



European Platform
tackling undeclared work

Future role and competence profiles of labour inspectorates

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In collaboration with ICF

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thematic review workshop on the future role and
competence profiles of labour inspectorates

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1 INTRODUCTION

Transforming undeclared work into declared work using a more holistic approach has significant implications for the future role of inspectors and labour inspectorates and other enforcement authorities, and consequently, the skills and competencies required. The changing nature of undeclared work and labour markets in general pose further challenges to human resource (HR) management in enforcement authorities.

This learning resource paper summarises the main lessons from a workshop of the European Platform tackling undeclared work (the Platform) on the 'Future role and competence profile of labour inspectorates' held in Vilnius on 26-27 June 2019. The aim of the workshop was to share knowledge and experiences among members of the Platform in relation to HR management issues, in particular those resulting from adopting a more holistic approach to tackling undeclared work. The workshop was the first stage in a larger mutual learning process among Platform members and observers and will lead to further opportunities for exchange and collaboration, notably through the development of a toolkit and follow-up visit. The workshop brought together participants from 13 countries, including representatives of labour inspectorates, national ministries and regional administrative agencies, as well as representatives of the International Labour Organisation (ILO) and the European Trade Union Confederation (ETUC). The event was hosted in Vilnius, by the State Labour Inspectorate of the Republic of Lithuania. The workshop focused on capacity building, skills and competences in labour inspectorates to support their modernisation. For a short summary of the event, see [here](#).

In particular, the workshop aimed to:

- share and deepen understanding of the HR management issues facing inspectorates as a whole;
- share and deepen understanding of the changing role of inspectors and how to support capacity building, develop skills and competences; and
- identify the steps required to undergo this process of modernisation, along with the issues arising at each stage and how they might be overcome.

This learning resource paper draws mainly on the presentations and discussions at the Vilnius workshop. Following the structure of discussions at the workshop, the next three sections of this paper discuss firstly, the new tasks of labour inspectorates and the implications for role division and partnerships, secondly, the new skill needs, both for inspectors and for enforcement authorities, and thirdly, implications for HR strategies. The last chapter briefly outlines key learning outcomes and recommendations arising from the workshop.

2 NEW TASKS AND THE DIVISION OF ROLES

2.1 Key issues

A holistic approach requires the implementation of the full range of direct and indirect policy measures that authorities can use to tackle undeclared work. In most cases, this implies that labour inspectorates need to take on new tasks or strengthen their existing functions. For many authorities, this requires the development of new competencies and skills in their inspectorates (and among inspectors) and, potentially adjusting the division of labour either within units of the inspectorate or between partners.

During the first two years of the Platform's operation, there has been an emergent recognition that there are a range of new core tasks in a modern inspectorate, including:

- data mining and risk analysis;
- information, communications and awareness raising;
- the ability to conduct cross-border inspections; and
- policy evaluation.

The pre-event questionnaire and workshop discussions suggested that the first two of these tasks were of highest priority for new skills and competences among participating countries.

2.2 Lessons learned

Labour inspectorates (LI) across Europe are organised in different ways, they are generally classified as being either generalist or specialist. Generalist LI have a broad mandate that addresses elements of employment and industrial relations issues – including working conditions, health and safety and often including responsibility for detecting and combatting UDW. Specialist LI usually have a mandate restricted to occupational health, safety and work environment¹. LI mainly operate under the direct authority of a Ministry (usually the Ministry of Labour and Social Affairs) or as an arm's length agency of the responsible ministry. Some generalist inspectorates (for example, Spain) also have competence for Social Security, while in other MS, the Social Security Office has its own (specialised) inspection service.

Given the differing remits and levels of independence from responsible ministries status, they have specific needs in shaping their future roles and competencies related to fighting undeclared work. However, they face many similar broader challenges, including budgetary constraints, digitalisation and the need to monitor new forms of work.

During the workshop, Lithuania provided a synopsis of external challenges that are requiring labour inspectorates to adopt more preventive approaches. This includes rapidly changing labour markets, less awareness among the public of their rights and obligations, and needing to achieve more with fewer resources. The point raised was that stronger focus on prevention could facilitate a change in public attitude and promote compliance. Lithuania's aim is, therefore, to support both employers and workers to do so by educating, counselling and providing information. As well as information campaigns and seminars, traditional media and new channels of social media, they also use social dialogue and partnering with trade unions to work towards this goal. All this new activity means that labour inspectorate staff need to develop new competencies and/or enhance existing ones, in order to strengthen their efforts to tackle undeclared work and the labour inspectorates need to develop the recruitment, training and retention policies to supply their human resources with these skills.

