficiency? It is important that, as a state employee, you comply with laws and regulations, although it is also important to deal with matters promptly. Often, the simultaneous requirements are both that you must be quick and get it right. It is not always so simple to live up to these expectations.

What as a state employee, can you and should you speak about in public? You have the same freedom of expression as others, although, at the same time, you must also ensure that what you say as an individual is not perceived as coming from the state authority. What you say in your off-duty hours may also affect public confidence in the authority. Each one of us must resolve these kinds of conflicts in our everyday lives.

In this document, we define the ethical foundations of national government in more specific detail. The objective is to give you a sense of security in your role as a state employee. We begin by describing the principles and the approach that all state employees must be familiar with and must follow. Then, we present two examples of dilemma exercises to try out. Dilemma training is one method to develop the capability to manage and cope with difficult situations, and to build a sound administrative culture. We conclude with some advice on where you can find further information.
Democracy

As state employees, we work on behalf of the citizens. We ensure that the decisions taken by Parliament (the Riksdag) and the Swedish Government (Regeringen) become a reality in fact. Basically, this means that as state employees we must behave in a manner that assists in building and maintaining a state administration that everyone can have confidence in. This policy is comprehensive and summarises the essence of the ethical foundations of the state.

We work on behalf of our citizens

We are a part of the political system and the democratic control chain. The starting point in the control chain is the public election for the Swedish Parliament, where the people choose their elected representatives. Parliament debates and adopts the laws that govern Sweden. In turn, the Government controls the state authorities via, for instance regulations, appropriation directives and ordinances. Some state authorities are strictly governed by legislation, while others are not as strictly controlled. Another important tool is that the government appoints and recruits top management of the state authorities and agencies.

Thus, parliament and the government decide how the country will be governed. It is then the state authorities, in other words those of us who are employees of the state, that have the responsibility to ensure that the decisions made are implemented. Therefore, we are a critical link in the control chain.

Even though the government governs the agencies in an overall manner, individual ministers may not make decisions in individual cases that have come before a state authority. Unlike many other countries, ministerial rule is prohibited in Sweden.
We contribute to public good

As state employees, our work should contribute benefits to the society. As a part of our work, we make efforts to promote democratic values, such as human equality, diversity and the rule of law. As such, our work differs from that of employees in the private sector. Thus, it is not private interests that govern our decisions or actions. There are times when we agree with the political decisions that we implement, and there are times when we do not.

Question & response

My state authority has received an assignment from the government that I don’t agree with at all, and which goes against my fundamental values. My boss has asked me whether I could lead the project, but I really feel that this assignment goes against everything I stand for. Can I refuse to take the assignment?

The question deals with how loyal and obedient we must be as a state employee. Our position in the democratic control chain is complex, and we have to constantly take several things into consideration, things that sometimes come into conflict with each other, for instance, complying with the letter and spirit of the law, loyalty to superiors and all the while responding to the citizens and their needs. As long as these three values fit in well with each other, no problem arises; however, what happens when they come into conflict with each other? There is, unfortunately, no general answer to this question. Nevertheless, as a state employee you have to make your own ethical assessment. Tell your immediate supervisor how you feel, that you are not comfortable with it, and the reasons for that. Perhaps you can come to an agreement. However, if you feel that the assignment you have been given from the state is contrary to your fundamental moral values, you should consider whether you can remain working for the state.
Legality

Legality is a key value in a democratic state. All state employees must be familiar with, and comply with, the laws and regulations that are applicable to our activities. The principle of legality means that the activities the state authorities engage in must have their support in by-laws and regulations. Irrespective of the political majority in power at any given time, a citizen must be secure in knowing that the state authorities follow the rules.

We comply with the applicable laws

The decisions that you make as a state employee must have a legal basis so that all residents will have access to equal service and treatment. Sometimes this concerns the exercise of governmental authority, in other words decisions that affect the individual. For instance, the payment of taxes and governmental charges, providing or financial assistance, or examining students.

Everyone should be able to rely on that the rules are applied in an appropriate, correct, and proper manner. Therefore, you must know and follow the rules that are relevant to the activities of your state authority. It looks different in different organisations and some state authorities have increasingly detailed rules to follow.

