



Germany's contact persons for corruption prevention



Public Procurement Principle: **Integrity, Risk management, Transparency**



Procurement Stage: **All phases**



Audience: **Procuring entity, Civil society, Policy maker, Private sector**

Description

Germany has institutionalised units for corruption prevention at the federal level, as well as a responsible person dedicated to promoting corruption prevention measures within a public entity. The contact person and a deputy have to be formally nominated. The “Federal Government Directive concerning the Prevention of Corruption in the Federal Administration” defines these contact persons and their tasks as follows: A contact person for corruption prevention shall be appointed based on the tasks and size of the agency. One contact person may be responsible for more than one agency. Contact persons may be charged with the following tasks:

- Serving as a contact person for agency staff and management, if necessary without passing through official channels, along with private persons
- Advising agency management
- Keeping staff members informed (e.g. by means of regularly scheduled seminars and presentations)
- Assisting with training
- Monitoring and assessing any indications of corruption
- Helping keep the public informed about penalties under public service law and criminal law (preventive effect), while respecting the privacy rights of those concerned. If the contact person becomes aware of facts leading to reasonable suspicion that a corruption offence has been committed, he or she shall inform the agency management and make recommendations on conducting an internal investigation, taking measures to prevent concealment and informing the law enforcement authorities.

The agency management shall take the necessary steps to deal with the matter. Contact persons shall not be delegated any authority to carry out disciplinary measures; they shall

not lead investigations in disciplinary proceedings for corruption cases. Agencies shall provide contact persons promptly and comprehensively with the information needed to perform their duties, particularly with regard to incidents of suspected corruption. In carrying out their duties of corruption prevention, contact persons shall be independent of instructions.

They shall have the right to report directly to the head of the agency and may not be subject to discrimination as a result of performing their duties. Even after completing their term of office, contact persons shall not disclose any information they have gained about staff members' personal circumstances; they may however provide such information to agency management or personnel management if they have a reasonable suspicion that a corruption offence has been committed. Personal data shall be treated in accordance with the principles of personnel records management.

Source: German Federal Ministry of the Interior (2014) "Rules on Integrity", https://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/2014/rules-onintegrity.pdf?__blob=publicationFile

OECD (2018) Procurement review of the chamber of commerce of Bogotá, Colombia [Procurement Review of the Chamber of Commerce of Bogotá, Colombia \(oecd.org\)](https://www.oecd.org/procurement/review/procurement-review-of-the-chamber-of-commerce-of-bogota-colombia/)