Data-mining and risk analysis

Several enforcement authorities have set up a system of risk analysis to better target potential non-compliance. These systems vary in their degree of sophistication.

In the past, risk analysis was primarily focused on finding infringements in fraud-sensitive economic sectors. As the understanding of fraud in these sectors has increased, interest is turning to risk analysis (and cross-checking against big data) in other more complex thematic areas. These include the identification of fraudulent practices, such as fraudulent companies, repeat bankruptcies, bogus letterbox companies, forged company documents, and the individuals who set up such schemes.

Box 1. Recent developments in risk analysis, Greece

Greece introduced the ERGANI system in 2013, where all employers have to report their employees (and their labour contract details). The system is part of the national operational action plan (the 'Athena plan') to tackle undeclared work. Greek labour inspectors have access to ERGANI and use it on a daily basis: it allows for targeted inspections, via red flags as an outcome of the database use, as well as sending notification letters to companies identified as 'risky'. As of July 2019, the system will be extended with a new function: employees will be able to check their social security status

¹ Von Richthofen, W. (2002); Labour inspection: a guide to the profession, Geneva, International Labour Office.

and if their social security contributions have been paid. Inspectors receive 3-hour training on how to use the ERGANI IT system before using it for the first time. During the training, among other things, inspectors learn how to use the system in real time, while they are carrying out the inspection, and how to “lock” the system so that inspected companies cannot change the labour details of their undeclared workers during an inspection.

Source: Presentation at the thematic review workshop held in Lithuania on 26-27 June 2019

The workshop discussants agreed that there is a need to expand the use of data mining for preventative purposes and to include this approach in the daily work of inspectors, while adapting training for inspectors accordingly.

Regarding the division of roles, it was suggested that having a centralised analytical unit (and specialised staff) is more efficient than dispersing this function into the different divisions of the enforcement authority. However, in several countries there are technical, legal or even political barriers to sharing information and data between public institutions. At the same time, it is important to ensure that inspectors systematically provide feedback to analytical staff on their field experience and can also contribute to testing risk assessment models (as for example in Sweden).

Labour inspectorates often lack the resources to hire and retain specialists who are skilled in using analytical tools. In such cases it may be especially useful to seek cooperation with external partners. In other cases, it may be more efficient to cooperate with another authority (for instance, the tax authority or social security) that has the necessary competence than to develop it within the labour inspectorate. This approach may also resolve data-access issues, given that in several countries, the labour inspectorate is not the primary owner of the administrative data on compliance and often does not have access to all the relevant data.

Information provision and awareness raising

Functions around information provision and awareness raising involve the day to day advice and information that inspectorates and inspectors offer as part of their work, as well as wider information and awareness raising activities and campaigns that enforcement authorities increasingly organise to sensitise employers and workers to prevent undeclared work. Discussions at the workshop showed that some enforcement authorities already have a central communication department organising information provision. It seems that having a specialist central unit can improve the efficiency of information provision, even if it remains part of the daily tasks of labour inspectors to give information and advice to clients. However, this approach often entails finding additional resources to establish the unit, overcoming any legal constraints that may exist and ensuring staff motivation.

Box 2. New units for advice and information provision created in Lithuania and Slovenia

In Lithuania, employers may submit a request for information or advice to a labour inspectorate unit which deals with these enquiries. This stimulates trust in the labour inspectorate and is intended to have a better effect on compliance than imposing fines.

Slovenia has created a special unit staffed with former inspectors who have been specially trained to give advice to employers and employees.

Regarding the division of roles, the main issue that countries with a central information unit face, is how to ensure the optimal allocation of requests for information between a central unit and individual inspectors. A specialised central unit can be better placed to answer the most complex and specialist questions, while individual inspectors are able to respond to basic routine questions in their daily work. A related issue is how to motivate

experienced inspectors to pass on the information and update call-centre staff regularly, so that more questions can be answered at the entry level.

Box 3. Alternative solutions to role division, Norway

Norway has tested alternative solutions to role division: the labour inspectorate is undergoing a total reorganization that will be put into practice from January 2020. The inspectorate first reorganised their information function into seven thematic divisions (for example, Occupational Safety and Health, undeclared work, social dumping etc.) and then decided to return to a single information department (a so-called 'advice box'), responsible for information provision and promoting campaigns as this was more efficient and less complex.