We have a huge responsibility

It is not always easy to comply with the applicable laws. Sometimes it is hard to know what legal support one has, and sometimes it is difficult to interpret the rules. To make things easier, the state authorities often provide internal educational sessions and training for their employees, plus written guidelines. This facilitates the employees being able to manage the rules and keep in compliance, which in turn means that the state authority is in a better position to make identical decisions in similar cases.
Often, one must also make one’s own interpretations and assessments. Such interpretations are sometimes difficult. This is due to the fact that the rules can be ambiguous and even sometimes contradict each other. If the interpretation of a rule results in a special advantage for the individual, it is possible to weigh in several other factors and circumstances, such as statements in the legislative preparatory materials or what impact the decision will have on the individual. On the other hand, if the interpretation of the rule results in a negative impact for the individual, the interpretation must be stricter according to the wording of the rule.

**Question & response**

*Isn’t the law perfectly clear? Doesn’t this make interpretations or assessments arbitrary?*

Legislation is not always clearly designed or written, and it is not always clear how to interpret the law. Your state authority can provide support to you as an employee, by keeping track of judgments and developing guidelines. However, there will nevertheless be situations where you need to make your own interpretations and assessments. There is usually a possibility later on for individuals to appeal the decision to the administrative courts. The courts can then modify the decision, if it turns out to be incorrect.
Objectivity

Everyone must be able to trust that, as state employees, we act objectively and impartially. Therefore, we are on the alert to recognise and call attention to the conflicts of interest that may arise. The principle of objectivity deals with maintaining confidence in the state authorities and national government.

We are objective and impartial

Neither a friendship, a family relationship nor a personal perception should influence your decisions or your work. The requirement to be impartial primarily concerns partiality and disqualification. Simply the suspicion alone that you may not be completely objective risks damaging confidence and trust in you and the state authority. This means, for example, that you should never be involved in the processing of issues or decisions relating to yourself or anyone to whom you are related. You should even avoid situations where you may be perceived of as being biased. If, for instance, you are responsible for procurement and know any of those people who have submitted tenders, you must report a conflict of interest disqualifying you.

Being objective also means that, as a state employee, you must treat similar cases alike. This means that you base your decisions on the facts and not on your own perceptions or what you personally think. As state employees, nor do we allow politicians or others to influence us in individual cases. Equal treatment is an ideal and a fundamental value of the administrative culture, even if it may be difficult sometimes to determine what is a “similar case.”

The recruitment and hiring process in the public sector must be objective. The employer may only assess and judge those people seeking a position on objective grounds – based on their merits and ability. If you are involved in a hiring process, it is important to keep in mind the requirement to treat all candidates equally, so that the most suitable individual gets the job.
As a general rule, we do not accept gifts and benefits or favours

As state employees, we often have extensive contacts with suppliers, with representatives of various industries and with other state authorities and agencies. This means quite simply that we could end up in a situation where someone invites us to lunch or gives us a gift when we have made a presentation. Is that a bribe? It can be hard to know where the limit of bribery is. Most state authorities therefore have established internal rules for what is allowed and what is not. If you are unsure about a situation, think for a moment about why you are being offered the gift or favour. Can there be an unspoken desire for something in return? A good rule of thumb is to talk to your immediate manager, or simply decline.

We report engagements in incidental employment

Many state employees are also engaged and committed people who are passionate about social issues. It may even be that you were hired specifically because you are an expert in a particular field.

If you are very engaged in a particular issue, there may be a risk that you are no longer perceived as being objective. This could concern, for instance, involvement in incidental employment, such as a second job, an outside engagement, or an involvement with an association alongside your official position. If there is a risk that the incidental employment may compete with the state...
I am the chair of a non-profit association. Is this considered to be an engagement in incidental employment? Can my employer say that I am not allowed to remain as chair?

Yes, this is an engagement in incidental employment. Any and every job or activity you are engaged in alongside your employment with government, and which is not directly related to your private life, is regarded as being incidental employment. It makes no difference whether you receive money in compensation for the work or assignment or not. Check to see whether your state authority has established special rules for making notification of incidental employment.

Your employer can tell you that you are not allowed to remain as chair of the organisation if it is incidental employment which risks undermining confidence in the state authority, if it competes with the state authority’s activities, or if it hinders you in your work. It is sufficient that there is a risk that anyone can question the state authority’s objectivity, or yours, for the employer to make the assessment that the incidental employment is harmful to trust and confidence. What is relevant for the employer’s assessment is, among other things, the points of contact that exists between the state authority’s activities, your responsibilities to the state authority, and the incidental employment. If your employer does not approve your incidental employment, this means that you will need to choose whether you want to keep your employment at the state authority and end the engagement with the organisation, or instead work full-time with the organisation.
Transparency

As a fundamental rule, everyone has the right to knowledge of what the state authorities are doing. Transparency and freedom of expression are the cornerstones of democracy. Citizens should be able to communicate with the state authorities, parliament and government, and have knowledge of its activities. That is simply due to the fact that, because we are exercising state authority, we are not allowed to do this in secret.

