Public Administration: Responding to the COVID-19 Pandemic

Mapping the EU member states' public administration responses to the COVID-19 pandemic (for EU Enlargement and Neighbourhood countries)

Republic of LATVIA

7 April 2020

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On 12 March 2020, the Cabinet of Ministers (Government) of the Republic of Latvia (Latvia) issued Regulation No.103[1] Announcement of State of Emergency to be put into place until the 14 April 2020. On 7 April 2020 it was prolonged further until 12 May 2020. Since then the Regulation has been amended several times to include new measures to adapt to the changing epidemiological situation in the country. The Saeima (Parliament) has convened on several extraordinary meetings to approve the Government's regulations and proposed amendments to different laws in regard to the COVID-19 crisis.

Centre of Government, policy co-ordination and decision-making process

1. *How is the Government (Council of Ministers) functioning (organisation of virtual meetings, remote sessions etc.)?*

    The Government is fully functional and is holding regular virtual meetings and remote sessions. Provisions for those are explicitly described by the Rules of Procedure of Government[2]. Those amendments were introduced in 2016 following lessons learned from regular crisis management trainings of the Government. The State Chancellery ensures functioning of the Government during the state of emergency. This includes the smooth running of the e-sessions software (introduced already in the early 2000's) that allows to access all documents from any place in the world, as well as casting a vote remotely, if needed.

2. *How are the crisis management and external communications co-ordinated within the Government? What is the role of the CoG in this? Is there a central strategy/guidance?*

    As foreseen by the Law on National Security,[3] the Crisis Management Council is a key operational level co-ordinating body during the state of emergency. The Chairman of the Council is the Prime Minister, and most of the ministers are members. Secretariat functions are ensured by the Ministry of Healthcare (in co-operation with the Ministry of Interior). Based on the decisions taken by the Crisis Management Council, public institutions prepare relevant legal acts that are later submitted to the Government and the Parliament for approval. Virtual press conferences following the Government remote session are held to inform the media and citizens about the decisions taken. Some of the Government's press conferences (even on weekends) are broadcasted on the public TV channel. External communication of the Government is co-ordinated by the State Chancellery with support from all relevant public institutions.

3. *Any arrangements (rules, working procedures) which aim to streamline and accelerate the government decision-making process (as regards deadlines, public consultations, transparency, impact analysis)?*

    On 3 April 2020 the Parliament adopted a Law on Functioning of Institutions during an Emergency in connection with COVID-19[4]. This Law was drafted by the Government and approved during its meeting on 31 March 2020. The law defines the functioning, rights and responsibilities of public institutions, as well as rights and responsibilities of citizens.

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[1]   The Regulation No.103, its amendments and all amendments made to different laws are published online on the website of the Official Gazette (in Latvian): https://likumi.lv/ta/tema/covid-19

[2]   Rules of Procedure of the Government (in Latvian): https://likumi.lv/ta/id/190612-ministru-kabineta-kartibas-rullis

[3]   Law on National Security (in Latvian): https://likumi.lv/ta/id/14011-nacionalas-drosibas-likums

[4]   Law on Functioning of Institutions during an Emergency in connection with Covid-19 (in Latvian)

Public service and human resource management

1. **What arrangements regarding teleworking? What is the share of civil servants teleworking? What is the share of civil servants still coming to the office?**

    The State Chancellery (institution responsible for HR policy in public administration) together with the Ministry of Environmental Protection and Regional Development (institution responsible for IT policy and client service policy in public administration) had prepared and issued Guidelines on the Organisation of Work, Pay and Client service in Public Administration Institutions during the Emergency[5].

    The decision on how to organise the work of the public institution is left to each manager, however, it is strongly advised to telework. There is an explicit explanation on how to organise the work of staff still required to be in the office. Taking into account the limitations set by the Government and the Parliament during the state of emergency, the manager of the institution is responsible for ensuring that the work of the institution and the performance of its functions continue.

    Currently no information is publicly available on the share of civil servants and public employee's teleworking or staff still coming to the office.

2. **What other flexible working arrangement (part-time work, distribution of working hours over 7 days…)?**

    Flexible working arrangements are foreseen by the Law on Civil Service (regulating work relations of civil servants) and Labour Law (regulating work relations of public servants that are not civil servants).

    A term "forced downtime" is used to describe the situation when civil servants and public employees are asked to stay at home without carrying out their direct functions.