The most important change, effective from January 2020 will be moving from 'regional organisation' with one HQ and seven similar regional offices with similar tasks to perform – towards a 'function model'. This means that from next year, all inspectors will be allocated into two divisions: OSH and Work-related-crime (e.g. UDW). In addition, there will be four other divisions: Knowledge, Communications-Advise, Applications and IT.

Both in the "old" and in the "new" organisation, the preventive and communication activities will be separated into one division: Communications-Advise. They, in turn will be connected with the inspectors and advisers working in the Work-related-crime division. The campaigns and other information activities will be performed in close cooperation between the Work-related-crime division and the Communications-Advise division. While there will be dedicated Communications-Advisory experts (in the Communications-Advise division) working with Work-related-crime (UDW), they will be sitting together with other communication colleagues on a daily basis.

Cooperation with external partners

It can be effective for enforcement authorities to work together with other stakeholders, such as social partners and tax authorities, and share a common strategy with them to define and implement preventative measures. Stakeholders with a similar mission can be helpful for developing prevention or information campaigns and several countries have recently followed this approach (including Belgium, France, Lithuania, Portugal, and Slovenia).

In practice, this has twofold implications for skills and competence requirements:

- Cooperation with a wide range of external partners may be a way to secure skills and competences to complement limited labour inspectorate staff resources in the areas of information provision and prevention. In some cases, it may be more efficient to cooperate with another authority that has the necessary competence than to develop it within the inspectorate (for example, cooperation on risk analysis with tax or social insurance authorities);
- Cooperation with public authorities with a similar mandate, social partners, advocacy and research organisations implies that the staff of labour inspectorates need to possess or develop collaborative working skills.

Box 4. Cooperation with external partners, Belgium

Combining skills from both the social partners and the labour inspectorate, Belgium has developed a measure of minimum labour cost as a benchmark for the construction sector. As one of the outcomes of the partnership agreement with the social partners in this sector (Plan for fair competition), experts from the employers' federations and the labour inspectorate's Covron inspectors, have calculated the minimum cost of activity in Belgium "if all labour and social security obligations are met". The outcome is a comparative excel table of the real total labour cost for five countries (the top five sending countries for posted workers to Belgium). The results are disseminated among

social partners in the construction sector so that their members understand the degree of compliance of foreign subcontractors.

Belgium also benefits from institutional cooperation among public institutions for information provision, aided by the coordinating social information and investigation service (SIOD), which operates in local districts. SIOD coordinates 'flash controls' up to six times a year. These flash controls complement the controls of the labour inspectorate, mainly have an informative and preventative character, are published on the website of the SIOD and communicated to the social partners. The ultimate goal is to create a discouraging effect, to raise awareness of social legislation, and to trigger an eventual shift in mentality.

Using such preventive tools developed with the social partners and performing flash controls demand tailored training to support inspectors to perform these tasks and to help them adapt their attitudes accordingly.

Source: Presentation at the thematic review workshop held in Lithuania on 26-27 June 2019

3 NEW SKILLS AND COMPETENCIES

3.1 Key issues

The skills requirements of labour inspectorates differ from general public sector requirements; this has implications for recruitment, training and career development.

The workshop discussions focused on identifying the competencies and skillsets required by inspectors for a shift towards prevention activities and an appropriate division of labour. These included:

- soft skills, including customer-friendly skill-sets to provide advisory and support services to "customers";
- skills for preventative functions, including marketing and communications expertise, and skills in organising educational and awareness raising materials;
- IT expertise;
- data mining and risk analysis expertise;
- language skills for cross-border inspections;
- evidence-based policy evaluation skills.

3.2 Lessons learned

Soft skills

Participants highlighted that it is essential for labour inspectors to have good communications skills. This enables them to provide information and advice to both employers and employees, build relationships with other stakeholders and effectively cooperate with specialised services (such as data-mining units). Persuasion is also an important skill, for instance when conducting preventative campaigns.

Several labour inspectorates have reviewed the job descriptions and competence profiles of inspectors for recruitment purposes, and included some new skills required for a holistic approach. For example, in Slovakia, the new profiles include words such as "independence", "decision-making", "communication skills", as well as "analytical, conceptual and strategic thinking". The profiles in Greece refer to the ability to "create trust and co-operation", and the need to "have personal prestige, bargaining power, persuasion and discretion".

Inspectors also need to relate and work with people, to work well under pressure and without supervision, to take initiative, and to communicate effectively (c.f. ILO Conventions C81 and C139). The new tasks identified in the previous section also require

skills such as being able to analyse and evaluate data and make decisions in an impartial and objective manner; critical and analytical thinking; problem-solving; creating trust and cooperation; communicating in a direct and effective way; and reacting directly and effectively to emergency situations.