We are open about what we do

The State is transparent about almost everything it does. The purpose is that the activities of government will be able to be monitored and scrutinised from many different directions. We must work in an open, transparent manner, with the possibility of public knowledge of the activities along with open access to public records. This means, for instance, that the state authorities need to enter the document names in an official register and retain the documents in an archive. We will also provide copies of official documents that are public as quickly as feasible to anyone who requests them. The principle of open access to public records facilitates a free public debate and discussion of social problems. It also contributes to it being possible to expose abuses of power and corruption. In this way, we can strengthen the citizen’s confidence in the work of the state authorities.

At the same time, while we comply with the principle of public access to official documents, it is important that as state employees we handle information in a proper manner. Therefore, we must be aware of and comply with the rules concerning confidentiality and security of information that are relevant to our work tasks.
I am a new employee at a state authority and think that is really difficult to know what documents I can disclose. What rules apply?

Transparency and open access to public records are essential values in Swedish government and public administration. The main rule is that anyone who wants to, should be able to find out what the state authorities have based their decisions on. According to the exceptions that exist, at times the state authorities must keep some things secret. For example, this may relate to protecting sensitive information about someone’s health or their finances, or to protecting the country’s national security. In such instances, the state authorities weigh the value of being transparent and open on the one hand against the privacy interests of the individual or national security on the other. The law does not specify exactly how a state authority is to resolve this conflict of competing values, but rather an assessment is required in each individual case. The fact that a document has been classified or marked confidential by a state authority does not automatically mean that the information is secret/confidential. The state authority will make an assessment when someone requests a copy of the document. Your state authority can support you as an employee by developing rules and guidelines, and appointing an individual you can ask for assistance.

We may talk about what happens at the state authority

Like all citizens, state employees are guaranteed freedom of expression. You have the right to express your opinions, including critical reflections of the state authority you work at, in newspapers, on the radio, on television and in social media, just like any other citizen. How we express ourselves privately can also affect how others perceive us and the state authority we work for. We must also respect that the authority has the right to decide who may speak on its behalf and in its name.

As a state employee, you also have the right to talk to the news media about what has happened at the state authority with the intention of making something public. The individual’s legal right to publish information, referred to as freedom of communication, is an important safety valve which has the aim that mismanagement within the public sector will become known. There are exceptions to the freedom of communication. The exceptions apply, for instance, to certain secret or confidential information, such as that which involves national security or crime prevention efforts.

If you blow the whistle, your employer is not allowed to attempt to find out who has supplied the information. This protection of sources distinguishes the state from the private sector.
**Question & response**

*A journalist just phoned me – do I really have to answer their questions?*

No. As an employee, you are not required to answer the questions. However, the state authority must do so. Examine what policy your authority has concerning who may speak in the name of the authority. When you are unsure, ask your supervisor or department manager who can best respond to the questions. What you can always say, if a journalist phones you, is that you can not answer right now and ask ‘Can I get back to you?’
Respect

We treat everyone equally and with respect. This means, among other things, that we do not discriminate against anyone on the basis of gender, age, ethnicity or physical disability. This principle also means that we continually work to combat all forms of discrimination. This applies in every situation, including in the workplace with each other and when we interact with citizens.

We respect everyone’s human rights and personal integrity

Every individual has the same fundamental rights and freedoms. As state employees, we must always respect the equal value of people and be responsible for not compromising on human rights and freedoms in our activities.

Therefore, to give people a respectful reception and treatment, it is important that we respect and protect their privacy. This means that we are not free to register and process information about individuals. For example, we may not take notes or keep a record of an individual’s political opinions, religion, or whether they are a member of a trade union. Nor are we always allowed to disclose to other state authorities or to researchers the information that the state authority possesses.

We combat discrimination and its impacts

As state employees we must treat people equally, irrespective of their gender, gender identity or expression, religion, ethnicity, sexual orientation, age or disability. It is our duty to be a role model and set an example for others. We must, therefore, combat discrimination and contribute to equal treatment. This means, for instance, that we may not tolerate any forms of harassment or offensive treatment.

There are times when discrimination occurs unconsciously. Therefore, as state employees, we need to identify, militate against, and prevent situations where state authorities treat people differently for no objective reason.
Question & response

We have a temp working in our reception who is originally from the Middle East. The woman is always very nice and deals with everyone in a professional manner. The woman speaks with a rather distinct accent, yet has no problem in understanding or making herself understood. Now the state authority I work at is looking for a new receptionist and the specification of requirements for the position states that the receptionist must have exceptionally good language skills. I wonder if this is a way for the employer to attempt to avoid hiring the temp and that she was discriminated against because she speaks with an accent?