3. **If civil servants cannot telework, how are they paid?**

    In case there is a situation that civil servants or public employees cannot perform their work functions, they are paid according to their previously set salary. The work timesheets in these cases indicate that that person is on "forced downtime".

4. **Are civil servants being sent on mandatory annual leave? If not, is use of annual leave recommended? Any other special arrangement on absence management?**

    Civil servants are currently not sent on mandatory annual leave, however, they can choose to opt for annual leave, if they want to request it.

5. **Any new, special regulations for working overtime (removing limitations to overtime work e.g. for medical staff)?**

    According to the Government regulation No.103 on Announcement of the State of Emergency, a limited number of state institutions (e.g. healthcare institutions, the Ministry of Healthcare, State Revenue Service, the Ministry of Defence and its institutions, the Ministry of Interior and its institutions, the Ministry of Education and its institutions, etc.) can increase normal working hours, as long as they do not exceed 60 working hours per week. This increased work is paid according to special provisions as foreseen by the Law on Civil Service and the Labour Law.

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[5]   Link to Guidelines (in Latvian language):
       https://www.mk.gov.lv/sites/default/files/attachments/vadlinijas_darba_organizacijai_arkarteja_situacija_27032020.pdf These Guidelines are regularly updated.

6. **Arrangement for paying for extra workload (health care etc.)?**

According to the decision of the Government, health care employees directly involved in battling the COVID-19 crisis (e.g. Emergency Health Service, Latvia Infectiology Centre, etc.) can receive an additional 20 to 50% pay. Currently the Government has allocated EUR 8 million for the coming three months and the Ministry of Healthcare is responsible for defining criteria for different groups of employees.

7. **What measures have been introduced to create fiscal space to fund health care, economic measures etc. against COVID-19 (salary cuts, freeze of recruitment, promotions…)?**

Currently no decisions have been made to cut salaries in the public sector. The Government is using financial resources available in the Treasury and has borrowed additional funds by issuing bonds.

Accountability

1. **How did you keep the national parliament operational? Any simplification of parliamentary procedures?**

The Parliament convenes for extraordinary meetings (taking certain precautionary measures such as avoiding the plenary hall and maintaining a two metre distance between the MP's) to approve the Government's decisions taken in response to the COVID-19 crisis and adopt amendments to the laws to tackle the emergency. Currently the Parliament is working on an IT system that would allow to effectively hold remote sessions.

2. **How about the Ombudsman (e.g. overseeing the situation in prisons)**

The Ombudsman's Office is operational, however, it has suspended receiving its clients in person. The work is ensured through phone and other ICT solutions. The Ombudsman is actively posting its position and recommendations related to the Government's response to the COVID-19 crisis (including on the limitation of a person's rights) on its website www.tiesibsargs.lv (available in Latvian).

3. **Does administrative justice work? Have deadlines changed?**

The courts, including administrative courts continue functioning. The Law on Functioning of Institutions during an Emergency in connection with COVID-19 foresees explicit regulations on how different aspects of the administrative justice should be carried out during the time of crisis.

4. **Any public debates in respect of principles of good administration (legality, proportionality, predictability) of protective measures?**

Debates are held almost on a daily basis on the decisions taken by the Government and the Parliament, mostly through TV channels (both public and private). Participants include representatives of the public institutions and different non-governmental organisations.

Service delivery

1. **Which services are being delivered (all, some, only the essential)?**

All public services are currently being delivered to the citizens, however, some are only available electronically instead of physical.

According to the Law on Functioning of Institutions during an Emergency, in connection with COVID-19, public institutions, to any possible extent, should ensure their functions and tasks as foreseen by the legal acts. In carrying out the functions, institutions are expected to co-ordinate, co-operate and avoid legal formalism. Ways of functioning should be fine-tuned according to particular circumstances dictated by the emergency (e.g. limiting direct interaction, teleworking, broader electronic operations).

Methodological guidance on organisation of service provision is provided through the Guidelines on Organisation of Work, Pay and Client service in Public Administration Institutions during the Emergency.

2. **Are there any modifications done to the obligations of:**

   i. *the administrations towards citizens/businesses (e.g. freezing of deadlines)?*

   According to the Law on Functioning of Institutions during an Emergency, in connection with COVID-19, and based on the decision of the head of institution, the response time to citizen's request can be prolonged, unless linked to a breach of a person's rights or safeguard of interests in an emergency.

   ii. *citizens/businesses towards public administration (reporting, payments of taxes, contributions, fees…)?*

   The Government is gradually implementing different support mechanisms for both businesses and individuals (e.g. postponing tax payments for businesses, paying out "forced downtime" benefits to employees of businesses affected by the Government's introduced restrictions, prolonging validity of personal documents with expired term etc.). Support measures are reviewed and introduced on a weekly basis and are based on analysis carried out by ministries and discussions with non-governmental organisations.