Box 5. Increased recognition of the importance of soft skills, Lithuania and Belgium

Lithuania stressed the importance for psychological skills for inspectors in order to fully engage in their counselling and advisory role. This may pay dividends, as the Lithuanian inspectorate has achieved the top ranking in the industry and business advice scoreboard.

In Belgium, a special unit called 'Covron' was established to deal with foreign workers in Belgium.² Covron inspectors need soft skills: high levels of assertiveness to conduct visits on often complex work sites, dealing regularly with ignorant or non-cooperative employers and poorly informed migrant workers. Inspectors also need psychological skills: tolerance, empathy, integrity, realism, self-control, creativity in developing solutions, and patience. Covron inspectors are specially recruited and have specific training as well as a separate evaluation scheme and specific annual objectives.

Skills for preventative functions

The skills needed to perform preventative functions were defined as providing information and advice, marketing and communication, awareness raising, giving advice to employers, as well as organising educational and awareness raising materials.

More specifically, a public relations (PR) unit needs to be able to use social media effectively and to organise campaigns. They need skills for cooperation with external partners (communication and information provision) and the media (radio, TV). They also need to be able to make clear statements on legal issues and interpretation.

Inspectors need resilience, skills for cooperation with social partners, skills for persuasion, communication, coping with stress, and adaptability to a range of situations. Inspectors also need strong learning skills and a general openness to lifelong learning to be able to cope with constant change. In addition, inspectors need practical guidance on how to handle cases of undeclared work and social fraud. These may include knowing the decision criteria on how to intervene, defining priorities, and on how to (re-)act to engender compliance rather than resorting to sanctions.

Box 6. Skills and competence needed for a holistic approach, Sweden

In Sweden, the new Competence Supply Management system has helped the enforcement authority to identify the overall skills and competence profiles needed to support the staff of a labour inspectorate to shift towards a holistic approach. These include:

- Knowledge of procurement issues;
- Knowledge of legal issues;
- Investigative and analytical competences;
- Digital competences;
- Diversity among staff (in terms of age, gender, education and work experience);

² COVRON was established in 2005 to control foreign undertakings on Belgian territory and migrant workers, faced with a high share of posting (reaching 35 % in construction sector). COVRON has a mandate to tackle non-compliance with DIR 96/71, fraud with A1 & documents, non-genuine posting, letterbox companies, illegally operating TWAs, Influx from TCN & THB. The tasks were too complex and challenging to deal with in the traditional LI structure and methodology, and required a special treatment/mandate.

- Pedagogy – among all types of staff;
- Communication – among all types of staff.

More specifically, in the area of undeclared work, staff need the following new competences: knowledge of working time law, of the posting directive and overall education about undeclared work covering the role of the authority, legal definitions and practical knowledge.

The necessary new skills include: cooperation, mediation, analytical, language, and psychology.

The target groups that need to be equipped with these new competencies and skills are:

- New inspectors that have joined the regional teams;
- Inspectors that deal with working time and posting;
- Legal officers that handle matters relating to inspection;
- Heads of sections and regions in the inspection, legal and communications department.

In order to develop and/or acquire the correct competences throughout the organisation, all managers are responsible for analysing their activities and for carrying out an annual competence analysis and competence plan. The competence development plan also sets priorities for the competences to be developed.

Source: Presentation for the thematic review workshop held in Lithuania on 26-27 June 2019

IT and data mining skills

Skills needed for data miners include digital and analytical skills, the ability to interpret outcomes (i.e. tell a 'story' to inspectors and PR units) and knowledge of statistical software. It is also important that data miners have a project approach that enables them to build a system that suits the general strategy of the labour inspectorate.

Inspectors need to have good general IT skills. However, these do not need to be specialised unless they also engage with data mining or risk assessment.

Inspectors need to understand the logic and purpose of risk analysis and data mining, interpret risk analysis outcomes, have end-user skills, and be able to use the system effectively. Managers may need to monitor the usage of new tools. They also need to be able to connect data mining information to prevention activities. It is important that they are open to using IT. These skills needs apply both to general inspectors and those working on cross-border projects.

Skills for cross-border inspections

Specifically for cross-border inspections, inspectors may need some additional skills, such as how to exchange and share information with counterparts abroad, networking skills, how to communicate effectively with foreign employers and workers, teamwork, and expertise on migrant and posted workers issues (legal, cultural etc).