In this case, the requirement for exceptionally good language skills may be a problem in that it approaches the limit of what is permissible under the Swedish Anti-Discrimination Act. The requirement may appear to be neutral, yet there is a risk of indirect discrimination present in the exclusion of applicants who are not from Sweden. In certain cases and for certain types of positions, it nevertheless may be permissible to impose such a requirement. However, if this is done, it must be a genuine and crucial occupational requirement which has a legitimate purpose. In this case, the temp appears to fulfil all reasonable language requirements, considering her ability to understand others and make herself understood.
Efficiency and good service

In the activities and services provided by the government, we have the objective and obligation to combine efficiency of service and accessibility. We inform and provide guidance in a simple and understandable manner and as promptly as possible. We also carry out our tasks efficiently and conserve resources.

We need to find the balance between the values

Efficiency and service can easily come into conflict with each other. On the one hand, “too much” service can lead to less time available to process cases, which then adversely affects efficiency. On the other hand, poorer service, for example, if we express ourselves in a complicated manner on our website, in reports or in decisions, can lead to phone calls that are really not necessary. We therefore need to strike a balance between these values.

We are here for the sake of the citizens

We work on behalf of the citizens. This requires both that you perform your tasks efficiently and that you provide good service to the citizens. With the citizens consciously in mind, it is most often easier to work out what we should do in certain difficult situations, and what is a good decision. The objective is that all citizens should experience that they are obtaining decent and consistent service, irrespective of where in the country they live, or with whatever state employee they come into contact with.

This means that we will inform, guide and provide advice as promptly as feasible. In our interactions with the citizens, we will strive to communicate in a simple and clear manner so that the message cannot be misunderstood. For example, it may involve providing the grounds on which a negative decision is made along with explaining it in an easily understandable manner or providing an interpreter for those in need of such assistance.
We are fully conscious that we are dealing with the taxpayer’s money

Are we doing the right things? Are we doing things that are not really a part of our assigned tasks? Can we carry out the assignment and tasks in a smarter way? As state employees, we economise on resources due to the fact that they are our common tax revenues. The state authorities are to achieve their goals within the financial framework as established by the government and parliament. It is, therefore, very important that we use the resources efficiently and effectively, and for their proper purpose. We also strive to continually develop our activities and cooperate with other public authorities when needed.

It is important that we use the money we manage with good judgment. That means that we, for instance, comply with the laws and rules concerning entertainment expenses and procurement.
Practice, practice, practice!

Each state authority needs to continually discuss what it means to be a state employee and the ethical dilemmas that arise in one’s work. Employees and managers need to continually discuss the distinction and boundaries between what is appropriate and what is not.

It is important to train your ethical compass

Practice and discussion provides an opportunity to raise awareness about what it means to work for the state. This is just as important for employees as it is for managers. It is also important to conduct this type of conversation on a regular basis and make it into a natural part of the activities.

It is not always easy to determine whether an action is appropriate or inappropriate. It is also difficult to detect when one moves into the grey areas of what is not acceptable. Therefore, it is equally important to train your ethical compass as well as to train in other professional skills.

Dilemma exercises for you to try out

Dilemma discussions can be an excellent tool to develop the ability to deal with difficult situations and to build a sound administrative culture. By working with hypothetical cases that are adapted to your own activities, you can try out and further develop your ability to determine what is appropriate. This contributes to establishing independent and competent employees. Here are examples of two hypothetical dilemmas.
What should you do?

While Hassan is standing near the coffee machine, he is again hearing his colleagues discuss how Samuel expresses himself on social media about his job. Hassan is not on Facebook himself, though Adam gladly shows him Samuel’s post:

**Sighs …**

We all know that rules are meant to be followed, but to follow the rules, one must know what they are. Today, we met a character who certainly knows that it is not permitted to run a red light when driving, but who was completely unaware of what he needs to know to get the job done. The more we asked, the clearer it became that they were entirely unaware of what we were referring to. I could never imagine working in a workplace where those in charge, responsible people, don’t know what to do or what rules apply. If it hadn’t been so pathetic and serious, it would have been almost laughable. What kind of long-term consequences does this type of ignorance have, one can really wonder …

Adam says, “Soon, nobody will want to work with Samuel; he does not act professionally and cannot be trusted. It’s not so hard to figure out who he means! Who knows what he’ll post on Facebook next time?”