3. **Has the crisis initiated any simplifications or enhanced the use of alternative tools:**

   i. *in the internal procedures of the government (e.g. acceptance of formal approvals over email)?*

   The Rules of Procedure of the Government explicitly defines procedures to be followed during times of crisis and use of electronic means. All public institutions are encouraged to use electronic means as a modus operandi during times of crisis.
   The State Chancellery (institution responsible for the HR policy in public administration) together with the Ministry of Environmental Protection and Regional Development (institution responsible for IT policy and client service policy in public administration) had prepared and issued Guidelines on Solutions for Tele (Distance) Working[6].

   ii. *in the administrative procedures with citizens and businesses (e.g. replacement of handwritten signature with scanned copies or simple exchange of mails)?*

   Electronic signatures have been adopted by the public services for many years now in Latvia. According to publicly available information the number of requests to obtain electronic signatures has doubled since the start of the COVID-19 crisis[7]. Physical issuance

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6   Guidelines on Solutions for Tele (Distance) Working (in Latvian):
     http://www.varam.gov.lv/lat/aktual/preses_relizes/?doc=28456

7   Information on doubling of number of requests for electronic signature (in Latvian):
     https://www.eparaksts.lv/lv/par_mums/Jaunumi/Dubultojies_pieteikumu_skaits_eParaksts_mobile_sanemsanai

of electronic signatures has ceased, but they can be obtained via distance provisions offered by the responsible institution.

Public Financial Management

1. ***Are COVID-19 response measures being introduced within the framework of or with reference to existing fiscal rules (budget deficit or public debt ratio limits etc.)***

   The Government is constantly informing the Parliament and the public on the impact of its decisions related to public finances. The budget deficit has increased in compliance with the overall rules set out by eurozone economies during a time of crisis.

   More information on the fiscal decisions can be found on the Ministry of Finance's website in the specially designated chapter[8] and the IMF Latvia country page[9].

2. ***Are the cost of these measures being published?***

   All decisions taken by the Government are supplemented by an Explanatory Note (Annotation) consisting of a compulsory fiscal impact assessment on the state budget. This is checked by the Ministry of Finance as part of a compulsory inter-ministerial consultation process. All Explanatory Notes (Annotations) are publicly available alongside the legal act.

   Costs and means of financing are explicitly communicated to the public by the Prime Minister and other ministers during regular press conferences held after each Government meeting.

3. ***Have budget users been asked to identify cost-saving measures to partially offset the cost of the response measures?***

   There is a decision to transfer all expenditure of public institutions related to business travel to a special budget program "Expenditure for unforeseen measures". That budget will be used to cover unplanned expenditure connected with the COVID-19 crisis[10].

   Currently there is no other publicly available information on any other cost-saving measures.

4. ***Are internal controls continuing to operate smoothly (electronic signatures)?***

   Currently, the public administration is functioning as foreseen by the laws and regulations and this includes internal and external controls.

5. ***Does each budget user or at least ministry have a risk management strategy that envisaged emergency measures in response to a sudden crisis? How is staff and customer safety balanced against the need to deliver required services?***

   There are no specific risk management strategies, however, risk management is part of the internal financial control system and must be established by the manager of each public institution. The internal financial control system in public administration is co-ordinated by the Ministry of Finance.

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[8]   Covid-19 related information on the Ministry of Finance web-site (in Latvian): https://www.fm.gov.lv/lv/covid_19/arkarteja_situacija/

[9]   IMF Latvia country page on Covid-19 response (in English): https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#L

[10]   Covid-19 related information on the Ministry of Finance web-site (in Latvian): https://www.fm.gov.lv/lv/covid_19/arkarteja_situacija/

Staff and customer safety principles are set out in the Law on Functioning of Institutions during an Emergency in connection with COVID-19 and Guidelines on the Organisation of Work, Pay and Client service in Public Administration Institutions during COVID-19 crisis. In-person service delivery is currently still allowed; however, each manager of a public institution is tasked to find solutions that would limit the possible spread of the COVID-19.