Language skills are also very important; in particular English, but also neighbouring country languages. Language barriers are some of the biggest challenges when conducting cross-border inspections. To overcome this obstacle, some enforcement authorities have introduced language skills as a mandatory requirement at recruitment stage.

4 HUMAN RESOURCES STRATEGY

4.1 Key issues

Workshop participants noted challenges for inspectors' work, such as increased time needed for administrative duties both for inputting information into IT systems and for building cases, and worsening working conditions when facing verbal (or physical) violence and stress. In light of this, labour inspectorates can face challenges in attracting new employees and in retaining existing ones. In order to increase attractiveness, the organisational culture needs to be clearly formulated and communicated. Enforcement authorities are putting increasing focus on articulating the mission, vision and values of their organisation. In this context, it can be necessary to challenge existing perceptions of inspectorates and underline their new functions. Before developing an HR strategy, enforcement authorities should define the culture of the organisation, which is expressed in the mission, the vision and the values of the organisation. This will help shape the attitudes of the inspectors and build trust in the organisation and will help retain staff for longer.

When assessing the mission, vision, objectives of enforcement authorities, these could take into consideration the needs of society, the labour market, the need for compliance, worker's protection, level playing field for undertakings, more income for the treasury and social security etc. and showcasing the way that enforcement authorities could contribute to these positive effects.

For example, France is considering changing the image of the enforcement authority (the General Directorate of Labour), by introducing a positive slogan and communicating the positive impact of the authority for society. A positive vision and mission for the organisation is intended to make it more attractive for current staff and for future applicants.

The workshop participants agreed that a modern labour inspectorate has a clear human resource management strategy which consists of the following central elements to become an attractive employer and retain staff:

- Promotion of modern, flexible working arrangements such as teleworking;
- definition and description of qualification and competence profiles for all functions at all organisational levels;
- on-going analyses of the organisation's human resource capacity and forecasts of future needs;
- flexible recruitment methods;
- an initial training plan for new employees upon entry, mentoring and coaching programs; and
- a competence-based further training and career development plan;
- clear career progression options.

When developing an HR strategy, authorities could adopt change management techniques, in order to effectively implement innovations in the organisation. For labour inspectorates to effectively provide the new functions required of them, organisation structure, processes and job roles may need to change. Change management focuses on supporting the people that will be impacted by changes, to support them in the transition from performing 'old' functions to 'new' functions. Change management involves communicating the changes, training and coaching people and managing resistance. In this light, enforcement authorities are realising the need for senior managers to further develop their leadership skills and change management skills. Political support is also crucial to engender change and embed this within the whole organisation.

It is not expected that a 'one size fits all' list will be appropriate for all inspectorates but sharing knowledge and understanding is important to learn from other contexts and to reflect on whether current practices need to and should be retained.

4.2 Lessons learned

Strategic approach

Some enforcement authorities have already started to adjust their general HR strategy to integrate the skills needs of their new tasks. During the workshop discussions, some labour inspectorates mentioned that the development of leadership skills (management, participative leadership, project management) should be part of the general HR management strategy, as is already the case in some countries (e.g. Sweden). Similarly, the HR strategy should address the need to train labour inspectors to take a coaching approach with employers, as well as on collaboration with social partners, and on managing information campaigns.

The HR response to challenges posed by the need for labour inspectorates to combat undeclared work related to new forms of work (precarious work, telework, domestic work, voluntary work, etc.) has been modest so far. The current evidence suggests that labour inspectorates expect that new recruits are familiar with these newer working methods, and that existing staff should learn it on the job. There has been little in the way of a systematic response to assess or test these assumptions.

In developing such a HR strategy, including the use of project management principles, pilots, change management and evaluation and testing procedures, there are likely to be various barriers. These may be legal, political, cultural, or psychological. There may be budget constraints or lack of staff, government priorities (or pressure) to focus mainly on deterrence. Constraints in intergovernmental cooperation and especially in sharing data between government authorities should be considered when developing new strategies.

Box 7. The enforcement authority as a learning organisation, Sweden

Prevention is a core business of the Swedish labour inspectorate. At the same time there is a shift to more generalist inspectors who are less branch-oriented, backed up by a new communication strategy aiming at prevention and a new way of risk assessment. Part of the Swedish HR strategy is a 'competence supply management system', characterised by the development of leadership skills, change management and a learning organisation approach with special attention to gender and gender-equality issues. In the framework of this approach, all managers are responsible for analysing their activities and for carrying out a competence plan and following it up with their inspectors. As an example of such an educational testbed, several training staff with the supervision of an experienced inspector, are touring all regions to test if the theory is implemented well in practice in the field, or whether additional training is needed.