Hassan says nothing, though he thinks it is unpleasant and cannot ignore what happened. He does not want to go directly to the manager, because he is not comfortable at gossiping about others or on informing on his colleagues. But, he is concerned about where this will lead to if no one speaks to Samuel about it.

- Do you see anything problematical in this situation?
- What would you do if you were Hassan?
- To what extent should one take another’s life on the internet into account in relation to their work?
The latest things senior management comes up with

Ella is feeling a little frustrated after the latest unit meeting. The manager, Nathalie, came up with new directives from the top again, concerning making the process more efficient and providing service with “a little extra.” Ella thinks, whatever that is? They never answer that. We never have the possibility of discussing the difficult issues at meetings! Does equal treatment mean providing an identical service to everyone, or is it to be adapted to the individual? In the autumn, the “Lean principles” will be introduced, which is to be some form of a solution to everything. New processes, courses and meetings, which will take the focus away from my work. Sigh. Ella has worked so long at the state authority that she has seen all kinds of changes come and go.

Previously, we simply gave service in an “official way,” Ella thinks to herself. People came to the state authority with respect for state employees, almost bowing their heads and doffing their caps. That’s all gone now; now, it’s customers, service and productivity measurements. A feeling of discomfort gnaws at Ella. What about the rule of law and legal certainty? With all the pressure on fast and friendly reception, she wonders whether things will get done correctly. Ella feels like a relic from the past, who thinks that going at an even pace can be best, and attempting to complete the task at hand as well as possible.

Nathalie saw that Ella was wrinkling her brow in displeasure at the unit meeting. Nathalie thinks that Ella is one of the most difficult people she has been in charge of. Knowledgeable, experienced and skilled, and efficient, however sceptical of everything new. Her last boss thought Ella was like a rock, but Nathalie think she’s a bit like the rock with moss growing on it.

Fortunately, soon she will be able to hire some young and ambitious types, Nathalie thinks to herself. In addition, she also wonders where Ella’s loyalty really lies? One cannot just keep on as they are doing and criticising the leadership, and being against change all the time. Imagine, what if she could just get Ella and the other recalcitrants to realise that good quality is not just being legally correct, but rather also that it must be done quickly and efficiently. Nathalie feels she needs to think it through very carefully when she appoints mentors to the new staff, so that they have the proper mindset right from the beginning. This can’t go on any longer.

• Do you see anything problematic about the situation as described?
• What would you do if you were Ella? What would you do if you were Nathalie?
• Could something like this happen in your state authority?
And what happens now?

As an employee of the government, you are expected to know the ethical foundations of national government and have reflected on what this means in practice, for you, in your workplace. You must also have a knowledge of and comply with the laws and regulations that apply to your activities.

Each of us has a personal responsibility

Each and every one of us has a personal responsibility for our actions, both internally and externally, and in relation to our work tasks and responsibilities. Your immediate supervisor has an important task and will support you in this effort. Each manager must also adhere to ethical foundation principles, and they also have the ultimate responsibility for ensuring that the employees also do so.

That those of us who work for the government increase our knowledge of the ethical foundations of the state and what it means to be a state employee contributes to the strengthening of the culture of good governance. You can find advice on how you can work further on this on the Swedish Agency for Public Management’s website www.forvaltningskultur.se. Here are more dilemmas, which you can discuss at your workplace.
If you want to immerse yourself more deeply

There are a number of sources of information for those who want to immerse themselves in what it means to be a state employee and how one at a state authority can work on issues related to the ethical foundations of the national government.

- The Swedish National Financial Management Authority (ESV) has developed an online training programme on the foundations of state governance which is aimed primarily at those newly employed by the government. However, even if you have already been working for a few years, you can benefit from it:

- The Swedish Agency for Government Employers (Arbetsgivarverket) has the responsibility for developing and coordinating the government employer policies. You can read more (in Swedish) about their Working for the National Government project:
  https://www.arbetsgivarverket.se/jobba-statligt/.

- On the Swedish Agency for Public Management’s website, you can see some examples of the ethical codes of conduct of various state authorities (in Swedish):
  http://www.statskontoret.se/forvaltningskultur/etiska-koder/.

The purpose of the ethical codes of conduct is to support the employees of the state authority in their daily work and to make it easy to do the right thing.
This publication describes the professional ethical foundations that characterise all state employees – the ethical foundations of the state. You can also find questions and answers about what it means to be a state employee and tips about dilemma exercises that can further develop your ability to properly deal with difficult situations. The objective is to contribute a sound administrative culture and provide you with a sense of security in your role as a state employee.

www.forvaltningskultur.se