Hiring

Enforcement authorities have different requirements when recruiting labour inspectors. In most countries, a university degree is necessary (primarily in law, but also in economics or social sciences). Some enforcement authorities require a minimum number of years of experience. There are also differences in the specialisation of inspectors, whereby inspectors specialise, for example, in cross-border or sectoral inspections.

As it is often difficult to find the competences needed for their new tasks in the existing staff of enforcement authorities, there may be an increasing need to recruit new employees with the necessary skills and attitudes, such as inspectors open to using IT tools.

In some countries, this has led to the recognition that labour inspectorates must improve their image as a safe workplace, in order to make it more attractive to newcomers. In other countries, attracting new hires is relatively easy as civil service jobs are generally considered attractive in part due to their stability. In the case of labour inspectorates, flexibility of working hours and possibilities for telework as seen as advantages. These qualities of labour inspectorate jobs have increasingly attracted women (more so than men) in several countries (Belgium, Norway, Slovakia, Slovenia).

During the workshop discussions, some countries mentioned that within labour inspectorates, staff perceive working on tackling undeclared work as less attractive than working on occupational safety and health (OSH), as it can involve more administration and can be considered less rewarding, while the potential for conflict is the same as in the OSH area. For this reason, staff may need to be informed of the advantages of jobs in tackling undeclared work and their importance for society, in order to be incentivised to take them on.

The workshop discussants found that having diversity of staff and a learning culture in the organisation are key success factors.

Building a learning culture can be expressed through the creation of structures such as a 'knowledge center' at the disposal of inspectors, a legal helpdesk to support inspectors, and processes such as the systematic organisation of internal seminars, workshops, introducing case studies and theme discussions at regular meetings, assigning the role of developing practical syllabi to senior inspectors, assigning assistant-helpdesk roles to younger colleagues. Staff members can also be assessed on the basis of their degree of learning development and adaptability, in terms of taking training, knowledge, adaptation to new legislation, methodologies and organise additional training on the job with a coach if someone lacks the energy or spirit. This involves also the whole management to stimulate self-fulfilment as much as possible.

Making the most of the advantaged that staff diversity can bring, some countries (for example, Belgium and France) have hired citizens of foreign descent as inspectors staff. Such diversity can be a big advantage for handling specific cross-border cases, as they have a good understanding of more than one culture. Having diverse staff in terms of gender, ethnic origin, age and other parameters can lead to a better acceptance of inspectors in a globalised working world.

In terms of age and experience, in some countries, labour inspectorates take on recent graduates, but there was an agreement during the workshop discussions that prior experience is useful (for instance, there is a minimum of five years' experience in Slovenia) as it can mean that inspectors have a more rounded skillset, including a perspective from being a worker or employer. Older inspectors are also statistically more likely to commit to working for a longer period of time (reducing turnover).

Box 8. Training strategy, Portugal

Portugal's authority for working conditions (ACT) has developed a comprehensive training scheme for labour inspectors, including communication skills, use of new information systems and electronic tools to use at the workplace allowing crossing of information, methodologies, internal proceedings, guidance of inspectors etc.

The ACT also uses a training plan lasting one year, developed for inspectors who join the authority. After theoretical training (entering upon service) of four months, a second phase of eight months of workplace related training is organised in local branches under the guidance of an experienced inspector (tutor/mentor). Enforcement authorities in other countries often have similar systems.

The ACT also has a career development progression system via individual performance assessments (evaluations). This also seems to be applicable in several other countries.

Considering the new skills-needs, some of the soft skills may be difficult to acquire by training, so it is important to assess these during the hiring process (for example, psychological attitude). This is not systematically done in all enforcement authorities, though some already have formal tests of skills on entry (Belgium, Finland, France, Portugal), and others use personal interviews (Cyprus, Ireland, Lithuania, Luxembourg).

Box 9. Assessing soft skills, France

France recently decided to involve psychologists in the recruitment process to ensure that they can assess soft skills more accurately. France also has a school for inspectors (*Institut National du Travail, de l'Emploi et de la Formation Professionnelle*), and organises information and prevention campaigns in collaboration with other public bodies and social partners (in the framework of national action plans against undeclared work and illegal work) and this led to projects such as the development of a comprehensive handbook for inspectors.

Training

Rigorous and continuous training for inspectors is needed, as they have to deal with quickly changing environments and types of fraud and problems. There is a need to develop performance management and offer training and coaching to inspectors performing below average (for example, as a result of an individual evaluation). Managers should be trained in change management, project management, participative management etc.

Some enforcement authorities have internal trainers (for example, Belgium, Slovakia), mostly volunteers, who are local heads of unit and experienced seniors, to develop training modules on undeclared work using also the 'train-the-trainer' system.

While it is often difficult to find such knowledge (especially as to the methodologies) in the private sector or the general civil service sector, it may be preferable to hire external trainers in specific areas such as mediation, conciliation, how to deal with conflict situations and time management etc.

In both cases (pure job-related undeclared work training, and training on generic skills), enforcement authorities may take advantage, to establish agreements and protocols with other organisations and public institutions for training purposes (for example with border control or police, public prosecutors, social security office, tax and customs officers) in order to share training capacity, knowledge and budget etc. This type of cooperation could also stimulate the general willingness to cooperate at other levels (sharing data, information, joint inspections in a holistic approach).

Training should be adjusted to match the prior experience of new staff. For example, former policemen need a different type of training and mentoring to those who have come from private industry or have a legal background. A focus should be on the differences and suitable application of deterrence and prevention activities.

Box 10. Enhancing IT skills, Greece

In Greece, the labour inspectorate has hired new, mostly younger inspectors to work on a new IT tool. Greece had made sustained efforts to improve the skills of inspectors so that they can use the IT tools (such as the ERGANI system); training in that regard includes published manuals, guidelines and e-learning with updated information and latest improvements. The inspector's feedback is a main source of improvement of the IT system.

Training of inspectors (both new and existing) could also emphasise how the deterrence and preventative approaches can be used in different scenarios in order to reach certain outcomes. This implies a prior step that enforcement authorities should take, to revise strategic-level key performance indicators (KPIs) to reflect a combined approach of deterrence and prevention. This is instead of KPIs focusing only on deterrence, as has been historically the case in the majority of enforcement authorities.

Enforcement authorities may need to strengthen their efforts to motivate inspectors to develop new skills and participate in training (particularly where there is resistance, or in the context of an ageing workforce). General rules of civil service often make it difficult to dismiss employees who lack certain skills or who refuse to participate in training. Some enforcement authorities try to counter this by imposing requirements for a minimum number of days or proportion of working time that needs to be devoted to job related

training every year (such as in Spain and Norway) or by imposing ad hoc training modules to inadequate inspectors at the formal evaluation procedure (for example in Belgium). Many enforcement authorities would like to develop their own training system, but lack adequate support and budget and so tend to rely on centralised civil service training which tends not to be tailored to their specific needs.

Alternative forms of knowledge sharing

Informal or on-the-job training and knowledge-sharing can sometimes be more effective than official training. Secondments of specialist staff from other organisations, may be a cheaper alternative to training, but are currently rarely used. Enforcement authorities organise experience-oriented workshops, seminars and other informal gatherings, as well as mentoring schemes. Some countries also conduct annual evaluations and job satisfaction surveys which can be used to develop or revise their human resources (HR) strategies.

Box 11. Examples of mentoring, Luxembourg, Slovakia and Belgium

In Luxembourg, an in-house mentor provides help to inspectors.

In Slovakia, a new law allows the labour inspectorate to develop and offer training specialised to the inspectorate. The new courses were developed and implemented in partnership with other relevant institutions (such as the police, social security agency, central office, universities) and training was facilitated by experts from these institutions. Specialised competency training has been developed recently in the area of posted workers and undeclared work. The labour inspectorate also use mentors: mentors are graduates of a training program for mentors and have at least three years of experience in the labour inspectorate or at least five years' professional experience.

Belgian inspectors have support from the labour inspectorate contact centre (a helpdesk and knowledge centre). Belgium also uses mentoring: new recruits are paired with experienced inspectors who apply the 'train the trainer' principle.

Internal mobility across geographical areas and sectors can also be useful and stimulate talent exchange. Examples include Belgium's COVRON inspectors, and Spain's initiative described in the box below, which involve sending inspectors to support staff in the Balearic and Canary Islands during the summertime.

Box 12. Support for regional offices, Spain

Spain has a well-established training school for labour inspectors (ITSS), and also offers practical training at regional offices. In this context, Spain has developed a new training module on new forms of collaborative work and bogus self-employment.

Spain also has a rotating system of staff reinforcement where inspectors and sub-inspectors are sent for a three-week period to other regions (for example in the Balearic and Canary Islands) to support monitoring labour contracts and social security registration. The ITSS monitors the whole functioning and activities of the authority via periodic audits of the regional divisions (called Inspection of the Inspectorate).

Source: Presentation at the thematic review workshop held in Lithuania on 26-27 June 2019

Publications from the European Platform tackling undeclared work are also useful examples of educational resources which can be used by enforcement authorities.

It was suggested that ELA could offer future support for training initiatives on cross-border joint collaboration and joint inspections. Enforcement authorities could also consider apply for the European Social Funding for skills development initiatives.

Motivating and retaining staff

Given their highly specific skills (and the high cost of in-house training) as well as the value of on-the-job experience of inspectors, workshop participants agreed it is especially important to motivate and retain labour inspectorate staff. Incentive pay is used in some countries (e.g. France) but needs to be carefully designed, should depend on team and unit performance, and should be coupled with quality checks by senior managers. Job satisfaction surveys can be useful, as well as anonymous online surveys (Belgium). Other enforcement authorities organise training based on individual reviews/assessment once a year (Finland) or every two years (Ireland, Portugal).

Regarding tools to attract and retain new employees, flexibility is considered an appealing feature in many enforcement authorities. Promoting modern, flexible working arrangements such as teleworking and a wide range of training and progression options, can increase attractiveness and diversity. Flexibility and telework is widely used in the Nordic countries as well as in Belgium and Spain.

Work-life balance should be an integral part of the HR strategy. HR policies that foster work-life balance, such as flexible hours, may contribute to the retention of inspectors as well as to inspectors' satisfaction and productivity. In turn, job satisfaction might also have a positive impact on the being open to changes in roles and competences (Source: ILO presentation at the thematic review workshop held in Lithuania on 26-27 June 2019).

Last but not least, organisational attractiveness can be boosted by reviewing the organisation's mission statement, as already discussed in section 4.1 above.

5 KEY LEARNING OUTCOMES

The following key learning outcomes emerged from the discussions during the workshop. It should be noted that enforcement authorities have different structures, and the recommendations should be adapted according to the specificities of each organisation.

- Before developing an HR strategy, enforcement authorities should define the culture of the organisation, which is expressed in the mission, the vision and the values of the organisation. This will help shape the attitudes of the inspectors and build trust in the organisation and can contribute to staff retention.
- Enforcement authorities can boost organisational attractiveness by reviewing the organisation's mission statement. For instance, enforcement authorities could draw parallels between their work and their own organisational values in protecting employees. Promoting modern, flexible working arrangements such as teleworking and a wide range of training and progression options, can also increase attractiveness and diversity.
- Enforcement authorities should revise strategic-level KPIs to reflect a combined deterrence and preventative approach. Training of inspectors (both new and existing) could emphasise how the approaches can be used in different scenarios in order to reach certain outcomes.
- Enforcement authorities should consider joining-up with external partners to share resources. In some cases, it may be more efficient to cooperate with another authority that has the necessary competence than to develop it within the inspectorate (for example, cooperate on risk analysis with tax or social insurance authorities).
- When relevant, enforcement authorities could consider adopting a division of labour along the lines of their core functions. This could, for instance, include having a specialised unit providing support and advice. This would free-up inspectors' time. However, this approach could entail finding additional resources, overcoming legal constraints and ensuring staff motivation.

- A centralised analytical function could also be effective. This would mean having all data in one institution and a need to develop training on how to use the databases holding such data.

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Presentations at European Platform tackling undeclared work thematic review workshop on the *future role and competence profiles of labour inspectorates*, Vilnius, 26-27 June 2019. (not publicly available):

- Presentation by Belgium (Bart Stalpaert and Hilaire Willems) - The Belgian Experience
- Presentation by Greece – (Christina Prearis) - Use of Ergani IT system in data mining
- Presentation by ILO – (Arsenio Fernandez Rodriguez) - Labour inspectors' careers
- Presentation by Lithuania (Arūnas Lupeika)– Undeclared work: Lack of civil sociability perspectives
- Presentation by Slovakia (Kamil Košík) – Employee training concept of the labour inspection in the Slovak Republic
- Presentation by Spain (Almudena Nuñez-Garcia Bada) – Present and future of ITSS
- Presentation by Sweden (Louise Dahlén) – Adapting to new HR challenges

Further information on the European Platform tackling undeclared work:

<https://ec.europa.eu/social/udw>